



# Development Services Committee Revised Agenda

Meeting Number 6  
March 18, 2019, 9:30 AM - 3:00 PM  
Council Chamber

Please bring this Development Services Committee Agenda to Council on April 2, 2019.

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	<b>Pages</b>
<b>1. CALL TO ORDER</b>	
<b>2. DISCLOSURE OF PECUNIARY INTEREST</b>	
<b>3. APPROVAL OF PREVIOUS MINUTES</b>	
<b>3.1 SPECIAL DEVELOPMENT SERVICES COMMITTEE MINUTES -         FEBRUARY 19, 2019 (10.0)</b>	<b>10</b>
1. That the minutes of the Special Development Services Committee meeting held February 19, 2019, be confirmed.	
<b>3.2 DEVELOPMENT SERVICES COMMITTEE MINUTES - FEBRUARY 25,         2019 (10.0)</b>	<b>13</b>
1. That the minutes of the Development Services Committee meeting held February 25, 2019, be confirmed.	
<b>3.3 DEVELOPMENT SERVICES PUBLIC MEETING MINUTES - FEBRUARY         19, 2019 (10.0)</b>	<b>23</b>
1. That the minutes of the Development Services Public meeting held February 19, 2019, be confirmed.	
<b>4. PRESENTATIONS</b>	
<b>5. DEPUTATIONS</b>	
<b>6. COMMUNICATIONS</b>	
<b>7. PETITIONS</b>	
<b>8. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES</b>	
<b>8.1 HERITAGE MARKHAM COMMITTEE MINUTES – FEBRUARY 13, 2019</b>	<b>31</b>

(16.11)

1. That the minutes of the Heritage Markham Committee meetings held February 13, 2019, be received for information purposes.

**8.2 VARLEY-MCKAY ART FOUNDATION OF MARKHAM MINUTES – JANUARY 14, 2019 (16.0) 42**

1. That the minutes of the Varley-McKay Art Foundation of Markham meeting held January 14, 2019, be received for information purposes.

**8.3 PRELIMINARY REPORT 2585231 ONTARIO INC. APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION TO PERMIT MEDIUM-RISE RESIDENTIAL AND MIXED USE DEVELOPMENT AT 9999 MARKHAM ROAD, (WARD 5) FILE NOS: ZA/SU 18 180621 (10.5, 10.7) 49**

S. Muradali, ext. 2008

1. That the report titled “PRELIMINARY REPORT, 2585231 Ontario Inc., Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit medium-rise residential and mixed use development at 9999 Markham Road, (Ward 5), File Nos: ZA/SU 18 180621”, be received; and

**8.4 PRELIMINARY REPORT NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION 100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7, WEST OF SOUTH TOWN CENTRE BOULEVARD) APPLICATIONS FOR ZONING BY-LAW AMENDMENT 62**

**AND DRAFT PLAN OF SUBDIVISION TO PERMIT A MIXED-USE HIGH DENSITY DEVELOPMENT MARKHAM CENTRE (WARD 8) FILE NO. ZA/SU 18 180462 (10.5, 10.7)**

S. Heaslip, ext. 3140

1. That the report titled “PRELIMINARY REPORT, New World Centre (Markham) Development Corporation, 100-110 Clegg Road (south side of Highway 7, west of South Town Centre Boulevard) Applications for zoning by-law amendment and draft plan of subdivision to permit a mixed-use high density development, Markham Centre (Ward 8), File No. ZA/SU 18 180462;” be received.

**8.5 RECOMMENDATION REPORT AMENDMENT TO DESIGNATION BY-LAW 4-78 ECKARDT-STIVER HOUSE, 206 MAIN STREET UNIONVILLE, WARD 3 (16.11.3) 77**

G. Duncan, ext. 2296

1. That the staff report titled “Amendment to Designation By-law 4-78, Eckardt-Stiver House, 206 Main Street Unionville”, dated March 18, 2019, be received; and,
2. That By-law 4-78 designating the Eckardt-Stiver House at 206 Main Street, Unionville under Part IV of the Ontario Heritage Act be amended as per Appendix “A” to this report, to update the Statement of Significance to include both exterior and interior architectural features; and,
3. That the Clerks Department serve upon the owner Council’s Notice of Intention to Amend the Designation By-law as per the requirements of the Ontario Heritage Act; and,
4. That if there is no objection to the amendment by the owner in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place an amending by-law before Council for adoption; and,
5. That if there is an objection to the amendment by the owner in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed amendment to the Ontario Conservation Review Board; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**8.6 RECOMMENDATION REPORT AMENDMENT TO DESIGNATION BY-LAW 211-79 BRIARWOOD FARM – JAMES MCLEAN HOUSE, 4031 SIXTEENTH AVENUE, WARD 3 (16.11.3)**

84

G. Duncan, ext. 2296

1. That the staff report titled “Amendment to Designation By-law 211-79, Briarwood Farm – James McLean House, 4031 Sixteenth Avenue”, dated March 18, 2019, be received; and,
2. That By-law 211-79 designating Briarwood Farm – James McLean House at 4031 Sixteenth Avenue under Part IV of the Ontario Heritage Act be amended as per Appendix “A” to this report, as the building will be relocated within the subject property and will have a new legal description, and to update the Statement of Significance to include interior architectural features; and,
3. That the Clerks Department serve upon the owner Council’s Notice of Intention to Amend the Designation By-law as per the requirements of the Ontario Heritage Act; and,
4. That if there is no objection to the amendment by the owner in

accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place an amending by-law before Council for adoption; and,

5. That if there is an objection to the amendment by the owner in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed amendment to the Ontario Conservation Review Board; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## **8.7 RECOMMENDATION REPORT INTENTION TO DESIGNATE A PROPERTY UNDER PART IV OF THE ONTARIO HERITAGE ACT THOMAS LOWNSBROUGH HOUSE 9392 KENNEDY ROAD, WARD 6 (16.11.3)**

91

G. Duncan, ext. 2296

1. That the staff report entitled “Intention to Designate a Property Under Part IV of the Ontario Heritage Act, Thomas Lownsbrough House, 9392 Kennedy Road,” dated March 18, 2019, be received; and,
2. That as recommended by Heritage Markham, the Thomas Lownsbrough House at 9392 Kennedy Road be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest; and,
3. That the Clerk’s Department be authorized to publish and serve Council’s Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,
4. That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption; and,
5. That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## **8.8 ROAD SAFETY IN MARKHAM (CITY-WIDE) (5.10)**

99

D. Porretta, ext. 2040

1. That the memorandum dated March 18, 2019 entitled "Road Safety in Markham (City-wide), be received.



## 9. PRESENTATIONS - DEVELOPMENT AND POLICY ISSUES

### 9.1 RECOMMENDATIONS FOR AN AGE-FRIENDLY COMMUNITY (10.0) 108

***Note: Presentation is attached.***

The following Members of the Committee for an Age-Friendly Markham will be in attendance to present the Recommendations for an Age-Friendly Community:

Regional Councillor Jack Heath

Andy Langer

Gail Leet

Christl Reeh

Diane Gabay

1. That the presentation provided by the Members of the Committee for an Age-Friendly Markham (Regional Councillor Jack Heath, Andy Langer, Gail Leet, Christl Reeh and Diane Gabay) entitled "Recommendations for an Age-Friendly Community", be received.

## 10. PRESENTATIONS - TRANSPORTATION AND INFRASTRUCTURE ISSUES

### 10.1 JOHN STREET MULTI-USE PATHWAY (MUP) (CONSTRUCTION) (5.10)

B. Lee, ext. 7507

**Note: On March 4th, 2019 General Committee directed staff to provide a presentation to Development Services Committee regarding the John Street Multi-Use Pathway (MUP) (Construction).**

**Presentation to be distributed separately.**

## 11. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES

### 11.1 INTENTION TO DESIGNATE A PROPERTY UNDER PART IV OF THE ONTARIO HERITAGE ACT DOUGLAS-HEISE HOUSE 15 WALES AVENUE, WARD 4 (16.11.3) 134

R. Hutcheson, ext. 2080

1. That the staff report entitled "Intention to Designate a Property Under Part IV of the Ontario Heritage Act, Douglas-Heise House, Address: 15 Wales Avenue," dated March 18, 2019, be received; and,
2. That as recommended by Heritage Markham, the Douglas-Heise

House at 15 Wales Avenue be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest; and,

3. That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,
4. That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption; and,
5. That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**11.2 RECOMMENDATION REPORT F.J. HOMES LIMITED PROPOSED ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION 19TM-17007 TO PERMIT 14 SINGLE DETACHED DWELLINGS**

149

**SOUTHWEST CORNER OF ROY RAINEY AVENUE AND COUNTRY RIDGE DRIVE (WARD 4) FILES ZA/SU 17 155326 (10.5, 10.7)**

S. Corr, ext. 2624

1. That the report titled "RECOMMENDATION REPORT, F.J Homes Limited, Proposed Zoning By-law Amendment and Draft Plan of Subdivision 19TM-17007 to permit 14 single detached dwellings. Southwest corner of Roy Rainey Avenue and Country Ridge Drive (Ward 4), Files ZA/SU 17 155326", be received; and;
2. That the Zoning By-law Amendment application submitted by F.J. Homes Limited, to amend Zoning By-law 177-96, as amended, be approved and that the draft by-law attached as Appendix 'A' be finalized and enacted without further notice; and,
3. That in accordance with the provisions of subsection 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the owner shall, through this resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the zoning by-law (Appendix 'B') within two years of its approval by Council; and,
4. That Draft Plan of Subdivision 19TM-17007 submitted by F.J. Homes Limited, be approved subject to the conditions outlined in Appendix 'B'; and,

5. That the Director of Planning and Urban Design, or his designate be delegated authority to issue draft approval, subject to the conditions set out in Appendix 'B' and as may be amended by the Director of Planning and Urban Design; and,
6. That the draft plan approval for Plan of Subdivision 19TM-17007 will lapse after a period of three (3) years from the date of Council approval in the event that a subdivision agreement is not executed within that period; and,
7. That Council assign servicing allocation for up to 14 single detached dwellings; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**11.3 RECOMMENDATION REPORT 2412371 ONTARIO LIMITED (WYVIEW GROUP) 4121 HIGHWAY 7 APPLICATION FOR ZONING BY-LAW AMENDMENT TO PERMIT A TEMPORARY AUTOMOBILE STORAGE LOT (WARD 3) FILE NO.: ZA 18 154593 (10.5)**

185

S. Heaslip, ext. 3140

1. That the report dated March 18, 2019 titled "Recommendation Report, 2412371 Ontario Limited (Wyview Group), 4121 Highway 7 Application for zoning by-law amendment to permit a temporary car storage lot, (Ward 3), File No. ZA 18 154593," be received; and,
2. That the record of the Public Meeting held on November 13, 2018 regarding the Zoning By-law Amendment application submitted by 2412371 Ontario Limited (Wyview Group), be received; and,
3. That the Zoning By-law Amendment application submitted by 2412371 Ontario Limited (Wyview Group) to amend Zoning By-law 304-87, as amended, be approved, and that staff finalize the implementing zoning by-law amendment for enactment by Council; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**12. MOTIONS**

**13. NOTICES OF MOTION**

**14. NEW/OTHER BUSINESS**

*As per Section 2 of the Council Procedural By-Law, "New/Other Business" would generally apply to an item that is to be added to the **Agenda** due to an urgent statutory*

*time requirement, or an emergency, or time sensitivity".*

**15. ANNOUNCEMENTS**

**16. CONFIDENTIAL ITEMS**

That, in accordance with Section 239 (2) of the Municipal Act, Development Services Committee resolve into a confidential session to discuss the following matters:

**16.1 DEVELOPMENT AND POLICY ISSUES**

**16.1.1 DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL  
MINUTES – FEBRUARY 11, 2019 (10.0) [Section 239 (2) (e)]**

**16.1.2 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT  
PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY  
FOR THAT PURPOSE - [Section 239 (2) (f)] – 15 WALES  
AVENUE (WARD 4) (8.0)**

**17. ADJOURNMENT**

**Information Page**

**Development Services Committee Members: All Members of Council**

**Development and Policy Issues**

Chair: Regional Councillor Jim Jones

Vice-Chair: Councillor Keith Irish

**Transportation and Infrastructure Issues**

Chair: Deputy Mayor Don Hamilton

Vice-Chair: Councillor Reid McAlpine

**Culture and Economic Development Issues**

Chair: Councillor Alan Ho

Vice-Chair: Councillor Khalid Usman

Development Services meetings are live video and audio streamed on the City's website.

Alternate formats for this document are available upon request.

**Consent Items:** All matters listed under the consent agenda are considered to be routine and are recommended for approval by the department. They may be enacted on one motion, or any item may be discussed if a member so requests.

**Please Note:** The times listed on this agenda are approximate and may vary; Council may, at its discretion, alter the order of the agenda items.

**Development Services Committee is scheduled to recess for  
lunch from approximately 12:00 PM to 1:00 PM**

**Note: As per the Council Procedural By-Law, Section 7.1 (h)  
Development Services Committee will take a 10 minute recess after  
two hours have passed since the last break.**



## Special Development Services Committee Minutes

**Meeting Number 4**

**February 19, 2019, 2:00 PM - 3:00 PM**

**Council Chamber**

Roll Call	Deputy Mayor Don Hamilton	Councillor Reid McAlpine (left at 2:58 p.m.
	Regional Councillor Jack Heath	and returned at 3:30 p.m.)
	Regional Councillor Joe Li	Councillor Andrew Keyes
	Regional Councillor Jim Jones	Councillor Amanda Collucci
	Councillor Keith Irish	Councillor Khalid Usman
	Councillor Alan Ho (left at 3:15 p.m.)	Councillor Isa Lee
Regrets Staff	Mayor Frank Scarpitti	Councillor Karen Rea
	Andy Taylor, Chief Administrative Officer	Biju Karumanchery, Director, Planning & Urban Design
	Arvin Prasad, Commissioner Development Services	Marg Wouters, Senior Manager, Policy & Research
	Catherine Conrad, City Solicitor & Acting Director, Human Resources	Scott Chapman, Election & Council/Committee Coordinator

**Alternate formats for this document are available upon request**

### 1. CALL TO ORDER

The Development Services Committee convened at the hour of 2:01 p.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair.

### 2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

### 3. PRESENTATION - DEVELOPMENT AND POLICY ISSUES

#### 3.1 PROPOSED AMENDMENT 1 TO THE GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE 2017 (10.0)

Arvin Prasad, Commissioner, Development Services provided some introductory remarks on the Growth Plan for the Greater Golden Horseshoe and staff's position on the Province's proposed amendments to the Plan.

Marg Wouters, Senior Manager, Policy & Research provided a PowerPoint presentation entitled "Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe 2017 (10.0)"

The Committee discussed the importance of phasing growth in line with the delivery of transit infrastructure and investment. There was considerable discussion regarding the inadequate public transit and transportation infrastructure relative to the rate of growth in Markham, and emphasis on the need to secure a commitment from the Province to provide the City with the transportation investment required to accommodate growth through intensification.

There was discussion with respect to Markham's Designated Greenfield Area (DGA) and future urban expansion. The Committee expressed some concerns with the current density requirements in the DGA, and discussed the potential of requesting a lower density target for the DGA from York Region in order to reduce the impact of increased commuter traffic. The Committee discussed whether higher density development of lands surrounding Major Transit Station Areas could allow for a reduction in density requirements in the DGA. The Committee emphasized the importance of balancing employment and residential development in meeting the density targets in the DGA.

There was also some discussion regarding the City's employment lands. The Committee noted the importance of protecting the City's current employment lands while also being mindful of changing trends in employment.

Staff noted that a full recommendation report relative to the proposed amendments to the Growth Plan will be considered at the February 25 Development Services Committee meeting.

Moved by Deputy Mayor Don Hamilton  
Seconded by Councillor Khalid Usman

1) That the presentation provided by Marg Wouters, Senior Manager, Policy & Research entitled "Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe 2017 (10.0)", be received.

**Carried**

#### **4. ADJOURNMENT**

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Isa Lee

1) That the Development Services Committee adjourn at 3:40 p.m.

**Carried**





## Development Services Committee Minutes

**Meeting Number 5**

**February 25, 2019, 9:30 AM - 3:00 PM**

**Council Chamber**

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine (arrived at 12:28 p.m.)
	Deputy Mayor Don Hamilton	Councillor Karen Rea
	Regional Councillor Jack Heath	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Amanda Collucci (arrived at 10:02 a.m.)
	Regional Councillor Jim Jones	Councillor Khalid Usman
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Alan Ho	
Staff	Andy Taylor, Chief Administrative Officer	Biju Karumanchery, Director, Planning & Urban Design
	Arvin Prasad, Commissioner Development Services	Ron Blake, Senior Manager, Development
	Trinela Cane, Commissioner, Corporate Services	Murray Boyce, Senior Project Coordinator
	Brenda Librecz, Commissioner, Community & Fire Services	Stephen Chait, Director, Economic Growth, Culture & Entrepreneurship
	Catherine Conrad, City Solicitor & Acting Director, Human Resources	Marg Wouters, Senior Manager, Policy & Research
	Bryan Frois, Chief of Staff	Alida Tari, Manager, Access & Privacy
	Brian Lee, Director Engineering	Scott Chapman, Election & Council/Committee Coordinator

**Alternate formats for this document are available upon request**

### 1. CALL TO ORDER

The Development Services Committee convened at the hour of 9:34 a.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair.

The Development Services Committee recessed at 11:26 a.m.

The Development Services Committee reconvened at 11:43 a.m.

**2. DISCLOSURE OF PECUNIARY INTEREST**

None disclosed.

**3. APPROVAL OF PREVIOUS MINUTES****3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES - FEBRUARY 11, 2019 (10.0)**

Moved by Regional Councillor Joe Li  
Seconded by Councillor Khalid Usman

1. That the minutes of the Development Services Committee meeting held February 11, 2019, be confirmed.

**Carried**

**4. PRESENTATIONS****4.1 PRESENTATION OF SERVICE AWARDS (12.2.6)**

Michael Mungy, Captain, Fire Services, 20 years

Emma Girard, Communications Advisor, Legislative Services and Communications, 20 years

Paul Singleton, Supervisor, Community Facility, Recreation Services, 20 years

Carlo Santoro, Building Inspector II, Building Standards, 15 years

Janet Reid, Collections Coordinator (Museum), Culture-Museum-Curatorial Services, 10 years

Nancy Myles, Senior Health & Safety Specialist, Human Resources, 10 years

Lisa Riegel, Assistant City Solicitor, Legal Services, 10 years

Raymond Law, Manager, Business & Technical Services, Operations, 10 years

Michael Dipasquale, Supervisor, Waste Management, Environmental Services, 5 years

Daniel Brutto, Planner II, Planning & Urban Design, 5 years

Anthony Cosentino, Facility Operator I, Recreation Services, 5 years

**5. DEPUTATIONS****6. COMMUNICATIONS**

There were no communications.

## **7. PETITIONS**

There were no petitions.

## **8. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES**

### **8.1 HISTORIC UNIONVILLE COMMUNITY VISION COMMITTEE MINUTES – JUNE 20, 2018, SEPTEMBER 19, 2018, OCTOBER 17, 2018 AND NOVEMBER 21, 2018 (10.0)**

Moved by Councillor Karen Rea

Seconded by Councillor Alan Ho

1. That the minutes of the Historic Unionville Community Vision Committee meetings held June 20, 2018, September 19, 2018, October 17, 2018 and November 21, 2018, be received for information purposes.

**Carried**

### **8.2 MAIN STREET MARKHAM COMMITTEE MINUTES – MAY 16, 2018 AND SEPTEMBER 19, 2018 (16.0)**

Moved by Councillor Karen Rea

Seconded by Councillor Alan Ho

1. That the minutes of the Main Street Markham Committee meetings held May 16, 2018 and September 19, 2018, be received for information purposes.

**Carried**

### **8.3 VARLEY-MCKAY ART FOUNDATION OF MARKHAM MINUTES – NOVEMBER 12, 2018 (16.0)**

Moved by Councillor Karen Rea

Seconded by Councillor Alan Ho

1. That the minutes of the Varley-McKay Art Foundation of Markham meeting held November 12, 2018, be received for information purposes.

**Carried**

### **8.4 PRELIMINARY REPORT OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATIONS SUBMITTED BY 10-20 FINCHAM INC. TO PERMIT FOURTEEN TOWNHOUSE AND TWO SEMI-DETACHED DWELLINGS AT 10 AND 20 FINCHAM AVENUE (SOUTHEAST**

**INTERSECTION OF 16TH AVENUE AND FINCHAM AVENUE) (WARD 4) FILES OP/ZA 18 108216 (10.3, 10.5)**

The Committee consented that, prior to the scheduling of a statutory public meeting, planning staff be directed to advise the local Councillor to allow for the opportunity to hold a community information meeting in advance of the statutory public meeting, if required.

It was also resolved that all members of Council should be notified, and that any issue in the timing of a statutory public meeting be brought to and decided by Development Services Committee.

Moved by Councillor Karen Rea

Seconded by Deputy Mayor Don Hamilton

1. That the report titled “PRELIMINARY REPORT, Official Plan and Zoning By-law Amendment Applications submitted by 10-20 Fincham Inc. to permit fourteen townhouse and two semi-detached dwellings at 10 and 20 Fincham Avenue (Southeast intersection of 16th Avenue and Fincham Avenue) (Ward 4)”, be received; and,
2. **That planning staff be directed to advise the local Councillor of a proposed Statutory Public Meeting date for development applications prior to the Statutory Public Meeting being scheduled to provide the local Councillor with the opportunity to hold a Community Information meeting, if necessary, and to notify all Members of Council of the Statutory Public Meeting date prior to public notice being given.**

**Carried**

**8.5 PRELIMINARY REPORT SCARDRED 7 COMPANY LIMITED 4038 HIGHWAY 7 (NORTH SIDE, EAST OF VILLAGE PARKWAY) APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION TO PERMIT A RESIDENTIAL DEVELOPMENT ACCOMMODATING 50 TOWNHOUSE DWELLINGS AND 20 SINGLE DETACHED DWELLINGS (WARD 3) FILE NO. ZA/SU 18 180309 (10.5, 10.7)**

Moved by Councillor Karen Rea

Seconded by Councillor Alan Ho

1. That the report titled “PRELIMINARY REPORT, Scardred 7 Company Limited, 4038 Highway 7 (north side, east of Village Parkway), Applications for zoning by-law amendment and draft plan of subdivision to permit a residential development accommodating 50 townhouse dwellings and 20

single detached dwellings (Ward 3), File No. ZA/SU 18 180309;” be received.

**Carried**

**8.6 PRELIMINARY REPORT SARENA PROPERTIES LTD. ZONING BY-LAW AMENDMENT APPLICATION TO EXTEND PERMISSION FOR TEMPORARY USES AT 197 & 199 LANGSTAFF RD FILE NO.: ZA 18 257917, WARD 1 (10.5)**

Moved by Councillor Karen Rea

Seconded by Councillor Alan Ho

1. That the report dated February 25th, 2019, titled “PRELIMINARY REPORT, Sarena Properties Ltd., Zoning By-law Amendment application to extend permission for temporary uses at 197 & 199 Langstaff Road, File No.: ZA 18 257917, Ward 1”, be received;

**Carried**

**8.7 PRELIMINARY REPORT CONDOR PROPERTIES LTD. LANGSTAFF PHASE 1A DEVELOPMENT ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION TO PERMIT A MIXED-USE HIGH RISE DEVELOPMENT FOR 910 UNITS AT 25, 11, 9 AND 5 LANGSTAFF ROAD, SOUTHWEST OF YONGE STREET AND HIGHWAY 407 FILE NOS: ZA/SU 18 162178, WARD 1 (10.5, 10.7)**

Andrew Ferancik, on behalf of WND Associates, was in attendance to answer any questions with respect to the proposed development.

The Committee discussed the timetable for the appointment of the four Development Services subcommittees. Regional Councillor Jack Heath advised that he would like to be included in meetings that take place through the Thornhill Subcommittee relative to this application.

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the report dated February 25th, 2019, titled “Preliminary Report, Condor Properties Ltd., Langstaff Phase 1A Development, Zoning By-Law Amendment and Draft Plan of Subdivision to permit a mixed-use high rise development for 910 units at 25, 11, 9 and 5 Langstasff Road, south west of Yonge Street and Highway 407, File Nos: ZA/SU 18 162178, Ward 1”, be received; and,

2. That the proposed Zoning By-law Amendment and Draft Plan of Subdivision applications be referred to the Thornhill Sub-Committee for comments prior to the statutory Public Meeting; and further,
3. That City Council direct the City Solicitor and Staff to oppose any appeal of the application for Zoning By-law Amendment and Draft Plan of Subdivision for 25, 11, 9 and 5 Langstaff Road, if an appeal(s) is/are made based on City Council's failure to make a decision within the statutory timeframe set out in the Planning Act, taking a position consistent with the planning comments set out in the report dated February 25th, 2019 and any further direction from the City Solicitor and the Commissioner of Development Services.

**Carried**

## **8.8 STEELES AVENUE WIDENING UPDATE - EAST OF MARKHAM ROAD TO NINTH LINE (WARDS 7 & 8) (5.10)**

The Committee requested that staff investigate the status of the Steeles Widening project in the City of Toronto and York Region's 2019 capital budget, and report back to Council if there is any risk of the project being delayed.

Moved by Regional Councillor Jack Heath

Seconded by Councillor Khalid Usman

1. That the memorandum titled "Steeles Avenue Widening Update – East of Markham Road to Ninth Line (Wards 7 & 8)" be received; and,
2. That Council reiterates to the Regional Municipality of York the importance of timely completion of Steeles Avenue East between east of Markham Road and Ninth Line; and,
3. That the Regional Municipality of York be requested to confirm the timing of the completion of Steeles widening with the City of Toronto; and further,
4. That Staff be directed to do all things necessary to give effect to this resolution

**Carried**

## **9. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES**

### **9.1 CITY OF MARKHAM COMMENTS ON PROPOSED AMENDMENT 1 TO THE GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2017 (10.0)**

Arvin Prasad, Commissioner, Development Services, provided a brief overview of the staff report regarding the Province's Proposed Amendment 1 to the Growth

Plan for the Greater Golden Horseshoe, 2017, and the recommendations put forward by staff.

The Committee discussed the potential impact of the amendment's proposed intensification targets on the City's ability to provide for an appropriate mix of housing options in Markham. It was noted that more time is needed prior to the Province finalizing Amendment 1 to better understand the full impact of a higher intensification target on municipalities. Staff confirmed that this recommendation would be reflected in a revised Appendix 'A' to the staff report.

Randy Peddigrew, The Remington Group, addressed the Committee regarding the staff report. Mr. Pettigrew spoke in opposition to the Province's delineation of "provincially significant employment zones" (PSEZs) as creating a barrier to mixed use development required to build vibrant and integrated communities.

The Committee discussed the following relative to the report:

- reasonable or achievable intensification targets for Markham
- the importance of maintaining municipal control over employment lands in urban growth centres and major transit station areas to provide for the flexibility of mixed-use development
- that staff include in its recommendations to the Province the City's desire to maintain control over site-specific employment lands where opportunities for conversion to mixed-use may be appropriate
- the importance of obtaining a guarantee from the Province for long-term transit funding required to support growth through intensification
- the importance of long-term planning and protection of lands surrounding potential major transit stations

Moved by Councillor Keith Irish

Seconded by Regional Councillor Jack Heath

1. That the report entitled, "City of Markham Comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017", dated February 25, 2019, be received;
2. That this report, including specific recommendations for changes to Proposed Amendment 1, as summarized in the **Revised Appendix 'A'**, be forwarded to the Assistant Deputy Minister of Municipal Affairs and Housing, and York Region, as the City of Markham's comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, the associated proposed framework for provincially significant employment zones, and the associated proposed Ontario regulation changes;

3. That the Province not allow urban expansions outside of a municipal comprehensive review, except where such expansions are initiated by a local municipality, are minor and are contiguous to an existing urban area with full servicing;
4. That the Province be advised that the City of Markham does not support the conversion of employment lands outside of the municipal comprehensive review process;
5. That the Province consult with the City of Markham and York Region staff on the proposed provincially significant employment zones to further refine the mapping having regard to local planning considerations;
6. That the Province provide a predictable **and guaranteed** program of transit funding to ensure delivery of higher order transit that is critical to support intensification in Markham;
7. And further that staff be authorized and directed to do all things necessary to give effect to this resolution

**Carried**

## **9.2 FEDERAL, PROVINCIAL AND REGIONAL AFFORDABLE AND RENTAL HOUSING INITIATIVES (10.0)**

Arvin Prasad, Commissioner, Development Services provided a brief overview of the report and staff's recommendations contained within the report.

Murray Boyce, Senior Project Coordinator, Policy & Research, delivered a PowerPoint presentation relative to the information contained within the report.

The Committee discussed the following relative to the report:

- the importance of federal, provincial and municipal participation and collaboration in developing effective rental and affordable housing solutions
- potential municipal and provincial financial considerations for seniors requiring property tax relief
- the need for greater program funding from the Province for affordable housing initiatives
- the potential of leveraging vacant Crown lands located along GO Transit rail lines for purpose-built rental and affordable housing
- leveraging the existing housing stock in Markham to meet immediate rental housing needs, including promotion of secondary suites and "shared housing" options as provided for in the 2014 Official Plan
- the importance of ensuring that the costs associated with providing affordable and rental units through inclusionary zoning are not passed on to other units in



a development, and that in addition to inclusionary zoning, financial incentives should be considered to offset the development costs for affordable and rental units

- consideration to potential municipal incentives that would encourage developers to build purpose-built rental and affordable units in Markham

Moved by Mayor Frank Scarpitti

Seconded by Councillor Alan Ho

1. That the report entitled “Federal, Provincial and Regional Affordable and Rental Housing Initiatives” dated February 25, 2019 be received; and,
2. That the Federal Minister responsible for the Canada Mortgage and Housing Corporation be advised of Council’s support for the National Housing Strategy and the City of Markham’s interest in partnering with senior levels of government, non-profit housing organizations and rental cooperatives, and the private sector on a future eligible affordable and rental housing project in Markham; and,
3. That the report entitled “Federal, Provincial and Regional Affordable and Rental Housing Initiatives” dated February 25, 2019, be forwarded to:
  - a. the Assistant Deputy Minister of Municipal Affairs and Housing and that Council express its support for inclusionary zoning and request the Province to provide additional financial incentives such as the deferral of provincial education development charges and an allocation of a portion of the non-resident speculation tax collected in York Region, in support of future eligible affordable and rental housing projects in Markham; and
  - b. the Commissioner of Corporate Services and the Chief Planner of York Region in response to the request for comments on the draft Rental Housing Incentives Guideline for purpose built rental housing, and that Council express its support for the Guideline and request the Region to consider a 60 month Regional development charge deferral, and a tax increment equivalent grant program for the Regional portion of property taxes for up to 10 years, in support of future eligible affordable and rental housing projects in Markham; and,
4. That the updated Affordable and Rental Housing Strategy for the City of Markham, to be brought forward for Markham Council consideration, include options for inclusionary zoning and additional financial incentives in response to the Region’s draft Rental Housing Incentives Guideline, including a 60 month development charge deferral, a 48 month development application fee deferral, and an incentive equivalent to a 10 year tax increment equivalent

grant on the Markham portion of the property taxes, for eligible affordable and rental housing projects in Markham; and further,

5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**10. MOTIONS**

There were no motions.

**11. NOTICES OF MOTION**

There were no notices of motion.

**12. NEW/OTHER BUSINESS**

There was no new/other business.

*As per Section 2 of the Council Procedural By-Law, "New/Other Business would generally apply to an item that is to be added to the **Agenda** due to an urgent statutory time requirement, or an emergency, or time sensitivity".*

**13. ANNOUNCEMENTS**

There were no announcements.

**14. ADJOURNMENT**

Moved by Councillor Amanda Collucci

Seconded by Councillor Isa Lee

1. That the Development Services Committee adjourn at 1:12 p.m.

**Carried**



## Development Services Public Meeting Minutes

**Meeting Number 3**

**February 19, 2019, 7:00 PM - 9:00 PM**

**Council Chamber**

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Don Hamilton	Councillor Karen Rea
	Regional Councillor Jack Heath	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Amanda Collucci
	Regional Councillor Jim Jones	Councillor Khalid Usman
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Alan Ho	
Staff	Ron Blake, Senior Manager, Development	David Miller, Manager, West District
	Stephen Corr, Senior Planner, Planning & Urban Design	Amanda Crompton, Planner II, Planning & Urban Design

**Alternate formats for this document are available upon request**

- 1. CALL TO ORDER**
- 2. DISCLOSURE OF PECUNIARY INTEREST**
- 3. DEPUTATIONS**
- 4. REPORTS**
  - 4.1 PRELIMINARY REPORT APPLICATION BY KING SQUARE LIMITED FOR ZONING BY-LAW AMENDMENT TO PERMIT ADDITIONAL USES ON THE PHASE 1 LANDS KNOWN MUNICIPALLY AS 9390 WOODBINE AVENUE FILE NO. ZA 18 176569 (10.5)**

The Public Meeting this date was to consider an application submitted by King Square Limited for Zoning By-law Amendment to permit additional uses on the Phase 1 lands known municipally as 9390 Woodbine Avenue (ZA 18 176569).

The Committee Clerk advised that 102 notices were mailed on January 30, 2019, and a Public Meeting sign was posted on January 25, 2019.

Amanda Crompton, Planner II gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

The following written submission was received on the proposal:

1. Clive Cheung, area resident - Opposed

The following comment from the audience was received with respect to this application:

1. Tao Yu, area resident expressed concern that the proposed karaoke would be too noisy for residents living nearby.

The Applicant advised that the karaoke will be located in the existing building, which is some distance from the nearby residential properties. Also, any outdoor events being held at King Square will require a permit and would be subject to the City's Noise By-law.

Committee requested a memo from the developer on the number of parking spaces that will be taken up by the proposed car wash. It also inquired about the bigger picture parking strategy for the development, and the access points to the development.

Staff advised that the physical design of the site will not be changed in Phase 1 of the development, but additional access points and parking will be addressed in Phases 2 and 3 of the development.

Moved by Deputy Mayor Don Hamilton  
Seconded by Regional Councillor Jim Jones

- 1) That the presentation by staff on the proposal be received; and,
- 2) That the deputation on the proposal be received; and,
- 3) That the written submission on the proposal be received; and,
- 4) That the report dated January 28, 2019, entitled "Preliminary Report, Application by King Square Limited for Zoning By-law Amendment to permit

additional uses on the Phase 1 lands known municipally as 9390 Woodbine Avenue” be received; and,

5) That the record of the Public Meeting held on February 19, 2019, with respect to the proposed Zoning By-law Amendment application (File ZA 18 176569), be received; and,

6) That the Zoning By-law Amendment application (File ZA 18 176569) submitted by King Square Limited to amend Zoning By-law 165-80, as amended, to permit additional uses on the Phase 1 King Square Ltd. lands, be approved and that the by-law be finalized and enacted without further notice; and further,

7) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**4.2 PRELIMINARY REPORT WND ASSOCIATES LTD. ON BEHALF OF NEWDEV INVESTMENTS LTD. APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS TO PERMIT 32 STACKED BACK-TO-BACK TOWNHOUSE UNITS WITH UNDERGROUND PARKING AT**

5305 & 5307 HIGHWAY 7 EAST (WARD 4) FILE NOS. OP/ZA 18 139486 (10.3, 10.5)

The Public Meeting this date was to consider an application submitted by Newdev Investments Ltd. for Official Plan Amendment and Zoning By-law Amendments to permit 32 stacked back to back townhouse units with underground parking at 5305 & 5307 Highway 7 east (OP/ZA 18 139486).

The Committee Clerk advised that 133 notices were mailed on January 30, 2019, and a Public Meeting sign was posted on January 29, 2019.

The following five written submissions were received regarding this proposal:

1. Mr. and Mrs. Ng., area residents – opposed
2. Robert Trueman, area resident – expressing concern
3. Alex Abernethy, area resident – expressing concern
4. Audrey Harman, area resident – opposed and expressing concern

5. Kevin and Andrea Jackson, area resident – opposed and expressing concern  
Stephen Corr, Senior Planner gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

The following comments from the audience were made with respect to this proposal:

1. Brian Holling, area resident spoke in opposition to the proposal, expressing concern regarding the following:

- The proposal does not fit the character of the neighbourhood;
- The neighbourhood is not zoned for this type of density; and,
- The proposed height of the development is too high.

2. Ron Spina, area resident spoke in opposition to the proposal, expressing concern regarding the following:

- The proposal does not fit the character of the neighbourhood;
- The loss of mature trees due to the development;
- The lot coverage being proposed is too dense;
- The loss of privacy due to the height of the townhomes and the rooftop terraces overlooking the adjacent backyards; and
- The impact the development will have on shadowing and noise.

3. Audrey Harmon, area resident spoke in opposition to the proposal, expressing concern regarding the following:

- The proposal does not fit the character of the neighbourhood;
- The density of the proposal;
- The rezoning of the property;
- The impact the proposal will have on traffic and insufficient parking;
- The proximity of the proposal to the property line;
- The proposed location of the garbage room;
- The impact the development will have on noise;
- The loss of privacy due to the height of the townhomes and the rooftop terraces overlooking the adjacent properties backyards.

4. Andrea Jackson, area resident spoke in opposition to the proposal, expressing concern regarding the following:

- The loss of mature trees due to the development;
- The density and height of the proposal;
- The loss of privacy due to the height of the townhomes and the rooftop terraces overlooking the adjacent properties backyards;

- The impact the proposal will have on traffic, particularly at the intersection at McCowan and Highway 7;
- The rezoning of the property.

5. Ala Baker, area resident spoke in opposition to the proposal, expressing concern regarding the following:

- The proposal does not fit the character of the neighbourhood;
- The density and height of the proposal;
- The rezoning of the property;
- The impact the proposal will have on property values.

6. Kim McKenzie, area resident spoke in opposition to the proposal, expressing concern regarding the following:

- The proposal does not fit the character of the neighbourhood;
- The impact the proposal will have on property values and on the quality of life of residents in the neighbourhood;
- The impact the proposal will have on traffic congestion and safety, with particular concern regarding the intersection at McCowan and Highway 7.

7. Wonda Holling, area resident spoke in opposition to the proposal, expressing concern regarding the following:

- The proposal being built in a conservation area of historical significance;
- The proposal does not fit the character of the neighbourhood;
- The height and density of the proposal;
- The rezoning of the property.

