



Development Services Public Meeting Agenda

Meeting No. 3 | February 13, 2024 | 7:00 PM | Live streamed

Members of the public have the option to attend either remotely via Zoom or in-person
in the Council Chamber at the Civic Centre

Members of the public can participate by:

1. VIEWING THE ONLINE LIVESTREAM:

Council meetings are video and audio streamed at: <https://pub-markham.escribemeetings.com/>

2. EMAILING A WRITTEN SUBMISSION:

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

Written submissions must be received by 4:00 p.m. the day prior to the meeting.

If the deadline for written submission has passed, you may:

Email your written submission directly to [Members of Council](#); or

Make a deputation at the meeting by completing and submitting an online [Request to Speak Form](#)

If the deadline for written submission has passed **and** Council has finished debate on the item at the meeting, you may email your written submission directly to [Members of Council](#).

3. REQUEST TO SPEAK / DEPUTATION:

Members of the public who wish to make a deputation, please register prior to the start of the meeting by:

Completing an online [Request to Speak Form](#), or,

E-mail clerkspublic@markham.ca providing full name, contact information and item they wish to speak on.

If you do not have access to email, contact the Clerk's office at **905-479-7760** on the day of the meeting.

*If Council or Committee has finished debate at the meeting on the item, you may email your written submission directly to [Members of Council](#).

The list of [Members of Council is available online at this link](#).

Alternate formats for this document are available upon request.

Closed captioning during the video stream may be turned on by clicking the [cc] icon located at the lower right corner of the video screen.

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



Development Services Public Meeting Agenda

Meeting Number: ##

February 13, 2024, 7:00 PM - 9:00 PM

Live streamed

All Members of Council
Development Services
Chair: Regional Councillor Joe Li

Pages

1. CALL TO ORDER
2. DISCLOSURE OF PECUNIARY INTEREST
3. DEPUTATIONS
4. REPORTS
 - 4.1 PUBLIC MEETING INFORMATION REPORT, 2690622 ONTARIO INC. (KINGDOM DEVELOPMENT INC.), APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT TO PERMIT A NINE-STOREY APARTMENT BUILDING FRONTING HIGHWAY 7 3

WITH FIVE INTEGRATED AT-GRADE TWO-STOREY CONDOMINIUM TOWNHOUSES AT 4121 HIGHWAY 7 EAST, WARD 3, FILE NO. PLAN 23 129656 (10.3, 10.5)

M. Leung, ext. 2392
 - 4.2 PUBLIC MEETING INFORMATION REPORT, 2163321 ONTARIO INC., APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT TO PERMIT A 30-STOREY BUILDING (24 STOREYS WITH A SIX-STOREY PODIUM), CONSISTING OF 372 RESIDENTIAL UNITS, 12

INCLUDING FOUR INTEGRATED LIVE-WORK UNITS FRONTING OLD KENNEDY ROAD, AND 305 M² OF GROUND LEVEL COMMERCIAL SPACE AT 35-51 OLD KENNEDY ROAD (WARD 8), FILE NO. PLAN 23 148834 (10.3, 10.5)

E. Martelluzzi, ext. 2193

5. ADJOURNMENT

Date:	Tuesday, February 13, 2024		
Application Types:	Official Plan and Zoning By-law Amendment (the “Applications”)		
Owner:	2690622 Ontario Inc. (Kingdom Development Inc.) (the "Owner")		
Agent:	Nick Pileggi c/o Macaulay Shiomi Howson Ltd.		
Proposal:	Proposed nine-storey apartment building fronting Highway 7 with five integrated at-grade two-storey condominium townhouses (the “Proposed Development”)		
Location:	4121 Highway 7 East (the “Subject Lands”)		
File Number:	PLAN 23 129656	Ward:	3
Prepared By:	Melissa Leung, RPP, MCIP Senior Planner, Central Planning District		
Reviewed By:	Sabrina Bordone, RPP, MCIP Manager, Central	Stephen Lue, RPP, MCIP Senior Manager, Development	

PURPOSE

This preliminary information pertains to the Applications submitted by the Owner and contains general information on the applicable Official Plan policies and the identified issues and should not be taken as Staff’s opinion or recommendation.

PROCESS TO DATE

Staff received the Applications on June 27, 2023, in which fees were received on August 17, 2023 and remaining outstanding documents were submitted on September 19, 2023. Staff deemed the Applications complete on October 10, 2023. The 120-day period set out in the *Planning Act* before the Owner can appeal to the Ontario Land Tribunal for a non-decision ended on January 17, 2024.

NEXT STEPS

- Statutory Public Meeting is scheduled for February 13, 2024
- Recommendation Report for consideration by the Development Services Committee (“DSC”)
- In the event of an approval, adoption of the site-specific Official Plan Amendment and enactment of the site-specific Zoning By-law Amendment
- Submission of future applications for Site Plan Control and Draft Plan of Condominium.

BACKGROUND

Subject Lands and Area Context

The 1.52 ha (3.76 ac) Subject Lands, of which only the northern 0.52 ha (1.82 ac) portion is proposed to be developed, are occupied by a proposed temporary sales centre that is currently under construction, as shown on Figures 1 to 2. Figure 3 shows the surrounding land uses.

Table 1 summarizes the Owner's Proposed Development

Table 1: the Proposed Development (refer also to Figure 4)	
Gross Floor Area:	15,602 m ² (167,933 ft ²)
Density:	3.5 times the area of the Subject Lands (Floor Space Index - "FSI")
Dwelling Units:	233 units, including five, two-storey at-grade townhouse units integrated into the proposed development
Building Height (storeys):	9
Parking Spaces:	263 (including 8 accessible) at-grade and 3 underground levels

Table 2 summarizes the Owner's proposal to amend the 1987 Official Plan (the "1987 OP") and the Markham Centre Secondary Plan ("MCSP") to permit the Proposed Development

The policies of the 2014 Official Plan state that until an approval of an updated secondary plan for the Regional Centre-Markham Centre lands, the provisions of the 1987 OP, as amended by the Markham Centre Secondary Plan ("OPA 21"), shall apply to the Subject Lands.

