

Electronic Development Services Committee Meeting Revised Agenda

Meeting No. 1 January 25, 2021, 9:30 AM Live streamed

Note: Members of Development Services Committee will be participating in the meeting remotely.

Due to COVID-19, our facilities are closed to the public. Access is not permitted to the Markham Civic Centre and Council Chamber.

Members of the public may submit written deputations by email to clerkspublic@markham.ca

Members of the public who wish to make virtual deputations must register by completing an online *Request to Speak Form or* e-mail <u>clerkspublic@markham.ca</u> providing full name, contact information and item they wish to speak to. Alternatively, you may connect via telephone by contacting the Clerk's office at 905-479-7760 on the day of the meeting.

Development Services Committee meetings are video and audio streamed on the City's website at:

https://pub-markham.escribemeetings.com/



Electronic Development Services Committee Meeting Revised Agenda Revised Items are Italicized.

Meeting Number 1
January 25, 2021, 9:30 AM - 1:00 PM
Live streamed

Please bring this Development Services Committee Agenda to the Council meeting on February 9, 2021

Pages

- 1. CALL TO ORDER
- 2. DISCLOSURE OF PECUNIARY INTEREST
- 3. APPROVAL OF PREVIOUS MINUTES
 - 3.1. SPECIAL DEVELOPMENT SERVICES COMMITTEE MINUTES DECEMBER 15, 2020 (10.0)

1. That the minutes of the Special Development Services Committee meeting held December 15, 2020, be confirmed.

4. PRESENTATIONS

4.1. PRESENTATION OF SERVICE AWARDS (12.2.6)

Michael Larbi, Engineering Technologist, Engineering Department, 20 years Shawn Erion, Working Supervisor, Forestry, Operations, 20 years Winson To, Mechanical Plans Examiner, Building Standards, 15 years Sabrina Bordone, Senior Planner, Planning & Urban Design, 10 years Bessie Mok, Manager HR - Compensation & Benefits, Human Resources, 10 years

Hersh Tencer, Senior Manager, Real Property, Legal Services, 5 years Derek Kelly, Gardener, Operations, 5 years Amanda Samara, Admin Asst Building Standards Dept., Building Standards, 5 years

5. DEPUTATIONS

6. COMMUNICATIONS	
	Э.
	•

7. PETITIONS

0	CONICENTE DEDODEC	DEVELOR OF TENER	AND DOLLOW IGGING
δ.	CONSENT REPORTS -	DEVELOPMENT	AND PULICY ISSUES

8.1. HERITAGE MARKHAM COMMITTEE MINUTES – DECEMBER 9, 2020 (16.11)

16

1. That the minutes of the Heritage Markham Committee meeting held December 9, 2020, be received for information purposes.

8.2. INFORMATION REPORT FOURTH QUARTER UPDATE OF THE STREET AND PARK NAME RESERVE LIST (10.14 & 6.3)

29

- R. Tadmore, ext. 6810
 - 1. That the report titled 'Information Report Fourth Quarter Update of the Street and Park Name Reserve List', be received; and,
 - 2. That Council approve the revised Street and Park Name Reserve List set out in Appendix 'A' attached to this report; and further,
 - 3. And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.3. SOUTH PARK ROAD & SADDLE CREEK DRIVE PROPOSED ALL-WAY STOP (WARD 8) (5.12)

- D. Porretta, ext. 2040
 - 1. That the report entitled "South Park Road & Saddle Creek Drive Proposed All-way Stop (Ward 8)" be received; and
 - 2. That Schedule 12 of Traffic By-law 106-71, pertaining to compulsory stops, be amended to include all approaches to the intersection of South Park Road and Saddle Creek Drive; and
 - 3. That the Operations Department be directed to install the appropriate signs and pavement markings at the subject location; and
 - 4. That the cost of materials and installation for the traffic signs and pavement markings in the amount of \$1,000, be funded from capital project account #083-5350-21178-005 (Traffic Operational Improvements); and
 - 5. That York Region Police be requested to enforce the all-way stop control upon installation of these stop signs and passing of the By-law; and further
 - 6. That staff be authorized and directed to do all things necessary to give effect to this resolution.

52

9.1. REQUEST FOR DEMOLITION 12 IMPERIAL COLLEGE LANE (FORMERLY 9900 MARKHAM ROAD), WILLIAM CLARRY HOUSE, SUNNY COMMUNITIES, WARD 6 (16.11 & 10.13)

R. Hutcheson, ext. 2080

- 1. That the staff report titled "Request for Demolition, 12 Imperial College Lane (formerly 9900 Markham Road), William Clarry House, Sunny Communities, Ward 6", dated January 25, 2021, be received; and,
- 2. That Council support the demolition of the William Clarry House subject to the owner providing the following:
 - a. Compensation in the form of a \$200,000 contribution to the City's Heritage Preservation Account (087 2800 115) so that the financial contribution can be used on other municipal heritage projects in the community;
 - b. Provision and installation of an historical interpretative plaque to celebrate the William Clarry House, to be placed in a publicly visible location on the original property, and designed according to the specifications of the "Markham Remembered" program; and
 - c. The lot intended for the heritage dwelling within the subdivision be designed and constructed as a parkette, at the owner's expense to the City's specifications, with a public easement over the site to the satisfaction of the City; and further,
- 3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9.2. RECOMMENDATION REPORT, MARKHAM ROAD LIMITED PARTNERSHIP, SITE PLAN APPLICATION TO PERMIT MIXED USE HIGH DENSITY DEVELOPMENT AT 0 ANDERSON AVENUE (SOUTHEAST CORNER OF MARKHAM ROAD AND CASTLEMORE AVENUE), WARD 5, FILE NO: 20 110692 (10.6)

S. Muradali, ext. 2008

- 1. That the report dated January 25th, 2021 titled "Recommendation Report, Markham Road Limited Partnership, Site plan application to permit mixed use high density development at 0 Anderson Avenue (south-east corner of Markham Road and Castlemore Avenue, Ward 5, File No. 20 110692," be received; and,
- 2. That the site plan application (File No. 20 110692) submitted by Markham Road Limited Partnership, be endorsed in principle, subject to the conditions attached as Appendix 'A'; and,
- 3. That Site Plan Approval (20 110692)) be delegated to the Director of

- Planning and Urban Design or his designate; not to be issued prior to the execution of a site plan agreement; and,
- 4. That site plan endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that a site plan agreement is not executed within that period; and,
- 5. That Council assign servicing allocation for a maximum of 524 apartment units and 12 townhouses; and further,
- 6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- 9.3. CITY OF MARKHAM COMMENTS ON PLANNING ACT PROVISIONS REGARDING ENHANCED MINISTERIAL AUTHORITY TO ADDRESS AND IMPLEMENT SITE PLAN MATTERS AND INCLUSIONARY ZONING AS PART OF A ZONING ORDER (ENVIRONMENTAL REGISTRY OF ONTARIO POSTING #019-2811) (10.5)
 - L. Da Silva, ext 3115 & D. Lyons, ext. 2459
 - 1. That the report entitled, "City of Markham Comments on Planning Act Provisions Regarding Enhanced Ministerial Authority to Address and Implement Site Plan Matters and Inclusionary Zoning as Part of a Zoning Order (Environmental Registry of Ontario Posting #019-2811)", dated January 25, 2021, be received; and,
 - 2. That this report be forwarded to the Ministry of Municipal Affairs and Housing as the City of Markham's comments on the Province's request for input on Planning Act provisions regarding enhanced ministerial authority to address and implement site plan matters and inclusionary zoning as part of a Zoning Order; and,
 - 3. That the City of Markham not support the enhanced authority to address site plan matters in a Minister's Zoning Order and recommends that it be repealed; and,
 - 4. That should the Minister maintain the enhanced authority to address site plan matters through a Minister's Zoning Order, the City of Markham recommends that it only apply to situations where the site plan is supported by the Council of that municipality; and,
 - 5. That the City of Markham supports the minister's enhanced authority to require inclusionary zoning for affordable housing and recommends that the Minister only exercise this authority following consultation with the affected municipality to address local planning and implementation matters and where the Council of the municipality supports the issuance of the MZO; and further,
 - 6. That staff be authorized and directed to do all things necessary to give

9.4. RECOMMENDATION REPORT, NEST (VS) GP INC., APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION TO PERMIT 12 TOWNHOUSES AT 10165 VICTORIA SQUARE BLVD (WARD 2) (10.5, 10.7)

88

M. Rokos, ext. 2980

- 1. That the report titled "RECOMMENDATION REPORT, Nest (VS) GP Inc., Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)" be received; and,
- 2. That the record of the public meeting held on June 18, 2019, regarding the applications by Nest (VS) GP Inc. regarding the Draft Plan of Subdivision and Zoning By-law Amendment Applications to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)" be received; and,
- 3. That the application submitted by Nest (VS) GP Inc. to amend Zoning By-law 304-87, as amended, be approved and the draft by-law attached as Appendix 'B' be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
- 4. That Draft Plan of Subdivision application (SU 19 179147) submitted by Nest (VS) GP Inc. be approved subject to the conditions outlined as Appendix 'A' and the pre-conditions outlined in Appendix 'C'; and,
- 5. That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out as Appendix 'A', as may be amended by the Director of Planning and Urban Design or designate; and,
- 6. That draft plan approval for Plan of Subdivision 19TM-19002 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period; and,
- 7. That Council assign servicing allocation for a maximum of 12 townhouse units; and,
- 8. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and further,
- 9. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- 9.5. RECOMMENDATION REPORT, LEPORIS CONSTRUCTION INC., APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION, SUBMITTED BY LEPORIS CONSTRUCTION

INC. AT 2705 AND 2755 ELGIN MILLS ROAD EAST TO FACILITATE THE DEVELOPMENT OF THE SUBJECT LANDS

FOR EMPLOYMENT USES (WARD 2) (10.5, 10.7)

M. Rokos, ext. 2980

- 1. That the report titled "RECOMMENDATION REPORT, Leporis Construction Inc., Applications for Zoning By-law Amendment and Draft Plan of Subdivision, submitted by Leporis Construction Inc. at 2705 and 2755 Elgin Mills Road East to facilitate the development of the subject lands for employment uses (Ward 2)" be received; and,
- 2. That Zoning By-law Amendment application (ZA 16 137567) submitted by Leporis Construction Inc. be approved and the implementing by-law attached as Appendix 'B' be finalized and enacted without further notice; and,
- 3. That Draft Plan of Subdivision application (SU 16 137567) submitted by Leporis Construction Inc. be approved subject to the conditions outlined as Appendix 'A'; and,
- 4. That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out as Appendix 'A', as may be amended by the Director of Planning and Urban Design or designate; and,
- 5. That draft plan approval for Plan of Subdivision 19TM-18009 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period; and,
- 6. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and further,
- 7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

10. REGULAR REPORTS - TRANSPORTATION AND INFRASTRUCTURE ISSUES

10.1. VICTORIA SQUARE BOULEVARD - DETAILED DESIGN UPDATE AND PURCHASE ORDER INCREASE REQUEST (WARD 2) (5.10)

A. Cachola, ext. 2711

- 1. That the report entitled "Victoria Square Boulevard Detailed Design Update and Purchase Order Increase Request (Ward 2)" be received; and,
- 2. That Purchase Order PD 19403 issued to Ainley & Associates for the

- detailed design of Victoria Square Boulevard reconstruction be increased by \$371,943.33, inclusive of HST, to cover the additional design work required for the project; and,
- 3. That Purchase Order PD 19404 for the contingency of the detailed design of Victoria Square Boulevard reconstruction be increased by \$37,193.43, inclusive of HST, to cover any additional design work required for the project and that authorization be granted to approve expenditures of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
- 4. That the Engineering Department Capital Administration Fee in the amount of \$52,148.13, inclusive of HST, be transferred to revenue account 640-998-8871 (Capital Admin Fees); and,
- 5. That the 2018 Engineering Capital Account 18059 (Victoria Square Boulevard Design) be increased to cover the additional project estimates in the amount of \$461,275.89, inclusive of HST, and funded from City Wide Hard Development Charges Reserve, and further,
- 6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

10.2. PROPOSED AMENDMENTS TO BY-LAW 2011-232 - A BY-LAW TO REGULATE OR PROHIBIT REMOVAL OF TOPSOIL, PLACING OR DUMPING OF FILL, AND ALTERATION OF THE GRADE OF LAND WITHIN THE CITY OF MARKHAM

AND RELATED AMENDMENTS TO BY-LAW 2016-84 - A BY-LAW TO IMPLEMENT AN ADMINISTRATIVE MONETARY PENALTY SYSTEM FOR NON-PARKING OFFENCES' (5.0)

M. Ali, ext. 2523

- 1. That the report entitled "Proposed Amendments to By-law 2011-232 A By-law to Regulate or Prohibit Removal of Topsoil, Placing or Dumping of Fill, and Alteration of The Grade of Land within the City of Markham and related amendments to By-law 2016-84 A By-law to Implement an Administrative Monetary Penalty System for Non-Parking Offences", be received; and
- 2. That the amendments to By-law 2011-232 A By-law to Regulate or Prohibit Removal of Topsoil, Placing or Dumping of Fill, and Alteration of the Grade of Land with the City of Markham ("Site Alteration By-law") described in this report and set out in Attachments A to C be approved and enacted; and
- 3. That the amendments to By-law 2016-84 *A By-law to Implement an Administrative Monetary Penalty System for Non-Parking Offences* ("AMPS Non-Parking By-law") described in this report and set out in Attachment D, be approved and enacted; and further
- 4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

- 11. MOTIONS
- 12. NOTICES OF MOTION

13. 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".

14. ANNOUNCEMENTS

15. CONFIDENTIAL ITEMS

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

15.1. DEVELOPMENT AND POLICY ISSUES

- 15.1.1. DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL MINUTES DECEMBER 8, 2020 (10.0) [Section 239 (2) (h)]
- 15.1.2. LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; LPAT APPEAL 201 HELEN AVENUE (8.0) [SECTION 239 (2) (e)]
- 15.1.3. LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; LPAT APPEAL YONGE AND STEELES DEVELOPMENTS INC. (8.0) [SECTION 239 (2) (e)]

16. 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.

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 21 December 15, 2020, 9:30 AM - 1:00 PM Live streamed

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 Andy Taylor, Chief Administrative Lilli Duoba, Manager, Natural Heritage

Officer Darryl Lyons, Manager, Policy

Arvin Prasad, Commissioner, Stacia Muradali, Acting Manager,

Development - East

Claudia Storto, City Solicitor and Scott Chapman, Corporate Privacy &

Director of Human Resources Records Coordinator

Biju Karumanchery, Director, Planning Luis Juarez, Planner II, Central District

& Urban Design Grace Lombardi, Acting Election &

Brian Lee, Director, Engineering Committee Coordinator

Brian Lee, Breetor, Engineering Committee Coordinator

Bryan Frois, Chief of Staff
Nhat-Anh Nguyen, Senior Manager,
Ron Blake, Senior Development
Development & Environmental

Manager, Planning & Urban Design Engineering

Ronji Borooah, City Architect Soran Sito, Manager, Environmental

Loy Cheah, Senior Manager, Engineering

Transportation Patrick Wong, Senior Planner, Natural

Heritage

Alternate formats for this document are available upon request

1. CALL TO ORDER

In consideration of the ongoing public health orders, this meeting was conducted electronically to maintain physical distancing of participants. With the passage of Bill 197 COVID-19 Economic Recovery Act, municipal Council Members are now permitted to meet remotely and count towards quorum.

The Special Development Services Committee meeting convened at the hour of 9:34 AM with Regional Councillor Jim Jones presiding as Chair.

The Development Services Committee recessed at 11:59 AM and reconvened at 12:33 PM.

Councillor Amanda Collucci arrived at 9:48 AM.

Mayor Frank Scarpitti arrived at 10:40 AM.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES – DECEMBER 8, 2020 (10.0)

Moved by Councillor Alan Ho Seconded by Deputy Mayor Don Hamilton

1. That the minutes of the Development Services Committee meeting held December 8, 2020, be confirmed.

Carried

4. **DEPUTATIONS**

Deputations were made for the following item:

6.1 - Markham Road - Mount Joy Secondary Plan Study Update and Draft Demonstration Plans.

Refer to the individual item for the deputation details.

5. COMMUNICATIONS

Communications were submitted for the following item:

6.1 - Markham Road - Mount Joy Secondary Plan Study Update and Draft Demonstration Plans.

6. PRESENTATIONS - DEVELOPMENT AND POLICY ISSUES

6.1 MARKHAM ROAD - MOUNT JOY SECONDARY PLAN STUDY UPDATE AND DRAFT DEMONSTRATION PLANS (10.4)

Arvin Prasad, Commissioner, Development Services, introduced and provided brief opening remarks relative to the update on the Markham Road - Mount Joy Secondary Plan Study and Draft Demonstration Plans.

Darryl Lyons, Manager, Policy, addressed the Committee and provided a high level overview of the Markham Road - Mount Joy Secondary Plan Study Update. Mr. Lyons indicated that staff will report back to the Development Services Committee in February 2021 with a staff report, including the interim report prepared by the City's consulting team. A 3D model of the Markham Road - Mount Joy Draft Demonstration Plan is also anticipated to be presented at this meeting.

Shonda Wang, and Blair Scorgie, SvN Architects + Planners, consultants for the City of Markham, delivered a presentation that provided an update to the Markham Road - Mount Joy Secondary Plan Study Update and Draft Demonstration Plans which included the study purpose, feedback from the Virtual Design Charrette and Community Information Sessions, existing conditions assessment summary, visions and guiding principles, emerging demonstration plan, implementation and next steps. Ms. Wang provided clarification on the demonstration of the Markham Road – Mount Joy Secondary Plan principles, land use, built form and mobility direction which included the following framework elements: natural heritage, public realm and open space, street hierarchy and development blocks, transit-oriented development nodes, character areas, gateways and nodes, and phasing. Recommended policy directions to the City to implement the draft Demonstration Plan was provided which included regulations, application requirements, future studies and coordination, and other considerations. Ms. Wang informed that the next steps for the Markham Road -Mount Joy Secondary Plan Study include stakeholder and community consultation, as well as undertaking transportation and municipal servicing analysis and recommendations, preparing the final demonstration plan and the final study report.

Claudio Brutto, Brutto Consulting, consultant for a landowner within the Markham Road - Mount Joy Secondary Plan area, addressed the Committee and requested the consultants provide further information on the proposed floor space indexes and consider potentially increasing it to assist with the urban density targets in the central district. Mr. Brutto also requested clarification on the minor

collector road on Markham Road between Bur Oak Avenue and Castlemore Avenue within the Markham Road - Mount Joy Secondary Plan area.

Shannon Sigouin, WND, consultant for a landowner within the Markham Road - Mount Joy Secondary Plan area, addressed the Committee and expressed concerns with proposed road the alignment along the rail corridor south of the Mount Joy GO station. Ms. Sigouin advised that the proposed road alignment along the property of 9351 Markham Road will reduce the developable area of the site. Ms. Sigouin feels that the north south connection can be completed with a walk way and bike way connection instead of a full street public way.

Parisa Amiri, ARPA Architects, consultant for a landowner within the Markham - Road - Mount Joy Secondary Plan area, addressed the Committee and requested more information on the logistics of the elementary school and public park proposed at 9833 Markham Road. Ms Amiri advised that her client feels that the proposed demonstration plan will affect current uses on their property and existing area businesses.

The Committee discussed the following relative to the presentation:

- Ensuring the accurate delineation of Greenbelt lands and its potential relationship to the Rouge National Urban Park;
- Considering potential future development opportunities north of Major Mackenzie Drive and west of Markham Road to assist with pursuing a GO station at Major Mackenzie Drive;
- Potentially discussing with Parks Canada on the Rouge National Urban Park to expand across Markham Road;
- Reviewing and considering increasing the floor space index (FSI) within the GO station nodes;
- Opportunities for a mid-block crossing at the centre of the north precinct;
- Considering the proposed amount cycling space required to accommodate cycling infrastructure;
- Incorporating and ensuring current applications are considered when providing the Markham Road - Mount Joy Secondary Plan update;
- Comparing road width in the Markham Road Mount Joy Secondary Plan with other municipalities similar to Main Street Markham / Markham Road such as Niagara on the Lake;

- Considering additional roads at Markham Road and Major Mackenzie Drive in addition to the Donald Cousens Parkway and considering additional lanes on Markham Road to assist with traffic congestion on Markham Road; and,
- Importance of community participation and engagement with the Markham Road Mount Joy Secondary Plan Study.

Moved by Councillor Andrew Keyes Seconded by Regional Councillor Jack Heath

- 1. That the deputations of Claudio Brutto, Shannon Sigouin, and Parisa Amiri, be received; and,
- 2. That the communications submitted by KLM Planning Partners Inc, be received; and,
- 3. That the presentation titled "Markham Road Mount Joy Secondary Plan Study Update and Draft Demonstration Plan" dated December 15, 2020 be received.

Carried

7. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES

7.1 PRELIMINARY REPORT, 2310601 ONTARIO INC., APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS TO PERMIT A 1,136 UNIT INDEPENDENT LIVING RETIREMENT HOME COMPLEX AT 3912 AND 3928 HIGHWAY 7 EAST (WARD 3), FILE NO. PLAN 20 123727 (10.3, 10.5)

Ron Blake, Senior Development Manager, Planning & Urban Design, introduced and provided a high level overview of the preliminary report. Mr. Blake advised that a Statutory Public meeting will be held at a future date, when appropriate.

Lincoln Lo, MGP, consultant for the applicant, addressed the Committee and provided clarification on the reason for the proposed height increase and the use of the units. Mr. Lo advised the Committee that a large portion of the units would be life leases and the additional height would be to accommodate the additional rental units.

The Committee discussed the following relative to the preliminary report:

• Comparing the height of the revised proposal relative to the previous approval;

- Need to review the streetscape for the development on the north side of Highway 7;
- Providing appropriate affordable housing and rentals within the City of Markham;
- The number of units per floor, number of elevators, and the podium connections within the proposed development;
- Height in relation to low rise development in the immediate vicinity;
- The importance of ensuring traffic issues are considered;
- Clarification on the ownership of the life leases and rental units and considering opportunities for additional rental units in the proposed application; and,
- Considering opportunities to be serviced by Markham District Energy.

The Committee inquired about the primary concerns raised by the surrounding landowners at the community information meeting relative to the proposed height and for staff to circulate feedback received to members of the Development Services Committee.

Moved by Mayor Frank Scarpitti Seconded by Councillor Reid McAlpine

1. That the report titled "PRELIMINARY REPORT, 2310601 Ontario Inc., Applications for Official Plan and Zoning By-law Amendments to permit a 1,136 unit independent living retirement home complex at 3912 and 3928 Highway 7 East (Ward 3), File No. PLAN 20 123727", be received.

Carried

8. ADJOURNMENT

Moved by Councillor Isa Lee Seconded by Councillor Alan Ho

That the Special Development Services Committee meeting be adjourned at 1:08 PM.

Carried



Heritage Markham Committee Minutes

Meeting Number: 11 December 9, 2020, 7:15 PM Canada Room

Members Councillor Keith Irish Evelin Ellison

Councillor Karen Rea Ken Davis
Councillor Reid McAlpine Doug Denby
Graham Dewar Shan Goel
Paul Tiefenbach Anthony Farr

Regrets David Nesbitt

Staff Laura Gold, Council/Committee Coordinator Peter Wokral, Senior Heritage Planner

Grace Lombardi, Election & Committee

Coordinator

Regan Hutcheson, Manager, Heritage

Planning

1. CALL TO ORDER

Graham Dewar, Chair, convened the meeting at 7:16 PM by asking for any disclosures of interest with respect to items on the agenda.

2. DISCLOSURE OF PECUNIARY INTEREST

There was no disclosure of pecuniary interest.

3. PART ONE - ADMINISTRATION

3.1 APPROVAL OF AGENDA (16.11)

A. Addendum Agenda

A Member requested that the Heritage Markham Agenda be circulated one week prior to the meeting. Regan Hutcheson, Manager of Heritage Planning will discuss this request with the Clerk's Department, and report back at the next meeting.

Recommendation:

That the December 9, 2020 Heritage Markham Committee agenda and correspondence package be approved.

Carried

3.2 MINUTES OF THE NOVEMBER 11, 2020 HERITAGE MARKHAM COMMITTEE MEETING (16.11)

Recommendation:

That the minutes of the Heritage Markham Committee meeting held November 11, 2020, be received and adopted.

Carried

3.3 JASON McCAULEY

On behalf of the Committee, Graham Dewar, Chair acknowledged Jason McCauley's contributions to the work of Heritage Markham and previously to the Main Street Markham Committee, and extended his condolences to his family.

Recommendation:

That the Heritage Markham Committee extends its condolences to the family of Jason McCauley, and acknowledges his dedicated volunteer commitment in serving the Markham community and his expertise and knowledge in helping to protect and preserve Markham's cultural heritage resources.

Carried

3.4 WRITTEN SUBMISSIONS

Committee received the written submissions regarding items on the December 9, 2020 Heritage Markham Committee Agenda.

Recommendation

- 1. That the written submission from Rob Clarry regarding item No. 4.1 Demolition Permit Application, 12 Imperial College Lane (formerly 9900 Markham Road) William Clarry House, Sunny Developments be received; and,
- 2. That the written submissions from Peter Kwantes, Valerie and David Burke, Mark Noskiewicz (Goodmans LLP), Rob Armstrong (Ward One (South) Thornhill Residents Inc), Alena Gotz (Aileen-Willowbrook Residents Association), and Pam Birrell (SPOHT)

regarding item No. 6.1 – Official Plan and Zoning By-Law Amendment Applications, Proposed High Density Mixed Use Development 7750 Bayview Avenue Limited Partnership C/O Liberty Development Corporation, McCullagh Estate/Shouldice Hospital, 7750 Bayview Avenue, be received, and;

- 3. That the written submission from James Koutsovitis, Gatzios Planning & Development Consultants Inc., regarding item No. 6.2 Zoning By-Law Amendment and Plan of Subdivision Applications, be received;
- 4. That the written submissions from Valerie and Dave Burke, Diane Berwick, Rob Armstrong, Joan Honsberger, and Pam Birrell (SPOHT) regarding item No. 6.4 Heritage Permit Application, Proposed New Black Chain Link Fence and Gates, Thornhill Cemetery, 1 Church Lane, Thornhill Heritage Conservation District, be received.
- 5. That the written submissions from Rob Armstrong (Ward One (South) Thornhill Residents Inc), Valerie and Dave Burke, and Pam Birrell (SPOHT) regarding item 6.5 Committee of Adjustment Consent and Variance Applications, 159 John Street, Thornhill Conservation District, be received.

Carried

4. PART TWO - DEPUTATIONS

4.1 DEMOLITION PERMIT APPLICATION

12 IMPERIAL COLLEGE LANE (FORMERLY 9900 MARKHAM ROAD) WILLIAM CLARRY HOUSE

SUNNY DEVELOPMENTS (16.11)

FILE NUMBER: N/A

Extracts: R. Hutcheson, Manager, Heritage Planning

Regan Hutcheson, Manager of Heritage Planning presented the staff memorandum on the Demolition Permit Application for 12 Imperial College Lane (Formerly 9900 Markham Road), William Clarry House, Sunny Developments. The Applicant has proposed to make a financial contribution to the Heritage Preservation Fund rather than restoring the heritage home due to the poor condition of the house. In addition, the property owner is proposing to use the lot intended for the heritage dwelling as a parkette. Staff has also suggested the installation of a historical interpretive plaque to celebrate the William Clarry House in a publicly visible location.

Rob Clarry submitted a written submission indicating his family's disappointment that the William Clarry House is not being restored, and that a historical interpretive plaque does not recognize the significance of the Clarry family to Markham's history.

In response to inquiries from the Committee, Christopher O'Hanlon, Applicant advised that he purchased the house in December 2019 with the knowledge the house was not in good condition, but was not aware of the extent of the structural damage to the property. The house in its current condition is almost impossible to restore, and creates an unsafe construction environment. Instead of restoring the house, a contribution to the Heritage Preservation Fund is being proposed. The City can use these funds towards the restoration of another heritage property that is in better condition.

The Committee provided the following feedback on the demolition request for 12 Imperial College Lane (formerly 9900 Markham Road):

- Appears the property has been abandoned by previous owners for some period of time;
- Noted that Staff did not agree with everything in the 2016 Engineering Report, including that the house presented imminent danger;
- Noted the historical significance of the Clarry family to development of the business community in Markham;
- Suggested that the compensation for the heritage house should be higher, as it is less than the Letter of Credit and substantially less than the amount it would have taken to restore the building;
- Asked if a replica of the house could be built on the property;
- Suggested that the property owner consider restoring the heritage house on City property near the museum property instead of the William Clarry House;
- Suggested that the property owner negotiate the compensation for the William Clarry House with staff;
- Concerned that heritage properties are being demolished due to neglect.

Recommendation:

That due to lack of maintenance and vandalism over many years which has resulted in demolition by neglect, Heritage Markham Committee reluctantly recommends that Council support the demolition of the William Clarry House subject to the owner providing the following:

- Compensation to be provided to the City's Heritage Preservation Account (087 2800 115) so that the financial contribution can be used on other municipal heritage projects in the community with the amount to be determined through negotiations with staff;
- Provision and installation of an historical interpretative plaque to celebrate the William Clarry House, to be placed in a publicly visible location on the original property, and designed according to the specifications of the "Markham Remembered" program.
- The lot intended for the heritage dwelling within the subdivision be designed as a parkette, to the City's specifications, with a public easement over the site if acceptable to the City.

Carried

5. PART THREE – CONSENT

5.1 HERITAGE PERMIT APPLICATIONS

DELEGATED APPROVAL
HERITAGE PERMITS APPROVED BY HERITAGE SECTION STAFF
15 CHURCH STREET, THCD
12 GEORGE STREET, MVHCD
11 PRINCESS STREET, MVHCD (16.11)

FILE NUMBERS:

- HE 20 132035
- HE 20 132595
- HE 20 133940

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

Recommendation:

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

Carried

5.2 BUILDING OR SIGN PERMIT APPLICATIONS

DELEGATED APPROVAL
PERMITS APPROVED BY HERITAGE SECTION STAFF
195 MAIN STREET NORTH, MARKHAM VILLAGE
142 MAIN STREET, UNIONVILLE (16.11)

FILE NUMBERS:

- SP 20 128396
- SP 20 130711

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

Recommendation:

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

Carried

6. PART FOUR - REGULAR

6.1 OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATIONS

PROPOSED HIGH DENSITY MIXED USE DEVELOPMENT
7750 BAYVIEW AVENUE LIMITED PARTNERSHIP C/O LIBERTY
DEVELOPMENT CORPORATION
MCCULLAGH ESTATE /SHOULDICE HOSPITAL
7750 BAYVIEW AVENUE (16.11)

FILE NUMBER:

20 126269

Extracts:

R.Hutcheson, Manager, Heritage Planning Rick Cefaratti, Senior Planner

Regan Hutcheson, Manager of Heritage Planning advised that the Applicant has requested that the Official Plan and Zoning By-Law Amendment Applications for the proposed high density mixed use development on 7750 Bayview Avenue (Mccullagh Estate/Shouldice Hospital) be deferred until February 2021.

Committee agreed to defer the item to the February 2021 Heritage Markham Committee meeting.

Written submissions regarding this item were received from Peter Kwantes, Valerie and David Burke, Mark Noskiewicz (Goodmans LLP), Rob Armstrong (Ward One (South) Thornhill Residents Inc), Alena Gotz (Aileen-Willowbrook Residents Association), and Pam Birrell (SPOHT).

Regan Hutcheson advised that the following will be provided to the Applicant: 1) the written submissions received in regards to this application; 2) the meeting Extract from tonight's Heritage Markham Committee meeting; and 3) the Committee's comment regarding keeping the heritage buildings heated to protect them against further deterioration.

Laura Gold, Committee Clerk advised that the deputants could provide their deputation as the item is listed on the agenda, but recommended that they wait until the item is brought back to the Committee in February.

The deputants agreed to present their deputations at the February 2021 Heritage Markham Committee meeting, but provided the following feedback:

- 1. Barry Nelson, resident recommended that both the Applicant and Committee look at a 1992 report prepared by Dr. Poulton & Associates for the City of Richmond Hill on the archeological significance of the Yonge and Highway 7 area. The report provides an opportunity to look at the area's cultural heritage.
- 2. Aleena Gotz, Aileen Willowbrook Residents Association advised that she will speak to the the item at the February Heritage Markham Committee meeting when the item is discussed, but briefly spoke about how the development is not appropriate for the area.
- 3. Roman Komarov, supported Alena Gotz comments and will speak to the item at the February Heritage Markham Committee meeting.

Reccomendation

That the Official Plan and Zoning By-Law Amendment Applications for a proposed high density mixed use development located at 7750 Bayview Avenue (McCullagh Estate /Shouldice Hospital) by Limited Partnership C/O Liberty Development Corporation, File No. 20 126269 be deferred until February 2021.

Carried

6.2 ZONING BY-LAW AMENDMENT AND PLAN OF SUBDIVISION APPLICATIONS

HERITAGE HOUSE
ARTHUR WEGG HOUSE
10537 KENNEDY ROAD, (FORMERLY 10539 KENNEDY ROAD) (16.11)
FILE NUMBER:
PLAN 20 129597

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

A. Crompton, Senior Planner

Peter Wokral, Senior Heritage Planner advised that the Applicant and the Planning Consultant have requested that this item be deferred to permit for more discussion on how to address the heritage home on the property.

A written submission from James Koutsovitis, Gatzios Planning & Development Consultants was received regarding this Zoning By-Law Amendment and Plan of Subdivision Application.

Committee agreed to defer the item.

Recommendation:

That the Zoning By-Law Amendment and Plan of Subdivision Applications for the Arthur Wegg House located on 10537 Kennedy Road (formerly 10539 Kennedy Road) File No. Plan 20 129597 be deferred to January 2021.

Carried

6.3 SITE PLAN CONTROL AND COMMITTEE OF ADJUSTMENT VARIANCE APPLICATION

VARIANCES IN SUPPORT OF A PROPOSED NEW DETACHED GARAGE 24 CHURCH STREET

MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT (16.11)

FILE NUMBERS:

- SC 20 132565
- A/120/20

Extracts:

R.Hutcheson, Manager, Heritage Planning

- J. Leung, Secretary, Committee of Adjustment, Planning & Urban Design
- M. Leung, Planning Technician

Melissa Leung, Planning Technician presented the Staff Memorandum regarding the Site Plan Control and Committee of Adjustment Variance Application – variances are in support of a new detached garage at 24 Church Street in the Markham Village Heritage Conservation District.

Shane Gregory, Consultant, representing the property owner provided background information on the project, and advised that the detached garage is proposed to be located on the existing concrete parking pad with a small workshop extension.

Committee provided the following feedback relative to the Site Control and Committee of Adjustment Variance Application for 24 Church Street:

- Questioned if the net floor area includes the third floor of the house, as this may change the size of the garage permitted;
- Requested that the hard landscaping adjacent to the driveway be removed to permit for drainage;

In response to inquiries from the public, Shane Gregory advised that permission was obtained from the City to install the planters on the property. The area near the planters are being used as an outdoor space rather than as a driveway. The owner currently parks their cars on the concrete parking pad. The lot has no grading issues. The inclusion of the third floor of the property in the net floor area will be discussed with City Staff.

Mr. Gregory also indicated that he saw no reason why the proposed projecting workshop could not be shifted to the south to more it farther away from the trees on the northern property line as recommended by staff.

Recommendation:

That Heritage Markham has no objection from a heritage perspective to the requested variances to permit a maximum net floor area of 49.50% and a maximum height of 4.05 m for the proposed new detached garage at 24 Church Street;

That Heritage Markham has no objection to the design of the proposed garage subject to the standard heritage requirements being included in the Site Plan Agreement, provided that the workshop area be shifted to the south further away from the trees on the property line:

And that Heritage Markham recommends that **hard landscaping be removed** to maintain a 2.33 m setback for the paved driveway from the adjacent property line.

Carried

6.4 HERITAGE PERMIT APPLICATION

PROPOSED NEW BLACK CHAIN LINK FENCE AND GATES
THORNHILL CEMETERY
1 CHURCH LANE, THORNHILL HERITAGE CONSERVATION DISTRICT
(16.11)

FILE NUMBER:

HE 20 134735

Extracts:

R.Hutcheson, Manager, Heritage Planning

P. Wokral, Senior Heritage Planner

D. McDermid, Operations

Peter Wokral, Senior Heritage Planner advised that this Heritage Permit Application has been submitted by the City's Operation Department to replace the existing galvanized chain link fence that encloses the Thornhill Cemetery along John Street, Summer Lane, and Charles lane with a black chain link fence.

Written submissions from Valerie and Dave Burke, Diane Berwick, Rob Armstrong, Joan Honsberger, and Pam Birrell, SPOHT were received regarding this Heritage Permit Application.

Barry Nelson, deputant noted that the cost of replacing the chain link fence with a wrought iron fence is not justifiable at this time given the social costs society is currently facing. The City could look at replacing the fence with a wrought iron fence in the future.

Committee provided the following feedback on proposed replacement of the chain link fence at the Thornhill Cemetery:

- Consider deferring the replacement of the fence until the City has more funds to replace it with a wrought iron fence;
- Consider replacing only the John Street section of the fence with a wrought iron fence;
- Consider replacing the fence in sections so that it can be replaced overtime with a wrought iron fence;
- Support replacing the fence with a black chain link fence due the high cost of replacing it with a wrought iron fence.

In response to inquires from the Committee, Morgan Jones, Director of Operations advised that the City's Asset Management Plan only replaces assets with like for like, and that the City only has budget to replace the fence with another chain link fence. It would cost the City substantially more to replace the fence with a wrought iron fence (\$28K versus \$206K). The life cycle of a chain-link fence is 35 years, and the lifecycle of a wrought iron fence is 75-80 years. The fence cannot be replaced in sections. The project could be deferred, but the City's financial situation is not likely to change for several years. The cost of replacing the fence with a wrought iron fence is equivalent to approximately a 0.25% tax rate increase for every household in Markham.

Recommendation:

That Heritage Markham has no objection to the replacement of the existing galvanized metal chain link fencing and gates of the Thornhill Cemetery with new black, vinyl coated, 4 foot high chain link fencing and gates.

Carried

6.5 COMMITTEE OF ADJUSTMENT CONSENT AND VARIANCE APPLICATIONS

159 JOHN STREET

THORNHILL HERITAGE CONSERVATION DISTRICT (16.11)

FILE NUMBERS:

B/015/20

A/098/20

A/099/20

Extracts:

R.Hutcheson, Manager, Heritage Planning

- P. Wokral, Senior Heritage Planner
- J. Leung, Committee of Adjustment

Peter Workral, Senior Heritage Planner presented the staff memorandum on the Committee of Adjustment Consent and Variance Applications for 159 John Street, Thornhill Heritage Conservation District. The Consent Application is to sever the existing lot to create a new building fronting John Street. The proposed variances are to support a proposed retained lot, and new building.

Written submissions from Rob Armstrong (Ward One (South) Thornhill Residents Inc), Valerie and Dave Burke, and Pam Birrell (SPOHT) were received regarding the Committee of Adjustment Consent and Variance Applications, 159 John Street.

J. Kotsopoulos, Planning Consultant representing the Applicant advised that the proposed dwelling is of a similar size to other dwellings in the community, and that there will still be considerable separation from the neighbouring properties. The project will require three trees to be removed from the property. He recommended the applications be supported.

Joe Battaglia, Battaglia Architect Inc., Applicant spoke about the complementary design of the proposed house and requested support.

Barry Nelson, made a deputation in support of the staff recommendation.