8. Deborah Moolman, area resident spoke in opposition to the proposal, expressing concern regarding the following:

- The proposal being built in a conservation area;
- The loss of mature trees due to the development;
- The impact the proposal will have on traffic safety and congestion;
- The rezoning of the property.

9. Harvey Thompson, area resident spoke in opposition to the proposal, expressing concern regarding the following:

- The impact the proposal will have on traffic congestion and safety, with particular concern regarding the intersection at McCowan and Highway 7.

10. Elizabeth Chung, Markham Village & Sherwood Conservation Residents Association spoke in opposition to the proposal, expressing concern regarding the following:

- Increasing the density of an already busy area;
- The impact the proposal will have on traffic congestion and safety, suggesting a traffic analysis should be conducted prior to approving the development;
- That the development will set precedent for future developments.

11. Elizabeth Brown, Markham Village & Sherwood Conservation Residents Association spoke in opposition to the proposal, expressing concern regarding the following:

- The proposal does not fit the character of the neighbourhood;
- The access to and from the proposed development, including emergency vehicle access and package delivery.
- The impact the proposal will have on traffic congestion and safety;
- The height and density of the proposal;
- The set-back from neighbouring properties;
- The lack of green space incorporated into the development proposal.

12. Alan Adams, area resident spoke in opposition to the proposal, expressing concern regarding the following:

- The height and density of the proposal;
- The set-back from neighbouring properties;
- The lack of parking;
- The impact of the development on the sewers;
- That units may be bought by speculators.

13. Doug Crocker, area resident expressed the following concerns regarding the proposal:

- The impact the proposal will have on traffic congestion and safety, with particular concern regarding the intersection at McCowan and Highway 7;
- The access to and from the proposed development.

14. Howard To, area resident spoke in opposition to the proposal, expressing concern regarding the following:

- The access to and from the proposed development;
- The impact the proposal will have on traffic congestion and safety;
- The loss of privacy due to the height of the townhomes and the rooftop terraces overlooking the adjacent properties backyards
- The impact the development will have on noise;
- The lack of parking in the development proposal;
- The proposed change to the zoning.

15. Aaron Cheung, area resident spoke in opposition to the proposal, expressing concern regarding the following:



- The proposal not fitting the character of the neighbourhood;
- The access to the proposed development, including emergency vehicle access.
- The impact the proposal will have on traffic congestion and safety;
- The design of the proposed development may foster neighborhood disputes;
- The impact the proposal will have on neighbourhood security.

16. Tupper Wheatley, area resident provided the following feedback on the proposal:

- The neighborhood's zoning by-law does not permit the type of intensification being proposed;
- The proposal does not support the goals of the City's Official Plan for this area;
- Suggested that the developer proceed with original development proposal for two single detached dwellings.

17. Frank Vignando, area resident expressed the following concerns regarding the proposal:

- The access to and from the proposed development;
- The design of the development being proposed.

Committee provided the following feedback on the development proposal:

- The amount of parking being proposed is inadequate for the number of units;
- The proposal does not fit the character of the neighbourhood;
- The impact the proposal will have on traffic;
- The proposal is too dense for the area;
- The City should maintain control over the access to Gladiator Road from the proposed development; and,
- The development is too dense and does not consider the existing low rise adjacency.

In Response to the comments, the Applicant indicated that this public meeting is part of the development review process to obtain community input, which is being considered. The applicant also advised:

- A Traffic Impact Study has been submitted and they intend to work with the Region of York to address traffic and access comments;
- That the tree preservation was considered, particularly with the design of the underground garage;
- That the development meets the City's parking requirements;
- That as part of any approval, a construction management plan will be prepared to address construction concerns;
- That the terraces were placed in way to be mindful of adjacent residents;

- Alternative locations for the garbage collection room will be considered, potentially within the underground parking garage;
- That units fronting Highway 7 provide eyes on the street; and
- That a site plan application is required which will include the detailed design of building material and colours.

Councillor Karen Rea advised that she may hold another community meeting on the proposal.

Moved by Councillor Karen Rea

Seconded by Mayor Frank Scarpitti

- 1) That the Staff presentation on the proposal be received; and,
- 2) That the written correspondence on the proposal be received; and,
- 3) That the deputations on the proposal be received; and,
- 4) That the record of the Public Meeting held on February 19, 2019, with respect to the proposed Official Plan Amendment and Zoning By-law Amendment applications submitted by Newdev Investments Ltd. & 1375920 Ontario Limited, Files OP 18 139486 and ZA 18 139486, be received; and,
- 5) That the proposed Official Plan Amendment and Zoning By-law Amendment applications submitted by Newdev Investments Ltd. & 1375920 Ontario Limited, Files OP 18 139486 and ZA 18 139486, be referred back to staff for a report and recommendation.

**Carried**

## **5. ADJOURNMENT**

**Heritage Markham Committee Meeting  
City of Markham  
February 13, 2019  
Canada Room, Markham Civic Centre**

**Members**

David Nesbitt, Chair  
Maria Cerone  
Ken Davis  
Graham Dewar  
Evelin Ellison  
Councillor Keith Irish  
Councillor Reid McAlpine  
Councillor Karen Rea

**Regrets**

Ian Darling  
Anthony Farr  
Jennifer Peters-Morales  
Zuzana Zila

**Staff**

Regan Hutcheson, Manager, Heritage Planning  
George Duncan, Senior Heritage Planner  
Peter Wokral, Senior Heritage Planner  
Victoria Hamilton, Committee Secretary (PT)

David Nesbitt, Chair, convened the meeting at 7:22 PM by asking for any disclosures of interest with respect to items on the agenda.

**1. Approval of Agenda (16.11)**

- A) Addendum Agenda
  - 146 Main Street, Unionville Heritage Conservation District
- B) New Business from Committee Members

**Recommendation:**

That the February 13, 2019 Heritage Markham Committee agenda be approved **with the addendum item.**

CARRIED

2. **Minutes of the January 9, 2019  
 Heritage Markham Committee Meeting (16.11)**  
 Extracts: R. Hutcheson, Manager of Heritage Planning  
[Minutes](#)
- 

Recommendation:

That the minutes of the Heritage Markham Committee meeting held on January 9, 2019 be received and adopted.

CARRIED

3. **Heritage Markham Election and Appointments,  
 1. Election of Chair and Vice-Chair,  
 2. Sub-Committees of Heritage Markham,  
 3. Heritage Markham Representative- Other Committees (16.11)**  
 Extracts: R. Hutcheson, Manager of Heritage Planning  
[Memo](#)
- 

Regan Hutcheson, Manager of Heritage Planning, addressed the Committee requesting nominations for the Chair and Vice Chair positions, and appointees for the sub-committees.

Recommendation:

That **Graham Dewar** is the Chair of Heritage Markham effective February 14, 2019; and,

That **Ken Davis** is the Vice Chair of Heritage Markham effective February 14, 2019; and,

That **all Heritage Markham Committee members be invited to participate in meetings** of the Architectural Review Sub-Committee; and,

That **David Nesbitt** and **Ian Darling** are the Heritage Markham representatives on the Heritage Building Evaluation Sub-Committee effective February 14, 2019, with **Graham Dewar** and **Evelin Ellison** as alternates; and,

That **Graham Dewar** is the Heritage Markham representative on the Main Street Markham Committee effective February 14, 2019; and,

That **Committee members be selected in future to be** the Heritage Markham representatives on the Doors Open Committee; and,

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That as per the committee recommendation of November 14, 2018, Ken Davis is confirmed as the Heritage Markham representative on the Historic Unionville Community Vision Committee; and further,

That as per the committee recommendation of November 14, 2018, Evelin Ellison, Zuzana Zila and Jennifer Peter-Morales are confirmed as members of the Heritage Markham Awards of Excellence Sub-Committee for 2019.

CARRIED

**4. Building Permit Applications,  
 9046 Woodbine Avenue, Buttonville HCD,  
 10931 Victoria Square Boulevard, Victoria Square Community,  
 Delegated Approvals: Building Permits (16.11)**

File Nos.: 17 172514 01 NH  
 15 154973 HP

Extracts: R. Hutcheson, Manager of Heritage Planning

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[Memo](#)

Recommendation:

That Heritage Markham receive the information on building permits approved by Heritage Section staff under the delegated approval process.

CARRIED

**5. Committee of Adjustment Application,  
 175 Main Street North Markham Village Heritage Conservation District,  
 Proposed Ground Sign – Home Occupation (16.11)**

File Nos.: A/05/19

Extracts: R. Hutcheson, Manager of Heritage Planning  
 P. Wokral, Senior Heritage Planner

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[Memo](#)

There was a brief discussion regarding the size of the proposed signage. Staff advised that it was in line with other signs approved for the area.

Recommendation:

That Heritage Markham has no objection to the proposed front yard ground sign for 175 Main Street North provided that it complies with Section 10.0 of the City's Sign By-law; and,

That final review of the sign permit application be delegated to Heritage Section staff.

CARRIED

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**6. Correspondence (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

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[Correspondence](#)

Recommendation:

That the following correspondence be received as information:

- a) Community Heritage Ontario: CHO News, Winter, 2019. Emailed to Heritage Markham members. (Staff has several copies)
- b) Markham Economist Newspaper, January 25, 2019. "Markham's Big Civic Building Boom Separated by More than a Century"
- c) Markham City Clerk re: Proclamation of Heritage Week, February 18-24, 2019
- d) Society for the Preservation of Historic Thornhill: February 2019 Newsletter. Staff has full copy.

CARRIED

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**7. Site Plan Control Application,  
 14 Heritage Corner's Lane, Markham Heritage Estates,  
 Replication of Reverend Jenkins House (16.11)**

File No.: SPC 18 259069

Extracts: R. Hutcheson, Manager of Heritage Planning  
 P. Wokral, Senior Heritage Planner

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Memo

Peter Wokral, Heritage Planner, addressed the Committee and summarized the details outlined in the memo.

There was discussion regarding the requested variances, including gross floor area. Staff advised that the proposed replication house is smaller than the original house, but variances were required due to the cap on the ground floor footprint of heritage buildings with additions, regardless of lot size.

There was discussion as to whether the proposed house should be considered heritage due to the lack of original structure remaining. Staff advised that this was a unique circumstance where delays caused further deterioration of the original structure and fewer elements from the original house were salvaged than anticipated.

Staff advised that the salvaged elements were being stored off-site and that the purchase and sale agreement indicated that the proposed house would have to be enclosed and substantially completed within one year, with an anticipated project start in spring 2020.

The Committee expressed concern that future purchasers would attempt to demolish a heritage home and salvage minimal elements in order to obtain the desired land. Staff advised that the heritage house had collapsed and that a letter of credit would be secured to ensure the salvaged elements would be installed.

Recommendation:

That final review of the Site Plan application and any variance application be delegated to Heritage Section staff.

CARRIED

**8. Information,  
 30 Colborne Street, Thornhill Heritage Conservation District,  
 Compliance Issues with Construction Project (16.11)**

File No.: SC 17 168354

Extracts: R. Hutcheson, Manager of Heritage Planning  
 G. Duncan, Project Planner  
 Chris Bird, Director of Building Standards

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Memo

George Duncan, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo, noting the three (3) key compliance issues with the project. G. Duncan advised that two of the three issues related to windows were being rectified by the applicant, however a significant portion of the original siding that was removed could not be salvaged due to breakage and warping of the boards.

A deputation was brought forward by Rob Armstrong regarding the compliance issues. He stated his dissatisfaction regarding the lack of care taken by the owner to preserve the heritage elements and would like the owner to be held accountable financially for the destruction of the heritage siding and for a way to prevent similar situations in future.

Staff advised that there would be a financial penalty and a charge laid under the Ontario Heritage Act in response to the compliance issues.

The Committee commented that the owner should have new wood siding custom milled to replicate the style of the original siding.

There was a brief discussion regarding the windows and chimney. Staff confirmed that all installed windows were made of wood and the basement windows were in window wells. Staff advised that the chimney is expected to be repainted white, noting that the chimney was a feature from the 1950's renovation.

Recommendation:

That Heritage Markham receive the staff memorandum concerning compliance issues with the construction project at 30 Colborne Street as information.

CARRIED



**9. Site Plan Control Application,  
 Committee of Adjustment Variance Application,  
 41 Church Street, Markham Village Heritage Conservation District,  
 Proposed Two Storey Addition (16.11)**

File Nos.: SC 18 239968  
 A/110/18

Extracts: R. Hutcheson, Manager of Heritage Planning  
 P. Wokral, Senior Heritage Planner

[Memo](#)

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo.

There was discussion regarding the garage and Staff confirmed that it would meet the minimum width requirements if the owner stayed within the bylaw but the resulting garage would not function well.

There was discussion regarding the neighbour's side yard windows and reduced visibility with the installation of the proposed addition. Staff commented that a side yard addition with a 4 foot setback on the ground level was permitted within the by-laws.

The Committee commented that the neighbouring house had significant foundation problems and noted that a reduced setback on the ground level could affect the structural integrity of their home due to the changes in drainage and runoff.

The Committee proposed an amendment to the Staff recommendation – that Heritage Markham does not support the proposed 3 foot side yard setback proposed for the garage but has no objection to the 4 foot side yard setback for the living space above the garage.

Recommendation:

That Heritage Markham has no objection to the architectural design of the proposed addition to 41 Church Street from a heritage perspective; and,

That Heritage Markham **does not support** the proposed 3 ft. side yard setback proposed for the garage **but has no objection to** the proposed 4 ft. side yard setback for the living space above the garage from a heritage perspective; and,

That final review of the Site Plan application and any other development application required to permit the proposed addition to 41 Church Street be delegated to Heritage Section staff; and further,

That the applicant enter into a site plan agreement containing the standard conditions regarding materials, colours, windows etc.

CARRIED

### **Part Five - Studies/Projects Affecting Heritage Resources - Updates**

The following projects impact in some manner the heritage planning function of the City of Markham. The purpose of this summary is to keep the Heritage Markham Committee apprised of the projects' status. Staff will only provide a written update when information is available, but members may request an update on any matter.

- a) Doors Open Markham 2019
- b) Heritage Week, February 2019
- c) Morgan Park Revitalization Master Plan, Markham Village
- d) Main Street Unionville Community Vision Plan (2014) - Implementation
- e) Unionville Heritage Conservation District Plan Amendments/ Update
- f) Unionville Heritage Centre Secondary Plan
- g) Unionville Core Area Streetscape Master Plan (2018)
- h) Update to Markham Village Heritage Conservation District Plan (2019)
- i) New Secondary Plan for Markham Village (2019)
- j) Comprehensive Zoning By-law Project (2017) – Review of Development Standards – Heritage Districts

#### **10. Heritage Permits, Improvement to Heritage Permit Process (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning  
 P. Wokral, Senior Heritage Planner

#### **Memo**

Peter Wokral, Senior Heritage Planner, addressed the Committee and summarized the details outlined in the memo. He noted that the City has begun issuing heritage permits with a Heritage Permit Card similar to those issued by the Building Department and that neighbours would be able to more easily identify the work that has been approved.

The Committee suggested informing local community associations and heritage neighbourhoods of the revised approach so residents would know to look for the approved work on the permit cards which are to be displayed while work is occurring on a property.

#### **Recommendation:**

That the update on improvements to the City's Heritage Permitting Process be received by Heritage Markham as information.

CARRIED

**11. City of Markham Website – Heritage Content (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

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[Memo](#)

Regan Hutcheson, Manager of Heritage Planning, addressed the Committee and provided a brief presentation on how to navigate the new City of Markham website to locate information related to Heritage Markham and the heritage planning program.

The Committee thanked the Manager, stating that the presentation was helpful since the information was set up very different than the earlier website.

Recommendation:

That Heritage Markham Committee receive for information the presentation on the City of Markham Website – Heritage Content.

CARRIED

**12. Main Street Unionville Commercial Core Streetscape Master Plan, Open House & Community Meeting (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning

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[Memo](#)

Regan Hutcheson, Manager of Heritage Planning, addressed the Committee and advised that this meeting to be held on February 27, 2019 at the Crosby Arena would provide a good opportunity for feedback.

Recommendation:

That Heritage Markham receive as information.

CARRIED

**13. New Business**

**Request for Feedback**

**Gazebo Project – Millennium Square Park**

**146 Main Street, Unionville Heritage Conservation District (16.11)**

Extracts: R. Hutcheson, Manager of Heritage Planning  
 David Plant, Manager of Parks Operations  
 Dean McDermid, Supervisor, Parks Operations and Special Events

[Memo](#)

Regan Hutcheson, Manager of Heritage Planning, addressed the Committee and summarized the details outlined in the memo.

Councillor McAlpine indicated there was no reason for this specific structure and was of the opinion that the funds could be spent in other areas to provide equal, if not greater, value to the community. He opposed the materials being proposed and noted that feedback from the community was required before the project is given further consideration.

Other members also questioned the need for the structure and the use of metal.

Staff noted that projects undertaken using funds provided through the Ontario Main Street Revitalization Initiative Fund had to be completed by March 2020.

The Committee stated its preference for the funds be used on public spaces and that any installations should complement the surrounding structures.

**Recommendation:**

**That Heritage Markham Committee, from a heritage perspective, supports further community consultation prior to the distribution of any funds remaining from the Ontario Main Street Revitalization Initiative Fund following the approved gate installation.**

CARRIED

#### **14. New Business**

##### **Unfinished Homes in Markham Heritage Estates**

Extracts: R. Hutcheson, Manager of Heritage Planning  
 P. Wokral, Senior Heritage Planner

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Councillor Rea raised concern about a number of homes being left unfinished in the Markham Heritage Estates and inquired as to how to move these projects forward.

Staff advised that it was a process of working with the owner, and that generally the letter of credit did not provide enough money for the City to complete the work, nor did the City wish to take on the work. Staff advised that on private property, for the City to access the property to perform any work would be a challenge.

There was a brief discussion regarding the MPAC value, option of increasing taxes, and utilities.

Staff advised that it is also difficult to force owners to complete work faster if it appears there is some progress due to the Building Code Act.

Staff noted that as per the Site Plan Agreement, there is a requirement for the work to be initiated within a set time, but no timeline for completion.

Staff recommended inclusion of these items on the next meeting agenda to discuss further once additional information is compiled and various options are reviewed.

The Committee expressed their displeasure with the state of a number of the homes in Markham Heritage Estates and the lack of completion of required works.

#### **15. New Business**

##### **Heritage Properties in Future Employment Districts**

Extracts: R. Hutcheson, Manager of Heritage Planning

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Councillor McAlpine noted that the incorporation of heritage properties in future employment districts was recently discussed at a budget meeting, and the future use of these properties was unclear. Staff noted that the heritage properties are often incorporated into the development plans for use as restaurants, daycares, and other facilities.

#### **Adjournment**

The Heritage Markham Committee meeting adjourned at 10:12 PM.

**VARLEY- MCKAY ART FOUNDATION OF MARKHAM**

**Monday, January 14, 2019, 5:00 p.m.**

**Varley Art Gallery**

**MINUTES**

**Attendance:**

Board of Directors Present: Terrence Pochmurski, Chair (attended by tele conference), Craig McQuat, Vice-Chair, John Ingram, Howard Back, Edie Yeomans, and Sammy Lee

Staff: Niamh O’Laoghaire, Director, Varley Art Gallery, Francesca Dauphinais, Cultural Development Officer and Scott Chapman, Council/Committee Coordinator, Laura Gold, Council/Committee Coordinator

Observer: Joseph Schmidt

Regrets: Amin Giga, and Mathew Reilly

<b>Agenda Item</b>	<b>Discussion</b>	<b>Action Item</b>
<b>1. Call to Order</b>	The Varley-McKay Art Foundation of Markham convened at 5:10 pm with Craig McQuat presiding as Chair.	
<b>2. Disclosure of Pecuniary Interests</b>	None.	
<b>3. Additions/Changes to the Agenda</b>	None.	
<b>4. Approval of the Minutes</b>	<p>Moved by John Ingram Seconded by Howard Back</p> <p>That the November 12, 2018, Varley-McKay Art Foundation of Markham Minutes be approved as presented.</p> <p align="right">Carried</p>	

Varley-McKay Art Foundation of Markham

January 14, 2019

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Agenda Item	Discussion	Action Item
<b>5. Business Arising from Minutes</b>	<p>The Board reviewed the Action items from the previous meeting. The following was discussed:</p> <p>Niamh O’Laoghaire, Director of the Gallery requested that a decision be made on the Gallery’s request to the Board for \$49,700 to help support its 2019 exhibitions and programs.</p> <p>The Board briefly discussed its current financial position and after careful consideration decided to support the request.</p> <p>Moved by John Ingram Seconded by Edie Yeomans</p> <p>That the Board approve the request for \$49,700 to support the Gallery’s 2019 exhibitions and programs.</p> <p style="text-align: right;">Carried</p>	
<b>6. Director’s Report</b>	<p>Niamh O’Laoghaire, Director of the Gallery presented the Director’s Report. The full report was circulated to the Board. Some of the highlights of the report included:</p> <p><u>Awards</u></p> <p>The Varley Art Gallery was named in the following Ontario Art Gallery Association Awards:</p> <ul style="list-style-type: none"> <li>○ The Exhibition Installation &amp; Design for Xiaojing Yan: out from among the tranquil woods</li> <li>○ The Identity Renewal Award was given to Underline Design Studio for the Varley’s new logo and brand identity</li> </ul>	

Varley-McKay Art Foundation of Markham

January 14, 2019

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Agenda Item	Discussion	Action Item
	<p><u>Request for Approval</u> A brief presentation was provided on the new Varley Logo.</p> <p>Moved by John Ingram Seconded by Howard Back</p> <p>That the Board approve the new Varley logo.</p> <p style="text-align: right;">Carried</p> <p><u>New Portal</u> The City has launched its new website. The overall look of the website has been improved. Some glitches are still being resolved.</p> <p><u>Varley Staff</u> The Varley's Communication Assistant resigned. The position is in the process of being filled. It is challenging retaining staff in this position, as it is a part time position.</p> <p>The Board inquired if there was a way of converting this position into a full time position. The Director of the Gallery did not think this was a possibility at this time.</p> <p><u>Public Art</u> A public consultation session is being planned for the new Public Art Master Plan for the City of Markham. The session is being targeted to be held in March 2019.</p> <p><u>Exhibitions</u> An update on the Gallery's exhibitions was provided. The following new exhibits will start in January:</p>	



Varley-McKay Art Foundation of Markham

January 14, 2019

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Agenda Item	Discussion	Action Item
	<ul style="list-style-type: none"> <li>• York University graduate exhibition “Next Wave” runs January 12 to February 1, 2019;</li> <li>• “Moving Through Darkness into the Clearing” runs January 19 – April 7, 2019.</li> </ul> <p><u>Public Program and Events</u> An update on the Gallery’s programs and events was provided.</p>	
<p><b>7. Development Officer Report</b></p>	<p>Francesca Dauphinais, Cultural Development Officer presented the Development Officer Report. A copy of the report was included with the agenda package. The report included an update on: volunteers; grant applications; the Rouge: Varley Gala; and Vintages at the Varley: New World Wines.</p> <p>The following was discussed:</p> <p><u>Grant Applications and Funding Request</u> The Foundation was requested to help fund the following summer positions:</p> <ul style="list-style-type: none"> <li>• Special Events Coordinator;</li> <li>• Summer Camp and Community Events Volunteer Supervisor;</li> <li>• Gallery Animateur (2); and,</li> <li>• Social Media and Marketing Assistant.</li> </ul> <p>The Cultural Development Officer will apply for both a Canada Summer Jobs (CSJ) Grant, and a Young Canada Works at Building Careers in Heritage Grant to help cover the cost of these positions. In 2018, the Board contributed approximately \$15,000 to support these positions. The remainder of the funds were covered by the grants.</p> <p>The Board was being requested to pay the amount not covered by the grants received in 2019. This amount will be known in early March. The Board can make a decision on the matter at this time.</p>	

Agenda Item	Discussion	Action Item
	<p><u>Rouge: Varley Gala</u> It was advised that approximately \$30,000 was raised from the Rouge:Varley Gala after all expenses.</p> <p><u>Vintages at the Varley: New World Wines</u> The Board discussed the format of the Vintages at the Varley: New World Wines. The following was discussed:</p> <ul style="list-style-type: none"> <li>• Ask Santo Natale, Past Board of Director and Chair of the event if he is interested in being the presenting sponsor of the event at a cost of \$5,000;</li> <li>• Purchase the wine from the LCBO rather than from a wine distributor so that unused wine could be returned;</li> <li>• Reduce the cost of the food and wine with the objective of increasing the amount of funds raised from the event;</li> <li>• Add elements to the event, like a small silent auction and “wine pull” to increase the amount of funds raised from the event;</li> <li>• Promote and sell tickets for the Gala at the event.</li> </ul> <p>Mathew Reilly has agreed to join Vintages at the Varley Sub-Committee to help with the organization of the event. A Director is still needed to Chair the event.</p> <p>Terrence Pochmurski will discuss with Santos Natale his involvement in the event.</p> <p><u>Credit Card</u> There was a brief discussion on getting a credit card for Francesca Dauphinais, Cultural Development Officer. The credit card is required to purchase items for events, including online items. The Board was in support of the Cultural Development Officer being provided with a credit card, but suggested that the</p>	<p>Speak to Santo Natale about his involvement in the Vintages at the Varley: New World Wines event – Terrence</p>

Varley-McKay Art Foundation of Markham

January 14, 2019

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Agenda Item	Discussion	Action Item
	<p>matter be discussed with the City's Finance Department prior to proceeding with getting the card.</p> <p>Moved by Howard Back Seconded by John Ingram</p> <p>That the Board investigate with City's Finance Department the possibility of getting a credit card for Francesca Dauphinais, Cultural Development Officer; and</p> <p>That the Board guarantee/ take full responsibility for the credit card if issued. Carried</p>	Investigate the possibility of obtaining a credit card for Francesca Dauphinais – Francesca Dauphinais/ Director of the Gallery
<p><b>8. Sub-Committee Reports</b></p>	<p>A. <u>Rouge: Varley Gala Committee 2018 -</u></p> <p>No report was provided.</p> <p>B. <u>Vintages at the Varley</u></p> <p>No report was provided.</p> <p>C. <u>Development Committee</u></p> <p>Sammy Lee asked when the Foundation will start working on its strategic plan, so that the Development Committee can move forward. It was advised that the timelines for this project have yet to be determined.</p> <p>D. <u>Volunteer Committee</u></p> <p>No report was provided.</p>	
<p><b>9. Financial Report</b></p>	<p>The financial report will be circulated by email.</p>	
<p><b>10. New Business</b></p>	<p>There was no new business.</p>	

Varley-McKay Art Foundation of Markham

January 14, 2019

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Agenda Item	Discussion	Action Item
<b>11. Adjournment</b>	The Varley-McKay Art Foundation of Markham adjourned at 6:27 pm	



Report to: Development Services Committee

Report Date: March 18th, 2019

**SUBJECT:** **PRELIMINARY REPORT**  
 2585231 Ontario Inc.  
 Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit medium-rise residential and mixed use development at 9999 Markham Road, (Ward 5).  
  
 File Nos: ZA/SU 18 180621

**PREPARED BY:** Stacia Muradali, MCIP., RPP. Ext. 2008  
 Senior Planner, East District

**REVIEWED BY:** Sally Campbell, MCIP., RPP., MRTPI. Ext. 2645  
 Manager, East District

Francesco Santaguida, Ext. 3583  
 Assistant City Solicitor

**RECOMMENDATION:**

- 1) That the report titled “PRELIMINARY REPORT, 2585231 Ontario Inc., Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit medium-rise residential and mixed use development at 9999 Markham Road, (Ward 5), File Nos: ZA/SU 18 180621”, be received; and

**PURPOSE:**

The purpose of this report is to provide preliminary information on the applications submitted by 2585231 Ontario Inc. for rezoning and draft plan of subdivision for 9999 Markham Road. 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.

Applications deemed complete

The Zoning By-law Amendment and Draft Plan of Subdivision applications were deemed complete on October 26<sup>th</sup>, 2018. The materials have been circulated to all City Staff and external agencies for review. The Zoning By-law Amendment application would be eligible for an appeal under the Planning Act on March 25<sup>th</sup>, 2019, and the Draft Plan of Subdivision application on April 24<sup>th</sup>, 2019.

Next Steps:

1. Statutory Public Meeting (tentatively scheduled for March 26<sup>th</sup>, 2019);
2. Recommendation Report respecting the Zoning By-law Amendment and Draft Plan of Subdivision applications;
3. Resolution of the on-going Ontario Municipal Board (OMB) appeals (discussed later in this report);

4. Submission of future Site Plan and Condominium applications;
5. Recommendation Reports on the Site Plan applications and phased site plan approvals.

## **BACKGROUND:**

### **Subject land and area context**

The subject land (9999 Markham Road) is located at the south-east corner of Major Mackenzie Drive and Markham Road and is approximately 12.84 hectares (31.7 acres) (Figure 1). The subject land was formerly used for industrial warehousing and manufacturing by Emerson Electric. There is an existing open water channel which runs across the south-west corner of the site.

The CN rail corridor and Neighbourhoods of Greensborough community are to the east. There is an existing Esso Gas Station, a Tim Hortons/Wendy's and proposed townhouse and mixed use high density development across the street on the west side of Markham Road. There is residential development further west, and commercial development further south on the west side of Markham Road. There is a garden nursery and rural properties to the north, and a mix of commercial and light industrial development and places of worship to the south of the subject land. The Mount Joy GO Station is located further south, at the south-east corner of Bur Oak Avenue and Markham Road (Figure 3).

A mixed use high density development consisting of two (2) - 18 storey apartment buildings and 56 townhouses proposed by National Homes at the south-east corner of Castlemore Avenue and Markham Road was endorsed by DSC on June 25<sup>th</sup>, 2018 and November 19<sup>th</sup>, 2018.

### **Previous proposal for commercial development with future residential uses**

The previous landowner, Villarmark Inc. submitted an application to amend the zoning in 2007 to facilitate the construction of a mixed use centre including commercial, retail, office and residential uses. A Preliminary Report went to Development Services Committee (DSC) on March 18<sup>th</sup>, 2008, however the application never advanced to a statutory Public Meeting before the application was revised in 2012. In 2012, Villarmark Inc. submitted a revised zoning by-law amendment application, and new draft plan of subdivision and site plan applications (ZA/SU/SC 12 134590) to permit mainly large format commercial and retail uses, a movie theatre, office uses and a future 10-storey residential apartment building. Anderson Avenue, which is located east of Markham Road, between Bur Oak Avenue and Castlemore Avenue, was proposed to be extended to Major Mackenzie Drive, through the subject land and was to be conveyed to the City as part of the plan of subdivision application.

### **OMB appeals**

A staff Memorandum dated May 22<sup>nd</sup>, 2012 provided an update to DSC on the revised and new development applications and the statutory Public Meeting was held on June 19<sup>th</sup>, 2012. In October 2012, Villarmark Inc. appealed the zoning by-law amendment, draft plan of subdivision and site plan applications to the OMB for non-decision.

No further progress was made on those applications following the OMB appeals. Villarmark Inc. has since sold the subject land to 2585231 Ontario Inc, the current landowner. In processing these applications, staff have taken the position that given the difference between the current proposal which is the subject of this report, and the applications filed by Villarmark Inc., the current applications constitute a new application, and have treated the current proposal as such.

**Proposed development**

2585231 Ontario Inc., the current landowner, is proposing a phased development as follows:

*Phase 1*

The proposed first phase incorporates Blocks 2, 3, 8 and 9 (Figure 4 & 5) and will be comprised of the following:

1. Block 2 - 4.81 hectares (11.9 acres), located on the east side of the proposed Anderson Avenue extension, adjacent to the rail corridor. A common element condominium with 178 townhouses and a standard condominium consisting of two (2) 8-storey mid-rise residential buildings oriented along Major Mackenzie Drive and containing 258 apartment units, are proposed;
2. Block 3 - includes the water channel to be conveyed to the City. The previous landowner had an outstanding Toronto and Region Conservation Authority (TRCA) violation dating back to 2011 for the unauthorized removal and placement of fill material within the TRCA regulated area. The current landowner has obtained a permit from the TRCA and has applied for a site alteration permit from the City to remediate the channel, resolving that TRCA violation;
3. Block 8 - 0.22 hectare (0.54 acre) public park at the south-east corner of the site , which will become a larger public park after Phase 2 is completed; and,
4. Block 9 - a portion of the proposed Anderson Avenue extension to connect to Major Mackenzie Drive and an east-west public street to connect to Markham Road.

*Phase 2*

The proposed second phase incorporates Blocks 1, 4, 5, 6 and 7 (Figure 4 & 5) and will be comprised of the following:

1. Block 1 - 4.5 hectares (11 acres) with direct frontage on Markham Road, Major Mackenzie Drive and the proposed Anderson Avenue extension. Preliminary concepts for Block 1 include townhouses, as well as mid-rise residential and mixed use mid-rise buildings ranging from six (6) storeys to a maximum of eight (8) storeys;
2. Block 4 - 0.36 hectare (0.9 acre) open space block adjacent to the water channel, to be conveyed to the City in the future;

- 
3. Block 5 - the remaining portion of the proposed Anderson Avenue extension;
  4. Block 6 - 0.56 hectare (1.38 acres) future development block; and,
  5. Block 7 – 0.19 hectare (0.47 acre) the remaining portion of the proposed future public park.
  6. There is contamination as a result of the previous industrial use located within the general vicinity of Blocks 4,5,6 & 7 and the landowner is currently undertaking work to determine the location, nature and remediation of this contamination.

### **Policy Framework, Official Plan and Zoning**

#### *Provincial Policy Statement, 2014 (PPS, 2014)*

The proposed zoning by-law amendment and draft plan of subdivision will be evaluated against the PPS, 2014 especially in terms of managing and directing land use to achieve efficient and resilient development and land use patterns. Specifically, the following will be evaluated:

- Promoting efficient development and land use patterns;
- Accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs;
- Improving accessibility for persons with disabilities and older persons; and
- Integrating servicing, transportation and land use considerations.

#### *Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan, 2017) - a framework for implementing the Province's vision*

The proposed zoning by-law amendment and draft plan of subdivision will be evaluated against the Growth Plan, 2017 especially in terms of supporting the achievement of complete communities that:

- Feature a diverse mix of land uses;
- Provide a diverse range and mix of housing options;
- Expand convenient access to a range of transportation options, public service facilities, and an appropriate supply of safe, publicly-accessible open spaces, parks, trails and recreational facilities; and
- Integrate green infrastructure and low impact development.

Staff are working with the applicant to ensure that the objectives of the PPS, 2014 and the Growth Plan, 2017 described above are achieved and implemented in the amending zoning by-law by zoning for an appropriate mix of land uses and in future site plans which incorporate, among other things, appropriate Transportation Demand Management (TDM) measures, sustainability initiatives and low impact development (LID), and accessible public parks and private amenity spaces. The applicant still has to demonstrate how the objectives of supporting complete communities and efficient and resilient land use patterns have been achieved.



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*Official Plan and need for a Secondary Plan*

The subject land is located within the Markham Road Corridor-Mount Joy Corridor (“Mount Joy Corridor”) in the City’s 2014 Official Plan (as partially approved on November 24<sup>th</sup>, 2017 and further updated on April 9<sup>th</sup>, 2018) (the “2014 Official Plan”). The 2014 Official Plan requires a new Secondary Plan for the Mount Joy Corridor. The Mount Joy Secondary Plan (the “Secondary Plan”) will incorporate a land use planning study, transportation study and municipal servicing study which ultimately will inform opportunities and constraints facing development along the Mount Joy Corridor. One of the main components of the Secondary Plan’s land use planning study is to determine if, and how much to increase population and employment density, and the services and amenities which are needed to support that density.

A component of the Mount Joy Secondary Plan may involve consideration of a future GO Station at Major Mackenzie Drive and the Stouffville Rail Corridor, to support anticipated increases in population and employment density along the corridor, if warranted from a transportation perspective. A GO Station at Major Mackenzie Drive and the Stouffville Rail Corridor was one of 120-plus station locations under consideration for the 2041 proposed transit network. However, in 2015 Metrolinx eliminated this station during the second stage of analysis, leaving some 50 potential stations still under consideration. Notwithstanding the elimination of the Major Mackenzie Drive station, there have been recent resolutions from Markham’s Development Services Committee (DSC) dated February 11<sup>th</sup>, 2019 titled “Metrolinx Pursuing Market-Driven Approach to New Go Stations”, which was adopted in response to an amended resolution from York Region Council dated January 31, 2019, to request Metrolinx to consider the Denison/14<sup>th</sup> Avenue and the Major Mackenzie Drive on the Stouffville Corridor stations as part of its development-driven approach to GO station expansion.

The applicant proposes to advance the Phase 1 development before the Mount Joy Corridor Secondary Plan is established. The applicant consents that Phase 2 of their development will not advance until, at a minimum, the draft vision for the Secondary Plan has been received by Council and Staff are of the opinion that it is appropriate to progress Phase 2.

The subject land is shown as “Mixed Use Mid Rise” and “Greenway” in the 2014 Official Plan, which shall be used to guide the preparation of the Secondary Plan for the Mount Joy Corridor (the “Secondary Plan”). Until the Secondary Plan is approved, the policies of Official Plan (Revised 1987), as amended, shall apply.

The Official Plan (Revised 1987), as amended, designates the subject land “Major Commercial Area”, which contemplates a diverse range of retail, service, commercial, community, institutional and recreational uses. The “Major Commercial Area” designation also provides for medium and high density residential subject to a rezoning application and site-specific development approval. The applicant is proposing medium density, residential and mixed use development which will conform to the Official Plan (Revised 1987), as amended.

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### Zoning

The subject land is zoned "Select Industrial and Warehousing (M.I.)" in Zoning By-law 88-76, as amended, which permits a range of industrial uses. The subject land must be rezoned to permit the proposed residential and commercial uses. Holding (H) provisions will be implemented as part of the zoning by-law amendment application to ensure that appropriate conditions of development have been satisfied (discussed later in this report).