Table 2: Official Plan Amendment Information		
	OPA 21	MCSP Update Recommended Concept (July 5, 2023)
Current Designation:	"Community Amenity Area – General" (on the northern portion of the Subject Lands) and "Open Space" and "Hazard Land" (on the southern portion of the Subject Lands)	"Mixed Use Mid Rise" (on the northern portion of the Subject Lands) and "Greenway" (on the southern portion of the Subject Lands)
Permitted uses:	<ul style="list-style-type: none"> Mix of residential, commercial, employment and community uses 	<ul style="list-style-type: none"> Specific uses to be determined

Table 2: Official Plan Amendment Information		
	OPA 21	MCSP Update Recommended Concept (July 5, 2023)
	<ul style="list-style-type: none"> • Medium and high-density residential use, subject to a specific development proposal and rezoning 	
Permitted Height and Density:	Mid-rise buildings, generally not to exceed 6 storeys	<ul style="list-style-type: none"> • Maximum height of 6 to 8 storeys • Maximum 3 FSI
Proposal:	<p>The Owner proposes to amend the Secondary Plan to:</p> <ul style="list-style-type: none"> • increase the maximum building height to 9 storeys • increase the density to 3.5 FSI 	

A Zoning By-law Amendment application is required to permit the Proposed Development

The Proposed Development is subject to By-law 304-87 and By-law 2004-196, as amended, as shown in Figure 3.

Table 3: Zoning By-law Amendment Information	
Current Zone Categories:	<p>By-law 304-87, as amended: “Rural Residential One – RR1”, “Agriculture One – A1” and “Open Space One – O1”</p> <p>By-law 2004-196, as amended: “Markham Centre Downtown Two Exception 31 (Hold One) – MC-D2*31(H1)”</p>
Permissions:	The Proposed Development falls primarily within the RR1 zone, which restricts the permitted uses to a single detached dwelling.
Proposal:	The Owner proposes to amend the Zoning By-law to permit an apartment dwelling and incorporate site-specific development standards including, but not limited to, setbacks, parking rates, density, height, and maximum number of residential units.

The Applications are also related to a Redline Draft Plan of Subdivision Application (PLAN 23 111289) that facilitates the alignment of RougeSide Promenade eastwardly extension.

Staff identified the following preliminary list of matters that will be assessed through the review of the Applications, including other matters and issues, and addressed in a future Recommendation Report to the DSC

- a) Conformity and Consistency with Provincial, and York Region and City Official Plan**
 - i) The appropriateness of the proposed Official Plan amendment to increase the height and density.
 - ii) Review of the Proposed Development in the context of the existing policy framework, with regard to the emerging MCSP Update.
- b) Community Benefits Charges (“CBC”) By-law**
 - i) The Applications will be subject to and reviewed in consideration of the City’s CBC By-law and contributions will be identified as part of any future amending Zoning By-law.
- c) Parkland Dedication and Other Financial Contributions**
 - i) The Applications will be reviewed in consideration of the appropriate amount of parkland dedication and/or cash-in-lieu of parkland, public art, and other financial contributions.
- d) Affordable Housing**
 - i) The Applications will be reviewed in consideration of Provincial, Regional, and City policies to ensure that the Proposed Development provides an appropriate level, range, and mix of unit sizes and types to meet the City’s affordable housing goals.
 - ii) Incorporating appropriate affordable housing, purpose-built rental, secondary suites, seniors housing, and family friendly units.
- e) Allocation and Servicing**
 - i) The availability of water and sanitary servicing capacity for the Proposed Development must be identified and allocated by Council, if the Applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol, which will be removed once Council allocates servicing capacity to the Subject Lands.
- f) Review of the Proposed Development will include, but not limited to, the following:**
 - i) Examination of whether the height, density, built form, and mix of land uses proposed are appropriate.
 - ii) Evaluation of the compatibility with existing and planned development within the surrounding area.
 - iii) Sun shadow analysis and angular plane study and the impacts to the immediate surrounding areas.

- iv) Traffic impact and ensuring the adequate supply of parking spaces for residential uses.
- v) The submission of a future Site Plan Application will examine appropriate landscape, site layout, snow storage areas, age-friendly guidelines, accessibility, and amenity areas.

g) Sustainable Development

- i) The Applications will be reviewed in consideration of the City's Policies and Sustainability Metrics Program.

i) External Agency Review

- i) The Applications must be reviewed by York Region and the Toronto and Region Conservation Authority, and any applicable requirements must be incorporated into the Proposed Development.

j) Required Future Applications

- i) The Owner must submit applications for Site Plan and Draft Plan of Condominium, should the Applications be approved, to permit the Proposed Development and facilitate the standard condominium tenure of the building.

Accompanying Figures:

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Conceptual Site Plan

Figure 1

Location Map

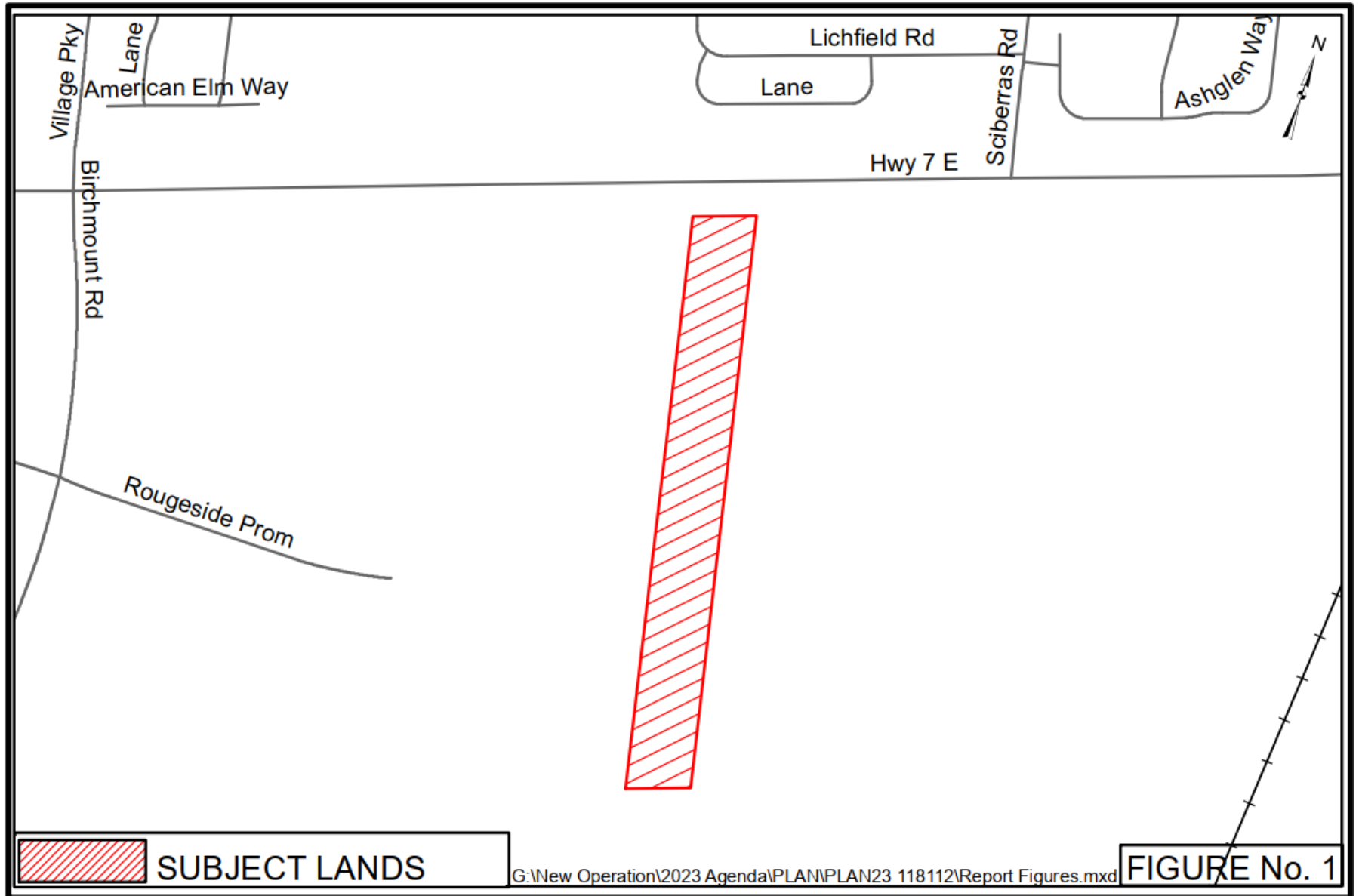


Figure 2

Aerial Photo

