



# Revised Development Services Committee Meeting Agenda

*Revised items are indicated by an asterisk (\*)*

**Meeting No. 10 | April 23, 2024 | 9:00 AM | 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](mailto:clerkspublic@markham.ca).

**Written submissions must be received by 5:00 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](mailto: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.

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***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.***

## **Information Page**

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

### **Planning - Development and Policy Matters**

Chair: Regional Councillor Jim Jones

Vice Chair: Regional Councillor Joe Li

(Development Services Committee Public Statutory Meetings - Chair: Regional Councillor Joe Li)

### **Engineering - Transportation & Infrastructure Matters**

Chair: Councillor Karen Rea

Vice Chair: Councillor Reid McAlpine

### **Culture & Economic Development Matters**

Chair: Regional Councillor Alan Ho

Vice Chair: Councillor Amanda Collucci

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

Alternate formats for this document are available upon request.

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

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

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

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





# Development Services Committee Meeting

## Revised Agenda

Revised items are identified by an asterisk (\*)

Meeting Number: 10  
April 23, 2024, 9:00 AM - 3:00 PM  
Live streamed

Please bring this Development Services Committee Agenda to the Council meeting on May 1, 2024.

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### Pages

#### 1. CALL TO ORDER

##### INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron-Wendat, Anishnabeg, Seneca, Chippewa, and the Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

#### 2. DISCLOSURE OF PECUNIARY INTEREST

#### 3. APPROVAL OF PREVIOUS MINUTES

##### 3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES - APRIL 2, 2024 (10.0)

12

1. That the minutes of the Development Services Committee meeting held on April 2, 2024, be confirmed.

#### 4. PRESENTATIONS

##### 4.1 PRESENTATION OF SERVICE AWARDS (12.2.6)

The Development Services Committee recognizes the following members of staff:

**Chief Administrative Office - People Services**

Joie Kwan, Compensation & Benefits Administrator, People Services, 5 years

### **Chief Administrative Office - Fire & Emergency Services**

Tyler Duffin, Firefighter, Fire and Emergency Services, 5 years  
 Anderson Leung, Firefighter, Fire and Emergency Services, 5 years  
 Rachel Malfara, Firefighter, Fire and Emergency Services, 5 years  
 Jeremy Peters, Firefighter, Fire and Emergency Services, 5 years  
 Connor Simonds, Firefighter, Fire and Emergency Services, 5 years  
 Edmond Tang, Firefighter, Fire and Emergency Services, 5 years  
 Filip Wandas, Firefighter, Fire and Emergency Services, 5 years  
 Bowman Webster, Firefighter, Fire and Emergency Services, 5 years  
 Victoria Wells, Firefighter, Fire and Emergency Services, 5 years

### **Community Services Commission**

James Bingham, Supervisor, Parks Operations, Operations, 25 years  
 Sheila Fockler, Group Leader, Operations, 25 years  
 Tim Ballagh, Supervisor, Waterworks, Environmental Services, 20 years  
 Damian Barron, Operations Labourer/Driver, Operations, 5 years

### **Corporate Services Commission**

Lyrae Ignacio, Client Advisor ITS, Information Technology Services, 15 years

### **Development Services Commission**

Rafael Saa, Building Inspector II, Building Standards, 20 years  
 Alberto Lim, Engineer, Capital Works, Engineering, 15 years  
 Daniel Brutto, Senior Planner, Development, Planning and Urban Design, 10 years

## **5. DEPUTATIONS**

## **6. COMMUNICATIONS**

- |     |                                                                                                                             |    |
|-----|-----------------------------------------------------------------------------------------------------------------------------|----|
| 6.1 | <b>COMMUNICATION - RECOMMENDATION REPORT, OBJECTION TO NOTICE OF INTENTION TO DESIGNATE – PHASE VI PROPERTIES (16.11.3)</b> | 20 |
|-----|-----------------------------------------------------------------------------------------------------------------------------|----|

**Note: Please refer to item 8.6 for staff report.**

1. That the communication submitted by Rose Bortolussi providing comments regarding the above subject matter be received.

- |     |                                                                                                                                                                                                                 |    |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 6.2 | <b>COMMUNICATION - RECOMMENDATION REPORT - NOTICE OF OBJECTION TO THE INCLUSION OF A PROPERTY ON THE MARKHAM REGISTER OF PROPERTY OF CULTURAL HERITAGE VALUE OR INTEREST, 7696 NINTH LINE, WARD 7 (16.11.3)</b> | 23 |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|

**Note: Please refer to item 8.7 for staff report.**

1. That the communications submitted by Joe Grant, LLF Lawyers LLP (representing the owner of 7696 9th Line), providing comments regarding the above subject matter be received.

**\*6.3 COMMUNICATION - RECOMMENDATION REPORT CITY INITIATED OFFICIAL PLAN AMENDMENT FOR THE MARKHAM ROAD – MOUNT JOY SECONDARY PLAN, FILE NO. PR 20 142832 (WARDS 4, 5 AND 6) (10.3)**

29

**Note: Please refer to item 10.1 for staff report.**

1. That the communications submitted by the following providing comments regarding the above subject matter be received:
  - Don Payne
  - John Clark
  - Tenny Silva
  - Rob Lavecchia, KLM Planning Partners Inc., representing the owner of the lands located at 9408 - 9426 Markham Road
  - Nancy E. Walton
  - Dave Clapperton
  - Adam Layton, Evans Planning, representing the owner of the property at 9999 Markham Road
  - Marvin Tang

**\*6.4 COMMUNICATION - RECOMMENDATION REPORT, DESIGNATION OF PRIORITY PROPERTIES – PHASE IX (16.11.3)**

47

**Note: Please refer to item 8.5 for staff report.**

1. That the communications submitted by Joseph Virgilio and Francis Lapointe, representing the owner of the property at 7507 Kennedy Road, providing comments regarding the above subject matter be received.