### **OPTIONS/ DISCUSSION:**

The following is a preliminary summary of concerns/ issues raised to date. Other matters that are identified through the detailed review of these applications will be discussed in a future recommendation report. Some of the issues identified include but are not limited to:

- 1) A range of uses and built form, including purpose built secondary suites is encouraged and will be implemented as part of the amending zoning by-law. A variety of housing and unit types is also encouraged to offer a range of purchase prices to appeal to a broader range of demographic groups. The Owner still has to demonstrate how this will be achieved.
- 2) The on-going OMB appeals must be resolved before approval of the amending zoning by-law and issuance of draft plan approval, should Council support the current applications, and submission of any future site plan applications.
- 3) The appropriate amount of parkland dedication (amount of physical parkland vs cash-in-lieu of parkland) remains to be determined. In addition to the amount of parkland dedication, the location, size, shape and function of the proposed public park are being examined. The Phase 1 (Block 8) park block does not have public frontage which currently is not acceptable to the City, which therefore will need to be revised.
- 4) The appropriateness of conveying the Phase 2 open space block (Block 4) into public ownership and if it will be subject to parkland credit will be considered as part of the Phase 2 development.
- 5) Traffic signal design for the intersection of the proposed east/west public road and Markham Road must be prepared to determine the property requirements. A cost sharing agreement will be required between the landowners of the subject land and 9900 Markham Road across Markham Road on the west side. The traffic signal must be implemented before the development of Phase 1 of the subject land and development of Phase 2 of 9900 Markham Road.
- 6) Environmental Site Assessments (ESAs) along with an Environmental Clearance and Reliance Letter and Record of Site Condition (RSC) are required for all lands to be conveyed to the City (including sub-surface easements) to the City.

- 
- 7) Appropriate Section 37 contributions, including public art contributions, will be implemented in the amending zoning by-law and site plan approvals.
  - 8) External agencies including the Region of York, TRCA, Metrolinx, and Ministry of Transportation (MTO) will be providing comments and draft conditions on these applications which the applicant is required to address before zoning approval or registration of the draft plan of subdivision should Council support the applications.
  - 9) The City's Environmental Services Department (Waterworks) has advised that the down-stream sanitary system can accommodate the proposed Phase 1 development, however, the sanitary servicing for future phases of the proposed development will be evaluated as part of the Mount Joy Secondary Plan.
  - 10) Draft plan and 'conditions of approval', holding (H) provisions in the zoning by-law and appropriate controls will be imposed to ensure the timely delivery, including but not limited to the following matters:
    - a. Construction of the portion of the Anderson Avenue extension (Block 5, Figure 4) which is located on the Phase 2 land;
    - b. Remediation of any contamination resulting from the previous industrial use;
    - c. Class EA (Environmental Assessment) for the Anderson Avenue extension alignment from the Phase 2 land south to Castlemore Avenue;
    - d. Completion and registration of the EA must occur before development of any Phase 2 lands, including Block 1; and
    - e. Draft vision of the Mount Joy Secondary Plan being accepted by Council at minimum, before the proposed development, or certain phases of the development advancing.

**FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The applications are being considered within the context of the City's safe and sustainable community strategic priority.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various departments and external agencies and are currently under review. All conditions and requirements received will be reviewed and if appropriate, will be incorporated into the proposed amendment and/or draft plan conditions.

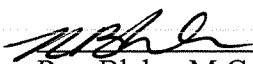
Report to: Development Services Committee


Report Date: March 18th, 2019

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**RECOMMENDED BY:**

  
\_\_\_\_\_  
Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager

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

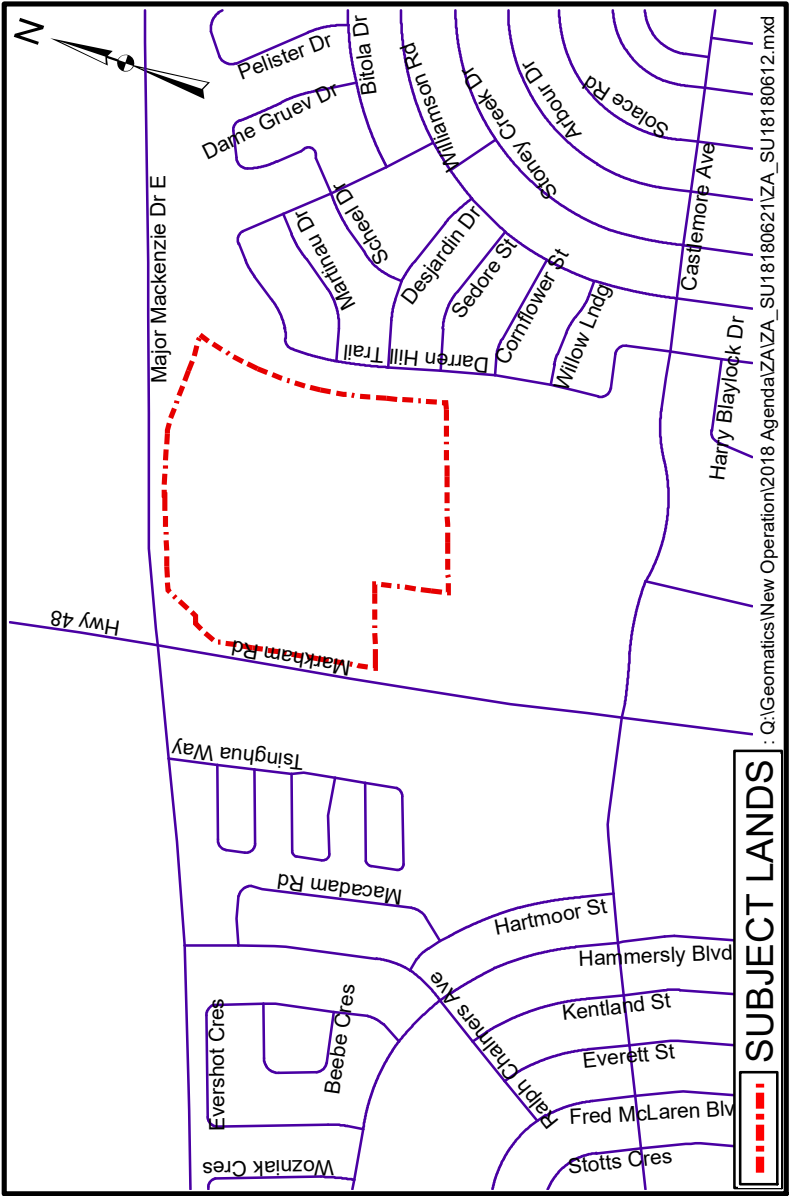
**ATTACHMENTS:**

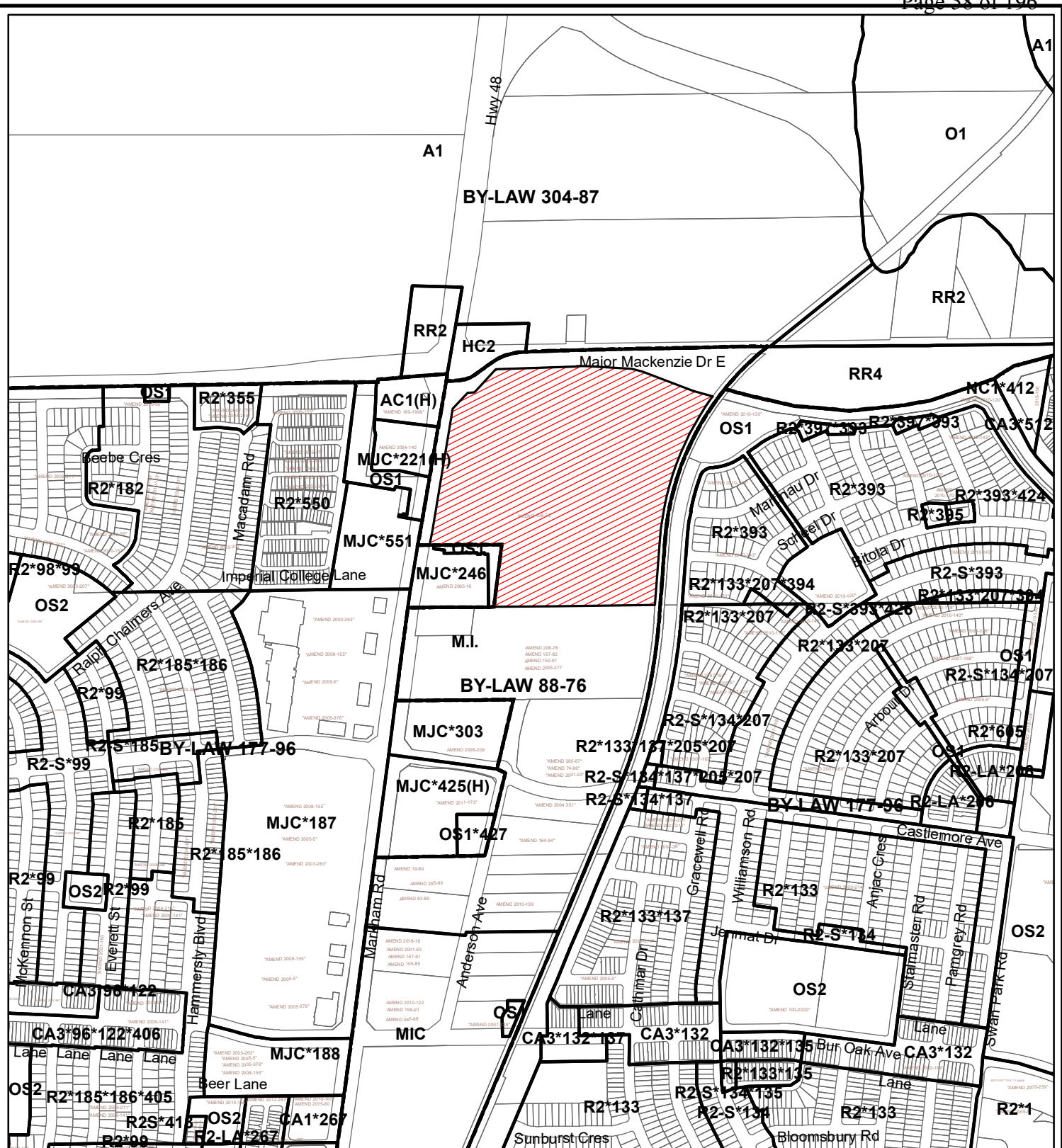
Figure 1: Location Map  
Figure 2: Area Context/ Zoning  
Figure 3: Air Photo  
Figure 4: Proposed Draft Plan of Subdivision  
Figure 5: Proposed Phasing Plan

**AGENT CONTACT INFORMATION:**

Adam Layton  
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Evans Planning Inc.  
8481 Keele Street, Unit 12  
Vaughan, ON, L4K 1Z7  
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Email: [alayton@evansplanning.com](mailto:alayton@evansplanning.com)

File path: Amanda\File 18 180621\Documents\Preliminary Report






# AREA CONTEXT / ZONING

APPLICANT: 2585231 Ontario Inc.  
9999 Markham Road

FILE No. SU\_ZA 18180621 (SM)

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 Subject Lands

Date: 31/01/2019






# AERIAL PHOTO (2018)

APPLICANT: 2585231 Ontario Inc.  
9999 Markham Road

FILE No. SU\_ZA 18180621 (SM)

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 Subject Lands

Date: 31/01/2019



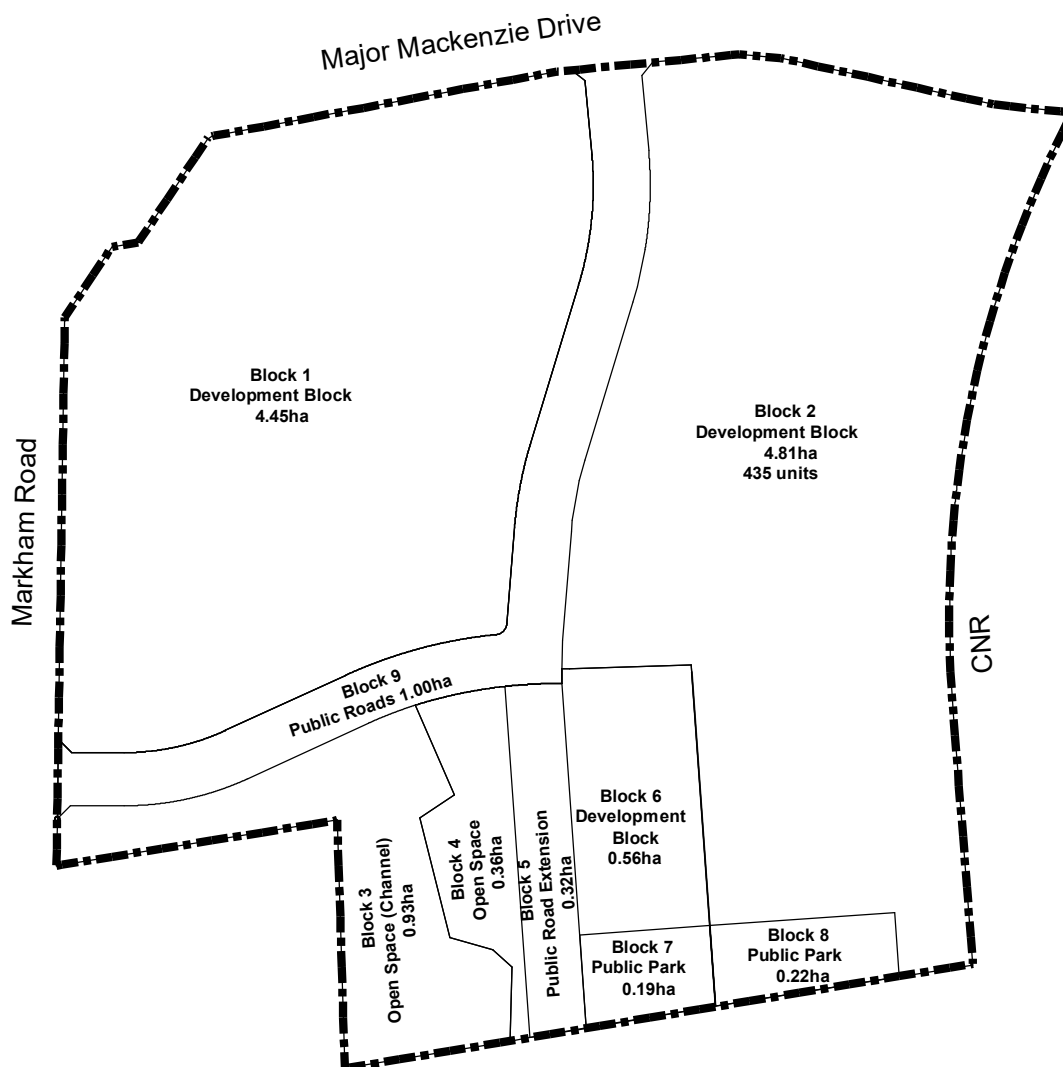
DEVELOPMENT SERVICES COMMISSION

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Checked By: SM

FIGURE No. 3






# DRAFT PLAN OF SUBDIVISION

APPLICANT: 2585231 Ontario Inc.  
9999 Markham Road

FILE No. SU\_ZA 18180621 (SM)

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 Subject Lands

Date: 31/01/2019



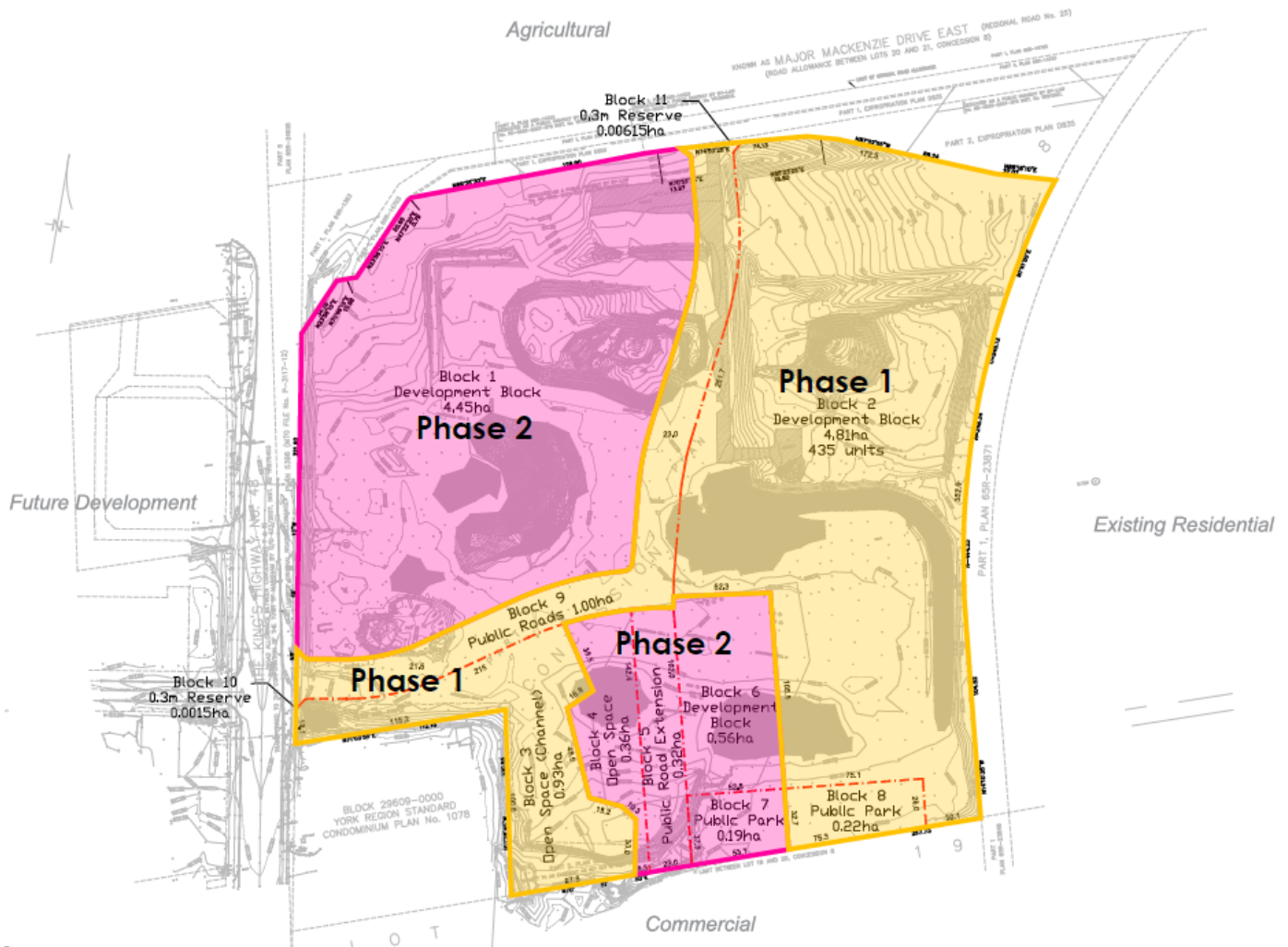
DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SM

**FIGURE No. 4**





# PROPOSED PHASING PLAN

APPLICANT: 2585231 Ontario Inc.  
9999 Markham Road

FILE No. SU\_ZA 18180621 (SM)

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Date: 31/01/2019



DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SM

**FIGURE No. 5**



Report to: Development Services Committee

Report Date: March 18, 2019

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**SUBJECT:** PRELIMINARY REPORT  
New World Centre (Markham) Development Corporation  
100-110 Clegg Road (south side of Highway 7, west of South  
Town Centre Boulevard)  
Applications for zoning by-law amendment and draft plan of  
subdivision to permit a mixed-use high density development  
Markham Centre (Ward 8)  
File No. ZA/SU 18 180462

**PREPARED BY:** Scott Heaslip, M.C.I.P., R.P.P., ext. 3140  
Senior Development Coordinator, Central District

**REVIEWED BY:** Richard Kendall, M.C.I.P., R.P.P., ext. 6588  
Manager, Central District

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**RECOMMENDATION:**

That the report titled "PRELIMINARY REPORT, New World Centre (Markham) Development Corporation, 100-110 Clegg Road (south side of Highway 7, west of South Town Centre Boulevard) Applications for zoning by-law amendment and draft plan of subdivision to permit a mixed-use high density development, Markham Centre (Ward 8), File No. ZA/SU 18 180462," be received.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

This report provides preliminary information on the subject applications. It contains general information regarding applicable Official Plan or other policies and issues/concerns identified by staff from our preliminary review of the proposed development, and should not be taken as staff's opinion or recommendation on the application.

**BACKGROUND:**

**Property (Figures 1 and 3)**

The subject property is located south of Highway 7, west of South Town Centre Boulevard.

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The property statistics are as follows:

- Area – 4.39 ha (10.85 acres)
- Frontage:
  - 215 metres (705 feet) on Highway 7
  - 285 metres (935 feet) on Clegg Road

There are currently two industrial buildings fronting on Clegg Road in the south-west portion of the property. The remainder of the property is vacant. There is no significant vegetation on the property other than landscape trees and shrubs associated with the industrial buildings.

**Surrounding uses (Figure 3):**

- To the north is Highway 7. The lands on the north side of Highway 7 directly opposite the subject property are vacant. These lands are zoned for retirement home, nursing home and office uses. Further north are a public park and existing townhouse developments fronting on Cox Boulevard.
- To the north-east is a vacant property at the south-west corner of Highway 7 and south Town Centre Boulevard. This property has zoning for a mixed-use development accommodating hotel, commercial and residential uses. There is an existing VIVA transit station on Highway 7 at South Town Centre Boulevard.
- To the east is a small public park and the Majestic Court condominium apartment building.
- To the south is Clegg Road. There are three industrial buildings and a Hydro One office building on the south side of Clegg Road, opposite the subject property.
- To the west is a Hydro One transmission corridor, beyond which is Rodick Road.

**Process to date:**

- The subject applications were deemed complete by staff on November 14, 2018.
- The preliminary report is to be considered by Development Services Committee on the current date (March 18, 2019).

**Next Steps:**

- Staff will continue to discuss the issues outlined in this report with the applicant and will report back to Committee regarding the scheduling of a public meeting when sufficient progress has been made.

**Proposal [see figures 4 (site plan) and 5/6/7 (perspectives)]**

The applicant is seeking an amendment to the City's Zoning By-laws and approval of a draft plan of subdivision to permit the subject property to be developed as follows:

- Two new north-south local roads extending between Highway 7 and Clegg Road.
- Three "strata park" blocks totaling 0.49 ha. (1.2 acres). (strata parks are public parks with underground parking garages serving the adjoining developments beneath)
- Two 16 storey mixed-use buildings fronting on Highway 7. The westerly mixed-use building includes three levels of office use lining the above ground parking

garage, along the Highway 7 frontage. The remaining portions of the lower floors and all of the floors above accommodate residential uses. The easterly mixed-use building contains one level of retail use along the Highway 7 frontage of the building. The remaining portions of the ground floor level and all of the other floors accommodate residential uses.

- Three residential buildings fronting on Clegg Road. The westerly building includes a 34 storey tower and 6 and 8 level podiums. The middle building includes a 37 storey tower and 8 level podiums. The easterly building includes two 16 storey towers and a 6 storey podium.
- A total of 2200 residential units.
- Approximately 4132 square metres (44,476 square feet) of office uses.
- Approximately 1800 square metres (19,375 square feet) of retail uses.
- A total of 2,745 parking spaces, located in a combination of underground parking garages (up to 4 levels) and above ground structures within the buildings (up to 5 levels).
- A total site density of 5.82 FSI (Floor Space Index is the ratio of the gross floor area of all buildings on a lot to the lot area)

The applicant has applied to the City for the following:

- An amendment to the City's zoning by-laws to permit the proposed use and built form program.
- A draft plan of subdivision to permit the streets, development blocks and park blocks to be laid out as proposed.

The applicant has not applied for site plan approval for the proposed development.

### **Provincial Policy Conformity**

When considering a development application staff assesses whether proposals are consistent with the Provincial Policy Statement (2014) and in conformity with relevant Provincial Plans, which in this case is the Growth Plan for the Greater Golden Horseshoe (2017). Matters still being assessed as part of the review of the zoning by-law amendment application include:

- Evaluating how the proposed development conforms with building strong healthy communities and managing growth:
  - a) by supporting the achievement of complete communities;
  - b) ensuring that there are adequate and accessible public and open spaces, parks and trails;
  - c) planning for sewage, water services and stormwater management;
  - d) providing transportation systems which are safe and energy efficient and facilitate the movement of people and goods and are appropriate to address projected needs; and
  - e) assessing the proposal with respect to the range (eg. type, sizes, affordability and accessibility) of housing proposed.

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**Region of York Official Plan**

The subject property is designated 'Urban Area' in the York Region Official Plan, 2010. Markham centre is also identified as a "Regional Centre."

This designation provides for the proposed residential development.

**City of Markham Official Plan**

The subject property is designated as follows in the City's 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018) ("2014 Official Plan"):

- The north-west portion is designated "Business Park Office Priority Employment." Lands in this designation are intended to be used for major office development.
- The south-west portion (the area occupied by the existing industrial buildings) is designated "Business Park Employment." Lands in this designation are intended to accommodate prestige industrial and office uses.
- The remainder of the property is designated "Mixed Use High Rise." Lands in this designation are intended to be used for a mix of residential, office, retail, restaurant and service uses in multi-storey street related buildings.
- The subject lands are also identified as being within a "Regional Centre" (Markham Centre).

Markham Centre is identified as a "Regional Centre." Regional Centres are planned to accommodate the highest concentration and greatest mix and intensity of uses and activities in Markham.

The 2014 Official Plan provides that until approval of an updated secondary plan for Markham Centre pursuant to the policies of the new Official Plan, the policies of OPA 21 (the current Markham Centre Secondary Plan) continue to apply.

The entire subject property is designated "Community Amenity Area – Major Urban Place" in the Markham Centre Secondary Plan (Amendment No. 21 to the 1987 Official Plan). The policy direction for lands in the "Major Urban Place" designation is for development with a high concentration and intensity of residential, commercial, employment and supporting uses, with height generally contemplated in the range of 8 storeys.

The secondary plan, however, provides that the street and block pattern, detailed distribution of land uses (including parkland, if required) types, heights and locations of buildings, views and focal points, street and landscape components, infrastructure requirements, etc. are confirmed through Precinct Plan studies, which are approved by Council prior to development occurring. The applicant has not yet submitted a formal Precinct Plan.

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**Zoning**

The subject property is zoned “Markham Centre Downtown One” (MC-D1) by By-law 2004-196, as amended. This zoning permits a range of employment uses in buildings having maximum heights ranging between 25.2 metres (83 feet) (the equivalent of approximately 8 residential storeys) and 53 metres (174 feet) (the equivalent of approximately 18 residential storeys). The zoning does not permit any residential uses.

**OPTIONS/ DISCUSSION:**

The following is a brief summary of issues raised to date:

**Secondary Plan Update:** The City has initiated a comprehensive review of the Markham Centre Secondary Plan (OPA 21). This review will facilitate the adoption of a new secondary plan for Markham Centre pursuant to the 2014 Official Plan. Staff are currently in the process of retaining a consulting team to undertake the review, which will focus on the following matters:

- Update the development projections for employment, commercial, service and residential uses.
- Update the urban design policies, with specific focus on the public realm, built form and open space.
- Update the community service requirements, with specific focus on schools and community facilities.
- Update the transportation requirements, including incorporating revised transit alignments and street and block pattern.
- Update the infrastructure requirements, including sanitary sewer, storm sewer and water facilities.

**Use Mix:** The development is proposed to be primarily residential with the exception of modest office and retail components (representing less than 3% of the total floor area of the development) along the Highway 7 frontage. Given the mixed-use designation in the Secondary Plan and the direction in the City’s 2014 Official Plan, staff have requested the applicant to explore opportunities to incorporate a significant component of non-residential uses into the development.

**Compatibility with adjacent developments:** The concept plans submitted with the application (Figures 4 and 5) show tower heights of up to 37 storeys. The built form relationship to the existing and approved developments and existing and proposed City parks in the vicinity will need to be evaluated. The applicant has submitted shadow and wind studies with the applications. Shadow and wind impact will need to be analyzed and confirmed to be acceptable before any development scenario is approved.

**Traffic impact:** The applicant submitted a transportation report with the application. It has been circulated to City and York Region transportation staff for review. The transportation impact of the proposed development, which is proposing a significant number of residential units, should be evaluated in the context of the comprehensive

secondary plan update. The study should also be updated to evaluate the potential introduction of a signalized intersection on Highway 7 opposite Circa Drive.

**Parkland:** The 2200 residential units proposed by the applicant would generate a requirement for over 5 hectares (16 acres) of parkland based on current City standards. In high density communities such as Markham Centre, parkland dedication is satisfied through a combination of the dedication of land and the payment of “cash-in-lieu” of land dedication. The applicant is proposing to satisfy their parkland requirement through the combination of the dedication of 0.49 ha. (1.2 acres) of “strata park” (strata parks are public parks with underground parking garages serving the adjoining developments beneath) and the payment of “cash-in-lieu.” Staff have advised the applicant that the proposed narrow east-west linear parks are of no programming value to the City and would not be accepted as parkland. Given the significant number of residential units being proposed, staff have advised the applicant that the proposed location and area of the other strata park block are not acceptable and that a larger consolidated non-strata park better suited to programming requirements would be more appropriate. The City is currently reviewing its policies regarding “strata parks.” The applicant should be advised that the City may decide not to accept any further conveyances of “strata park” and that in the event the City does continue to accept “strata park,” the applicant should not expect to receive full credit for it.

**Potential Future School Site:** In discussions with the York Region District School Board, staff have been advised that the Board may require an additional elementary school site in the west portion of Markham Centre to accommodate the anticipated number of students. The subject property is a potential location for this school site. School requirements are a component of the upcoming secondary plan update and will also need to be evaluated in conjunction with these applications.

**Precinct Plan:** In Markham Centre, street, block and lot pattern, driveway locations, height and location of buildings, views and focal points, and street and landscape components are addressed in “precinct plans.” Precinct plans, which apply to smaller geographic areas within Markham Centre, are prepared by the landowners for approval by Council. They guide subsequent zoning, subdivision and site plan approvals. The applicant will be required to prepare a formal precinct plan for presentation to, and approval by, Council prior to consideration of the requested subdivision and zoning by-law amendment.

**Airport Height Restrictions:** The Zoning Order for the Buttonville Airport limits buildings on the subject lands to a maximum height of 238 metres above sea level. This accommodates approximately 16 storeys at this location. Several of the proposed buildings are substantially taller than permitted by the Zoning Order. Any zoning regulations permitting building heights in excess of the maximum height permitted by the airport zoning order would need to be subject to a holding provision to ensure that taller buildings are not constructed without Transport Canada and Nav Canada approval of the additional height.

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**Section 37 Contribution:** The proposed development would generate a requirement for a Section 37 contribution. In accordance with established City practice, the zoning by-law amendment would require execution of a Section 37 Agreement, which would include a public art component, prior to the removal of a holding provision from the zoning.

**Resident concerns:** The Clerks Department received several emails from area residents in response to the notice of complete application. These emails requested additional information, express general concerns, or suggest that additional parkland should be provided.

### **Conclusions**

The subject development, which proposes significant residential density and building heights at a location well removed from the future mobility hub (Unionville Go Station), should more appropriately be considered in context of the comprehensive secondary plan review. Staff anticipate that the new secondary plan will be completed in 2020.

As outlined above, in addition to the outstanding precinct plan, there are a number of significant issues, some related to the Secondary Plan update and some specific to the proposed development, which need to be addressed before it would be appropriate to schedule a public meeting to consider the requested subdivision and zoning by-law amendment.

The applicant will also be required to prepare a formal precinct plan for presentation to, and approval by, Council prior to Council considering the requested subdivision and zoning by-law amendment.

Staff will continue to discuss these issues with the applicant and will report back to Committee regarding the scheduling of a public meeting when sufficient progress has been made.

Staff will also arrange to have the proposed development presented to the Markham Centre Advisory and the City's Architectural Review Panel.

### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposed development is to be evaluated in the context of growth management, environmental and strategic priorities of Council.

### **BUSINESS UNITS CONSULTED AND AFFECTED:**

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



Report to: Development Services Committee

Report Date: March 18, 2019

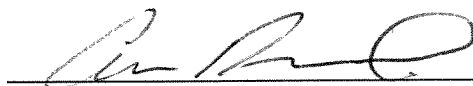
Page 8

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**RECOMMENDED BY:**



Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager  
Planning and Urban Design



Arvin Prasad, 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 - Site plan
- Figure 5 - Aerial Perspective
- Figure 6 - Perspective viewed from Highway 7
- Figure 7 - Perspective viewed from interior of site

**AGENT:**

Alfred Szeto  
Szeto Architects  
220 Torbay Road  
Markham, Ontario  
L3R 2P3

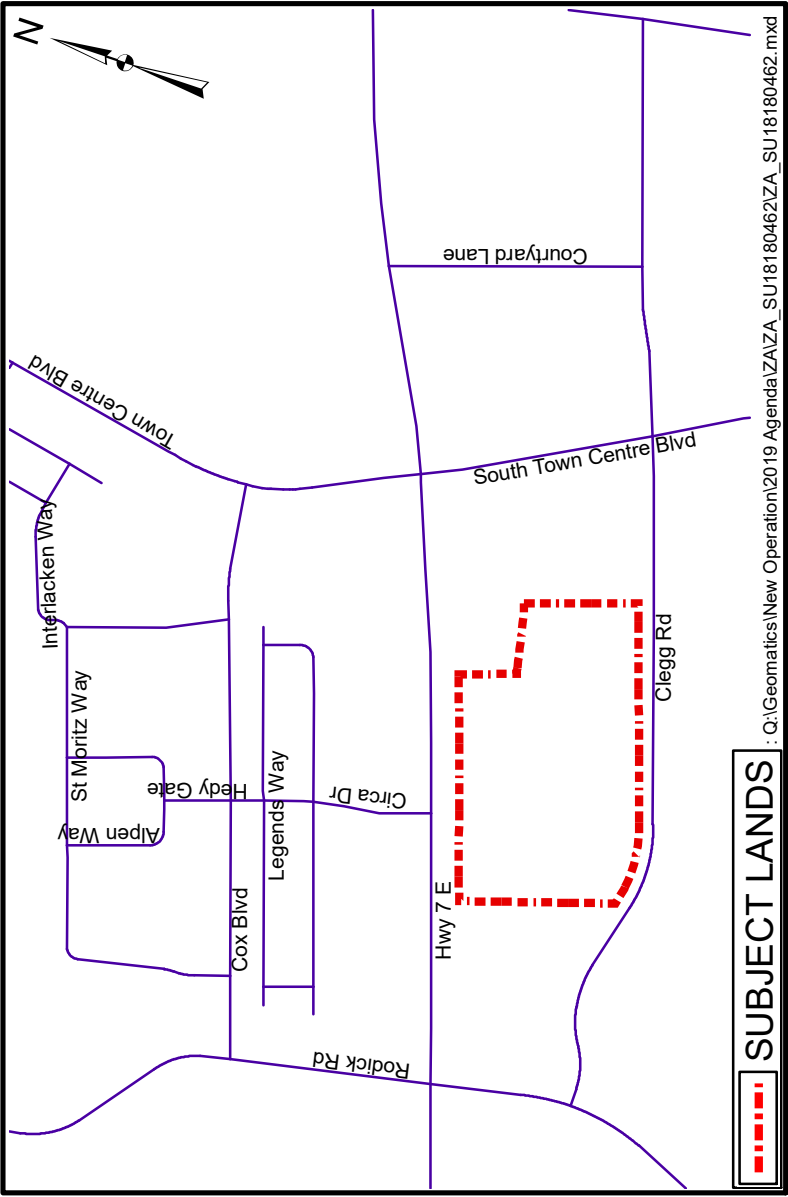
Tel: (905) 513-6126  
Email: [szetoarchitect@consultant.com](mailto:szetoarchitect@consultant.com);

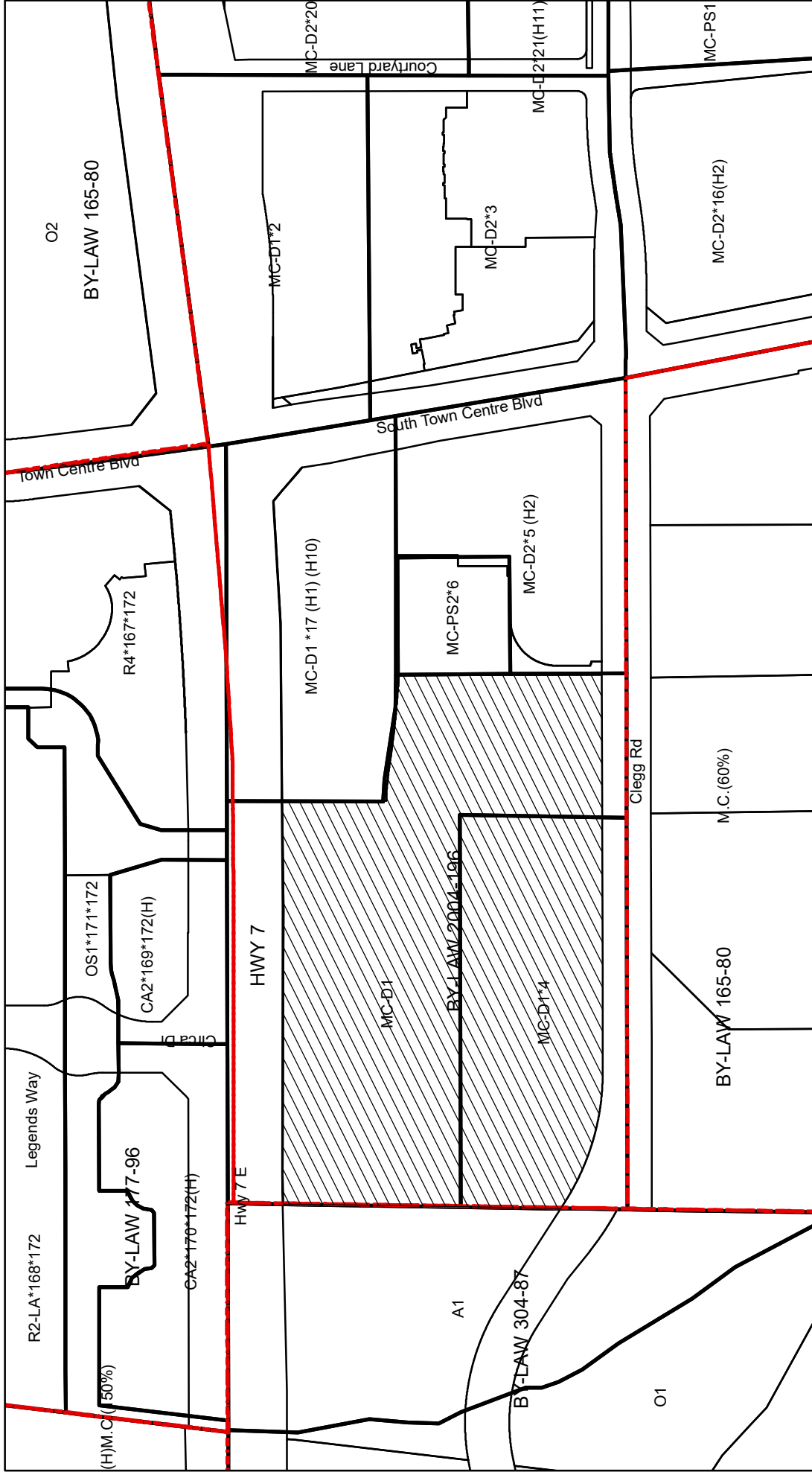
**OWNER:**

Hao Yang  
New World Centre (Markham) Development Corporation  
7300 Warden Avenue, Suite 405  
Markham, Ontario  
L3R 0X3