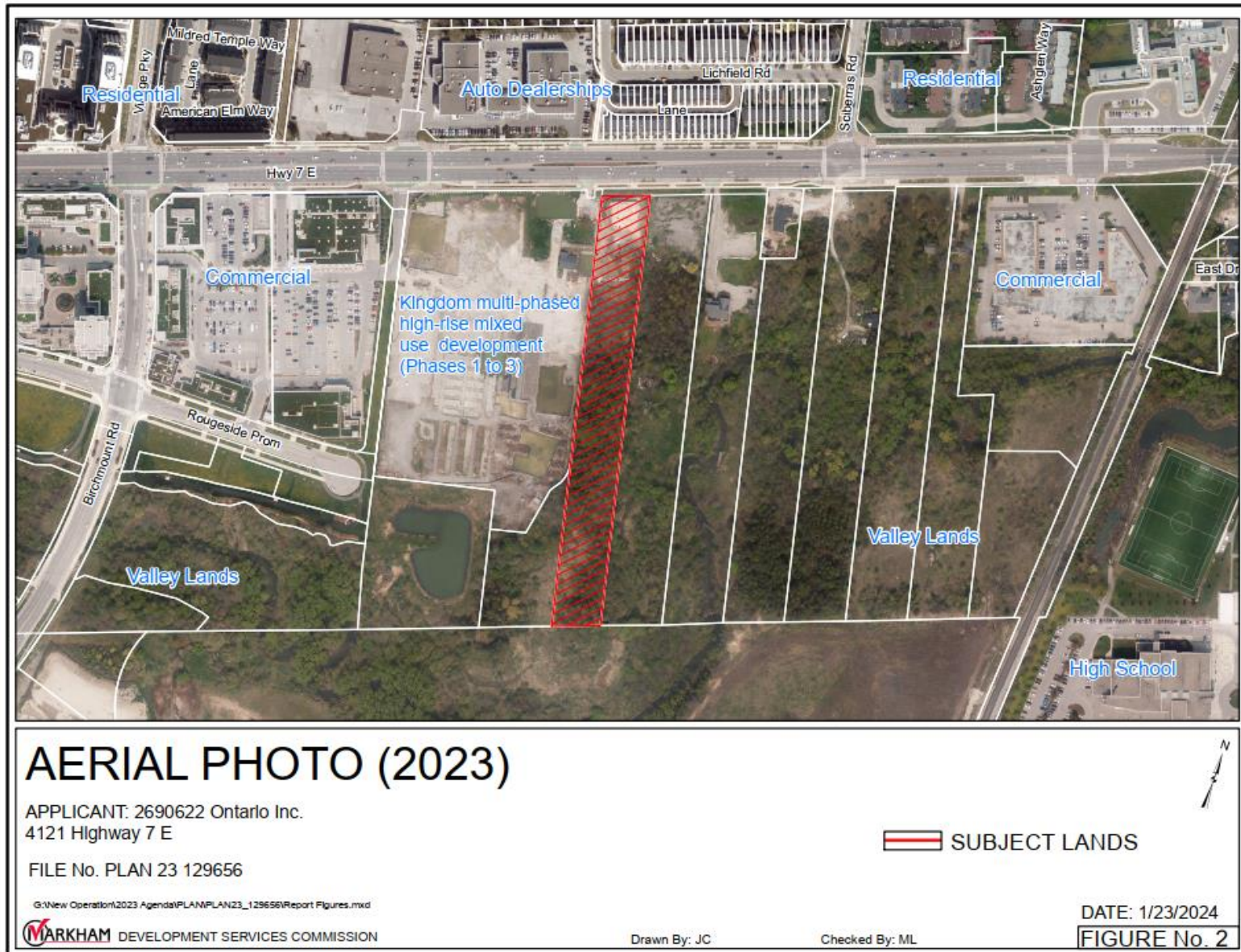


Figure 3

Area Context and Zoning

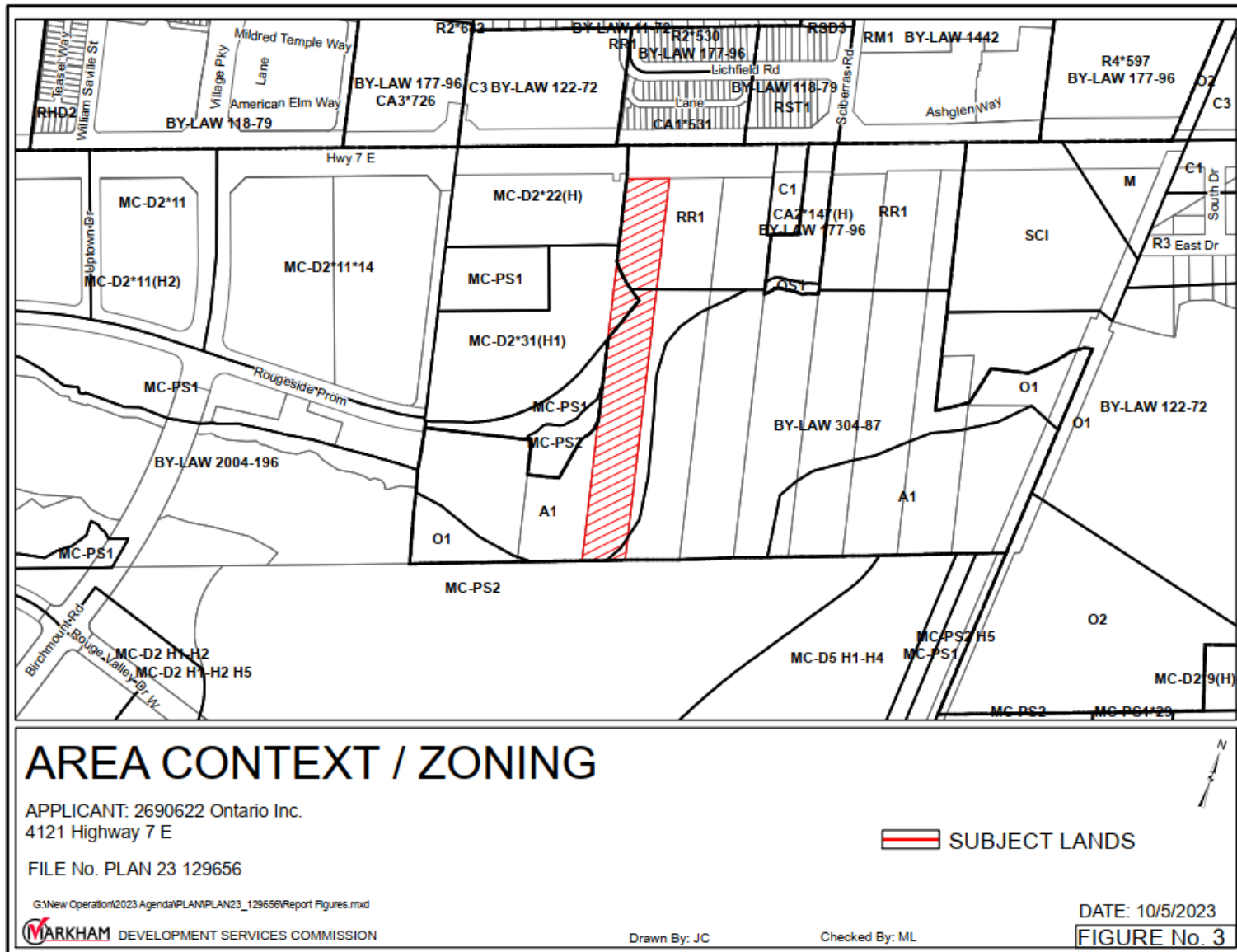
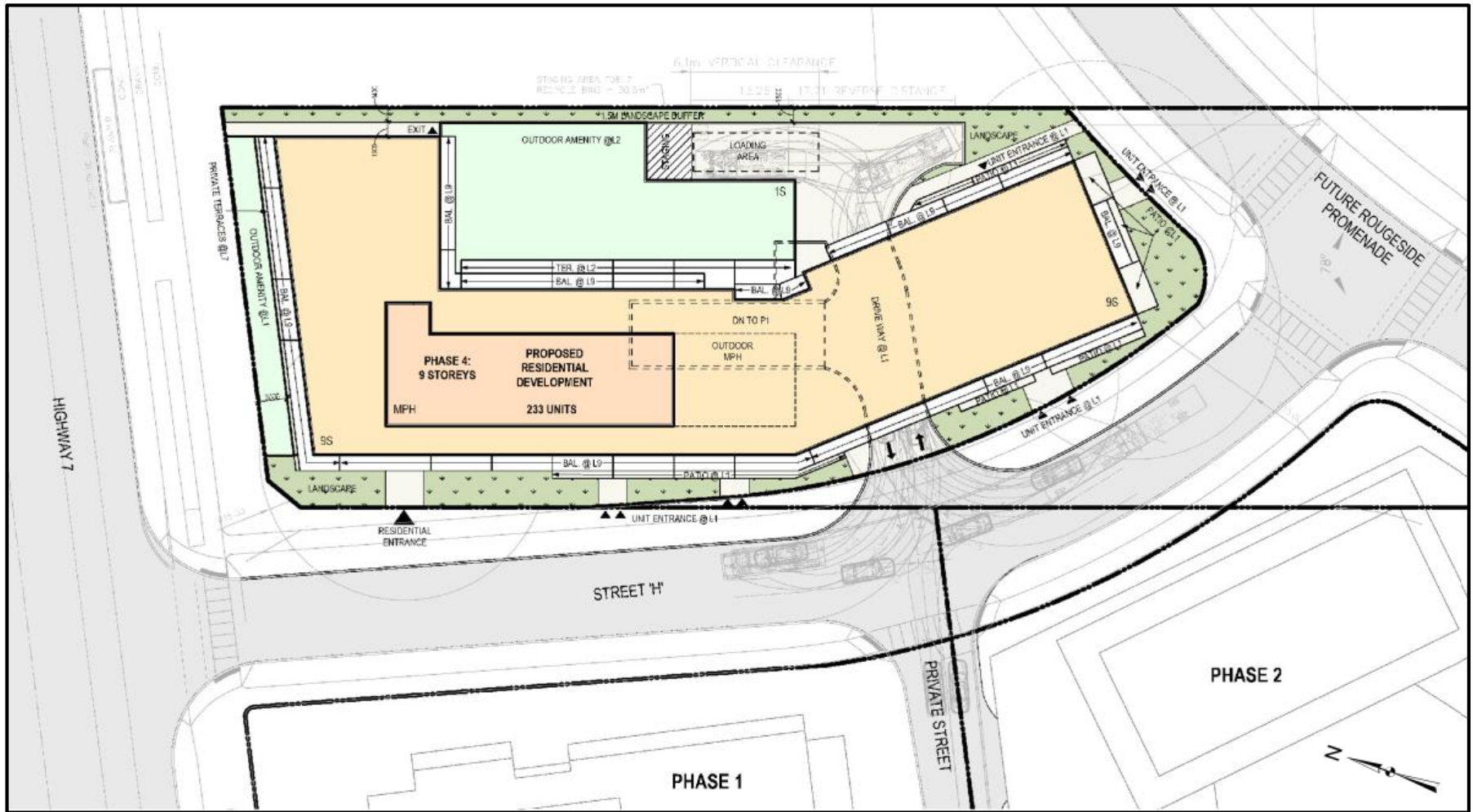