Recommendation:

That Heritage Markham does not support the consent (B/015/20) and related variance applications (A/098/20) and (A/099/20) for 159 John Street from a heritage perspective for the following reasons:

• Both the proposed new lot and retained lot are deficient in terms of the minimum lot area required by the By-law;

- The proposed new dwelling would block historic views to and from the existing Class A building and John Street, and undermines the heritage significance and value of the existing dwelling;
- The relationship of the proposed new house does not respect the architectural orientation of the existing Class A heritage dwelling and creates an undesirable situation where the front of the existing house from an architectural perspective, looks into the rear yard of the proposed new dwelling;
- The proposed new dwelling and driveway for the retained house would necessitate the removal of existing mature vegetation that contributes to the historic character of the neighbourhood;
- The proposed new smaller lots would further reduce the varied lot sizes of the district which helps create the historic character of old Thornhill that distinguishes the Heritage District from more modern developments with unvarying uniform lot sizes.

Carried

7. PART FIVE - STUDIES/PROJECTS AFFECTING HERITAGE RESOURCES - UPDATES

7.1 INFORMATION

APPLICATION PROCESSING - CULTURAL HERITAGE RESOURCES

Extracts: R.Hutcheson, Manager, Heritage Planning

Regan Hutcheson, Manager of Heritage Planning presented the process staff undertake to review applications involving cultural heritage resources, and how they decide which items are approved using staff delegated authority permissions from Council and which ones are brought forward to the Heritage Markham Committee as a consent or regular agenda item.

Recommendation:

That Heritage Markham receive the presentation on application processing of cultural heritage resource properties as information.

Carried

8. PART SIX - NEW BUSINESS

Committee briefly discussed the need to increase the enforcement of heritage properties to ensure they do not deteriorate to the point where they need to be demolished. A dedicated by-law officer may be required to improve the enforcement of the Heritage Easement Agreements and/or heritage property standards. Similarly, actions need to be taken to encourage property owners to maintain their heritage properties. Members noted that the City should be more proactive rather

than reactive in protecting cultural heritage resources. The Committee agreed to work on a motion in this regard and bring it back to the next meeting.

Staff advised that by-law officers have the discretion to decide, which elements of the property standards by-law they believe are appropriate to enforce given site conditions and other considerations.

Committee thanked staff for their hard work in preparing the documentation that supports the Heritage Markham Committee meetings, and wished everyone a Happy Holidays.

9. ADJOURNMENT

The Heritage Markham Committee adjourned at 10:00 PM.



Report to: Development Services Committee Meeting Date: January 25, 2021

SUBJECT: Information Report

Fourth Quarter Update of the Street and Park Name Reserve

List

PREPARED BY: Robert Tadmore, Senior Planner, Ext. 6810

REVIEWED BY: Ron Blake, Senior Development Manager ext. 2600

RECOMMENDATION:

1. That the report titled 'Information Report Fourth Quarter Update of the Street and Park Name Reserve List', be received;

- 2. That Council approve the revised Street and Park Name Reserve List set out in Appendix 'A' attached to this report.
- 3. And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report provides a quarterly update of the Street and Park Name Reserve List for the fourth quarter of 2020.

BACKGROUND:

The Director of Planning and Urban Design has the delegated authority to assign street names from the City's street and park name reserve list to draft plans of subdivision, subject to staff providing the Development Services Committee with a quarterly updated street and park name reserve list indicating newly proposed street and park names, for approval.

OPTIONS/ DISCUSSION:

A revised street and park name reserve list is attached as Appendix 'A' to this report. It includes all previously approved names that are either still available for use, or have been reserved, but not used. Additional names proposed during the fourth quarter of 2020 are indicated in the "New Additions" column. Certain names have been deleted from the previous list to reflect names taken from the reserve list and applied to new streets or parks through recent plan registrations. The origin of names in the reserve list is indicated in the "Source" column. The general locations of names are identified in the "Ward" column when known.

Below, is a "quick reference" noting the names that were added to the Street and Park Name Reserve List during the fourth quarter of 2020. No new park names are being brought forward for approval this quarter.

Meeting Date: January 25, 2021

Name	Source	Reason for Addition		
Sunman Court	Alai Developments Inc.	Subdivision application		
Wegg	State Building Group	Subdivision application		
Stickley	State Building Group	Subdivision application		
York Downs Boulevard	Kylemore/Minto/Metropia	Subdivision application		
Howie Court	4031 16 th Avenue	Subdivision application		
	(Unionville) Inc.			
Apple Cider	State Building Group	Subdivision application		
Patika	State Building Group	Subdivision application		
Sanborn	State Building Group	Subdivision application		
Tremont	State Building Group	Subdivision application		
Oakton	State Building Group	Subdivision application		
Groveland	State Building Group	Subdivision application		

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Fire Department and the Region of York review all street names added to the reserve list. The Fire Department reviews all park names added to the reserve list.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P. Director of Planning & Urban Design Arvin Prasad, M.C.I.P., R.P.P. Commissioner of Development Services

ATTACHMENTS:

Appendix 'A' – Revised Street and Park Name Reserve List

strname	status	Source	Vet	reserve date	New Additions	Name Type	Ward
Azure Drive	Reserved for North Team	Requested by Developer	No	25-May-2020		Street	2
Baderow Road	available	Unknown Source	No	08-Jul-1997		Street	
Baird Boulevard	Reserved for North Team	Requested by Developer	No	17-Jun-2020		Street	6
Barnbougle	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Barra	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Batticaloa	available	Requested by Councillor	No	01-Sep-2011		Street	
Baum	reserved for West Team	Requested by Developer	No	02-Nov-2009		Street	6
Beaufort	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Beaverbrae Drive	Reserved for North Team	Requested by Developer	No	25-May-2020		Street	2
Beloved Boulevard	Reserved for North Team	Requested by Developer	No	16-Sep-2020		Street	6
Benjamin Fowlie	available	Veterans List	Yes	27-Aug-2004		Street	
Benjamin Sauder	available	Veterans List	Yes	27-Aug-2004		Street	
Benjamin Wilmot	reserved for East Team	Region of York Report	No	05-Dec-1998		Street	
Berczy Green Drive	Reserved for North Team	Requested by Developer	No	25-May-2020		Street	2
Berczy Manor Drive	Reserved for North Team	Requested by Developer	No	25-May-2020		Street	2
Billy Bishop	reserved for Buttonville Airport development	Requested by Councillor Hamilton	Yes	20-Jan-2012		Street	
Birdie	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Birdsfoot	reserved for South Team	Reserved by Developer	No	08-Jul-1997		Street	
Birmingham Drive	reserved for East Team	Reserved by Developer	No	20-May-2004		Street	5
Black Angus	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Blacknose Drive	reserved for East Team	Requested by Developer	No			Street	5
Blackoak Drive	reserved for East Team	Requested by Developer	No	08-Aug-2012		Street	5
Blackwood	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Blanche	reserved for East Team	Unknown Source	No	08-Jul-1997		Street	
Blue Hill Road	reserved for East Team	Requested by Developer	No	02-May-2011		Street	5
Blueberry Hill Drive	reserved for East Team	Requested by Developer	No	08-Aug-2012		Street	5
Boyington Street	reserved for Central Team	Region of York Report	No	05-Dec-1998		Street	
Brian	reserved for Central Team	Region of York Report	No	14-Sep-1999		Street	
Briggin Hill	reserved for East Team	Reserved by Developer	No	08-Jul-1997		Street	4
Bright Terrace	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Brock Meadow Drive	Reserved for North Team	Requested by Developer	No			Street	2
Brownell Avenue	reserved for East Team	Requested by Developer	No			Street	5
Brumwell Street	reserved for 19TM05002 ph3 Crown of Markham Inc.	Reserved by Developer	No			Street	6
Buckendahl	available	Region of York Report	No			Street	
Calcutta	available	Requested by Councillor	No			Street	
Canadian Open	reserved for West Team	Reserved by Developer	No			Street	6
Canmore	reserved for West Team	Reserved by Developer	No			Street	6
Canna	Reserved for West Team	Requested by Developer	No			Street	6
Carmine	reserved for East Team	Reserved by Developer	No			Street	7
Carnegie Mellon	reserved for East Team	Requested by Developer	No			Street	6
Carneros	reserved for East Team	Region of York Report	No			Street	
Carole Bell	available	Unknown Source	No			Street	

strname	status	Source	Vet	reserve date	New Additions Name Type	Ward
Carson	Reserved for North Team	Requested by Developer	No	11-Sep-2020	Street	6
Cart	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Caseley	reserved for Central Team	Region of York Report	No	05-Dec-1998	Street	
Castleford	reserved for East Team	Reserved by Developer	No	14-Sep-1999	Street	5
Castlemill Drive	reserved for East Team	Reserved by Developer	No	20-May-2004	Street	5
Caviglia	Reserved for East Team	Requested by Developer	No	17-Sep-2019	Street	7
Cecil Sinclair	reserved by North Team		Yes	13-Mar-1998	Street	
Celtic	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Chang Le	available	Requested by Councillor Chiu	No	12-May-2016	Street	
Channel Street	reserved for East Team	Requested by Developer	No	08-Aug-2012	Street	5
Chappellet	reserved for East Team	Region of York Report	No	05-Dec-1998	Street	
Charles Kellett	available	Veterans List	Yes	27-Aug-2004	Street	
Charleston	Reserved for East Team	Reserved by Developer	No	05-Dec-1998	Street	5
Charlottetown	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Chellew	reserved for East Team	Veterans List	Yes	27-Aug-2004	Street	7
Chennai	available	Requested by Councillor	No	25-Nov-2011	Street	
Chisholm	reserved for East Team	Reserved by Developer	No	08-Jul-1997	Street	4
Clare Westcott Drive	reserved for West Team	Reserved by Developer	No	01-Mar-2004	Street	6
Clarence Burkholder	available	Veterans List	Yes	27-Aug-2004	Street	
Claude Wright	available	Veterans List	Yes	27-Aug-2004	Street	
Clearview Avenue	Reserved for North Team	Requested by Developer	No	11-Sep-2020	Street	6
Clifford Andrews	reserved for East Team	Veterans List	Yes	27-Aug-2004	Street	
Clifford Coathup	available	Veterans List	Yes	13-Mar-1998	Street	
Clifford Gate	reserved for East Team	Requested by Developer	No	08-May-2014	Street	7
Clinesmith Boulevard	Reserved for North Team	Requested by Developer	No	25-May-2020	Street	2
Coleluke Lane	reserved for East Team	Requested by Developer	No	17-Dec-2009	Street	7
Collinson Drive	reserved for West Team	Reserved by Developer	No	08-Jul-1997	Street	6
Colonel Lapeyre	reserved for East Team	Requested by Developer	No	04-Jun-2003	Street	5
Comely Court	reserved for Central Team	Unknown Source	No	08-Jul-1997	Street	
Conan	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Concanmar Drive	reserved for East Team	Unknown Source	No	08-Jul-1997	Street	
Constable Styles Avenue	reserved for West Team	Requested by Staff	No	30-Nov-2015	Street	5
Convergence	reserved for Markham Centre	Reserved by Developer	No	17-Jan-2006	Street	3
Cora Avenue	reserved for West Team	Reserved by Developer	No	01-Mar-2004	Street	6
Corev Trail	reserved for East Team	Requested by Developer	No	08-May-2014	Street	7
Cornell Fields	reserved for East Team	Requested by Developer	No	04-Jun-2003	Street	5
Cornfield Road	reserved for East Team	Reserved by Developer	No	20-May-2004	Street	5
Corporate Drive	reserved for South Team	Reserved by Developer	No	, 10-Jun-2004	Street	7
Courtyard Drive	reserved for Markham Centre	Reserved by Developer	No	12-Aug-2005	Street	6
Cowgate	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Craig Kielburger	available	Requested by Councillor Shore	No	15-Mar-2012	Street	
Creativity	reserved for Markham Centre	Reserved by Developer	No		Street	3

strname	status	Source	Vet	reserve date	New Additions	Name Type	Ward
Creekside	reserved for East Team	Reserved by Developer	No	14-Sep-1999		Street	5
Creekvalley	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Crichton	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Cropfield Avenue	reserved for East Team	Reserved by Developer	No	11-Sep-2007		Street	5
Crows Nest Drive	reserved for East Team	Requested by Developer	No	02-May-2011		Street	5
Cuthbert	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Dawn Street	reserved for East Team	Requested by Developer	No	02-May-2011		Street	5
Dean Park Street	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Dearie Drive	reserved for Central Team	Unknown Source	No	13-Mar-1998		Street	
Debbi Wilkes	available	Requested by Councillor Hamilton	No	20-Jan-2012		Street	
Del Monte	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Denarius	reserved for East Team	Unknown Source	No	08-Jul-1997		Street	
Denholme Drive	reserved for West Team	Requested by Developer	No	26-Apr-2017		Street	2
Detective Constable Robert Plunkett	available	Requested by resident	No	07-Nov-2016		Park	7
Devereux Road	reserved for East Team	Reserved by Developer	No	20-May-2004		Street	5
Diamond Leaf Drive	reserved for East Team	Requested by Developer	No	08-Aug-2012		Street	5
Diamondwood	reserved for East Team	Requested by Developer	No	22-Aug-2016		Street	5
Digreen	reserved for East Team	Requested by Developer	No	15-Jun-2015		Street	5
Disraeli Street	reserved for East Team	Request by Heritage Staff	No	29-Apr-2003		Street	
Doctor Mary Hickman Drive	reserved for West Team	Reserved by Developer	No	01-Mar-2004		Street	6
Doctor Wesley Robinson	available	Region of York Report	No	05-Dec-1998		Street	
Dorfman Drive	Reserved for North Team	Requested by Developer	No	01-Oct-2020		Street	6
Doten	reserved for East Team	Veterans List	Yes	27-Aug-2004		Street	5
Downfield Place	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Drumin	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Duke Of Kent Way	reserved for West Team	Reserved by Developer	No	13-Mar-1998		Street	6
Dunlevy	reserved for South Team	Reserved by Developer	No	10-Jun-2004		Street	7
Dunsheath	reserved for East Team	Unknown Source	No	13-Mar-1998		Street	
Eaglesnest Road	reserved for East Team	Reserved by Developer	No	08-Jul-1997		Street	
East Valley Drive	reserved for Central Team	Reserved by Developer	No	29-Aug-2006		Street	3
Eastcote	reserved for West Team	Reserved by Developer	No	23-Mar-2004		Street	4
Eastern Skies Court	reserved for East Team	Unknown Source	No	08-Jul-1997		Street	
Eberly Woods Drive	Reserved for North Team	Requested by Developer	No	25-May-2020		Street	2
Eday	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Edmonton	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Edward Booth	reserved for East Team	Veterans List	Yes	27-Aug-2004		Street	
Edward Sanderson	reserved for East Team	Region of York Report	No	05-Dec-1998		Street	
Edzell	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Eelam	available	Requested by Councillor	No	01-Sep-2011		Street	
Eglinton Street	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Elgin Hisey	available		Yes	13-Mar-1998		Street	
Elm Green	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6

strname	status	Source	Vet	reserve date	New Additions	Name Type	Ward
Elmer Natrass	available	Veterans List	Yes	27-Aug-2004		Street	
Embankment	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Empress of Australia Avenue	reserved for West Team	Reserved by Developer	No	21-Nov-2005		Street	6
Erdman Beynon	available	Veterans List	Yes	27-Aug-2004		Street	
Erin Hills	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Erin Ridge Way	Reserved for North Team	Requested by Developer	No	25-May-2020		Street	2
Erintol	Reserved for East Team	Requested by Developer	No	18-Jun-2019		Street	7
Ernest Jones	available	Veterans List	Yes	27-Aug-2004		Street	
Ernest Street	reserved for East Team	Requested by Developer	No	02-May-2011		Street	5
Eugene Breuls	available	Veterans List	Yes	27-Aug-2004		Street	
Evelyn Hughes Street	reserved for 19TM-16004 4031 16th Avenue (Unionville) Inc.	Requested by Mayor	No	26-May-2016		Street	
Evens Yard	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Fairamilia Court	reserved for East Team	Reserved by Developer	No	20-May-2004		Street	5
Fairchild Lane	reserved for East Team	Reserved by Developer	No	08-Jul-1997		Street	5
Fairgreen Gate	reserved for East Team	Requested by Developer	No	08-May-2014		Street	7
Fairtree Gate	reserved for East Team	Requested by Developer	No	08-May-2014		Street	7
Faithful Way	reserved for South Team	Veterans List	Yes	27-Aug-2004		Street	8
Falconi	Reserved for North Team	Requested by Developer	No	21-Nov-2019		Street	6
Fallway	reserved for South Team	Reserved by Developer	No	10-Jun-2004		Street	7
Farrington Drive	reserved for East Team	Reserved by Developer	No	08-Jul-1997		Street	5
Farrow Drive	reserved for West Team	Reserved by Developer	No	01-Mar-2004		Street	6
Fearn Abbey	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Ferndown	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Fernhill	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Feskew	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Finley Way	Reserved for East Team	Requested by Developer	No	17-Sep-2019		Street	7
Finsbury Park	reserved for East Team	Requested by Developer	No	04-Jun-2003		Street	5
Flato Drive	available	Requested by Councillor Ho	No	06-Dec-2019		Street	2
Floyd Ford	reserved for East Team	Veterans List	Yes	27-Aug-2004		Street	
Forest Bay Way	reserved for East Team	Requested by Developer	No	08-May-2014		Street	7
Forest Meadow Lane	reserved for East Team	Reserved by Developer	No	08-Jul-1997		Street	
Fortess Drive	reserved for East Team	Requested by Developer	No	02-May-2011		Street	5
Foula	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Fountainbridge	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Frank Collins	reserved for East Team	Veterans List	Yes	27-Aug-2004		Street	
Fred LaBlanc	reserved for East Team	Veterans List	Yes	27-Aug-2004		Street	
Fred Poole	reserved for West Team	Veterans List	Yes	27-Aug-2004		Street	
Frederick Roman Avenue	Reserved for North Team	Requested by Developer	No	_		Street	2
Freeman Williams	reserved for West Team	Veterans List	Yes	-		Street	
Freshwater Road	reserved for East Team	Requested by Developer	No	_		Street	5
Frisinger	reserved for East Team	Region of York Report	No			Street	
Frontage Street	reserved for Central Team	Requested by Central Team	No	05-Sep-2013		Street	3

strname	stat	tus Source	Vet	reserve date	New Additions	Name Type	Ward
Gable Hurst Way	reserved for East Team	Unknown Source	No	08-Jul-1997	S	Street	
Ganzhou	available	Requested by Councillor Li	No	18-Nov-2013	S	Street	
Gardener's Crescent	Reserved for West Team	Requested by Developer	No	07-Jul-2019	S	Street	6
Gardon Avenue	reserved for West Team	Reserved by Developer	No	01-Mar-2004	S	Street	6
Garnet Vanzant	available	Veterans List	Yes	13-Mar-1998	S	Street	
Gary	reserved for East Team	Unknown Source	No	08-Jul-1997	S	Street	
Gaythorne Hardy	available	Veterans List	Yes	27-Aug-2004	S	Street	
Gehman	available	Region of York Report	No	14-Sep-1999	S	Street	
George Crossley	reserved for East Team	Veterans List	Yes	27-Aug-2004	S	Street	
George Roman Avenue	Reserved for North Team	Requested by Developer	No	25-May-2020	S	Street	2
Ghandi Avenue	available	Requested by Councillor Kanapathi	No	20-Jan-2012	S	Street	
Giannone Street	reserved for West Team	Reserved by Developer	No	01-Mar-2004	S	Street	6
Gilbert Wright	reserved for West Team	Veterans List	Yes	27-Aug-2004	S	Street	
Glen Eagle Drive	reserved for East Team	Reserved by Developer	No	20-May-2004	S	Street	5
Glencairn Crescent	Reserved for West Team	Requested by Developer	No	07-Jul-2019	S	Street	6
Glencastle	reserved for East Team	Reserved by Developer	No	08-Jul-1997	S	Street	5
Glenwood Street	reserved for East Team	Reserved by Developer	No	11-Sep-2007	S	Street	5
Godfrey Willis	available	Veterans List	Yes	27-Aug-2004	S	Street	
Gohn	reserved for East Team	Region of York Report	No	05-Dec-1998	S	Street	
Golden Horseshoe	Reserved for West Team	Requested by Developer	No	07-Jul-2019	S	Street	6
Goldenacre Terrace	Reserved for West Team	Requested by Developer	No	07-Jul-2019	S	Street	6
Golf Terrace Gates	reserved for East Team	Reserved by Developer	No	08-Jul-1997	S	Street	5
Gooseberry Road	reserved for East Team	Requested by Developer	No	08-Aug-2012	S	Street	5
Gordon Gunn	available	Veterans List	Yes	27-Aug-2004	S	Street	
Gordon Ogden	reserved for East Team	Veterans List	Yes	27-Aug-2004	S	Street	
Gordon Underwood	available	Veterans List	Yes	27-Aug-2004	S	Street	
Great Wellington Street	Reserved for West Team	Requested by Developer	No	07-Jul-2019	S	Street	6
Greencastle	reserved for West Team	Reserved by Developer	No	17-Sep-2007	S	Street	6
Greenridge Crescent	Reserved for North Team	Requested by Developer	No	25-May-2020	S	Street	2
Greenton Street	reserved for East Team	Reserved by Developer	No	11-Sep-2007	S	Street	5
Grindlay Street	Reserved for West Team	Requested by Developer	No	07-Jul-2019	S	Street	6
Groveland	Reserved for North Team	Requested by Developer	No	22-Dec-2020 41	th Quarter 2020	Street	6
Guardhouse Court	reserved for West Team	Unknown Source	No	08-Jul-1997	S	Street	
Guelph	Reserved for West Team	Requested by Developer	No	07-Jul-2019	S	Street	6
Gypsy	reserved for East Team	Unknown Source	No	08-Jul-1997	S	Street	
Hal-Van Road	Reserved for North Team	Requested by Developer	No	11-Sep-2020	S	Street	6
Harbour Court	reserved for East Team	Requested by Developer	No	04-Jun-2003	S	Street	5
Harold Coakwell	reserved for South Team	Reserved by Developer	No	03-Nov-2004	S	Street	7
Harold Humphrey	available	Requested by resident through Mayor's office	No	18-Sep-2008	S	Street	
Harold Mackie	available	Veterans List	Yes	27-Aug-2004	S	Street	
Harvard	reserved for East Team	Requested by Developer	No	29-Sep-2016	S	Street	6
Harvey Bunker	reserved for West Team	Veterans List	Yes	27-Aug-2004	S	Street	

strname	status	Source	Vet	reserve date	New Additions	Name Type	Ward
Harvey Latimer	reserved for East Team	Veterans List	Yes	27-Aug-2004		Street	
Haute Street	reserved for West Team	Reserved by Developer	No	01-Mar-2004		Street	6
Hawley	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Herbert Baron	reserved for South Team	Reserved by Developer	No	23-Jul-2001		Street	
Herbert Luesby	available	Veterans List	Yes	27-Aug-2004		Street	
Herbert Thomas	reserved for East Team	Reserved by Developer	No	22-Sep-2003		Street	5
Herman Gilroy	available	Veterans List	Yes	27-Aug-2004		Street	
Heston	reserved for West Team	Reserved by Developer	No	23-Mar-2004		Street	4
Hethery Norris	available	Veterans List	Yes	27-Aug-2004		Street	
Highworth Road	reserved for West Team	Requested by Developer	No	26-Apr-2017		Street	2
Hillhousefield	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Hillsview Drive	reserved for East Team	Requested by Developer	No	04-Jun-2003		Street	5
Hobor	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Hollybank Terrace	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Hollycroft Drive	reserved for East Team	Reserved by Developer	No	20-May-2004		Street	5
Home Street	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Horchik Way	Reserved for North Team	Requested by Developer	No	01-Oct-2020		Street	6
Howe Street	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Howie Court	Reserved for Central Team	Requested by Developer	No	25-Oct-2020	4th Quarter 2020	Street	3
Howson Road	Reserved for North Team	Requested by Developer	No	11-Sep-2020		Street	6
Inn Trail	reserved for East Team	Reserved by Developer	No	08-Jul-1997		Street	5
Innovation	reserved for Markham Centre	Reserved by Developer	No	17-Jan-2006		Street	3
lqbal Avenue	Reserved for East Team	Requested by Councillor Usman	No	08-Apr-2019		Street	7
Irwin Selleck	reserved for East Team	Veterans List	Yes	27-Aug-2004		Street	
Island Glen	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Island Green	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Jack Carson	reserved for East Team	Request by Mayor for contributions to Markham	No	10-Apr-2007		Street	
Jack German	available	Veterans List	Yes	27-Aug-2004		Street	
Jackson Eli Way	reserved for East Team	Requested by Developer	No	22-Apr-2013		Street	7
Jacob Heise	reserved for West Team	Requested by relative of former resident	No	29-Oct-2008		Street	
Jade Blossom Avenue	Reserved for North Team	Requested by Developer	No	25-May-2020		Street	2
Jason-Robert Road	reserved for East Team	Requested by Developer	No	22-Aug-2016		Street	5
Jayne	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Jean Gordon	reserved for West Team	Reserved by Developer	No	28-Sep-2007		Street	6
Jenkins Farm Road	reserved for West Team	Reserved by Developer	No	01-Mar-2004		Street	6
Jenny Street	reserved for West Team	Reserved by Developer	No	10-Jan-2007		Street	6
Jerusalem	reserved for West Team	Unknown Source	No	08-Jul-1997		Street	
Jessica Antonella	reserved for West Team	Unknown Source	No	13-Mar-1998		Street	
Jiangmen	available	Requested by Councillor Li	No	18-Nov-2013		Street	
Jinnah Avenue	Reserved for East Team	Requested by Councillor Usman	No	08-Apr-2019		Street	7
Jocov Avenue	reserved for West Team	Reserved by Developer	No	10-Jan-2007		Street	6
Joelco	reserved for East Team	Region of York Report	No	14-Sep-1999		Street	

strname	status	Source	Vet	reserve date	New Additions Name Type	Ward
Johann	reserved for East Team	Unknown Source	No	08-Jul-1997	Street	
John Anthony	reserved for Central Team	Requested by Developer	No	01-Mar-2016	Street	2
John Canning Road	available	Region of York Report	No	14-Sep-1999	Street	
John Ferrara	reserved for Central Team	Requested by Staff	No	15-Jun-2017	Park	8
John Gibson	Reserved for East Team	Requested by Mayor	No	03-Oct-2019	Street	
John Rolph	reserved for East Team	Veterans List	Yes	27-Aug-2004	Street	
John Simcoe Street	reserved for North Team		No	26-Oct-1998	Street	
Jolivia	reserved for East Team	Reserved by Developer	No	06-Jul-2006	Street	7
Jonas Ramer	available	Request by Heritage Staff	No	21-Mar-2003	Street	
Josslyn Street	reserved for South Team	Reserved by Developer	No	21-Jun-2004	Street	7
Jura	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Kai Ping Avenue	reserved for East Team	Requested by Councillor Ho	No	30-Jan-2018	Street	2
Kamil Sadiq	available	Request by Mayor Seniors service award	No	24-Jul-2007	Street	
Kathleen McKay Lane	reserved for Unionville Lane	Requested by Mayor to honour art donations	No	11-Aug-2008	Street	3
Katrine	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Kennedy Meadows Drive	Reserved for North Team	Requested by Developer	No	11-Sep-2020	Street	6
Kentgrove Street	reserved for South Team	Reserved by Developer	No	21-Jun-2004	Street	7
Killbear	reserved for East Team	Region of York Report	No	05-Dec-1998	Street	
Kingscrossing	reserved for South Team	Reserved by Developer	No	10-Jun-2004	Street	7
Kirkyton	available	Unknown Source	No	08-Jul-1997	Street	
Koch Road	reserved for East Team	Reserved by Developer	No	08-Jul-1997	Street	4
Kohn	reserved for West Team	Unknown Source	No	08-Jul-1997	Street	
Konyen	reserved for West Team	Reserved by Developer	No	25-Sep-2007	Street	6
Kraemer	reserved for West Team	Requested by Developer	No	12-Aug-2011	Street	4
Kylemore	reserved for West Team	Reserved by Developer	No	28-Sep-2007	Street	6
Labrador Street	reserved for East Team	Requested by Developer	No	08-Aug-2012	Street	5
Laggan	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Lajos Drive	Reserved for North Team	Requested by Developer	No	13-Aug-2020	Street	6
Lali Vij	available	Requested by resident	No	12-Apr-2011	Street	
Lathrop	reserved for East Team	Unknown Source	No	08-Jul-1997	Street	
Laura	Reserved for North Team	Requested by Developer	No	10-Sep-2020	Street	6
Leamington	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Leaside Drive	reserved for Central Team	Requested by Developer	No	29-Nov-2010	Street	3
LeeAnne Way	reserved for East Team	Requested by Developer	No	08-May-2014	Street	7
Lepp	reserved for East Team	Unknown Source	No	, 08-Jul-1997	Street	
Leslie Richards	reserved for North Team	Veterans List	Yes	27-Aug-2004	Street	
Lethbridge	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Leven Lodge	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Lewisview Way	reserved for East Team	Requested by Developer	No	08-May-2014	Street	7
Liam Lane	reserved for East Team	Requested by Developer	No	22-May-2018	Street	7
Lica	Reserved for West Team	Requested by Developer	No	02-Mar-2020	Street	2
Lillidale Road	reserved for East Team	Requested by Developer	No		Street	7

strname	status	Source	Vet	reserve date	New Additions	Name Type	Ward
Lillybeth Court	reserved for East Team	Reserved by Developer	No	20-May-2004		Street	5
Loch Ness	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Loconda	reserved for East Team	Reserved by Developer	No	14-Sep-1999		Street	4
Logano	reserved for East Team	Reserved by Developer	No	14-Sep-1999		Street	5
Longacres	reserved for Central Team	Requested by Developer	No	22-Jan-2014		Street	3
Longridge	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Lord Stanley Way	reserved for Central Team	Requested by Developer	No	12-May-2017		Street	3
Lorne Glen	reserved for West Team	Veterans List	Yes	27-Aug-2004		Street	4
Lount's	available	Region of York Report	No	05-Dec-1998		Street	
Lowry Crescent	reserved for East Team	Reserved by Developer	No	08-Jul-1997		Street	5
Luke	Reserved for West Team	Requested by Developer	No	02-Mar-2020		Street	2
Madawaska	reserved for East Team	Reserved by Developer	No	05-Dec-1998		Street	7
Magdalen Wong	Reserved for West Team	Requested by Councillor Ho	No	12-Apr-2019		Street	2
Magma Drive	Reserved for North Team	Requested by Developer	No	25-May-2020		Street	2
Mallavi	available	Requested by Councillor	No	01-Sep-2011		Street	
Malpeque Way	reserved for East Team	Reserved by Developer	No	12-Apr-2001		Street	5
Maple Wood Drive	reserved for East Team	Requested by Developer	No	08-Aug-2012		Street	5
Maplelain Farm	reserved for South Team	Reserved by Developer	No	03-Nov-2004		Street	7
Marconi Road	reserved for Central Team	Requested by Mayor	No	01-Apr-2014		Street	
Markham Live	reserved for Central Team	Requested by Staff	No	17-Oct-2011		Street	3
Markham Uptown Drive	reserved for Central Team	Requested by Staff	No	16-Mar-2011		Street	3
Markham Veteran's	reserved for East Team	Requested by Veterans' Association	No	07-Oct-2013		Street	
Marquis Avenue	reserved for 19TM05002 ph3 Crown of Markham Inc.	Reserved by Developer	No	01-Mar-2004		Street	6
Mary Roman Boulevard	Reserved for North Team	Requested by Developer	No	25-May-2020		Street	2
Mason Way	reserved for East Team	Requested by Developer	No	08-May-2014		Street	7
Matunin	available	Requested by Councillor Hamilton	No	10-Nov-2015		Street	
Maxfield Street	reserved for East Team	Requested by Developer	No	02-May-2011		Street	5
Maximillian	reserved for Central Team	Unknown Source	No	08-Jul-1997		Street	
Maximus Road	Reserved for North Team	Requested by Developer	No	11-Sep-2020		Street	6
Mayor Roman Drive	available	Unknown Source	No	08-Jul-1997		Street	
Maytime Lane	reserved for West Team	Reserved by Developer	No	21-Nov-2005		Street	6
McElwain	reserved for East Team	Reserved by Developer	No	29-Sep-2005		Street	5
McGriskin Farm Road	reserved for West Team	Reserved by Developer	No	01-Mar-2004		Street	6
McGriskin Road	reserved for West Team	Reserved by Developer	No	01-Mar-2004		Street	6
Mchenry Place	available	Unknown Source	No	08-Jul-1997		Street	
Mears	reserved for East Team	Reserved by Developer	No	29-Sep-2005		Street	5
Meizhou	reserved for West Team	Requested by Councillor Li	No			Street	
Merchiston Gardens	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Merrymount Drive	reserved for East Team	Requested by Developer	No	02-May-2011		Street	5
, Midnight	Reserved for North Team	Requested by Developer	No			Street	6
Miko	reserved for Central Team	Unknown Source	No	08-Jul-1997		Street	
Mile Road Court	reserved for East Team	Unknown Source	No			Street	

strname	status	Source	Vet	reserve date	New Additions	Name Type	Ward
Milnesplace	reserved or East Team	Unknown Source	No	08-Jul-1997	S	Street	
Mindanao	available	Requested by Councillor Chiu	No	03-Feb-2010	S	Street	
Minnie	Reserved for Central Team	Unknown Source	No	08-Jul-1997	S	Street	
Mission Cap	reserved for Central Team	Requested by Developer	No	07-Jun-2017	5	Street	3
Misthollow Drive	Reserved for North Team	Requested by Developer	No	25-May-2020	9	Street	2
Mona Mathews	available	Request by Resident	No	17-Jan-2006	9	Street	
Monarch Road	reserved for East Team	Requested by Developer	No	08-May-2014	S	Street	7
Moon Glow Court	reserved for South Team	Reserved by Developer	No	05-Dec-1998	9	Street	7
Moraine Mews Avenue	reserved for Central Team	Reserved by Developer	No	29-Aug-2006	S	Street	3
Morningside Drive	reserved for East Team	Requested by Developer	No	08-May-2014	9	Street	7
Mortonhall	Reserved for West Team	Requested by Developer	No	07-Jul-2019	9	Street	6
Moses White	available	Region of York Report	No	05-Dec-1998	9	Street	
Moss Drive	Reserved for North Team	Requested by Developer	No	25-May-2020	S	Street	2
Mourant Mews	reserved for West Team	Reserved by Developer	No	01-Mar-2004	5	Street	6
Mullai	reserved for East Team	Requested by Councillor	No	01-Sep-2011	S	Street	
Mumbai Drive	reserved for street along Aaniin Community Centre	Requested by Council	No	22-Jul-2011	S	Street	
Mumford Crescent	reserved for East Team	Reserved by Developer	No	08-Jul-1997	S	Street	4
Muriel Williams	available	Requested by Councillor Heath	No	20-Jan-2012	S	Street	
Myrtle Terrace	Reserved for West Team	Requested by Developer	No	07-Jul-2019	5	Street	6
Nairn	reserved for West Team	Reserved by Developer	No	28-Sep-2007	S	Street	6
Nanak	reserved for East Team	Requested by Councillor	No	01-Sep-2011	S	Street	
Nanhai	reserved for Central Team	Requested by Councillor Chiu	No	27-Nov-2012	9	Street	8
Nanjing Avenue	available	Requested by Councillor Ho	No	21-Apr-2016	5	Street	
Nannyberry Crescent	reserved for East Team	Requested by Developer	No	08-Aug-2012	5	Street	5
Nassau Street	reserved for Central Team	Unknown Source	No	08-Jul-1997	S	Street	
Navitas Way	Reserved for North Team	Requested by Developer	No	25-May-2020	9	Street	2
Newington	Reserved for West Team	Requested by Developer	No	07-Jul-2019	S	Street	6
Nigh	reserved for East Team	Region of York Report	No	05-Dec-1998	9	Street	
Nightingale Drive	reserved for East Team	Requested by Developer	No	08-Aug-2012	S	Street	5
Noerdlingen	available	Request by Mayor to honour Markham's Twin City	No	21-Sep-1998	9	Street	
Norman Bethune Avenue	reserved for Hwy 404 flyover	Requested by Councillor Hamilton	No	20-Jan-2012	S	Street	
Norman Maxwell Street	reserved for South Team	Veterans List	Yes	27-Aug-2004	S	Street	8
North Angus	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
North Berwick	reserved for West Team	Reserved by Developer	No	28-Sep-2007		Street	6
North Links	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Northglen	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Norton Downs	reserved for West Team	Reserved by Developer	No	28-Sep-2007		Street	6
Oakland Road	reserved for East Team	Requested by Developer	No			Street	5
Oakton	Reserved for North Team	Requested by Developer	No			Street	6
Old Course	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Old Nassau	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Old Waverly	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6

strname	status	Source	Vet	reserve date	New Additions	Name Type	Ward
Oriental Crescent	reserved for Central Team	Unknown Source	No	08-Jul-1997		Street	
Orlando Avenue	reserved for West Team	Requested by Engineering Dept.	No	25-May-2017		Street	2
Orville Caruthers	reserved for East Team	Veterans List	Yes	27-Aug-2004		Street	
Oscar Steeper	available	Veterans List	Yes	27-Aug-2004		Street	
Pacific Grove	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Palace	reserved for Central Team	Reserved by Developer	No	25-Aug-2008		Street	8
Palmdale Avenue	reserved for East Team	Requested by Developer	No	02-May-2011		Street	5
Paradigm	reserved for East Team	Region of York Report	No	14-Sep-1999		Street	
Parkgate Road	reserved for East Team	Requested by Developer	No	02-May-2011		Street	5
Parkside	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Patika	Reserved for North Team	Requested by Developer	No	22-Dec-2020	4th Quarter 2020	Street	6
Paul Martin Sr Boulevard	reserved for West Team	Reserved by Developer	No	01-Mar-2004		Street	6
Paul Weed	available	Unknown Source	No	01-Feb-901		Street	
Pearl	reserved for Central Team	Reserved by Developer	No	25-Aug-2008		Street	8
Percheron Court	available	Unknown Source	No	08-Jul-1997		Street	
Percy Rye	reserved for West Team	Veterans List	Yes	27-Aug-2004		Street	
Periwinkle Street	reserved for East Team	Reserved by Developer	No	08-Jul-1997		Street	4
Perthshire	Reserved for West Team	Requested by Developer	No	07-Jul-2019		Street	6
Peter Ramer Street	reserved for East Team	Requested by Heritage Planning	No	29-May-2009		Street	
Petly Court	reserved for Central Team	Unknown Source	No			Street	
Pevensey	reserved for West Team	Unknown Source	No	08-Jul-1997		Street	
Pfeiffer	Reserved for Central Team	Region of York Report	No	14-Sep-1999		Street	
Philipp Eckardt	reserved for West Team	Requested by Developer	No			Street	4
Phillipsen	Reserved for East Team	Region of York Report	No	_		Street	
Pierre Elliott Trudeau	reserved for East Team	Request by Mayor in honour of Prime Minister	No	23-Feb-2001		Street	5
Pimlico	reserved for East Team	Unknown Source	No	08-Jul-1997		Street	
Pinestone Drive	reserved for East Team	Reserved by Developer	No	20-May-2004		Street	5
Pinner	reserved for West Team	Reserved by Developer	No			Street	4
Pope John Paul II Square North	reserved for West Team	Reserved by Developer	No	21-Nov-2005		Street	6
Pope John Paul II Square South	reserved for West Team	Reserved by Developer	No			Street	6
Pope John Paul II Square West	reserved for West Team	Reserved by Developer	No			Street	6
Port Down	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Port Vale	reserved for West Team	Reserved by Developer	No	·		Street	6
Portstewart	reserved for West Team	Reserved by Developer	No			Street	6
Prince Charles	reserved for West Team	Reserved by Developer	No			Street	4
Princess Of Wales	reserved for South Team	Reserved by Developer	No			Street	
Professional	reserved for South Team	Reserved by Developer	No	10-Jun-2004		Street	7
Queen Emma Drive	reserved for West Team	Requested by Developer	No			Street	2
Quigg Drive	reserved for Central Team	Unknown Source	No	08-Jul-1997		Street	
Quiplow	available	Unknown Source	No	08-Jul-1997		Street	
Rabin	reserved for South Team	Reserved by Developer	No	08-Jul-1997		Street	7
Ralph Hicks	available	Veterans List	Yes			Street	,