Tel: (905) 943-4966

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# AREA CONTEXT/ZONING

APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION

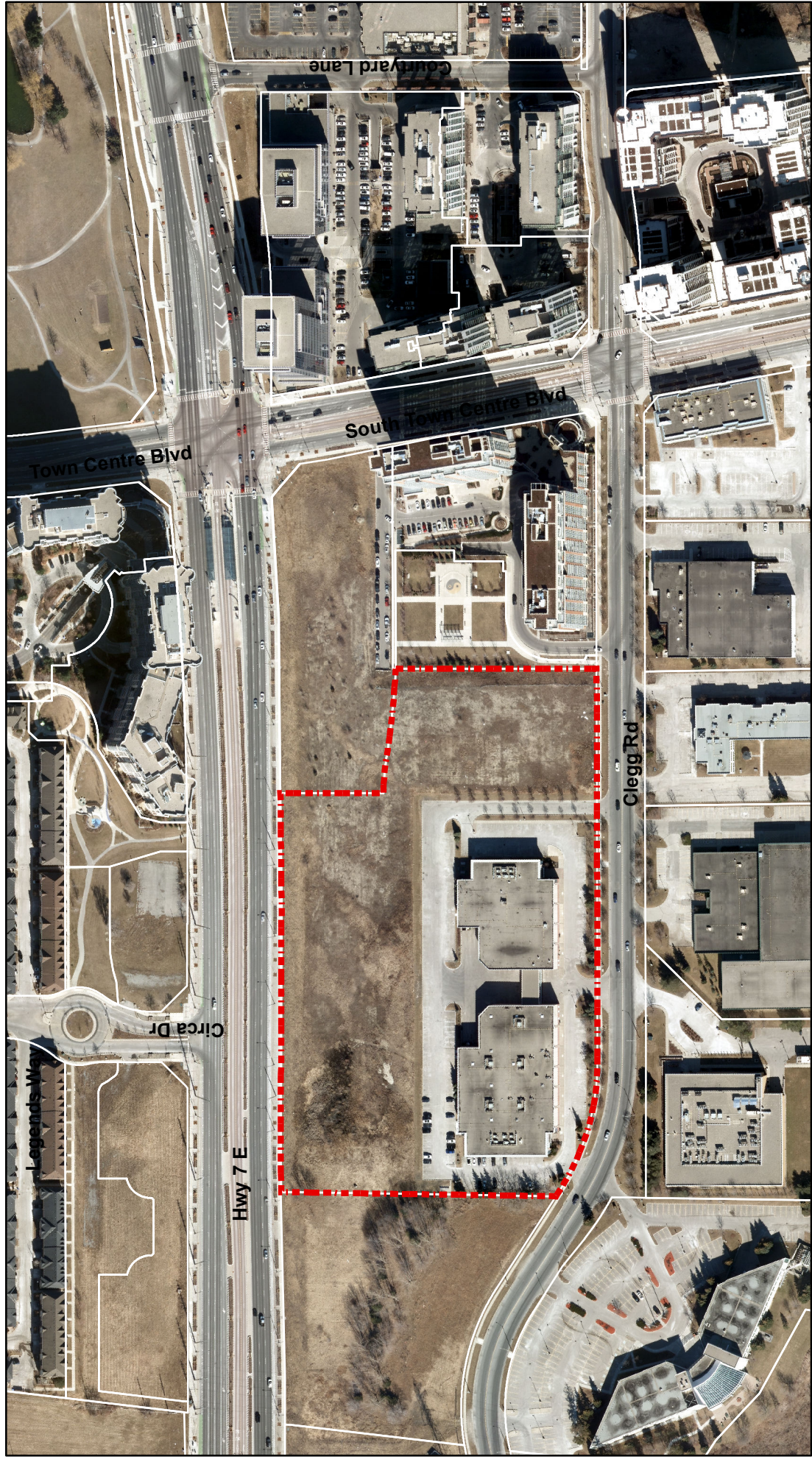
100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD)  
SUBJECT LANDS

FILE No: ZA\_SU 18180462

DATE: 01/25/19

FIGURE No. 2





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# AIR PHOTO 2018

APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION

100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD.)  
SUBJECT LANDS

FILE No: ZA\_SU 18180462





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# SITE PLAN

APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION

100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD)

 SUBJECT LANDS

FILE No: ZA\_SU 18180462

DATE: 01/25/19

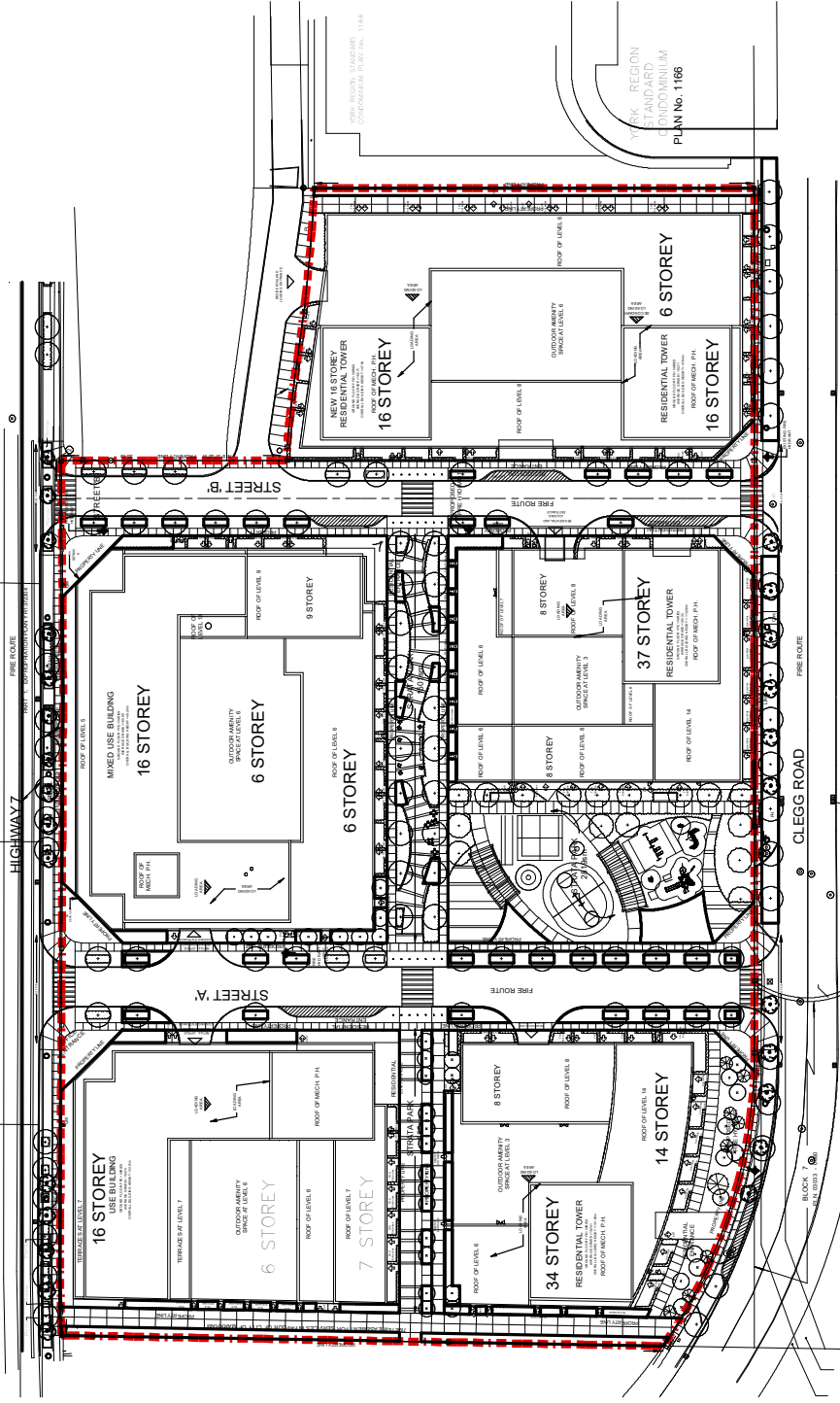
FIGURE No. 4

 MARKHAM DEVELOPMENT SERVICES COMMISSION

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THE KINGS HIGHWAY No. 7



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# AERIAL PERSPECTIVE

APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION

100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD.)

FILE No: ZA\_SU 18180462

DATE: 01/25/19

FIGURE No. 5

 MARKHAM DEVELOPMENT SERVICES COMMISSION

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Checked By: SH





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## PERSPECTIVE VIEWED FROM HIGHWAY 7

APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION

100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD.)

FILE No: ZA\_SU 18180462





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# PERSPECTIVE VIEW FROM INTERIOR OF SITE

APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION

100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD.)

FILE No: ZA\_SU 18180462





Report to: Development Services Committee

Meeting Date: March 18, 2019

**SUBJECT:** **Recommendation Report**  
 Amendment to Designation By-law 4-78  
 Eckardt-Stiver House, 206 Main Street Unionville, Ward 3

**PREPARED BY:** George Duncan, CAHP, Senior Heritage Planner, ext.2296

**REVIEWED BY:** Regan Hutcheson, MCIP, RPP, CAHP  
 Manager of Heritage Planning, ext.2080

### RECOMMENDATION:

- 1) That the staff report titled "Amendment to Designation By-law 4-78, Eckardt-Stiver House, 206 Main Street Unionville", dated March 18, 2019, be received;
- 2) That By-law 4-78 designating the Eckardt-Stiver House at 206 Main Street, Unionville under Part IV of the Ontario Heritage Act be amended as per Appendix "A" to this report, to update the Statement of Significance to include both exterior and interior architectural features;
- 3) That the Clerks Department serve upon the owner Council's Notice of Intention to Amend the Designation By-law as per the requirements of the Ontario Heritage Act;
- 4) That if there is no objection to the amendment by the owner in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place an amending by-law before Council for adoption;
- 5) That if there is an objection to the amendment by the owner in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed amendment to the Ontario Conservation Review Board;
- 6) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

### PURPOSE:

The purpose of the report is to amend the existing designation by-law to update the Statement of Significance to include both exterior and interior architectural features.

### BACKGROUND:

#### **The property is designated under Part IV of the Ontario Heritage Act**

The subject property was individually designated pursuant to the Ontario Heritage Act (the Act) in 1978 by By-law 4-78, along with a number of other properties. The Reasons for Designation (now referred to as the Statement of Significance as per the current legislation) specific to this property forms Schedule H of the by-law. The property is also designated under Part V of the Ontario Heritage Act as part of the Unionville Heritage Conservation District.

**Protection of significant interior features is a condition of development approval**

The amendment of the designation by-law to include significant interior features has been negotiated with the property owner as part of the development approval process for a new residential building on the subject property and an addition to the existing commercial building (the heritage building). Including interior features of a heritage building is done in special circumstances when the building is found to be of exception cultural heritage value. The Eckardt-Stiver House c.1829 is the oldest building in Unionville and one of the oldest in Markham. It contains interior trimwork that demonstrates a high degree of design value and craftsmanship. The proposed revised Reasons for Designation - Statement of Significance is attached as Appendix "A".

**Heritage Markham has been consulted**

As per the requirements of the Act, Heritage Markham has been consulted and at their meeting of April 11, 2018, when considering the overall development proposal, recommended that the designation by-law be amended to include interior features.

**OPTIONS/ DISCUSSION:****The Ontario Heritage Act has a process to amend designation by-laws**

The Act recognizes that over time, municipal councils may need to update different parts of an existing designation by-law. As of April 2005, for minor amendments, the Act includes an abbreviated process for amending designation by-laws that does not require the public notice required for designation. By-laws can be amended under section 30.1(2) to (10) to:

- Clarify or correct the Statement of Cultural Heritage Value or Interest or the Description of Heritage Attributes;
- Correct the Legal Description of the property;
- Revise the language of the by-law to make it consistent with the current requirements of the Act or its regulations.

**Owner is given notice of amendment**

The Owner is aware of the heritage designation process through the Site Plan Control application and approval for the proposed development on the subject property. Notice of the proposed amendment will be sent to the owner of the property who has the opportunity to object. If there is no objection within 30 days then Council can pass the amending by-law. If there is an objection, the proposed amendment will be referred to the Conservation Review Board (CRB) in a process similar to the objection process for designation. Once Council is in possession of the CRB report, it can proceed with the amendment or withdraw its intention to amend. However, Council is not bound to follow the recommendations of the CRB.

**The City Solicitor advises to amend by-laws rather than repeal**

The Ministry of Culture's guidebook on property designations recommends that a municipality seek the advice of its solicitor when considering the options for amending a by-law. The City Solicitor has advised that it is unnecessary to repeal a by-law for a

change to the Statement of Significance. Instead, the by-law's schedule should be amended to reflect the revised wording.

**FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Not applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable


**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Reviewed with Legal Services and the Heritage Markham Committee.

**RECOMMENDED BY:**

  
Biju Karumanchery, MCIP, RPP  
Director of Planning & Urban Design

  
Arvin Prasad, MCIP, RPP  
Commissioner of Development Services.

**ATTACHMENTS:**

Figure 1: Location Map  
Figure 2: Building Photograph  
Appendix "A": Revised Reasons for Designation/Statement of Significance

**File path:**

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**Property Owner:** Stiver Lane Inc.

**Figure 1: Location Map**



**Figure 2: Buildign Photograph**



**The Eckardt-Stiver House, c.1829, 206 Main Street Unionville**

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## **Eckardt-Stiver House**

### **c.1829**

### **206 Main Street, Unionville**

The Eckardt-Stiver House is recommended for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

#### Description of Property

The Eckardt-Stiver House is a one storey adobe brick building on the west side of Main Street, Unionville, within the commercial core of the village.

#### Historical and Associative Value

The Eckardt-Stiver House has historical and associative value as the oldest remaining building in the village of Unionville, constructed c.1829 for Frederick Eckardt, one of the sons of Berczy settler Philip Eckardt. Frederick Eckardt created a plan of village lots in the 1840s that in time became the centre of the village. He was primarily a farmer that resided north of the village and only lived in this dwelling for a short time. In William Berczy's original plan for his settlement of German immigrants, this property was earmarked for a doctor. In 1874, the property was sold to Daniel Burkholder, who was married to Agnes Jenkins, granddaughter of Reverend William Jenkins, the well-known Presbyterian clergyman. The house was named "Fern Cottage." Daniel and Agnes Burkholder's daughter Marein married Charles Howard Stiver, Township clerk and local entrepreneur. They built a new house next door at 202 Main Street. Marein Stiver gifted the house at 206 Main Street to her son Ewart Jenkins Stiver, and it remained in the Stiver family's ownership until 2008. During the time when Unionville was the self-proclaimed "antique capital of Ontario" the Stiver House became a popular retail store selling antiques and other merchandise relating to country decorating.

#### Design or Physical Value

The Eckardt-Stiver House has design or physical value as an excellent example of an Ontario Regency Cottage. It is also of particular note as a rare example of an adobe brick structure. Brick cladding was added to the front and portions of the side walls in the 1850s. The front entrance, with a Neo-classical style wood door surround and sidelights, is a fine example of the style and period. The entrance is flanked by multi-paned Venetian windows. The interior retains early wood trim reminiscent of the designs of American architect Asher Benjamin, who published architectural pattern books that were widely distributed throughout the 1820s and 1830s.

#### Contextual Value

The Eckardt-Jenkins House has contextual value as one of a grouping of 19<sup>th</sup> and early 20<sup>th</sup> century buildings that define the character of Unionville's historic commercial core. Some of these buildings were constructed as commercial structures. Others, such as the Eckardt-Stiver House, are former residences converted to commercial use.

Significant Architectural Attributes to be Conserved

Exterior, character-defining elements that embody the cultural heritage value of the Eckardt-Stiver House include:

- One-storey form, rectangular plan, on a raised fieldstone foundation;
- Adobe brick construction with brick and stucco cladding;
- Low-pitched hipped roof with wide overhanging eaves, wood soffits and trim;
- Brick chimney on the south wall;
- Front doorcase with its Neo-classic style wood surround, sidelights, and modified 8-panelled wood door;
- Six-panelled south side wood door.
- Front three-part Venetian windows with multi-paned wood sash;
- Side windows with multi-paned wood sash.

Interior, character-defining elements that embody the cultural heritage value of the Eckardt-Stiver House include:

- Early pine moulded wood trim around door and window openings;
- Early pine panelled doors;
- Early pine moulded baseboards;
- Early pine fireplace mantel and brick fireplace in the south room;
- Early pine panelled wainscoting in the south room;
- Early pine plank floors underlying modern floor coverings.



Report to: Development Services Committee

Meeting Date: March 18, 2019

**SUBJECT:** **Recommendation Report**  
 Amendment to Designation By-law 211-79  
 Briarwood Farm – James McLean House,  
 4031 Sixteenth Avenue, Ward 3

**PREPARED BY:** George Duncan, CAHP, Senior Heritage Planner, ext. 2296

**REVIEWED BY:** Regan Hutcheson, MCIP, RPP, CAHP Manager of Heritage Planning, Ext 2080

**RECOMMENDATION:**

- 1) That the staff report titled “Amendment to Designation By-law 211-79, Briarwood Farm – James McLean House, 4031 Sixteenth Avenue”, dated March 18, 2019, be received;
- 2) That By-law 211-79 designating Briarwood Farm – James McLean House at 4031 Sixteenth Avenue under Part IV of the Ontario Heritage Act be amended as per Appendix “A” to this report, as the building will be relocated within the subject property and will have a new legal description, and to update the Statement of Significance to include interior architectural features;
- 3) That the Clerks Department serve upon the owner Council’s Notice of Intention to Amend the Designation By-law as per the requirements of the Ontario Heritage Act;
- 4) That if there is no objection to the amendment by the owner in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place an amending by-law before Council for adoption;
- 5) That if there is an objection to the amendment by the owner in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed amendment to the Ontario Conservation Review Board;
- 6) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of the report is to amend the existing designation by-law to reflect the new legal description of the property and to update the Statement of Significance to include significant interior features.

**BACKGROUND:**

**The property is designated under Part IV of the Ontario Heritage Act**

The subject property was individually designated pursuant to the Ontario Heritage Act (the Act) in 1979 by By-law 211-79, along with several other properties. The Reasons for Designation (now referred to as the Statement of Significance as per the current legislation) specific to this property forms Schedule E of the by-law.



**The heritage building is proposed to be relocated within the subject property**

As part of the proposed development of the subject property for a small subdivision of single detached dwellings on a private road, the heritage building will be relocated slightly to a new parcel, Block 7, Draft Plan 19TM-16004. The heritage building will be placed upon a new foundation, restored, and an addition will be built to face a new internal street. As the result of negotiations with the applicant relative to the preservation of the heritage building, the amendment of the designation by-law to include significant interior features was agreed to. Including interior features of a heritage building is done in special circumstances when the building is found to be of exceptional cultural heritage value. Briarwood Farm – James McLaren House, c.1855, is a very well preserved example of a mid-19<sup>th</sup> century farmhouse. It contains interior woodwork that demonstrates a high degree of design value and craftsmanship. The proposed revised Reasons for Designation/Statement of Significance is attached as Appendix “A”.

**Heritage Markham has been consulted**

As per the requirements of the Act, Heritage Markham has been consulted and at its meeting of November 8, 2017, when considering the overall development proposal, the committee recommended that the designation by-law be amended to include interior features.

**OPTIONS/ DISCUSSION:****The Ontario Heritage Act has a process to amend designation by-laws**

The Act recognizes that over time, municipal councils may need to update different parts of an existing designation by-law. As of April 2005, for minor amendments, the Act includes an abbreviated process for amending designation by-laws that does not require the public notice required for designation. By-laws can be amended under section 30.1(2) to (10) to:

- Clarify or correct the Statement of Cultural Heritage Value or Interest or the Description of Heritage Attributes;
- Correct the Legal Description of the property;
- Revise the language of the by-law to make it consistent with the current requirements of the Act or its regulations.

**Owner is given notice of amendment**

The property owner is aware of the heritage designation process through the development application process for the proposed development on the subject property. Notice of the proposed amendment will be sent to the owner of the property who has the opportunity to object. If there is no objection within 30 days then Council can pass the amending by-law. If there is an objection, the proposed amendment will be referred to the Conservation Review Board (CRB) in a process similar to the objection process for designation. Once Council is in possession of the CRB report, it can proceed with the amendment or withdraw its intention to amend. However, Council is not bound to follow the recommendations of the CRB.

**City Solicitor advises to amend by-laws rather than repeal**

The Ministry of Culture's guidebook on property designations recommends that a municipality seek the advice of its solicitor when considering the options for amending a by-law. The City Solicitor has advised that it is unnecessary to repeal a by-law for a relocated building. Instead, the by-law's schedule should be amended to reflect its new legal description. The by-law as amended will then be registered against the new land parcel and the old by-law will be deleted against the now incorrect parcel. We would only repeal a by-law in the case of demolition or loss.

**FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Not applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable

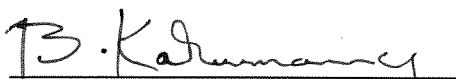
**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Reviewed with Legal Services and the Heritage Markham Committee.

**RECOMMENDED BY:**

  
Biju Karumanchery, MCIP, RPP  
Director of Planning & Urban Design

  
Arvin Prasad, MCIP, RPP  
Commissioner of Development Services.

**ATTACHMENTS:**

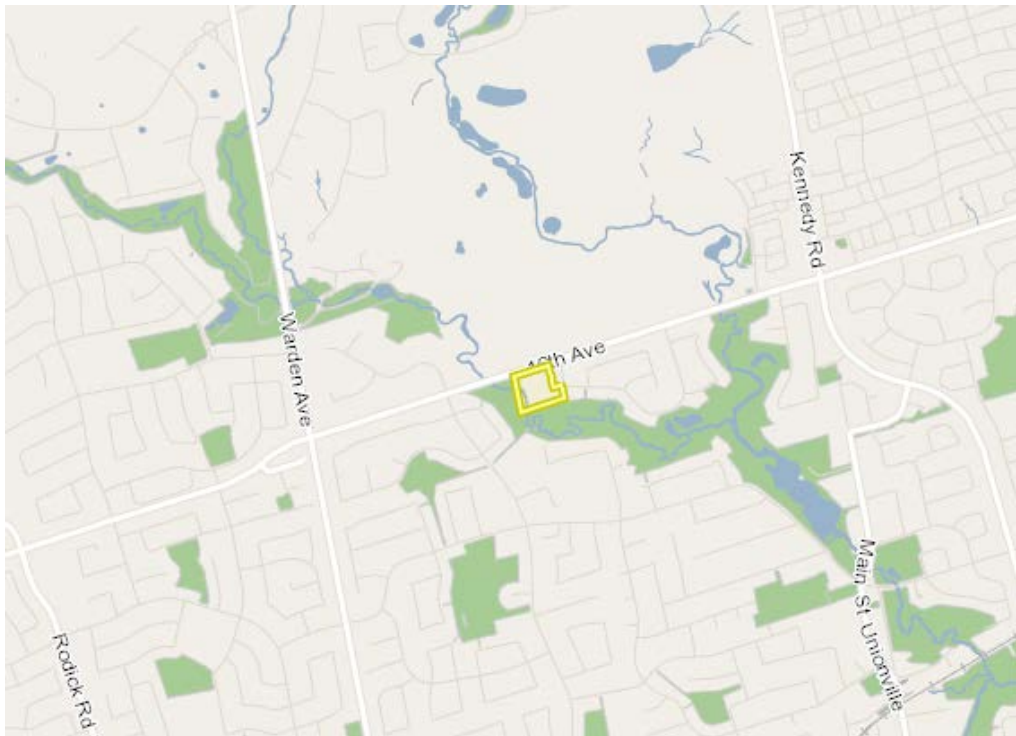
Figure 1: Location Map  
Figure 2: Building Photograph  
Appendix "A": Revised Statement of Significance

File path:

Q:\Development\Heritage\PROPERTY\SIXTNTH\4031\DSCMarch18 2019.DOC

**Property Owner:** 4031 Sixteenth Avenue (Unionville) Inc./Livante Developments

**Figure 1: Location Map**



**Figure 2: Building Photograph**



**Briarwood Farm – James McLean House, c.1855**

**Appendix “A”: Revised Reasons for Designation/Statement of Significance****Briarwood Farm – James McLean House**

c.1855

4031 Sixteenth Avenue

Briarwood Farm – James McLean House is recommended for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

Description of Property

Briarwood Farm – James McLean House is a one and a half storey patterned brick farmhouse located on the south side of 16<sup>th</sup> Avenue, east of Warden Avenue, bounded by a river valley on the west side and late 20<sup>th</sup> century houses fronting on Normandale Avenue on the east side.

Historical and Associative Value

Briarwood Farm – James McLean House has historical and associative value as the former home of James McLean, a Scottish immigrant that received the Crown patent for Lot 15, Concession 5, a former Clergy Reserve Lot, in 1845. McLean was a tenant on the land prior to becoming the owner. At the time of the 1851 census, James and Flora (McKinnon) McLean resided in a log house. By 1861, the log house had been replaced by a fine brick farmhouse. In 1875, the west half of the farm, including this dwelling, were willed to John Patterson, a labourer who had resided with the family for a considerable time and was married to Flora, the McLeans' daughter. The property is also of significance for its more recent history. In 1945, the farm was purchased by Aubrey Dean Hughes and Dora Evelyn Hughes. The Hughes family named the farm “Briarwood.” Dean Hughes wrote about life on this farm north of Unionville in two books, *And So They Bought a Farm* and *Along the Sideroad*. He also used the farm as the basis of a radio show on the CBC that ran for 25 years, titled “The Craigs,” and had a column in the Toronto Star.

Design and Physical Value

Briarwood Farm – James McLaren House has design and physical value as an excellent example of a mid-19<sup>th</sup> century farmhouse in patterned brick, with a Georgian Tradition form and Classic Revival details. It is a type of substantial farmhouse that reflects a period of agricultural prosperity in the 1850s when wheat was selling for good prices, enabling many Markham Township farmers the means to replace older log and frame dwellings. This house is exceptional for its excellent state of preservation both on the exterior and interior.

Contextual Value

Briarwood Farm – James McLean House has contextual value as a remnant of the former agricultural community that historically existed to the north of Unionville, now transformed to a suburban community in the City of Markham.

Significant Architectural Attributes to be Conserved

Exterior, character-defining elements that embody the cultural heritage value of Briarwood Farm – James McLean House include:

- One-and-a-half storey main block of the building, and its one storey rear kitchen wing;
- Exterior walls of red brick with buff brick accents in the form of quoining, ground floor door and window arches, and frieze;
- Gable roof with its wood cornice and eave returns;
- Gable-end single-stack brick chimneys with limestone copings;
- Six over six sash-style wood windows with operable louvered wood shutters and projecting window sills;
- Single-leaf front door with a single panel in the Classic Revival style, with multi-paned wood transom and sidelights and wood panels below the sidelights;

Interior, character-defining elements remaining from the 1850s that embody the cultural heritage value of Briarwood Farm – James McLean House include:

- Pine plank floors;
- Staircase with turned newel posts, oval handrail and square pickets;
- Pine, single-panelled front door with rim lock;
- Four panelled pine doors with period hardware;
- Pine baseboards;
- Pine door and window architrave trim, and panelled window aprons;
- Brick fireplace and pine fireplace mantel in the west room
- Brick cooking fireplace, iron crane and wood mantel in the rear wing.



Report to: Development Services Committee

Meeting Date: March 18, 2019

**SUBJECT:** **Recommendation Report**  
 Intention to Designate a Property under  
 Part IV of the Ontario Heritage Act  
 Thomas Lownsbrough House  
 9392 Kennedy Road, Ward 6

**PREPARED BY:** George Duncan, CAHP, Senior Heritage Planner, ext. 2296

**REVIEWED BY:** Regan Hutcheson, MCIP, RPP, CAHP,  
 Manager of Heritage Planning, ext.2080

**RECOMMENDATION:**

- 1) That the staff report entitled "Intention to Designate a Property Under Part IV of the Ontario Heritage Act, Thomas Lownsbrough House, 9392 Kennedy Road," dated March 18, 2019, be received;
- 2) That as recommended by Heritage Markham, the Thomas Lownsbrough House at 9392 Kennedy Road be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest;
- 3) That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the Ontario Heritage Act;
- 4) That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption;
- 5) That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board;
- 6) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of this report is to recommend to Council that the "Thomas Lownsbrough House" be designated under Part IV of the Ontario Heritage Act in accordance with the conditions of draft approval associated with the Kylemore Communities (Yorkton) Limited Phase 2 subdivision.

**BACKGROUND:****The property is listed on the City of Markham Register**

The subject property is located at 9392 Kennedy Road. It is included in the Markham Register of Property of Cultural Heritage Value or Interest. The Register is the City's inventory of non-designated properties identified as having cultural heritage value or interest, as well as Part IV properties (individual designations) and Part V properties (district designation).

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**The Thomas Lowsbrough House, c.1845 is one of the last remaining heritage buildings marking the location of Hunter's Corners**

The Thomas Lowsbrough House, c.1845, is one of the last remaining heritage buildings marking the location of Hunter's Corners, an historic crossroads community to the north of Unionville. It is a representative example of a modest tradesman's dwelling in the form of a Classic Ontario centre gable cottage.

The Statement of Significance is attached as Appendix 'A'.

**The building has been assessed using the Ministry of Culture's Designation Criteria**

The Government of Ontario on January 25, 2006 passed a regulation (O.Reg. 9/16) which prescribes criteria for determining a property's cultural heritage value or interest for the purpose of designation. Municipal councils are permitted to designate a property to be of cultural heritage value or interest if the property meets the prescribed criteria.

The purpose of the regulation is to provide an objective base for the determination and evaluation of resources of cultural heritage value. The prescribed criteria help ensure the effective, comprehensive and consistent determination of value or interest by all Ontario municipalities. The criteria are essentially a test against which properties can be judged; the stronger the characteristics of the property compared to the standard, the greater the property's cultural heritage value. The property may be designated if it meets one or more of the criteria.

The subject property has cultural heritage value or interest as it meets the following criteria:

- The property has design value or physical value because it:
  - Is a rare, unique, representative or early example of a style, type expression, material or construction method (the Lowsbrough House is a representative example of a tradesman's dwelling in the form of a Classic Ontario centre gable cottage),
- The property has historical value or associative value because it:
  - Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community (this was the home of Thomas Lowsbrough, an English-born shoemaker who was part of the Hunter's Corners community);
- The property has contextual value because it:
  - Is important in defining, maintaining or supporting the character of an area (the Lowsbrough House, is one of the last remaining heritage buildings marking the location of the historic community of Hunter's Corners).

**Heritage Markham has recommended designation**

The designation process under the Ontario Heritage Act requires a municipal council to consult with its municipal heritage committee when properties are considered for designation. The cultural heritage value of this Group 2 cultural heritage resource was



considered by Heritage Markham on February 5, 2015 and the committee recommended that the resource be designated as a property of cultural heritage value or interest as a condition of draft approval for the Kylemore Yorkton Phase 2 subdivision.

#### **OPTIONS/ DISCUSSION:**

##### **The heritage designation of the heritage resource is consistent with City policies**

The City of Markham Official Plan 2014 contains Cultural Heritage policies related to the protection and preservation of heritage resources and how they are to be treated within the development process. The preservation of buildings of cultural heritage value on their original sites and their integration into new development, as the City has achieved in this case, is consistent with the policies of the Markham Official Plan 2014.

##### **The owner is aware of the City's intention to designate this property under the Ontario Heritage Act through the development approval process.**

Heritage Designation, a Heritage Easement Agreement, and a Site Plan Control application that includes a restoration plan for the heritage building are conditions of draft approval for the Kylemore Communities Yorkton Phase 2 development. The owners are aware of these requirements as a condition of draft approval for the subdivision. The Heritage Easement Agreement and Site Plan Control application are outstanding items that will be addressed this year by staff, working in cooperation with the applicant.

##### **Designation acknowledges the importance of the heritage resource**

Designation signifies to both the owner and the broader community that the property contains a significant resource that is important to the community. Designation doesn't restrict the use of the property. However, it does require the owner to seek approval for property alterations that are likely to affect the heritage attributes described in the designation by-law. Council can also prevent, rather than just delay, the demolition of a resource on a designated heritage property.

The designation of this cultural heritage resource is supported by staff.

#### **FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not Applicable

#### **HUMAN RESOURCES CONSIDERATIONS**

Not Applicable

#### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

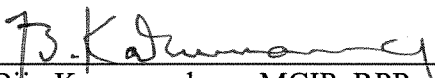
Heritage designation aligns with the strategic priorities of Managed Growth and Environment. Designation recognizes, promotes and protects heritage resources, which strengthens the sense of community. The preservation of heritage buildings is environmentally sustainable because it conserves embodied energy, diverts sound construction materials from entering landfill sites, and reduces the need to produce and transport new construction materials.

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**BUSINESS UNITS CONSULTED AND AFFECTED:**

Acceptance of this recommendation to designate the property located at 9392 Kennedy Road under Part IV of the Ontario Heritage Act will require the Clerk's Department to initiate the following actions:

- publish and serve on the property owner, the Ontario Heritage Trust and the public through newspaper advertisement, Council's notice of intention to designate the property as per the requirements of the Act: and
- prepare the designation by-law for the property

**RECOMMENDED BY:**

Biju Karumanchery, MCIP, RPP  
Director of Planning & Urban Design



Arvin Prasad, MCIP, RPP  
Commissioner of Development Services

**ATTACHMENTS**

Figure 1 - Location Map

Figure 2 - Building Photograph

Appendix 'A' - Statement of Significance

**FILE PATH:**

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Kylemore Communities (Yorkton) Limited c/o  
Michael Montgomery

9400 St. Philip's On-The-Hill Anglican Church

Bethesda Lutheran Cemetery 9423

Creekvalley Lane

Beaufort Way

Island Green Lane

Woodbrook Way

Kennedy Rd

Fierheller Crt

Beckett Ave

New Yorkton Ave

9392

9390

9388

9386

9384

9380

9378

9376

9374

9372

9370

9368

9366

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19

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9366

**Figure 2: Building Photograph**



**Thomas Lowsbrough House, c.1845.**

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**Appendix 'A'****STATEMENT OF SIGNIFICANCE****Thomas Lownsbrough House  
9392 Kennedy Road  
c.1845**

The Thomas Lownsbrough House is recommended for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

**Description of Property**

The Thomas Lownsbrough House is a one and a half storey frame house located on the west side of Kennedy Road, an area under urban development, a short distance north of 16<sup>th</sup> Avenue. The house faces east and is on its original site.

**Historical or Associative Value**

The Thomas Lownsbrough House is of historical or associative value as the c.1845 home of Thomas Lownsbrough, an English-born shoemaker who was part of the Hunter's Corners community north of Unionville while a tenant of John Hunter, and later his daughter, Ada Naomi Hunter, from c.1845 to 1891. In 1892, Miss Hunter sold the property to Reverend Henry B. Owen, Rector of St. Philip's Anglican Church, next door to the north. The Reverend Owen served the church from 1891 until his death in 1899.

**Design or Physical Value**

The Thomas Lownsbrough House is of design or physical value as a representative example of a tradesman's dwelling in a vernacular version of the Gothic Revival style commonly referred to as a Classic Ontario centre gable cottage. It is also a representative example of an evolved building, which started as a modestly-scaled one storey vernacular tradesman's dwelling in the mid-19<sup>th</sup> century that was later raised to one and a half storeys, perhaps in the 1870s.

**Contextual Value**

The Thomas Lownsbrough House is of contextual value as one of a few cultural heritage features remaining from the historic community of Hunter's Corners.

**Significant Architectural Attributes**

Exterior character-defining attributes that embody the cultural heritage value of the Thomas Lownsbrough House include:

- Overall form of the one and a half storey, rectangular plan main block;
- Fieldstone foundation;
- Historic cladding, if present, under modern siding materials;
- Medium-pitched gable roof with projecting, open eaves, and steep centre gable on the front wall;

- Asymmetrical placement of the front door and window openings;
- Size and placement of existing door and window openings;
- Former window opening in front gable, currently covered by modern siding materials.



## INFORMATION MEMO

TO: Mayor and Members of Council

C. Arvin Prasad, Commissioner, Development Services

FROM: Brian Lee, Director, Engineering

PREPARED BY: Loy Cheah, Senior Manager, Transportation, Ext. 4838  
David Porretta, Manager, Traffic Engineering, Ext. 2040

DATE: March 18, 2019

**Re: Road Safety in Markham (City-wide)**

---

### Purpose

This information memorandum outlines existing traffic safety strategies conducted by the City of Markham and identifies the need for Markham, in coordination with York Region, to revisit the overall strategy in addressing road safety. Namely, a fundamental shift in attitude about how the City treats safety of all road users and where the most vulnerable road users (pedestrians & cyclists) are prioritized over the efficient movement of motorized vehicles.

### Background

On February 26, 2018, Development Services Committee requested that staff investigate, in partnership with York Region, the adoption of “Vision Zero” principles at the City level, and report back on its findings in early 2019.

### Markham’s Current Traffic Safety Strategy

Road authorities and public agencies, including Markham, manage the safety performance of the road system through five pillars: *Education, Encouragement, Enforcement, Evaluation* and *Engineering*. The City’s existing traffic safety strategy has been developed to align with this approach, comprised with multiple initiatives that focus on a combination of one or more of the five pillars:

#### Education:

- Deployment of radar technology-based speed display boards that display vehicle speeds and variable feedback messaging to 96 streets each year, three months at a time.
- Provision of “in-street” advisory signage and bollards within 32 school zones to increase driver awareness and reduce vehicle speeds.

- Use of social media campaigns and public outreach targeting issues such as distracted driving, back to school safety and pedestrian visibility.