**7. PETITIONS**

**8. CONSENT REPORTS - DEVELOPMENT AND POLICY MATTERS**

**8.1 DEVELOPMENT SERVICES PUBLIC MEETING MINUTES – MARCH 19 AND APRIL 2, 2024 (10.0)**

68

1. That the minutes of the Development Services Public Meetings held March 19 and April 2, 2024, be confirmed.

- 8.2 CYCLING AND PEDESTRIAN ADVISORY COMMITTEE (CPAC) MINUTES – NOVEMBER 11, 2023 (16.34)** 74
1. That the minutes of the Cycling and Pedestrian Advisory Committee (CPAC) meeting held November 11, 2023, be received for information purposes.
- 8.3 VARLEY-MCKAY ART FOUNDATION OF MARKHAM MINUTES – JANUARY 15, FEBRUARY 11, AND MARCH 18, 2024 (16.0)** 83
1. That the minutes of the Varley-McKay Art Foundation of Markham meetings held January 15, February 11, and March 18, 2024, be received for information purposes.
- 8.4 DOORS OPEN ORGANIZING COMMITTEE MINUTES - JANUARY 11, FEBRUARY 7, AND MARCH 6, 2024 (16.11)** 98
1. That the minutes of the Doors Open Organizing Committee meetings held January 11, February 7, and March 6, 2024, be received for information purposes.
- 8.5 RECOMMENDATION REPORT, DESIGNATION OF PRIORITY PROPERTIES – PHASE IX (16.11.3)** 111
- E. Manning, ext. 2296
1. That the Staff report, dated April 23, 2024, titled, "RECOMMENDATION REPORT, Designation of Priority Properties – Phase IX", be received; and,
  2. That the June 14, 2023, recommendation from the Heritage Markham Committee, in support of the designation of the following properties under Part IV, Section 29 of the Ontario Heritage Act (in accordance with Appendix 'B'), be received as information:
    - 5011 Highway 7 East (Ward 3): "Eckardt-Sabiston House"; and,
    - 7792 Highway 7 East (Ward 5): "Armstrong-Coumans House"; and,
    - 7804 Highway 7 East (Ward 5): "Frank and Mary Jarvis House"; and,
    - 7842 Highway 7 East (Ward 5): "Russell and Alma Forster House"; and,
    - 7507 Kennedy Road (Ward 8): "John and Elizabeth Smith House"; and,
    - 10754 Victoria Square Blvd (Ward 2): "William and Hannah

Hatton House”; and,

3. That Council state its intention to designate 5011 Highway 7 East (Ward 3) under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,
4. That Council state its intention to designate 7792 Highway 7 East (Ward 5) under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,
5. That Council state its intention to designate 7804 Highway 7 East (Ward 5) under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,
6. That Council state its intention to designate 7842 Highway 7 East (Ward 5) under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,
7. That Council state its intention to designate 7507 Kennedy Road (Ward 8) under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,
8. That Council state its intention to designate 10754 Victoria Square Blvd (Ward 2) under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,
9. That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk’s Department be authorized to place a designation by-law before Council for adoption; and,
10. That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the matter return to Council for further consideration; and further,
11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## 8.6 RECOMMENDATION REPORT, OBJECTION TO NOTICE OF INTENTION TO DESIGNATE – PHASE VI PROPERTIES (16.11.3)

169

E. Manning, ext. 2296

1. That the Staff report, dated April 23, 2024, titled "RECOMMENDATION REPORT, Objection to Notice of Intention to Designate – Phase VI Properties”, be received; and,
2. That the written objection to designation under the Ontario Heritage Act as submitted by the property owner of 7560 Ninth Line (Ward 7), be received as information; and,

3. That Council affirm its intention to designate 7560 Ninth Line (Ward 7) under Part IV, Section 29 of the Ontario Heritage Act in recognition of its cultural heritage significance; and,
4. That the Clerk's Department be authorized to place a designation by-law before Council for adoption; and,
5. That the Clerk's Department be authorized to publish and serve notice of Council's adoption of the designation by-law as per the requirements of the Ontario Heritage Act; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**8.7 RECOMMENDATION REPORT - NOTICE OF OBJECTION TO THE INCLUSION OF A PROPERTY ON THE MARKHAM REGISTER OF PROPERTY OF CULTURAL HERITAGE VALUE OR INTEREST, 7696 NINTH LINE, WARD 7 (16.11.3)**

185

E. Manning, ext. 2296

1. That the April 23, 2024, report titled, "RECOMMENDATION REPORT - Notice of Objection to the Inclusion of a Property on the Markham Register of Property of Cultural Heritage Value or Interest, 7696 Ninth Line, Ward 7", be received; and,
2. That the recommendation from the Heritage Markham Committee on February 20, 2024, that 7696 Ninth Line is not a significant cultural heritage resource and has no objection to removal of the property from the Markham Register of Property of Cultural Heritage Value or Interest (in accordance with Appendix 'E' of this report), be received as information; and,
3. That Council supports removal of 7696 Ninth Line from the Markham Register of Property of Cultural Heritage Value or Interest; and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**\*9. PRESENTATIONS - DEVELOPMENT AND POLICY MATTERS**

**\*9.1 KEY SECONDARY PLANS DEVELOPMENT ACTIVITY AND FORECASTED UNIT GROWTH (10.0)**

201

J. Yeh, ext. 7922

1. That the Presentation titled "Key Secondary Plans Development Activity and Forecasted Unit Growth" dated April 23, 2024 be received; and further,

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

## 10. REGULAR REPORTS - DEVELOPMENT AND POLICY MATTERS

### 10.1 RECOMMENDATION REPORT, CITY INITIATED OFFICIAL PLAN AMENDMENT FOR THE MARKHAM ROAD – MOUNT JOY SECONDARY PLAN, FILE NO. PR 20 142832 (WARDS 4, 5 AND 6) (10.3) 215