strname	status	Source	Vet	reserve date	New Additions Name Type	Ward
Saddledown	reserved for West Team	Reserved by Developer	No	17-Sep-2007	Street	6
Sage Valley Drive	Reserved for North Team	Requested by Developer	No	25-May-2020	Street	2
Saigen	reserved for East Team	Region of York Report	No	14-Sep-1999	Street	
Saint John	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Salma	reserved for East Team	Requested by Developer	No	12-May-2017	Street	5
Sampaguita	available	Requested by Councillor Chiu	No	03-Feb-2010	Street	
Sanborn	Reserved for North Team	Requested by Developer	No	22-Dec-2020	4th Quarter 2020 Street	6
Sand Creek	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Sanday	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Sauder	reserved for East Team	Region of York Report	No	14-Sep-1999	Street	
Schmidt	available	Region of York Report	No	14-Sep-1999	Street	
Scotthelen	reserved for West Team	Reserved by Developer	No	28-Sep-2007	Street	6
Shadow Creek	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Shefford Road	reserved for West Team	Requested by Developer	No	26-Apr-2017	Street	2
Shen Zhen Avenue	available	Requested by Councillor Ho	No	20-Feb-2018	Street	2
Sheridan	reserved for Central Team	Requested by Central Team	No	15-Jul-2013	Street	3
Shiverham	reserved for East Team	Unknown Source	No	08-Jul-1997	Street	
Shunde Street	reserved for West Team	Requested by Councillor Ho	No	28-Oct-2013	Street	
Silverberry Road	reserved for East Team	Requested by Developer	No	08-Aug-2012	Street	5
Silvermills	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Simcoe Promenade	reserved for Central Team	Requested by Staff	No	15-Feb-2017	Street	3
Sir Isaac Brock	reserved for East Team	Region of York Report	No	14-Sep-1999	Street	
Sissons	reserved for East Team	Unknown Source	No	13-Mar-1998	Street	
Skater Street	Reserved for North Team	Requested by Developer	No	09-Sep-2020	Street	6
Skibow Castle	reserved for West Team	Reserved by Developer	No	28-Sep-2007	Street	6
Slateford	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Smith Farm Road	reserved for West Team	Reserved by Developer	No	01-Mar-2004	Street	6
Smithwood Road	reserved for East Team	Requested by Developer	No	16-Feb-2011	Street	5
Snider Farm Road	reserved for West Team	Reserved by Developer	No	01-Mar-2004	Street	6
Snider Heights Boulevard	reserved for West Team	Reserved by Developer	No	01-Mar-2004	Street	6
South Angus	reserved for West Team	Reserved by Developer	No	17-Sep-2007	Street	6
Southglen	reserved for West Team	Reserved by Developer	No	17-Sep-2007	Street	6
Spartan	reserved for East Team	Reserved by Developer	No	06-Jul-2006	Street	7
Spottsiwood Road	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
Spring Mountain Trail	reserved for West Team	Reserved by Developer	No	12-Nov-2002	Street	6
Spring Oak Drive	Reserved for North Team	Requested by Developer	No	25-May-2020	Street	2
Springwell Place	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
St. Giles	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Street	6
St. James Palace Road	available	Unknown Source	No	12-Apr-2001	Street	
St. Leonard's	Reserved for West Team	Requested by Developer	No		Street	6
Starlane Avenue	reserved for South Team	Reserved by Developer	No		Street	7
Startrail Crescent	reserved for South Team	Reserved by Developer	No		Street	7

strname	status	Source	Vet	reserve date New	Additions N	lame Type	Ward
University	reserved for Central Team	Requested by Developer	No	07-Jun-2017	Stre	eet	3
Urmy	reserved for East Team	Reserved by Developer	No	14-Sep-1999	Stre	eet	4
Vancise	available	Unknown Source	No	08-Jul-1997	Stre	eet	
Vandaam Street	reserved for West Team	Reserved by Developer	No	21-Nov-2005	Stre	eet	6
Vanderbergh	reserved for West Team	Region of York Report	No	14-Sep-1999	Stre	eet	
Vanderheyden	available	Unknown Source	No	08-Jul-1997	Stre	eet	
Vanni	reserved for Councillor Kanapathi	Requested by Councillor	No	01-Sep-2011	Stre	eet	
Ventura Drive	reserved for East Team	Requested by Developer	No	02-May-2011	Stre	eet	5
Vice Chancellor Road	reserved for East Team	Unknown Source	No	08-Jul-1997	Stre	eet	
Victor Herbert Lane	reserved for West Team	Reserved by Developer	No	21-Nov-2005	Stre	eet	6
Victor Hopwood	available	Veterans List	Yes	27-Aug-2004	Stre	eet	
Victoria Chase	reserved for West Team	Requested by Developer	No	02-Nov-2009	Stre	eet	6
Victoria Square Boulevard	reserved for West Team	Request by Staff for future by-passed Woodbine	No	19-Feb-2007	Stre	eet	6
Victoria Square By-Pass	reserved for West Team	Request by Staff for future by-passed Woodbine	No	29-Mar-2007	Stre	eet	6
Viewforth	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Stre	eet	6
Viridi Avenue	Reserved for North Team	Requested by Developer	No	25-May-2020	Stre	eet	2
Visayas	available	Requested by Councillor Chiu	No	03-Feb-2010	Stre	eet	
Vysoka Street	reserved for West Team	Reserved by Developer	No	01-Mar-2004	Stre	eet	6
Wahba Way	reserved for East Team	Requested by Developer	No	17-Dec-2009	Stre	eet	7
Wallen McBride	reserved for East Team		Yes	13-Mar-1998	Stre	eet	
Walleye Drive	reserved for East Team	Requested by Developer	No	08-Aug-2012	Stre	eet	5
Walton Heath	reserved for West Team	Reserved by Developer	No	28-Sep-2007	Stre	eet	6
Warmouth Avenue	reserved for East Team	Requested by Developer	No	08-Aug-2012	Stre	eet	5
Warrington Drive	reserved for West Team	Reserved by Developer	No	08-Jul-1997	Stre	eet	4
Water Rock	reserved for West Team	Reserved by Developer	No	17-Sep-2007	Stre	eet	6
Waters Edge Boulevard	reserved for East Team	Reserved by Developer	No	08-Sep-2004	Stre	eet	5
Waverley Steps	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Stre	eet	6
Wegg	Reserved for North Team	Requested by Developer	No	29-Oct-2020 4th Qua	arter 2020 Stre	eet	6
West Angus	reserved for West Team	Reserved by Developer	No	17-Sep-2007	Stre	eet	6
West Stadium	Reserved for West Team	Requested by Developer	No		Stre	eet	6
West Valley Drive	reserved for Central Team	Reserved by Developer	No	29-Aug-2006	Stre	eet	3
West Village	reserved for West Team	Reserved by Developer	No	17-Sep-2007	Stre	eet	6
Western Gailes	reserved for West Team	Reserved by Developer	No	28-Sep-2007	Stre	eet	6
Westmeath	reserved for East Team	Region of York Report	No	14-Sep-1999	Stre	eet	
Westray	Reserved for West Team	Requested by Developer	No	07-Jul-2019	Stre		6
Whipple Road	Reserved for North Team	Requested by Developer	No	09-Sep-2020	Stre	eet	6
Whitechapel Road	reserved for West Team	Requested by Developer	No	·	Stre		2
Whitehorse	Reserved for West Team	Requested by Developer	No	·	Stre		6
Wilhelm	reserved for West Team	Requested by Developer	No		Stre		6
William Bradley	reserved for East Team	Requested by Councillor Horchik to honour resident	No		Stre		
William Keough	reserved for East Team	Veterans List	Yes		Stre		
William Lickorish	available	Veterans List	Yes	-	Stre		

Appendix 'A'

strname	status	Source	Vet	reserve date	New Additions	Name Type	Ward
William Lyon	reserved for East Team	Unknown Source	No	13-Mar-1998		Street	
William Meleta	Reserved for Central Team	Requested by Councillor Hamilton	No	14-Nov-2018		Street	3
William Shearn	reserved for West Team	Requested by Resident	Yes	11-Nov-2015		Street	6
William Thomas	reserved for East Team	Reserved by Developer	No	22-Sep-2003		Street	
Wimbledon	reserved for East Team	Reserved by Developer	No	08-Jul-1997		Street	7
Wisla Way	Reserved for North Team	Requested by Developer	No	25-May-2020		Street	2
Woodbine By-Pass	reserved for West Team	Request by Staff for Woodbine by-pass road	No	29-Mar-2007		Street	6
Woodbrook	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Woodhole Spa	reserved for West Team	Reserved by Developer	No	28-Sep-2007		Street	6
Woods Alley	reserved for East Team	Requested by Developer	No	02-May-2011		Street	5
Woodstock	reserved for West Team	Reserved by Developer	No	17-Sep-2007		Street	6
Wulff Road	reserved for East Team	Requested by Developer	No	02-May-2011		Street	5
Wycombe	reserved for West Team	Reserved by Developer	No	23-Mar-2004		Street	4
Xiamen (Amoy)	available	Requested by Councillor Chiu	No	12-Mar-2015		Street	
Yans Way	Reserved for West Team	Requested by Developer	No	02-Mar-2020		Street	2
Yarl	reserved for East Team	Requested by Councillor	No	01-Sep-2011		Street	
Yellow Brick	reserved for East Team	Requested by Developer	No	04-Jun-2003		Street	5
Yogapuram	available	Requested by Councillor	No	01-Sep-2011		Street	
York Downs Boulevard	Reserved ofr West Team	Requested by Developer	No	24-Oct-2020	4th Quarter 2020	Street	6
Youngbranch	reserved for East Team	Requested by Developer	No	04-Jun-2003		Street	5



Report to: Development Services Committee Meeting Date: January 25, 2021

SUBJECT: South Park Road and Saddle Creek Drive Proposed All-way

Stop (Ward 8)

PREPARED BY: David Porretta, Manager, Traffic Engineering, ext. 2040

RECOMMENDATION:

1) That the report entitled "South Park Road & Saddle Creek Drive Proposed All-way Stop (Ward 8)" be received; and

- 2) That Schedule 12 of Traffic By-law 106-71, pertaining to compulsory stops, be amended to include all approaches to the intersection of South Park Road and Saddle Creek Drive; and
- 3) That the Operations Department be directed to install the appropriate signs and pavement markings at the subject location; and
- 4) That the cost of materials and installation for the traffic signs and pavement markings in the amount of \$1,000, be funded from capital project account #083-5350-21178-005 (Traffic Operational Improvements); and
- 5) That York Region Police be requested to enforce the all-way stop control upon installation of these stop signs and passing of the By-law; and further
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report recommends implementing an all-way stop at the intersection of South Park Road and Saddle Creek Drive, to improve intersection operations and pedestrian safety.

BACKGROUND:

Traffic Engineering staff have received requests from multiple residents regarding traffic safety concerns at the intersection of South Park Road and Saddle Creek Drive. Specifically, residents have expressed challenges entering the intersection from Saddle Creek Drive and a high volume of pedestrians crossing South Park Road to access Ada Mackenzie Park is creating a potential safety concern.

The subject intersection is located in the Leitchcroft community, south of Highway 7 and west of Leslie Street. Both South Park Road and Saddle Creek Drive are classified as 2-lane minor collector streets. Stop control at the intersection is currently assigned to Saddle Creek Drive only, giving traffic on South Park Road the right-of-way. An illustration of the intersection and surrounding area is provided in Attachment "A".

South Park Road, between Saddle Creek Drive and Highway 7, was recently open to through traffic. A new residential subdivision development to the west is currently under development. Both factors are contributing to increased traffic volume through the subject intersection.

OPTIONS/ DISCUSSION:

All-way stop control warrant analysis was conducted at the subject intersection

An all-way stop control may be considered where the minimum provincial warrant criteria are satisfied, as outlined by the Ministry of Transportation of Ontario (MTO). The warrant considers <u>both</u> the total vehicular volume and the volume distribution between the intersecting roadways during the busiest hour of the day.

In November 2020, Traffic Engineering staff conducted an all-way stop warrant analysis during the busiest one-hour period of a typical weekday at the intersection. The warrant analysis results are as follows:

Figure 1: South Park Road & Saddle Creek Drive - All-way Stop Study Results

Peal	CRITERIA #1 x Hour Traffic Vo (All Approaches)		CRITERIA #2 Volume Assigned to "Minor" Street (Saddle Creek Drive)			
Minimum Criteria	Recorded Value	Criteria Met?	Minimum Criteria (3-way)	Recorded Value	Criteria Met?	
350	309	NO	25%	39%	YES	

Results of the study have concluded that the minimum justification criteria has not been satisfied. Specifically, the peak hour traffic volume fell below the minimum criteria by 41 vehicles.

There is a high volume of pedestrians crossing at the intersection

Ada Mackenzie Park is located on the south side of the intersection. This facility is a significant pedestrian generator; the intersection analysis identified 120 pedestrians crossing South Park Road over an 8-hour period, of which a significant portion consist of children. Under current conditions, pedestrians crossing South Park Road are required to wait for a safe gap in traffic before crossing. They are also exposed to potential conflicts with vehicles on Saddle Creek Drive turning onto South Park Road.

All-way stop control at the intersection is recommended

Traffic data collection and intersection analysis at the intersection was conducted during the COVID-19 pandemic. As such, traffic volumes across the City are well below what is considered "typical". It is expected that traffic volume at the intersection will increase post-pandemic and the minimum requirements for an all-way stop will be achieved.

Due to a combination of these factors, it is recommended that an all-way stop control at the intersection of South Park Road and Saddle Creek Drive be implemented. The provision of an all-way stop will improve intersection operations and safety by requiring

all vehicles to come to a complete stop at the intersection and provide pedestrians with opportunities to cross.

FINANCIAL CONSIDERATIONS

The cost of materials and installation for the traffic signs and pavement markings in the amount not exceeding \$1,000 will be funded from capital project account #083-5350-21178-005 (Traffic Operational Improvements). On-going maintenance costs will be managed within the Operations Department's existing operating budget.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The recommendations identified within this report align with the strategic focus for a Safe & Sustainable Community, through the ongoing management of the City's transportation network.

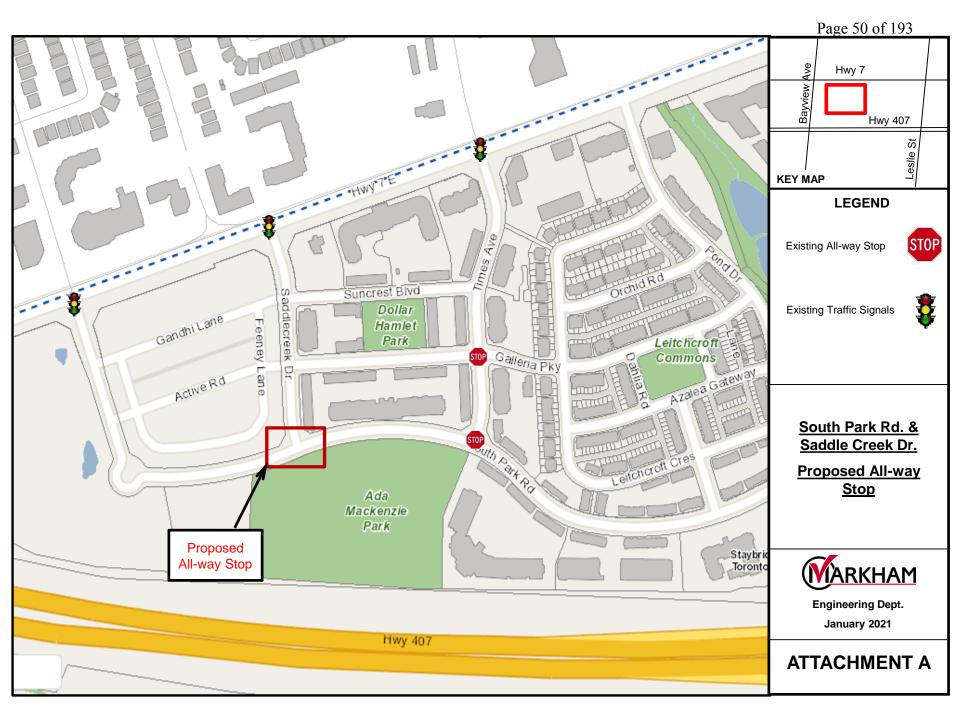
BUSINESS UNITS CONSULTED AND AFFECTED:

Operations Department has been circulated this report, and acknowledges the operating impacts associated with the additional regulatory signs and pavement markings.

RECOMMENDED BY:	
Brian Lee, P.Eng	Arvin Prasad, MPA, RPP, MCIP
Director, Engineering	Commissioner, Development Services

ATTACHMENTS:

Attachment "A" – Map: South Park Road & Saddle Creek Drive Proposed All-way Stop Attachment "B" – All-way Stop Control By-Law Amendment



ATTACHMENT "B"



BY-LAW NUMBER _____

TO AMEND BY-LAW 106-71

BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF
MARKHAM THAT TRAFFIC BY-LAW 106-71 BE AND THE SAME IS HEREBY
AMENDED AS FOLLOWS:

1. That Schedule 12 of Traffic By-law 106-71, pertaining to "Compulsory Stops", be amended by adding the following: COLUMN 1 COLUMN 2 COLUMN 3 **INTERSECTION FACING TRAFFIC LOCATION OF STOP SIGN** South Park Road & Eastbound on South South side of South Park Road, west side of Saddle Creek Drive Saddle Creek Drive Park Road North side of South Park Road, South Park Road & Westbound on east side of Saddle Creek Drive Saddle Creek Drive South Park Road 2. The By-Law shall come into force and effect upon receiving the third reading by the Council of the City of Markham and also when authorized signs have been erected. READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS_____ DAY OF ______, 2021. KIMBERLY KITTERINGHAM FRANK SCARPITTI

MAYOR

CITY CLERK



Report to: Development Services Committee Meeting Date: January 25, 2021

SUBJECT: Request for Demolition 12 Imperial College Lane (formerly

9900 Markham Road), William Clarry House, Sunny

Communities, Ward 6

PREPARED BY: Regan Hutcheson, Manager-Heritage Planning, ext. 2080 **REVIEWED BY:** Ron Blake, Senior Development Manager, ext. 2600

RECOMMENDATION:

1) That the staff report titled "Request for Demolition, 12 Imperial College Lane (formerly 9900 Markham Road), William Clarry House, Sunny Communities, Ward 6", dated January 25, 2021, be received;\

- 2) THAT Council support the demolition of the William Clarry House subject to the owner providing the following:
 - a. Compensation in the form of a \$200,000 contribution to the City's Heritage Preservation Account (087 2800 115) so that the financial contribution can be used on other municipal heritage projects in the community;
 - b. Provision and installation of an historical interpretative plaque to celebrate the William Clarry House, to be placed in a publicly visible location on the original property, and designed according to the specifications of the "Markham Remembered" program; and
 - c. The lot intended for the heritage dwelling within the subdivision be designed and constructed as a parkette, at the owner's expense to the City's specifications, with a public easement over the site to the satisfaction of the City.
- 3) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To recommend that Council support the demolition of the William Clarry House located at 12 Imperial College Lane, subject to conditions.

BACKGROUND:

The subject dwelling is a protected heritage resource.

The dwelling located at 12 Imperial College Lane (formerly 9900 Markham Road) is the William Clarry House, built c. 1855. It is a 1½ storey, brick structure constructed in the Georgian Cottage architectural style. The dwelling is built on a "T" shaped plan, 3 bays across by 2 bays deep, set on a foundation of fieldstone. There is a 1 storey kitchen wing at the rear of the main structure, offset toward the north. The original exterior wall material has been covered by stucco. The building was identified as possessing historical

value for its association with the Clarry family, who farmed in the vicinity from the mid 1840s to the mid 1870s.

The property was individually designated under the Ontario Heritage Act in 2003 by Markham Council. The City also secured further protection in the form of a Heritage Easement Agreement on the property in 2009. The Heritage Easement Agreement does allow the City (as a party to the Agreement with an interest in the property) to deny any demolition permit and there is no appeal.

There is an extensive development history associated with the property.

The proposed development of this land parcel has been under consideration by the City since 2002 with a variety of different owners and different land development applications ranging from commercial to residential scenarios. In all submissions, the various applications always included retention of the heritage building in the plans. Over this period of time, the building was unoccupied and began to deteriorate due to lack of maintenance. In 2014/15, as a condition of a consent application to create separate residential and commercial parcels for development, the City required the roof of the house to be repaired and any openings secured to the satisfaction of Heritage Section staff. Council approved the removal of the attached garage in May 2015 subject to the owner removing the structure in a sensitive manner to avoid damage to the main heritage building.

The current development now approved for the property was initiated in 2014 and went through a number of re-submissions over a two year period. The initial proposal was for 190 freehold townhouse units and one existing house on a common element condominium road network. The Conditions of Draft Approval for the proposed development were endorsed by the Development Services Committee on April 25, 2016.

A previous owner (CIM Mackenzie Creek Inc) entered into a Residential Subdivision Agreement on November 8, 2017 for 195 townhouses and included heritage conservation requirements to protect and preserve the heritage house, install heritage interpretive plaque and provided a heritage letter of credit (\$106,938). In June 2018, the same owner entered into a Site Plan Agreement for townhouses and the heritage house which included requirements for the restoration of the heritage house and a heritage letter of credit (\$12,800). The Site Plan Approved drawings are attached as Appendix "A".

The dwelling is in a deteriorating state

In early 2016, staff met with the owners at the time (CIM Mackenzie Development) to discuss concerns with the state of the building and the owner's obligations. It was agreed that the roof would be tarped, openings boarded and secure fencing maintained around the house. In June 2016, the owner submitted a Heritage Building Condition Survey report prepared by SOSCIA Engineering Ltd that recommended demolition of the building.

In response to staff concerns regarding the terms of reference for the SOSCIA study, the owner agreed to pay for an independent Engineering Review to assess the potential for the restoration of the William Clarry House. In 2016, LEA Consulting Ltd., Consulting

Engineers & Planners, were engaged by the City to undertake a site visit and assessment of the heritage building to determine its potential for restoration, and to provide a cost estimate for restoration. The findings of the consultant were similar to the issues identified by the applicant's report; however LEA consulting provided an approach to correct the issues and restore the heritage building as opposed to demolishing it. The estimated cost for the repair of the external structural features (roof, walls, and foundation) was in the order of \$400,000. This did not include any interior improvements. The owner then agreed to retain and restore the building.

In August 2018, the owner retained the services of LEA Consulting Ltd.to determine the extent of materials that could be salvaged. They found that the building needed extensive structural intervention to make it safe for construction and to eventually make it habitable. Original structure elements cannot be used to restore the integrity of the structure and as a result, new structural materials would be needed throughout.

During 2019 and 2020 a number of meetings were held with the former owners, prospective owners and the current owners regarding the condition of the house and options that could be pursued.

The current owner would like to demolish the building

On November 6, 2020, Sunny Communities, who purchased the property in December 2019, officially requested support for the demolition of the William Clarry House given its poor physical condition and the fact that restoration does not appear feasible. The owner proposes to utilize the heritage house lot as a parkette (subject to support by the City) and provide a financial contribution to be used for heritage purposes in addition to a plaque.

Heritage Markham had no objection to the demolition subject to conditions

As the property is designated under Part IV of the Ontario Heritage Act, the review by Heritage Markham Committee is required and the approval of Council is necessary to permit the demolition of the existing dwelling. Heritage Markham reviewed the request for demolition on December 9, 2020. See Appendix "B" for the complete Heritage Markham Extract. After significant deliberations, Committee recommended that Council support the demolition subject to conditions (financial compensation for the heritage fund, an interpretive plaque and support for the parkette if acceptable to the City.

OPTIONS/ DISCUSSION:

The Ontario Heritage Act requires Council to consider all demolition applications. According to the Ontario Heritage Act [section 42(1)], an owner of a designated property is required to obtain a permit from the municipality to:

- 1. alter any part of the property other than the interior
- 2. erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal.

The request to demolish the building was received in early November. Council has 90 days to render a decision on the matter as per the Act. The deadline is February 6, 2021

To require restoration of the building would likely result in replication of the building

As noted in the background section of the report, the Subdivision Agreement requires the retention and restoration of the Clarry House and is secured by a \$106,938 heritage letter of credit. An executed Site Plan Agreement also requires the restoration of the Clarry House and is secured by a \$12,800 heritage letter of credit. Total securities involving the heritage building are \$119,738.

Staff acknowledge that due to the extensive deteriorated state of the building, it is likely that almost every piece of the building (interior and exterior) would have to be replicated as opposed to being restored. Markham has not traditionally supported replication of its historic resources as a conservation strategy – it is either restoration if there is enough original material remaining or to allow the demolition and acknowledge/celebrate the resource through an interpretive plaque. It is also acknowledged that what has occurred to date is 'demolition by neglect' by a series of previous owners.

It is estimated that the cost to restore/replicate the Clarry House as per current executed agreements would likely be in the range of \$600,000.

Options that could be considered

The following options were reviewed by staff:

Option	Pros	Cons	Comment
1. Leave Heritage House	- some version of	- Majority of the	No further
requirements intact-	the heritage house	building may	approvals from
owner would have to	is rebuilt on site by	have to be new	Council (other than
"restore" the existing	developer	materials.	denying the demo
building. Will likely cost	-interpretive plaque		request)
\$400-600,000	tells the story of the		
Majority of features will	Clarry House		
be entirely replicated.			
2. Allow a replication of	- new house	- minimal value	May need to revise
the heritage house	interprets the	in a replica (not	the site Plan
	former house	real heritage)	Agreement for the
			house (replication
			vs restoration)
3. Acknowledge the	- \$\$ for heritage	loss of heritage	Would require
Heritage House will not	fund to be used on	resource and	Council approval of
be retained. Cash the	other heritage	historical feature	demolition/cashing
letter of credits	projects	in the new	the LCs
(\$119,738). Still leave	interpretive	development	
requirement for	plaque tells the		
interpretive plaque	story of the Clarry		
	House		

Option	Pros	Cons	Comment
4. Support Demolition	- \$\$ for heritage	- loss of heritage	Would require
Subject to Conditions	fund to be used on	resource and	Council approval as
- allow the heritage	other heritage	historical feature	building would be
building to be	projects in the City	in the new	demolished.
demolished in exchange	- heritage -	development	May require some
for a contribution to	interpretive plaque		changes to planning
Heritage Fund and an	tells the story of the		approval – what to
interpretive plaque.	Clarry House		do with the heritage
	- developer gets a		house lot.
Other civic contributions	vacant lot (or City		
may also be negotiated.	gets a parkette)		

The proposed demolition of the building can be supported subject to conditions

Given the current state of the existing building due to years of neglect and vandalism, and the general desire not to replicate cultural heritage resources as a conservation strategy, staff support proceeding with Option #4. Support for demolition would be subject to the financial compensation being offered by the owner (recognizing their obligations) as well as the provision for an interpretative baked enamel plaque to be designed according to the specifications of the "Markham Remembered" program to address the William Clarry House. This option would also include the parkette opportunity (if deemed acceptable to the City). If pursued, the City may wish to name the parkette to honour William Clarry.

It is recommended that if this option is adopted, the financial contribution offered by the owner be deposited in the City's Heritage Preservation Account (087 2800 115) commonly referred to as the 'Heritage Fund'. The Fund was created by Council in 1991 as a repository for cashed heritage letters of credit so that the funds obtained due to heritage loss would be used on other heritage related projects. Monies collected in the Fund are to be used to provide funding in four general program areas:

- o Municipal restoration projects;
- o Municipal acquisition of heritage buildings;
- Municipal projects of a heritage communicative nature such as historic plaques and signage; and
- o Heritage studies such as heritage conservation district studies.

Staff has also had further discussions with the owner in December 2020 concerning the appropriate amount of compensation given that the restoration obligation would be removed. The factors taken into consideration were:

- The existing heritage letters of credit attached to the heritage property;
- The costs associated with restoration/replication of the dwelling; and
- The owner being fully aware of the obligation associated with the retention and restoration of the heritage building when the lands were purchased.

The owner has formerly agreed to a financial contribution of \$200,000 in addition to the provision of an interpretive plaque and the offer of a parkette on the heritage house lot,

designed and constructed to the City's specifications, with a public easement over the site, if acceptable to the City.

FINANCIAL CONSIDERATIONS

None

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not Applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

The demolition request was reviewed by Heritage Markham, Council's advisory committee on heritage matters.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P. Arvin Prasad, M.C.I.P., R.P.P.

Director of Planning & Urban Design Commissioner of Development Services

ATTACHMENTS:

Figure 1 Location Map

Figure 2 Photographs and Aerial Map Appendix 'A' Site Plan Approved Drawings Appendix 'B' Heritage Markham Extract

FIGURE 1

Meeting Date: January 25, 2021

FILE PATH: Q:\Development\Heritage\PROPERTY\MARKHMRD\9900 see also Hwy 48\DSC Jan 25 2021 Demo Request.doc

APPLICANT: Sunny Communities

100 Duffield Drive, Unit A Markham, ON L6G 1B5

Christopher O'Hanlon, Director

Jian Zhang, Director

FIGURE 1 - LOCATION MAP

12 Imperial Collage Lane is the new address



FIGURE 2 – PHOTOGRAPHS AND AERIAL MAP

Staff Photos- 2014





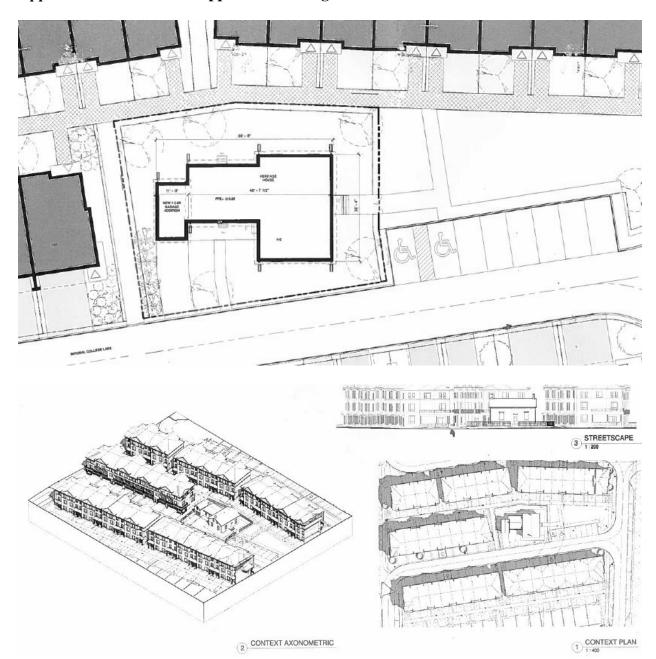
Aerial Photograph

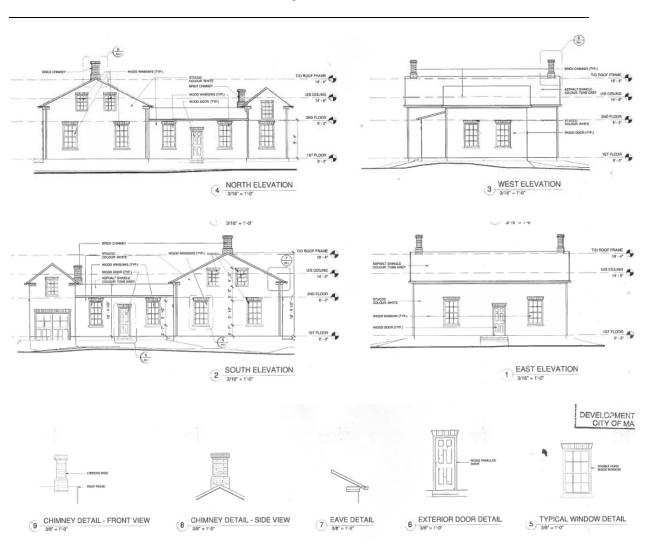
Staff Photos- December 2020





Appendix "A" – Site Plan Approved Drawings







APPENDIX "B" - Heritage Markham Extract

HERITAGE MARKHAM EXTRACT

DATE: January 4, 2021

TO: R. Hutcheson, Manager of Heritage Planning

EXTRACT CONTAINING ITEM # 4.1 OF TENTH HERITAGE MARKHAM

COMMITTEE MEETING HELD ON DECEMBER 9, 2020.

4.1 DEMOLITION PERMIT APPLICATION

12 IMPERIAL COLLEGE LANE (FORMERLY 9900 MARKHAM ROAD)

WILLIAM CLARRY HOUSE SUNNY DEVELOPMENTS (16.11)

FILE NUMBER: N/A

Extracts: R. Hutcheson, Manager, Heritage Planning

Regan Hutcheson, Manager of Heritage Planning presented the staff memorandum on the Demolition Permit Application for 12 Imperial College Lane (Formerly 9900 Markham Road), William Clarry House, Sunny Developments. The Applicant has proposed to make a financial contribution to the Heritage Preservation Fund rather than restoring the heritage home due to the poor condition of the house. In addition, the property owner is proposing to use the lot intended for the heritage dwelling as a parkette. Staff has also suggested the installation of a historical interpretive plaque to celebrate the William Clarry House in a publicly visible location.

Rob Clarry submitted a written submission indicating his family's disappointment that the William Clarry House is not being restored, and that a historical interpretive plaque does not recognize the significance of the Clarry family to Markham's history.

In response to inquiries from the Committee, Christopher O'Hanlon, Applicant advised that he purchased the house in December 2019 with the

knowledge the house was not in good condition, but was not aware of the extent of the structural damage to the property. The house in its current condition is almost impossible to restore, and creates an unsafe construction environment. Instead of restoring the house, a contribution to the Heritage Preservation Fund is being proposed. The City can use these funds towards the restoration of another heritage property that is in better condition.

The Committee provided the following feedback on the demolition request for 12 Imperial College Lane (formerly 9900 Markham Road):

- Appears the property has been abandoned by previous owners for some period of time;
- Noted that Staff did not agree with everything in the 2016 Engineering Report, including that the house presented imminent danger;
- Noted the historical significance of the Clarry family to development of the business community in Markham;
- Suggested that the compensation for the heritage house should be higher, as it is less than the Letter of Credit and substantially less than the amount it would have taken to restore the building;
- Asked if a replica of the house could be built on the property;
- Suggested that the property owner consider restoring the heritage house on City property near the museum property instead of the William Clarry House;
- Suggested that the property owner negotiate the compensation for the William Clarry House with staff;
- Concerned that heritage properties are being demolished due to neglect.

Recommendation:

That due to lack of maintenance and vandalism over many years which has resulted in demolition by neglect, Heritage Markham Committee reluctantly recommends that Council support the demolition of the William Clarry House subject to the owner providing the following:

- Compensation to be provided to the City's Heritage Preservation Account (087 2800 115) so that the financial contribution can be used on other municipal heritage projects in the community with the amount to be determined through negotiations with staff;
- Provision and installation of an historical interpretative plaque to celebrate the William Clarry House, to be placed in a publicly visible location on the original property, and designed according to the specifications of the "Markham Remembered" program.

• The lot intended for the heritage dwelling within the subdivision be designed as a parkette, to the City's specifications, with a public easement over the site if acceptable to the City.

Carried



Report to: Development Services Committee Meeting Date: January 25th, 2021

SUBJECT: Recommendation Report, Markham Road Limited

Partnership, Site plan application to permit mixed use high density development at 0 Anderson Avenue (south-east corner of Markham Road and Castlemore Avenue), Ward 5,

File No: 20 110692

PREPARED BY: Stacia Muradali ,M.C.I.P., R.P.P., Acting Manager, East

District, Ext. 2008

REVIEWED BY: Ron Blake, M.C.I.P. R.P.P., Senior Development Manager,

Ext. 2600

RECOMMENDATION:

That the report dated January 25th, 2021 titled "Recommendation Report, Markham Road Limited Partnership, Site plan application to permit mixed use high density development at 0 Anderson Avenue (south-east corner of Markham Road and Castlemore Avenue, Ward 5, File No. 20 110692," be received;

- 2) That the site plan application (File No. 20 110692) submitted by Markham Road Limited Partnership, be endorsed in principle, subject to the conditions attached as Appendix 'A';
- That Site Plan Approval (20 110692)) be delegated to the Director of Planning and Urban Design or his designate; not to be issued prior to the execution of a site plan agreement;
- 4) That site plan endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that a site plan agreement is not executed within that period;
- 5) That Council assign servicing allocation for a maximum of 524 apartment units and 12 townhouses;
- And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to recommend endorsement in principle of the site plan application submitted by 9781 Markham Road Limited Partnership to facilitate a mixed use high density development comprised of two (2)- 22 storey mixed use buildings and 12 townhouses at the south-east corner of Markham Road and Castlemore Avenue.

BACKGROUND:

Subject property and area context

The subject property is located at the south-east corner of Markham Road and Castlemore Avenue, also with frontage on Anderson Avenue (Figure 1). The subject property is approximately 2.07 hectares (5.11 acres) with no significant vegetation. The subject property is surrounded by commercial and industrial development and two existing places of worship (Figure 3). The easterly portion of the subject land is located within a flood plain regulated by the Toronto and Region Conservation Authority (TRCA).

PROCESS TO DATE

Previous proposals

Applications for rezoning and site plan approval were previously submitted in 2009 by Cedardale Markham Inc. to allow phased development comprised of two (2) mixed use high density buildings (18 and 20 storeys in height) as well as a future stand-alone commercial building. The zoning by-law amendment was approved by Council in June 2011 and the site plan application for Phase 1, which comprised an 18-storey mixed use building, was endorsed by Committee in June 2012. However, the previous applicant did not enter into a site plan agreement with the City and consequently site plan approval was never issued.

The subject land was sold to National Homes (Castlemore Ave) Inc. who submitted a new site plan application in 2017 and received DSC endorsement in principle on June 25th, 2018 and November 19th, 2018 for a two (2) phased development consisting of two (2)- 18 storey mixed use buildings and 50 townhouses. Site plan approval was never issued and shortly after endorsement the subject land was sold to Markham Road Limited Partnership (Liberty Development), the current landowner.

Next Steps:

In the event Development Services Committee grants endorsement in principle to the site plan control application, the following additional approval steps are required:

- Approval of a Minor variance application as discussed later in this report;
- Issuance of site plan endorsement by Staff;
- Execution of site plan agreement and issuance of site plan approval;
- Removal of the Zoning Hold provision;
- Submission of condominium application.

Proposed development

The owner is now proposing a two (2) phased development on the subject land. This site plan application is for Phase 1 which will consist of two (2)- 22 storey mixed use buildings in an L-shaped configuration along Markham Road and the southerly driveway, with a total of 524 apartment units and 12 townhouses along Anderson Avenue (Figure 4). There will be a 7-storey podium linking both buildings (Figures 5 & 6). The Phase 1 portion of land is approximately 1.38 hectares (3.4 acres). The future Phase 2 portion, which is approximately 0.67 hectares (1.66 acres) will have frontage on Castlemore Avenue and is awaiting the outcome of the Markham Road- Mount Joy Secondary Plan (the 'Secondary Plan'). Future development applications will be required to permit the

Phase 2 development. The Phase 2 buildings shown in Figure 4 are conceptual only and

Phase 2 development. The Phase 2 buildings shown in Figure 4 are conceptual only and have no status.

The total Gross Floor Area (GFA) of the two (2) mixed-use buildings is approximately 42,057 square metres (452,689 square feet) including two (2) levels of underground parking. Approximately 76 % of the apartment units (400 units) will be 1-bedroom some with dens. Another 23% (118 units) will consist of 2-bedroom units some with dens, and the remaining 6 units will include 3 and 4- bedroom units. Approximately 630 square metres (6780 square feet) of commercial floor space will be provided. The proposed Floor Space Index (FSI) of the proposed development is approximately 2.19 for the entire subject land.