#### Enforcement:

- Area-specific enforcement by York Regional Police at the request of City staff to target key traffic safety issues, such as speeding, stop compliance and parking.
- Online citizen reporting of aggressive driving to York Regional Police through the ROAD WATCH program.
- Impose and enforce on-street parking restrictions in high-risk pedestrian conflict zones or congested areas to improve visibility of pedestrians and cyclists and also to facilitate the safe movement of traffic and emergency vehicles.

#### Engineering:

- Implementation of all-way stops, traffic signals, and pedestrian cross-overs.
- Traffic calming elements in new and existing communities: roundabouts, bike lanes, narrowed travel lanes, lay-by parking bays and pavement marking enhancements.
- Pedestrian accessibility improvements at signalized intersections.
- Sidewalk Network Completion Program to target gaps in the City's sidewalk network.
- Develop/update engineering design guidelines on an ongoing basis for all road related elements, including existing and future accommodations for dedicated cyclist facilities.

#### Encouragement:

- Supervised school crossings at 92 locations across the City to provide elementary school students with a safer walking environment.
- Partnership with school boards and public agencies to promote active school travel initiatives that reduce traffic congestion and promote a healthier communities.
- Organize and host events to encourage safe and active travel options including Jane's Walk, Markham Cycling Day, Bike to Work Day, Winter Walk Day.

#### Evaluation:

- City-wide annual traffic data collection program to measure daily traffic volume, intersection volumes, vehicle speeds, vehicle classification and collisions. Data was collected from approximately 250 street segments and 80 intersections in 2018.
- Site-specific traffic investigations, including data collection and assessment to identify operational safety concerns, recommended mitigating strategies and evaluation of their effectiveness. Approximately 700 traffic investigations were conducted in 2018.

Markham's traffic safety strategy has evolved over many years and covers a broad range of issues. As such, the comprehensiveness of individual actions taken by the City is limited by technical knowledge and expertise in advanced traffic control systems (red light cameras, automated speed enforcement, "smart" traffic signals), legislation, policies and available budget. This has resulted in a general strategy that takes a "one size fits all" approach for all manner of issues with varying levels of effectiveness.

The current strategy continues to align with established road design standards and reflects traditional North American attitudes toward mobility and use of private vehicles as the primary mode of transportation. This inevitably results in a prioritization of vehicular movement and speed, with safety of pedestrians and cyclists generally being secondary, even if unintentional.



## **A fundamental shift in attitude toward road safety and mobility is required**

Traffic safety can be considered a relative measure and is a complex subject. From a risk management perspective, a “safe” street can be defined as one that is designed to align with established industry standards and guidelines. Similarly, a street can be designed or altered to minimize collisions risk through the application of those same standards or guidelines.

Over the next 20 years, both Markham and York Region are accelerating efforts in transitioning from a primarily car-dependent community to one where transit, walking and cycling are becoming increasingly viable alternatives. This shift in travel behaviour from auto-oriented transportation to more active travel choices will also require a fundamental shift in attitude about how we approach decisions and actions around infrastructure design and the safe movement of people.

### **The “Vision Zero” Philosophy**

Developing an effective road safety strategy needs to emphasize and acknowledge that human error is inevitable and focus on influencing system-wide practices and policies to lessen the severity of collisions and conflicts for all road users, particularly pedestrians and cyclists. “Vision Zero” is one philosophy that aspires to seek zero fatalities and serious injuries on our transportation system.

A common challenge many public agencies face in achieving a “Vision Zero” strategy is the lack of a unifying definition and understanding about how to achieve the ultimate goal of zero fatalities and severe injuries. While many jurisdictions claim to be Vision Zero communities, the inability to commit to a fundamental shift in attitudes toward safety can result in goals that are unrealistic and unattainable. Namely, it is not possible to achieve zero fatalities and serious injuries as long as the road network remains essentially unchanged and continues to prioritize vehicular movement and speed.

The “Vision Zero Network” – an organization whose goal is to assist communities in reducing traffic fatalities and serious injuries – has developed a set of core elements to help communities work toward tangible results in promoting safety (see Attachment “A”). Although these elements are intended for use in development of a Vision Zero strategy, they can be applied to any road safety strategy, encouraging decision makers to focus on the most impactful actions and help them be accountable to their commitments.

### **The City needs to prioritize safety for all road users over expeditious movement of motorized vehicles**

Since all road users (drivers, pedestrians and cyclists) have a broad range of cognitive abilities due to age, physical and mental health differences, it is not possible to design a road network or develop safety strategies that can fully compensate for this. Also, growth in travel demand that is increasingly multi-modal in nature is having an impact on the safety performance of the City’s road network.

The frequency of total reported collisions on City streets from 2013 – 2017 is illustrated in Attachment “B”. Notable trends include:

- Despite continued growth, total collisions and injuries have been stable, with a minor downward trend;
- One-third of total reported collisions of all types occur at intersections;

- Two-thirds of total reported collisions occur along mid-block locations; and
- 20-25% of all reported collisions have resulted in injury.

During the same time period, the total reported collisions on City streets involving pedestrians and cyclists is illustrated in Attachment “C”. Notable trends include:

- Pedestrian & cyclist collisions comprise an increasing proportion of total collisions;
- At least two-thirds of reported pedestrian and cyclist collisions occur at intersections;
- 90-100% of reported pedestrian and cyclist collisions result in injury; and
- Two pedestrian fatalities have occurred.

The evidence is clear. Our most vulnerable road users are increasingly at risk. Therefore, a core principle of a new road safety plan needs to prioritize the safety of all road users over the expeditious movement of motorized vehicles.

### **A two-tier municipal governance structure requires partnership with York Region**

It must be recognized that the highest frequency of collisions and injuries are on the Regional arterial road network. Higher traffic volumes, including pedestrians and cyclists, higher posted and operating speeds, heavy truck traffic and an overall more complex road system are all contributing factors. As such, partnership with York Region is critical in ensuring a common approach and consensus on priorities, roles, responsibilities, and implementation of associated road safety projects, programs and initiatives.

### **A traffic safety audit and road safety plan will be developed**

In Q2 2019, the Engineering Department will be soliciting a request for proposals (RFP) to conduct a traffic safety audit of the City’s road network. Using the City’s aggregate traffic and collision data, an assessment of municipal corridors and intersections will be conducted with consideration given to location, frequency, type and pattern of incidents. A prioritization of locations shall be developed based on the severity and risk to vulnerable road users.

Following completion of the audit, a multi-year road safety plan will be developed in alignment with the following core elements detailed in Attachment “A”:

- Leadership and Commitment
- Safe Roadways and Safe Speeds
- Data-driven Approach, Transparency and Accountability.

The road safety plan will establish best practices in road design to keep both drivers as well as pedestrians and cyclists safe, such as:

- Road diets to create “complete streets”;
- Consider roundabouts instead of traffic signals at intersections;
- Improved cycling network that physically separates cyclists from motorized vehicles;
- Intersections that are more accessible for pedestrians and reduce crossing distances;
- Implement protected pedestrian crossings along pedestrian desire lines; and
- Slower vehicular speeds on arterial and collector roads in urban areas, with some exceptions.

### **Next Steps**

The safety audit is anticipated to be completed in 2020, with staff reporting to Development Services Committee upon its completion. Development of the road safety plan will follow in

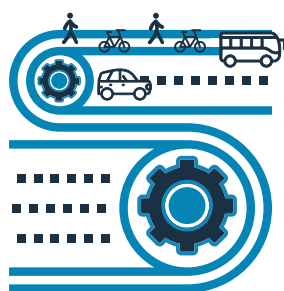
2021 and take approximately two years to complete. Budget for the development of the road safety plan development will be requested for the 2021 & 2022 budget years.

**Attachments:**

Attachment "A" – Core Elements for Vision Zero Communities

Attachment "B" – City of Markham Total Collisions – All Types (2013 – 2017)

Attachment "C" – City of Markham Pedestrian & Cyclist Collisions (2013 – 2017)



# CORE ELEMENTS

## FOR VISION ZERO COMMUNITIES

### INTRODUCTION

**Vision Zero – the strategy to eliminate traffic fatalities and severe injuries – is being adopted by a growing number of communities across North America and beyond. While safe mobility is not a new concept, Vision Zero requires a shift in how communities approach decisions, actions, and attitudes around safe mobility.**

A fundamental part of this shift is moving from a traditional approach to a Safe Systems approach toward traffic safety. A traditional approach accepts that a certain number of traffic deaths and severe injuries will occur as unavoidable consequences of mobility and focuses on changing individual behavior to reduce the frequency of these incidents. In contrast, Vision Zero is built on the basis that traffic deaths and severe injuries are preventable. Vision Zero emphasizes a Safe Systems approach, which acknowledges that people make mistakes and focuses on influencing system-wide practices, policies, and designs to lessen the severity of crashes.

Approaching the issue of safe mobility in a new way can be challenging, even when everyone agrees on the ultimate goal – in this case, safety for all road users. One limitation to the success and proliferation of Vision Zero in this moment is the lack of a unifying definition and “best practice benchmark.” While an increasing number of jurisdictions may call themselves Vision Zero communities, the authentic and ongoing commitment to the fundamental shift in safety perspective can be uneven.

*The Vision Zero Network and Institute of Transportation Engineers have partnered to develop a set of Vision Zero Core Elements to help communities set priorities, work toward tangible results in promoting safety, and benchmark their progress relative to best practices. This resource encourages leaders to focus on the most impactful actions and helps hold them accountable to their Vision Zero commitments.*

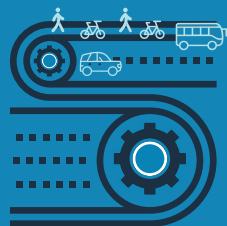
#### TRADITIONAL APPROACH

Traffic deaths are **INEVITABLE**  
**PERFECT** human behavior  
 Prevent **COLLISIONS**  
**INDIVIDUAL** responsibility  
 Saving lives is **EXPENSIVE**

VS

#### VISION ZERO

Traffic deaths are **PREVENTABLE**  
 Integrate **HUMAN FAILING** in approach  
 Prevent **FATAL AND SEVERE CRASHES**  
**SYSTEMS** approach  
 Saving lives is **NOT EXPENSIVE**



# CORE ELEMENTS

## FOR VISION ZERO COMMUNITIES

### Leadership and Commitment

#### 1. Public, High-Level, and Ongoing Commitment.

The Mayor and key elected officials and leaders within public agencies, including transportation, public health, and police, commit to a goal of eliminating traffic fatalities and serious injuries within a specific timeframe. Leadership across these agencies consistently engages in prioritizing safety via a collaborative working group and other resource-sharing efforts.

**2. Authentic Engagement.** Meaningful and accessible community engagement toward Vision Zero strategy and implementation is employed, with a focus on equity.

**3. Strategic Planning.** A Vision Zero Action Plan is developed, approved, and used to guide work. The Plan includes explicit goals and measurable strategies with clear timelines, and it identifies responsible stakeholders.

**4. Project Delivery.** Decision-makers and system designers advance projects and policies for safe, equitable multi-modal travel by securing funding and implementing projects, prioritizing roadways with the most pressing safety issues.

### Equity and Engagement

Elevating equity and meaningful community engagement, particularly in low-income communities and communities of color, should be a priority in all stages of Vision Zero work.

### Safe Roadways and Safe Speeds

**5. Complete Streets for All.** Complete Streets concepts are integrated into communitywide plans and implemented through projects to encourage a safe, well-connected transportation network for people using all modes of transportation. This prioritizes safe travel of people over expeditious travel of motor vehicles.

**6. Context-Appropriate Speeds.** Travel speeds are set and managed to achieve safe conditions for the specific roadway context and to protect all roadway users, particularly those most at risk in crashes. Proven speed management policies and practices are prioritized to reach this goal.

### Data-driven Approach, Transparency, and Accountability

**7. Equity-Focused Analysis and Programs.** Commitment is made to an equitable approach and outcomes, including prioritizing engagement and investments in traditionally under-served communities and adopting equitable traffic enforcement practices.

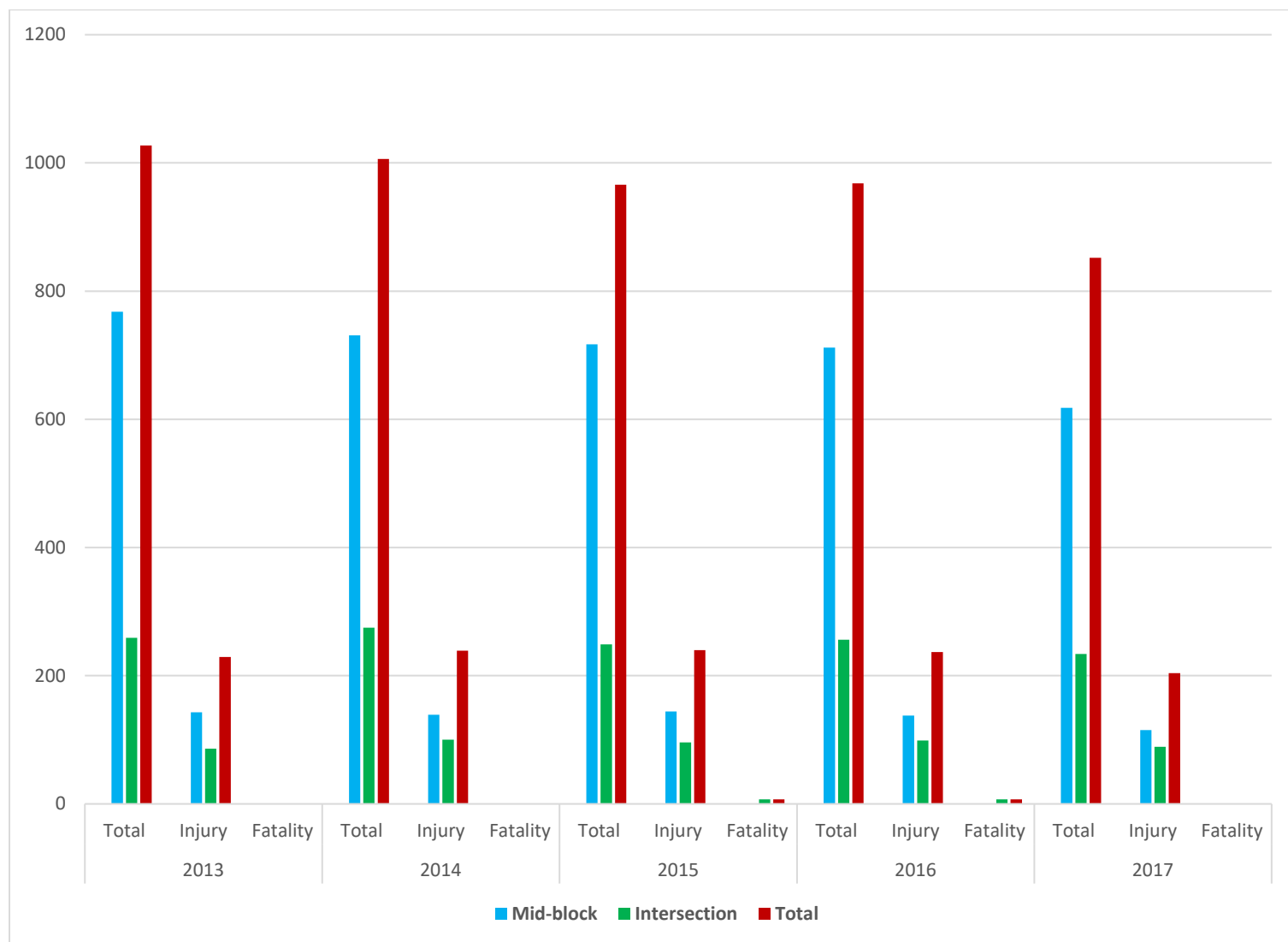
**8. Proactive, Systemic Planning.** A proactive, systems-based approach to safety is used to identify and address top risk factors and mitigate potential crashes and crash severity.

**9. Responsive, Hot Spot Planning.** A map of the community's fatal and serious injury crash locations is developed, regularly updated, and used to guide priority actions and funding.

**10. Comprehensive Evaluation and Adjustments.** Routine evaluation of the performance of all safety interventions is made public and shared with decision makers to inform priorities, budgets, and updates to the Vision Zero Action Plan.

To learn more about the Vision Zero Core Elements, see the Vision Zero Network's full [Vision Zero Core Elements](#) document, which includes further details and links to examples and related resources. In addition, the [Vision Zero Network website](#) and [ITE Safety Resources Toolbox](#) offer useful information on Vision Zero principles, recommended practices, and analysis strategies.

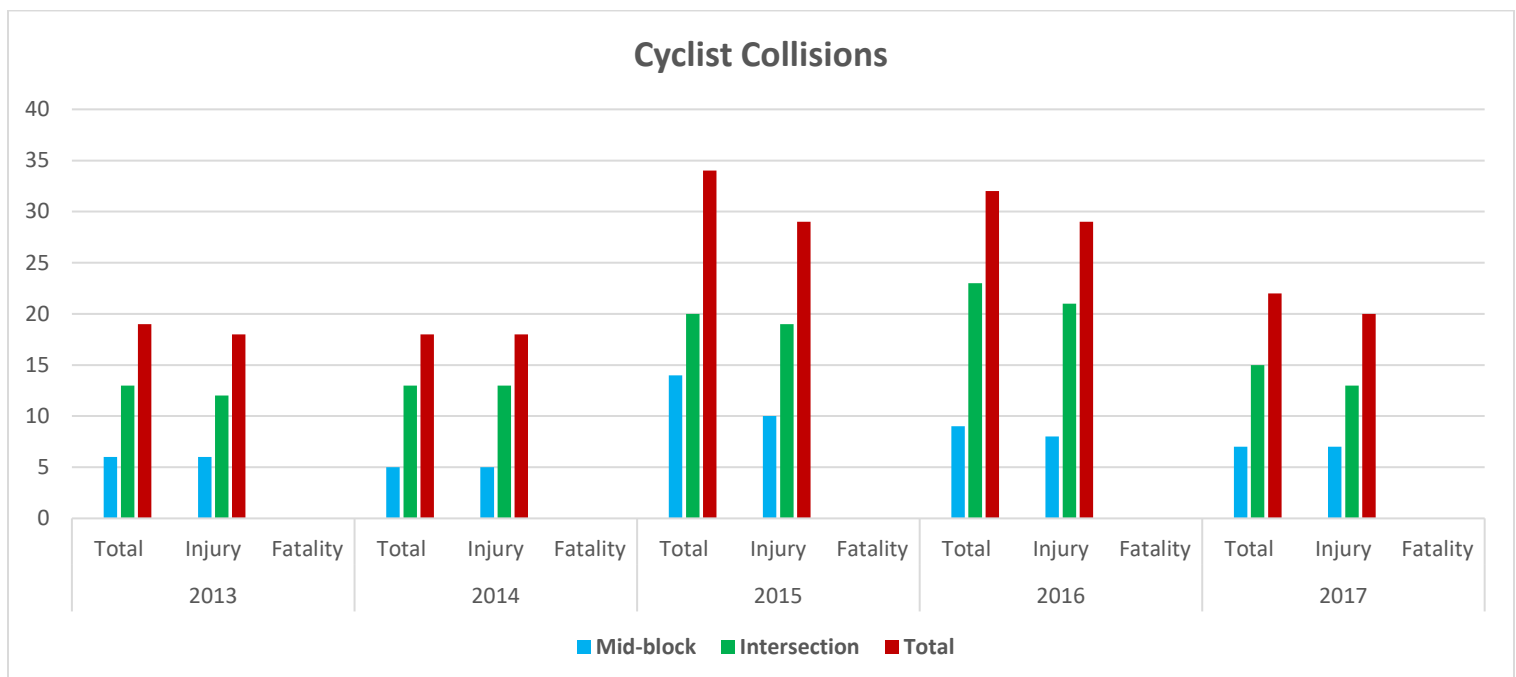
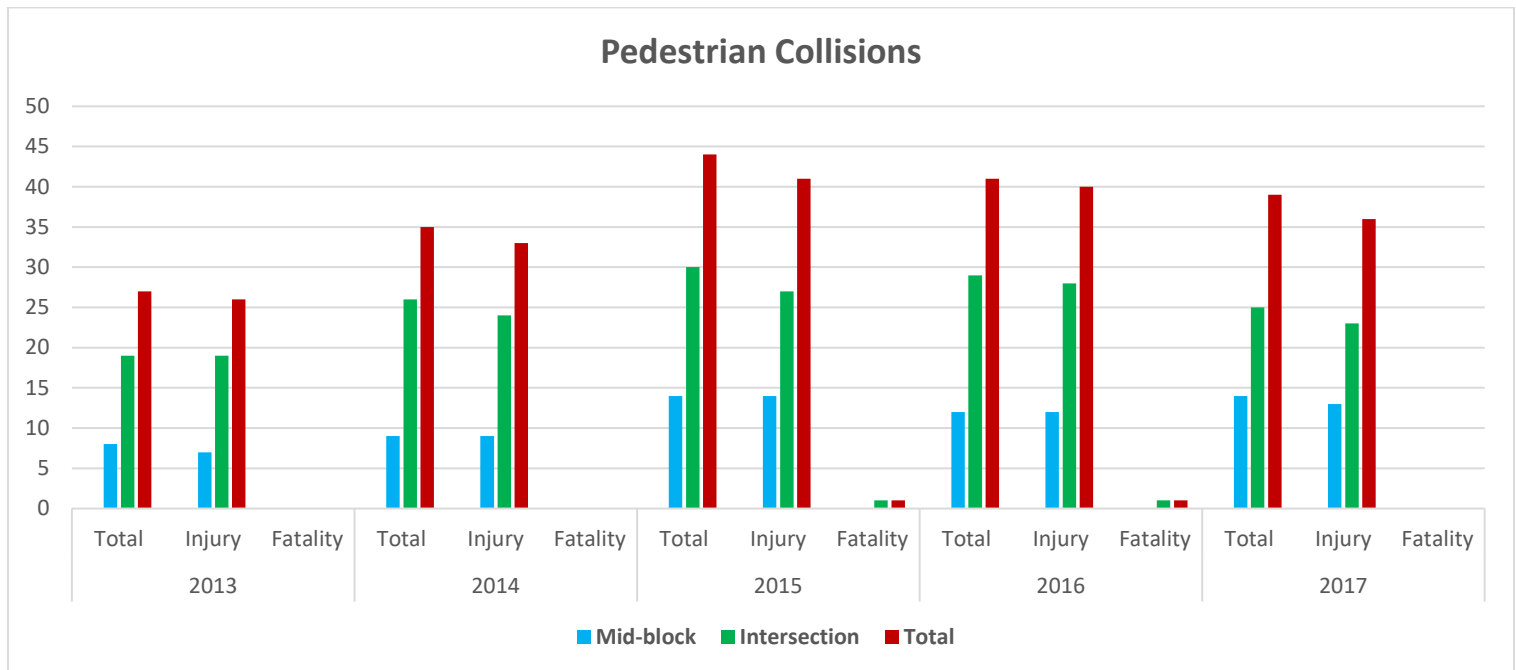
### City of Markham Total Collisions - All Types (2013-2017)



**NOTE:** excludes the Regional road network

**ATTACHMENT "B"**

## City of Markham Pedestrian & Cyclist Collisions (2013-2017)



**NOTE:** Excludes the Regional road network

**ATTACHMENT "C"**

# RECOMMENDATIONS FOR AN AGE-FRIENDLY COMMUNITY



**Presentation to the City of Markham Development Services Committee**

**March 18, 2019**

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***“Making Markham an Age-Friendly Community!”***

*Markham's Older Adult Strategy 2017*



# THE NUMBERS



- We are facing a baby boomer / senior tsunami. By 2031, there will be 118,000 Markham residents over 60. That's 47,000 (66%) more than now!
- There are 6,385 senior households on the Housing York Inc.affordable housing wait-list looking for a unit in Markham
- Across Ontario, the current wait-list for long-term care beds is 34,862. The province just announced they are planning to add 30,000 new long-term care beds over 10 years. That doesn't even meet today's demand!

**CALLING THE NEXT 5 TO 20 YEARS “A SENIOR TSUNAMI” COULD BE  
AN UNDERSTATEMENT**

# HYI MAJOR PROJECTS

- Housing York's new 265-unit affordable building for seniors, to be located in Markham near Unionville (opens 2022)
- 162 units in Woodbridge (2019)
- 90-110 units in Stouffville (2022-23)

Opening across York to 2023:

## 537 units

\*plus 32 MICAH units in Markham



# A REALITY CHECK



- The demand for affordable housing for seniors and others is growing faster than government can build units. Impossible to catch-up
- The demand for long-term care beds is growing faster than government can provide them. Impossible to catch-up
- Land availability and cost are major impediments to providing significant increases in affordable housing and long-term care
- Seniors want to stay in their homes longer and, with the coming seniors' tsunami we may need them to, thus existing living accommodations and new builds need to be more age and health-care friendly
- Issues cross levels of government, but part of the solution is available here in Markham with minimal incremental costs

**MARKHAM NEEDS TO PROVIDE LEADERSHIP**

**HERE'S HOW**



## PRESS CONFERENCE - FEBRUARY 26

- Markham Economist & Sun / Toronto Star / YorkRegion.com
- Markham Focus
- Fairchild TV
- OMNI TV
- Neighbours of Olde Thornhill Village
- Toronto TV
- Markham Review



# #1: “ALWAYS” HOMES

- Most seniors want to live independently. Bungalows & condos are perfect, but many don't want to move to a condo
- Because of the price of land, the number of new bungalows has plummeted (being replaced by “bungalows in the sky?”)
- Most multi-level homes like townhouses are not presently senior-friendly

**MARKHAM CAN LEAD BY THINKING  
AHEAD WITH ALWAYS HOMES**

***It is recommended*** that all future single, semi, and townhome developments approved in Markham contain a minimum portion of Always Homes, those which allow owners the option of aging longer in their home. An Always Home is one with no impediments for people with accessibility or health issues who may be required to eat, sleep and use the washroom on the ground floor of their home now or at a later point in their lives. Proposal:

- 10% of new home developments be Always Homes and built on grade with no basement thus ensuring greater affordability,
- 10% of new home developments be Always Homes and built on grade with a full basement, and
- 10% of new condo units being developed meet the Always guidelines as well.

## #2: “ALWAYS” GUIDELINES

- Homes can be made safer and more accessible for seniors and anyone with mobility issues. Always Homes are adaptable if circumstances change
- New and exciting designs are already being offered by leading builders
- There is minimal cost impact when these features are incorporated into the design

**MARKHAM CAN LEAD BY ADOPTING  
SIMPLE DESIGN MODIFICATIONS TO  
IMPROVE THE ABILITY TO AGE AT HOME**

***It is recommended*** that the City develop standards for Always Homes and units for implementation as soon as possible in all new developments, having consideration for:

- wheelchair accessibility including hallway widths
- better kitchen and bathroom design
- a shower on the main floor
- proper door handles
- a location for short-term sleeping quarters on the main floor
- no steps from grade to the front door, and to the main floor inside
- railing and ramp locations for future installation if required.

# #3: HOME ELEVATORS & CHAIR LIFTS FOR NEW HOMES

- Multi-level homes as currently constructed become increasingly difficult for seniors with mobility challenges and those with physical disabilities
- Designing and reinforcing for future installation of mobility upgrades should have minimal cost relative to the cost of the house as a whole
- Always Home modifications may bring increased property values in the future

**MARKHAM CAN LEAD BY IMPROVING  
MOBILITY OPTIONS IN NEW HOMES**

***It is recommended*** that, to improve mobility for seniors and others within their own homes thus allowing them to remain in them longer, the City require that all new singles, semis and townhouses being built in Markham include space and structural supports for future installation of home elevators and chair lifts if needed.

## #4: HOME ELEVATORS & CHAIR LIFTS FOR EXISTING HOMES

- There are 87,000 existing ground-based homes in Markham
- Most of those which are not bungalows are not senior-friendly
- Gaining experience with retrofitting chair lifts and elevators into existing homes could help us understand what is needed to keep seniors in their homes longer

**MARKHAM CAN LEAD BY IMPROVING MOBILITY OPTIONS IN EXISTING HOMES**

*It is recommended* that, to improve mobility for seniors and others within their own homes for those living in the City's existing homes, Markham and York Region conduct a pilot retrofit home elevator and chair lift program for different types of existing homes to determine the best ways to retrofit them. The expectation is that the recommendations at the end of the pilot will transition into significant improvements in current programs.



# #5: THE SUPPLY OF LAND

- Land costs can be as high as \$15M per acre in Markham. This makes affordable housing difficult if not impossible to deliver
- Restrictions, including the Greenbelt, make land availability an issue. Prices drop the further one gets away from needed services such as good transit
- There is underutilized, publicly-owned land close to needed services

**MARKHAM CAN LEAD BY SHIFTING LAND  
FROM SURFACE PARKING TO  
AFFORDABLE HOUSING**

***It is recommended*** that, since the cost and availability of land are the largest impediments to significantly increasing the supply of affordable housing for seniors and others, land presently being used for surface parking be obtained at no cost for the purpose of building affordable townhouses, condo apartments and purpose-built rentals. In order to replace the lost parking, the new housing development would provide the former owner an equal number of underground and / or structured parking spaces within the new development at no cost. The largest parking lots that fit this category can be found at:

- public utility companies,
- school boards,
- hospitals,
- public transportation agencies
- governments at all levels, and
- possibly, places of worship.

# #6: PREFERABLE LOCATIONS

- Locating living spaces close to day-to-day amenities and jobs is especially helpful in reducing car use
- Combating loneliness can be achieved with higher density and co-location with seniors centres and amenities

**MARKHAM CAN LEAD BY  
IDENTIFYING IDEAL LOCATIONS FOR  
AFFORDABLE HOUSING**

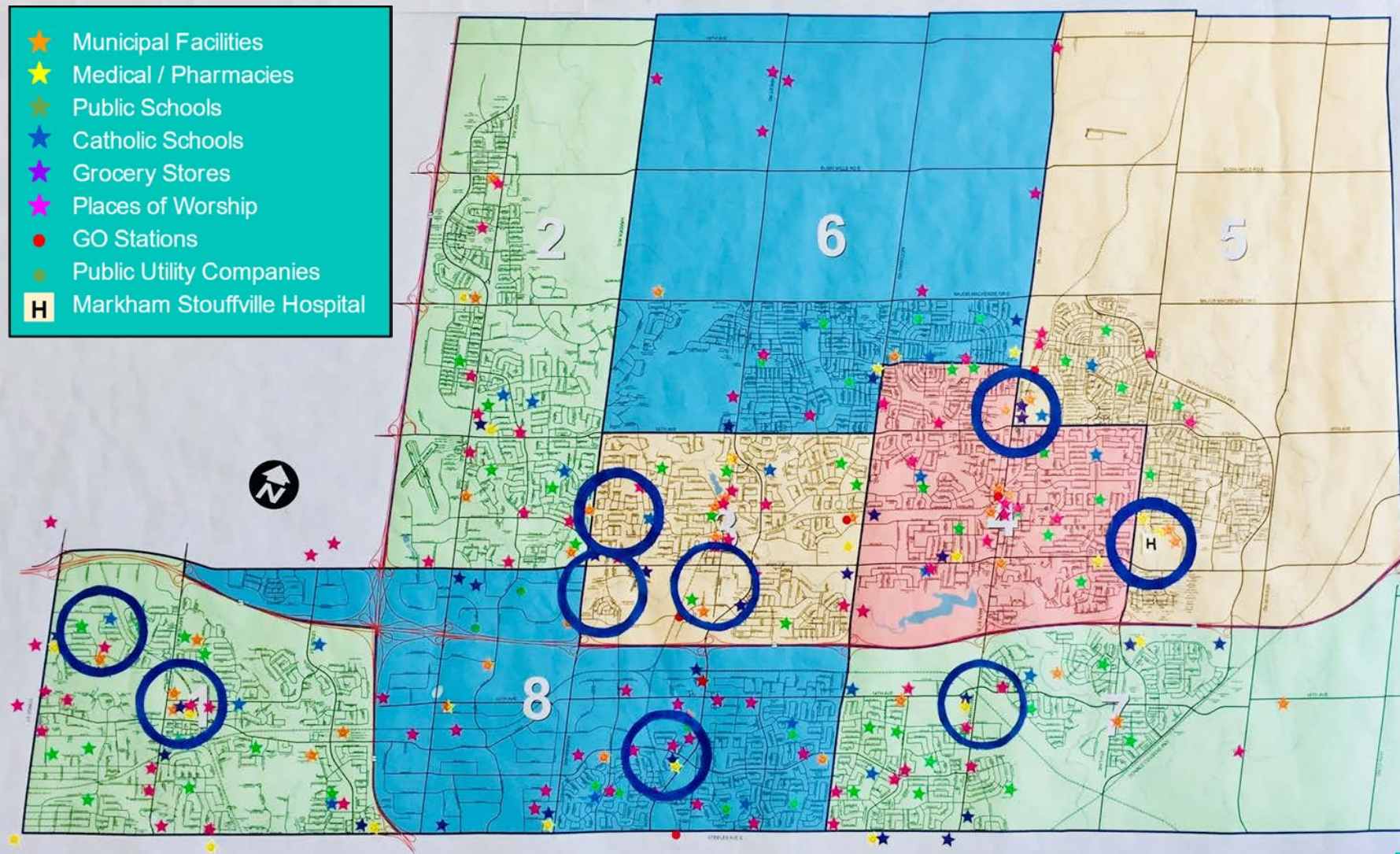
***It is recommended*** that the City, in order to reduce the requirement for an automobile, concentrate on finding location opportunities for Recommendation #5 near:

- good transit
- important services such as medical and dental, and
- amenities such as grocery stores, pharmacies and other retail shops.

[See Slide #12 which shows Community Hubs across the City which meet the location criteria]



# COMMUNITY HUBS



# #7: RESIDENTIAL HOSPICE

- Markham is the 7th largest city in Ontario but the only one in the top 17 that does not have a residential hospice
- Based on Ontario guidelines, Markham should already have 23 hospice beds; we should be planning for 30 or more by 2031
- Residential hospices are more cost-effective compared to hospitals. Ontario's annual savings? \$5.3M

**MARKHAM CAN LEAD BY MEETING WITH  
STAKEHOLDERS TO DISCUSS  
DEVELOPING A HOSPICE**

***It is recommended*** that, in order to meet the need for palliative, end-of-life, services in Markham, the City:

- support the establishment of 2 to 4 residential hospices over the next 12 years with a target of 30 or more residential hospice beds,
- provide the land at little or no cost for the first hospice site, and
- endorse the first hospice for 10 or more beds being built as quickly as possible.



## #8: NURSING AND PERSONAL SUPPORT SERVICES

- Many seniors are struggling to remain in their homes as their costs rise for Personal Support Workers and Nurses
- With appropriate support, more than 20% of seniors admitted to long-term care in Canada could remain at home
- It costs less to fund at-home care than long-term care and hospitals. It also helps reduce hallway medicine
- Certification and licensing for PSWs would improve quality and accountability

**MARKHAM CAN LEAD BY CALLING FOR IMPROVED HOME-CARE**

***It is recommended*** that York Region and the Province dramatically ramp-up at-home care for both nursing and personal support services including corporate and individual registration and qualifications, training, financial assistance, etc., in order to encourage seniors needing lower levels of such care to remain in their homes longer before being required to transfer to a facility with higher levels of care.

## #9: MARKHAM PARKING AUTHORITY

- The City does not have a Parking Authority
- The proposal in Recommendation #5 and #6 is to build housing on publicly-owned parking lots. They are generally used only in the daytime. Using a small portion of the lot for overnight and off-hours parking would reduce the cost of structured parking for the affordable housing
- There are revenue opportunities for the Parking Authority

**MARKHAM CAN LEAD BY IMPLEMENTING  
OFF-HOURS PARKING**

***It is recommended*** that the City create a Markham Parking Authority with one of their responsibilities being the development of an “Off-Hours Parking Program” for overnight parking permits on lots listed in Recommendation #5 above to assist the nearby development of affordable housing by reducing the number of underground and / or structured parking spaces needed by the new housing development.

# #10: SURPLUS SCHOOL PROPERTY

- Surplus School Board lands are currently sold to buyers, including the City, at market value
- Some of these sites are well located for affordable housing
- These sites were originally purchased with public money decades ago

**MARKHAM CAN LEAD BY CALLING ON THE PROVINCE TO REQUIRE A LOWER VALUE IF SURPLUS PROPERTY WILL BE USED FOR AFFORDABLE HOUSING**

***It is recommended*** that the Province, in order to reduce the price of land and increase its availability for affordable housing for seniors and others, introduce a requirement that the sale of surplus school board property to municipal governments or agencies, if for affordable housing purposes, be at the value of the original land purchase plus carrying costs as opposed to current market value.

# #11: INCLUSIONARY ZONING

- Integrating affordable housing with market value housing is a leading planning practice
- Inclusionary zoning in Markham would see a given share of new residential construction to be dedicated to affordable housing, for both ground-based and condo units

**MARKHAM CAN LEAD BY IMPLEMENTING  
INCLUSIONARY ZONING**

***It is recommended*** that the City implement an inclusionary zoning policy for Markham so that all future apartment developments, and other types of housing if possible, contain a reasonable percentage of affordable housing units. The percentage would be set by Council after input by the public and stakeholders.



# #12: SECONDARY SUITES

- There are about 7,500 Secondary Suites in Markham today, but that's difficult to pin down. Only one in ten are legal
- Regulation and inspection of Secondary Suites would improve safety for the tenants and neighbours
- Increasing the number of Secondary Suites would provide more affordable housing

**MARKHAM CAN LEAD BY LICENSING AND REGULATING ALL SECONDARY SUITES**

***It is recommended*** that the City, in order to maintain and provide housing options for a larger range of residents:

- permit secondary suites by right across the city,
- legalize all secondary suites in the municipality which meet the parking requirements and establish a five-year program to register them thus ensuring that those already in existence meet safety and reasonable living standards as set out in the fire and building codes and property standards, and
- develop a program to encourage the provision of more secondary suites in the future.

# #13: COACH HOUSES

- Coach houses in Cornell are well accepted as additional living spaces
- Coach houses improve housing affordability and provide additional income opportunities

**MARKHAM CAN LEAD BY  
DEMONSTRATING THE PRACTICAL  
IMPLEMENTATION OF SMALLER HOMES**

***It is recommended*** that the City encourage the building, within the current urban boundary and in the Future Urban Area, of a significantly increased number of smaller homes such as Coach Houses, which are defined as homes above garages not attached to the main house, in order to provide greater opportunities for affordable rentals and purchases for seniors and others.