Figure 4

Conceptual Site Plan



Date:	Tuesday, February 13, 2024		
Application Types:	Official Plan and Zoning By-law Amendment (the “Applications”)		
Owner:	2163321 Ontario Inc. (the "Owner")		
Agent:	Marshall Smith c/o KLM Planning Partners Inc.		
Proposal:	A 30-storey building (24 storeys with a six-storey podium), consisting of 372 residential units, including four integrated live-work units fronting Old Kennedy Road, and 305 m ² of ground level commercial space. The Owner proposes to convey a portion of the lands for a public right-of-way (the westerly extension of Sun Yat-Sen Avenue) (the “Proposed Development”).		
Location:	35-51 Old Kennedy Road (the “Subject Lands”)		
File Number:	PLAN 23 148834	Ward:	8
Prepared By:	Elizabeth Martelluzzi, RPP, MCIP, Senior Planner, Central Planning District		
Reviewed By:	Sabrina Bordone, RPP, MCIP Manager, Central Planning District	Stephen Lue, RPP, MCIP Senior Manager, Development	

PURPOSE

This preliminary information pertains to the Applications submitted by the Owner and contains general information on the applicable Official Plan policies and the identified issues and should not be taken as Staff’s opinion or recommendation.

PROCESS TO DATE

Staff received the Applications on Wednesday December 20, 2023, and deemed the Applications complete on Tuesday January 16, 2024. The 120-day period set out in the *Planning Act* before the Owner can appeal to the Ontario Land Tribunal for a non-decision ends on April 18, 2024. The Applications are subject to the timeframes of the Bill 109 amendments to the *Planning Act*.

NEXT STEPS

- Statutory Public Meeting is scheduled for February 13, 2024
- Recommendation Report for consideration by the Development Services Committee (“DSC”)
- In the event of an approval, adoption of the site-specific Official Plan Amendment and enactment of the site-specific Zoning By-law Amendment
- Submission of a future Draft Plan of Subdivision application to convey Sun Yat-Sen Avenue

- Submission of future Site Plan Control and Draft Plan of Condominium applications

BACKGROUND

Subject Lands and Area Context

Figures 1 and 2 show a gas station, accessory building, and detached dwelling (listed under Section 27 of the *Ontario Heritage Act*) currently occupy the .30 ha (0.75 ac) Subject Lands. Figure 3 shows the surrounding land uses.

Table 1 summarizes the Owner's Proposed Development

Table 1: the Proposed Development (refer also to Figure 4)	
Residential:	26, 022 m ² Gross Floor Area ("GFA")
Commercial GFA:	305 m ²
Density:	8.5 times the area of the Subject Lands (Floor Space Index - "FSI"), based on gross site area prior to land division or conveyance of lands
Dwelling Units:	372 (including four live-work units)
Building Height	30 storeys maximum
Access and Parking Spaces:	<ul style="list-style-type: none"> • Vehicular access via Sun Yat-Sen Avenue extension ^{NOTE 1}. • 324 parking spaces within five levels of underground parking and one level of surface parking enclosed within the building envelope

NOTE 1: The Owner proposes to convey Sun Yat-Sen to the City as a stratified road to allow for private parking serving the Proposed Development below.