There will be a centrally located private open space area for the proposed development. This private open space area will be approximately 0.27 hectares (0.67 acres). In addition to this centrally located private open space area, approximately 3,178 square metres (34,211 square feet) of both outdoor and indoor amenity space will be provided on the roof of the podium between the two (2) mixed use buildings and on the ground floor of the proposed buildings.

A right-in/right-out access will be provided on Markham Road as well as a full movement access on Anderson Avenue. There will be one (1) row of parking along the Phase 1 Markham Road frontage to serve the proposed commercial uses and a pedestrian walkway along the southerly property line.

The proposed 12 townhouses will be three (3) storeys in height and will be located along the Anderson Avenue frontage. The proposed townhouse unit widths are approximately 4.8 metres (15.7 feet). Visitor parking will be provided adjacent to the centrally located private open space area, along the Markham Road frontage and below grade to serve the proposed apartment buildings, townhouses and non residential uses and this is described in more detail later in this report.

Official Plan and Zoning

The subject land is located within the Markham Road-Mount Joy Secondary Plan (the 'Secondary Plan') area. The Secondary Plan is currently underway and an update was provided to Development Services Committee on December 15th, 2020. This site plan application for Phase 1 only has been allowed to move forward because site-specific zoning to permit the proposed development is already in place.

Until such time as the Markham Road/ Mount Joy Corridor Secondary Plan is implemented, the "Major Commercial Area" policies from the City's Official Plan (Revised 1987), (the "1987 Official Plan") as amended, continues to apply. This designation contemplates medium and high density development, as well as a range of retail, service, community, recreational and other uses. The proposed development conforms to the 1987 Official Plan.

The subject property is zoned "Major Commercial *425 (Hold) [MJC*425(H)]" and "Open Space One *427 (OS1*427)" in Zoning By-law 177-96, as amended, which

permits 20 storey buildings with a total of 500 apartment units and other site-specific development standards. The "Open Space Zone" is located at the south-east corner of the site (Figure 2) for a previously anticipated publicly accessible open space area as part of the Cedardale proposal which is no longer required. A minor variance application will be needed as this discussed later in this report. The conditions of the removal of the Holding (H) provision include execution of a site plan agreement and a Section 37 agreement.

OPTIONS/ DISCUSSION:

The proposed site plan and elevations are appropriate

The proposed development provides for a mix and density of land uses generally contemplated for the subject land in the applicable zoning and is appropriate given it's proximity to the Mount Joy GO Station. The proposed commercial uses located on the ground floor of the apartment buildings will result in a more animated street presence and deliver pedestrian oriented development. The row of parking along the Markham Road frontage will assist with the viability of the proposed commercial uses. The orientation of the buildings and the driveways allow for appropriate circulation and access as well as anticipating future connections and interaction with the future Phase 2 development. The applicant has worked closely with the City Architect on the building elevations and the coloured renderings are attached (Figures 5 & 6).

The proposed development is comprised of a good variety of useable outdoor and indoor amenity spaces. As previously mentioned, there will be outdoor amenity space provided on the top of the 7-storey podium which links the two (2) buildings and a 0.27 hectare (0.67 acre) centrally located open space area. Approximately 915 square metres (9848 square feet) of indoor amenity areas will include guest rooms, a business centre, party rooms with separate dining areas, children's play room, games room and open lounge area. A pet wash area will also be provided and staff are exploring further opportunities for dog friendly facilities and a central package pick up area within the buildings.

The site plan also complies with the City's fire and waste requirements. Snow clearance will be private and designated snow storage areas are provided for at the ends of the parking spaces along the Markham Road frontage and at the ends of the townhouse blocks.

Transportation and Parking

A Traffic Impact Study (TIS) including a Transportation Demand Management (TDM) Plan and Parking Justification Study has been submitted and reviewed by City staff.

Transportation

The functional design of the accesses and turning movements within the proposed development are acceptable. Some of the Transportation Demand Management (TDM) measures to be provided as part of the proposed development include unbundling of parking, car share, providing pre-loaded PRESTO cards, and transit information screens. These measures will be secured through the site plan agreement (Appendix 'A').

The applicant is also conveying land along Anderson Avenue for the future right-of-way road widening which will be secured through the site plan agreement (Appendix 'A').

Parking

The site-specific By-law which was enacted in 2011 for the aforementioned Cedardale development, implemented parking requirements which took into account parking reductions for the proposed development at that time. The applicant is requesting further parking reductions which are being reviewed by City staff and which will require a minor variance. The total number of required parking spaces is 728 for the proposed development, 600 of which are required for residents, 107 for visitors and 21 for the commercial uses. The applicant is proposing to provide a total of 639 parking spaces including approximately 548 for residents and 91 parking spaces for visitors with some of these parking spaces shared between visitors and the commercial uses. City staff have accepted the proposed reduced residential parking rates and are currently reviewing the proposed reduction to the visitors and commercial parking rates which is very close to being finalized and will not result in any significant changes to the site plan. Some of the shared and visitors parking spaces will be provided on the surface, approximately 27 along the Markham Road frontage, 20 adjacent to the central open space area and 4 between Tower B and the townhouses. The remainder will be provided below grade along with 524 resident parking spaces. Each townhouse will have two (2) parking spaces for residents. The parking justification review will be completed shortly and a satisfactory parking rate for the visitors and commercial uses will have to be agreed to with City staff prior to approval of a minor variance application discussed below.

Minor variances is required

A minor variance application is required to increase the height of the buildings from 20 to 22 storeys, and to increase the number of units from 500 to 536. The maximum FSI will also be increased from 2.03 to 2.2. The parking reductions discussed above to reduce the total required number of spaces from 728 to approximately 639 spaces will also be requested as part of the minor variance application. Staff have also requested that the applicant provide optional floor plans in their sales office which can accommodate purpose built secondary suites in the townhouses and as a result the applicant will be applying to permit secondary suites as part of the minor variance application.

The minor variance application (for all matters except the second suites) will need to be approved by the Committee of Adjustment prior to issuance of site plan endorsement by Staff (Appendix 'A').

Toronto Region Conservation Authority requirements must be satisfied

The easterly portion of the subject land is located within the Toronto and Region Conservation Authority (TRCA) Regulatory Flood Plain. Some of the main issues, which the applicant is working to address with the TRCA include flood plain assessment, stormwater management and sediment and erosion control measures. The applicant will be required to satisfy TRCA requirements before site plan endorsement is issued by staff (Appendix 'A').

Public art and other Section 37 contributions are required

It is appropriate to consider a public art contribution through Section 37 for the proposed development and the landowner has agreed to a public art contribution. The public art contribution will be a condition of the site plan agreement (Appendix 'A'). Section 37 is also required for the proposed development and Staff are having discussions with the applicant with regard to the Section 37 for the proposed 524 units.

Sustainable measures will be addressed

Council policy requires that the proposed 22-storey mixed use building achieves minimum LEED Silver. This LEED Silver requirement will be a condition in the site plan agreement (Appendix 'A').

Cash-in-lieu of parkland will be required

The landowner will be required to provide the appropriate amount of cash-in-lieu of parkland for the proposed Phase 1 development, which will be determined through a land value appraisal. Payment of the cash-in-lieu of parkland will be required as a condition in the site plan agreement (Appendix 'A').

CONCLUSION:

The proposed Phase 1 site plan is appropriate and achieves City requirements and objectives with the provision of mixed use high density development in close proximity to the Mount Joy GO Station. The design and function of the proposed site plan is acceptable to staff and as a result staff recommend that the site plan be endorsed in principle subject to the conditions in Appendix 'A'.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development aligns with the City's strategic priority of growth management.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and their requirements have been reflected in the report or in the site plan conditions.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P.

Arvin Prasad, M.C.I.P., R.P.P.

Director of Planning & Urban Design

Commissioner of Development Services

Meeting Date: January 25th, 2021

ATTACHMENTS:

Figure 1: Location Map

Figure 2: Area Context/ Zoning

Figure 3: Air Photo

Figure 4: Proposed Site Plan
Figure 5: Conceptual Rendering
Figure 6: Conceptual Rendering
Appendix 'A': Site plan conditions

AGENT CONTACT INFORMATION:

Attn: Billy Tung

Partner

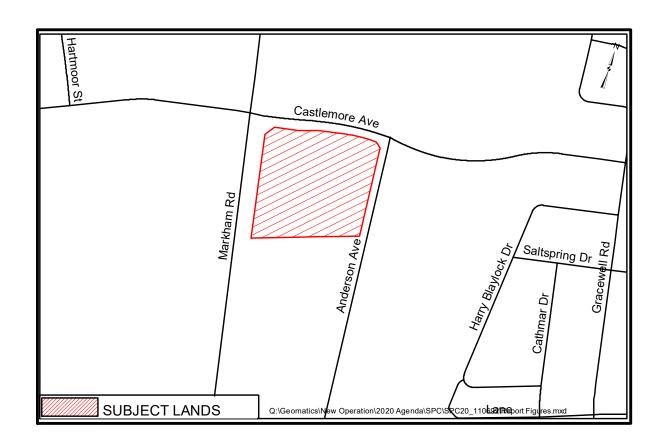
KLM Planning Partners Inc.

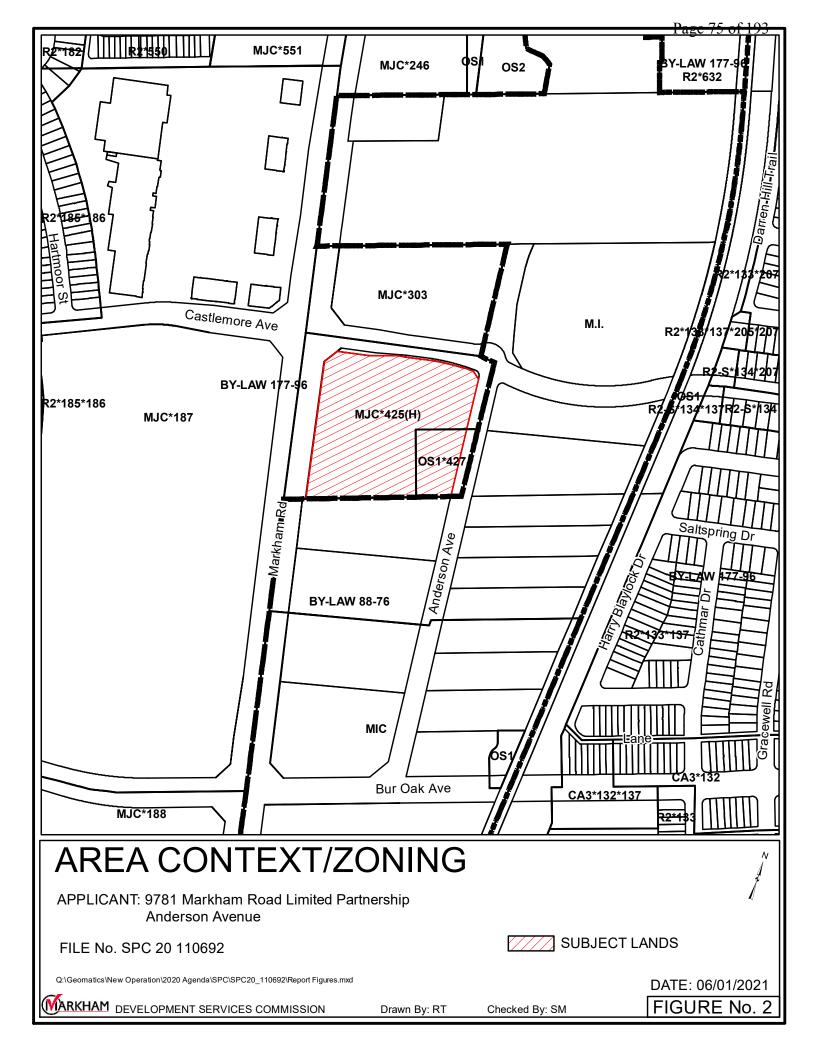
64 Jardin Drive

Unit 18

Concord, ON, L4K 3P3 Tel: 905-669-4055

Email: btung@klmplanning.com







APPLICANT: 9781 Markham Road Limited Partnership Anderson Avenue

FILE No. SPC 20 110692

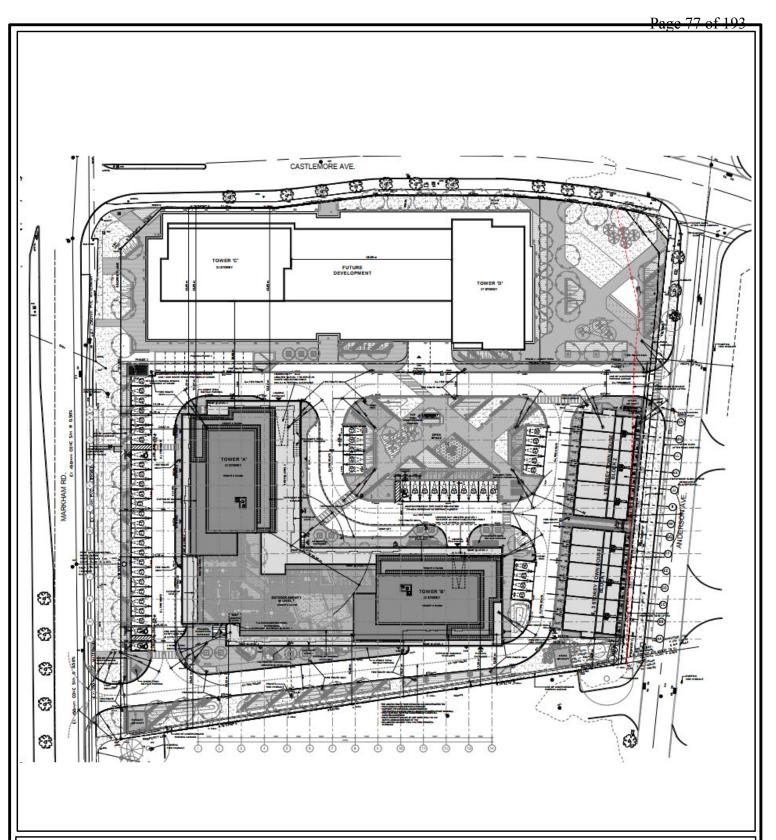
SUBJECT LANDS

Q:\Geomatics\New Operation\2020 Agenda\SPC\SPC20_110692\Report Figures.mxd

Drawn By: RT

Checked By: SM

DATE: 06/01/2021 FIGURE No. 3



PROPOSED SITE PLAN

APPLICANT: 9781 Markham Road Limited Partnership Anderson Avenue

FILE No. SPC 20 110692

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: SM

DATE: 06/01/2021

FIGURE No. 4



CONCEPTUAL RENDERINGS

APPLICANT: 9781 Markham Road Limited Partnership Anderson Avenue

FILE No. SPC 20 110692

Q:\Geomatics\New Operation\2020 Agenda\SPC\SPC20_110692\Report Figures.mxd

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: SM

DATE: 06/01/2021 FIGURE No. 5





CONCEPTUAL RENDERINGS

APPLICANT: 9781 Markham Road Limited Partnership Anderson Avenue

FILE No. SPC 20 110692

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: SM

DATE: 06/01/2021

FIGURE No. 6

APPENDIX 'A' SITE PLAN CONDITIONS 9781 MARKHAM ROAD LIMITED PARTNERSHIP SPC 20 110692

That prior to site plan endorsement:

- 1. The TRCA provides written confirmation that the applicant has satisfied their requirements to the satisfaction of the Director of Engineering;
- 2. The Owner demonstrates that the existing floodplain easement can be removed through the floodplain remediation work and floodplain modelling will be updated to the satisfaction of the Director of Engineering;
- 3. That any required minor variances are approved by the Committee of Adjustment.

That the Owner shall enter into a Site Plan Agreement with the City, containing all standards and requirements of the City and external agencies, including but not limited to:

- 1. Provisions for the payment by the Owner of all applicable fees, recoveries, development charges, cash-in-lieu of parkland, and any financial obligations;
- 2. That the Owner implements the final approved Transportation Demand Management (TDM) measures and provide the respective Letter of Credit;
- 3. Clauses relating to the payment of appropriate public art and Section 37 contributions;
- 4. The Owner agrees to achieve LEED Silver for the proposed development;
- 5. The Owner agrees to offer and display optional floor plans to include purpose built secondary suites for the proposed townhouses to the satisfaction of the Director of Planning and Urban Design.

Prior to execution of a Site Plan Agreement:

- 1. The Owner shall submit site plan, elevation drawings, engineering drawings, landscape plans, lighting plan and photometrics, along with any other plans and reports which are required to comply with the requirements of the City and authorized external agencies, to the satisfaction of the Commissioner of Development Services; and
- 2. The Owner shall submit final plans which incorporate the City's bird friendly guidelines, to the satisfaction of the Director of Planning and Urban Design.



Report to: Development Services Committee Meeting Date: January 25, 2021

SUBJECT: City of Markham Comments on *Planning Act* Provisions

Regarding Enhanced Ministerial Authority to Address and Implement Site Plan Matters and Inclusionary Zoning as Part of a Zoning Order (Environmental Registry of Ontario Posting

#019-2811)

PREPARED BY: Liliana Da Silva, R.P.P., M.C.I.P., Senior Planner, Policy &

Research (x. 3115)

Darryl Lyons, R.P.P., M.C.I.P. Manager of Policy, Policy &

Research (x. 2459)

REVIEWED BY: Marg Wouters, R.P.P., M.C.I.P., Senior Manager, Policy &

Research (x. 2909)

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

(x. 2600)

RECOMMENDATION:

- 1) That the report entitled, "City of Markham Comments on *Planning Act* Provisions Regarding Enhanced Ministerial Authority to Address and Implement Site Plan Matters and Inclusionary Zoning as Part of a Zoning Order (Environmental Registry of Ontario Posting #019-2811)", dated January 25, 2021, be received;
- 2) That this report be forwarded to the Ministry of Municipal Affairs and Housing as the City of Markham's comments on the Province's request for input on *Planning Act* provisions regarding enhanced ministerial authority to address and implement site plan matters and inclusionary zoning as part of a Zoning Order;
- 3) That the City of Markham not support the enhanced authority to address site plan matters in a Minister's Zoning Order and recommends that it be repealed;
- 4) That should the Minister maintain the enhanced authority to address site plan matters through a Minister's Zoning Order, the City of Markham recommends that it only apply to situations where the site plan is supported by the Council of that municipality;
- 5) That the City of Markham supports the minister's enhanced authority to require inclusionary zoning for affordable housing and recommends that the Minister only exercise this authority following consultation with the affected municipality to address local planning and implementation matters and where the Council of the municipality supports the issuance of the MZO;
- 6) And further that staff be authorized and directed to do all things necessary to give effect to the resolution.

PURPOSE:

This report provides City of Markham comments on the Province's Environmental Registry proposal (ERO #019-2811) that seeks input regarding recent changes to the *Planning Act* that give the Minister authority to address and implement site plan control and inclusionary zoning as part of a Minister's Zoning Order (MZO).

BACKGROUND:

Section 47 of the *Planning Act* provides the Minister of Municipal Affairs and Housing with the authority to make MZOs to control the use of land anywhere in Ontario. MZOs prevail over local official plans and zoning by-laws and they are intended to be used to protect matters of provincial interest and are required to be consistent with the Provincial Policy Statement (PPS). On July 21, 2020, the *COVID-19 Economic Recovery Act*, 2020 (also known as Bill 197) received Royal Assent and amended section 47 of the *Planning Act*, providing the Minister with enhanced MZO authority to address site plan matters, or to require affordable housing units through inclusionary zoning that could be applied to lands located outside of the Greenbelt Area.

More specifically, the enhanced authority allows the Minister to:

- require inclusion of affordable housing units in the development or redevelopment of specified lands, buildings or structures (inclusionary zoning);
- remove municipal use of site plan control of specified lands, and the Minister may give direction to require agreements between the municipality and development proponent (or landowner) concerning site plan matters of specified lands, and;
- make amendments to MZOs with respect to any of these enhanced authorities without first giving public notice.

Although section 47 provisions of the *Planning Act* are currently in effect, on December 16, 2020, the Ministry issued an ERO request for comments on whether or not the legislative changes made by Bill 197 for inclusionary zoning and site plan control should be expanded, repealed or otherwise adjusted. The Ministry is also looking for feedback regarding circumstances where this enhanced authority could be particularly helpful and circumstances where it should or should not be used. The deadline for comments is January 30, 2021.

According to the ERO posting page, the Province's intent for this enhanced authority is to help overcome potential barriers and development delays; support the delivery of transit station infrastructure and optimize surplus lands (e.g. by accommodating affordable housing and long term care homes). The enhanced authority also proposes to increase certainty for strategic projects; remove potential approvals delays; increase the availability of affordable housing; and provide additional value capture to enable economic recovery.

DISCUSSION:

Markham Council received an information staff report on August 25, 2020, that provided an overview of Bill 197 following Royal Assent in July, in particular the changes relating to planning and development, and outlined the implications to the City of Markham regarding the Minister's enhanced MZO authority noted above.

In the report, staff stated that the lack of opportunity for public input is of concern, as the use of planning instruments such as Official Plans and zoning by-laws, along with the

involvement of the public in a transparent process is paramount to the achievement of planning outcomes that represent local community input and reflect the community's vision. Staff continues to see the application of an MZO without public input as an issue.

Additionally, staff also stated that the enhanced authority to include site plan approvals and to set conditions in development agreements are of concern as these are matters best left to the local municipality. This concern is discussed in further detail below.

1. Minister's Site Plan Authority

Site plan control is best addressed locally and staff recommends the Minister's authority to address site plan matters through a Zoning Order be repealed

Site plan control is an optional tool under section 41 of the *Planning Act* that allows the council of a local municipality to show or propose a site plan control area in the official plan and subsequently pass a by-law to designate the area and outline the land use designations to which it would apply. Site plan control addresses certain matters on and around a site proposed for development, including location of buildings on a site, site layout and building footprints, exterior design and massing of buildings, and relationship to adjacent buildings and /or properties, as well as other matters such as access, walkways, lighting, waste facilities, landscaping, drainage, layout and design of surface parking areas. Site plan control ensures that a development proposal is properly planned and designed, fits in with the surrounding uses and minimizes any negative impacts. The July 2020 changes to section 47 of the *Planning Act* have given the Minister the authority to address site plan matters through an MZO, where it is deemed appropriate. The Minister's authority prevails over a municipal planning authority, can require a municipality to enter into an agreement with a development proponent (or landowner) dealing with matters related to site plan control and provide binding direction concerning the site plan agreement to scope or specify the matters that need to be addressed.

The City of Markham has a comprehensive, well-established site plan approval process involving the participation of the City, the applicant and where appropriate, external agencies. This process addresses a wide variety of matters that affect the interests and mandates of the City, external agencies (TRCA, York Region) and the public interest. Typically these matters often include:

- implementing the City's and external agencies' engineering, urban design, and planning guidelines and requirements through the site plan approval process;
- implementing the City's environmental sustainability policies and guidelines such as bird friendly design, wind impact and mitigation measures, sun and shadow studies, and tree planting through the Trees for Tomorrow program;
- ensuring proposed site plans minimize or mitigate negative impacts on surrounding residents and businesses;
- ensuring that adequate securities are posted by applicants to ensure that required works are built in accordance with approved site plans;

- ensuring that all fees required by the local municipality and external agencies are fully paid;
- ensuring that matters such as requirements for cash in lieu of parkland and contributions to community benefits are secured through site plan agreements; and
- ensuring that all required conveyances (i.e. greenways and hazard lands, parkland, cash in lieu of parkland, land dedications for road widenings, public and private easements and other transportation infrastructure) are implemented through the site plan approval process.

During the site plan application review process, staff from the City and external agencies including planners, engineers, urban designers, and other disciplines as appropriate, meet with the applicant at one or more "pre application meetings" to identify the key City and agency objectives to be addressed through site plan review and identify required supporting studies and their scope to be submitted with the application. Once an application is submitted, staff reviews the submitted plans and documents in conformity with city policies and guidelines, while external agencies perform similar reviews with regard to their agency's mandates. During the process, City and agency staff negotiate with the applicant to ensure that review comments and matters raised by other departments are satisfactorily addressed. City staff also works with the applicant and commenting agencies/departments to resolve outstanding or conflicting matters. Once these issues have been resolved to the City's and external agencies' satisfaction, staff prepare recommendations for endorsement and approval.

Site plan agreements, among other matters, secure the applicant's responsibilities regarding matters that are important to the City, such as the construction of public and private works; provision of required sustainability measures; design and construction standards to comply with applicable legislation, requirements for certification by licensed professionals; site specific access for inspections (to ensure construction meets all municipal and provincial standards); recourse for deficiencies through the posting of securities; and specific clauses and requirements to address payment of fees. These matters are technical in nature and often very detailed and complex.

In light of the above considerations, City staff believes that site plan control is best addressed locally with all of the appropriate participation from the City, the applicant, and external agencies. City staff process site plan applications in a timely manner and ensure the interests of the City and external agencies are met through that process. City staff is not supportive of the Minister's enhanced authority to address site plan matters and recommends that it be repealed.

Recommendation #1- That the City of Markham not support the enhanced authority to address site plan matters in a Minister's Zoning Order and recommends that it be repealed.

If the Minister's authority is maintained, City staff recommends the site plan authority within an MZO only be applied where supported by a local Council

Staff question whether application of site plan control through MZOs will achieve the time-savings anticipated by the Province. City staff is well positioned to address complex issues that arise in the review of site plans that may cause development delays. The site plan control process under the *Planning Act* is also efficient by not requiring public meetings and limiting appeals to only the landowner. City staff's deep understanding and familiarity of these issues ensure that they are identified and addressed, and assists the City in moving through the site plan approval process as expeditiously as possible. A local Council's support will ensure that the unique interests or needs across municipalities, sometimes within various areas of an individual municipality, are being met. Councils of these municipalities are best placed to ensure that such unique interests are met.

Should the Province continue to maintain its authority to address site plan control matters in MZOs, staff recommends that the Province be required to consult with the City, to identify what is to be included in the site plan approval process in an MZO, and to identify how the City requirements for site plan approval processes are being addressed. The Province should also determine whether or not revisions to the site plan control processes will lead to efficiencies and how municipal interests can be addressed through a site plan control process led by the Province. City staff also recommends that should this authority be maintained, that MZO requests only be applied in situations supported by the Council of that municipality.

The Ministry is also looking for feedback regarding circumstances where the enhanced authority could be particularly helpful, and circumstances where it should or should not be used. In response to this request, staff does not believe there are circumstances where this enhanced authority would be helpful, as it would replace the municipal site plan control process that the municipality is already set up to undertake. In fact, the enhanced authority with involvement of Ministry staff in local planning could lead to unnecessary delays in the planning process. As discussed above, site plan control is best carried out at the municipal level because the municipalities have intimate familiarity with their needs and needs of their residents.

Recommendation #2 – That should the Minister maintain the enhanced authority to address site plan matters through a Minister's Zoning Order, the City of Markham recommends that it only apply to situations where the site plan is supported by the Council of that municipality.

2. Inclusionary Zoning Authority

Staff generally supports Minster's enhanced authority to require inclusionary zoning for affordable housing in appropriate locations, but recommends that the Minister only consider use of this authority in situations where a local Council is supportive

Inclusionary zoning is an optional land use planning tool under the *Planning Act* that may be used to require affordable housing units to be built in proposed developments under certain conditions. The July 2020 changes to section 47 of the *Planning Act* has given the Minister the enhanced authority to require affordable housing units in proposed developments in MZOs. These changes would also allow the Minister to require agreements between the landowner and the municipality, or the landowner and the Minister, to address inclusionary zoning matters and to ensure continued compliance by the developers with affordable housing requirements.

Inclusionary zoning is being considered as part of the City's updated Affordable and Rental Housing Strategy. The *Planning Act* only permits municipalities to apply inclusionary zoning within Major Transit Station Areas (MTSAs) or where the Minister has ordered adoption of a Community Planning Permit System (CPPS).

A potential benefit of the enhanced MZO authority, through Bill 197, is that it allows the Minister to apply inclusionary zoning requirements in an MZO to lands outside of MTSA or where the Minister has ordered adoption of a CPPS. The Minister's enhanced authority could also assist in situations where a municipality may want to apply inclusionary zoning to a site or area more quickly than it may take to implement inclusionary zoning through an Official Plan Amendment and Inclusionary Zoning Bylaw.

Based on what is known to date about inclusionary zoning, affordable housing obtained through inclusionary zoning needs to consider long term implications, such as appropriate locations, which provide access to amenities and transit, agreements and implementation criteria, and the long-term affordability and management of the units. Since inclusionary zoning is a relatively new tool and municipalities, including Markham, are still working on how to implement it, there may be more implications that staff is currently not aware of. A local Council's support will also ensure that the unique interests or needs for affordable housing are being met. As such, it is recommended that the Minister be required to consult with affected municipalities prior to applying inclusionary zoning to specified lands through an MZO.

Recommendation #3 – That the City of Markham supports the Minister's enhanced authority to require inclusionary zoning for affordable housing in appropriate locations and recommends that the Minister only exercise this authority following consultation with the affected municipality to address local planning and implementation matters and where the Council of the municipality supports the issuance of the MZO.

NEXT STEPS:

Staff recommends that this report be forwarded to the Ministry of Municipal Affairs and Housing as the City of Markham's comments on the Province's request for input on *Planning Act* provisions regarding enhanced ministerial authority to address and implement site plan matters and inclusionary zoning as part of a Zoning Order.

Page 7

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

FINANCIAL CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The comments in this report support Goal 3 – Safe, Sustainable and Complete Community of Building Markham's Future Together, 2020-2023.

BUSINESS UNITS CONSULTED AND AFFECTED:

Planning and Urban Design, Engineering and Legal Services were consulted in the preparation of this report.

RECOMMENDED BY:

Biju Karumanchery, R.P.P., M.C.I.P.

Director, Planning and Urban Design

Arvin Prasad, R.P.P., M.C.I.P.

Commissioner of Development Services



Report to: Development Services Committee Meeting Date: January 25, 2021

SUBJECT: RECOMMENDATION REPORT

Nest (VS) GP Inc.

Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit 12 townhouses at 10165 Victoria Square

Blvd (Ward 2)

File Nos. ZA 19 179145, SU 19 179147

PREPARED BY: Marty Rokos, MCIP, RPP, ext. 2980, Senior Planner

REVIEWED BY: Stephen Kitagawa, MCIP, RPP, ext. 2600, Acting Manager,

West District

RECOMMENDATION:

1. That the report titled "RECOMMENDATION REPORT, Nest (VS) GP Inc., Applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)" be received;

- 2. That the record of the public meeting held on June 18, 2019, regarding the applications by Nest (VS) GP Inc. regarding the Draft Plan of Subdivision and Zoning By-law Amendment Applications to permit 12 townhouses at 10165 Victoria Square Blvd (Ward 2)" be received;
- 3. That the application submitted by Nest (VS) GP Inc. to amend Zoning By-law 304-87, as amended, be approved and the draft by-law attached as Appendix 'B' be finalized and brought forward to a future Council meeting to be enacted without further notice;
- 4. That Draft Plan of Subdivision application (SU 19 179147) submitted by Nest (VS) GP Inc. be approved subject to the conditions outlined as Appendix 'A' and the pre-conditions outlined in Appendix 'C';
- 5. That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out as Appendix 'A', as may be amended by the Director of Planning and Urban Design or designate;
- 6. That draft plan approval for Plan of Subdivision 19TM-19002 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period;
- 7. That Council assign servicing allocation for a maximum of 12 townhouse units;
- 8. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be

permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and

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

EXECUTIVE SUMMARY:

The site has an area of approximately 0.42 ha (1.04 ac). It is located on the east side of Victoria Square Boulevard, north of Major Mackenzie Drive and east of Highway 404 (the "subject lands"). This report recommends the approval of a zoning by-law amendment and draft plan of subdivision to facilitate the development of 12 three-storey townhouse units in two blocks. The Carlton Creek valleylands east of the proposed townhouses are proposed to be conveyed to the city and protected from development. A site plan application has also been submitted, which meets the criteria for staff delegation of site plan approval. Staff review of the site plan is ongoing and the owner is in the process of addressing remaining site plan matters.

PURPOSE:

The purpose of this report is to provide an overview, evaluation and recommendation of the applications for zoning by-law amendment and draft plan of subdivision (the "Application") submitted by Nest (VS) GP Inc. (the "Owner").

BACKGROUND

Location and Area Context

The lands subject to the proposed zoning by-law amendment and draft plan of subdivision are located on the east side of Victoria Square Boulevard, north of Major Mackenzie Drive and east of Highway 404 (see Figure 1). The lands have an area of approximately 0.42 ha (1.04 ac) with a frontage of approximately 80.55 m (264.3 ft) on Victoria Square Boulevard. There is a barn and an outbuilding on this parcel (see Figure 3). The rear portion of the site is traversed by the Carlton Creek along the eastern boundary. There is mature vegetation on the subject lands.

The surrounding land uses are as follows (see Figure 2):

North: Low rise residential

East: Carlton Creek and associated valleylands which bisects the property

in a north-south direction, and further east is a low rise residential

neighbourhood

South: Victoria Square Montessori School and a valleylands with mature

vegetation

West: Low rise residential neighbourhood, Sir John. A. MacDonald Public

School, and Frisby Park

Process to Date:

The zoning by-law amendment (ZBA) and draft plan of subdivision were submitted on January 22, 2019 and deemed complete on March 4, 2019. A site plan application was also submitted on January 22, 2019 (file SPC 19 179145). The application originally included both 10165 and 10197 Victoria Square Boulevard, however the owner has withdrawn the application for the latter. The subject lands now consist solely of 10165 Victoria Square Boulevard.

Public Meeting

A statutory Public Meeting was held on June 18, 2019. The comments made at the public meeting are summarized in the Options/Discussion section below.

Next Steps

- If the zoning and draft plan of subdivision applications are approved, staff recommend enacting the Zoning By-law Amendment at an upcoming Council meeting.
- Following site plan endorsement, the owner will enter into a site plan agreement with the City and site plan approval will follow (see Figure 6). Delegation By-law 2002-202 states that the Director of Planning and Urban Design is delegated authority to approve a site plan for townhouses. Site plan comments are noted in the Options/Discussion section of this report and will need to be addressed to the satisfaction of the Director of Planning and Urban Design before site plan endorsement.
- Applications for common element condominium and part lot control will need to be submitted in the future.

Proposed Development:

The owner proposes to create a 0.33 ha (0.82 ac) development block (Block 1) at 10165 Victoria Square Boulevard (corresponding to part of the table land portion of the site) and a 0.25 ha (0.62 ac) open space block (Block 2) for the valleylands and associated environmental buffers to the east (See Figure 6). All existing structures on the subject property are proposed to be demolished. 12 three-storey townhouses served by a private road with two connections to Victoria Square Boulevard are proposed for Block 1. The townhouse units will be 6.0 to 6.39 metres in width. They include rear yards ranging in depth from 6.67 to 11.38 m, with the exception that the northerly end unit of Block 1 has a rear yard depth of 3.65 m. Further outdoor amenity space is available in Frisby Park, which is directly across the street to the west. Each townhouse will have two parking spaces, one in a garage and one in the driveway. Three parallel visitor parking spaces are proposed on the west side of the private roadway.

Table 1 below summarizes the proposed draft plan of subdivision.

TABLE 1

Block	Land Use	Units	Area in hectares (acres)
1	Residential	12	0.333 (0.823)
2	Open Space		0.248 (0.613)
Total		12	0.581 (1.435)

Block 2 of the proposed draft plan of subdivision includes the valleylands associated with Carlton Creek to the east and a buffer area comprised of the greater of the meander belt and floodplain plus a 10 m (32.8 ft) buffer. These lands are proposed to be conveyed to the City for long term protection and naturalization.

The zoning by-law amendment is proposed to rezone the subject lands to protect the valleylands and permit the development of the 12 townhouses (See Appendix 'B'). Proposed site specific development standards include lot frontage, interior side yards, townhouse width, front and rear yards, height, number of units, and visitor parking.

Official Plan:

The front (west) portion of the property is designated "Residential Low Rise" in the Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018), which provides for low rise built forms including single and semi-detached dwellings, townhouses (excluding back to back townhouse) and small multiplex buildings with up to 6 units.

The balance of the lands are designated "Greenway" to protect valleylands, stream corridors, woodlands, wetlands, agricultural lands, certain naturalized stormwater management facilities and enhancement lands to support ecological linkages to the City's Natural Heritage Network.

Section 3.1.1.3b) of the 2014 Official Plan indicates that refinements to the "Greenway" boundaries may be considered as part of an application pursuant to the Planning Act, without an amendment to the Official Plan, where supported by a subwatershed study, master environmental servicing plan and environmental impact study or equivalent study (See Figure 4). The applicant has submitted a Natural Heritage Evaluation and Meander Belt Width study in support of the application. The Toronto and Region Conservation Authority has updated the floodplain modelling in the area and has no objections to the proposed ZBA and draft plan of subdivision applications.

The proposed residential and open space uses are provided for by the Official Plan.

Zoning By-law:

The subject lands are zoned "Rural Residential (RR1) Zone" under By-law 304-87, as amended, which only permits one single detached dwelling, home occupation and private home day care.

The owner proposes to incorporate the subject lands into By-law 177-96, as amended, within appropriate zoning designations to accommodate the proposed development. The

proposed new zone categories are "Residential Two (R2*666) Zone" and "Open Space One (OS1) Zone

The OS1 Zone is proposed on the valleylands (Block 2) and permits facilities for the control of flooding and erosion, playgrounds, trails, pedestrian bridges, and related accessory buildings and structures. Table 2 below summarizes the proposed site specific R2 Zone.

TABLE 2

Zone Standard	Parent R2 Zone	Proposed R2 Exception Zone
Permitted uses	Single detached dwellings Semi-detached dwellings Duplex dwellings Triplex dwellings Fourplex dwellings Townhouse dwellings Home occupations Home child care	Permitted uses limited to: Townhouse dwellings One accessory dwelling unit within a townhouse dwelling Home occupations Home child care
Minimum lot frontage	5.5 m per interior unit 6.7 m per end unit	75 m for entire subject lands Minimum 6.0 m townhouse unit width All lands in this zone shall be deemed to be one lot
Minimum rear yard	7.5 m	The two northerly units: 0.8 m The three southerly units: 5.5 m All other units: 7.5 m
Minimum front yard	4.5 m	15 m
Maximum front yard	n/a	22 m
Maximum height	11.0 m	13.5 m
Maximum number of dwellings	n/a	12

OPTIONS/ DISCUSSION:

Statutory Public Meeting:

A statutory public meeting was held on June 18, 2019. Four written submissions have been received regarding the proposal, as well as two verbal comments at the public meeting. In addition, Committee members made comments about the applications.

Written submissions included the following comments:

- Opposition to more residential development on Victoria Square Boulevard
- Lack of commercial space in the Victoria Square hamlet and desire for more commercial units in the area, e.g. a grocery store
- Traffic concerns
- Loss of green space and walking trails near the creek
- Concern that development may cause flooding and affect well water supply on abutting properties
- Loss of privacy and sunshine

Page 6

The following comment was made by residents at the public meeting:

The architecture does not match the character of the community

Committee members made the following comments at the public meeting:

- Asked staff to work with the applicant to improve the design of the proposal to better fit with the character of the area
- Driveways should be long enough to fit most cars
- Planting in the valley should be spread out across both sides of the watercourse

These comments are responded to in the following subsections.

2014 Official Plan provides for Low Rise Residential Uses

As described in the Proposal section of this report, the owner is proposing 12 townhouse units on the subject lands.

As discussed previously, the "Residential Low Rise" designation of the 2014 Official Plan provides for townhouse dwellings. The surrounding area was designed to be a diverse community with a range of housing types, including detached, semi-detached, townhouse, and apartment style dwellings. Heights are typically two to three storeys, with apartment buildings being up to four storeys.

In considering an application for infill development, section 8.3.2.5 of the Official Plan outlines the following criteria to be considered. These criteria include lot frontages and areas being consistent with the size of existing lots on both sides of the street, retaining and enhancing existing trees and vegetation through street tree planting and on-site landscaping, and sizing driveways to minimize tree loss.