# #14: LIVE / WORK OPPORTUNITIES

- Live / work arrangements improve the vibrancy of cityscapes and can reduce road congestion
- They provide opportunities for small businesses which are key employment generators
- Walkability opportunities improve the health of all citizens

**MARKHAM CAN LEAD BY INCREASING  
LIVE / WORK OPPORTUNITIES**

***It is recommended*** that future developments in the City include increased allotments for live / work opportunities for neighbourhood services and small businesses in residential areas in order that nearby residents, especially seniors, can walk to local services. It is also recommended that the City look for opportunities to increase live / work opportunities within its existing urban boundary.

# #15: SENIORS' SNOW CLEARING SERVICE

- The number of seniors will increase dramatically in Markham in the next decade
- Demand for seniors' snow clearing will increase at the same time
- The issues are doctor's appointments, emergency access, dependability, and accessibility

**MARKHAM CAN LEAD BY IMPROVING  
ACCESSIBILITY FOR SENIORS**

***It is recommended*** that, if the City does not provide a city-wide windrow clearance service in the near future, Markham improve the current service for seniors by making it quicker.

# #16: SIDEWALK COMPLETION

- Markham has started an Arterial and Collector Road Sidewalk Completion Program - Council is to be commended
- There is no set target date for completion, likely 2028 or later. Too far away!
- Locating sidewalks on all arterials and collectors means greater safety and improved public health

**MARKHAM CAN LEAD BY IMPROVING  
PEDESTRIAN SAFETY ON ARTERIAL AND  
COLLECTOR ROADS**

***It is recommended*** that, in order to provide a safe environment for seniors and others wishing to walk for exercise and / or walk to services, the City target the “Finish-Date” of its Sidewalk Completion Program for Arterial and Collector Roads as 2026 or earlier.



# #17: IMPLEMENTATION

- A number of these recommendations fall within existing City mandates
- Monitoring implementation is possible
- Especially for the affordability housing opportunities, some oversight is needed. Both public and private developers would be involved
- In a practical way, the City could have a direct impact on increasing the amount of affordable housing and helping seniors stay in their homes

**MARKHAM CAN LEAD BY DEMONSTRATING  
REAL PROGRESS IS POSSIBLE**

***It is recommended*** that City staff suggest an appropriate organization or organizations to oversee some of the projects envisioned above. Possibly:

- an independent non-profit agency, or
- a current or new City / Regional agency, or
- a special section within the Development Services Commission.

# #18: THE FUTURE URBAN AREA

- Markham can start quickly by taking these recommendations into consideration while planning the Future Urban Area (FUA) to the north and other new developments coming to Council in the near time-frame

**MARKHAM CAN LEAD BY BEING  
PROACTIVE ABOUT THESE  
PROPOSALS**

***It is recommended*** that Markham's FUA being developed in the Woodbine, Warden, and Kennedy areas north of Major Mackenzie, be designed with the above recommendations in mind.

# #19: PROCESS



***It is recommended*** that these **Recommendations for an Age-Friendly Markham** be received by Development Services Committee and sent to staff for public and stakeholder input with a draft report coming back to DSC by June 2019, and that staff in Markham and York Region also give consideration to developing further incentive programs if required to accomplish the above.



# **Thank you for your consideration**

## **Questions?**



**Prepared and presented by “The Committee for an Age-Friendly Markham”  
(Andy Langer, Christl Reeh, Gail Leet, & Diane Gabay), Regional Councillor Jack Heath,  
Melissa Qi, & Melinda Phuong**



Report to: Development Services Committee

Report Date: March 18, 2019

**SUBJECT:** Intention to Designate a Property under  
Part IV of the Ontario Heritage Act  
Douglas-Heise House  
15 Wales Avenue, Ward 4

**PREPARED BY:** Regan Hutcheson, Manager of Heritage Planning

**REVIEWED BY:** Ron Blake, Senior Development Manager

**RECOMMENDATION:**

- 1) That the staff report entitled “Intention to Designate a Property Under Part IV of the Ontario Heritage Act, Douglas-Heise House, Address: 15 Wales Avenue,” dated March 18, 2019, be received;
- 2) That as recommended by Heritage Markham, the Douglas-Heise House at 15 Wales Avenue be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest;
- 3) That the Clerk’s Department be authorized to publish and serve Council’s Notice of Intention to Designate as per the requirements of the Ontario Heritage Act;
- 4) That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption;
- 5) That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board;
- 6) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of this report is to consider the individual designation of the “Douglas-Heise House” at 15 Wales Avenue pursuant to Part IV of the Ontario Heritage Act.

**BACKGROUND:****The property is listed on the City of Markham’s Heritage Register**

The subject property at 15 Wales Avenue is included in the *Markham Register of Property of Cultural Heritage Value or Interest*. This property and seven others were added to the *Register* by Council on June 12, 2018. This was as part of an update initiated and recommended by the Heritage Markham Committee to recognize older dwellings on the southern portion of Wales Avenue that are located just outside of the boundaries of the Markham Village Heritage Conservation District.

The *Register* is the City’s inventory of non-designated properties identified as having cultural heritage value or interest, as well as Part IV properties (individual designation) and Part V properties (district designation). The Register functions as a “red flag” system meaning that if an application is submitted to the City affecting one of the properties, the application is reviewed by the Heritage Markham Committee. The only statutory impact the Register listing has on a “listed property” is that if demolition is requested, the City

can delay issuance of approval for 60 days. This period of reflection allows the City and Council to further study the property, consult with the owner and determine if it should be protected (usually through individual designation). There is no requirement under the Ontario Heritage Act to inform a property owner when a property has been added to the Register and Markham's protocol does not include informing property owners.

**The Douglas-Heise House is a representative example of a gambrel-roofed cottage of the 1920s**

The subject property is occupied by a single detached dwelling (the "Douglas-Heise House") and a one-car, one-storey, detached garage to the rear. The circa 1923, two-storey brick and shingle dwelling in the form of a gambrel-roofed cottage was designed with the influence of the Dutch Colonial Revival. It was constructed as an investment property by Edmund and Mary Douglas and sold shortly after to Norman and Nellie Heise of Mount Joy. Norman Heise is best remembered in local history as the proprietor of the Mount Joy General Store.

The Statement of Significance is attached as Appendix 'A'.

**The building has been assessed using the Ministry of Culture's Designation Criteria**

The Government of Ontario on January 25, 2006 passed a regulation (O.Reg. 9/16) which prescribes criteria for determining a property's cultural heritage value or interest for the purpose of designation. Municipal councils are permitted to designate a property to be of cultural heritage value or interest if the property meets the prescribed criteria.

The purpose of the regulation is to provide an objective base for the determination and evaluation of resources of cultural heritage value. The prescribed criteria help ensure the effective, comprehensive and consistent determination of value or interest by all Ontario municipalities. The criteria are essentially a test against which properties can be judged; the stronger the characteristics of the property compared to the standard, the greater the property's cultural heritage value. The property may be designated if it meets one or more of the criteria.

The subject property has cultural heritage value or interest as it meets the following criteria:

- The property has **design value or physical value** because it:
  - Is a rare, unique, representative or early example of a style, type expression, material or construction method (*the Douglas-Heise House is a representative example of a gambrel-roofed cottage with the influence of the Dutch Colonial Revival style*),
- The property has **historical value or associative value** because it:
  - Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community (*this house was built as an investment property and sold to Norman and Nellie Heise. Norman Heise was the proprietor of the Mount Joy General Store*);

- The property has **contextual value** because it:
  - Is important in defining, maintaining or supporting the character of an area (*the Douglas-Heise House is one of the oldest houses on this part of Wales Avenue and helps define the early years of community development in Markham Village*).

### **Heritage Markham has recommended designation**

The owners of 15 Wales Avenue submitted a minor variance application (File A/06/18) in January 2018 to the Committee of Adjustment in support of a new 4,355 sq ft dwelling on the property. A revised application was submitted in September 2018 after the Committee of Adjustment had deferred making a decision of the application in March 2018 to allow the owners to consider reducing the proposed size of dwelling. As the property was now on the *Register*, the revised application was forwarded to the Heritage Markham Committee for review.

The cultural heritage value of this heritage resource was reviewed by Heritage Markham on October 10 and October 24, 2018, and the Committee recommended that the resource be designated as a property of cultural heritage value or interest to protect it from potential demolition (Heritage Markham Extracts, Appendix 'B' and 'C').

Prior to the October 24<sup>th</sup> meeting, the Building Evaluation Sub-Committee reviewed the property using the *Markham Heritage Resources Evaluation System* and the property was classified as Group 2 – those buildings of significance and worthy of preservation. Staff also noted that upon reviewing the *Register*, there are 8 other similar Dutch Colonial Revival style buildings identified in Markham (most in heritage conservation districts).

### **OPTIONS/ DISCUSSION:**

#### **The designation of the heritage resource is consistent with City policies**

The City of Markham Official Plan contains Cultural Heritage policies related to the protection and preservation of cultural heritage resources and how they are to be treated within the development process of an area. This property, just outside of the boundaries of the Markham Village Heritage Conservation District, is a property of cultural heritage value or interest that does not have heritage protection other than its listing on the *Register*.

Designation under Part IV of the Ontario Heritage Act is the only means available to enable the City to deny a demolition permit in the case of a listed property. At this time, a demolition permit has not been submitted by the owners, but a minor variance application (A/06/18) currently under review by the Committee of Adjustment indicates the applicant's intent to replace the existing dwelling with a new, larger dwelling.

#### **The owners are not in favour of retaining the heritage building or designation**

The property owners are of the opinion that the existing 1920s dwelling on the property does not merit preservation due to its design and their perception of its physical condition. The reasons cited for their opposition include:

- 
- They purchased the home as a “tear down” in 2009 and they indicated that upon contacting the City at the time, were informed that the property was not listed on the *Register*;
  - They wish to construct a new home that will accommodate a member of their family who is expected to have mobility issues in the future;
  - The building has been vacant for the last ten years and in their opinion is in declining condition citing foundation issues, some brick deterioration, UFI and mould in places. They note that some windows have been replaced; and
  - They have concerns with their property being added to the *Register* in June 2018 after submitting their Committee of Adjustment application for variances in support of a new house in January 2018.

The owners have advised City staff and Heritage Markham that they do not support designation under the Ontario Heritage Act. They are continuing to pursue approval for a two storey dwelling through the Committee of Adjustment. The Committee of Adjustment deferred a decision on their minor variance application on October 24, 2018 pending receipt of a recommendation on the heritage issue.

**A complementary addition to the existing dwelling as an alternative to their current development proposal has been suggested**

Given the cultural heritage value of the existing house at 15 Wales Avenue, City staff and Heritage Markham have proposed to the owners that they consider a complementary addition to the 1920s dwelling. The owners have expressed their opinion that this is a direction they do not wish to pursue as they do not see the value of the existing building and in fact purchased it with the intent of replacement.

**Site visit was undertaken to further examine the building**

The site meeting on October 24, 2018 attended by seven members of Heritage Markham Committee and two members of Heritage Section staff, showed that the condition of the house on the exterior is good, and the interior is mainly superficially run down from the building’s use as a warehouse and workshop for a stair railing manufacturing business. Most of the early architectural details of the house remain intact. The replacement of the second storey paired windows at the front of the dwelling with new windows within the old frames is the only noteworthy alteration. No mould or serious structural issues were noted during the site visit. See Appendix ‘B’ for the site visit notes and recommendation.

**Designation acknowledges the importance of the heritage resource**

Designation signifies to both the owner and the broader community that the property contains an important cultural heritage resource that is important to the community. Designation doesn’t restrict the use of the property. However, it does require the owner to seek approval for property alterations that are likely to affect the heritage attributes described in the designation by-law. Council can also prevent, rather than just delay, the demolition of a resource on a designated heritage property.

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**Recommendation**

Based upon staff analysis and review of all available materials, the building is worthy of designation pursuant to the Ontario Heritage Act from a heritage perspective. However, it is ultimately up to Council to determine if designation should be pursued taking into consideration any extenuating circumstances.

**FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Not Applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not Applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

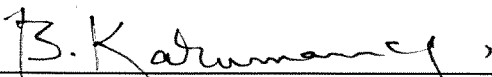
Heritage designation aligns with the strategic priorities of Managed Growth and Environment. Designation recognizes, promotes and protects heritage resources, which strengthens the sense of community. The preservation of heritage buildings is environmentally sustainable because it conserves embodied energy, diverts sound construction materials from entering landfill sites, and reduces the need to produce and transport new construction materials.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

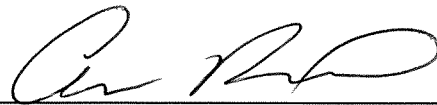
East District Team was consulted as the Committee of Adjustment application is within its jurisdiction.

Acceptance of this recommendation to designate the property located at 15 Wales Avenue under Part IV of the Ontario Heritage Act will require the Clerk's Department to initiate the following actions:

- publish and serve on the property owner, the Ontario Heritage Trust and the public through newspaper advertisement, Council's notice of intention to designate the property as per the requirements of the Act: and
- prepare the designation by-law for the property

**RECOMMENDED BY:**

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



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

**ATTACHMENTS**

Figure 1 - Location Map

Figure 2 - Building Photographs

Appendix 'A' - Statement of Significance

Appendix 'B' - Heritage Markham Extract – October 24, 2018

Appendix 'C' – Heritage Markham Extract – October 10, 2018

**FILE PATH:**

Q:\Development\Heritage\PROPERTY\WALES\15\DSC March 18, 2019 designation.doc

**Figure 1: Owner and Location Map**

**OWNERS:**

Dimitrios and Trina Kollis

**LOCATION MAP:**



**Figure 2: Building Photographs**



**Douglas-Heise House, c.1923, 15 Wales Avenue  
(Photos taken Oct. 24, 2018)**



**Figure 2**



**Photo Images: Google Inc. Streetview, July 2015**



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## Appendix 'A'

### Statement of Significance

#### **Douglas-Heise House** **c.1923** **15 Wales Avenue**

The Douglas-Heise House is recommended for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance:

##### Description of Property

The Douglas-Heise House is a two storey brick and shingle dwelling located on the east side of Wales Avenue, south of Gleason Avenue, just outside of the Markham Village Heritage Conservation District.

##### Historical and Associative Value

The Douglas-Heise House is one of the first dwellings to have been constructed on this part of Wales Avenue. Wales Avenue was created by a plan of subdivision of former agricultural land by Daniel Everett Jones, a local grain dealer, in 1906. The house appears to have been constructed during the ownership of Edmund and Mary Douglas c.1923, possibly as an investment property, and sold to Norman and Nellie Heise that same year. At the time, Norman Heise was a carter (truck driver), but is better remembered in local history as the proprietor of the Mount Joy General Store, which he took over from his cousin, Orville B. Heise.

##### Design and Physical Value

The Douglas-Heise House is a representative example of a gambrel-roofed cottage with Dutch Colonial Revival influence. It is an urban house type in a village setting, of particular interest for the use of salvaged 19<sup>th</sup> century brick and other 19<sup>th</sup> century materials in part of its construction.

##### Contextual Value

The Douglas-Heise House has contextual value as one of the oldest buildings in a neighbourhood of modestly-scaled early to mid-20<sup>th</sup> century dwellings on this part of Wales Avenue. As a house built c.1923, it illustrates the early development of Wales Avenue as part of the suburban infilling of the Mount Joy area of Markham Village.

##### Significant Architectural Attributes to be Conserved

Exterior, character-defining elements that embody the cultural heritage value of the Douglas-Heise House include:

- Moulded concrete block foundation;
- Red brick exterior cladding;
- Gambrel roof;

- Shingled gable-end wall with paired window openings and decorative angled wood trim;
- Wood front door with glazed upper portion and panelled lower portion;
- Grouped one over one single-hung wood windows on the front and south side walls, with concrete lintels and sills;
- Single-paned wood accent windows with yellow-coloured glass on the north and south side walls, with concrete lintels and sills;
- Segmentally-headed wood two over two window on the north wall, with concrete lintel and sill;
- Shed-roofed front porch with tongue and groove gable ends and ceiling, supported on wood posts.

**APPENDIX 'B'**  
**Heritage Markham Extract – October 24, 2018**

*Architectural Review Sub-Committee  
of Heritage Markham*

**MEETING NOTES**

**October 24th, 2018**

**6:00 p.m.**

**Location: 15 Wales Avenue**

**Members Present:**

Karen Rea, Ward Councillor  
 Don Hamilton, Councillor  
 Valerie Burke, Councillor  
 David Nesbitt  
 Graham Dewar  
 Susan Zila  
 Ken Davis

**Staff:**

George Duncan, Senior Heritage Planner  
 Peter Wokral, Heritage Planner

**Applicants:**

Dimitrios Kollis  
 Trina Kollis

<b>ITEM:</b>	<b>Project:</b>	<b>Proposed demolition of an existing heritage dwelling and construction of new infill dwelling</b>
	<b>Owner:</b>	<b>Dimitrios &amp; Trina Kollis</b>
	<b>Address:</b>	<b>15 Wales Avenue</b>

*This item was referred to the Architectural Review Sub-Committee with the authority to make a recommendation on behalf of the whole committee, if a quorum was achieved, at Heritage Markham's meeting of October 10, 2018.*

- 7 members of Heritage Markham including the Ward Councillor met on-site at 15 Wales avenue on October 24<sup>th</sup> at 6:00 p.m.;
- The committee members first inspected the house from the exterior and noted features such as the exterior walls being made of recycled 19<sup>th</sup> century brick and the use of salvaged 19<sup>th</sup> century windows, which were not apparent at the October 10<sup>th</sup> meeting of Heritage Markham;

- No serious structural damage, or rotten wood was noted on the exterior of the house but the wooden architectural elements did require scraping sanding and painting;
- The owners of the property, Dimitrios and Trina Kollis arrived on site and invited the members to inspect the interior of the house, but warned the members of potential health hazards including the presence of mould, asbestos ceiling tiles, and urea-formaldehyde insulation;
- An inspection of the interior revealed that the house was vacant, but had been used to store parts for and possibly fabricate iron railings and other staircase components;
- According to one of the members of the committee knowledgeable about the use of asbestos, the ceiling tiles did not contain asbestos and were made of cellulose fibre board. No visible mould was noted, but the interior was dirty and revealed damaged plaster walls likely resulting from the recent non-residential uses of the dwelling. No structural deficiencies were observed in the interior of the dwelling;
- Based on the physical inspection of the exterior and the interior of the dwelling, one member of the committee made a motion reflecting one of the optional recommendations originally made by Staff, which recommended retention of the existing dwelling, that the committee did not support the requested variances in support of the proposed new infill house, and that Council designate the house at 15 Wales Avenue under Part IV of the Ontario Heritage Act in order to prevent its demolition;
- Councillor Don Hamilton indicated that he could not support the motion because the City did not inform the owners that their property was being added to the Markham Register of Property of Cultural Heritage Value or Interest, thus denying them the opportunity to appeal the recommendation of the Heritage Committee and the following decision of Council;
- A vote was called, and the motion recommending retention of the existing heritage dwelling and designation of the property under Part IV of the Ontario Heritage Act was passed 6 to 1, excluding the recommendation that the committee did not support the requested variances in support of the proposed new infill dwelling;
- The owners of the property indicated their dissatisfaction with the process that led to their property being listed on the Register, and reiterated that before purchasing the property, they had checked with the City to see if the property had any heritage status and that they were informed that it did not. They also indicated that they would have never purchased the property if it had been listed on the Register;

- The meeting adjourned at 6:30 p.m.

**Heritage Markham Recommendation:**

Moved by Graham Dewar, seconded by Councillor Valerie Burke

That Heritage Markham supports the retention of the existing dwelling at 15 Wales Avenue and that the demolition of the building is not supported, and recommends to Council that the property be designated under Part IV of the Ontario Heritage Act.

Carried

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**APPENDIX 'C'**  
**Heritage Markham Extract – October 10, 2018**

**13. Committee of Adjustment Variance Application,  
15 Wales Avenue,  
Proposed New Dwelling (16.11)**

File Number: A/06/15

Extracts: R. Hutcheson, Manager of Heritage Planning  
J. Leung, Committee of Adjustment  
C. Tsang, Project Planner

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**Memo**

David Johnston disclosed an interest with respect to Item # 13, by nature of being the Architect for an adjacent neighbor and did not take part in the discussion of or vote on the question of the approval of this matter.

Regan Hutcheson, Manager of Heritage Planning, addressed the Committee and summarized the details outlined in the memo. He noted that the Committee should consider whether the property warrants protection under the Ontario Heritage Act.

The applicants, Jim and Trina Kollis, were in attendance and presented their concerns with the heritage listing as well as with the structural integrity of the existing heritage dwelling. An email from T. Kollis dated October 10, 2018 was circulated at the meeting. The owners noted the dwelling had vinyl windows, UFI, mould in the basement, foundation issues, and has been vacant for ten years.

There was discussion regarding the lack of a notification process undertaken by the City to inform owners when their property was added to the Markham Register of Property of Cultural Heritage Value or Interest.

There was discussion regarding the possibility of installing an addition onto the heritage dwelling while maintaining the heritage dwelling exterior. The applicant expressed their concerns with preserving the heritage dwelling.

There was discussion regarding the structural integrity of the existing heritage dwelling. Staff advised that a site visit and building evaluation could be conducted within two (2) weeks.

The Committee proposed an amendment to the Staff recommendation – that the Heritage Markham Architectural Review Sub-Committee conduct a site visit and review of the dwelling following the completion of the City's building evaluation, to evaluate the historical value as well as the physical condition of the dwelling; and that Heritage Markham make a recommendation while on-site if quorum is present.

Recommendation:

That the email correspondence dated October 10, 2018 from Trina Kollis be received; and,

That, following a building evaluation by the City, the Heritage Markham Architectural Review Sub-Committee conduct a site visit of the dwelling to evaluate the historical value as well as physical condition of the dwelling; and,

That Heritage Markham make a recommendation when at 15 Wales Avenue, if quorum is present.

CARRIED





Report to: Development Services Committee

Report Date: March 18, 2019

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**SUBJECT:** RECOMMENDATION REPORT  
F.J. Homes Limited  
Proposed Zoning By-law Amendment and Draft Plan of Subdivision 19TM-17007 to permit 14 single detached dwellings. Southwest corner of Roy Rainey Avenue and Country Ridge Drive (Ward 4).

Files ZA/SU 17 155326

**PREPARED BY:** Stephen Corr, MCIP, RPP, ext. 2624  
Senior Planner, East District

**REVIEWED BY:** Sally Campbell, MCIP, RPP, ext. 2645  
Manager, East District

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**RECOMMENDATION:**

- 1) That the report titled "RECOMMENDATION REPORT, F.J. Homes Limited, Proposed Zoning By-law Amendment and Draft Plan of Subdivision 19TM-17007 to permit 14 single detached dwellings. Southwest corner of Roy Rainey Avenue and Country Ridge Drive (Ward 4), Files ZA/SU 17 155326", be received;
- 2) That the Zoning By-law Amendment application submitted by F.J. Homes Limited, to amend Zoning By-law 177-96, as amended, be approved and that the draft by-law attached as Appendix 'A' be finalized and enacted without further notice;
- 3) That in accordance with the provisions of subsection 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the owner shall, through this resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the zoning by-law (Appendix 'B') within two years of its approval by Council
- 4) That Draft Plan of Subdivision 19TM-17007 submitted by F.J. Homes Limited, be approved subject to the conditions outlined in Appendix 'B';
- 5) That the Director of Planning and Urban Design, or his designate be delegated authority to issue draft approval, subject to the conditions set out in Appendix 'B' and as may be amended by the Director of Planning and Urban Design;
- 6) That the draft plan approval for Plan of Subdivision 19TM-17007 will lapse after a period of three (3) years from the date of Council approval in the event that a subdivision agreement is not executed within that period;

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- 7) That Council assign servicing allocation for up to 14 single detached dwellings; and,
  - 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

This report recommends approval of applications submitted by F.J Homes Limited for a draft plan of subdivision (19TM-17007) and an implementing zoning by-law amendment for the subject lands located at the southwest corner of Country Ridge Drive and Roy Rainey Avenue in Wismer (Figures 1 – 3). Approval of the applications will permit a residential development comprised of 14 two-storey single detached dwellings. The draft plan also includes blocks to be conveyed to the City to widen the Country Ridge Drive boulevard for utilities and street tree plantings and, to expand a City-owned natural heritage buffer to accommodate a new trail along the south edge of the subject property (behind the proposed residential lots).

Staff are satisfied with the lot pattern, and are of the opinion that the Draft Plan of Subdivision and implementing Zoning By-law amendment are consistent with City policy, Regional and Provincial Policy and therefore recommend approval of the applications.

**BACKGROUND:**

The 7,400 m<sup>2</sup> (1.8 ac) subject lands are located at the southwest corner of Roy Rainey Avenue and Country Ridge Drive in the Wismer Commons community (Figures 1 to 3), which is north of 16<sup>th</sup> Avenue and east of McCowan Road. The site is currently undeveloped.

Subject lands were previously reserved as a potential place of worship site

The subject lands were created as a development block through the registration of Plan of Subdivision 65M-3490 in 2001. At the time, this block was reserved as a potential place of worship site, identified in the former Wismer Commons Secondary Plan, which designated the subject lands 'Institutional'. The Wismer Commons Secondary Plan required such sites to be reserved for a period of five years from the date of subdivision registration. This was further secured through a clause in the subdivision agreement. Additionally, the approved zoning to implement Plan of Subdivision 65M-3490 in 2001 zoned the subject lands Open Space Two (OS2) under By-law 177-96, as amended, to permit a place of worship, and other institutional uses. The five-year reservation period expired in 2006 which now allows the subject lots to be released for consideration of residential land uses.

Surrounding Uses

The subject lands are surrounded by single detached dwellings to the north and east, across Roy Rainey Avenue and Country Ridge Drive. Robinson Creek and the associated City-owned 10 m wide buffer abut the site to the southwest. Bruce Boyd Parkette is

located west of the subject lands, and Ross Brown Park is located southeast of the subject lands, across Roy Rainey Avenue.

## **PROPOSAL**

The applications propose 14 freehold single detached dwellings with frontages ranging between 12.19 m (40 ft) and 22.59 m (74.1 ft). The proposed draft plan of subdivision is shown in Figure 4, and a conceptual siting plan is shown in Figure 5. Six of the proposed lots front and access onto Country Ridge Drive (Lots 1 to 6) and eight of the proposed lots front and access Roy Rainey Avenue (Lots 7 to 14). Each home will be two-storeys in height. The maximum height limit for the Residential Two (R2) zone category under By-law 177-96, as amended is 11 m (36.0 ft). Each dwelling will have a private garage for 2 vehicles, as well as a private driveway to accommodate another 2 vehicles (i.e. 4 spaces per dwelling).

### *Application Process and Next Steps:*

- The applications were submitted on December 15, 2017 and deemed complete on February 5, 2018. (Note the original applications proposed 15 single detached lots and dwelling units, which has since been reconfigured to 14);
- Following the preliminary Report to DSC on May 14, 2018, the Statutory Public Meeting was held on June 11, 2018.
- Three deputations were made by residents at the Public Meeting citing concerns over traffic congestion; lot frontage, building height and building setback/compatibility; protection of the adjacent Robinson Creek, and concerns with amenities and maintenance of public parks and boulevards within the Wismer Commons community. Similar written concerns from residents were received following the Public Meeting. These comments are discussed further in the Options/Discussion subsection of this report.
- If the Draft Plan of Subdivision and Zoning By-law amendment applications are approved, the proponent will be required to enter into a subdivision agreement with the City and clear conditions of draft approval (Appendix 'B') prior to registration of the plan.
- In accordance with City's Site Plan Control Area By-law (By-law 2002-94) the proposed development is not subject to site plan approval. The architectural design of the homes will need to comply with the approved architectural control guidelines for the Wismer Commons community prior to building permit submission – discussed later in the report.

## **POLICY FRAMEWORK, OFFICIAL PLAN AND ZONING**

Provincial Policy Statement, 2014 (PPS, 2014) provides overall direction

The PPS, 2014 provides direction on matters of Provincial interest including land use planning and development. The PPS, 2014 provides the direction for the efficient use of land and development patterns, which supports sustainability by promoting strong, livable, healthy and resilient communities; protecting the environment and public health and encouraging safety and economic growth.

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Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan, 2017) provides a framework for implementing the Province's vision

The Growth Plan, 2017 provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan, 2017 is building compact, vibrant and complete communities, developing a strong competitive economy, protecting natural resources and optimizing the use of existing and new infrastructure to support growth in a compact, efficient form.

Given the infill nature of the proposed development, staff are of the opinion the proposed draft plan of subdivision and zoning by-law amendment applications conform to the Provincial Growth Plan policies. While policies within both the noted Provincial Plans include direction to support a range of housing typologies, unit sizes and configurations, shared housing, secondary suites and rental housing; one of the key concerns raised through the Public Consultation process was ensuring the proposed development has consistent built form to surrounding existing housing. Staff are satisfied the proposed development meets the intent of the Provincial Policy Statement (2014) and Growth Plan for the Greater Golden Horseshoe (2017).

#### **Region of York Official Plan**

The subject lands are designated 'Urban Area' in the Region of York Official Plan, 2010 (ROP) which permits residential, commercial, industrial and institutional uses. The proposed lands uses conform to the Region of York Official Plan 2010.

#### **2014 Official Plan as partially approved on November 24, 2017 and further updated on April 9, 2018 (the "2014 Official Plan")**

The site is designated 'Residential Low Rise' in the 2014 Official Plan which provides for single detached dwellings, semi-detached dwellings, townhouses and small multiplex buildings containing 3-6 units. Residential development within established neighbourhoods are to comply with the Infill Development Criteria policies of the 2014 Official Plan, to ensure that new development is compatible with existing development. These policies include, but are not limited to the following:

- Having consistent lot frontages and lot areas with lots on both sides of the street;
- Ensuring an appropriate and consistent building scale and mass situated on the same street;
- Ensuring consistent building setbacks situated on the same side of the street;
- Having a complimentary relationship with existing dwellings;
- Ensuring streetscapes are not dominated by garages;
- Mitigating impacts on existing development with respect to grading, drainage, access, circulation, privacy and microclimatic conditions such as shadowing;
- Preserve significant views and vistas; and,
- Minimizing tree loss,

The proposal complies with these criteria, as set out later in the report.

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**Current and Proposed Zoning**

The subject lands are zoned Open Space Two\*94 (OS2\*94) under by-law 177-96, as amended. The OS2 zone permits art galleries, day nurseries, libraries, museums, community centres, public parks, public schools and a place of worship.

To permit the proposed single detached dwellings, the proponent is requesting a zoning by-law amendment to rezone the subject lands to a Residential Two (R2) zone in by-law 177-96, as amended. Approval of the zoning by-law will implement the same zone standards applicable to the surrounding area, including building and driveway setbacks, maximum driveway and garage widths and maximum building height. The only exception is to permit reduced rear yards of 6 m (19.7 ft), whereas 7.5 m (24.6 ft) is required, for Lots 1 and 2 (Figures 4 and 5). This is a result of the irregular shaped lot lines along this section of the site abutting the City-owned 10 m buffer and additional lands to be conveyed to the City to enhance this buffer.

**OPTIONS/ DISCUSSION:****Comments Made at the Statutory Public Meeting and Additional Correspondence**

At the June 11, 2018 Statutory Public Meeting three residents cited concerns over traffic congestion; lot frontage, building height and building setback compatibility; protection of the adjacent Robinson Creek; community amenities and maintenance of public parks and boulevards within the Wismer Commons community. A member of DSC recommended reducing the number of proposed lots resulting in lot frontages more compatible with the existing surrounding lot pattern. The concerns were also provided in writing in one submission prior to the public meeting and in four subsequent emails.

**Compatibility – Building Types, Lot Frontage, Setbacks and Heights.**

The surrounding area is characterized by single detached dwellings on lots with frontages ranging between 10.7 m (35 ft) to 6.7 m (55 ft). The proposed 14 single detached dwellings will have lot frontages ranging between 12.19 m (40 ft) and 22.59 m (74.1 ft). By rezoning the subject lands to an R2 zone under By-law 177-96, as amended, the same zone standards that apply to the existing neighbouring homes will apply to the proposed development. Consequently, the proposed homes will be compatible in built form and lot pattern with the surrounding neighbourhood.

With respect to building heights, the applicant initially proposed some 3-storeys dwellings. Notwithstanding that the 2014 Official Plan provides for buildings up to 3-storeys in the 'Residential Low Rise' designation, this was a concern to residents and some members of Committee. The applicant is now proposing 2-storey dwellings, shown in the conceptual elevations in Figure 6. The proposed development is compatible with the surrounding context and meets the 2014 Official Plan criteria for infill residential development.

**Number of Lots**

The proposed number of single detached units/lots has been reduced from 15 to 14. This was done in part to address Toronto Region Conservation Authority (TRCA) and Ministry of Natural Resources and Forestry (MNRF) comments and ensures that no

dwelling or rear yards are located within 30 m of the Robinson Creek meander belt. Consequently, MNRF permits and approvals are not required.

Staff have no concerns with the number of proposed lots on the draft plan of subdivision and consider the proposed lot pattern compatible with surrounding development and appropriate for the site.

#### Traffic Comments

A Traffic Brief was submitted in support of the development applications which concluded that “traffic generated by the proposed development is not expected to measurably affect the surrounding road system or nearby intersections.” The findings of the brief have been reviewed and accepted by the City’s Transportation Engineering section. Staff also note that the as-of-right zoning for the subject lands, which permits a place of worship and other institutional uses, would likely result in more traffic impact at certain times of the week, than the proposed residential development.

Concern was raised about the proximity of the proposed dwellings on Roy Rainey to an existing bridge south of the subject lands. Transportation Engineering staff do not identify this as a concern. Outstanding comments related to the Transportation Planning review are:

- Determining the appropriate interface and connection of the existing walkway in the park to the west, to an extension along the south edge of the subject site (required as part of any approval of the applications - See Pedestrian Connectivity subsection of this report below); and
- Ensuring the driveway proposed on Lot 12 (Figure 4 and 5) does not interfere with the existing crosswalk on Ray Rainey Avenue.

These items will be addressed through the technical design review following draft approval and are required as conditions of draft subdivision approval (Appendix ‘B’).

#### General Comments on the Wismer Commons Community

Other comments made, by a resident, at the Statutory Public Meeting related to the overall maintenance and appearance of the Wismer Commons community, including maintenance of privately owned front yards, public boulevards and parks, gateway fencing into the neighbourhood and other amenities in parks such as clock-towers. These comments are outside of the scope of the development application review. The By-law and Licensing Department and Parks Operations Group have been notified of these concerns.

#### **Former Wismer Commons Secondary Plan & Place of Worship Reservation Policy**

As noted, the subject lands were identified as a potential place of worship site in the Wismer Commons Secondary Plan, and reserved when the site was zoned and registered on a plan of subdivision in 2001. The place of worship reservation period for the site expired in 2006. With the 2014 Official Plan in effect, as it applies to the subject lands, the Wismer Commons Secondary Plan is repealed and its policies no longer apply. Consequently, the lands are designated ‘Residential Low Rise’ which permits the

proposed form of development. There are a number of place of worship sites within the Wismer Commons community and surrounding area, as described below. Consequently staff are not concerned with the subject lands being removed from the place of worship inventory. Places of Worship within the Wismer Commons community include:

- Wismer Baptist Church at 180 Mingay Avenue;
- St. Mary & St. Samuel Coptic Orthodox Church at 9377 McCowan Road; and
- The Bridge Community Church at 5466 16<sup>th</sup> Avenue.

Places of Worship within the vicinity of Wismer Commons:

- Markham Missionary Church at 5438 Major Mackenzie Drive; and
- Islamic Centre of Markham at 1330 Castlemore Avenue.

**Pedestrian Connectivity – trail connection provided to the south of subject property**

Country Ridge Road was created in 2001 with a 15 m wide right-of-way (ROW). This ROW accommodates the roadway, as well as a boulevard and public sidewalk on the north side of the street. The Engineering department initially requested an additional 3.5 m wide strip be conveyed to the City to expand the existing Country Ridge Road ROW to provide a 2.0 m wide boulevard and 1.5 m wide public sidewalk on the south side of the street (in front of the proposed dwellings).

The applicants can accommodate a 2.0 m ROW widening for a municipal boulevard. However the additional 1.5 m ROW widening for a new sidewalk could not be provided because:

- It would limit the development potential of the subject lands by reducing the lot depths of Lots 1 and 2 (Figure 4) to a point where buildings could not be sited with appropriate setbacks;
- The new sidewalk would terminate as a dead end at the west side of the subject lands, adjacent to the parkette;
- And a suggested option to connect the new sidewalk to the existing park trail to the west (See Figure 3) would be an issue because there different levels of service for snow removal on public sidewalks and for park pathways and trails, where snow is cleared as a priority on public sidewalks.

Instead of a public sidewalk along the south side of the street, the existing park trail will be extended along the south edge of the subject lands within the environmental buffer connecting to the existing sidewalk on Roy Rainey Avenue. This results in a pedestrian connection linking Roy Rainey Avenue via the proposed trail to the south of the subject lands and through the park to the west and ultimately connecting to Bur Oak Avenue further northwest. The proposed trail extension is shown conceptually on Figure 5, and will be located within the lands to be conveyed to the City and added to the existing buffer. The conveyed lands are shown as Blocks 15 and 16 on the proposed draft plan (Figure 4). As conditions of draft subdivision approval, the applicant will be responsible for building a trail and conveying these lands, including provision for additional landscaping to enhance the natural heritage buffer (Appendix 'B'). The detailed design will be finalized through the technical engineering review following draft plan of subdivision approval. The trail extension is supported by City staff and the TRCA. The



benefits of this option include improving pedestrian connectivity and enhancing the buffer edge with a naturalized trail along Robinson Creek, without significantly impacting the applicant's ability to develop the site, and does not conflict with differing service levels for snow removal.

**Toronto Region Conservation Authority**

In a letter dated February 20, 2019 the TRCA advised that the majority of their comments from the 1<sup>st</sup> two circulations of the Draft Plan of Subdivision had been satisfactorily addressed. The TRCA also advised that outstanding technical comments related to erosion and sediment control, water balance and obtaining necessary permits from the TRCA will be addressed at the detailed design stage following draft subdivision approval, and have recommended draft conditions which are included in Appendix 'B'.

**Region of York has no objection**

In a letter dated February 5, 2019 the Region of York indicated there is no objection to the proposed draft plan of subdivision, subject to the Region's conditions, included in Appendix 'B'.