Table 2 summarizes the Owner's proposal to amend the Markham 2014 Official Plan (the "2014 Official Plan") and the Main Street Milliken Secondary Plan ("OPA 144") to permit the Proposed Development. The Subject Lands are also subject to the City's Draft Milliken Centre Secondary Plan ("MCSP")

Table 2: Official Plan Amendment Information			
	2014 Official Plan	OPA 144	Draft MCSP
Current Designation:	"Mixed Use Mid Rise"	"Community Amenity Area – Main Street"	"Mixed Use High Rise"

Table 2: Official Plan Amendment Information			
	2014 Official Plan	OPA 144	Draft MCSP
Permitted uses:	<ul style="list-style-type: none"> Residential development integrated with mixed-uses (a range of retail and commercial) <u>Site-Specific Policy 9.15.3:</u> Until an updated Secondary Plan is approved, the provisions of the 1987 Official Plan (the “1987 Official Plan”), as amended by OPA 144 shall apply to the Subject Lands. 	<ul style="list-style-type: none"> A range of small to moderate scale retail, personal service, restaurant and business uses Permits residential uses 	<ul style="list-style-type: none"> High density that supports a mix of uses and range of building types (retail and service functions with residential and office uses and access to existing or planned transit) Residential will include types and tenures that ensure the availability of affordable housing
Maximum Permitted Height and Density:	<ul style="list-style-type: none"> 8 storeys 2.0 FSI 	<ul style="list-style-type: none"> 3 storeys 1.0 FSI 	<ul style="list-style-type: none"> 25 storeys 5.0 FSI Additional heights and densities may be considered without an amendment to the Plan, subject to draft policies.
Proposal:	<p>The Owner proposes a site-specific Official Plan Amendment to OPA 144 and the 2014 Official Plan to permit the following:</p> <ul style="list-style-type: none"> maximum density of 8.5 FSI maximum height of 30 storeys 		

A Zoning By-law Amendment application is required to permit the Proposed Development

Table 3: Zoning By-law Amendment Information Under By-law 177-96, as amended	
Current Zone:	“Community Amenity Two, Special Exception 283 (Hold)” [CA2*283(H)]
Permissions:	<ul style="list-style-type: none"> A mix of uses including apartment and townhouse dwellings, restaurants, retail, office, personal service shops, and other community uses A maximum 12 m building height

Table 3: Zoning By-law Amendment Information Under By-law 177-96, as amended	
	<ul style="list-style-type: none"> • A maximum density of 1.0 FSI
Proposal:	<p>The Owner proposes to amend the Zoning By-law to permit the following:</p> <ul style="list-style-type: none"> • Additional uses including: museums, places of amusement, places of entertainment, recreational establishments, commercial/private/public schools, theatres, veterinary clinics, and supermarkets • A maximum height of 30 storeys or 100 m (whichever is lesser) • A maximum density of 8.5 FSI • Site-specific development standards including, but not limited to, setbacks, parking, density, height, and minimum net floor area for non-residential uses

Staff identified the following preliminary list of matters that will be assessed through the review of the Applications, including other matters and issues, and addressed in a future Recommendation Report to the DSC

- a) Conformity and Consistency with Provincial, and York Region and City Official Plan**
 - i) The appropriateness of the proposed Official Plan Amendment to increase the maximum height and density.
 - ii) Review of the Proposed Development in the context of the existing policy framework, with regard to the Draft Milliken Centre Secondary Plan.
- b) Community Benefits Charges (“CBC”) By-law**
 - i) The Applications will be subject to and reviewed in consideration of the City’s CBC By-law.
- c) Parkland Dedication and Other Financial Contributions**
 - i) The Applications will be reviewed in consideration of the appropriate amount of parkland dedication and/or cash-in-lieu of parkland, public art contribution, and other financial contributions.
- d) Affordable Housing**
 - i) The Applications will be reviewed in consideration of Provincial, Regional, and City policies to ensure that the Proposed Development provides an appropriate level, range, and mix of unit sizes and types to meet the City’s affordable housing goals.
 - ii) Incorporating appropriate affordable housing, purpose built rental, seniors housing, and family friendly units.

e) Allocation and Servicing

- i) The availability of water and sanitary servicing capacity for the Proposed Development must be identified and allocated by Council, if the Applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol, which will be removed once Council allocates servicing capacity to the Subject Lands.

f) Review of the Proposed Development will include, but not limited to, the following:

- i) Examination of whether the height, density, built form, and mix of land uses proposed are appropriate.
- ii) Evaluation of the compatibility with existing and planned development within the surrounding area.
- iii) Evaluation of the proposed Sun Yat-Sen Avenue extension for conveyance as a stratified public right-of-way by the City's Transportation Planning and Legal Services Staff.
- iv) Sun shadow analysis and angular plane study and the impacts to the immediate surrounding areas.
- v) Traffic impact and ensuring the adequate supply of parking spaces for the commercial and residential uses.
- vi) The submission of a future Site Plan Control application will examine appropriate landscape, site layout, snow storage areas, building elevations, and amenity areas.

g) Sustainable Development

- i) The Applications will be reviewed in consideration of the City's Policies and Sustainability Metrics Program.

h) Heritage Matters

- i) The Applications will be reviewed to address the cultural heritage resource on the Subject Lands, including the William Prebble House at 51 Old Kennedy Road. The Applications will be heard at the February 21, 2024, Markham Heritage Committee meeting.

i) External Agency Review

- i) The Applications must be reviewed by York Region, City of Toronto, and Metrolinx and any applicable requirements must be incorporated into the Proposed Development.

j) Required Future Applications

- i) The Owner must submit applications for Draft Plan of Subdivision, Site Plan Control, and Draft Plan of Condominium should the Applications be approved, to permit the Proposed Development and facilitate the conveyance of Sun Yat-Sen Avenue and the standard condominium tenure of the building.