L. D'Souza, ext. 2180

1. That the Staff report dated April 23, 2024 entitled “RECOMMENDATION REPORT, City Initiated Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan” be received; and,
2. That the Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan, attached as Appendix “2”, be finalized and forwarded to Council for adoption, and subsequently forwarded to York Region for approval; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### 10.2 RECOMMENDATION REPORT, 1377402 ONTARIO INC. AT 162 MAIN STREET NORTH, APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND SITE PLAN TO PERMIT THE DEVELOPMENT OF THE LANDS 348

**MUNICIPALLY KNOWN AS 162 MAIN STREET NORTH (MARKHAM VILLAGE) FOR A BUSINESS OFFICE WITH RESIDENTIAL AS AN ADDITIONAL USE (WARD 4) FILES ZA 15 147635 AND SC 15 147635 (10.5)**

P. Wokral, ext. 7955

1. That the report dated April 23, 2024 titled “RECOMMENDATION REPORT, 1377402 Ontario Inc., Applications for Zoning By-law Amendment and Site Plan to permit the development of the lands municipally known as 162 Main Street North (Markham Village) for a Business Office with Residential as an additional use (Ward 4), Files ZA 15 147635 and SC 15 147635”, be received; and,
2. That the Zoning By-law Amendment application (File ZA 15 147635) submitted by 1377402 Ontario Inc. to amend Zoning By-law 1229, as amended, to permit Business Office and Residential as additional uses at 162 Main Street North, and to amend the development standards to permit the existing parking lot, be approved, and the draft By-law,

attached as Appendix 'C', be finalized and enacted without further notice; and,

3. That the Site Plan application (File SC 15 147635) submitted by 1377402 Ontario Inc. to permit the existing parking lot at 162 Main Street North, be endorsed in principle, subject to the conditions attached as Appendix 'A'; and,
4. That the Site Plan application (File SC 15 147635) be delegated to the Director of Planning and Urban Design, or designate, with the issuance of Site Plan Approval following the execution of a Site Plan Agreement; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**\*10.3 RECOMMENDATION REPORT, 1628740 AND 1628741 ONTARIO INC.  
AT 2716-2730 ELGIN MILLS ROAD EAST, OFFICIAL PLAN AND  
ZONING BY-LAW AMENDMENT APPLICATIONS SUBMITTED BY  
1628740 AND 1628741 ONTARIO INC. TO PERMIT A 32-UNIT  
RESIDENTIAL SUBDIVISION**

361

**AT 2716-2730 ELGIN MILLS ROAD EAST (WARD 2) FILE PLAN 23  
150145 (10.3, 10.5)**

H. Miller, 2945

1. That the report titled, "RECOMMENDATION REPORT Official Plan and Zoning By-law Amendment applications submitted by 1628740 and 1628741 Ontario Inc. to permit a 32-unit residential subdivision at 2716-2730 Elgin Mills Road East (Ward 2), File PLAN 23 150145", be received; and,
2. That the Official Plan Amendment application be approved and that the draft Official Plan Amendment, attached as Appendix 'A', be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
3. That the Zoning By-law Amendment application be approved and that the draft site-specific Zoning 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 servicing allocation for 32 units be assigned to the development and that the servicing allocation will be revoked or reallocated after a period of three (3) years from the date of Council approval should the development not proceed in a timely manner; and further,
5. That Staff be authorized and directed to do all things necessary to give



effect to this resolution.

**\*10.4 RECOMMENDATION REPORT, TH (WARDEN) DEVELOPMENTS (BT) INC. AT 10506 AND 10508 WARDEN AVENUE, APPLICATION FOR DRAFT PLAN OF SUBDIVISION BY TH (WARDEN) DEVELOPMENTS (BT) INC. TO FACILITATE THE DEVELOPMENT OF 137 LANE-BASED TOWNHOUSES,**

386

**136 BACK-TO-BACK TOWNHOUSES, MIXED USE BLOCKS, A 2 HA DUAL USE PARK/STORMWATER MANAGEMENT BLOCK, A SECONDARY SCHOOL BLOCK, AND THE SUPPORTING ROAD/LANE NETWORK AT 10506 AND 10508 WARDEN AVENUE (WARD 2) FILE PLAN 22 265291 (10.7)**

H. Miller, ext. 2945

1. That the report titled, “RECOMMENDATION REPORT, Application for Draft Plan of Subdivision by TH (Warden) Developments (BT) Inc. to facilitate the development of 137 lane-based townhouses, 136 back-to-back townhouses, mixed use blocks, a 2 ha dual use park/stormwater management block, a secondary school block, and the supporting road/lane network at 10506 and 10508 Warden Avenue (Ward 2), File PLAN 22 265291”, be received; and,
2. That the Draft Plan of Subdivision 19TM-22021 be approved in principle, subject to the conditions set out in Appendix ‘A’ of this report and be brought forward to a future Council meeting once all outstanding matters have been resolved to the satisfaction of the Director, Planning and Urban Design; and,
3. That the Director of Planning and Urban Design, or designate, be delegated authority to issue Draft Plan Approval, subject to the conditions set out in Appendix ‘A’, as may be amended by the Director of Planning and Urban Design, or designate; and,
4. That Draft Plan Approval for Draft Plan of Subdivision 19TM-22021 will lapse after a period of three (3) years from the date of Council approval in the event that a Subdivision Agreement is not executed within that period; and,
5. That servicing allocation for 1,443 units be assigned to Draft Plan of Subdivision 19TM-22021; and,
6. That the servicing allocation will be revoked or reallocated after a period of three (3) years from the date of Council approval should the development not proceed in a timely manner; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**\*11. REGULAR REPORTS - CULTURE AND ECONOMIC DEVELOPMENT MATTERS**