**Municipal Servicing is available**

There is sufficient servicing allocation available from Council's current allocation reserve to accommodate the proposed development. However, the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner.

The proponent is working with the Engineering and Water Works department to finalize the servicing configuration for the subject lands. Final approval of the servicing configuration is an aspect of the technical submission to the Engineering Department following draft approval, including final acceptance of the Functional Servicing Report. The Engineering Department has provided draft conditions, which are incorporated into Appendix 'B', to ensure all outstanding technical matters are satisfied prior to registration of the plan of subdivision.

**Wismer Commons Developers Group Obligations**

The applicant is required to join the Wismer Commons Developers Group and will participate in the Wismer Commons Cost Sharing Agreement. While the availability of servicing allocation from Council's current allocation reserve has been confirmed, the Developers Group tracks servicing allocation amongst group members. The City will require clearance from the Trustee of the Wismer Commons Landowners Group confirming the availability of servicing allocation, as well as other group obligations, such as contributions towards parkland, school sites and other shared infrastructure. This is a condition of draft plan approval (Appendix 'B').

**Parkland/Open Space Considerations**

The applicant will be conveying Blocks 15 and 16 (Figure 4) to be added to the City owned natural heritage buffer abutting the site to the south. While these additional lands will be used for the construction of a trail, the conveyance will not be credited as

parkland dedication. The overall delivery of parkland for Wismer Commons is a developers group obligation provided in accordance with the Wismer Commons Master Parks Agreement. As noted, the applicant is required to become a member of the Developers Group. Accordingly, the applicant will be required to satisfy certain financial obligations through the group, including a cost-sharing requirement for the delivery of community parks. This is a condition of draft plan approval (Appendix 'B').

### **Architectural Control**

The conceptual elevations (Figure 5) are generally acceptable to planning and urban design staff. These elevations may be subject to minor modifications to ensure compliance with the approved Wismer Commons Architectural Control Guidelines, which will ensure the elevations are designed in a manner that incorporates the requirements and criteria of the approved Wismer Commons Community Design Plan. This practice ensures that physical elements within the private realm contribute to the development of character and a sense of place for the community, and address components such as location of main entrances and porches, roof slopes, corner lot architecture and materials.

### **Sustainability Features**

F.J. Homes Limited has indicated that sustainable design features will be incorporated into the proposed development, including:

#### Energy Performance:

- High efficiency HVAC system with HRV (Heat Recovery Ventilation) will be utilized in the new building. The furnaces will have an annual fuel efficiency of 94% or higher. The HRV will recover about 75% heat from the exhaust air.
- High efficiency lighting system (e.g. LED lights, timing / occupancy sensor lighting control) will be specified in the construction documents.

#### High Efficiency Water Fixtures:

- To reduce water use, high efficiency water fixtures, e.g. dual flushing water closets and low flow showerheads, will be utilized.

#### Low Impact Power:

- To reduce environmental impact of power used for vehicles and households, electrical car and renewable energy system are encouraged. Conduits from the electrical box to garage and roof are provided for the future installation of charging stations or roof top solar panels by homeowners.

A full list of the proposed features provided by F.J Homes Limited is attached as Appendix 'C' and will be required as part of the draft plan of subdivision conditions (Appendix 'B').

### **Section 37 Contributions including Public Art**

As part of the zoning by-law amendment approval to intensify the subject lands with residential development the applicant will be required to provide a financial contribution public art as a Section 37 Community Benefit. This is included within the draft zoning

Report to: Development Services Committee

Report Date: March 18, 2019

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by-law, attached as Appendix 'A' and required to be secured through the subdivision agreement (Appendix 'B').

**CONCLUSION**

Based on the discussion above staff are of the opinion that the Draft Plan of Subdivision and implementing Zoning By-law amendments are consistent with City, Regional and provincial policy. Staff therefore recommend approval of the Zoning By-law Amendment (Appendix 'A') and Draft Plan of Subdivision subject to the conditions provided in Appendix 'B'.

**FINANCIAL CONSIDERATIONS:**

Not Applicable.

**HUMAN RESOURCES CONSIDERATIONS**

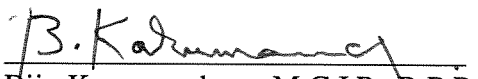
Not Applicable.


**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposed applications have been reviewed in the context of the City's Strategic Priorities of Growth Management, Transportation and Municipal Services.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

These applications have been circulated to various departments and external agencies and their comments have been addressed. Where necessary the requirements of the City and external agencies have been incorporated into draft plan conditions.

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

  
Arvin Prasad, 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 Draft Plan of Subdivision  
Figure 5 – Conceptual Siting Plan  
Figure 6 – Conceptual Elevations  
Appendix 'A' – Zoning By-law Amendment  
Appendix 'B' – Draft Plan of Subdivision Conditions  
Appendix 'C' – Sustainable Features

Report to: Development Services Committee

Report Date: March 18, 2019

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**OWNER/AGENT:**

**AGENT:**

**The Biglieri Group**

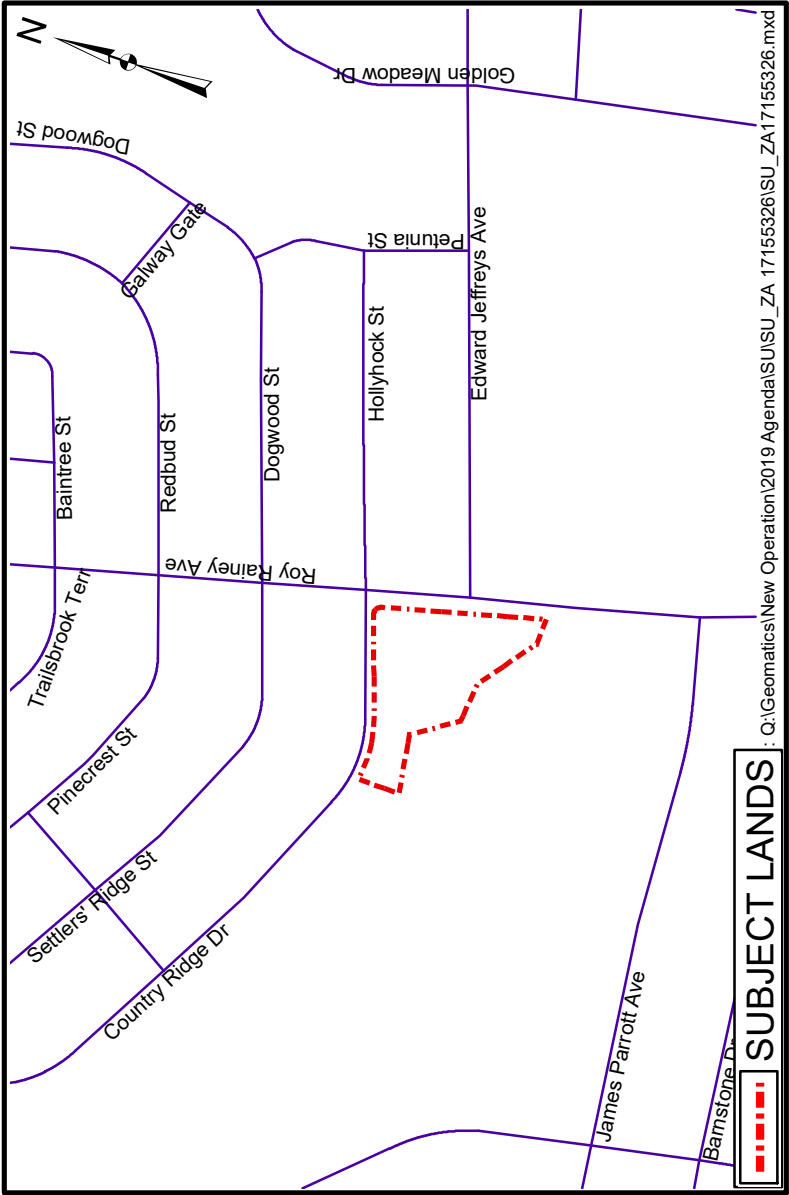
Melissa Holland, Planner  
20 Leslie Street, Unit 121  
Toronto, ON M4M 3L4  
[mholland@thebiglierigroup.com](mailto:mholland@thebiglierigroup.com)

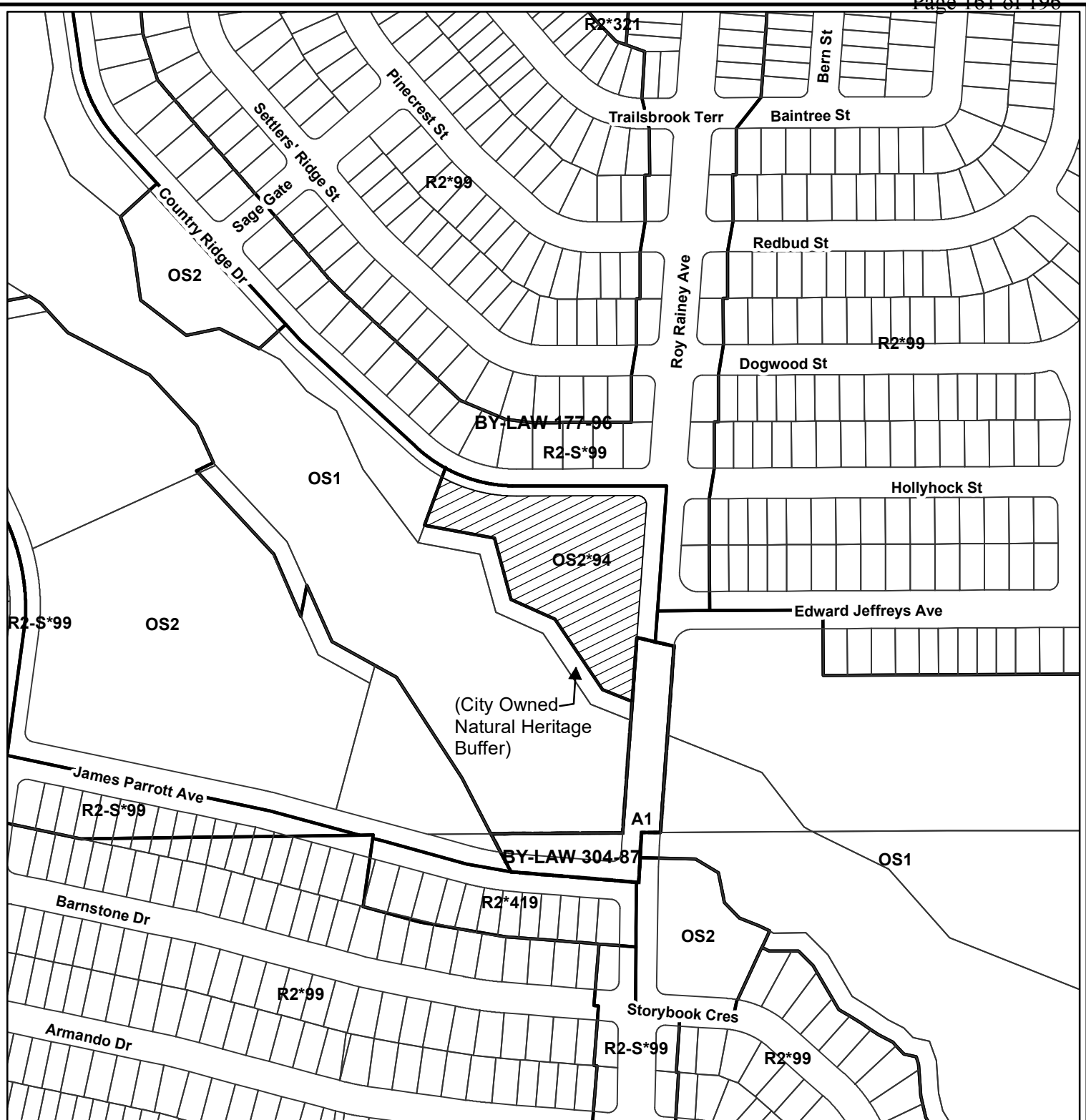
**OWNER:**

**F.J. Homes Ltd.**

Erica Feng  
29 Manilla Avenue  
Markham ON L6C 0W1  
[Ericafeng79@hotmail.com](mailto:Ericafeng79@hotmail.com)

File path: Amanda\File 17 155326\Documents\Recommendation Report





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# AREA CONTEXT/ZONING

APPLICANT: F.J. HOMES LIMITED

FILE No: SU\_ZA17155326 (SC)

 SUBJECT LANDS

DATE: 01/31/19





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# AIR PHOTO 2018

APPLICANT: F.J. HOMES LIMITED

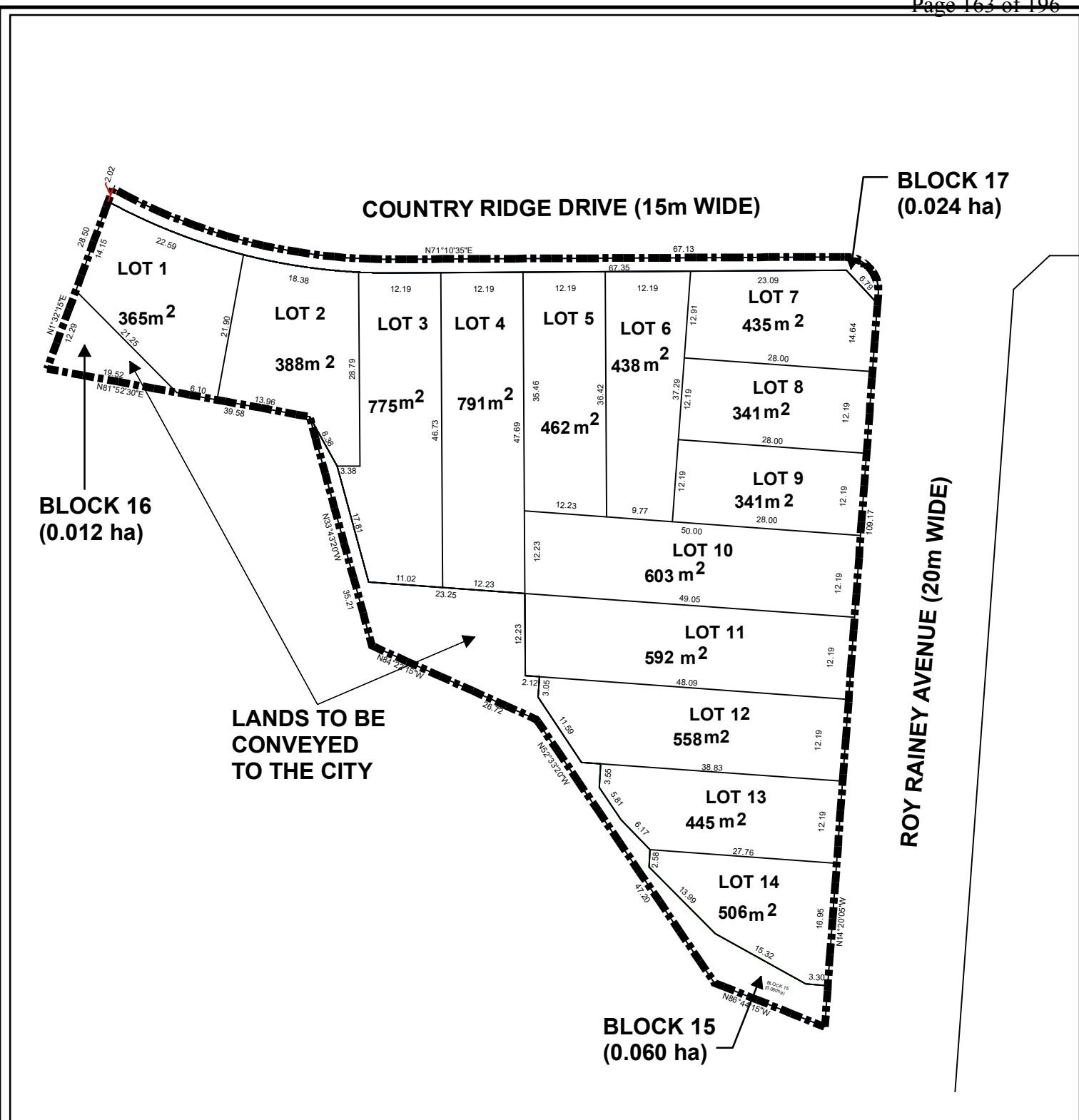
FILE No: SU\_ZA17155326 (SC)

 SUBJECT LANDS

DATE: 01/31/19







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# PROPOSED DRAFT PLAN OF SUBDIVISION

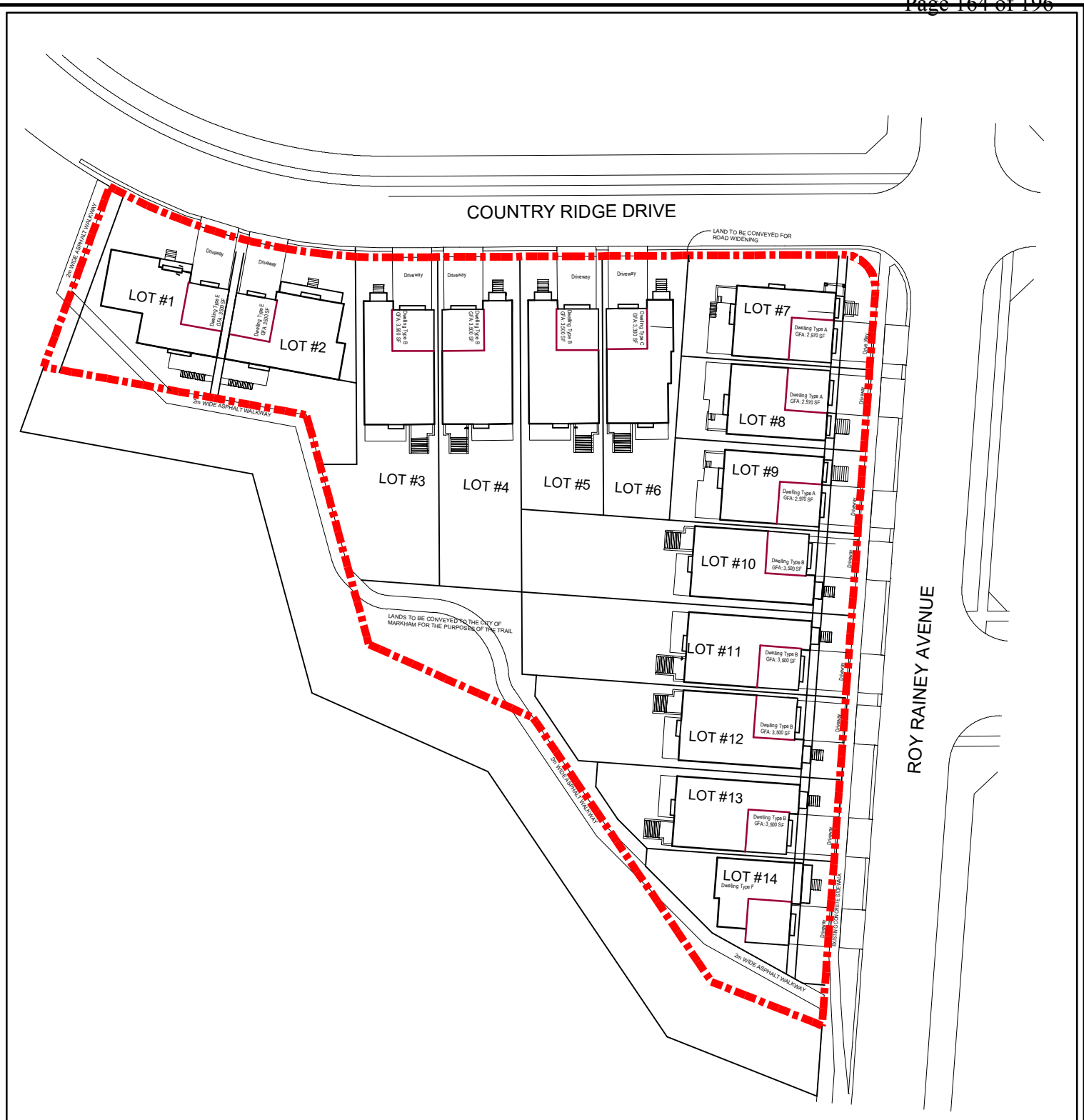
APPLICANT: F.J. HOMES LIMITED

FILE No: SU\_ZA17155326 (SC)

--- SUBJECT LANDS

DATE: 01/31/19





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# CONCEPTUAL SITE PLAN

APPLICANT: F.J. HOMES LIMITED

FILE No: SU\_ZA17155326 (SC)

 SUBJECT LANDS

DATE: 01/31/19



COUNTRY RIDGE DRIVE ELEVATIONS



ROY RAINEY AVENUE ELEVATIONS

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# CONCEPTUAL ELEVATIONS

APPLICANT: F.J. HOMES LIMITED

FILE No: SU\_ZA17155326 (SC)

DATE: 01/31/19



BY-LAW 2019-\_\_\_\_\_

A By-law to amend By-law 177-96, as amended

The Council of the Corporation of the City of Markham hereby enacts as follows:

- 1. That By-law 177-96, as amended, is hereby further amended by zoning the lands outlined on Schedule ‘A’ attached hereto as follows:

Residential Two (R2) Zone and  
Residential Two\*ZYX (R2\*624) Zone  
Open Space One (OS1) Zone

- 3. By adding the following subsection to Section 7- EXCEPTIONS

Exception 7.624	F.J. Homes Limited West side of Roy Rainey Avenue, south side of Country Ridge Drive	Parent Zone R2
File ZA 17 152211		Amending By-law 2019-
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to the land denoted by the symbol *624 on the schedule to this By-law.		
7.624.1 Special Zone Standards		
The following special zone standards shall apply:		
a)	Minimum required rear yard – 6.0 m	

- 4. SECTION 37 CONTRIBUTION

- 4.1 A contribution by the Owner to the City for the purposes of public art, in the amount of \$32,200.00 in 2019 dollars, to be indexed to the Ontario rate of inflation as per the consumer price index (CPI), in accordance with Section 37 of the Planning Act, as amended, shall be required. Payments shall be collected in accordance with the terms of an agreement to secure for the Section 37 contribution. Nothing in this section shall prevent the issuance of a building permit as set out in Section 8 of the Building Code Act or its successors.

Read a first, second and third time and passed on \_\_\_\_\_,  
2019

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk

\_\_\_\_\_  
Frank Scarpitti  
Mayor



**EXPLANATORY NOTE**

**BY-LAW 2019-\_\_\_\_\_**

**A By-law to amend By-law 177-96, as amended**

**F.J. Homes Limited**  
**West side of Roy Rainey Avenue and south side of Country Ridge Drive.**  
**File No. ZA 18 155326**

**Lands Affected**

The proposed by-law amendment applies to a parcel of land with an approximate area of 0.74 hectares (1.8 acres) located on the west side of Roy Rainey Avenue and south side of Country Ridge Drive, within the Wismer Commons community.

**Existing Zoning**

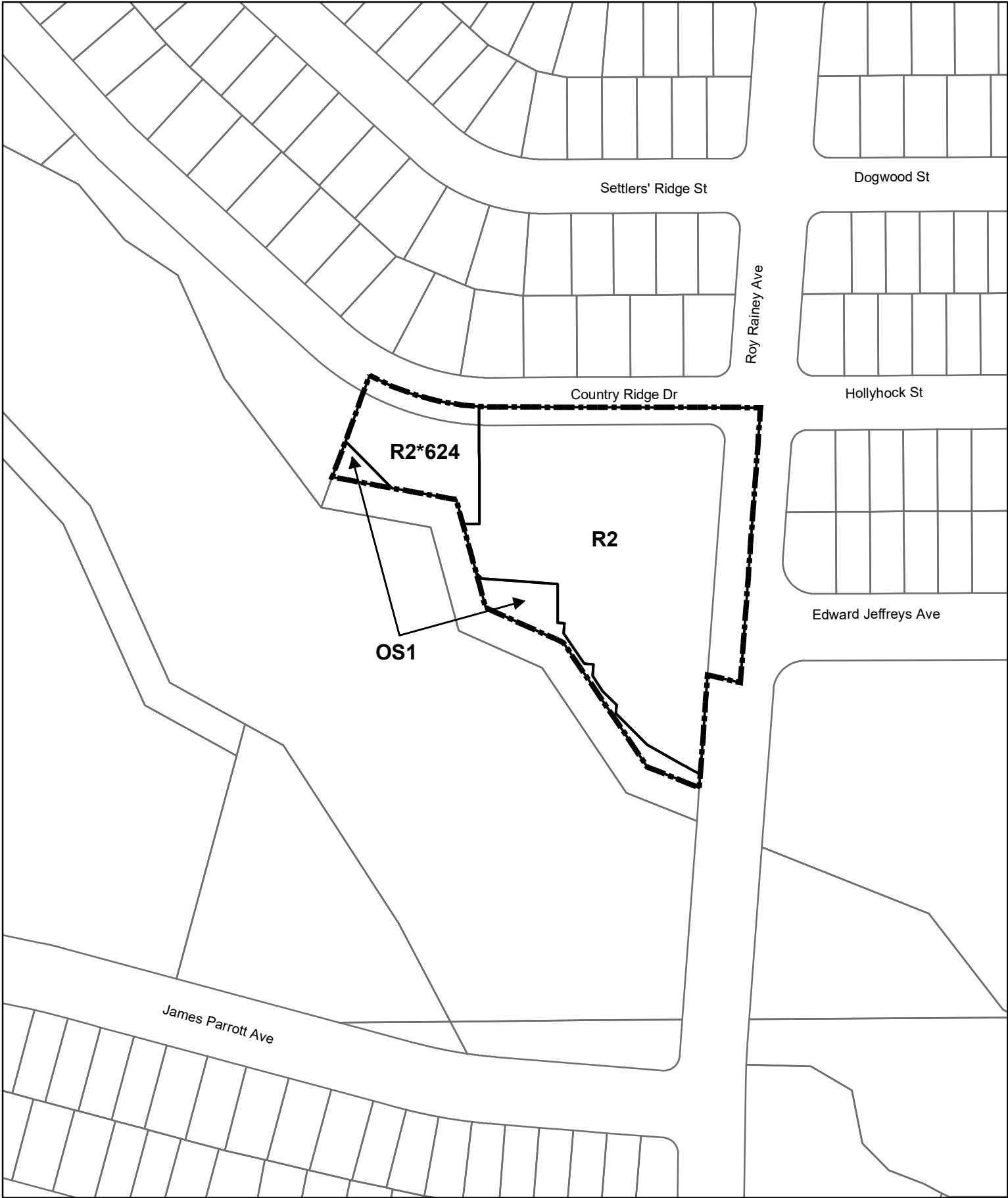
The subject lands are zoned Open Space Two\*94 (OS2\*94) under By-law 177-96, as amended.

**Purpose and Effect**


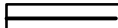



The purpose and effect of this By-law is to rezone the lands from the “Open Space Two\*94 (OS2\*94)” zone to a “Residential Two (R2)” and “Residential Two\*624 (R2\*624)” zone under By-law 177-96, as amended, to permit the development of 14 single detached dwellings. It will also zone portions of the site to an Open Space One (OS1) zone under By-law 177-96, as amended, for lands intended to be conveyed to the City and added to an adjacent natural heritage buffer.

**Notice Regarding Further Planning Applications on this Property**

In accordance with Section 45(1.3) and 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended on July 1, 2016 through the enactment of Bill 73, no person shall apply for a minor variance from the provisions of the by-law in respect of land, building or structure before the second anniversary of the day on which the by-law was amended, unless Council has declared by resolution that such an application is permitted.



# SCHEDULE " A " TO BY-LAW AMENDING BY-LAW 177-96 DATED

-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  BOUNDARY OF ZONE DESIGNATION(S)
-  Residential Two
-  Open Space One
-  Exception Section Number



THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by -law, the information contained in the text of the zoning by -law of the municipality shall be deemed accurate.

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NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office



**THE CONDITIONS OF THE CITY OF MARKHAM TO BE SATISFIED PRIOR TO  
RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19TM-17007  
(F.J. Homes Limited)**

1. General
  - 1.1 Approval shall relate to a draft plan of subdivision prepared by The Biglieri Group Limited, identified as Project Number 17454, Drawing No. DP-01, dated December 8, 2017 and Revised on November 1, 2018.
  - 1.2 This draft approval shall apply for a maximum period of three (3) years from date of approval by the Council of the City of Markham, and shall accordingly lapse on March XX, 2022 unless extended by the City upon application by the Owner.
  - 1.3 The Owner shall enter into a subdivision agreement with the City agreeing to satisfy all conditions of the City and Agencies, financial and otherwise, prior to final approval.
  - 1.4 The Owner acknowledges and understands that prior to final approval of this draft plan of subdivision, amendments to Zoning By-law 177-96, as amended, shall have come into effect in accordance with the provisions of the Planning Act.
  - 1.5 The Owner shall agree in the Subdivision Agreement to design all municipal infrastructure in accordance with the City's and/or Region's standards, guidelines, and specifications.
  - 1.6 Prior to the release for registration of this draft Plan of Subdivision, the Owner shall prepare and submit to the satisfaction of the City of Markham, all technical reports, studies, and drawings, including but not limited to, traffic study, functional traffic design, stormwater management report, functional servicing report, design brief, detailed design drawings, noise study, streetlighting design and photometric analysis, etc., to support the draft Plan of Subdivision. The Owner agrees to revise the draft plan of subdivision as necessary to incorporate the design and recommendations of the accepted technical reports, studies, and drawings.
  - 1.7 The Owner shall implement the designs and recommendations of the accepted technical reports/studies submitted in support of the draft plan of subdivision including but not limited to, traffic study, functional traffic design study, stormwater management report, functional servicing report, design brief, detailed design drawings, noise study, streetlighting design and photometric analysis, to the satisfaction of the City, and at no cost to the City. The Owner agrees to revise the draft plan of subdivision as necessary to

## Appendix 'B'

incorporate the recommendations, to implement or integrate any recommendations from the above technical reports/studies.

- 1.8 The Owner shall design and construct all required relocations of, and modifications to existing infrastructure, including but not limited to, sanitary and storm sewers, watermain, light standards, utilities, stormwater management facilities, traffic signage and roads to the satisfaction of, and at no cost to, the City.
- 1.9 The Owner shall restore all disturbed areas external to the plan of subdivision to its original condition or better, to the satisfaction of the City.
- 1.10 The Owner shall agree in the subdivision agreement to pay to the City, all required fees, in accordance with the City's Fee By-Law 211-83, as amended by Council from time to time.
- 1.11 The Owner shall agree in the subdivision agreement or pre-servicing agreement, whichever comes first, to submit financial security for the draft plan of subdivision as required by the City prior to the construction of municipal infrastructure required to service the development.
- 1.12 The Owner covenants and agrees to enter into a construction agreement and/or encroachment agreement or any other agreement deemed necessary to permit construction of services, roads, stormwater management facilities or any other services that are required external to the plan of subdivision and that are required to service the proposed development, to the satisfaction of the Director of Engineering and the City Solicitor.
- 1.13 The Owner shall covenant and agree in the subdivision agreement to provide the Building Standards Department all mitigation recommendations from the Geotechnical Consultant to waterproof basements which are below the ground water table, on a lot specific basis for each building permit application, to the satisfaction of the Chief Building Official. The Owner shall further covenant and agree that the acceptance of these measures will be subject to approval from the Chief Building Official.

2. Roads/Walkways

- 2.1. The Owner acknowledges that a trail/walkway is required within Blocks 15 and 16 in the Owner's plan of subdivision (the "Owner's Lands") and, within City lands described as Block 195, Plan 65M-3487 and Block 3, Plan 65M-3490 (the "City Lands"). The Owner shall agree in the subdivision agreement to construct the above trail/walkway in the Owner's Lands and City Lands at the Owner's cost to the satisfaction of the City.



## Appendix 'B'

3. Tree and Woodlot Preservation

- 3.1 The Owner shall submit for approval a tree inventory and tree preservation plan to the satisfaction of the Director of Planning and Urban Design in accordance with the City of Markham Streetscape Manual dated 2009, as amended from time to time.
- 3.2 The Owner shall submit a site grading plan showing the trees to be preserved based on the approved Tree Preservation Plan prior to the issuance of a Top Soil Stripping Permit to the satisfaction of the Director of Planning and Urban Design.
- 3.3 The Owner shall obtain written approval from the Director of Planning and Urban Design prior to the removal of any trees or destruction or injury to any part of a tree within the area of the draft plan.
- 3.4 The Owner shall submit for approval, as part of the tree inventory and tree preservation plan, in accordance with the City of Markham Streetscape Manual a tree compensation schedule detailing replacement and enhancement planting or the replacement value based on the following:
  - a) Trees between 20cm and 40cm diameter at breast height (DBH) shall be replaced at a ratio of 2:1
  - b) All trees over 40cm DBH shall have an individual valuation submitted to the City by an ISA certified Arborist in accordance with the Council of Tree and Landscape Appraisers (CTLA) Guide for Plant Appraisal (2000)
  - c) Where a site does not allow for the 2:1 replacement, the City will negotiate a credit for tree planting on alternate sites
  - d) The requirement for the replacement or equivalent economic value following unauthorized tree removal or damage shall be determined by the City.

4.0 Community Design

- 4.1 The Owner shall implement and incorporate all requirements of the approved Wismer Commons Open Space Master Plan and Community Design Plan into all landscape plans, architectural control guidelines, engineering plans and any other required design documents.
- 4.2 The Owner shall retain a design consultant to prepare architectural control guidelines to be submitted to the Director of Planning and Urban Design for approval prior to execution of the subdivision agreement
- 4.3 The Owner shall retain a design consultant to implement the Architectural Control Guidelines.
- 4.4 Plans submitted for model home permits for any building within the plan of subdivision shall bear an approval stamp identifying the architectural company retained for architectural control and the signature of the control architect. The approval stamp shall

## Appendix 'B'

certify that the floor plans, building elevations and site plans are designed in accordance with the approved architectural control guidelines.

- 4.5 The Owner shall ensure that the design architect for any buildings within the plan of subdivision shall not also assume the role of control architect for the plan of subdivision.

5.0 Parks and Open Space

- 5.1 The Owner shall provide a specialized depth of topsoil in the entire municipal boulevard to appropriately plant boulevard trees to the satisfaction of the Director of Planning and Urban Design.

- 5.2 The Owner shall provide a Trustee Release Letter stating that they have paid their contribution towards parkland dedication to the Developers Group for the Wismer Commons Community.

6.0 Landscaping Works

- 6.1 Prior to execution of the subdivision agreement, the Owner shall submit landscape plans based on the approved Wismer Commons Open Space Master Plan and Community Design Plan into all landscape works, to the satisfaction of the Director of Planning and Urban Design

- a) Street tree planting in accordance with the City of Markham Streetscape Manual dated June 2009;
- b) Rear lot and side yard fencing on private property along the trail;
- b) 1.8m high wood screen corner lot fencing;
- c) Streetscape plan including street trees or any other landscaping as determined by the Community Design Plan and the Environmental Master Drainage Plan.

- 6.2 The Owner shall construct all landscaping in accordance with the approved plans at no cost to the City.

- 6.3 The Owner shall not permit their builders to charge home purchasers for the items listed in Condition 6.1.

- 6.4 The Owner shall include in all agreements of purchase and sale the following clause:

“PURCHASERS ARE ADVISED THAT AS A CONDITION OF APPROVAL OF THE SUBDIVISION WITHIN WHICH THIS LOT IS LOCATED, THE CITY OF MARKHAM HAS REQUIRED THE DEVELOPER TO UNDERTAKE AND BEAR THE COST OF THE FOLLOWING ITEMS:

- STREET TREES (TREES PLANTED IN THE CITY BOULEVARD or IN ADJACENT PUBLIC LANDS OR PRIVATE LOTS TO MEET 4.1a)
- CORNER LOT FENCING

## Appendix 'B'

- REAR LOT LINE FENCING AT LANES (IF SPECIFICALLY REQUIRED BY THE CITY)
- TREE PLANTING IN REAR YARDS ADJOINING THE LANES (IF SPECIFICALLY REQUIRED BY THE CITY)
- FENCING OF SCHOOL, PARK, WALKWAY AND STORMWATER MANAGEMENT POND BLOCKS
- BUFFER PLANTING FOR OPEN SPACE, WALKWAY AND STORMWATER MANAGEMENT POND BLOCKS AND SINGLE LOADED STREET ALLOWANCES
- SUBDIVISION ENTRY FEATURES AND DECORATIVE FENCING AS IDENTIFIED ON LANDSCAPE PLANS APPROVED BY THE CITY.

THE DEVELOPER HAS BORNE THE COST OF THESE ITEMS AND THE HOME PURCHASER IS NOT REQUIRED TO REIMBURSE THIS EXPENSE.”

#### 7.0 Financial – Urban Design

- 7.1 Prior to execution of the subdivision agreement, the Owner shall provide a letter of credit, in an amount to be determined by the Director of Planning and Urban Design, to ensure compliance with applicable tree preservation, fencing, streetscape, buffer and other landscaping requirements.

#### 8. Municipal Services

- 8.1 The Owner shall agree in the subdivision agreement to not apply for any building permits until the City is satisfied that adequate municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
- 8.2 The Owner shall agree in the subdivision agreement to revise and/or update the functional servicing and stormwater management reports, if directed by the City in the event that the Director of Engineering determines that field conditions are not suitable for implementation of the servicing and stormwater strategy recommended in the functional servicing and stormwater management reports.

#### 9. Lands to be Conveyed/City Easements

- 9.1 The Owner shall grant required conveyances to the appropriate authority for road widening, public utilities or trail/walkway purposes, upon registration of the plan of subdivision. The Owner shall also provide for any works external to the draft plan of subdivision necessary to connect watermain, storm and sanitary sewers to the existing sewers and watermain abutting to the site and/or trail/walkway facilities satisfactory to, and dedicated to, the City.
- 9.2 The Owner shall convey Blocks 17, 16 and 15 to the City, for road widening, public utilities or trail/walkway purposes, free of all costs and encumbrances, to the satisfaction of the City and the TRCA, upon registration of the plan of subdivision.

## Appendix 'B'

10. Utilities

- 10.1 The Owner shall agree in the subdivision agreement that hydro-electric, telephone, gas and television cable services, and any other form of telecommunication services shall be constructed at no cost to the City as underground facilities within the public road allowances or within other appropriate easements, as approved on the Composite Utility Plan, to the satisfaction of the City and authorized agencies.
- 10.2 The Owner shall agree in the subdivision agreement to enter into any agreement(s) required by any applicable utility companies, including Powerstream, Enbridge, telecommunications companies, etc.
- 10.3 The Owner covenants and agrees that it will permit any telephone or telecommunication service provider to locate its plant in a common trench within the proposed subdivision prior to registration provided the telephone or telecommunications services provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.