The proposed townhouses are a minimum of 6 m wide and between 11.5 and 15.1 m deep. The rear yards are at least 6.67 m deep, with the exception of the yard of the northerly townhouse unit, which is 3.65 m deep because of the floodplain boundary (see Figure 6). For this unit, outdoor space is provided through a combination of patios, balconies, and rooftop amenity space. The size of outdoor spaces is consistent with the existing townhouses along Victoria Square Boulevard. The area is characterized by a mix of townhouses, single detached, and semi-detached dwelling units. Staff consider the proposed built form to be compatible with the surrounding neighbourhood.

The proposed development will have no impact on flooding or on nearby wells

The applications included a geotechnical report, hydrogeological assessment, and functional servicing report. Engineering staff have reviewed these reports and have provided technical comments but have no major concerns, and the proposed development will not affect the water supply or flooding of the adjacent properties. The TRCA has accepted the floodplain modelling and have no objections to the proposed townhouse dwellings.

Opportunities for retail and commercial space in Cathedral Town Community

A comment was made about the lack of commercial space in the Victoria Square area, specifically a grocery store. The Official Plan policies of the Cathedral area permit commercial or mixed use development at several nearby locations, including:

- Cathedral High Street and surrounding the cathedral;
- North side of Major Mackenzie Drive East;
- Victoria Square Boulevard at Vetmar Road;
- Limited retail permitted in the hamlet of Victoria Square; and
- Limited retail permitted in the employment lands on Elgin Mills Road at Woodbine Avenue.

The zoning in some of the commercial properties in the surrounding area permit a small grocery store. A large format grocery store is permitted on the north side of Major Mackenzie Drive, east of Highway 404.

Staff are satisfied with the conceptual design of the townhouses

The proposed townhouses are 3 storeys in height and the proposed maximum height is 13.5 m (see Figure 7). The height is generally consistent with other three storey townhouses along Victoria Square Boulevard. The proposed north unit is smaller and has less depth than the rest of the townhouse units, providing a transition to the abutting property to the north. The roofline slopes downwards at this unit, further reducing its visual scale. Due to the property's downward slope towards the creek the east side of the townhouses will be designed with walk out basements. Although this will result in the east (rear) elevations appearing taller than the other elevations, the east side does not directly face other residential units and will have no negative impacts on the surrounding area.

The proposed townhouses are designed with a variety of materials and colours. The front elevations include front porches projecting in front of single car garages. Some units include second floor balconies facing the street, and both blocks have been visually divided into smaller sections through the massing and materials, increasing the distinctiveness of each unit. To ensure that the proposed units complement existing buildings in the area, Urban Design staff are working with the applicant to present a more unified architectural concept, strengthen the cornice treatment, and provide masonry/concrete construction instead of pre-finished metal panels. These details will be finalized to staff's satisfaction as part of the site plan review process.

Valleylands will be protected and enhanced and existing valleyland trails will not be affected:

Block 2 on the proposed draft plan of subdivision will be conveyed to the City to protect and enhance the valleylands (see Figure 5). The existing trail on the east side of Carlton Creek is unaffected by this proposal. Existing trees and vegetation are proposed to be preserved where possible. Dense shrub and tree plantings with diverse species are proposed by the owner in the buffer and in the natural valleyland feature. TRCA staff have no objections to the approval of the ZBA and draft plan of subdivision applications and their remaining technical comments are being addressed through the site plan review process.

The TRCA is satisfied with the proposed development limits on the draft plan of subdivision.

Transportation and Engineering:

The Transportation Impact Study has been reviewed by Transportation Engineering staff, who have worked with the owner to ensure that the site is designed to be functional and safe from a traffic perspective. Staff have no concerns from a traffic standpoint. The Cathedral area has been planned to encourage a balanced transportation mix, including active transportation and public transit. This includes sidewalks and bike lanes throughout the community, existing multi use paths on Woodbine Avenue, planned multi use paths on Victoria Square Boulevard, and future cycling infrastructure on Elgin Mills Road. York Region Transit routes 80 and 24 provide bus service in the area.

The proposed townhouses have not been designed with individual driveways from Victoria Square Boulevard. Instead a single private driveway has been incorporated into the design to minimize access points from the street. In addition to the three proposed visitor parking spaces, on street parking will also be available on Victoria Square Boulevard after it is reconstructed and urbanized.

Parkland Dedication and Public Art:

No public parkland is being provided on the subject lands. Parkland dedication requirements will be satisfied through cash in lieu of parkland. The cash in lieu of parkland payment will be required at site plan approval and will be based on an appraisal.

The proposed zoning by-law includes a Section 37 public art contribution of \$1425.00 per unit.

CONCLUSION:

It is the opinion of staff that the proposed zoning by-law amendment and draft plan of subdivision applications are appropriate and acceptable. Staff are generally satisfied with the proposed site plan. The townhouses are compatible and complimentary with surrounding development and provide a good transition to surrounding development. It is therefore recommended that the proposed applications be approved subject to the draft plan approval conditions attached as Appendix 'A', the draft zoning by-law attached as Appendix 'B', and the pre-conditions attached as Appendix 'C'.

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 Priority of Safe Sustainable and Complete Community.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications were circulated to various City departments and external agencies and no concerns were identified.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P, R.P.P Arvin Prasad, M.C.I.P., R.P.P. Director, Planning and Urban Design Commissioner of Development Services

ATTACHMENTS:

Figure 1: Location map

Figure 2: Area Context/Zoning Figure 3: Aerial Photo 2019

Figure 4: Official Plan Section 3.1.1

Figure 5: Proposed Draft Plan of Subdivision

Figure 6: Proposed Site Plan Figure 7: Proposed Elevations

APPENDICES:

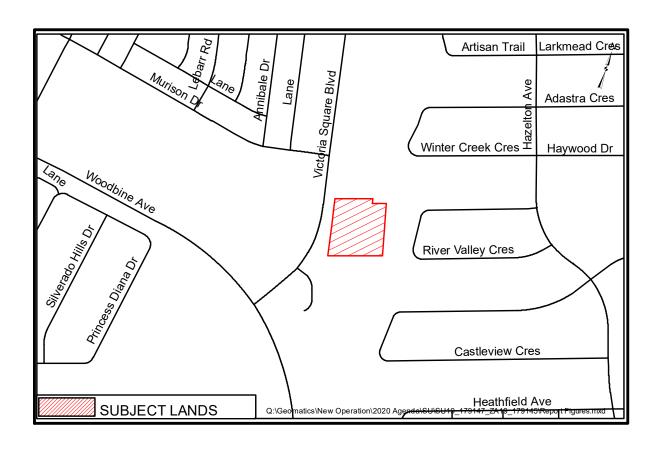
Appendix 'A': Recommended Conditions of Draft Plan Approval

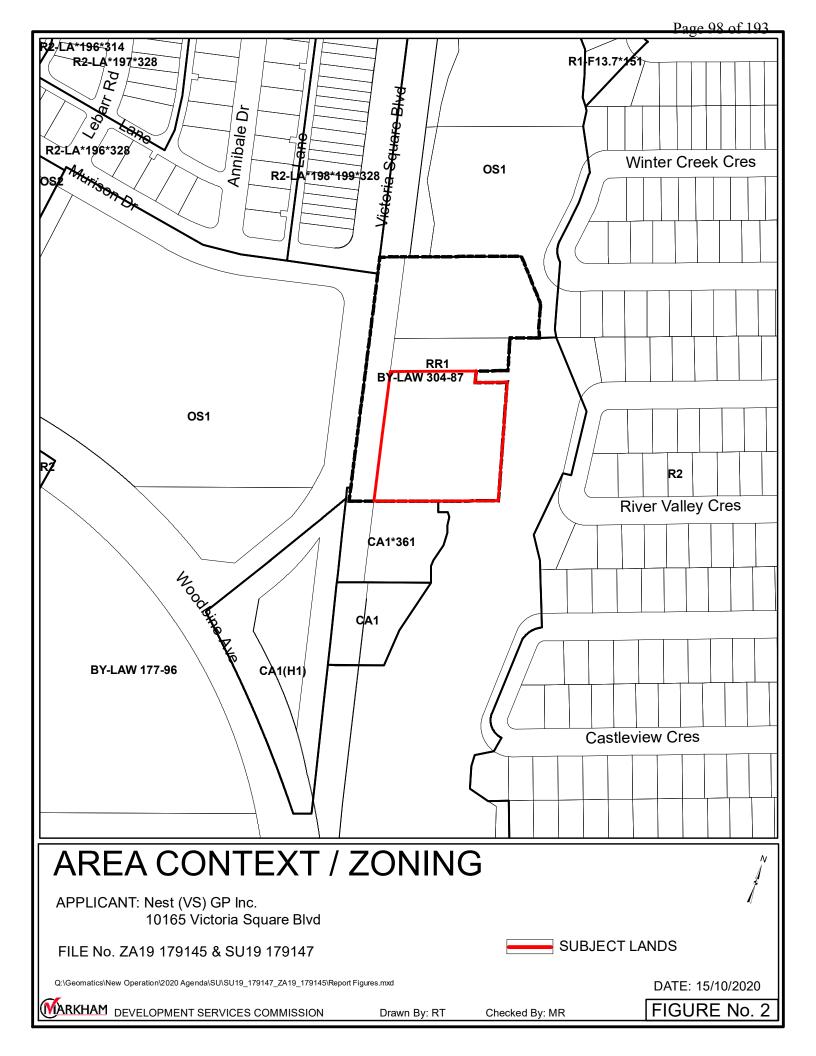
Appendix 'B': Draft Zoning By-law Amendment Appendix 'C': Recommended Pre-Conditions

AGENT:

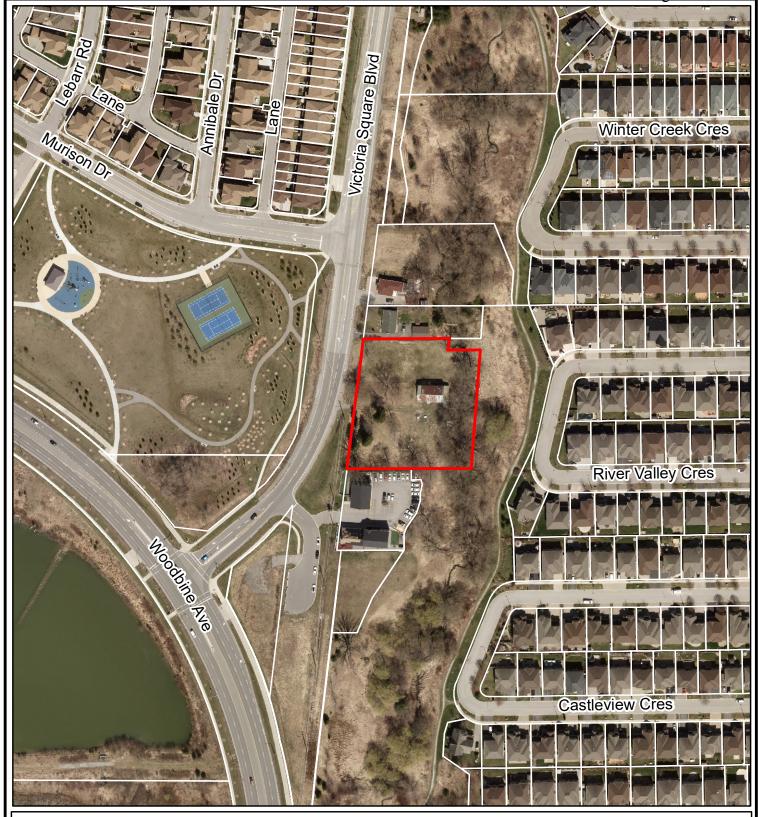
Billy Tung KLM Planning Partners Inc. 64 Jardin Drive Unit 1B Vaughan, Ontario L4K 3P3

Tel.: 905-669-4055





Page 99 of 193



AERIAL PHOTO 2019

APPLICANT: Nest (VS) GP Inc. 10165 Victoria Square Blvd

FILE No. ZA19 179145 & SU19 179147

SUBJECT LANDS

>

DATE: 15/10/2020 FIGURE No. 3

Environmental Systems 3-7

3.1.1 General Policies

It is the policy of Council:

3.1.1.1 **That** the components of the Greenway System include the following:

- a) Natural Heritage Network lands;
- b) Natural Heritage Network Enhancement Lands;
- c) Rouge Watershed Protection Area lands;
- d) Oak Ridges Moraine Conservation Plan Area lands;
- e) Greenbelt Plan Area lands; and
- f) certain naturalized stormwater management facilities.

To the extent possible, given the limitation of available data, these components are generally identified on Map 4 – Greenway System, Map 5 – Natural Heritage Features and Landforms, Map 6 – Hydrologic Features and Map 7 – Provincial and Federal Policy Areas.

3.1.1.2 **To identify, protect and enhance** Markham's Greenway System as shown on Map 1 – Markham Structure by:

- a) protecting a network of natural heritage and hydrologic features (as defined as key natural heritage features, key hydrologic features, valleylands and woodlands, and their functions) and associated vegetation protection zones, protected agricultural lands and Natural Heritage Network Enhancement Lands, to improve the biodiversity and connectivity of natural heritage features and their ecological function;
- b) directing permitted development, redevelopment and site alteration away from natural heritage and hydrologic features within the Greenway System;
- c) protecting the ecological integrity of the Oak Ridges Moraine;
- d) providing protection for agricultural lands and ecological features and functions in the Greenbelt;
- e) providing public access to publicly owned natural areas for naturebased recreation uses, where appropriate, in a manner that respects ecological sensitivities in support of a healthy and active community;
- f) encouraging public acquisition of the Natural Heritage Network lands where possible over the long term; and
- g) encouraging stewardship of privately owned natural areas by private landowners until the lands come into public ownership.
- 3.1.1.3 **That** the boundaries of the Greenway System and Natural Heritage Network, including the delineation of *natural heritage and hydrologic features* as shown on Map 4 Greenway System, Map 5 Natural Heritage Features and Landforms, and Map 6 Hydrologic Features reflect the most accurate information available and are to be confirmed and may be refined or modified as follows:
 - a) confirmation of the boundaries will be undertaken in the field, in consultation with appropriate agencies, and any corresponding changes to the mapping shall be undertaken without amendment to this Plan;
 - b) refinements to the boundaries may be considered as part of an application pursuant to the Planning Act, without an amendment to

Section 3.1.1.2 subject to Area/Site Specific Appeal No. 22 (Issue 281A) 3-8 **Environmental Systems**

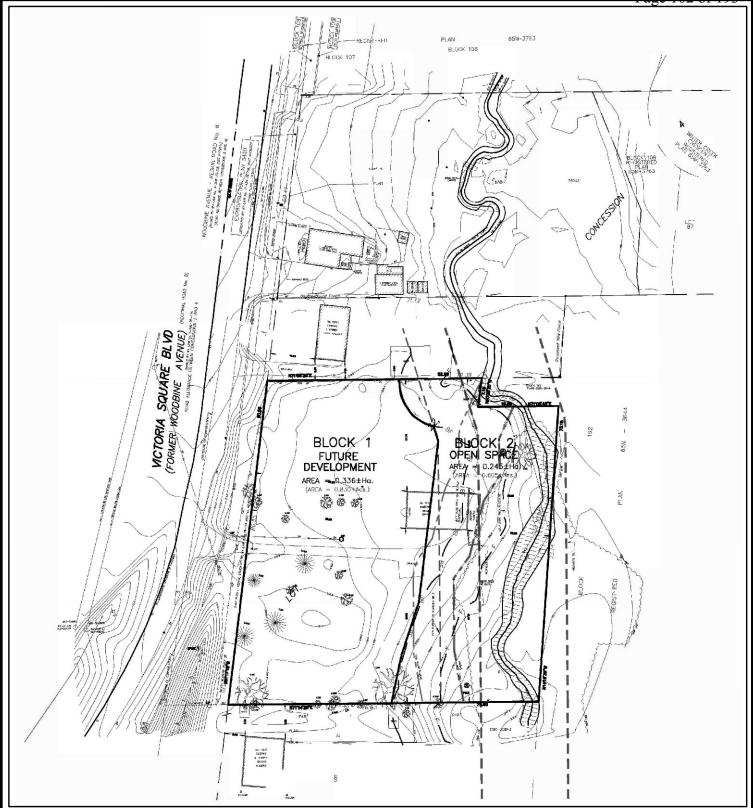
- this Plan, where supported by a *subwatershed* study, master environmental servicing plan, environmental impact study or equivalent study; and
- c) modifications to the boundaries, other than refinements, including the delineation of the boundaries of the Natural Heritage Network Enhancement Lands in accordance with Section 3.1.3.2, may be considered through an amendment to this Plan, where supported by a subwatershed study, master environmental servicing plan, environmental impact study or equivalent study.

The outer boundaries of the Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area can only be refined or modified by the Province through amendments to the relevant Provincial Plan or as identified in applicable legislation. Any modifications to these boundaries approved by the Province shall be addressed in accordance with provincial requirements.

- 3.1.1.4 **That** where compensation for removal of *natural heritage and hydrologic* features is determined to be appropriate, Council shall:
 - a) work with the Province, York Region, the Toronto and Region Conservation Authority and other agencies seeking compensation and encourage all compensation to be located in Markham; and
 - b) seek appropriate compensation in accordance with Section 3.2.1 c).
- 3.1.1.5 To coordinate with Parks Canada, the Province, York Region and the Toronto and Region Conservation Authority efforts to ensure a consistent approach towards the protection of a system of natural heritage and hydrologic features.
- 3.1.1.6 To incorporate the protection and enhancement of the Greenway System as a component of the parks and open space system in accordance with Section 4.3.1.2 and a required secondary plan in accordance with Section 10.1.1.
- 3.1.1.7 **That** lands within the Greenway System are subject to the policies of this Plan, and where applicable, policies in the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and Minister's Zoning Order – Airport and other applicable land use policy regulations and/or standards. In the event of conflict among plans, regulations and standards the most restrictive requirements prevail, except in the case of agriculture, mineral aggregates and wayside pits where provincial plans and policies prevail.
- 3.1.1.8 To collaborate with Parks Canada and the Toronto and Region Conservation Authority, where appropriate, to prepare plans to guide the management of public parks and recreation uses within the Greenway System while safeguarding and enhancing natural features and functions.
- 3.1.1.9 **To minimize** the impacts of nature-based recreation infrastructure such as trails, trailheads, foot bridges, parking, signage, picnic facilities, washrooms and interpretative facilities on the ecological integrity of the Greenway System.
- 3.1.1.10 To require minimum vegetation protection zones, as identified in Section

Section 3.1.1.4 subject to Area/Site **Specific Appeal Nos.** 22 and 24 (OMB Hearing Issues 3)

Page 102 of 193



PROPOSED DRAFT PLAN OF SUBDIVISION

APPLICANT: Nest (VS) GP Inc.

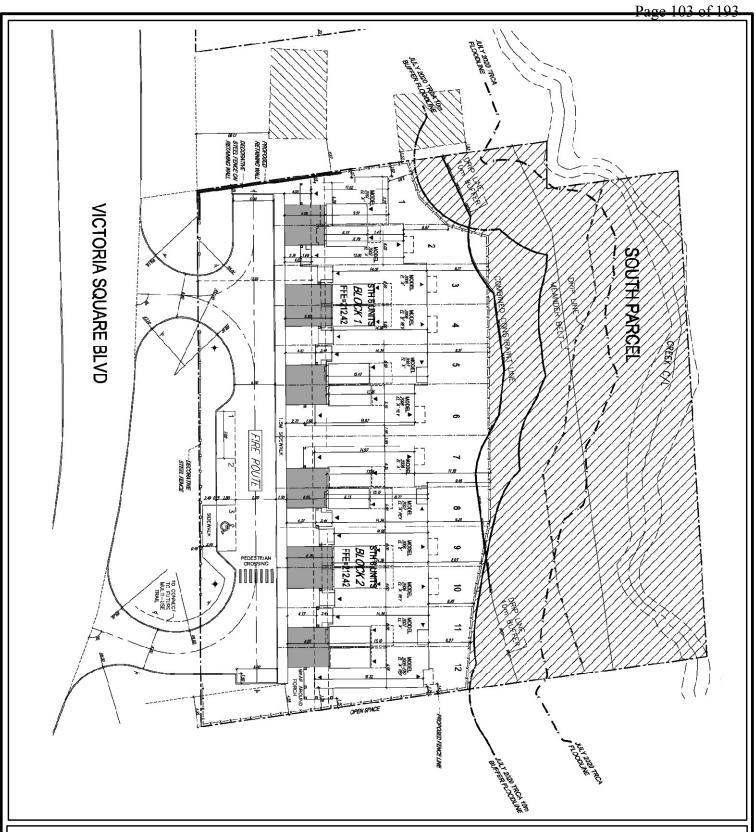
10165 Victoria Square Blvd

FILE No. ZA19 179145 & SU19 179147

Q:\Geomatics\New Operation\2020 Agenda\SU\SU19_179147_ZA19_179145\Report Figures.mxd

DATE: 15/10/2020

FIGURE No. 5



PROPOSED SITE PLAN

APPLICANT: Nest (VS) GP Inc. 10165 Victoria Square Blvd

FILE No. ZA19 179145 & SU19 179147

 $\label{lem:condition} Q: \label{lem:condition} Q: \label{lem:conditio$

Checked By: MR

Drawn By: RT

DATE: 15/10/2020 FIGURE No. 6



ELEVATIONS

APPLICANT: Nest (VS) GP Inc.

10165 Victoria Square Blvd

FILE No. ZA19 179145 & SU19 179147

 $\label{lem:condition} Q: \label{lem:condition} Q: \label{lem:conditio$

DATE: 15/10/2020 FIGURE No.

APPENDIX 'A'

RECOMMENDED CONDITIONS OF DRAFT PLAN APPROVAL PLAN OF SUBDIVISION 19TM-19002 NEST (VS) GP INC.

1. General

- 1.1 Approval shall relate to a draft plan of subdivision prepared by KLM Planning Partners Inc., identified as Project No. P-2641, dated March 23, 2020, as amended.
- 1.2 This draft approval shall apply for a maximum period of three (3) years from date of issuance by the City 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 Prior to the release for registration of this Draft Plan of Subdivision, the Owner shall prepare and submit to the satisfaction of the City's Director of Engineering and Director of Planning and Urban Design, all required technical reports, studies, and drawings, including but not limited to, functional traffic designs, stormwater management reports, functional servicing reports, design briefs, watermain analysis reports, detailed design drawings, noise studies, etc., to support the draft Plan of Subdivision. The Owner agrees to revise this Draft Plan of Subdivision as necessary to incorporate the design and recommendations of the accepted technical reports, studies, and drawings.
- 1.5 The Owner shall agree in the Subdivision Agreement to 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, functional road design, stormwater management reports, functional servicing reports, design briefs, watermain analysis reports, detailed design drawings, noise studies, etc., to the satisfaction of the City's Director of Engineering and Director of Planning and Urban Design, and at no cost to the City.
- 1.6 The Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of draft approval may require revisions, to the satisfaction of the City, to implement or integrate any recommendations from studies required as a condition of draft approval, including, but not limited to, Municipal Class Environmental Assessment, Traffic Impact Study, Internal Functional Traffic Design Study, Transportation Demand Management Plan, Stormwater Management Study (Environmental Master Drainage Plan), Functional Servicing Report, Noise Impact Study, confirmation of alignment of roads with the locations shown in the draft approved plans, as well as any comments and conditions received from municipal departments and external agencies after draft approval is granted.

- 1.7 The Owner shall covenant and agree in the Subdivision Agreement to design and construct all required relocations of, and modifications to existing infrastructure, including but not limited to sewers, watermains, light standards, utilities, and stormwater management facilities to the satisfaction of, and at no cost to, the City.
- 1.8 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.
- 1.9 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 that phase of development.
- 1.10 The Owner acknowledges and agrees to obtain approval of Site Alteration Plans in accordance with the City's Standards prior to proceeding with any on-site works and more particularly topsoil stripping.
- 1.11 The Owner acknowledges and understands that prior to release for registration of this draft plan of subdivision, amendments to Zoning Bylaws 304-87 and 177-96, as amended, to implement the plan shall have come into effect in accordance with the provisions of the Planning Act.

2. <u>Engineering</u>

2.1 Prior to final approval, the Owner shall satisfy all Engineering Conditions to the satisfaction of the Director of Engineering.

3. <u>Urban Design</u>

3.1 Prior to final approval, the Owner shall satisfy all Urban Design Conditions to the satisfaction of the Director of Planning and Urban Design.

4. <u>Natural Heritage</u>

- 4.1 The Owner covenants and agrees to convey Open Space Block 2 to the City of Markham in a physical condition to the satisfaction of the City.
- 4.2 The Owner covenants and agrees to implement the recommendations of the Environmental Impact Study prepared by Beacon Environmental, dated March 2020.
- 4.3 That prior to final approval of the draft plan, the Owner agrees to prepare and implement a valley buffer restoration plan for Open Space Block 2 to the satisfaction of the Director of Planning and Urban Design. The Owner

agrees to provide a Letter of Credit in the subdivision agreement to secure the works identified in the ecological restoration plan.

- 4.4 The Owner covenants and agrees to include warning clauses in all agreements of purchase and sale providing notice that:
 - "Lands adjacent to this property have been conveyed to the City of Markham for environmental protection purposes. These lands have been planted with trees and shrubs by the developer and will be left in an untouched and naturalized state. Purchasers are advised that building encroachments, dumping of yard waste and removal of grass/vegetation are not permitted on city-owned lands. No fence gates shall be permitted between private property and the natural heritage system."

5. <u>Fire Department</u>

5.1 The Owner shall covenant and agree in the Subdivision Agreement to satisfy the Fire Department as follows:

Fire Access Routes:

- a) Fire Access Route must be designed and constructed to support expected load imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climactic conditions.
- b) Access routes shall be provided with an overhead clearance of at least 5 meters.
- c) The access for firefighting is unacceptable as a minimum 9 meter inside turning radius must be provided for all changes in direction along the entire fire route.
- d) Should there be a change in gradient along the fire access route; the route shall be designed to have a change in gradient of not more than 1 in 12.5 over a minimum distance of 15m (49ft 3in).
- e) Fire Access Route Signs are required and shall be installed by the Owner subject to Fire Department approval. Indicate the locations of the fire access route sign for review and approval. The signs are to be spaced a maximum of 30m apart on both sides of the fire access route and a maximum of 15m from the street curb. Signs to be set at an angle of not less than 30° and not more than 45° to a line parallel to the flow of traffic and should always be visible to approaching traffic.

f) The Fire Department will require a Letter of Credit in the amount of \$5,000.00 to ensure completion of the installation of the fire access route signs.

Hydrant Installation:

- g) Hydrants will be required and the location of the hydrants and size of water main must be approved by the Fire Department. Hydrants shall be installed with a 100mm storz connection as per City of Markham engineering standards.
- h) The Fire Department will require a Letter of Credit in the amount of \$15,000.00 to ensure completion of the installation of each hydrant.

Water Supply:

- i) The size of the water mains and the hydrant locations shall be approved by the Fire Department.
- j) A water supply of at least 5,000 L/min for single family dwellings and 7,000 L/min for townhouse developments shall be available for firefighting purposes.

Fire Department Access:

- k) To ensure reliability of access for Fire Department vehicles under all conditions, two means of street access, at least 6m wide and independent of one another are to be provided into the development at all times. Gates, concrete barriers or other types of obstructions will not be permitted at each approved Fire Department access during construction and after hours.
- 1) The Fire Department will require a Letter of Credit in the amount of \$20,000.00 to ensure two separate and independent access into the development are clear at all times during construction and after hours.
- m) Access to rear yards shall be provided by means of a 3 meter break between townhouse blocks.
- n) Municipal addresses for townhouses, single family dwellings, etc..., shall be designated and visible from the main street access.

Firebreak:

o) Block #2 shall be designated as a fire break.

Site Plan Items:

- p) Indicate the location of the fire access route on the site plan.
- q) Indicate the location of the fire access route signs on the site plan.
- r) Indicate the location of the hydrants on the site plan.

Underground Servicing Plans:

s) One copy of the underground servicing site plan shall be submitted to the Fire Department for review and approval. The underground servicing plan is required to be reviewed and approved prior to the Site Plan Endorsement Stage.

Final Approval:

t) The applicant is to be advised that a meeting will be required with the Fire Department to finalize the location of the hydrants, fire access route signage locations.

6. York Region

Clauses to be Included in the Subdivision Agreement

- 6.1 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.
- 6.2 The Owner shall agree in wording satisfactory to Development Engineering, that approval of the related Site Plan application SP.19.M.0059/SPC 19 179145 from Region is required to be in place before the commencement of any site alteration or construction works for the subject site.
- 6.3 The Owner shall agree in wording satisfactory to Development Engineering, to advise all potential purchasers of the existing and future introduction of transit services in this development. This includes current and potential transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT/Viva route maps, Future Plan maps & providing YRT/Viva website contact information) at sales offices and appropriate notification clauses in purchase agreements. The Owner/consultant is to contact YRT/Viva Contact Centre (tel. 1-866-668-3978) for route maps and the future plan maps.

Conditions to be Satisfied Prior to Final Approval

- 6.4 The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Markham and York Region.
- 6.5 The Owner shall provide to the Region the following documentation to confirm that water and wastewater services are available to the subject development and have been allocated by the City of Markham:
 - a) A copy of the Council resolution confirming that the City of Markham has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan, or any phase thereof.
 - b) A copy of an email confirmation by City of Markham staff stating that the allocation to the subject development remains valid at the time of the request for regional clearance of this condition.
- 6.6 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.
- 6.7 Prior to final approval, the Owner shall provide landscape drawings to confirm that landscaping shall not interfere with existing bus stops, passenger standing areas or corner sightlines. Bus stops located in front of the employment areas shall be incorporated into the landscape design.
- 6.8 The Owner shall agree in the Letter of Approval to contact Sustainable Mobility to discuss Transportation Demand Management options for the proposed development.
- 6.9 The Owner shall provide a copy of the Subdivision Agreement to the Corporate Services Department, outlining all requirements of the Corporate Services Department.
- 6.10 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.

7. Toronto and Region Conservation Authority

7.1 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) Detailed grading, servicing and other engineering plans delineating the updated flood plain limit and buffers to the proposed development to the satisfaction of the TRCA. Where a buffer of less than 10 metres is necessary due to the updated flood plain modeling, demonstrate that a 0.3 m freeboard (vertical buffer) to the flood plain is provided through lot grading within the development block.
- b) 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. 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 TRCA's stormwater management criteria (including stormwater quantity and quality control) and the criteria requirements for water balance and erosion control have been met or exceeded;
 - iii. water balance measures with supporting calculations;
 - iv. detail drawings, locations and plans for proposed water balance and Low Impact Development (LID) measures on the appropriate drawings;
 - v. detailed grading plans and site servicing plans;
 - vi. supporting background documentation (e.g. seasonal hydrologic study, infiltration or percolation rates) as appropriate.
- c) A detailed and comprehensive Erosion and Sediment Control Plan and Erosion and Sediment Control Report, which complies with the TRCA's *Erosion and Sediment Control Guidelines for Urban Construction* (available at https://trca.ca/planning-permits/procedural-manual-and-technical-guidelines/);
- d) Detailed landscape planting plans demonstrating that any existing structures and/or debris within the environmental block (Block 2) will be removed and that the block will be restored and densely planted with appropriate native species in accordance with the approved landscape planting plans.

- 7.2 That the environmental block (Block 2) containing natural feature(s), hazards and associated buffers be placed into an appropriate zoning category (e.g. Open Space), densely planted, and gratuitously dedicated into public ownership to ensure the long term protection of the lands.
- 7.3 That the applicant obtain all Ontario Regulation 166/06 (as amended) permits from the TRCA for all works proposed on the subject property for which permits would be required.
- 7.4 That the draft plan be red-line revised, if necessary, in order to meet the requirements of TRCA's conditions, or in order to meet current established standards in place at time of registration of the Plan or any phase thereof.
- 7.5 That the owner agrees in the subdivision agreement, in wording acceptable to the TRCA:
 - 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;
 - 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) to include appropriate clauses in all agreements of purchase and sale, for lots or blocks on which infiltration infrastructure (whether structural or passive) is to be located that clearly identifies maintenance responsibilities of the landowner;
 - g) that the environmental block (Block 2) be gratuitously conveyed into public ownership free of all encumbrances into public ownership;
 - h) to provide and install all LID measures identified in the engineering report(s) for the purchaser prior to occupancy to the satisfaction of the City and TRCA;

to undertake restoration and planting enhancements within the environmental block (Block 2) in accordance with approved landscape planting plans and provide appropriate securities and/or letter of credit to the City of Markham.

8. <u>Alectra Utilities</u>

- 8.1 The Owner shall covenant and agree in the Subdivision Agreement to satisfy Alectra Utilities as follows:
 - a) The owner, or his agent, for this plan is required to contact Alectra to discuss all aspects of the above project. Alectra will require site plan drawings, draft m-plans, legal plans, architectural design drawings, electrical consultant's drawings, number of units/lots in the subdivision/development and type of the subdivision/development (i.e., single family residential, town homes, condominium town homes, industrial etc.), square footage of the buildings, the required voltage, amperage and building loads, along with the completed and signed Subdivision Application Information Form (SAIF). Alectra will then use this information to determine the type of available service in the area to supply this project and determine the design fee for the subdivision or development.
 - b) Once Alectra has received the design fee and requested information, Alectra will prepare the hydro design, obtain the owner's /developer's approval of the design and obtain the required approvals from the local municipality and prepare the cost of the electrical distribution system (EDS) installation. Alectra will provide the owner/developer with an "Offer to Connect" (OTC) agreement which will specify all the details and the responsibilities of each party.
 - c) The information on the SAIF must be as accurate as possible to reduce unnecessary customer costs, and to provide a realistic inservice date. The information from the SAIF is also used to allocate/order materials, to assign a technician to the project, and to place the project in the appropriate queue.
 - d) All proposed buildings, billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.
 - e) If there are any existing components of Alectra's electrical distribution system on the proposed project site, they will have to be

relocated by Alectra at the Developer's cost. Any conflicts due to driveway locations or clearances to the existing overhead or underground distribution system will have to be relocated by Alectra at the Developer's cost.

9. Canada Post

- 9.1 The owner/developer agrees to include on all offers of purchase and sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
- 9.2 The owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any unit sale.
- 9.3 The owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plans.
- 9.4 The owner/developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - a) An appropriately sized sidewalk section (concrete pad) to place the Community Mailboxes on.
 - b) Any required walkway across the boulevard.
 - c) Any required curb depressions for wheelchair access.
- 9.5 The owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to the new homes as soon as they are occupied.
- 9.6 The owner/developer further agrees to provide Canada Post at least 60 days notice prior to the confirmed first occupancy date to allow for the community mailboxes to be ordered and installed at the prepared temporary location.
- 9.7 Further information can be found by visiting the following link to Canada Post's Delivery Standards Manual.

 https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_e
 n.pdf?_ga=1.255544584.102383918.1446243719

10. Bell Canada

- 10.1 The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
- 10.2 The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

11. <u>External Clearances</u>

- 11.1 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) The Regional Municipality of York Corporate Services Department shall advise that Conditions 6.1 to 6.10 have been satisfied.
 - b) The Toronto and Region Conservation Authority ("TRCA") shall advise that all lands containing natural features, hazards and their associated buffers are zoned for environmental protection, densely planted and gratuitously dedicated into public ownership, free and clear of all encumbrances to the City of Markham and are to the TRCA's satisfaction and that Conditions 7.1 to 7.5 have been satisfied.
 - c) Alectra Utilities shall advise that Condition 8.1 has been satisfied.
 - d) Canada Post shall advise that Conditions 9.1 to 9.7 have been satisfied.
 - e) Bell Canada shall advise that Conditions 10.1 to 10.2 have been satisfied.



BY-LAW 2021-____

A By-law to amend By-law 304-87, as amended
(to delete lands from the designated areas of By-law 304-87)
and to amend By-law 177-96, as amended

(to incorporate lands into the designated area of By-law 177-96)

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

- 1. That By-law 304-87, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated areas of By-law 304-87, as amended.
- 2. That By-law 177-96, as amended, is hereby further amended as follows:
 - 2.1 By expanding the designated area of By-law 177-96, as amended, to include additional lands as shown on Schedule "A" attached hereto.
 - 2.2 By zoning the lands outlined on Schedule "A" attached hereto:

from:

Rural Residential One (RR1) Zone

to:

Residential Two *666 (R2*666) Zone and Open Space One (OS1) Zone

3. By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 7.666		Nest (VS) GP Inc. 10165 Victoria Square Boulevard	Parent Zone R2			
File		Part of Lot 22, Concession 4	Amending By-law 2021-			
ZA 20 000000						
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the						
land denoted by the symbol *666 on the schedules to this By-law. All other provisions, unless						
specifically modified/amended by this section, continue to apply to the lands subject to this						
section. 7.666.1 Only Uses Permitted						
The following uses are the only permitted uses:						
a)	Dwelling, Townhouse					
b)	One (1) Accessory Dwelling Unit within a Townhouse Dwelling					
c)	Home Occupation					
d)	Home Child Care					
7.666.2	7.666.2 Special Zone Standards					
The following special zone standards shall apply:						
a)	Notwithstanding any further division or partition of any of the lands subject to this By-law, all lands zoned R2*666 shall be deemed to be one <i>lot</i>					
b)	For the purpose of this by-law, any lot line abutting an OS1 zone shall be deemed to be a rear yard.					
c)	Minimum lot frontage – 75 metres					
d)	Minimum north side yard – 1.2 metres					
e)	Minimum south side yard – 1.2 metres					
f)	Minimum width of any townhouse dwelling unit – 6.0 metres					

1.

By-law 2021-___ Page 2

g)	Minimum rear yard: i) For the two (2) most northerly dwelling units - 0.8 metres ii) For the three (3) most southerly dwelling units - 5.5 metres iii) For all other units - 7.5 metres		
h)	Minimum front yard – 15 metres		
i)	Maximum front yard – 22 metres		
j)	Maximum height – 13.5 metres		
k)	Maximum number of townhouse dwelling units – 12		
I)	Minimum number of visitor parking spaces – 3		

4. A contribution by the Owner to the City for the purposes of public art, in the amount of \$1425.00 per unit in 2020 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 and first, second and third time and	passed on	_, 202
Kimberley Kitteringham City Clerk	Frank Scarpitti Mayor	

Amanda File No. ZA 19 179145



EXPLANATORY NOTE

BY-LAW 2021-___ A By-law to amend By-law 304-87, as amended

Nest (VS) GP Inc. Part of Lot 22, Concession 4 10165 Victoria Square Boulevard PLAN 19 179145

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 0.58 hectares (1.44 acres), which is located north of Woodbine Avenue and south of Vine Cliff Boulevard.

Existing Zoning

The subject lands are zoned Rural Residential One (RR1) Zone under By-law 304-87, as amended.

Purpose and Effect

The purpose and effect of this By-law is to rezone the subject lands under By-law 177-96, as amended as follows:

from:

Rural Residential One (RR1) Zone

to:

Residential Two *666 (R2*666) Zone and Open Space One (OS1) Zone;

in order to permit a residential development on the lands.

Note Regarding Further Planning Applications on this Property

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.

APPENDIX 'C'

RECOMMENDED PRE-CONDITIONS PLAN OF SUBDIVISION 19TM-19002 NEST (VS) GP INC.

1. The Owner shall satisfy the requirements of the Toronto and Region Conservation Authority (TRCA) identified in the letter from Andrea Lam dated December 15, 2020, to the satisfaction of the Director of Planning and Development in consultation with TRCA.



Report to: Development Services Committee Meeting Date: January 25, 2020

SUBJECT: RECOMMENDATION REPORT

Leporis Construction Inc.