Accompanying Figures:

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Conceptual Site Plan

Figure 5: Conceptual Rendering – North-east view

Figure 6: Conceptual Rendering – North-west view

Figure 1

Location Map

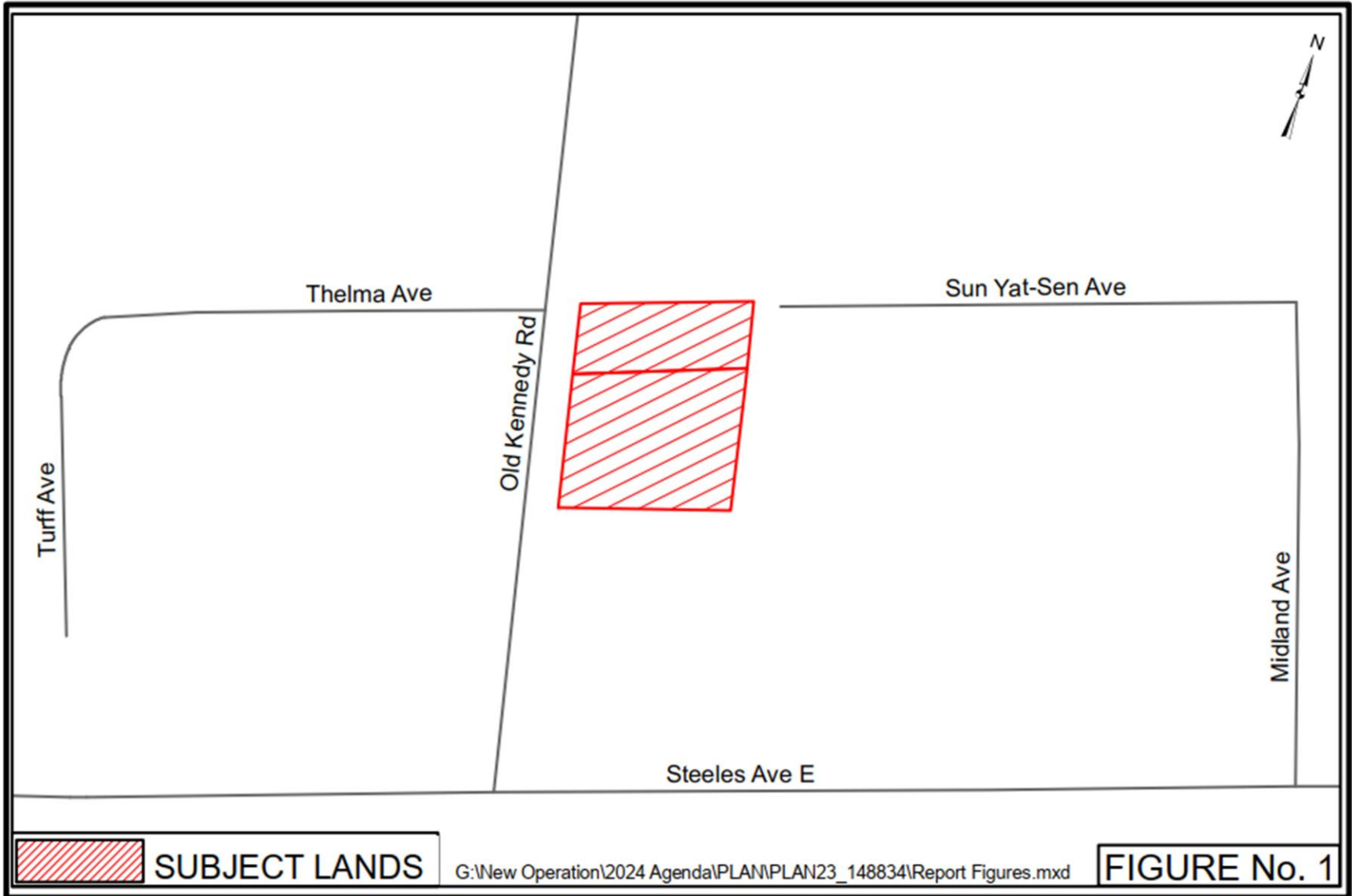


Figure 2