428

**\*11.1 2024 UPDATED TERMS OF REFERENCE – FLATO MARKHAM THEATRE ADVISORY BOARD (6.2)**

S. Hill, ext. 7545

1. That the report titled “2024 Updated Terms of Reference - Flato Markham Theatre Advisory Board” be received; and,
2. That Council approve the updated Flato Markham Theatre Advisory Board Terms of Reference; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**12. MOTIONS**

**13. NOTICES OF MOTION**

**14. NEW/OTHER BUSINESS**

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

**15. ANNOUNCEMENTS**

**\*16. CONFIDENTIAL ITEMS**

**16.1 DEVELOPMENT AND POLICY MATTERS**

**16.1.1 DEVELOPMENT SERVICES COMMITTEE MINUTES - MARCH 5, 2024 (10.0) [MUNICIPAL ACT, 2001, Section 239 (2) (e)]**

**16.1.2 REQUEST FOR DIRECTIONS - ONTARIO LAND TRIBUNAL APPEAL OF DESIGNATION BY-LAW FOR 10690 MCCOWAN ROAD (WARD 6) (16.11.3)**

(LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD.)  
[MUNICIPAL ACT, 2001, Section 239 (2) (e)]

**16.1.3 REQUEST FOR DIRECTIONS - ONTARIO LAND TRIBUNAL APPEAL OF DESIGNATION BY-LAW FOR 10725 KENNEDY ROAD (WARD 6) (16.11.3)**

(LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD.)

[MUNICIPAL ACT, 2001, Section 239 (2) (e)]

**16.1.4 REQUEST FOR DIRECTION OLT APPEAL BY STEELCASE  
ROAD WEST REGARDING CASH-IN-LIEU OF PARKLAND  
(6.3)**

**(LITIGATION OR POTENTIAL LITIGATION, INCLUDING  
MATTERS BEFORE ADMINISTRATIVE TRIBUNALS,  
AFFECTING THE MUNICIPALITY OR LOCAL BOARD.)**

[MUNICIPAL ACT, 2001, Section 239 (2) (e)]

**17. ADJOURNMENT**



## Development Services Committee Meeting Minutes

**Meeting Number: 8**  
**April 2, 2024, 9:30 AM - 3:00 PM**  
**Live streamed**

Roll Call	<p>Mayor Frank Scarpitti</p> <p>Regional Councillor Jim Jones</p> <p>Regional Councillor Joe Li</p> <p>Regional Councillor Alan Ho</p> <p>Councillor Keith Irish</p> <p>Councillor Ritch Lau</p>	<p>Councillor Reid McAlpine</p> <p>Councillor Karen Rea</p> <p>Councillor Andrew Keyes</p> <p>Councillor Amanda Collucci</p> <p>Councillor Juanita Nathan</p> <p>Councillor Isa Lee</p>
Regrets	Deputy Mayor Michael Chan	
Staff	<p>Andy Taylor, Chief Administrative Officer</p> <p>Arvin Prasad, Commissioner, Development Services</p> <p>Trinela Cane, Commissioner, Corporate Standards Services</p> <p>Morgan Jones, Commissioner, Community Services</p> <p>Claudia Storto, City Solicitor and Director of Human Resources</p> <p>Joseph Silva, Treasurer</p> <p>Bryan Frois, Manager of Executive Operations &amp; Strategic Initiatives</p> <p>Giulio Cescato, Director of Planning &amp; Urban Design</p>	<p>Darryl Lyons, Deputy Director, Planning &amp; Urban Design</p> <p>Frank Clarizio, Director, Engineering</p> <p>Stephanie DiPerna, Director, Building Standards</p> <p>Chris Rickett, Director, Economic Development, Culture and Entrepreneurship</p> <p>Peter Wokral, Senior Heritage Planner</p> <p>Erica Alligood, Election / Committee Coordinator</p> <p>Rajeeth Arulanantham, Assistant to Council / Committee</p>

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

### 1. CALL TO ORDER

The Development Services Committee was called to order at 9:32 AM with Regional Councillor Jim Jones in the Chair.

## **INDIGENOUS LAND ACKNOWLEDGEMENT**

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron- Wendat, Anishnabeg, Seneca, Chippewa, and the Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

### **2. DISCLOSURE OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

### **3. APPROVAL OF PREVIOUS MINUTES**

#### **3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES - MARCH 5, 2024 (10.0)**

Moved by Mayor Frank Scarpitti

Seconded by Councillor Juanita Nathan

1. That the minutes of the Development Services Committee meeting held on March 5, 2024, be confirmed.

**Carried**

### **4. DEPUTATIONS**

Randy Peddigrew made a deputation on Item 8.1 as detailed with the respective item.

### **5. COMMUNICATIONS**

There were no communications.

### **6. PETITIONS**

There were no petitions.

### **7. CONSENT REPORTS - DEVELOPMENT AND POLICY MATTERS**

#### **7.1 HERITAGE MARKHAM COMMITTEE MINUTES – FEBRUARY 20 AND MARCH 13, 2024 (16.11)**

Moved by Mayor Frank Scarpitti  
 Seconded by Councillor Juanita Nathan

1. That the minutes of the Heritage Markham Committee meetings held February 20 and March 13, 2024 be received for information purposes.