Applications for Zoning By-law Amendment and Draft Plan of Subdivision, submitted by Leporis Construction Inc. at 2705 and 2755 Elgin Mills Road East to facilitate the development

of the subject lands for employment uses (Ward 2)

File Nos. ZA 16 137567 and SU 16 137567

PREPARED BY: Marty Rokos, MCIP, RPP, ext. 2980, Senior Planner

REVIEWED BY: Ron Blake, MCIP, RPP, ext. 2600, Senior Manager,

Development

RECOMMENDATION:

- 1. That the report titled "RECOMMENDATION REPORT, Leporis Construction Inc., Applications for Zoning By-law Amendment and Draft Plan of Subdivision, submitted by Leporis Construction Inc. at 2705 and 2755 Elgin Mills Road East to facilitate the development of the subject lands for employment uses (Ward 2)" be received;
- 2. That Zoning By-law Amendment application (ZA 16 137567) submitted by Leporis Construction Inc. be approved and the implementing by-law attached as Appendix 'B' be finalized and enacted without further notice;
- 3. That Draft Plan of Subdivision application (SU 16 137567) submitted by Leporis Construction Inc. be approved subject to the conditions outlined as Appendix 'A';
- 4. That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out as Appendix 'A', as may be amended by the Director of Planning and Urban Design or designate;
- 5. That draft plan approval for Plan of Subdivision 19TM-18009 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period;
- 6. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council; and
- 7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

The site at 2705 and 2755 Elgin Mills Road East is located on the south side of Elgin Mills Road East, between Woodbine Avenue and Highway 404 (the "subject lands"). It has an area of approximately 7.8 ha (19.4 acres). This report recommends approval of an application for a Zoning By-law Amendment and Draft Plan of Subdivision submitted by Leporis Construction Inc., to create development blocks, an open space block, and a road block, and establish site specific development standards for a proposed employment development. The proposed development includes six buildings and a total GFA of between 21,447 m² and 24,568 m² (230,854 to 264,448 ft²). The proposed development includes offices, retail, restaurants, a convention centre, and an industrial building. The overall GFA depends on the final height of the office building, which is proposed to be between 3 and 5 storeys in height. The proposed road provides access to the subject development and also the abutting property to the west owned by Flato Developments Inc., which is subject to a zoning by-law amendment application. This application is currently under review.

The subject lands are designated "Employment Area – Service Employment", "Employment Area – Business Park Employment" and "Greenway – Natural Heritage Network" under the 2014 Official Plan. Under the 1987 Official Plan, the subject lands are designated "Industrial – Business Corridor Area", "Industrial – Business Park Area", and "Valleylands". Because of the date that the application was submitted, it is subject to the policies of the 1987 Official Plan, however the policies of the 2014 Official Plan must also be taken into account. The Official Plan policies provide for the proposed uses.

The subject lands are zoned "Rural Residential 4 (RR4) Zone" by By-law 304-87, as amended. A zoning by-law amendment is required to permit the proposed development.

Staff are satisfied with the proposed Zoning By-law Amendment and Draft Plan of Subdivision applications, with the changes discussed in this report.

PURPOSE:

The purpose of this report is to provide an overview, evaluation and recommendation of the applications for zoning by-law amendment and draft plan of subdivision (the "Application") by Leporis Construction Inc. (the "Owner").

BACKGROUND:

Location and Area Context

The lands subject to the proposed zoning by-law amendment are located on the south side of Elgin Mills Road East, between Woodbine Avenue and Highway 404 (see Figure 1). The lands have an area of approximately 7.8 ha (19.4 acres) with a frontage of approximately 210 m (688 ft) on Elgin Mills Road East. A single detached dwelling on the subject lands is proposed to be demolished. (See Figures 1 to 3.)

The surrounding land uses are as follows (see Figure 2):

North: Elgin Mills Road East, stormwater management pond, residential

lands designated "Service Employment"

East: Gas station and vacant lands designated "Service Employment"

which are the subject of a rezoning and site plan application

South: Vacant lands designated "Business Park Employment" and

"Greenway"

West: Vacant lands designated "Greenway", "Business Park Employment",

and "Service Employment" which are the subject of a subdivision

and rezoning application

Process to Date

On July 11, 2006, the previous owners of the subject lands (Ontario N30 Investment Inc.) appealed Draft Plan of Subdivision 19T-95075 (see Figure 7) and the related by-laws to the Ontario Municipal Board (OMB) (now LPAT). Draft Plan 19T-95075 abuts the subject lands and includes the Clera Holdings site on Block 73, (OPA and ZBA approved and site plan endorsed by Development Services Committee on October 14, 2020). The primary reasons for the appeal was that multiple stream corridors were planned to be consolidated into a single Open Space corridor, which was wider than originally anticipated (approximately 40 m in width) and located mostly on the subject lands, reducing the developable area of these lands. The parties entered mediation and a settlement was reached. The Minutes of Settlement were issued by the OMB on December 18, 2006.

On April 8, 2016 the current applicant submitted applications for Zoning By-law Amendment and Draft Plan of Subdivision. The applications were deemed complete on May 4, 2016. A virtual public meeting was held on June 11, 2020. The comments made at the public meeting are summarized in the Options/ Discussion section below.

Next Steps

Should the zoning and draft plan of subdivision applications be approved, staff recommend enacting the Zoning By-law Amendment at an upcoming Council meeting. Following clearance of conditions of draft plan approval, the owner will enter into a subdivision agreement with the City. An application for site plan approval will be required for each phase of development.

Proposal:

The applicant is proposing to rezone and subdivide the subject lands and create blocks as summarized in Table 1 below to facilitate the future development of the lands for employment use (see Figures 6 and 7).

Table 1: Proposed Draft Plan of Subdivision

Block Number	Use	Size (ha)
1-2	Employment	5.635
3-4	Natural wildlife corridor	1.495
5	0.3 m reserve	0.005
6	Open space	0.220
Street "1"	22 m municipal road	0.480
Total		7.835

A site plan application has not been submitted at this time. Street "1" is proposed as a municipal road with a 22 m right of way that terminates at the westerly property line. The road provides access into the subject lands and the abutting Flato Developments Inc. site to the west (2695 Elgin Mills Road East), which is subject to separate applications for Zoning By-law Amendment under File No. PLAN 19 119540 (see Figure 8). The draft plan includes part of the planned natural wildlife corridor discussed above that parallels Carleton Creek and terminates to the north at a stormwater management pond on the north side of Elgin Mills Road. This wildlife corridor in this general area is largely on the Leporis lands.

A conceptual site plan has been submitted to demonstrate how the site may develop with a future site plan application (See Figure 6). The conceptual site plan shows six buildings on the subject lands to be developed in phases, with an approximate total gross floor area (GFA) of between 21,447 m² and 24,568 m². The plan is split into two sites: Site A (the south parcel) is on the south side of Future Street "1" and is proposed to be developed as a multi unit industrial building. Site B (the north parcel) is on the north side of Future Street "1" and includes a proposed convention centre, two multi unit commercial buildings, a stand-alone restaurant, and a 3-5 storey office building. Both surface and underground parking are proposed, with approximately 632 parking spaces in total. No trails are shown within the wildlife corridor in the concept plan, however staff recommend that the owner add a walking trail designed to municipal standards, as discussed further in the Options/Discussion section of the report.

On the north parcel, the proposed zoning by-law amendment adds a child care centre, place of amusement, place of entertainment, day kennel, and pet grooming. On the south parcel, the proposed additional uses are child care centre, place of entertainment within an office building or hotel, commercial schools, and commercial fitness centre (see Appendix 'B').

Staff continue to work with the applicant to refine the development concept which will be addressed in detail through future site plan applications.

Official Plan And Zoning By-Law:

Official Plan 2014

The subject lands are designated "Employment Area – Service Employment", "Employment Area – Business Park Employment" and "Greenway – Natural Heritage Network" under the 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018) (see Figure 5).

The "Business Park Employment" designation applies to settings offering high visibility and excellent access to 400 series highways, arterial roads and transit services and is to be planned and developed for prestige industrial and office development, frequently in larger scale buildings located on large properties. The uses that are provided for include office, manufacturing, trade and convention centre, accessory and ancillary retail, day care centre, commercial school, restaurants, and service uses.

Lands designated "Service Employment" are intended to accommodate uses that serve and support other business uses and employees in Markham, but are not provided for in other 'Employment Lands'. Some of these uses may also serve residents. The uses provided for include service, office, manufacturing, limited retail, restaurant, commercial school, and banquet hall.

The "Natural Heritage Network" designation is a core element of the Greenway System and includes remaining examples of Markham's natural ecosystem which are essential for preserving biodiversity. The "Natural Heritage Network" designation applies to the proposed natural wildlife corridor and part of the southerly portion of the subject lands.

The subject applications were submitted on April 8, 2016 and deemed complete on May 4, 2016. At that time, the 2014 Official Plan was approved by Council but several sections were under appeal, including the Employment Lands and Greenway System policies. As a result, the policies of the 1987 Official Plan were in effect when the application was submitted and continue to apply. However, the policies of the 2014 Official Plan represent Council policy and must be taken into account when reviewing the application.

Official Plan 1987

The subject lands are designated "Industrial – Business Corridor Area", "Industrial – Business Park Area", and "Valleylands" under the 1987 Official Plan (See Figure 4).

The area of the site located south of the proposed new road is designated "Business Park Area". This designation applies to office and industrial business parks characterized by development displaying high design standards including corporate head offices and research facilities. Generally, these lands have exposure to provincial highways or major arterial roads and are served by public transit. The uses provided for include office, light industrial, accessory and ancillary retail, trade and convention centre, commercial school, day care centre, and banquet hall.

The majority of the lands located north of the proposed new road are designated "Business Corridor Area" and are intended for industrial and office uses that require the exposure offered by locations in corridors along major road frontages to accommodate the business and service needs of the nearby employment areas that they serve. The uses provided for include office, light industrial, trade and convention centre, limited retail, service, commercial school, day care centre, and restaurant.

Lands along the eastern boundary of the site are designated "Valleylands". This designation includes lands that are intended for preservation and conservation in their

natural state. The "Valleylands" designation applies to the proposed natural wildlife corridor and part of the southerly portion of the subject lands.

The proposed uses are provided for by the Official Plan with limits that will be discussed further in the Options/Discussion section of this report.

Zoning By-law 304-87

The subject lands are zoned "Rural Residential 4 (RR4) Zone" by By-law 304-87, as amended. The RR4 Zone does not permit employment development. The owner proposes to remove the site from By-law 304-87 and incorporate it into By-law 177-96 and rezone it to the Business Corridor (BC) and Business Park (BP) Zones with site specific provisions, as well as the Open Space (OS1) Zone, as summarized in Appendix 'C': Summary of Proposed Zoning Standards.

The proposed Business Corridor (BC) Zone on the north parcel would add child care centre, place of entertainment, place of amusement, day kennel, and pet grooming as permitted uses. Site specific performance standards have been developed to limit the size of retail stores and reflect the proposed development concept in accordance with the policies of the Official Plan. These include permitting buildings to be located farther to the south on the subject lands while ensuring that the buildings at the north end of the site address the street edge of Elgin Mills Road.

The proposed Business Park (BC) Zone on the south parcel would add child care centre, commercial school, and commercial fitness centre as permitted uses. Place of entertainment is also proposed as a permitted use within an office building or a building containing a hotel. Site specific performance standards affect landscaping, accessory retail, and building heights.

The draft zoning by-law amendment is attached as Appendix B. Proposed zoning standards are summarized in Appendix C. Proposed land uses are discussed further in the Options/Discussion section of the report.

OPTIONS/ DISCUSSION:

Statutory Public Meeting

An electronic statutory public meeting was held on June 11, 2020. One written submission has been received regarding the proposal, which is summarized below. There were no comments from the public at the public meeting. Committee members made several comments about the proposed zoning by-law amendment and draft plan, including:

- Providing a direct internal connection along a private north-south driveway between Elgin Mills Road and the new east-west public road;
- Revisions to the plan to provide for better integration with the adjacent Flato site to the west;
- Permit the office building to be taller than five storeys.

A letter was received from RJ Forhan and Associates on behalf of Romandale and King David Inc. A number of points were raised including the following that are relevant to the Leporis site:

- The proposed plan is not consistent with the Cathedral Community Design Plan;
- Parking should be concealed and buildings should be at the street edge;
- The built form does not meet the architectural character of the Community Design Plan;
- Buildings should be no taller than three storeys and should not obfuscate the prominence of the cathedral;
- The east-west road should extend south as an extension of Markland Street; and
- Include pedestrian connections between streets.

Proposed development concept plan is satisfactory

Staff have considered the above comments and have discussed them with the owner. Staff responses to the comments raised are set out below.

Consistency with Community Design Plan

The Cathedral Community Design Plan was prepared to guide urban design in the Cathedral community. It contains urban design guidelines intended to create a distinct, vibrant, and urbanized community with the Cathedral of the Transfiguration at its core. The subject lands are part of the Cathedral community.

The guidelines state that the business park should be designed to create a visually attractive area that balances function with aesthetics. In the business park, the guidelines encourage the siting of buildings to allow views of the Cathedral, buildings close to the street edge with parking screened from street view, and a vehicular circulation system primarily accessed from an extension of Markland Street. In staff's opinion the proposed development is consistent with the intent of the Cathedral CDP, as discussed in more detail below.

Relationship between buildings, parking areas and street edge

The concept plan shows two proposed buildings along the Elgin Mills Road frontage of the property: a 3-5 storey office building and a one storey restaurant. The office building has a landscaped area along the Elgin Mills Road frontage and a direct pedestrian connection to the public sidewalk. The restaurant includes a drive-through queuing lane that wraps around the building.

The Cathedral Community Design Plan (CDP) states that buildings should be located to address the street edge, particularly at corner and gateway locations. Principle entrances should be oriented to the street with walkways to the sidewalk, on-site parking, and between buildings. The visual impact of parking from the street should be minimized through a combination of site planning, landscaping, and architectural walls. Landscaping should screen parking where it abuts the street.

In addition to the CDP, the Drive-through Facilities Design Guidelines (DFDG) also apply to uses with a drive-through facility. They are intended to contribute to the development of pedestrian friendly and transit supportive streetscapes, in particular on major roads with

public transit routes. The Guidelines encourage buildings with a drive-through facility to be located at or near the street frontage and discourage drive-through queuing lanes that wrap around a building or are located within the front and exterior side yard. Direct pedestrian access should be provided from the public road to the building entrance without crossing a queuing lane.

To foster a design that is more in keeping with the DFDG, staff recommend including zoning standards that keep the drive through facility and queuing lanes out of the front yard and require the building to be located closer to the street (see Appendix 'B'). Similar zoning standards have been implemented at other locations throughout Markham and are now part of By-law 177-96.

The proposed east-west public street bisecting the subject lands will have the hotel on the Flato site as a view terminus, the convention centre on the north side, and future employment development on the south side. Urban Design staff are generally satisfied with the proposed concept plan showing shallow parking areas and drive aisles on the south side of the convention centre and the north side of the building on the south parcel. On both the north and south parcels the balance of the parking would be at the interior of the site. The proposed layout was felt to provide a balanced approach between functionality and aesthetics. Detailed site layouts will be determined when site plan applications are submitted. The concept plans in combination with the additional provisions recommended by staff for the zoning by-law bring buildings close to the street edges of Elgin Mills Road and the new east west street. Where parking is visible from the street, it will be screened by a landscape strip with a variety of design features and plantings

Compatibility with the architectural character of the Community Design Plan Staff are working with the owners of all three development sites between Woodbine Avenue and Highway 404 (Clera Holdings, Flato, and Leporis) to encourage complementary architecture between the three developments. It should be noted that the Clera Holdings proposal is currently the only one with an active site plan application. Staff will continue to work towards this goal as site plan applications are submitted for the Leporis and Flato applications.

Heights of proposed buildings and impacts on views to the Cathedral

Written comments on the application have expressed concerns about the proposed height of the office building, while some DSC Committee members proposed additional heights for this building at the Public Meeting. The Cathedral CDP states that building heights should be one to three storeys and that on the north parcel building heights should be a function of the lot area and allowable coverage.

The proposed buildings are generally one storey in height with the exception of the two storey convention centre and the office building located along the Elgin Mills Road edge, which is proposed to be between three and five storeys. The office building visually anchors the approach into the area from Highway 404. The additional height at this location is compatibly scaled with the surrounding highway environment. In addition, locating a significant employment use adjacent to Elgin Mills Road will support transit and pedestrian

activities. The building is at the far end of the site in relation to the Cathedral and has no impact on view corridors to the Cathedral identified by the Community Design Plan.

Configuration of east –west street

The new east—west street is proposed to end in a cul de sac at the edge of the Flato property, which will provide access to the Flato site but will not continue into the site. The CDP proposes that Markland Road should be extended to the south to provide additional access to the employment lands to the south. This configuration was reviewed by Transportation staff and it was determined that access to future development on the southern employment lands could instead be provided effectively from Woodbine Avenue. The proposal to end the east west road in a cul de sac at the Flato site would have the added benefit of limiting impacts on an environmental protection corridor to the south and east of the subject lands by not having the new road cross through this feature (see Figure 7).

Internal pedestrian and vehicular circulation and integration between the Flato and Leporis sites

An internal walkway network is proposed in the concept plan, which connects to Elgin Mills Road to the north, the proposed east-west street to the south and the proposed Flato development to the west. The walkways connect all the buildings on the site.

Vehicle access is provided by a right-in-right-out (RIRO) driveway from Elgin Mills Road and three driveways from the proposed east-west street. The main driving route goes north from the east-west road, turns west towards the convention centre, and then turns back to the east to connect with the rest of the site and Elgin Mills Road. Transportation staff have reviewed the proposed concept plan and are generally satisfied that the proposed layout provides safe and effective vehicle and pedestrian access to and within the site. York Region has requested a functional design for the RIRO access from Elgin Mills Road to ensure consistency with the Region's design standards.

In addition, City staff continue to work with both Leporis and Flato (to the west) to enhance the relationship between the proposed convention centre (on the north parcel of the Leporis site; the hotel (on the Flato site at the terminus of the new east west street) and the office building on the Flato site, which is proposed to be located mid way between the hotel on the Flato site and the Convention Centre on the Leporis site. The objective will be to provide attractive, well defined walking routes between these major site anchors to facilitate and promote pedestrian travel between the sites.

These objectives will be addressed in detail through future site plan applications on both sites. In addition, these future site plan applications will be reviewed against the Official Plan, Cathedral Community Design Plan, Drive-through Facilities Design Guidelines, and the Zoning By-law. Staff are generally satisfied with the conceptual layout and have included site specific standards in the zoning by-law to guide the design of a future site plan application.

Draft Zoning By-law will permit an appropriate mix of uses

As described in the Proposal section of this report, the owner is proposing to facilitate the development of six buildings with an approximate total GFA of between 21,447 m² and

24,568 m² (230,854 to 264,448 ft²). As stated previously, the 1987 OP policies apply to this application, however the 2014 OP policies must also be taken into account.

On the north parcel, the proposed additional uses are child care centre, place of amusement, place of entertainment, pet grooming, and day kennel. Zoning By-law 177-96 defines a place of amusement as premises with games of skill and competition for the amusement of the public, while a place of entertainment is defined as a motion picture or live theatre, arena, auditorium, planetarium, concert hall, or other similar uses. Both the "Industrial – Business Corridor Area" designation in the 1987 OP and the "Employment Area – Service Employment" designation in the 2014 OP provide for these uses. Retail uses are limited to stores with GFAs between 300 and 1,000 m² with the exception that stores located within a mixed use centre, may be less than 300 m². Computer or office supply stores may be up to 3,000 m². The total retail GFA shall generally not exceed the total GFA of the other uses. The zoning by-law limits retail uses to a maximum of 30% of the total GFA of the site.

On the south parcel, the proposed additional uses are child care centre, place of entertainment within an office building or a building containing a hotel, and commercial schools. Both the "Industrial – Business Park Area" designation in the 1987 OP and the "Employment Area – Business Park Employment" designation in the 2014 OP provide for these uses. With respect to the proposed accessory retail, personal service, and restaurant uses within a hotel, convention centre, office building, or industrial building, the 2014 OP limits these to 15% of the total GFA of the building. These uses and floor area limits have been incorporated into the zoning by-law.

Natural Wildlife Corridor to be completed as part of the development

As stated in the Proposal section of this report, the natural wildlife corridor is largely on the Leporis lands. The owner has indicated that they are working with Clera Holdings to ensure that the corridor is constructed. Staff are also working with the owner and TRCA to implement a walking trail through the wildlife corridor, which would run from the new Street "1" to Elgin Mills Road. The trail design is subject to review and approval from TRCA. If a trail is deemed not feasible, a direct north-south connection should be provided through the development block. These items will be finalized through the process of clearing conditions of draft plan approval (see Appendix 'A'). Furthermore, the wildlife corridor will be dedicated to the City as a condition of draft plan approval.

In addition to the natural wildlife corridor, a greenway corridor including a watercourse runs east-west along the south property line of the subject lands. This corridor connects the natural wildlife corridor to a woodland and wetland south and west of the subject lands. A portion of this corridor is located on Block 6 on the draft plan of subdivision, which will be conveyed to the City for environmental protection (see Figure 7). TRCA staff are working with the owner to ensure that the natural heritage system is protected and are generally satisfied with the greenway corridor.

Parkland dedication to be provided through cash in lieu contribution

The applicant will be required to provide a 2% cash in lieu of parkland contribution. This requirement is set out in the conditions of draft plan approval attached as Appendix A.

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 Safe Sustainable and Complete Community.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and no concerns were identified. Technical staff comments can be resolved through the conditions of draft plan approval (see Appendix 'A').

CONCLUSION:

It is the opinion of staff that the proposed Zoning By-law Amendment and Draft Plan of Subdivision applications are appropriate and are acceptable. It is therefore recommended that the proposed applications be approved subject to the draft plan approval conditions attached as Appendix 'A' and the draft zoning by-law attached as Appendix 'B'.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P, R.P.P Director, 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 – Aerial Photo (2020)

Figure 4 – 1987 Official Plan Land Use

Figure 5 – 2014 Official Plan Land Use

Figure 6 – Conceptual Site Plan

Figure 7 – Proposed Draft Plan

Figure 8 – Draft Plan of Subdivision 19T-95075

Page 12

APPENDICES:

Appendix 'A': Recommended Conditions of Draft Plan Approval

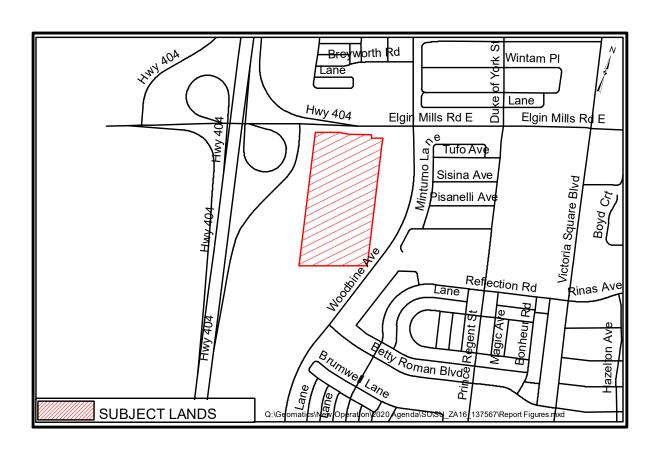
Appendix 'B': Draft Zoning By-law Amendment

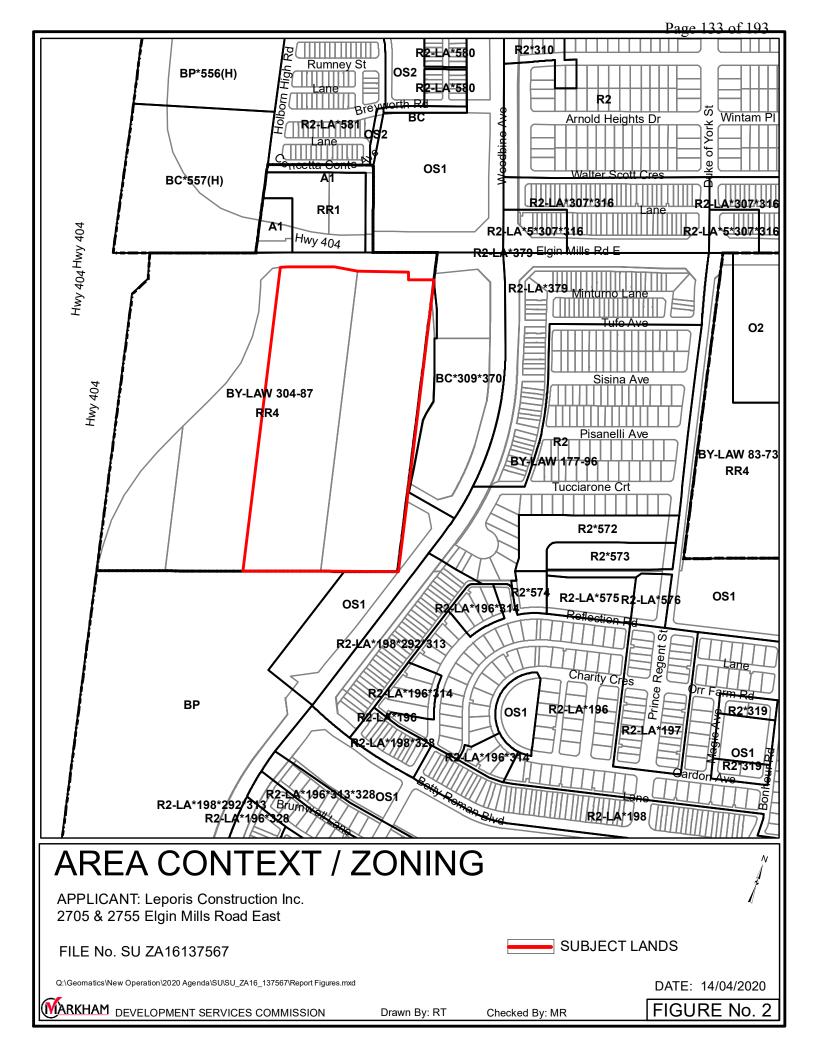
Appendix 'C': Summary of Proposed Zoning Standards

AGENT:

Lisa La Civita, MCIP, RPP Armland Group 8700 Dufferin Street Concord, Ontario L4K 4S6 Tel.: 905-6603765 ext. 535

llacivita@armlandgroup.com







AERIAL PHOTO (2019)

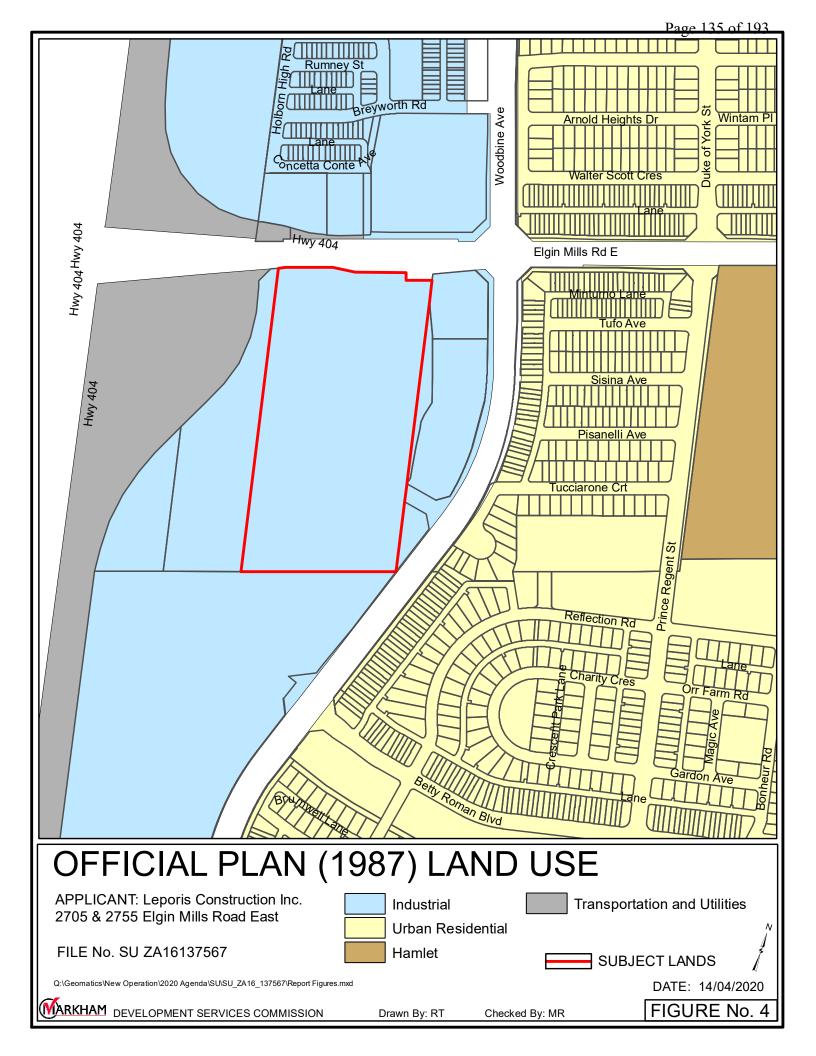
APPLICANT: Leporis Construction Inc. 2705 & 2755 Elgin Mills Road East

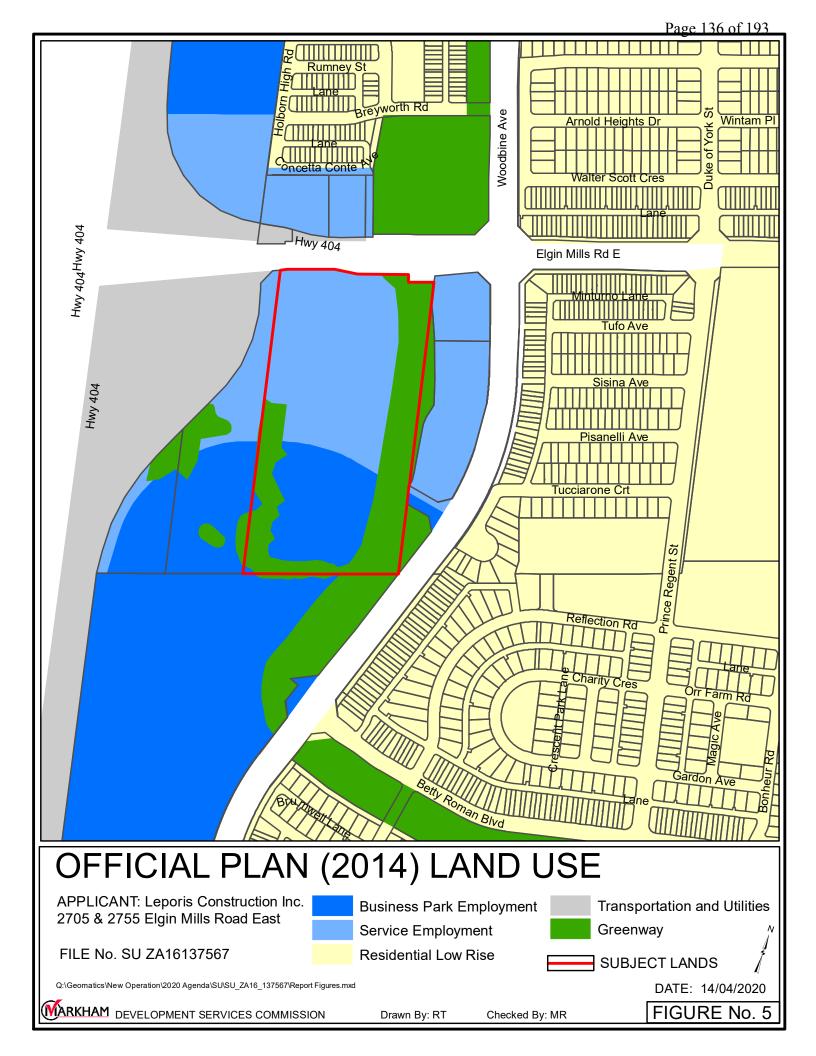
FILE No. SU ZA16137567

SUBJECT LANDS

Q:\Geomatics\New Operation\2020 Agenda\SU\SU_ZA16_137567\Report Figures.mxd

DATE: 14/04/2020







CONCEPTUAL SITE PLAN

APPLICANT: Leporis Construction Inc. 2705 & 2755 Elgin Mills Road East

FILE No. SU ZA16137567

Subject Lands Business Park Designation **Business Corridor Designation** Open Space Primary Pedestrian Circulation

Flato Gross Floor Area Clear Gross Floor Area 3,697 m² / 39,794 ft.²

 $18,057 \ m^2 \ / \ 194,364 \ ft.^2$

Leporis Gross Floor Area $21,447.42 - 24,586.42 \text{ m}^2 / 230,858 - 264,646 \text{ ft.}^2$

Total Gross Floor Area 43,201.42 - 46,340.42 m² / 465,016 - 498,804 ft.²

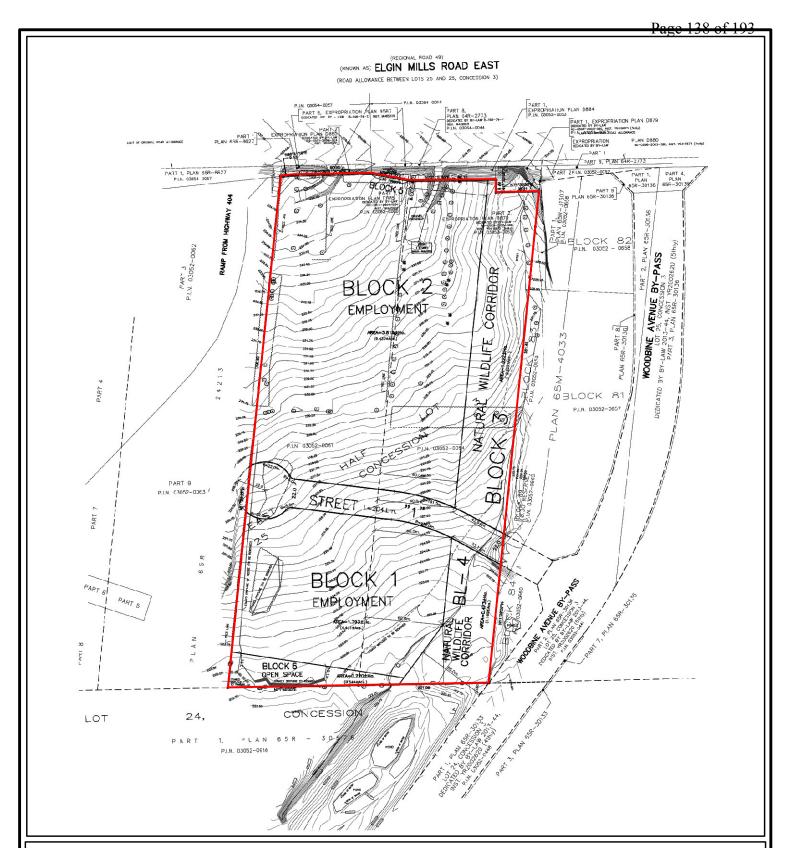
MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: MR

Statistics

DATE: 14/04/2020 FIGURE No. 6



PROPOSED DRAFT PLAN

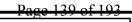
APPLICANT: Leporis Construction Inc. 2705 & 2755 Elgin Mills Road East

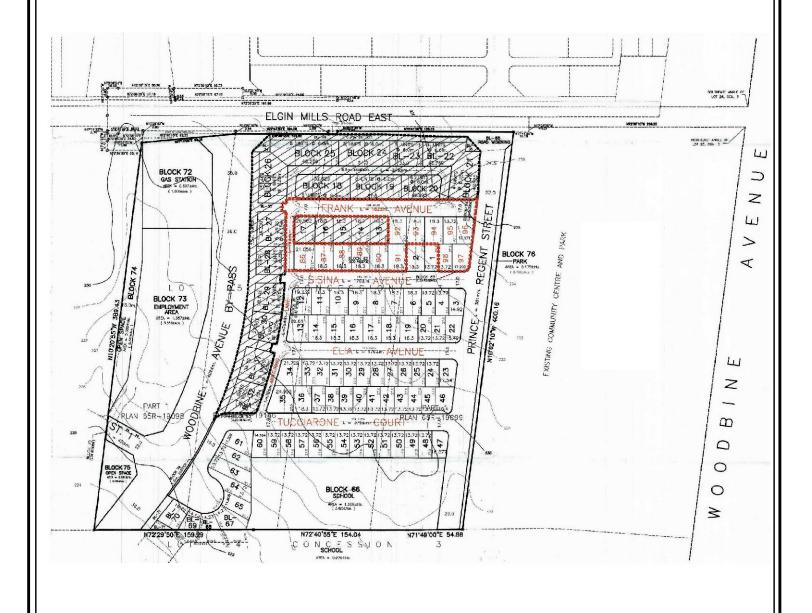
FILE No. SU ZA16137567

SUBJECT LANDS

 $\label{lem:condition} \mbox{Q:\Geomatics\New Operation\2020 Agenda\SU\SU_ZA16_137567\Report\Figures.mxd} \label{lem:condition}$

DATE: 14/04/2020 FIGURE No. 7





Drawn By: RT

DRAFT PLAN 19T-95075

APPLICANT: Leporis Construction Inc. 2705 & 2755 Elgin Mills Road East

FILE No. SU ZA16137567

Q:\Geomatics\New Operation\2020 Agenda\SU\SU_ZA16_137567\Report Figures.mxd

Checked By: MR

DATE: 14/04/2020 FIGURE No. 8

APPENDIX 'A'

RECOMMENDED CONDITIONS OF DRAFT PLAN APPROVAL PLAN OF SUBDIVISION 19TM-16006 LEPORIS CONSTRUCTION INC.

1. General

- 1.1 Approval shall relate to a draft plan of subdivision prepared by KLM Planning Partners Inc., identified as Project No. P-2513, dated August 7, 2020, as amended.
- 1.2 This draft approval shall apply for a maximum period of three (3) years from date of issuance by the City 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 Prior to the release for registration of this Draft Plan of Subdivision, the Owner shall prepare and submit to the satisfaction of the City's Director of Engineering and Director of Planning and Urban Design, all required technical reports, studies, and drawings, including but not limited to functional traffic designs, stormwater management reports, functional servicing reports, design briefs, watermain analysis reports, detailed design drawings, noise studies, etc., to support the Draft Plan of Subdivision. The Owner agrees to revise this Draft Plan of Subdivision as necessary to incorporate the design and recommendations of the accepted technical reports, studies, and drawings.
- 1.5 The Owner shall agree in the Subdivision Agreement to 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, functional traffic designs, stormwater management reports, functional servicing reports, design briefs, watermain analysis reports, detailed design drawings, noise studies, etc., to the satisfaction of the City's Director of Engineering and Director of Planning and Urban Design, and at no cost to the City.
- 1.6 The Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of draft approval may require revisions, to the satisfaction of the City, to implement or integrate any recommendations from studies required as a condition of draft approval, including, but not limited to, Municipal Class Environmental Assessment, Traffic Impact Study, Internal Functional Traffic Design Study, Transportation Demand Management Plan, Stormwater Management Study (Environmental Master Drainage Plan), Functional Servicing Report, Noise Impact Study, confirmation of alignment of roads with the locations shown in the draft approved plans, as well as any comments and conditions received from municipal departments and external agencies after draft approval is granted.

- 1.7 The Owner shall covenant and agree in the Subdivision Agreement to design and construct all required relocations of, and modifications to existing infrastructure, including but not limited to sewers, watermains, light standards, utilities, and stormwater management facilities to the satisfaction of, and at no cost to, the City.
- 1.8 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.
- 1.9 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 that phase of development.
- 1.10 The Owner acknowledges and agrees to obtain approval of Site Alteration Plans in accordance with the City's Standards prior to proceeding with any on-site works and more particularly topsoil stripping.
- 1.11 The Owner acknowledges and understands that prior to release for registration of this draft plan of subdivision, amendments to Zoning Bylaws 304-87 and 177-96, as amended, to implement the plan shall have come into effect in accordance with the provisions of the Planning Act.