Aerial Photo



Figure 3

Area Context and Zoning

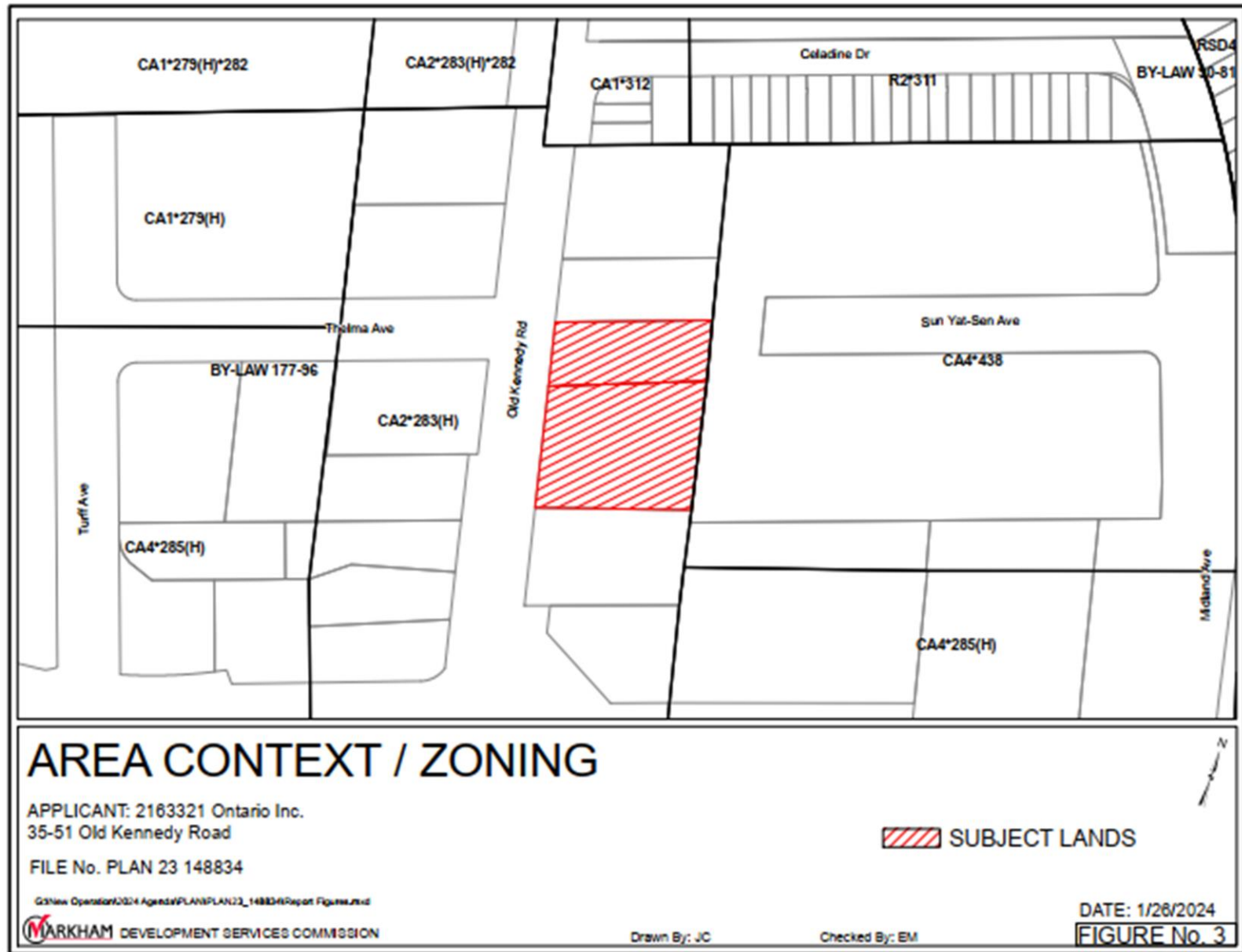


Figure 4

Conceptual Site Plan

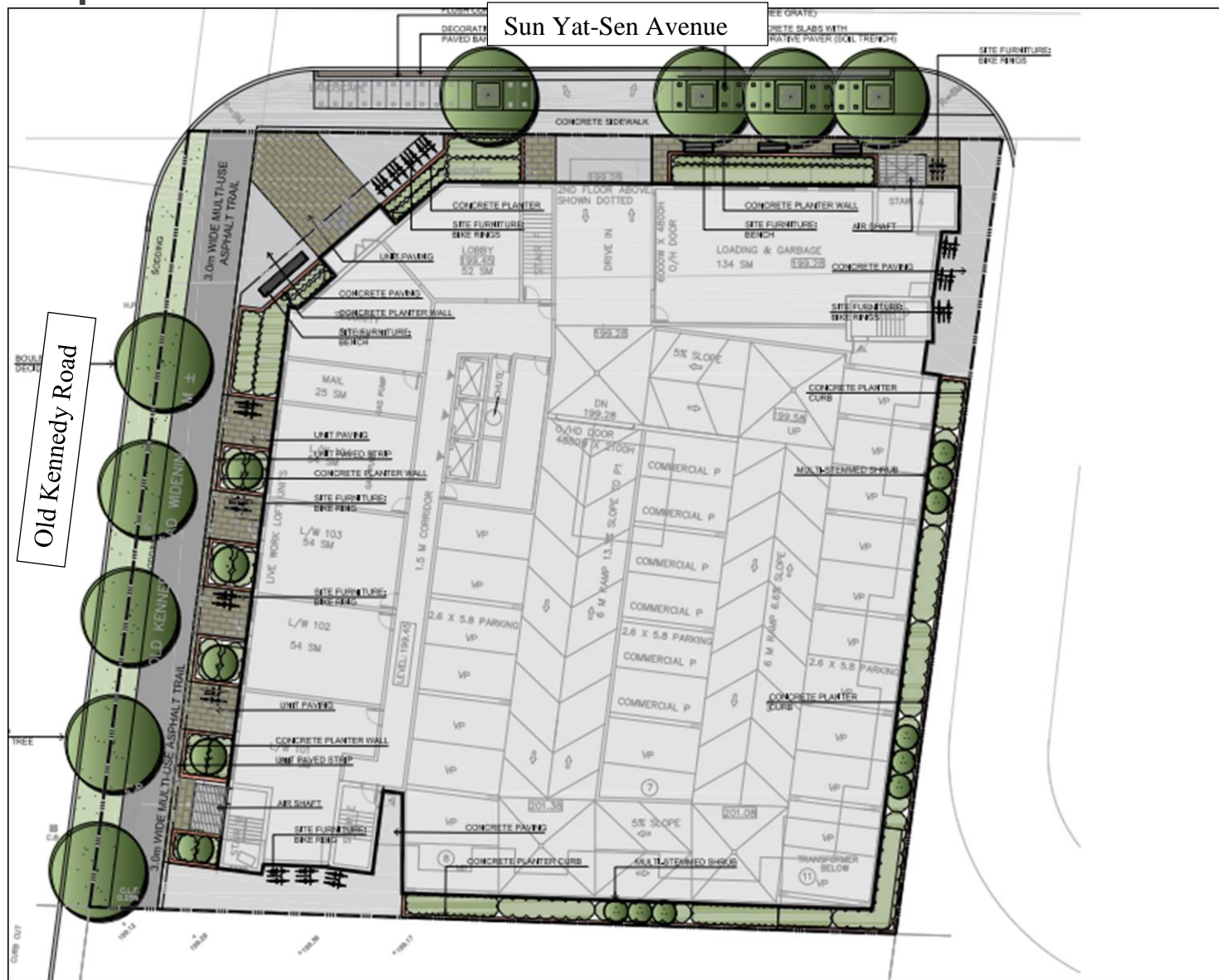


Figure 5

Conceptual Rendering - North-east view



Figure 6

Conceptual Rendering – North-west view