**Carried**

## **7.2 RECOMMENDATION REPORT, PROPOSED AMENDMENT TO THE ONTARIO HERITAGE ACT, REMOVAL OF LISTED PROPERTIES FROM REGISTER (16.11)**

Moved by Mayor Frank Scarpitti  
 Seconded by Councillor Juanita Nathan

1. That the staff report, dated April 2, 2024, titled "Recommendation Report, Proposed Amendment to the *Ontario Heritage Act*, Removal of Listed Properties from Register", be received; and,
2. That as per the Heritage Markham Committee recommendation attached as Appendix 'A' to this report, the Mayor or City Clerk be authorized to send this report and a letter to Doug Ford, Premier of Ontario, with copies to Michael Ford, Minister of Citizenship and Multiculturalism; Peter Bethlenfalvy, Minister of Finance; and John Ecker, Chair, Ontario Heritage Trust, requesting that Subsection 27(16) of the *Ontario Heritage Act* be amended to extend the deadline involving the removal of listed properties from a municipal heritage register for an additional five years from January 1, 2025 to January 1, 2030; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **7.3 RECOMMENDATION REPORT, REQUEST FOR FUNDING ASSISTANCE, GROUP OF SEVEN THORNHILL HERITAGE PLAQUE RECOGNITION PROJECT (16.11)**

The Committee asked for clarification on the funding for these plaques, noting that it is a greater contribution than typically provided for other plaques in the City.

Peter Wokral, Senior Heritage Planner, confirmed that the City's contribution for these plaques is \$700 in total or \$175 per property for this special project in Thornhill to recognize the group of seven artists.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Juanita Nathan

1. That the staff report, dated April 2, 2024, titled, "Recommendation Report, Request for Funding Assistance, Group of Seven Thornhill Heritage Plaque Recognition Project", be received; and,
2. That the concept of the Thornhill Historical Society's Group of Seven Thornhill Heritage Plaque Recognition Project is supported and that the City provide financial assistance for each plaque consistent with funding provided through the City's 'Interpretive Plaques for Properties of Cultural Heritage Value or Interest in Heritage Conservation Districts' program at a total cost of \$700.00; and,
3. That the funding be provided from the Heritage Preservation Account (087 2800 115); and further,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **8. REGULAR REPORTS - CULTURE AND ECONOMIC DEVELOPMENT MATTERS**

### **8.1 MARKHAM CENTRE AUTOMOBILITY DEMONSTRATION ZONE MICROMOBILITY PILOT (10.0)**

Arvin Prasad, Commissioner, Development Services, introduced this item as related to the Markham Centre Auto-mobility Demonstration Zone, which is resulting from funding received from the Province. Commissioner Prasad advised that the City would be undertaking 10 auto-mobility projects, with a current focus on implementing an e-scooter pilot in Markham Centre, which will connect Markham Centre, York University, and the Unionville GO Station.

Randy Peddigrew, deputant, representing Remington Group, advised that he has been in conversation with the Economic Development Team and expressed support for this pilot project. Mr. Peddigrew expressed the importance of reviewing all options for different modes of transportation throughout the City to reduce the reliance on vehicles. With respect to reducing parking ratios in

condominiums, Mr. Peddigrew noted that if maximum parking continues to be provided, transportation habits will not change, adding that reduced parking standards leads to affordability. Mr. Peddigrew confirmed that Remington Group would be willing to offer any possible support as this pilot project evolves.

The Committee provided the following feedback:

- Asked if the agreement with the provider includes provisions with respect to costs to the user. Director Rickett advised that the provider being considered will have an exclusive agreement with Metrolinx to place docking stations for the e-scooters at GO Stations and payment for the use of the e-scooters will be integrated with the Presto app. Director Rickett added that the e-scooters will include geo-fencing to ensure the e-scooters slow and stop outside of the geo-fenced area, which will also allow for the e-scooters to be located. Director Rickett advised that the geo-fencing will also allow for restriction of the e-scooters in certain areas of the GO Stations where they will not be permitted.
- Expressed concerns with the traffic lane reduction on Enterprise Blvd. and the impact it could have on vehicular traffic. Frank Clarizio, Director, Engineering, explained that the road capacity has not yet been analyzed to establish feasibility, but noted that Enterprise Blvd. is ranked as one of the City's highest priority roads for safety improvements. Director Clarizio emphasized the need for a buffered bike lane and added that a lane reduction could redirect cut through traffic back to arterial roads and rededicate Enterprise Blvd to residential traffic.
- Emphasized the need for thorough communication with residents, should the lane reduction move forward.
- Asked if e-scooters being restricted on multi-use pathways is a Provincial requirement, noting that they eventually would need to be considered as part of the overall transportation system. Director Clarizio clarified that the restriction of e-scooters on multi-use pathways is a result of feedback and concerns from Council and concerns expressed with respect to conflicts between e-scooters and pedestrians.
- Expressed interest for expansion of the pilot or consideration at the next stage of the pilot to see expansion to Main Street Unionville to allow individuals to go from the GO Station to Main Street Unionville.
- Asked to clarify funding from the Province. Director Rickett advised that funding from the Province can be used on bike lanes and other required



infrastructure as well as required staff support but cannot be used to pay the provider.

- Asked if the lane restriction could be phased in considering there is not yet data on the impact on vehicle movements in the area. Director Clarizio advised that in other municipalities bike lanes have been introduced on roads with speeds of 50 km or less, noting that Enterprise Blvd would qualify. Director Clarizio added that Staff are concerned with current speeds along Enterprise Blvd which was identified through the Road Safety Audit, particularly as new uses are introduced. Director Clarizio confirmed that if Council chooses not to proceed with the lane closure, the pilot project could proceed with other parameters remaining unchanged.
- Expressed support for the pilot project area being expanded to include First Markham Place and the Markham Civic Centre. Director Clarizio and Director Rickett confirmed that there are no issues with this change and noted that the pilot would continue to evolve as well.
- Asked why the focus of the pilot is mainly on e-scooters, not on e-bikes. Director Rickett advised that within the pilot there would likely be 70 e-scooters and 30 e-bikes but explained that as e-bikes are already permitted, by-laws need to be changed to permit e-scooters, noting that the pilot will assist in establishing data.
- Asked about locating and docking of the e-scooters. Director Rickett confirmed that Staff would work with Operations, Metrolinx, and the provider to track where e-scooters are being used and adjust the docking and distribution of the e-scooters accordingly.
- Inquired about any update surrounding autonomous shuttle transportation. Director Rickett advised that 10 pilot projects would be conducted in the open demonstration zone, which could potentially include autonomous shuttles, or a four-wheel single-rider vehicle currently being explored by York University. Director Rickett confirmed that Staff continue to look at different modes of transportation and different technologies.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Amanda Collucci