2. <u>Engineering</u>

General

- 2.1 The Owner shall enter into a Subdivision Agreement with the City with terms and conditions satisfactory to the City of Markham.
- 2.2 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 studies, functional traffic designs, stormwater management reports, functional servicing reports, design briefs, detailed design drawings, noise studies, servicing, etc., to support the draft Plan of Subdivision. The Owner agrees to revise the draft Plan(s) of Subdivision as necessary to incorporate the design and recommendations of the accepted technical reports, studies, and drawings.
- 2.3 The Owner shall implement the designs and recommendations of the accepted technical reports/studies submitted in support of the draft Plans of Subdivision including but not limited to, traffic studies, functional traffic design study, stormwater management reports, functional servicing reports,

design briefs, detailed design drawings, noise studies, to the satisfaction of the City of Markham, and at no cost to the City.

The Owner agrees to revise the draft Plan of Subdivision as necessary to incorporate the recommendations to implement or integrate any recommendations from the above studies, and drawings.

- 2.4 The Owner shall design and construct all required relocations of, and modifications to existing infrastructure, including but not limited to, watermains, light standards, utilities, stormwater management facilities and roads to the satisfaction of, and at no cost to, the City of Markham.
- 2.5 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.
- 2.6 The Owner shall agree in the Subdivision Agreement or Pre-Servicing Agreement, whichever comes first, to submit financial security for each phase of the draft Plan of Subdivision as required by the City of Markham prior to the construction of municipal infrastructure required to service that phase of development.
- 2.7 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 draft plan of subdivision (or site plan) and that are required to service the proposed development, to the satisfaction of the Director of Engineering and the City Solicitor.
- 2.8 The Owner shall submit updates or addendums, as appropriate, to address all outstanding transportation comments from City of Markham, related to the Transportation Impact Study, to the satisfaction of the Director of Engineering.
- 2.9 The Owner shall submit functional design plans for the future Street 1 and Woodbine Avenue intersection under interim and ultimate conditions for review and approval, to the satisfaction of the Director of Engineering.

Roads

- 2.10 The road allowances within the draft plan shall be named to the satisfaction of the City and Regional Municipality of York ("Region").
- 2.11 The Owner shall covenant and agree to design and construct all municipal roads in accordance with City standards and specifications.

- 2.12 The Owner shall covenant and agree in the Subdivision Agreement to provide temporary turning circles where required at their cost and remove them and restore the streets to their normal condition at their cost when required by the City, to the satisfaction of the City of Markham. The design of the temporary turning circles, and any implications on surrounding land use, shall be addressed in the Subdivision Agreement to the satisfaction of the City.
- 2.13 The Owner covenants and agrees that the City will issue building permits in accordance with section 2 of the By-law 2005-104, as amended subject to the following conditions having been met for the proposed turning circle:
 - The Owner shall make satisfactory arrangement to provide a turning circles at the west end of Street 1, to the satisfaction of the Director of Engineering.
 - The Owner shall convey to the City all lands required for the construction of the turning circle, including any external lands to the west, or provide any alternative arrangement to the satisfaction of Director of Engineering.
 - The owner shall design and construct the turning circle to the satisfaction of the Director of Engineering.

Municipal Services

- 2.14 The Owner shall covenant and agree to design and construct all municipal services in accordance with City standards and specifications.
- 2.15 The Owner shall agree in the Subdivision Agreement not to apply for any building permits until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
- 2.16 The Owner shall agree in the Subdivision Agreement to revise and/or update the accepted 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 previously accepted functional servicing and stormwater management reports.
- 2.17 The Owner shall covenant and agree in the Subdivision Agreement that if the proposed sewers connect to existing downstream sewers that are not assumed by the City, to undertake and pay for a sewer video inspection program for the existing sewers to the satisfaction of the Director of Engineering. The Owner further agrees to do the sewer video inspection:

- a) Prior to the connection being made;
- b) Upon the removal of the temporary bulkhead or as directed by the Director of Engineering; and
- c) Upon all roads, parking lots, driveways in the Owners Subdivision having been paved to the final grades, sidewalks, walkways, multiuse paths constructed and boulevards sodded.

The Owner further agrees to provide securities for the video inspection and for flushing and cleaning the existing downstream sewers to the satisfaction of the Director of Engineering

Lands to be Conveyed to the City/Easements

2.18 The Owner shall grant required easements to the appropriate authority for public utilities, drainage purposes or turning circles, upon registration of the plan of subdivision. The owner shall also provide for any easements and works external to the draft Plan of Subdivision necessary to connect watermains, storm and sanitary sewers to outfall trunks and stormwater management facilities to the satisfaction of the City.

Utilities

- 2.19 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 of Markham and authorized agencies.
- 2.20 The Owner shall agree in the Subdivision Agreement to enter into any agreement or agreements required by any applicable utility companies, including Powerstream, Enbridge, telecommunications companies, etc.
- 2.21 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 of Markham 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.
- 2.22 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.

- 2.23 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 have been 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.
- 2.24 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.
- 2.25 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.

Environmental Clearance

- 2.26 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.
- 2.27 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.
- 2.28 Prior to the earlier of any construction including site alteration, the execution of a pre-servicing agreement or Subdivision Agreement of a phase within the draft Plan of Subdivision, 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 of Markham. 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.

- 2.29 The Owner agrees that if, during construction of a phase within the draft Plan of Subdivision, contaminated soils or materials or groundwater are discovered, the Owner shall inform the City of Markham 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 of Markham and the Ministry of the Environment, Conservation and Parks.
- 2.30 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.
- 2.31 Prior to the conveyance lands to the City, the Owner shall agree to provide to the City, a Letter of Acknowledgement of the Record of Site Condition from the Ministry of Environment, Conservation and Parks (MECP) for the lands to be conveyed to the City.

Streetlight Types

- 2.32 The Owner shall agree in the Subdivision Agreement to contact the City of Markham prior to commencing the design for streetlighting to confirm the type(s) of poles and luminaires to be provided for different streets and/or lanes.
- 2.33 The Owner shall covenant and agree in the subdivision to include in the building permit application all mitigation recommendation from the geotechnical consultant to waterproof basements which are below the

ground water to the satisfaction of the Chief Building Official on a lot specific basis. The Owner shall further covenant and agree that the acceptance of these measures will be subject to approval from the Chief Building Official.

3. Tree Inventory and Preservation Plans

- 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 for approval a tree inventory and tree preservation plan showing the trees to be preserved prior to the issuance of a "Top Soil Stripping Permit, Site Alteration Plan or Pre-Servicing Agreement" to the satisfaction of the Director of Planning and Urban Design.
- 3.3 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, Site Alteration Plan or Pre-Servicing Agreement to the satisfaction of the Director of Planning and Urban Design. 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. Parks and Open Space

4.1 The Owner covenant and agrees that parkland dedication is required at a rate specified in Parkland Dedication By-law 195-90, as amended. The Owner covenants and agrees that the parkland dedication requirement for

the draft plan of subdivision is 0.112 hectare and based on a rate of 2% of the land area and calculated as follows:

- 2% x land area = parkland dedication requirement
- $2\% \times 5.612 \text{ ha.} = 0.112 \text{ ha.}$
- 4.2 The Owner covenants and agrees to satisfy the parkland dedication requirement through the payment of cash-in-lieu to the satisfaction of the Director of Planning and Urban Design, upon registration of the plan of subdivision.

5. <u>Landscape Works</u>

- Prior to execution of the subdivision agreement, the Owner shall submit landscape plans and a cost estimate prepared by a qualified landscape architect for Street "1" 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) Streetscape plans including street trees for Street "1";
 - c) A **specialized** depth of topsoil (300mm) in the entire municipal boulevard to appropriately plant boulevard trees, including a continuous planting trench to appropriately plant boulevard trees and provide submit a soil report demonstrating compliance with the City's Streetscape Manual to the satisfaction of the City's Director of Planning and Urban Design.
 - d) Fencing, as required.
- 5.2 The Owner shall construct all landscaping in accordance with the approved plans at no cost to the City.

6. Financial

- 6.1 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 and, streetscape other landscaping requirements.
- 6.2 The Owner shall provide a Land Appraisal Report to the Manager of Real Property for the purpose of determining the required cash-in-lieu of parkland amount. The Land Appraisal Report is subject to the City's terms of reference and conformance with the *Parkland Dedication By-law 195-90* and with the *Planning Act*.

7. <u>Natural Heritage</u>

- 7.1 The Owner covenants and agrees to convey Blocks 3, 4 and 6 to the City of Markham in a physical condition to the satisfaction of the City.
- 7.2 Prior to final approval, the Owner shall prepare restoration planting plans for Blocks 3, 4 and 6 to the satisfaction of the Director of Planning and Urban Design. The applicant agrees to assess the feasibility and design for a north-south nature-based trail within Block 3.
- 7.3 Prior to execution of the subdivision agreement, the Owner shall provide a letter of credit to secure all restoration and landscaping works to the satisfaction of the Director of Planning and Urban Design.

8. <u>Development Charges</u>

- 8.1 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.
- 8.2 The Owner acknowledges and understands that the subdivision agreement will not be executed by the City until an Area-Specific Development Charges By-law has been passed by the City or the City Solicitor is satisfied with the arrangements for the payment to the Town by the developer of any necessary Area Specific Development Charges.

9. York Region

Clauses to be Included in the Subdivision Agreement

- 9.1 The Owner shall agree to implement the recommendations provided in the revised Transportation Study, to the satisfaction of the Region.
- 9.2 The Owner shall agree to advise all potential purchasers of the existing and future introduction of transit services.
- 9.3 The Owner shall agree, in wording satisfactory to Development Engineering, that a Site Plan Application approval from York Region is required to be in place before the commencement of any site alteration or construction works for Block 2 abutting Elgin Mills Road East.
- 9.4 The Owner shall agree, in wording satisfactory to Development Engineering, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of Development Engineering.

- 9.5 The Owner shall agree, in wording satisfactory to Development Engineering, that where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.
- 9.6 The following warning clause shall be included in a registered portion of the subdivision agreement with respect to the lots or blocks affected:
 - "Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants".
- 9.7 Where noise attenuation features will abut a York Region right-of-way, the Owner shall agree, in wording satisfactory to York Region's Development Engineering, as follows:
 - a) that no part of any noise attenuation feature shall be constructed on or within the York Region right-of-way;
 - b) that noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence;
 - c) that maintenance of the noise barriers and fences bordering on York Region right-of-way shall not be the responsibility of York Region.
- 9.8 The Owner shall agree, in wording satisfactory to Development Engineering, to be responsible to decommission any existing wells on the owner's lands in accordance with all applicable Provincial legislation and guidelines and to the satisfaction of the area municipality.
- 9.9 The Owner shall agree, in wording satisfactory to Development Engineering, that the Owner will be responsible for determining the location of all utility plants within York Region right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.

- 9.10 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.
- 9.11 The Owner shall demonstrate that a vehicular, pedestrian and cycling interconnection from the proposed cul-de-sac at the Street "1" terminus to the south shall be protected and provided. This interconnection is required to minimize the potential impacts on Woodbine Avenue and make efficient use of the internal road network.
- 9.12 The Owner shall provide an updated Transportation Study Addendum that addresses all the comments provided, to the satisfaction of the Region.
- 9.13 Highly Vulnerable Aquifer: Should the proposed major development include bulk fuel (≥ 2500L) or bulk chemicals (≥ 500L) within the HVA, a Contaminant Management Plan (CMP) will be required prior to plan of subdivision final approval, for Water Resources review and approval.
 - If a CMP is not required, a letter prepared by a qualified professional will be required in its place stating that the above noted activities will not be occurring.
- 9.14 Concurrent with the submission of the subdivision servicing application (MECP) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the York Region road, to Development Engineering, Attention: Manager, Development Engineering, that includes the following drawings:
 - a) Plan and Profile for the York Region road and intersections;
 - b) Cross Section on York Region right-of-way at 20m interval where the site is abutting;
 - c) Grading and Servicing;
 - d) Intersection/Road Improvements, including the recommendations of the Traffic Report;
 - e) Construction Access Design;
 - f) Utility and underground services Location Plans;
 - g) Signalization and Illumination Designs;
 - h) Line Painting;
 - i) Traffic Control/Management Plans;
 - j) Erosion and Siltation Control Plans;
 - k) Landscaping Plans, including tree preservation, relocation and removals;
 - 1) Arborist Report;

- m) Sidewalk locations, concrete pedestrian access to existing and future transit services and transit stop locations as required by York Region Transit/Viva;
- n) Functional Servicing Report;
- o) Stormwater management Report;
- p) Water supply and distribution report and model.
- 9.15 The Owner shall submit a detailed Development Charge Credit Application to York Region, if applicable, to claim any works proposed within the York Region Right-Of-Way. Only those works located in their ultimate location based on the next planning upgrade for this Right-Of-Way will be considered eligible for credit, and any work done prior to submission without prior approval will not be eligible for credit.
- 9.16 The Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality.
- 9.17 The location and design of the construction access for the subdivision work shall be completed to the satisfaction of Development Engineering and illustrated on the Engineering Drawings.
- 9.18 The Owner shall demonstrate, to the satisfaction of Development Engineering, that all existing driveway(s) along the Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.
- 9.19 The Owner shall demonstrate, to the satisfaction of Development Engineering, that the streetline elevations shall maintain a minimum 2% cross slope within the boulevard from the streetline to the top of curb, unless otherwise specified by Development Engineering.
- 9.20 The Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
 - a) All existing woody vegetation within the York Region road right of way.
 - b) Tree protection measures to be implemented on and off the York Region road right of way to protect right of way vegetation to be preserved.
 - c) Any woody vegetation within the York Region road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region road right's of way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.

d) A planting plan for all new and relocated vegetation to be planted within the York Region road right of way, based on the following general guideline:

Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the York Region Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed in the York Region right-of-way by the Owner or the area municipality for aesthetic purposes they must be approved by Development Engineering and shall be maintained by the area municipality with the exception of the usual grass maintenance.

- e) For landscape features not maintained to York Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.
- 9.21 The Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of Development Engineering recommending noise attenuation features.
- 9.22 Upon registration of the plan, the Owner shall convey the following lands to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor:
 - a) A widening across the full frontage of the site where it abuts Elgin Mills Road of sufficient width to provide a minimum of 18 metres from the centreline of construction of Elgin Mills Road and any lands required for additional turn lanes at the intersections, and,
 - b) A 0.3 metre reserve across the full frontage of the site, except at the approved access location, adjacent to the above noted widening, where it abuts Elgin Mills Road and adjacent to the above noted widening(s).
- 9.23 The Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
- 9.24 The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The

Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.

9.25 The Owner or the Owner's authorized representative shall submit a Statutory Declaration that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under lands to be conveyed to the Region (including soils, substrata, surface water and groundwater, as applicable): (i) at the time of conveyance, at a level or concentration that exceeds the Environmental Protection Act O. Reg. 153/04 (as amended) full depth generic site condition standards applicable to the intended use of such lands by the Region or any other remediation standards published or administered

- by governmental authorities applicable to the intended land use; and (ii) in such a manner, condition or state, or is emanating or migrating from such lands in a way, that would contravene applicable environmental laws.
- 9.26 The Owner shall demonstrate, to the satisfaction of Development Engineering, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's Right-of-Way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.
- 9.27 The Owner shall submit engineering plans for York Region's approval that identify on the plans the Transit requirements.
- 9.28 The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Markham and York Region.
- 9.29 The Owner shall provide a copy of the executed Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
- 9.30 The Owner shall enter into an agreement with York Region, to satisfy all conditions, financial and otherwise, and state the date at which development charge rates are frozen, 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.

10. <u>Fire Department</u>

- 10.1 The Owner shall covenant and agree in the Subdivision Agreement to satisfy the Fire Department as follows:
 - a) Fire break lots shall be designated within the subdivision agreement, to the satisfaction of the Fire Chief or his designate. The Owner shall provide a letter of credit in an amount to be determined by the Fire Chief at the subdivision agreement stage to ensure compliance with this condition.
 - b) The adequacy and reliability of water supplies for firefighting purposes are subject to the review and approval of the Fire Chief or his designee.
 - c) To ensure reliability of access for Fire Department vehicles under all conditions, two means of street access, independent of one another are to be provided into the development. Accesses shall remain clean and clear at all times during the duration of construction; including after hours, weekends and holidays.

11. Toronto and Region Conservation Authority

- 11.1 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 development phasing plan illustrating the various phases of development and associated timing of construction, including the development of the Natural Wildlife Corridor, Street 1 and employment development, to the satisfaction of TRCA;
 - b) Development limit "constraint" mapping on the Draft Plan of Subdivision and all site plans showing existing and proposed natural features, natural hazards and associated buffers as applicable to the site (e.g. stable top of slope, meander belt, Regulatory flood plain, wetlands, significant vegetation/driplines, required buffers) to the satisfaction of TRCA.
 - c) 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, at a minimum includes the following to the satisfaction of TRCA:
 - i. 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, as amended (TRCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourse Regulation);
 - ii. confirmation that TRCA's stormwater management criteria (including stormwater quantity and quality control) and the criteria requirements for water balance and erosion control have been met or exceeded;
 - iii. water balance and Low Impact Development (LID) measures with supporting calculations that, in addition to satisfying site water balance requirements, demonstrate how LIDs will provide support to the Natural Wildlife Corridor or implement alternative sources for hydrological support;
 - iv. detail drawings, locations and plans for proposed water balance and LID measures on the appropriate drawings (all LID measures are required to be located outside of the natural system including setbacks);

- v. detailed grading plans, site servicing plans and cross section drawings.
- d) A Water Balance Assessment outlining the required water balance criteria (for both site water balance and feature-based) and how they are to be met or exceed by the proposed mitigation measures which have been deemed appropriate for the site to the satisfaction of TRCA. The feature-based water balance assessment is required as it relates to all the hydrological inputs (groundwater, surface water and stormwater drainage) in the watercourse and proposed and existing wetlands in order demonstrate the hydrological and ecological function of the features;
- e) Detailed reports and plans for the construction and post-construction of the Natural Wildlife Corridor to the satisfaction of the TRCA, including:
 - i. an appropriate connection to the tributary of the East Carlton Creek at the south end of the property to the satisfaction of the TRCA. This may include entering into an agreement with the adjacent landowner(s) or providing an adequate on-site Natural Wildlife Corridor design that meets TRCA requirements;
 - ii. delineation of all natural features, hazards, and their associated buffers within the Natural Wildlife Corridor:
 - iii. an interim hydrologic strategy to support the wetland in the absence of completed construction of Buildings C and D;
 - iv. an updated geomorphology report and design brief;
 - v. terrestrial and aquatic habitat features including but not limited to birdboxes, snags, perches, sweeper logs, boulder clusters and root wads;
 - vi. detailed plans for wetland pockets;
 - vii. detailed trail plans if a trail within the corridor is required by the City or confirmation from the City that a trail is not required;
 - viii. detailed planting plans;
 - ix. a monitoring program for a period of 5 years that demonstrates the design objectives through providing

- 1. as-built survey;
- 2. surveys (e.g. breeding birds, breeding amphibians, health of the plantings, visual fish observations);
- 3. wildlife passage camera demonstrating use of the corridor;
- 4. Channel Geomorphic Assessments;
- 5. adaptive monitoring in the event of design failure;
- 6. reports submitted to the TRCA in Year 1, 3 and 5 post-construction;
- f) An updated Flood Plain Map sheet as well as accompanying digital modeling based upon new works within the Natural Wildlife Corridor to the satisfaction of TRCA;
- g) A detailed and comprehensive Erosion and Sediment Control Plan and Erosion and Sediment Control Report, which complies with the TRCA's current Erosion and Sediment Control Guidelines for Urban Construction (available at: https://trca.ca/planning-permits/procedural-manual-and-technical-guidelines/).
- 11.2 That detailed planting / restoration plans be provided and implemented for all Open Space Blocks and associated with the crossing of the Natural Wildlife Corridor, which at a minimum include the proposed species, quantities, densities, planting locations and seed mixtures to the satisfaction of TRCA;
- 11.3 That the applicant provide sufficient securities for the proposed Natural Wildlife Corridor works and restoration plantings;
- 11.4 That permanent fencing be erected along the entire length of the Natural Wildlife Corridor and other Open Space areas as applicable to the satisfaction of TRCA;
- 11.5 That the applicant obtain all Ontario Regulation 166/06 (as amended) permits from the TRCA for all works proposed within TRCA's Regulated Area of the subject property and adjacent properties (as permitted by the landowners);
- 11.6 That the applicant provide confirmation that the natural features, hazards and associated buffer lands (e.g. Blocks 3, 4 and 6) have been placed an appropriate zoning category (e.g. Open Space or equivalent) and will be

- gratuitously dedicated to the City of Markham to ensure their long term protection;
- 11.7 That the draft plan be red-line revised, if necessary, in order to meet the requirements of TRCA's conditions, or in order to meet current established standards in place at time of registration of the Plan;
- 11.8 That the applicant provides all outstanding fees (e.g. top up fees, red-line fees, etc.) as required by TRCA;
- 11.9 That the owner agrees in the subdivision agreement, in wording acceptable to the TRCA:
 - 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;
 - 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 design and implement all water balance/infiltration measures identified in the water balance assessment(s) to be completed for the subject property;
 - f) to include appropriate clauses in all agreements of purchase and sale, for lots or blocks on which infiltration infrastructure (whether structural or passive) is to be located that clearly identifies maintenance responsibilities of the landowner;
 - g) to provide for the creation of a Natural Wildlife Corridor and the planting, restoration and enhancement of all natural feature and associated buffer areas to the satisfaction of TRCA staff. Additionally, that monitoring and replanting of these areas (as necessary) be completed for a minimum period of 2 years with sufficient funds be secured through this period through a letter of credit in favour of the City of Markham or other appropriate measure;

- h) that all blocks containing natural features, hazards and their associated buffers be gratuitously conveyed free of all encumbrances into public ownership;
- i) to obtain all necessary TRCA permits pursuant to Ontario Regulation 166/06 (as amended) from the TRCA.

12. Alectra Utilities

- 12.1 The Owner shall covenant and agree in the Subdivision Agreement to satisfy Alectra Utilities as follows:
 - a) The owner(s), or his/her/their agent, for this plan is/are required to contact Alectra Utilities to obtain a subdivision application form (SAF) and to discuss all aspects of the above project. The information on the SAF must be accurate to reduce unnecessary customer costs, and to provide a realistic in-service date. The information from the SAF is also used to allocate/order materials, to assign a technician to the project, and to place the project in the appropriate queue. A subdivision application form is enclosed with this request for comments.
 - b) Alectra Utilities will prepare the electrical distribution system (EDS) design for the subdivision. The subdivision project will be assigned to an Alectra Utilities design staff upon receipt of a completed SAF. The design of the subdivision can only commence upon receiving a design prepayment and the required information outlined on the SAF.
 - c) Alectra Utilities will obtain the developer(s) approval of the EDS design, and obtain the required approvals from local government agencies for EDS installed outside of the subdivision limit. Alectra Utilities will provide the developer(s) with an Offer to Connect (OTC) agreement which will specify the responsibilities of each party and an Economic Evaluation Model outlining the cost sharing arrangement of the EDS installation between both parties. The OTC agreement must be executed by both parties and all payments, letter of credits and easements received in full before Alectra Utilities can issue the design for construction.
 - d) All proposed buildings, billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.

- e) All communication, street light or other pedestal(s) or equipment(s) must not be installed near Alectra Utilities transformers and/or switchgears. Enclosed with this request for comments are Alectra Utilities clearance standards.
- f) Existing Alectra Utilities plant in conflict due to driveway locations or clearances to the existing overhead or underground distribution system will have to be relocated by Alectra at the Developer's cost.

13. Canada Post

- 13.1 The owner/developer agrees to include on all offers of purchase and sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
- 13.2 The owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any unit sale.
- 13.3 The owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plans.
- 13.4 The owner/developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - a) An appropriately sized sidewalk section (concrete pad) to place the Community Mailboxes on.
 - b) Any required walkway across the boulevard.
 - c) Any required curb depressions for wheelchair access.
- 13.5 The owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to the new homes as soon as they are occupied.
- 13.6 The owner/developer further agrees to provide Canada Post at least 60 days' notice prior to the confirmed first occupancy date to allow for the community mailboxes to be ordered and installed at the prepared temporary location.
- 13.7 Further information can be found by visiting the following link to Canada Post's Delivery Standards Manual.

 https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_e n.pdf?_ga=1.255544584.102383918.1446243719

14. Bell Canada

14.1 The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.

15. External Clearances

- 15.1 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) The Regional Municipality of York Transportation and Community Planning Department shall advise that Conditions 9.1 to 9.30 have been satisfied.
 - b) The Toronto and Region Conservation Authority ("TRCA") shall advise that all lands containing natural features, hazards and their associated buffers are zoned for environmental protection, densely planted and gratuitously dedicated into public ownership, free and clear of all encumbrances to the City of Markham and are to the TRCA's satisfaction and that Conditions 11.1 to 11.9 has been satisfied.
 - c) Alectra Utilities shall advise that Condition 12.1 has been satisfied.
 - d) Canada Post shall advise that Conditions 13.1 to 13.7 have been satisfied.
 - e) Bell Canada shall advise that Condition 14.1 has been satisfied.



BY-LAW 2021-____

A By-law to amend By-law 304-87, as amended (to delete lands from the designated areas of By-law 304-87) and to amend By-law 177-96, as amended

(to incorporate lands into the designated area of By-law 177-96)

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

- 1. That By-law 304-87, as amended, are hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated areas of By-law 304-87, as amended.
- 2. That By-law 177-96, as amended, is hereby further amended as follows:
 - 2.1 By expanding the designated area of By-law 177-96, as amended, to include additional lands as shown on Schedule "A" attached hereto.
 - 2.2 By zoning the lands outlined on Schedule "A" attached hereto:

from:

Rural Residential (RR4) Zone

to

Business Corridor*670 (BC*670) Zone Business Park*671 (BP*671) Zone Open Space One (OS1) Zone

3. By adding the following subsections to Section 7 – EXCEPTIONS:

	Exception	Leporis Construction Inc.	Parent Zone BC
7.670		2705 and 2755 Elgin Mills Road East	
File			Amending By-law
	ZA 16 137567		2021
		other provisions of this By-law, the following provisions s	
	•	symbol *670 on the schedules to this By-law. All other pr	
spe	cifically modified/a	amended by this section, continue to apply to the lands s	subject to this
sec	tion.		
7.67	70.1 Additiona	I Permitted Uses	
a)	Child Care Cent	re	
b)	Place of Amuse	ment	
c)	Place of Enterta	inment	
d)	Kennel, Day		
e)	Pet Grooming		
7.67	70.2 Special Z	one Standards	
The	following special	zone standards shall apply:	
a)	Notwithstanding	any further division or partition of the land subject to the	is Section, all lands
	zoned with Exception *670 shall be deemed to be one lot for the purposes of this By-law and		
	all zone standards are applicable to the lands zoned with Exception *670 as a whole and not		
	to any subdivided part thereof.		
b)	For the purposes of this By-law, the lot line abutting Elgin Mills Road East shall be deemed		
	to be the front lot line.		
	Maximum building height.		
	i. Office building – 19 metres		
	ii. All other buildings – 12 metres		

c)	Maximum front yard shall not apply.			
d)	Maximum Depth of parking area in the front yard shall not apply.			
e)	The minimum required width of landscaping shall be:			
	i. Adjacent to the front lot line – 5.5 metres			
	ii. Adjacent to any other <i>lot line</i> – 1.2 metres.			
f)	Within 40 metres of the Elgin Mills Road East streetline, the following additional provisions			
	shall apply:			
	i. Minimum building <i>height</i> – 8.0 metres;			
	ii. Maximum setback from front lot line – 6.0 metres;			
	iii. Drive-through service facilities and queuing lanes are not permitted within 5.5 metres			
	of the front lot line.			
	Special Provisions #3, #5, and #6 of Table A4 shall not apply.			
g)				
g) h)	Retail stores are only permitted subject to the following:			
	Retail stores are only permitted subject to the following: i. A retail store shall have a minimum gross floor area of 150 square metres per			
	Retail stores are only permitted subject to the following: i. A retail store shall have a minimum gross floor area of 150 square metres per premises;			
	Retail stores are only permitted subject to the following: i. A retail store shall have a minimum gross floor area of 150 square metres per premises; ii. In all building types, a retail store shall have a maximum gross floor area of 1,000			
	Retail stores are only permitted subject to the following: i. A retail store shall have a minimum gross floor area of 150 square metres per premises; ii. In all building types, a retail store shall have a maximum gross floor area of 1,000 square metres per premises unless the retail store is an office supply or computer			
	Retail stores are only permitted subject to the following: i. A retail store shall have a minimum gross floor area of 150 square metres per premises; ii. In all building types, a retail store shall have a maximum gross floor area of 1,000 square metres per premises unless the retail store is an office supply or computer supply store which may have a maximum gross floor area of up to 3,000 square			
	Retail stores are only permitted subject to the following: i. A retail store shall have a minimum gross floor area of 150 square metres per premises; ii. In all building types, a retail store shall have a maximum gross floor area of 1,000 square metres per premises unless the retail store is an office supply or computer supply store which may have a maximum gross floor area of up to 3,000 square metres per premises;			
	Retail stores are only permitted subject to the following: i. A retail store shall have a minimum gross floor area of 150 square metres per premises; ii. In all building types, a retail store shall have a maximum gross floor area of 1,000 square metres per premises unless the retail store is an office supply or computer supply store which may have a maximum gross floor area of up to 3,000 square metres per premises; iii. The total combined gross floor area for all individual retail store premises shall not			
h)	Retail stores are only permitted subject to the following: i. A retail store shall have a minimum gross floor area of 150 square metres per premises; ii. In all building types, a retail store shall have a maximum gross floor area of 1,000 square metres per premises unless the retail store is an office supply or computer supply store which may have a maximum gross floor area of up to 3,000 square metres per premises; iii. The total combined gross floor area for all individual retail store premises shall not exceed 30% of the combined gross floor area of all buildings.			
	Retail stores are only permitted subject to the following: i. A retail store shall have a minimum gross floor area of 150 square metres per premises; ii. In all building types, a retail store shall have a maximum gross floor area of 1,000 square metres per premises unless the retail store is an office supply or computer supply store which may have a maximum gross floor area of up to 3,000 square metres per premises; iii. The total combined gross floor area for all individual retail store premises shall not exceed 30% of the combined gross floor area of all buildings. Notwithstanding Section 6.9, where one loading space is required in accordance with section			
h)	Retail stores are only permitted subject to the following: i. A retail store shall have a minimum gross floor area of 150 square metres per premises; ii. In all building types, a retail store shall have a maximum gross floor area of 1,000 square metres per premises unless the retail store is an office supply or computer supply store which may have a maximum gross floor area of up to 3,000 square metres per premises; iii. The total combined gross floor area for all individual retail store premises shall not exceed 30% of the combined gross floor area of all buildings.			

	Exception	Leporis Construction Inc.	Parent Zone		
7.671		2705 and 2755 Elgin Mills Road East	ВР		
File			Amending By-law		
Z	ZA 16 137567		2021		
		other provisions of this By-law, the following provisions s			
	•	symbol *671 on the schedules to this By-law. All other pr			
	•	amended by this section, continue to apply to the lands s	subject to this		
	tion.				
7.67		I Permitted Uses			
a)	Child Care Cent				
b)	Place of Enterta	inment			
c)	Schools, Comm	ercial			
d)	Commercial Fitr	ness Centre			
7.67	71.2 Special Zo	one Standards			
The	following special	zone standards shall apply:			
a)	Notwithstanding any further division or partition of the land subject to this Section, all lands				
	zoned with Exception *671 shall be deemed to be one <i>lot</i> for the purposes of this By-law and				
	all zone standards are applicable to the lands zoned with Exception *671 as a whole and not				
	to any subdivide	•			
b)		n of parking area in the front yard shall not apply.			
c)	A Place of Entertainment shall only be located within an office building or a building containing				
	a hotel				
d)		equired width of <i>landscaping</i> shall be:			
	•	t to any lot line not abutting a street – 0.0 metres			
	•	at to a <i>lot line</i> abutting a cul de sac – 0.0 metres			
e)	The maximum floor space index shall be 2.0.				
f)		with Exception *671, Special Provision #2 of Table A4 s	shall be		
	replaced with the following:				
	"An accessory retail store in which goods produced and/or stored in a building containing				
		use is permitted provided the retail store has a net floor	-		
	exceed the lessor of 500 square metres or 15 percent of the net floor area of the building				
	containing the industrial use."				
⊢ .					

Special Provision #3 of Table A4 shall not apply.

Maximum building height – 15 metres

By-law 2021- <mark>.</mark>	
Page 3	

Read and first, second and third time and passed on			
Kimberley Kitteringham	Frank Scarpitti		
City Clerk	Mayor		

Amanda File No. ZA 16 137567



EXPLANATORY NOTE

BY-LAW 2021-___ A By-law to amend By-laws 304-87 and 177-96, as amended

Leporis Construction Inc.

Part 1, Plan of Part of the East Half of Lot 25, Concession 3 (Geographic Township of Markham)

2705 and 2755 Elgin Mills Road East

ZA 16 137567

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 7.835 hectares (19.361 acres), which is located south of Elgin Mills Road East and west of Woodbine Avenue.

Existing Zoning

The subject lands are zoned Rural Residential Four (RR4) Zone under By-law 304-87, as amended.

Purpose and Effect

The purpose and effect of this By-law is to rezone the subject lands under By-law 177-96, as amended as follows:

from:

Rural Residential Four (RR4) Zone

to:

Business Corridor*670 (BC*670) Zone; Business Park*671 (BP*671) Zone; and Open Space One (OS1) Zone.

in order to permit the development of a convention centre, office building, restaurants, and retail.

Note Regarding Further Planning Applications on this Property

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.

APPENDIX 'C'

SUMMARY OF PROPOSED ZONING STANDARDS LEPORIS CONSTRUCTION INC.

Proposed BC Zon	e	
Zone Standard	Parent BC Zone	Proposed
Additional uses	n/a	Child care centre Place of entertainment Place of amusement Day kennel Pet grooming
Maximum front yard	6.0 m	Shall not apply
Maximum depth of parking area in the front yard	12.0 m	Shall not apply
Within 40 m of Elgin Mills Road		Maximum setback of main wall – 6.0 m Drive-through service facilities and queuing lanes not permitted within 5.5 m of front lot line
Maximum height	46 m	Office buildings – 19 metres All other buildings – 12 metres
Retail stores	Permitted subject to: Minimum net floor area: 300 m² Maximum net floor area: 6000 m²	Permitted subject to: Minimum GFA of 150 m ² Maximum GFA of 3000 m ² for office or computer supply store Maximum GFA of 1000 m ² for all other retail Combined total GFA of all retail store premises shall not exceed 30% of combined GFA
Proposed BP Zone	e	
Zone Standard	Parent BP Zone	Proposed
Additional uses	n/a	Child care centre Place of entertainment within an office building or a building containing a hotel Commercial schools Commercial fitness centres
Retail, personal service shop, day kennel, pet grooming, restaurant	Only as accessory use in a hotel, convention centre, or on first floor of an office building	Only as accessory use in a hotel, convention centre, or on first floor of an office building or industrial building, maximum 15% of total GFA of the building

Maximum depth of parking area in the front yard	12.0 m	Shall not apply
Minimum width of landscaping	6.0 m adjacent to front lot line 3.0 m adjacent to other lot line	6.0 m adjacent to front lot line 0.0 m adjacent to any lot line not abutting a street
Maximum FSI	1.75	2.0
Maximum height	46 m	15 m
Maximum net floor area for accessory retail store in which goods produced/ stored in a building containing an industrial use	300 m ² or 10%, whichever is less, of net floor area of the building	500 m ² or 15%, whichever is less, of net floor area of the building
Banquet halls	Permitted only within a hotel or a building containing a trade and convention facility	Restriction shall not apply



Report to: Development Services Committee Meeting Date: January 25, 2021

SUBJECT: Victoria Square Boulevard – Detailed Design Update and

Purchase Order Increase Request (Ward 2)

PREPARED BY: Alain Cachola, Senior Manager, Infrastructure and Capital

Projects, Ext. 2711

RECOMMENDATION:

1. That the report entitled "Victoria Square Boulevard – Detailed Design Update and Purchase Order Increase Request (Ward 2)" be received;

- 2. That Purchase Order PD 19403 issued to Ainley & Associates for the detailed design of Victoria Square Boulevard reconstruction be increased by \$371,943.33, inclusive of HST, to cover the additional design work required for the project; and
- 3. That Purchase Order PD 19404 for the contingency of the detailed design of Victoria Square Boulevard reconstruction be increased by \$37,193.43, inclusive of HST, to cover any additional design work required for the project and that authorization be granted to approve expenditures of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and
- 4. That the Engineering Department Capital Administration Fee in the amount of \$52,148.13, inclusive of HST, be transferred to revenue account 640-998-8871 (Capital Admin Fees); and
- 5. That the 2018 Engineering Capital Account 18059 (Victoria Square Boulevard Design) be increased to cover the additional project estimates in the amount of \$461,275.89, inclusive of HST, and funded from City Wide Hard Development Charges Reserve, and further,
- 6. 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 obtain Council approval to:

- Increase the Ainley & Associates Purchase Order in the amount of \$371,943.33, to cover the additional detailed design work for Victoria Square Boulevard reconstruction;
- Increase the Contingency Purchase Order in the amount of \$37,193.43, to cover any additional detailed design work for Victoria Square Boulevard reconstruction;
- Transfer the Capital Administration Fee in the amount of \$52,148.13 to the Engineering Department's revenue account 640-998-8871; and
- Increase the 2018 Engineering Capital Account 18059 (Victoria Square Boulevard Design) in the amount of \$461,275.89, and be funded from City Wide Hard Development Charge Reserve, to cover the cost for the additional design work;

BACKGROUND:

Victoria Square Boulevard is an existing north-south roadway, approximately 3 km in length, between Woodbine Avenue (south) and Woodbine Avenue (north), see Attachment 'A'. It is comprised of two lanes with varying cross sections. This road was formerly Woodbine Avenue, which was part of the York Region road network. Jurisdiction of the road was transferred from York Region to the City of Markham in January 2016 after the Region assumed jurisdiction of the (new) Woodbine Avenue.

The Municipal Class EA was filed for Victoria Square Boulevard in May 2018 and received final approval from the Minister of the Environment in May 2020 because of a Part II Order request. The detailed design contract was awarded in November 2019 and the detailed design commenced in December 2019. To date, the consultant has submitted the 60% of the design for the project.

The proposed road reconstruction of Victoria Square Boulevard is tied to the future development of the North Markham Future Urban Area (FUA). There are a number of future collector roads from the FUA that will eventually connect to Victoria Square Boulevard as identified in the FUA transportation studies. The original schedule was to commence construction in Victoria Square Boulevard in 2021 but was partly delayed due to the delayed approval of the Municipal Class EA. The updated schedule and phasing are discussed further in the report.

OPTIONS/ DISCUSSION:

Utility Structure Design

As part of the detailed design scope, the consultant was required to investigate the site based on information provided from the Municipal Class EA Study. Design of utility relocation is part of the detailed design scope of work.

The design consultant commenced the utility coordination meetings in Spring 2020 to identify the existing utility infrastructure that may be in conflict with the proposed road reconstruction. Based on preliminary information provided by the utility companies and site investigation, most of the utility relocation design and coordination are included within the original scope of work. However, a major Bell Canada conflict was identified at a proposed culverts under Victoria Square Boulevard.

Based on review with Bell Canada, the City has 2 options to address the issue:

- Option 1 Keep the culvert design and relocate Bell infrastructure
- Option 2 Revise the culvert design and keep / protect Bell infrastructure

Below are the pros and cons to the 2 options:

Options	Pros	Cons
Option 1 – Relocate	No additional	Relocating Bell structure is
Bell Infrastructure	consultant fees to	currently estimated at \$2.2M, of
	redesign culvert	which, Markham's share will be
	_	50% (\$1.1M)
Option 2 – Redesign	Reduce overall cost	Require to increase scope of work
culvert to keep / protect	impact by changing the	to redesign culvert (\$151K).
existing Bell	culvert design to keep /	Additional culvert construction
Infrastructure	protect Bell Structure	costs (±\$300K) which will be
		included in the 2022 construction
		budget request.