11. Canada Post

- 11.1 The Owner shall agree in the subdivision agreement to facilitate the construction of Canada Post facilities at locations and in manners agreeable to the City in consultation with Canada Post, and that where such facilities are to be located within public rights-of-way they shall be approved on the Composite Utility Plan and be in accordance with the Community Design Plan.
- 11.2 The Owner shall agree in the subdivision agreement to include on all offers of purchase and sale a statement that advises prospective purchasers that mail delivery will be from a designated Community Mailbox. The Owners will further be responsible for notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sale.
- 11.3 The Owner shall covenant and agree in the subdivision agreement to provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading are completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residents as soon as homes are occupied.
- 11.4. The Owner acknowledges that standard community mailbox installations are to be done by Canada Post at locations approved by the municipality and shown on the Composite Utility Plan. The Owner agrees that should it propose an enhanced community mailbox installation, any costs over and above the standard installation must be borne by the Owner, and be subject to approval by the City in consultation with Canada Post.

## Appendix 'B'

12. Environmental Clearance

- 12.1 The Owner shall agree in the subdivision agreement to retain a "Qualified Person" to prepare all necessary Environmental Site Assessments (ESA) and file Record(s) of Site Condition with the Provincial Environmental Site Registry for all lands to be conveyed to the City. The "Qualified Person" shall be defined as the person who meets the qualifications prescribed by the Environmental Protection Act and O. Reg. 153/04, as amended. The lands to be conveyed to the City shall be defined as any land or easement to be conveyed to the City, in accordance with the City's Environmental Policy and Procedures for Conveyance of Land to the City Pursuant to the Planning Act.
- 12.2 Prior to the earlier of any construction, including site alteration, the execution of a pre-servicing agreement or subdivision agreement, the Owner agrees to submit Environmental Site Assessment (ESA) report(s) prepared by a Qualified Person, in accordance with the Environmental Protection Act and its regulations and all applicable standards, for all lands to be conveyed to the City for peer review and concurrence.
- 12.3 Prior to the earlier of any construction including site alteration, the execution of a pre-servicing agreement or subdivision agreement, the Owner agrees to submit environmental clearance(s) and Reliance Letter(s) from a Qualified Person to the City for all lands or interests in lands to be conveyed to the City to the satisfaction of the City. The Environmental Clearance and Reliance Letter will be completed in accordance with the City's standard and will be signed by the Qualified Person and a person authorized to bind the Owner's company. The City will not accept any modifications to the standard Environmental Clearance and Reliance Letter, except as and where indicated in the template.
- 12.5 The Owner agrees that if, during construction, contaminated soils or materials or groundwater are discovered, the Owner shall inform the City immediately, and undertake, at its own expense, the necessary measures to identify and remediate the contaminated soils or groundwater, all in accordance with the Environmental Protection Act and its regulations, to the satisfaction of the City and the Ministry of the Environment, Conservation and Parks.
- 12.6 The Owner shall agree in the subdivision agreement to assume full responsibility for the environmental condition of the lands comprising the draft plan of subdivision. The Owner shall further agree in the subdivision agreement to indemnify and save harmless the City, its directors, officers, Mayor, councilors, employees and agents from any and all actions, causes of action, suite, claims, demands, losses, expenses and damages whatsoever that may arise either directly or indirectly from the approval and assumption by the City of the municipal infrastructure, the construction and use of the municipal infrastructure or anything done or neglected to be done in connection with the use or any environmental condition on or under lands comprising the draft Plan of Subdivision, including any work undertaken by or on behalf of the City in respect of the lands comprising the draft Plan of Subdivision and the execution of this Agreement.

## Appendix 'B'

13. Development Charges

- 13.1 The Owner covenants and agrees to provide written notice of all development charges related to the subdivision development, including payments made and any amounts owing, to all first purchasers of lands within the plan of subdivision at the time the lands are transferred to the first purchasers.

14. Heritage

- 14.1 Prior to final approval of the draft plan of subdivision or any phase thereof, the Owners shall carry out a cultural heritage resource assessment for the lands within the draft plan to ensure the assessment and identification of appropriate treatment of built heritage and archaeological resources; and to mitigate any identified adverse impacts to significant heritage resources, to the satisfaction of the City (Commissioner of Development Services) and the Ministry of Tourism Culture and Sport. The Owner shall submit a letter issued by the Ministry of Tourism Culture and Sport that the Heritage Resource Assessment has been entered into the Ontario Public Register of Archaeology Reports prior to registration of the draft plan and prior to any demolition, grading, filling or any form of soil disturbances on lands within the draft plan.
- 14.2 The Owner shall covenant and agree in the subdivision agreement to implement any measures recommended by the heritage resource assessment, to the satisfaction of the City and the Ministry of Tourism, Culture and Sport.

15. Other City Requirements

- 15.1 The Owner shall include the following clauses in all offers of purchase and sale for units with a single-car garage:

“PURCHASERS/TENANTS ARE ADVISED THAT THE CITY’S PARKING BY-LAW REQUIRES A MINIMUM OF TWO PARKING SPACES, ONE IN THE DRIVEWAY AND ONE IN THE GARAGE. OUTSIDE A PRIVATE GARAGE, PARKING IS ONLY PERMITTED ON A DRIVEWAY.

PURCHASERS/TENANTS ARE ADVISED THAT THE CITY’S ZONING BY-LAW RESTRICTS DRIVEWAY WIDTHS, WHICH MAY NOT ALLOW TWO CARS TO PARK SIDE BY SIDE.

PURCHASERS/TENANTS ARE ADVISED THAT OVERNIGHT STREET PARKING WILL NOT BE PERMITTED UNLESS AN OVERNIGHT STREET PARKING SYSTEM IS IMPLEMENTED BY THE CITY.”

- 15.2 The Owner shall covenant and agree in the subdivision agreement that no building permits will be issued for part blocks until said blocks have been combined with abutting

## Appendix 'B'

lands to create building lots in conformity with the zoning by-law and all applicable fees have been paid. The Owner acknowledges and agrees that contiguous part lots will be registered as one block in the final plan, and that future lots will be created through part lot control.

- 15.3 The Owner shall provide and post display plans in all sales offices which clearly indicate the location of the following facilities in relation to the lot being purchased, prior to any Agreements of Purchase and Sale being executed by the Owner, a builder, or their real estate agents:

Parks by type, including Park and Open Space Concept Plans and Streetscape Plans; stormwater management ponds and related facilities; schools by type; place of worship sites; other institutional sites by type; commercial sites by type; other surrounding land uses and facilities as specified by the City; existing or future: rail facilities, provincial highways, arterial and collector roads, transit routes and stops; City approved sidewalks, walkways and bike route locations; City approved postal box and utility furniture locations or possible locations if prior to approval; and City lot grading standards.

All display plans shall be submitted the City for review and approval by City staff, prior to the opening of the sales office.

- 15.4 The Owner covenants and agrees to implement sustainable design features within the single detached dwellings, including, but not limited to:

Improvement of Energy Performance:

- High efficiency HVAC system with HRV (Heat Recovery Ventilation) will be utilized in the new building. The furnaces will have an annual fuel efficiency of 94% or higher. The HRV will recover about 75% heat from the exhaust air.
- High efficiency lighting system (e.g. LED lights, timing / occupancy sensor lighting control) will be specified in the construction documents.

High Efficiency Water Fixtures:

- To reduce water use, high efficiency water fixtures, e.g. dual flushing water closets and low flow shower heads, will be utilized.

Low Impact Power:

- To reduce environmental impact of power used for vehicles and household, electrical car and renewable energy system are encouraged. Conduits from the electrical box to garage and roof are required for the future installation of charging stations or roof top solar panels by home owners.

- 15.5 That the Owner covenants and agrees to enter into a Section 37 Agreement to secure the provision of Public Art by the City for the lands zoned Residential Two (R2) and Residential Two\*624 (R2\*624), as required by implementing zoning by-law 2019-\_\_\_\_.



## Appendix 'B'

- 15.6 The Owner shall covenant and agree that fire hydrants on streets are to be spaced at intervals not exceeding 120 metres for single detached dwellings. The Owner acknowledges an additional fire hydrant is required off Roy Rainey Avenue.
- 15.7 The Owner acknowledges and agrees that firebreak lots within the draft plan shall be designated in the subdivision agreement, to the satisfaction of the Fire Chief or his designee. The Owner shall provide a letter of credit in an amount to be determined by the Fire Chief or his designee at the subdivision agreement stage to ensure compliance with this condition.
- 15.8 The Owner acknowledges and agrees that the adequacy and reliability of water supplies for firefighting purposes are subject to the review and approval of the Fire Chief or his designee.
- 15.9 The Owner shall acknowledge and agree in the subdivision agreement that building permits will not be issued for lands in any stage of development within the draft plan of subdivision until the Director or Building Services has been advised by the Fire Chief that there is an adequate water supply for firefighting operations and that two remote accesses for firefighting equipment is available.
- 15.10 The Owner covenants and agrees to purchase from the City two recycling containers, one green bin and one kitchen collector per residence so that each purchaser may participate in the City's waste diversion program. Furthermore, the Owner shall ensure that the recycling containers, green bins, kitchen collectors and educational materials are deposited in each home on or before the date of closing.
- 15.11 The Owner covenants and agrees to contact the City at least four weeks prior to unit occupancy to arrange an appointment time in which the recycling containers, green bins, kitchen collectors and educational materials are to be collected by the owner.
- 15.12 The Owner covenants and agrees to pay to the City the cost for recycling containers, green bins and kitchen collectors and to provide said recycling containers, green bins and kitchen collectors to purchasers at the same cost as paid to the City.
- 15.13 The Owner covenants and agrees that during the construction phase of the development, unobstructed roadway access to a width no less than 6 metres will be provided for the safe passage of municipal waste and recycling collection vehicles on the designated collection day. Furthermore, if required, the Owner shall provide vehicle turning space that meets the City's engineering design standards. The Owner agrees that at times when the above defined access cannot be provided, the Owner shall be responsible for moving all residential waste, recyclables and organics from the occupied units to an agreed upon centralized location at the Owner's expense, for collection by the City.

## Appendix 'B'

15.14 The Owner acknowledges that all waste and recyclable materials will be collected municipally.

16. Toronto and Region Conservation Authority (TRCA)

16.1 That prior to any development, pre-servicing or site alteration, or registration of this plan or any phase thereof, the applicant shall submit, provide and/or attain the approval from the TRCA for:

- a. a detailed engineering report stamped by a professional engineer that in addition to describing the storm drainage system for the proposed development of the subject lands, includes:
  - i. The functional servicing report and the stormwater management report should include all location and description of all outlets and other facilities, grading, site alterations or development which may require a permit pursuant to Ontario Regulation 166/06, the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourse Regulation;
  - ii. Confirmation that all of TRCA's stormwater management criteria and the criteria requirements for water balance have been met or exceeded;
  - iii. Water balance measures with supporting calculations;
  - iv. That confirmation of the infiltration facility and the seasonally high water table is separated a minimum of 1 metre before the finalization of the infiltration facility location;
  - v. Detail drawings, locations and plans for proposed water balance and LID measures on the appropriate drawings;
  - vi. Detailed grading plans and site servicing plans;
- b. A detailed and comprehensive Erosion and Sediment Control Plan and Report, which complies with the TRCA's Erosion and Sediment Control Guidelines for Urban Construction (available at [www.sustainabletechnologies.ca](http://www.sustainabletechnologies.ca));

16.2 That the applicant attain all Ontario Regulation 166/06 permits from the TRCA for all works proposed on the subject property for which permits would be required, and those related to any associated infrastructure or stormwater management works required to support this development that may be located off the subject property;

16.3 That the owner agrees in the subdivision agreement, in wording acceptable to the TRCA:

## Appendix 'B'

- a. to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical reports and analyses to be approved by TRCA, including water balance and infiltration measures identified in the engineering report;
- b. to agree to, and implement, the requirements of the TRCA's conditions in wording acceptable to the TRCA;
- c. to design and implement on-site erosion and sediment controls in accordance with current TRCA standards;
- d. to maintain all stormwater management and erosion and sedimentation control structures operating in good repair during the construction period, in a manner satisfactory to the TRCA;
- e. to obtain all necessary TRCA permits pursuant to Ontario Regulation 166/06 (as amended) from the TRCA;
- f. that all buffer blocks associated with the future trail has been gratuitously conveyed into public ownership;
- g. to provide and install the LID measures identified in the engineering report for the purchaser prior to occupancy, including but not limited to increased topsoil depth to the satisfaction of the City and TRCA;
- h. to provide for planting, restoration and enhancement within or adjacent to all natural areas and buffer in accordance with planting and restoration plans to be approved by the TRCA. And, that monitoring and replanting of these areas be completed for a minimum warrantee period in accordance with City of Markham standards, with sufficient funds being secured through a letter of credit in favor of the City of Markham or other appropriate measure;
- i. to erect a permanent fence to the satisfaction of the TRCA on all lots and blocks abutting lands to be conveyed to the public authority, prior to occupancy of any homes within lots 1 to 4 and 11 to 14 inclusive.
- j. that a warning clause be included in all agreements of purchase and sale, and information is to be highlighted on all community information maps and promotional sales materials for lots with infiltration measures which identifies the following:

"The infiltration galleries located on the subject property form an integral part of the stormwater management infrastructure for the community. It is the owner's responsibility to maintain this system and to ensure that proper drainage is maintained."

## Appendix 'B'

- k. That a warning clause be included in all agreements of purchase and sale, and information is to be highlighted on all community information maps and promotional sales materials for all private lots or blocks abutting the proposed rear walk-way which identifies the following:

“The lands abutting the rear property line is a municipally maintained walk-way adjacent to environmental protected lands. The buffer block is considered to be part of the publically owned environmental protection area and will be maintained by the City. The installation of private gates to access the lands and any encroachment such as private picnic, barbeque or garden areas, storage of materials and/or the dumping of refuse or ploughed snow is prohibited.

- 16.4 That the draft plan be red-line revised (if necessary), to meet the requirements of TRCA's conditions, or to meet current established standards in place as of the date of a request for registration of the Plan or any phase thereof.

17. Region of York

**Conditions to be Included in the Subdivision Agreement**

- 17.1 The Owner shall save harmless York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.

**Conditions to be Satisfied Prior to Final Approval**

- 17.2 The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Markham and York Region.
- 17.3 York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the City of Markham for the development proposed within this draft plan of subdivision or any phase thereof.
- 17.4 The Owner shall provide an electronic set of the final engineering drawings showing the watermains and sewers for the proposed development to the Community Planning and Development Services division and the Infrastructure Asset Management Branch for record.
- 17.5 The Owner shall provide a copy of the Subdivision Agreement to the Corporate Services Department, outlining all requirements of the Corporate Services Department.
- 17.6 The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable.

## Appendix 'B'

17.7 The Regional Corporate Services Department shall advise that Conditions 1 to 6 inclusive, have been satisfied.

#### 18.0 Developers Group Agreement and Clearance

18.1 Prior to final approval of the draft plan, the Owner shall enter into a Developers Group Agreement to ensure the provision of community and all common facilities such as school sites, municipal services, parks and public roads, etc, in the Wismer Commons community are completed to the satisfaction of the City (Commissioner of Development Services and City Solicitor). A certificate confirming the completion of such agreement(s) shall be provided to the City by the Developers Group Trustee to the satisfaction of the City Solicitor.

18.2 The Owner shall covenant and agree in the subdivision agreement that the plan of subdivision shall not be released for registration by the City until the Owner delivers a release to the City from the Trustee of the Developers Group to the effect that all conditions of the Group Agreement have been met to the satisfaction of the Trustee.

#### 19.0 Ministry of Natural Resources

19.1 The Owner covenants and agrees to comply with the requirements of the Endangered Species Act, 2007, S.O. 2007, c. 6. (the "ESA"), and the Species at Risk Act, S.C. 2002, c. 29. (the "SARA"), with respect to any species identified in accordance with the ESA and the SARA. The Owner acknowledges and agrees that, notwithstanding this Agreement and any approvals made or given by the City in respect of the Subdivision, the onus is on the Owner to comply with the provisions of the ESA and the SARA. The Owner covenants and agrees to indemnify and save harmless the City, its directors, officers, Mayor, councillors, employees and agents from any and all actions, causes of action, suits, claims, demands, losses, penalties, fines, expenses and damages whatsoever that may arise either directly or indirectly from the approval and registration of the Subdivision and the Assumption of Subdivision, the construction and use of the Works or anything done or neglected to be done in connection with the ESA and the SARA.

#### 22. External Clearances

22.1 Prior to final approval of the draft plan of subdivision, clearance letters, containing a brief statement detailing how conditions have been met, will be required from authorized agencies as follows:

- a) Canada Post shall advise that Conditions 11.1 to 11.45 have been satisfied.
- b) The Toronto and Region Conservation Authority shall advise that Conditions 16.1 to 16.4 inclusive, have been satisfied.
- c) The Regional Municipality of York Planning Department shall advise that Conditions 17.1 to 17.7 inclusive, have been satisfied.

## Appendix 'B'

- d) The Trustee of the Cornell Developers Group provide clearance that all obligations, financial or otherwise have been satisfied in accordance with Conditions 18.1 and 18.2;
- e) That the Owner submits a letter from the Ministry of Tourism Culture and Sport that the Heritage Resource Assessment has been entered into the Ontario Public Register of Archaeology Reports in accordance with Condition 14.1

ISSUED: April XX, 2019

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Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager



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## SUSTAINABLE DEVELOPMENT BRIEFING

To reduce environmental impact of the development, Sustainable development principles will be incorporated into the design and construction, including:

### 1. Sustainable Site Management

The project site is located on the Robinson Creek. A stormwater management plan will be conducted, that was included in the Functional Servicing Report that is submitted with the Zoning Bylaw Amendment (ZBA) application, to control both quality and quantity of rainwater runoff. After the development, the proposed overland flow route remains the same as the existing overland flow route for the roadways.

### 2. Improvement of Energy Performance

High efficiency HVAC system with HRV (Heat Recovery Ventilation) will be utilized in the new building. The furnaces will have an annual fuel efficiency of 94% or higher. The HRV will recover about 75% heat from the exhaust air.

High efficiency lighting system (e.g. LED lights, timing / occupancy sensor lighting control) will be specified in the construction documents.

### 3. High Efficiency Water Fixtures

To reduce water use, high efficiency water fixtures, e.g. dual flushing water closets and low flow shower heads, will be utilized.

### 4. Low Impact Power

To reduce environmental impact of power used for vehicles and household, electrical car and renewable energy system are encouraged. Conduits from the electrical box to garage and roof are required for the future installation of charging stations or roof top solar panels by home owners.



Report to: Development Services Committee

Report Date: March 18, 2019

**SUBJECT:** **Recommendation Report**  
 2412371 Ontario Limited (Wyview Group)  
 4121 Highway 7  
 Application for zoning by-law amendment to permit a  
 temporary automobile storage lot (Ward 3)  
 File No.: ZA 18 154593

**PREPARED BY:** Scott Heaslip, MCIP, RPP,  
 Senior Development Coordinator, Central District  
 ext. 3140

**REVIEWED BY:** Ron Blake, MCIP, RPP,  
 Senior Development Manager  
 Ext. 2600

**RECOMMENDATION:**

That the report dated March 18, 2019 titled "Recommendation Report, 2412371 Ontario Limited (Wyview Group), 4121 Highway 7 Application for zoning by-law amendment to permit a temporary car storage lot, (Ward 3), File No. ZA 18 154593," be received;

That the record of the Public Meeting held on November 13, 2018 regarding the Zoning By-law Amendment application submitted by 2412371 Ontario Limited (Wyview Group), be received;

That the Zoning By-law Amendment application submitted by 2412371 Ontario Limited (Wyview Group) to amend Zoning By-law 304-87, as amended, be approved, and that staff finalize the implementing zoning by-law amendment for enactment by Council;

That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

This report recommends that Council approve a zoning by-law amendment to permit a temporary automobile storage lot at 4121 Highway 7. The temporary storage lot will be used by the Audi dealership on the north side of Highway 7, directly opposite the subject property, while the dealership is being reconstructed.

**BACKGROUND:**

Subject property and area context (Figures 1 and 2)



The subject property is located on the south side of Highway 7, east of Birchmount Road. The property is occupied by a vacant dwelling and a garage, both of which are in poor condition. The rear portion of the property is within the floodplain of the Rouge River. The property contains a number of mature trees, primarily in the rear portion. To the west is Sheridan Nurseries. To the east is a property occupied by an older vacant dwelling. The Audi dealership on the north side of Highway 7 is currently illegally storing cars in the north portion of this property. To the north across Highway 7 are a townhouse development, currently under construction and the Volvo/Audi dealerships.

**Official Plan and Zoning (Figure 3)**

The front portion of the subject property (the location of the proposed temporary automobile storage lot) is designated "Community Amenity Area General" by Amendment No. 21 to the 1987 Official Plan (the Markham Centre Secondary Plan). The rear portion (the Rouge River valleyland) is designated "Hazard Land." Lands in the "Community Amenity Area General" designation are intended to develop with a mix of residential, commercial, employment and community uses in a pedestrian friendly manner. This designation permits a limited range of automotive uses such as automobile service stations, but does not permit "suburban style" automobile dealerships (dealership building surrounded by an extensive car storage area), which fall under the category of "retail uses involving accessory outdoor accessory storage and/or display of merchandise," a prohibited use in this designation.

The front portion is designated "Mixed Use Mid Rise" in the 2014 Official Plan (as partially approved on November 24, 2017 and updated on April 9, 2018). The policy direction for lands in the "Mixed Use Mid Rise" designation is for a mix of residential, retail, restaurant and service uses in multi-storey street related buildings ranging up to 8 storeys unless otherwise specified in a secondary plan or site specific policy. The rear portion is designated "Greenway." The zoning does not permit automotive uses or the storage of vehicles.

The 2014 Official Plan provides that until approval of an updated secondary plan for Markham Centre pursuant to the policies of the new Official Plan, the policies of OPA 21 (the current Markham Centre secondary Plan) continue to apply.

The north portion of the subject property is zoned "Rural Residential One" (RR1) under By-law 304-87 (the City's Rural Area Zoning By-law). This zoning permits one single detached dwelling on a lot having a minimum area of 1 acre. The south portion is zoned "Agricultural" (A1) and "Open Space" (O1).

**Proposal**

The applicant has applied for a temporary use by-law to permit the northerly portion of the subject property to be used for the temporary storage of automobiles for the Audi dealership on the north side of Highway 7, directly opposite the subject property. The proposed parking area would accommodate approximately 39 cars.

**OPTIONS/ DISCUSSION:**

**Council can approve temporary uses for periods of up to three years.**

The Planning Act allows municipalities to pass temporary use by-laws to permit lands to be used for purposes not normally permitted by the Official Plan and zoning by-laws for temporary periods of time not exceeding three years. Municipalities may renew temporary use by-laws, upon application by the landowner, for periods of time not exceeding three years. Uses authorized by temporary use by-laws do not gain legal non-conforming status upon expiry of the by-law, and therefore become illegal uses.

**Audi dealership is proposing off-site car storage while dealerships are being reconstructed.**

On June 25, 2018, Development Services Committee endorsed site plan approval for the redevelopment of the existing Volvo and Audi dealerships. This development involves the demolition of the existing buildings and their replacement with new buildings accommodating Volvo, Audi and Jaguar/Land Rover dealerships. The new dealerships will provide a total of 588 parking spaces underground, within the buildings, on the rooftops and at grade around the buildings. The existing Volvo and Audi dealerships provide a total of approximately 165 parking spaces.

Construction is proposed to be in two stages, as follows:

- In the first stage the Volvo dealership is relocating to the former Perkins Home Hardware property on the west side of Woodbine Avenue, north of Highway 7. The Audi dealership will remain in its existing building. The existing Volvo dealership will be demolished and a new Audi dealership will be constructed in its place.
- In the second stage, once the new Audi dealership is complete and Audi has moved into the building, the existing Audi dealership will be demolished and the new Volvo and Jaguar/Land Rover dealerships will be constructed. The Volvo dealership will then move back onto the property from the temporary location, and the Jaguar/Land Rover dealership will open.

The overall project is expected to take a minimum of two years to complete.

The manager of the Audi dealership has explained to staff that they require an off-site parking area in close proximity to the dealership to support the operations of the dealership during reconstruction because there will be limited space on-site to accommodate the sales, service and employee parking requirements of the dealership. The Audi dealership is proposing to lease the subject lands from the applicant for this purpose while the dealership is being reconstructed.

**Applicant has responded to concerns expressed by City Councilors at the Public Meeting**

A statutory public meeting was held on November 13, 2018 to consider the requested zoning by-law amendment. No written submissions were received and no members of the general public spoke at the public meeting. Members of Development Services Committee discussed the following concerns:

Report to: Development Services Committee

Report Date: March 18, 2019

Page 4

- 
- That the automobile storage lot would not be temporary.
  - That staff investigate a lease agreement involving the City to ensure that the use will cease.
  - That there would be a loss of trees.
  - That the cars could be stored at another location, with specific reference to the existing car storage facilities on the east side of Rodick Road, south of Highway 7.

The owner of the property (The Wyview Group) has submitted a letter (attached as Appendix 'A') responding to the concerns discussed at the public meeting. The letter advises as follows:

- The applicant is requesting a three year term to accommodate the anticipated construction period of the reconstruction of the Audi dealership (any extension beyond 3 years would be subject to further review and Council approval of a new temporary use By-Law).
- The parking will be used for both employee parking and for the storage of new vehicles in close proximity to the dealership so they can have product in proximity for customers to view and test drive.
- The Audi dealership only rents space on Rodick Road.
- Wyview is a residential developer/builder.
- Wyview is more interested in developing this land for residential purposes as opposed to the storage of automobiles.
- Wyview has no interest in seeing this use extend beyond the temporary use period.
- The subject lands will be developed for residential purposes in the near future and any vegetation that is not being protected will ultimately be removed. As part of this application care will be taken to reduce the number of trees that need to be removed to accommodate the temporary parking of automobiles.

If Committee is satisfied that the letter submitted by the applicant's planning consultant addresses the concerns discussed at the public meeting, staff recommend that Committee approve the application and direct staff to finalize the implementing zoning by-law amendment for enactment by Council.

The proposed temporary automobile storage lot is subject to site plan approval. Staff will work with the applicant to maximize tree preservation and to ensure that the temporary automobile storage lot has an appropriate appearance when viewed from Highway 7.

#### **FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Not applicable.

#### **HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The application has been circulated to various City departments and external agencies for review. The requirements of City departments and external agencies will be secured in the site plan agreement.

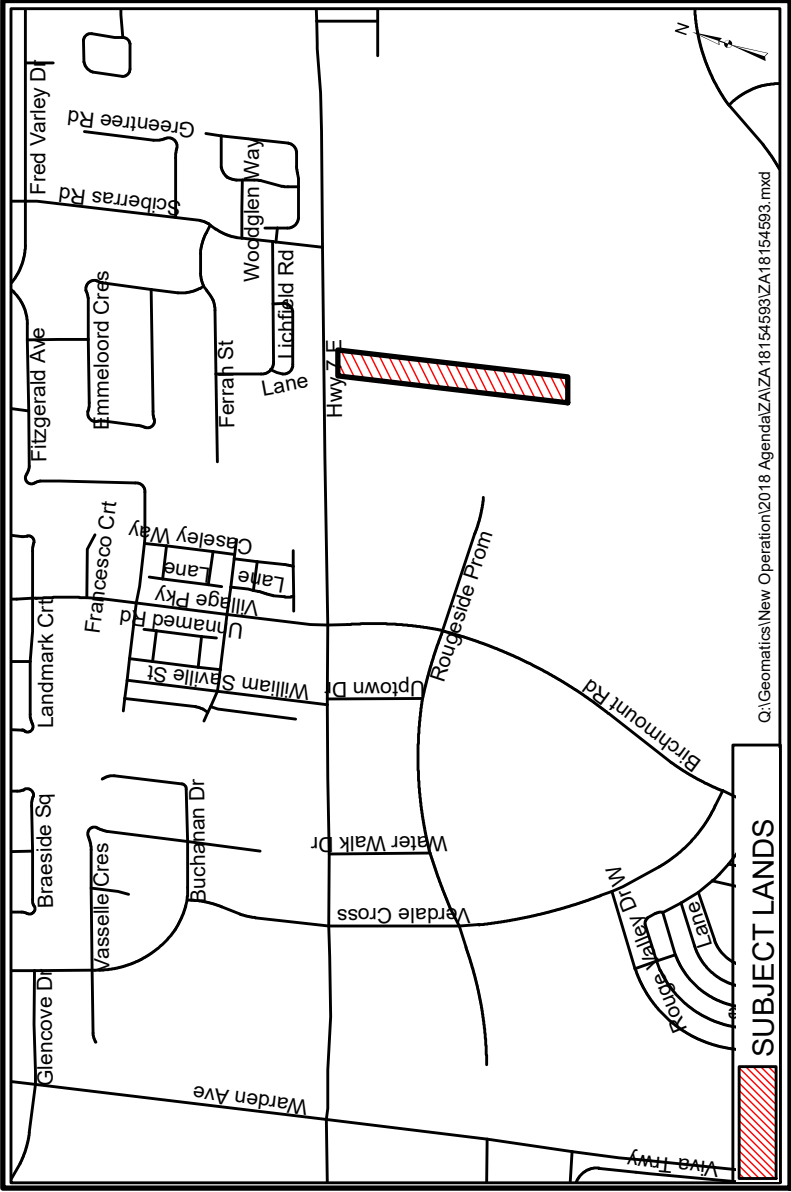
 Biju Karumanchery, M.C.I.P., R.P.P. Director, Planning and Urban Design	 Arvin Prasad, M.C.I.P., R.P.P. Commissioner, Development Services
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**ATTACHMENTS:**

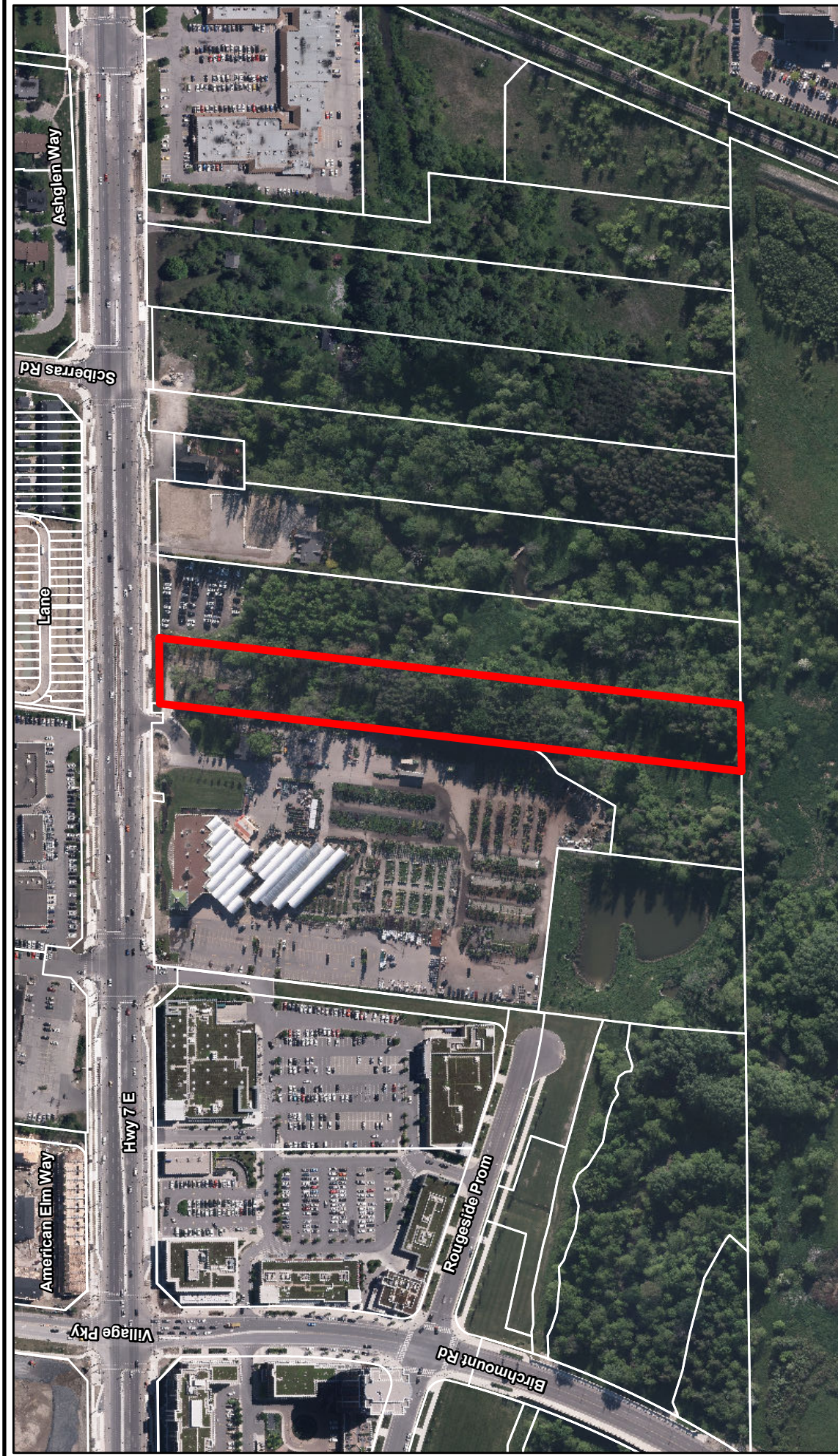
Figure 1: location Map  
Figure 2: Aerial Photo  
Figure 3: Area context/Zoning  
Figure 4: Site plan

Appendix 'A' – Letter dated January 22, 2019 from KLM Planning Partners Inc.

Applicant: Eric Zou  
Wyview Group Inc.  
4151 Highway 7  
Markham, Ontario  
L3R 1L5  
905-604-8077  
[eric@wyviewgroup.com](mailto:eric@wyviewgroup.com);





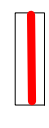


# AIR PHOTO

2412371 ONTARIO LIMITED (WYVIEW GROUP)  
4121 HIGHWAY 7

FILE No. ZA\_18154593 (SC)

Q:\Geomatics\New Operation\2018 Agenda\ZA\ZA18154593\ZA\_18154593.mxd

 SUBJECT LANDS

Drawn By: LW

Checked By: SH

Date: 25/07/2018











APPENDIX 'A'  
Page 16  
64 Jardin Drive, Unit 1B  
Concord, Ontario  
L4K 3P3  
T. 905.669.4055  
F. 905.669.0097  
klmplanning.com

P-2918

January 22, 2019

City of Markham  
Planning and Development Services  
101 Town Centre Boulevard  
Markham, ON  
L3R 9W3

**Attention: Mayor Scarpitti and Members of Council**

**Re: City of Markham File ZA 18 154593  
Applications for Temporary Use Zoning By-law Amendment  
Proposed Temporary Automobile Storage  
2412371 Ontario Limited  
Part of Lot 10, Concession 5  
4121 Highway 7  
City of Markham**

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Dear Mayor Scarpitti and Members of Council,

On behalf of our client, 2412371 Ontario Limited, owner of the above noted lands and further to our public meeting held on November 13, 2018, we are pleased to provide this letter to respond to some of the comments and questions that were raised at the public meeting.

As noted at the public meeting, the Temporary Use Zoning By-law Amendment Application was filed in order to permit the temporary parking of 39 vehicles in association with the Audi Dealership across the road, which is undergoing a significant renovation/construction project. The parking of the vehicles will be used for both employee parking and for the storage of new vehicles in close proximity to the dealership so they can have product in proximity for customers to view and test drive. The staff report provided a concise description of the magnitude of works that are being undertaken at the dealership.

The expansion/construction project has been approved by Council via a site plan application and in order to maintain business operations while under construction is important not only for the parking of employee vehicles but also to have new vehicles in close proximity for customers. As well, the dealership is expanding to include the Jaguar and Land Rover brands which will in turn bring with it an estimated 50 additional jobs. The fact that an existing good corporate citizen of the City of Markham is expanding and will provide additional employment opportunities, should be viewed as a positive attribute to the City of Markham.

In order to address some of the comments/concerns that were expressed at the meeting, we offer the following:

**1. Concern this application will not be temporary**

As noted, our application for a temporary use Zoning By-law Amendment application would be for the full three (3) years which is the maximum time allotted under the Planning Act for such an application. We would like to keep the maximum three (3) years given the substantial construction project for the Audi dealership and potential delays that inevitably happen.

Should there be any need to extend the use, we will be required to file a new application, have a new public meeting and it will be Council's decision on whether to approve or deny the application. Council has the authority to determine how long this use will continue.

Most importantly though, my client is a residential developer/builder whom has absolutely no interest in seeing this use extend beyond the temporary use time period. This land is much too valuable for residential purposes than the proposed short-term parking of automobiles. My client is merely doing this to be a good neighbor in order to assist an existing business.

**2. Why not use the Rodick Road Location?**

As noted at the public meeting, my client does not own land on Rodick Road. It is also our understanding that Audi (amongst other dealerships) only rents space from Zoom Zoom Storage whom are the owners of the land.

My client is trying to assist an existing, successful business in the City of Markham while they undertake a significant renovation/construction project which will add more jobs to the City of Markham. The Temporary Use application is merely to allow for the parking of 39 vehicles which will consist of a combination of staff and new vehicle parking.

### 3. Concern with removal of existing vegetation

The subject lands will be developed for residential purposes in the near future and therefore any vegetation that is not being protected will ultimately be removed. However, as part of this application, care will be taken to reduce the number of trees that need to be removed in order to accommodate the temporary parking of automobiles.

In closing, my client is more interested in developing this land for residential purposes as opposed to the storage of automobiles and it is their intent this use will not continue past the three-year window permitted by the Planning Act. We hope the above appropriately addresses the concerns raised at our public meeting to allow this temporary use to proceed in order to assist a good corporate citizen for the City of Markham.

Yours truly,

**KLM PLANNING PARTNERS INC.**

A handwritten signature in black ink, appearing to read 'K MacKinnon', written over a horizontal line.

Keith MacKinnon, BA, MCIP, RPP  
Partner

cc. Eric Zou, 2412371 Ontario Limited  
cc. Scott Heaslip – City of Markham