1. That the report entitled “Markham Centre Automobility Demonstration Zone Micro-Mobility Pilot” be received; and,
2. That the deputation by Randy Peddigrew made at the April 2, 2024 Development Services Committee meeting be received; and,

3. That the City opt into participating in O.Reg 389/19 - Pilot Project - Electric Kick-Scooters; and,
4. That City Staff be directed to deliver a micro-mobility pilot in Markham Centre Demonstration Zone, with the boundaries being Highway 7 to the north, Highway 407 to the south, Warden Avenue in the west, and Kennedy Road in the east, to assess the uptake and impact of the use of micro-mobility solutions in the City and report back to Council in Q2 2025 with details of the pilot; and,
5. **That City Staff examine the possibility of expanding the pilot to include First Markham Centre, the Markham Civic Centre, and the area South of the 407; and,**
6. That City Staff be authorized to enter into an agreement to the satisfaction of the Director of Engineering and Director of Operations with Scooty Mobility Incorporated to undertake a micro-mobility pilot in Markham Centre; and,
7. That City Staff be directed to bring forward all necessary by-laws and by-law amendments to permit and regulate the use of e-scooters in the Markham Centre Demonstration Zone, in accordance with the Provincial Pilot (ON Reg. 389/19); and further,
8. That City Staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **9. MOTIONS**

There were no motions.

## **10. NOTICES OF MOTION**

There were no notices of motion.

## **11. NEW/OTHER BUSINESS**

Councillor Karen Rea asked if Staff could provide an updated number of residents and anticipated growth in the Markham Road Mount Joy and Milliken areas ahead of the presentation of the respective secondary plans. Arvin Prasad, Commissioner, Development Services, confirmed that Staff would endeavor to provide a high-level overview at an upcoming meeting.

Regional Councillor Jim Jones suggested a future Town Hall meeting related to the Federal Carbon Tax to solicit resident feedback. The Committee questioned the appropriateness of the City's involvement in soliciting feedback on a Federal initiative.

**12. ANNOUNCEMENTS**

There were no announcements.

**13. ADJOURNMENT**

Moved by Councillor Juanita Nathan  
Seconded by Regional Councillor Joe Li

That the Development Services Committee adjourn at 10:25 AM.

**Carried**

March 3, 2024

City of Markham  
Planning & Urban Design Department  
101 Town Centre Boulevard  
Markham, ON L3R 9W3

Attn: Kimberley Kitteringham, City Clerk

Cc: MP Hon. H. Jaczek, MPP P. Calandra, Councillor J. Nathan

Re: Intention to Designate a Property under Part IV of the Ontario Heritage Act,  
Reesor-Spears house, 7560 Ninth Line (current owners Hiscott-Bortolussi)

Dear Ms. Kitteringham;

Please consider this letter to provide a formal objection to the proposal before Council to designate our home under the *Ontario Heritage Act*. We do not feel it is appropriate to designate our home. We object to having restrictions on how we may enjoy our home in the future or how we may sell our home in the future. We do not understand the desire to designate a home which has never seemed remarkable in the past. The Statement of Significance and the documents we've located online in this regard seem to indicate that it **"may or possibly may"** be of cultural significance, which is not supported.

We first learned of the City's intentions when we received the "Intention to Designate" letter dated February 8, 2024, from the City Clerk on February 14<sup>th</sup>. I will start with saying that this isn't the best way to advise families of this process, and there certainly can't be an expectation that residents are following the notice of intention on the City's website, as suggested in the letter. Despite the representations in the Recommendation Report dated January 23, 2024, at no time did City staff make any attempt to contact us or provide educational material. Also, as stated in the Recommendation Report, *"Section 6 of the legislation requires that all properties listed be either designated or removed from the designation list within a 2 year period beginning January 1, 2023"*. Why were property owners not informed at that time? Our initial request to Mr. Manning on February 22 requesting answers to some questions did not result in any responses to our questions, but only an offer to talk. It would have been terrific if an information package could have been made available to us. Despite extensive internet searches and our request to Mr. Manning, we have yet to find any guidance as to how to object to this Intention. Is there a form, a standard format that needs to be followed? At the very least, we would request additional time to properly research this and respond in a more fulsome manner.

We have lived on Ninth Line for nearly 30 years, and have been active in the community, and have an interest in the history of Box Grove. While we knew (and valued) that the **north** portion of our home was part of a 19<sup>th</sup> century structure, there has never been any indication that this was anything other than a regular farmhouse in the area.



The heritage attribute indicating that “the dwelling is a tangible reminder of the first schoolhouse at Sparta/Box Gove” is not supported in any of the documents nor other records we’ve seen. All documents indicate that it “*may be*” or “*could possibly be*”.

The further comment that the heritage attributes that convey the property’s contextual value as “the location of the building south of the core of the historic crossroads hamlet of Box Grove” is a bit of a stretch, as our home is located nearly a kilometre south of the crossroads, and is **surrounded** by modern homes.