Based on the above, staff recommends Option 2 – redesign culvert to keep / protect the existing Bell infrastructure, as this is the more cost effective option. This option requires an increase of <u>\$151,115.13</u>, inclusive of HST, for the redesign of the proposed culvert.

Excess Soil Management

In December 2019, the Ontario Ministry of Environment, Conservation and Parks (MECP) released a new regulation under the Environmental Protection Act, R.S.O. 1990, c. E.19, titled "On-Site and Excess Soil Management" (O. Reg. 406/19) to better manage excess soil.

The new regulation includes a number of additional requirements on construction projects which were not included in the original scope of work for the detailed design as this regulation was implemented after the project was awarded. As such, the consultant has submitted a proposal to fulfil the requirements of the regulation as part of the detailed design and site investigation, in the amount of \$86,496.00, inclusive of HST. Staff has reviewed this request and recommend this additional fee be approved.

Project Phasing

The original plan for Victoria Square Boulevard reconstruction was for the full length of the road to be completed under one contract.

For the past year, Engineering Staff has been in regular meetings with York Region staff and the Developer representatives for the FUA regarding the timing and coordination of various Markham and Regional infrastructure to service the FUA. Due to the ongoing Elgin Mills Road Municipal Class EA undertaken by Markham, and the extension of a trunk water main to service the new subdivisions south of Elgin Mills Road, the detailed design for the intersection of Elgin Mills Road and Victoria Square Boulevard is on hold while other design work is being finalized. As a result of this schedule, staff has to reschedule the Victoria Square Boulevard reconstruction into 3 phases.

The new phasing for construction of Victoria Square Boulevard is as follows:

- Phase 1 Woodbine Avenue (South) to Stoney Hill Avenue
- Phase 2 Prince of Wales Drive to Woodbine Avenue (North)
- Phase 3 Stoney Hill Avenue to Prince of Wales Drive

Staff will be requesting a pre-approval for the 2022 Capital Budget process for the construction of Phase 1 of Victoria Square Boulevard as well as reporting back on the timing of the construction of Phases 2 and 3 of the project. Refer to Attachment 'A' for the phasing plan of Victoria Square Boulevard.

As a result of separating the project into 3 separate phases, the design consultant has to prepare 3 separate sets of engineering plans and tender documents. Additional design work will also be required to prepare interim / temporary conditions on certain sections of the project. The consultant will also be required to coordinate the phasing of the projects with the utility companies as well as the environmental agencies.

With the proposed phasing of the project, the design consultant has submitted a proposal for the increase in scope. Staff negotiated with the consultant and recommends that the reduced amount of \$134,323.20, inclusive of HST, be approved as it is in line with the costs included in the original RFP.

Contingency

As per typical awards, staff recommend a 10% contingency for the proposed scope increase as identified above. Staff recommend a contingency amount of \$37,193.43, to cover any additional design revisions.

FINANCIAL CONSIDERATIONS

The table below provide a detailed summary of the financial requirements for this report:

Table 1 – Design and Utility Cost Increase

Description		Amount	Comments
Utility Structure Design		151,115.13	
Excess Soil Management		86,496.00	
Project Phasing		134,323.20	
Sub-total:	\$	371,934.33	*PO PD 19403
10% Contingency	\$	37,193.43	PO PD 19404
Sub-total:	\$	409,127.76	
Engineering Capital Admin Fee	\$	52,148.13	640-998-8871
Total:	\$	461,275.89	

^{*}Note: The proposed Purchase Order increase is calculated based on rates consistent with the original 2019 RFP rates.

The original Purchase Order issued to Ainley & Associates for the original scope of work was \$615,648, inclusive of HST. This proposed PO increase for the additional work, as noted above, represents an increase of 60% from the original scope of work.

In accordance to the City's Expenditure Control Policy, the proposed Purchase Order increase (greater than \$100,000 and no available funding) requires Council approval.

The following are the current financial summary for the Victoria Square Boulevard capital account:

Description Amounts Budget (Projects 18059) (A) 786,665.00 Original Award (B) (\$ 786,665.00) \$ **Current Balance Available (C=A+B)** 0.00 PO Increase for Design (D) (\$ 409,127.76) Capital Admin Fee (E) (\$ 52,148.13) **Shortfall Requiring Additional Funding** 461,275.89) (F=C+D+E)

Table 2 – Financial Summary

Based on the above, staff recommends that the 2018 Engineering Capital Account 18059 (Victoria Square Boulevard Design) be increased to cover the additional project costs in the amount of <u>\$461,275.89</u>, inclusive of HST, and to be funded from City Wide Hard Development Charge Reserve. There is sufficient funding in the Development Charges Background Study and City Wide Hard Development Charge Reserve for this proposed budget increase, based on the latest cost estimate and inclusive of requested budget increase.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed work for the Victoria Square Boulevard are required to continue to accommodate development in the City of Markham and southern York Region, particularly within the North Markham Future Urban Area. As such, the recommendations align with the City's Strategic Plan goals of "Safe & Sustainable Community" and "Stewardship of Money & Resources".

BUSINESS UNITS CONSULTED AND AFFECTED:

The Finance Department was consulted and their comments have been addressed in this report.

Page 6

RECOMMENDED BY:

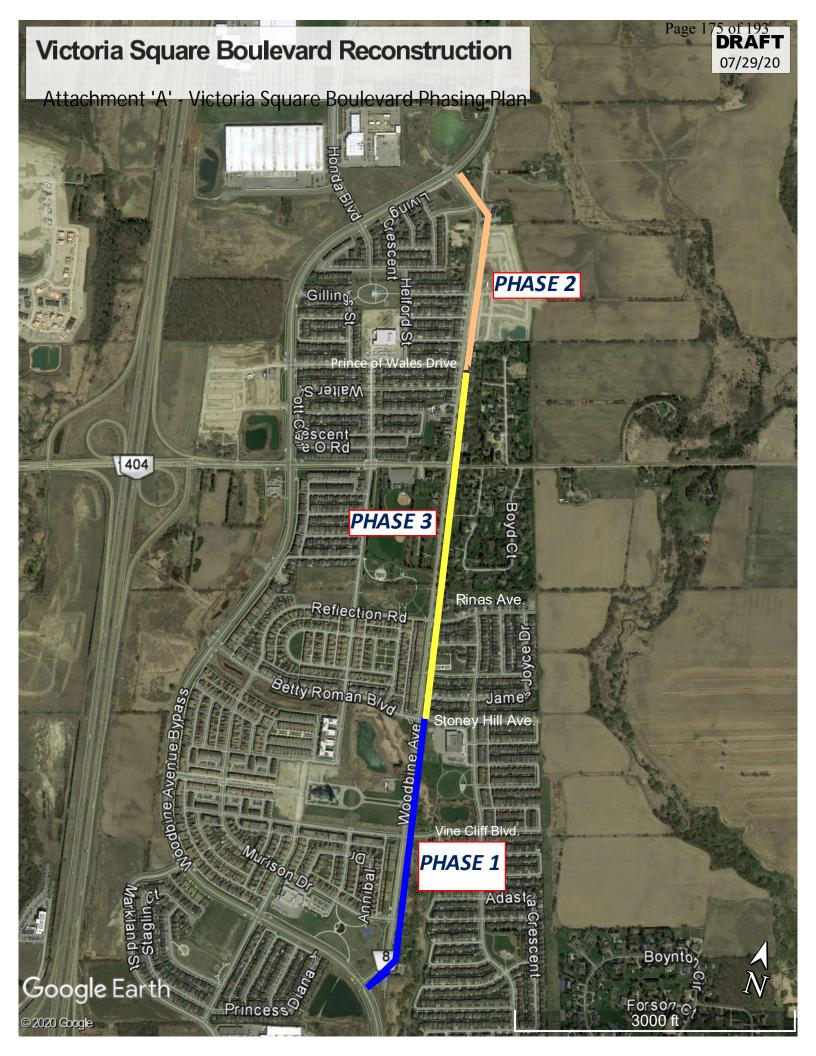
Brian Lee, P. Eng. Director of Engineering

Arvin Prasad, MCIP, RPP Commissioner, Development Services

Meeting Date: January 25, 2021

ATTACHMENTS:

Attachment 'A' – Victoria Square Boulevard Phasing Plan





Report to: Development Services Committee Meeting Date: January 25, 2021

SUBJECT: Proposed Amendments to By-law 2011-232 - A By-law to

Regulate or Prohibit Removal of Topsoil, Placing or

Dumping of Fill, and Alteration of The Grade of Land within the City of Markham and related amendments to By-law 2016-84 - A By-law to Implement an Administrative Monetary

Penalty System for Non-Parking Offences

PREPARED BY: Mansoor Ali, P. Eng.

Senior Development Engineer, Ext. 2523

REVIEWED BY: Reza Fani, P. Eng.

Manager, Development Engineering, Ext. 2414

Victoria Chai

Assistant City Solicitor, Ext. 7781

RECOMMENDATION:

- That the report entitled "Proposed Amendments to By-law 2011-232 A By-law to Regulate or Prohibit Removal of Topsoil, Placing or Dumping of Fill, and Alteration of The Grade of Land within the City of Markham and related amendments to By-law 2016-84 A By-law to Implement an Administrative Monetary Penalty System for Non-Parking Offences", be received; and
- 2) That the amendments to By-law 2011-232 A By-law to Regulate or Prohibit Removal of Topsoil, Placing or Dumping of Fill, and Alteration of the Grade of Land with the City of Markham ("Site Alteration By-law") described in this report and set out in Attachments A to C be approved and enacted; and
- 3) That the amendments to By-law 2016-84 *A By-law to Implement an Administrative Monetary Penalty System for Non-Parking Offences* ("AMPS Non-Parking By-law") described in this report and set out in Attachment D, be approved and enacted; and further
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not Applicable

PURPOSE:

This report seeks Council's approval to amend the Site Alteration By-law.

This report also seeks Council's approval for housekeeping amendments to the AMPS Non-Parking By-law in order to add the Site Alteration By-law to the City of Markham's (the "City") Administrative Monetary Penalty System.

BACKGROUND:

Section 142 of the *Municipal Act*, 2001, S.O. c. 25, as amended, authorizes municipalities to pass by-laws to regulate the removal of topsoil, the placing or dumping of fill, and the alteration of the grade of land ("Site Alteration"). The City's Site Alteration By-law is currently used to regulate and enforce Site Alteration activities in the City. The Site Alteration By-law requires landowners and developers to obtain a permit for Site Alteration activities within the City.

A Site Alteration Permit is not intended to allow developers to construct permanent features such as buildings, facilities, or parking lots ("Developments"). Developments are and should continue to be regulated separately through the planning review process.

The existing Site Alteration Permit process leaves opportunities for developers to circumvent the planning review process to construct Developments. Staff propose the following amendments to the Site Alteration By-law to stop the improper use of the by-law for Developments.

OPTIONS/ DISCUSSION:

Recommended Amendments to By-law 2011-232

Staff recommend the following amendments to By-law 2011-232, as outlined in Attachment 'A' - Proposed Amendments to By-law 2011-232.

The following amendments clarify: a) the definition of Site Alteration activities, and b) what activities are not permitted under the Site Alteration By-law:

- Adding a purpose clause to clarify the purpose of the Site Alteration By-law.
- Revising the definition of "Site Alteration" to clarify the meaning of Site Alteration, and make it consistent with the *Municipal Act*.
- Adding a new provision in Section 2 to prohibit any person from carrying out any activities other than Site Alteration pursuant to the Site Alteration By-law.
- Expanding the definition of "Development" to include the Development activities that are presently captured under the Site Plan Control By-law, such as construction of buildings, facilities and parking lots.
- Adding a new provision in Section 2 to prohibit any person from carrying out "Development" activities pursuant to the Site Alternation By-law.
- Adding a new provision in Section 2 to prohibit any person from using an unauthorized haul route for transporting fill and topsoil.
- Replacing the definition of "Fill" to clarify the materials that constitute fill.

The following administrative amendments and amendments to update the By-law to reference new and updated legislation are proposed:

- Adding new "Whereas" clauses to establish the legislative authority for administrative monetary penalties and current enforcement powers.
- Replacing terms to reflect current proper nouns, capitalizing defined terms, and removing definitions that are no longer in use.
- Replacing and adding definitions to align definitions to current legislation and policies, and replacing such terms in related offence provisions, including:
 - Replacing terms including "Agricultural Uses", "Valleyland", "Wetlands" and "Woodland" with the definitions in the Official Plan;
 - ➤ Replacing the terms "Body of Water", "Environmental Protection Areas" and "Hazard Lands" with "Natural Heritage Network", which is the term used in the Official Plan that encompasses these features; and
 - ➤ Replacing terms related to endangered species with the definition of Habitat of Endangered or Threatened Species in the Official Plan.
- Replacing, revising and adding provisions to reflect current legislation, policies and to clarify By-law requirements, including:
 - ➤ Adding provisions to require that Site Alteration activities comply with the Greenbelt Plan; and
 - Adding provisions to require that imported soil comply with the new O. Reg 406/19 On-Site and Excess Soil Management.
- Adding enforcement provisions pursuant to updated legislation.
- Adding provisions for increased fines pursuant to the *Municipal Act*.

The following amendments are proposed to the Schedules of the By-law:

- Deleting former Schedules "A" to "D" regarding Security Deposits, Standards for Site Alteration Plans, Site Design Guidelines, and Permit Conditions because the City now has standard Design Criteria that encompasses all of the above, that are available online and used in all applications.
- Adding new Schedules "A" and "B", which include the application form for the Site Alteration Permit and boundary maps for the Oak Ridges Moraine and the Greenbelt Plan.

Recommended Amendments to By-law 2016-84

Staff recommend housekeeping amendments to By-law 2016-84 - A By-law to implement an Administrative Monetary Penalty System for Non-Parking Offences, as outlined in Attachment 'D'. The purpose of these amendments is to add By-law 2011-232, as amended, to the City's Administrative Monetary Penalty System. This will allow the City to impose Penalty Notices to enforce violations of the Site Alteration By-law through the City's Administrative Monetary Penalty System.

FINANCIAL CONSIDERATIONS

There are no financial implications to the City of Markham resulting from the amendments to this By-law. The use of AMPS for penalties for violations of the Site Alteration By-law will streamline the penalty process, which will be a deterrent to violations. The penalties will be used to off-set the costs of enforcement of the Site Alteration By-law.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed amendments to By-law 2011-232 align with the Safe, Sustainable & Complete Community goal of the City's 2020-2023 Strategic Plan.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Planning & Urban Design, and Legal departments have provided comments to this report and their comments have been incorporated.

RECOMMENDED BY:	
Claudia Storto	
City Solicitor and Director of Human Resources	
Brian Lee, P. Eng.	Arvin Prasad, RPP, MCIP
Director, Engineering Services	Commissioner, Development

ATTACHMENTS:

Attachment 'A': Proposed Amendments to By-law 2011-232
Attachment 'B': Proposed Schedule "A" to By-law 2011-232
Attachment 'C' Proposed Schedule "B" to By-law 2011-232
Attachment 'D': Proposed Schedule "A" to By-law 2016-84



TO AMEND BY-LAW 2011-232 BEING A BY-LAW TO REGULATE OR PROHIBIT REMOVAL OF TOPSOIL, PLACING OR DUMPING OF FILL, AND ALTERATION OF THE GRADE OF LAND WITHIN THE CITY OF MARKHAM ("Site Alteration By-law")

WHEREAS Section 142 of the *Municipal Act*, 2001, S.O. c. 25, as amended, authorizes municipal councils to pass by-laws to regulate or prohibit the removal of topsoil, the placing or dumping of fill, and the alteration of the grade of land, as set out in By-law 2011-232;

AND WHEREAS amendments are required to the said By-law from time to time to reflect current legislation and for administrative and enforcement purposes;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:

That the Site Alteration By-law 2011-232 be amended as follows:

- 1) That the first letter of all words defined in section 1 (DEFINITIONS) be capitalized throughout the By-law; e.g. 'permit' to 'Permit' and 'order' to 'Order', etc.
- 2) That the numbering of all sections of the By-law be adjusted, considering the proposed changes.

3) That the following words in the By-law be replaced throughout the By-law, as follows:

	Existing Words in the By-law	To be Replaced by
1	Town	City
2	Hazard Lands	Natural Heritage Network
3	Environmental Protection Areas	Natural Heritage Network
4	Ministry of Natural Resources	Ministry of Natural Resources and Forestry

4) That in the WHEREAS section, the following WHEREAS Clauses be added:

"AND WHEREAS Section 391 of the *Municipal Act* provides that a municipality may impose fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS Section 425 of the *Municipal Act* provides that a municipality may pass by-laws providing that a person who contravenes any by-law of the municipality is guilty of an offence;

AND WHEREAS Section 429(1) of the *Municipal Act* provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under the *Municipal Act*;

AND WHEREAS Section 434.1 of the *Municipal Act* provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that a person has failed to comply with a by-law of the municipality passed under the *Municipal Act*;

AND WHEREAS Section 434.2(1) of the *Municipal Act* provides that an administrative penalty imposed by a municipality on a person constitutes a debt of the person to the municipality;

AND WHEREAS Section 435 of the *Municipal Act* provides for conditions governing the powers of entry of a municipality;

AND WHEREAS Section 441.1 of the *Municipal Act* provides that upon the request of a municipality that has entered into a transfer agreement under Part X of the *Provincial Offences Act*, the treasurer of a local municipality may add any part of a fine for a commission of a provincial offence that is in default under Section 69 of the *Provincial Offences Act* to the tax roll for any property in the local municipality for which all of the Owners are responsible for paying the fine and collect it in the same manner as municipal taxes;

AND WHEREAS Section 444 of the *Municipal Act* provides that a municipality may make an Order requiring a person who contravened a by-law or who caused or permitted the contravention or the Owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

AND WHEREAS Section 445 of the *Municipal Act* provides that a municipality may make an Order requiring the person who contravened the by-law or who caused or permitted the contravention or the Owner or occupier of the land on which the contravention occurred to do work to correct the contravention; and

AND WHEREAS Section 446 of the *Municipal Act* provides that where a municipality has authority to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed to or required to do it, the matter or thing may be done at the person's expense, and further provides that the costs of so doing may be added to the tax roll and collected in the same manner as municipal taxes."

5) That a new section 'PURPOSE AND INTENT' be added before section 1 (DEFINITIONS), as follows:

"PURPOSE AND INTENT

The purpose of this By-law is to regulate the Placing or Dumping of Fill, the removal of Topsoil, and the alteration of the grade of land through the movement, removal or placement of Topsoil or Fill in order to ensure that:

- (a) existing drainage patterns are maintained;
- (b) changes to drainage or grade are appropriate to protect natural heritage features and archaeological resources;
- (c) interference and damage to watercourses or water bodies are limited;
- (d) water quality is maintained;
- (e) the use of contaminated Fill is prevented;
- (f) haul routes for the transportation of Fill and Topsoil will be designated to and/or from a site by the Director to minimize damage to City and Regional roads and minimize interference and/or disturbance to the City's residents and businesses;
- (g) the City's other regulatory by-laws are complied with;
- (h) the benefits of any proposed Site Alteration outweigh its potential impacts on other properties and Persons; and
- (i) the proponent of the Site Alteration project pays for its costs associated with the processing and enforcement of this By-law."

6) That in section 1 (DEFINITIONS), the following definitions be deleted:

"Authorized Agent"
"Retaining Wall"

- 7) That in section 1, the following definitions be deleted and replaced as follows:
 - "Agricultural Uses" means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment;

"Development" means:

- a) the construction, erection or placing of one or more buildings or structures on land; or
- b) the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof; or,
- c) the laying out, establishment or expansion of a parking lot, or of sites for the location of three or more trailers as defined in Section 164(4) of the *Municipal Act*, 2001, S.O. 2001, c. 25 or of sites for the location of three or more mobile homes as defined in clause 46(1) of the *Planning Act*; or,
- d) the laying out and establishment of commercial outdoor recreational facilities including golf courses, driving ranges, sports fields and the like; or,
- e) the laying out and establishment of outdoor patios associated with restaurants;
- "Dump" or "Dumping" means depositing of Fill in a location other than where the Fill was obtained;
- "Fill" or "Filling" means Soil, rock, rubble, organic material or a combination of these that is transported and placed on the natural surface of a Soil or rock or organic terrain; it may or may not be compacted;
- "Oak Ridges Moraine" means lands subject to Ontario Regulation 140/02 and subject to the requirements of the Provincial Oak Ridges Moraine Conservation Plan, as amended;
- "Place" or "Placing" means the distribution of fill on lands to establish a finished grade higher or lower than the existing grade;
- "Security Deposit" means financial security submitted to the City by the Applicant and it can be in the form of a certified cheque, or a letter of credit;
- "Significant" means identified as significant by the Ministry of Natural Resources and Forestry, the Region, or the City using evaluation procedures established by that Ministry, the Region, or the City, as amended;
- "Site Alteration" means the Placing, or Dumping of Fill, the removal of Topsoil from land, or the alteration of the grade of land through the movement, removal or placement of Soil or Fill;
- "Valleylands" means a natural area occurring in a valley or other landform depression that has water flowing through or standing for some period of the year. They include well or ill-defined depressional features associated with a river or stream, whether or not they contain a watercourse in which a flow of water regularly or continuously occurs;
- "Wetlands" means lands that are seasonally or permanently covered by shallow water or have the water table close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes, which no longer exhibit wetland characteristics, are not considered to be Wetlands for the purposes of this definition;

- "Woodland" means an area of land of at least 0.2 hectares and includes at least:
 - a) 1,000 trees of any size, per hectare;
 - b) 750 trees measuring over 5 centimetres diameter at breast height, per hectare;
 - c) 500 trees measuring over 12 centimetres diameter at breast height, per hectare; or.
 - d) 250 trees measuring over 20 centimetres diameter at breast height, per hectare, but does not include a cultivated fruit or nut orchard, a plantation established and used for the purpose of producing Christmas trees or nursery stock. For the purposes of defining a Woodland, treed areas separated by more than 20 metres will be considered a separate *Woodland*. When determining a Woodland, continuous agricultural hedgerows and Woodland fingers or narrow *Woodland* patches will be considered part of the Woodland if they have a minimum average width of at least 40 metres and narrower sections have a length to width ratio of 3:1 or less. Undeveloped clearings with *Woodland* patches are generally included within a Woodland if the total area of each clearing is no greater than 0.2 hectares. In areas covered by Provincial Plan policies, Woodland includes treed areas as further described by the Ministry of Natural Resources and Forestry. For the purposes of determining densities for *Woodlands* outside of the Provincial Plan areas, the following species are excluded: staghorn sumac, European buckthorn, common lilac.
- 8) That in section 1, the definitions of "Body of Water", "Environmental Protection Areas" and "Hazard Lands" be deleted and replaced with the following:
 - "Natural Heritage Network" means lands defined as part of the Natural Heritage Network in the City of Markham Official Plan, as amended. It includes Wetlands, Significant Wetlands, Woodlands, Significant Woodlands, Significant Wildlife Habitat, Fish Habitat, Habitat of Endangered and Threatened Species, Valleylands, Significant Valleylands, Areas of Natural and Scientific Interest, permanent and intermittent Watercourses, and other lands (including vegetation protection zones and hazardous lands) as defined in the City of Markham Official Plan;
- 9) That in section 1, the definitions of "Habitat of Endangered, Rare and Threatened Species", "Endangered Species", "Rare Species" and "Threatened Species" be deleted and replaced with the following:

"Habitat of Endangered or Threatened Species" means

- a) with respect to a species listed on the Species at Risk in Ontario List as endangered or threatened species for which a regulation made under Clause 55(1)(a) of the Endangered Species Act, 2007, is in force, the area prescribed by the regulation as the habitat of the species; or
- b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ministry of Natural Resources and Forestry; and places in the areas described in a) or b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.
- 10) That in section 1, the definition of "*Town*" be deleted and replaced as follows:
 - "City" means The Corporation of the City of Markham.
- 11) That in section 1, the following definitions be added:
 - "Protected Countryside" means lands designated as Protected Countryside in the Ontario Greenbelt Plan (2017), as amended;
 - "Greenbelt Plan" means the Ontario Greenbelt Plan (2017), as amended;
 - "Laying Out" means the arrangement, planning or designing of any facility such as a building or a parking lot.
 - "Order" includes Notice, Work Order, Order to Comply, and Order to Discontinue;

"Qualified Person" means the person who meets the qualifications prescribed by the Environmental Protection Act, RSO 1990 c E.19 and associated regulations O. Reg. 153/04 or O. Reg. 406/19, as amended;

"Receiving Site" means the location where the imported Soil is being reused;

"Soil Importation" means to bring Soil from a Source Site to a Receiving Site;

"Source Site" means the location where the imported soil is being excavated or coming from;

"Treasurer" means the Treasurer of the City of Markham or his/her designate.

12) That section 2.0 be repealed and replaced as follows:

"No Person shall permit, perform or cause to permit or to have performed any Site Alteration without a Permit, unless otherwise exempt as set forth in this By-law."

13) That two new sections be added after section 2.0 as follows:

"No Person shall permit, perform or cause to permit or to have performed any activity other than Site Alteration pursuant to this By-law; and"

"No Person shall permit, perform or cause to permit or to have performed any activity of Development pursuant to this By-law; and"

14) That section 2.1 be repealed and replaced as follows:

"No Person shall permit, perform or cause to permit or to have performed Site Alteration on lands within the City identified as Natural Heritage Network that is not permitted by the City's Official Plan, as amended."

15) That a new section be added after existing section 2.3 as follows:

"No Person shall permit, perform or cause to permit or to have performed Site Alteration on lands within the City that is not permitted by the Greenbelt Plan, as amended and as shown on Schedule "B"."

- 16) That in section 2.5, add the following "and environmental conditions" after 'to the pre-existing grades'.
- 17) That section 2.8 be repealed and replaced as follows:

"No Person shall permit, perform or cause to permit or to have performed any Site Alteration on any lands Adjacent to or within 30 metres of the Natural Heritage Network as identified in the City's Official Plan without having been issued a Permit under this By-law by the Director."

- 18) That section 2.10 be amended as follows:
 - a) "permited" be changed to "permitted"
 - b) section 2.10.9 be repealed and replaced as follows:

"negative impact on any lands identified as Natural Heritage Network in the City's Official Plan or Areas of Natural or Scientific Interest, Wetland or Wetland complex as identified by the Toronto and Region Conservation Authority, the Ministry of Natural Resources and Forestry, the Region or the City;"

- c) In section 2.10.10, remove the following "Town of Markham Official Plan Amendment No. 117."
- 19) That the following new sections be added after existing section 2.10:

"No Person shall use a haul route for the transportation of Fill and Topsoil that is not authorized by the Director."

"No Person shall permit, perform or cause to permit or to have performed the removals of vegetation designated as environmentally significant or trees unless approval is obtained from the City."

20) That section 3.1.1 be repealed and replaced as follows:

"such land is not within 30 meters of the Natural Heritage Network as identified in the City's Official Plan; or"

- 21) That in section 3.1, add "AND WHEREAS" at the start of the sentence.
- 22) That a new section be added after section 3.1.2.1, as follows:

"the Site Alteration does not in any way affect the land Drainage of the abutting properties;"

23) That section 3.1.13 be amended as follows:

Add "or a conditional building permit" after 'building permit'

add "or the installation of on-site plumbing services," after 'building or structure'

- 24) That section 4.1.2 be amended to remove "Town's Fee By-law 2002-276, as amended" and replace it with "City's By-law 211-83, as amended."
- 25) That section 4.1.3 be repealed and replaced as follows, and any reference to "securities" or "security deposit" in this By-law be replaced with "Security Deposit".

"Security Deposit as per the Permit;"

26) That section 4.1.4 be repealed and replaced as follows:

"proof of liability insurance with a minimum coverage amount pursuant to the City's requirements for insurance coverage;"

27) That section 4.1.5 be repealed and replaced as follows:

"a Site Alteration Plan, certified by an Engineer, meeting the standards set out in the City's Design Criteria, as amended;"

28) That a new section be added after section 4.1.5, as follows:

"tree protection fencing, as per the accepted Tree Protection Plan and Arborist Report, shall be installed, inspected and approved by City Staff prior to issuance of the Permit;"

- 29) That section 4.1.6 be repealed.
- 30) That section 4.1.7 be repealed and replaced as follows:

"reports and/or plans describing the Site Alteration Plan showing features and special site conditions, including erosion and sediment control measures and their design details to the satisfaction of the Director;"

31) That section 4.1.9 be repealed and replaced as follows

"if located on the Oak Ridges Moraine as shown on Schedule "B", studies or reports to confirm that the Site Alteration is in compliance with Ontario Regulation 140/02, the Oak Ridges Moraine Conservation Plan, as amended;"

32) That the following new sections be added after section 4.1.10:

"confirmation that any Soil Importation will comply with all applicable regulatory requirements related to the Soil Importation including, but not limited to, the *O. Reg.* 406/19 (*On-Site and Excess Soils Management Regulations*), as amended;"

"confirmation that a Qualified Person shall document and certify the Soil Importation work ensuring that it meets all applicable regulatory requirements related to the Soil Importation including, but not limited to, the *O. Reg.* 406/19 (On-Site and Excess Soils Management Regulations), as amended, and make such document(s) available for the City's review upon request;"

"if lands are designated as Protected Countryside on the Greenbelt Plan as shown on Schedule "B", studies or reports to confirm that the Site Alteration is in compliance with the Greenbelt Plan;"

"if located within 120.0 m of Natural Heritage Network lands, studies or reports to confirm that the Site Alteration is in conformity with the City's Official Plan; and"

33) That a new section be added after 4.1.11 as follows:

"The Applicant shall obtain all other approvals that may be required from any level of government or authority having jurisdiction or any agencies thereof."

34) That section 5.2 be repealed and replaced as follows:

"A Permit which is no longer valid or which has expired pursuant to this By-law must be renewed by making a written application to the Director. The Director can renew the expired Permit and issue a Permit extension for a maximum 180 days upon payment to the City for costs incurred in processing the Permit extension, with such costs to be calculated on an hourly rate, in accordance with the City's By-law 211-83, as amended."

35) That section 5.3.1 be repealed and replaced as follows:

"provides the City with an undertaking to comply with all the conditions under which the existing Permit was issued and also provide Letters of Credit, insurance, and any other documents requirement by the Director in accordance with the Permit; or"

- 36) That section 6 be repealed and numbering adjusted accordingly.
- 37) That a new section be added after section 7.2 as follows:

"An Owner shall be presumed to have carried out an activity related to Site Alteration located on the Owner's property or to have contravened or caused the contravention of the conditions of a Permit issued under this By-law, as the case may be, which presumption may be rebutted by evidence to the contrary on a balance of probabilities."

- 38) That section 10.0 be amended to delete the words "prepaid registered mail" and replaced with the words "regular mail".
- 39) That the title of section 12 be repealed and replaced as follows:

"OFFENCES, PENALTIES AND FINES"

40) That section 12.0 be amended to add the following words after the word "offence":

"and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended."

41) That sections 12.1 and 12.2 be repealed and replaced as follows:

"Every Person who is guilty of an offence under this By-law shall be subject to the following penalties:

- a) Upon a first conviction, to a fine of not less than \$500 and not more than \$50,000.
- b) Upon a second or subsequent conviction for the same offence, to a fine of not less than \$500 and not more than \$100,000.
- c) Upon conviction for a continuing offence, to a fine of not less than \$100 and not more than \$10,000 for each day or part of a day that the offence continues. The total of the daily fines may not exceed \$100,000.
- d) Upon conviction for a Multiple Offence, for each offence included in the Multiple Offence, to a fine of not less than \$100 and not more than \$10,000. The total of all fines for each included offence is not limited to \$100,000."
- e) "Where a Person convicted of an offence is a corporation, the corporation is liable to a fine not less than \$500 and not more than \$100,000."
- 42) That the following new administrative penalty sections be added after section 12.2:

"Instead of laying a charge under the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended, for a breach of any provision of this By-law, an Order, a Work Order, or any other Order issued pursuant this By-law, an Officer may issue an administrative penalty to the Person who has contravened this By-law.

The Officer has the discretion to either proceed by way of an administrative penalty or a charge laid under the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended. If an administrative penalty is issued to a Person for the breach, no charge shall be laid against that same Person for the same breach.

The amount of the administrative penalty for a breach of a provision of this By-law, a Work Order or Order issued under this By-law is fixed as set out in By-Law No. 2016-84, A By-law to Implement an Administrative Monetary Penalty System for Non-Parking Offences, as amended, or any successor by-law.

A Person who is issued an administrative penalty shall be subject to the procedures as provided for in By-Law 2016-84, A By-law to Implement an Administrative Monetary Penalty System for Non-Parking Offences, as amended, or any successor by-law.

An administrative penalty imposed on a Person pursuant to this By-law that is not paid within 15 days after the day it becomes due and payable, constitutes a debt of the Person to the City and may be added to the tax roll and collected in the same manner as municipal taxes.

Where a fine is in default, the City may proceed with civil enforcement against the Person upon whom the fine has been imposed, pursuant to the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.

The City may make a request to the treasurer of a local municipality to add any part of a fine that is in default to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the fine, and collect it in the same manner as municipal taxes.

The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the Person convicted, and such order shall be in addition to any other penalty imposed on the Person convicted."

43) That section 15 be repealed and replaced as follows:

"The following Schedules attached to this By-law form and are part of this By-law:

Schedule "A" Application for Site Alteration Permit; and

Schedule "B" Oak Ridges Moraine and Greenbelt Plan Boundaries."

44) That section 17 be repealed.

- 45) That existing Schedule "A", Schedule "B", Schedule "C", Schedule "D", Schedule "E", and Schedule "F" be repealed and replaced with Schedule "A" and Schedule "B" attached to this By-law.
- 46) That any reference to Schedule "E' be replaced with Schedule "A" and reference to Schedule "F" be replaced with Schedule "B".

READ A FIRST, SECOND, AND THIRD TIME AND PASSED ON......, 2021.

KIM BERLEY KITTERINGHAM CITY CLERK

FRANK SCARPITTI MAYOR

(By-law 2011-232)



THE CORPORATION OF THE CITY OF MARKHAM DEVELOPMENT SERVICES COMMISSION

101 TOWN CENTRE BOULEVARD, MARKHAM, ONTARIO L3R 9W3 Tel (905) 475-4861, Fax (905) 479-7768

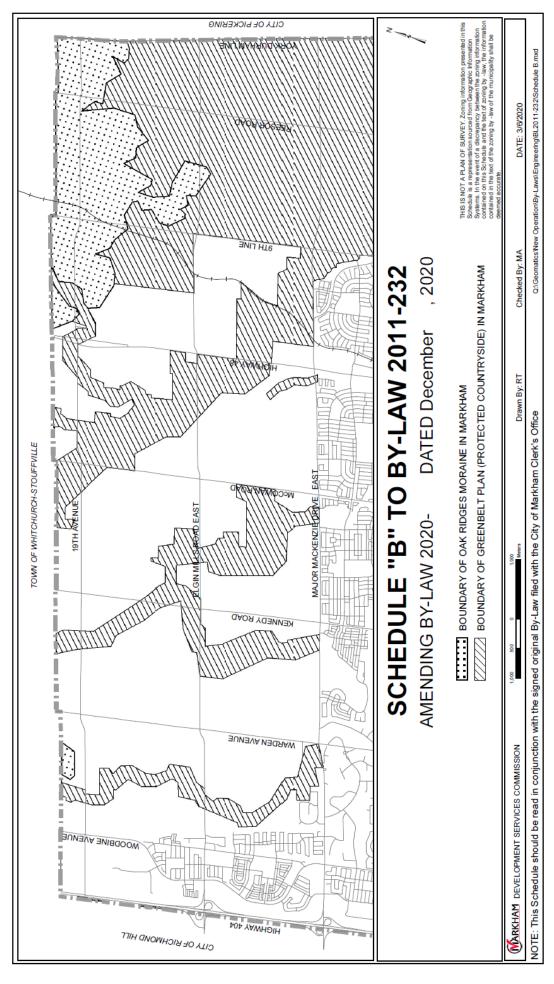
APPLICATION FOR SITE ALTERATION PERMIT

Pursuant to the City of Markham By-law No: 2011-232

Please complete all applicable sections of the application form. An incomplete application will be returned to the Applicant.

OWNER / APPLIC	CANT INFORMATION	J	
PROPERTY OWN	NER: (check one)	Person (s)	☐ Company
Registered Land Owner:	Last Name:	First Name:	Initial:
Name (if Company)		Company Officer:	·
Address:			
Contact Nos.	Tel.	Email:	
Application Contact Person:	Last Name:	First Name:	Position:
Address:			
Contact Nos.	Tel.	Email:	
PROPERTY INFO	ORMATION		
	JKMA HON		
Address:			
Total Site Area (Ha): Site A	Alteration Area (Ha):	
CONSULTING EN	NGINEER INFORMATI	ON	
Company Name			
Contact Person:	Last Name:	First Name:	Position:
Address:			
Contact Nos.	Tel.	Email:	
APPLICANT'S C	ERTIFICATION		
	certifies to have read th	e Site Alteration By-law	and Schedules
	by all the conditions the	——————————————————————————————————————	
I, hereby make the information contains	he above application f ned herein is true and c ess the application based	for Site Alteration, deceptor, and acknowledge	ing the City of
Signature:	11	Title:	
Printed Name of Sig			

Map of Oak Ridges Moraine and Greenbelt Boundaries





BY-LAW 2020-XX

To amend Bylaw 2016-84 being a By-law to implement an Administrative Monetary Penalty System for Non-Parking Offences.

(Amendments to AMPS For Non Parking Offences By-law)

WHEREAS the Council of The Corporation of the City of Markham, (the "City) considers it desirable to amend By-law 2016-84, a By-law to implement an Administrative Monetary Penalty System for Non-Parking Offences and;

WHEREAS subsection 434.1(1) of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended (the "*Municipal Act*") authorizes a municipality to require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under the *Municipal Act*; and

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:

- (1) By adding the following to Schedule "A" of the By-law 2018-84:
 - (a) **BY-LAW 2011-232**, as amended (SITE ALTERATION BY-LAW TO REGULATE OR PROHIBIT REMOVAL OF TOPSOIL, PLACING OR DUMPING OF FILL, AND ALTERATION OF THE GRADE OF LAND WITHIN THE CITY OF MARKHAM)

READ		*	SECOND,	AND	THIRD	TIME	AND	PASSED	ON
									
KIMBE	RLE	EY KITTE	ERINGHAM		FRA	ANK SC	ARPIT'	ΓΙ	
CITY C	LEF	RK			MA	YOR			

Add the following to Schedule "A" of By-law 2016-84

Designate	ed Provisions f	or Site Alteration By-law 2011-232,	as amended
Column 1 Item	Column 2 Designated Provisions	Column 3 Short Form Wording	Column 4 Administrative Penalty Amount
1	2.0	No Person shall permit, perform or cause to permit or to have performed any Site Alteration without a Permit, unless otherwise exempt as set forth in this By-law	\$500.00
2	2.0(a)	No Person shall permit, perform or cause to permit or to have performed any activity other than Site Alteration pursuant to this By-law	\$500.00
3	2.0(b)	No Person shall permit, perform or cause to permit or to have performed any activity of Development pursuant to this By-law	\$500.00
4	2.1	No person shall permit, perform or cause to permit or to have performed Site Alteration on lands within the City identified as Natural Heritage Network that is not permitted by the City's Official Plan, as amended	\$500.00
5	TBD¹	No person shall permit, perform or cause to permit or to have performed Site Alteration on lands within the City that is not permitted by the Greenbelt Plan, as amended	\$500.00
6	TBD	No person shall permit, perform or cause to permit or to have performed Site Alteration on lands within the City that is not permitted by Ontario Regulation 140/02, The Oak Ridges Marine Conservation Plan as shown on	\$500.00

¹ Numbering of the new or moved provisions in the Site Alteration By-law to be determined by Clerks as instructed in the Amending By-law.

\$500.00 \$500.00
\$500.00
\$500.00
\$500.00
"
\$500.00
\$500.00
_