We’d like to rebut some of the “value” items presented in the Statement of Significance:

1. The property (**north building only**) was purchased in 1949, as noted, and the addition of the south portion of the home occurred during the 1950’s to our knowledge. We are very surprised that an unremarkable and not very pretty building addition from the 1950’s is being considered for heritage designation.
2. The **north** portion of the building is definitely older, but it has never been suggested that it might have been a school house. The building is a story-and-a-half, with small rooms, which we feel wouldn’t have been a typical schoolhouse, but more likely a farmhouse. *The statement itself indicates that it “**may be the relocated schoolhouse**”, but has provided no substantiation for this. It also states that “Frederick K. Reesor, a school teacher at Box Grove School purchased the property and **built a modest frame residence to replace an old log house**”. This supports the fact that it was a residence **not** a schoolhouse or possible site of the original schoolhouse. It also states that the “**original schoolhouse was directly across from the new school house (Box Grove Community Centre)**”, we are not directly across from the community centre so how can this be the original site? The statement also indicates that the old schoolhouse “**was made redundant when a new brick school was constructed**”. That is currently 7651 Ninth Line, the Box Grove Community centre, which is already documented as being the first schoolhouse in Box Grove*
3. There have been many modifications to the original building over time – the south part of the existing home is an **addition** from the **1950’s**. The addition of the large dormer on the second floor of the **addition** is just that – **an addition**. **All** of the windows in the entire house (north, south and west) have been replaced. The entire house has been re-sided with cement board siding. There are **very few - if any** - original or unique elements to be protected at this time.
4. The house is not “one of a grouping of nineteenth century buildings”. In fact, the house is some ways south of the cross-roads, with a new subdivision directly across Ninth Line, and very large modern homes along both sides of Ninth Line. In fact, our home is an isolated anomaly in the area, where the large lots of privacy have led to redevelopment of significant high value homes.

We have cared for our home and property, and do not have any immediate plans to make huge changes. However, we would appreciate the freedom to make changes to our home, perhaps paint the siding, add dormers, raise the roof on the addition, and modify the home for our retirement needs (ie: ramps), without the restriction of a designation.

The more emotional issue is the impact on the value of our home. As we noted, we are in an area which has seen a lot of development, and have always felt that our home represented some significant equity which would help us when we are ready to retire. We feel that the designation will unfairly and substantially reduce the value of our home. It is very likely that a purchaser would want to take advantage of the large lot and privacy to build a home more in keeping with the current neighbourhood. If the designation prevented this from happening, we feel that there would be a significant financial impact to our family.

We're hopeful that the City may be able to address some of our concerns, if our objection cannot stand. What protections can the City offer to us to ensure that we are not unfairly financially penalized through this process? Is there a process where homeowners can be compensated for this future financial impairment? Would it be possible to provide documented confirmation that the City would take on the responsibility to relocate the home if a future purchaser wished to build another structure on the property? Could the City provide us with a severance of our property, so that the west portion of our property could be sold separately in future, if the designation proceeds?

***It should also be noted here that the property map pictured in the Recommendation Report is not accurate. The property was severed in 1991.***

In closing, we object to the proposed designation on two bases:

- The City has not demonstrated that our home has design, physical, historical value that would support the designation of a **true** heritage home, and
- The designation would represent a serious financial impairment to the value of our home.

We trust that the City will respect our objection to the proposed changes to our home, and withdraw the recommendation in the January 23, 2024 Recommendation Report.

We would be happy to discuss our concerns, but would appreciate a response in writing as early as possible. If the City wishes to extend the response deadline to provide more time to address our concerns, we would appreciate that advice before March 7.

Thank you for your consideration,

The Hiscott-Bortolussi Family

Rose Bortolussi



Joe Grant  
[jgrant@llf.ca](mailto:jgrant@llf.ca)  
 (705) 742-1674  
 Ext 264

October 16, 2023

VIA EMAIL: [kkitteringham@markham.ca](mailto:kkitteringham@markham.ca)

Kimberly Kitteringham  
 City Clerk,  
 City of Markham  
 101 Town Centre Boulevard,  
 Markham, Ontario,  
 L3R 9W3

**Re: 7696 9TH LINE (Box Grove) Markham, Ontario; Notice of Objection to Listing of Property of Register (Section 27 (3) Ontario Heritage Act)**

Please be advised that we represent the estate of the late Martha Grant, the owner of the property municipally described as 7696 9TH LINE (Box Grove) Markham, Ontario ("Subject Property"). It has very recently come to the attention of the Estate Trustees that the dwelling located on the Subject Property is listed as a property with cultural heritage value or interest pursuant to subsection 27(3) of the *Ontario Heritage Act*, R.S.O. 1990, c. O. 18 ("Heritage Act"). The estate objects to the inclusion of the dwelling on the register and requests that the council remove the Subject Property and dwelling located thereon from the register it maintains pursuant to Section 27 of the Heritage Act. The dwelling in question contains little or no historical or cultural value as the exterior and interior of the dwelling has, since the 1950s, been altered to such an extent that none of the original exterior or interior remains. This letter is provided to you pursuant to Subsection 27(7) of the Heritage Act, which provides:

The owner of a property who objects to a property being included in the register under subsection (3) or a predecessor of that subsection shall serve on the clerk of the municipality a notice of objection setting out the reasons for the objection and all relevant facts. 2019, c. 9, Sched. 11, s. 6; 2022, c. 21, Sched. 6, s. 3 (3).

**Pursuant to Subsection 27(8) of the Heritage Act**

If a notice of objection has been served under subsection (7), the council of the municipality shall,

- (a) consider the notice and make a decision as to whether the property should continue to be included in the register or whether it should be removed; and
- (b) provide notice of the council's decision to the owner of the property, in such form as the council considers proper, within 90 days after the decision.



- 2 -

While the original dwelling (along with a blacksmith's shop) may have been constructed in the 1880s, the house in question was completely renovated in the mid-1950s and the shop is long gone. The estate trustees, who are the children of the deceased, have knowledge of the overhaul as they were present when their parents effected the renovations. They wish to draw the following to your and council's attention:

- 1) All of the features that could have been considered having historical or cultural interest were removed in the 1950s renovation, including: the removal of the barrel-style cistern, the stone foundation, the back summer kitchen, the concrete chimneys, and the original siding and roofing;
- 2) None of the original exterior, including siding, windows, door or the roof remain. The siding on the dwelling is now composed of aluminum, plywood and brick;
- 3) The footprint of the house was enlarged in the 1960s as the owners constructed an addition at the rear of the dwelling (the exterior of which is composed of brick).
- 4) Major alterations were made to the very frame of the dwelling to incorporate new modern windows;
- 5) The size and location of most, if not all, of the windows and door frames have been altered;
- 6) The blacksmith's shop (a separate outbuilding) was demolished many in the 1950s as well.

Included with this letter are photographs of the exterior of the dwelling as it currently appears.

In addition to the exterior alterations, the interior was completely remodeled around the same time: the layout of the rooms was reconfigured; the lath and plaster walls were replaced with drywall and fake wood paneling; the original stairwells were moved and are now composed of modern materials; and the rotting floors were torn up and fitted with new joists and flooring.

We appreciate that recent amendments to the Heritage Act are requiring municipalities, including the City of Markham, to consider what listed buildings on its register should receive designated status ahead of January 1, 2025. Given the above, the estate trustees feel that it is highly unlikely that this non-descript house composed of vinyl siding, plywood and brick has any of the features and/or characteristics will receive a heritage designation under the Heritage Act and can and should be removed from the list of non-designated properties included on the Register. The estate trustees, therefore, respectfully request that the municipal council remove this building and property from the list of properties included on the register pursuant to Subsection 27(3) of the Heritage Act.

We look forward to receiving council's decision. Please advise should you have any questions or require any further documentation.

Yours truly,



Joe Grant;

**LLF LAWYERS LLP**

**c.c. Hutcheson, Regan <rhutcheson@markham.ca>**



**Exterior Photos of 7696 9TH LINE (Box Grove) Markham (October 2023)**















**From:** John Clark  
**Sent:** Monday, April 15, 2024 1:03 PM  
**To:** Councillor, Karen Rea - Markham <[krea@markham.ca](mailto:krea@markham.ca)>  
**Subject:** Mount Joy Secondary Plan

**CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.**

As a resident of Main Street North, I believe this plan will cause more problems than it solves. Putting that many people in such a small area is going to change that area and the surrounding areas for many years to come.

The assumption that public transit will be used, in place of the private car, is misplaced. The increased traffic on all adjacent roads cannot be underestimated. The current impact, on residential roads by cars, is a serious issue.

Without upgrades to 16th Avenue and Major Mackenzie, the east-west traffic volume be difficult as will be the north-south traffic trying to get to the 407 via Main Street, 9th Line or McCowen.

The residential areas to the south, east and west of the Mount Joy Plan will be seriously impacted

Although public transit might be convenient for the increased population on Markham Road, communities surrounding this area have not been designed for public transit.

The traffic on the roads that currently service this area is congested, especially in Old Markham, while exceeding the posted speed limit occurs frequently. I believe both of the aforementioned issues will increase.

Regards

John Clark  
362 Main Street North  
Markham, On  
L3P1Z1

**From:** tenny silva  
**Sent:** Tuesday, April 16, 2024 8:29 PM  
**To:** Clerks Public <[clerkspublic@markham.ca](mailto:clerkspublic@markham.ca)>  
**Cc:** Councillor, Karen Rea - Markham <[krea@markham.ca](mailto:krea@markham.ca)>  
**Subject:** Concerns on the Markham Road and Mount Joy Secondary Plan

**CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.**

Hi,

As a resident of Markham for the past four years, I am writing to express my concerns regarding the Markham Road-Mount Joy Secondary Plan.

Foremost among my concerns is the anticipated impact on traffic within the area. The proposed influx of 33,000 residents will inevitably lead to increased congestion on our roads. Many of these new residents will likely rely on the Mount Joy GO station for commuting purposes, exacerbating the already limited availability of parking spaces. Furthermore, the current frequency of train services on the GO line may not adequately accommodate the surge in ridership, potentially resulting in overcrowding and further aggravating transportation woes. As someone who cherishes the tranquility of Markham, I fear that such developments could compromise the quality of life in our city.

Moreover, the proposed expansion could place undue strain on our healthcare infrastructure. With only one hospital serving the community, the influx of new residents may overwhelm our healthcare system, leading to longer wait times and diminished access to essential services.

I implore you to heed the voices of Markham residents in this matter and carefully consider the long-term implications of the Markham Road-Mount Joy Secondary Plan. It is imperative that we prioritize sustainable growth and preserve the unique character of our city for future generations.

Thank you for your attention to this important issue.

Thank you,  
Tenny Silva  
52 Eastern Skies Way,  
Markham, ON, L6E0N8



KLM File: P-3367

64 JARDIN DRIVE, UNIT 1B  
CONCORD, ONTARIO L4K 3P3

T 905.669.4055

KLMPLANNING.COM

April 17, 2024

City of Markham  
Development Services Committee  
101 Town Centre Boulevard  
Markham, Ontario  
L3R 9W3

**Attention: Kimberley Kitteringham**  
**City Clerk**

**Re: Development Services Committee**  
**April 23, 2024 - Item 9.1 Recommendation Report City Initiated Official Plan**  
**Amendment For The Markham Road – Mount Joy Secondary Plan,**  
**File No. PR 20 142832 (Wards 4, 5 And 6) (10.3)**  
**9408 - 9426 Markham Road**  
**City Of Markham, Region Of York**

Dear Ms. Kitteringham,

KLM Planning Partners Inc. is the land use planning consultant representing the owner of the lands located at 9408 - 9426 Markham Road in the City of Markham. On behalf of our client, we would like to submit our comments on the Markham Road – Mount Joy Secondary Plan.

The Subject Lands are located immediately at the southwest corner of the intersection of Markham Road and Edward Jeffreys Avenue. The site has an area of approximately +/- 0.78 hectares (1.93 acres) with a frontage of +/- 71 metres along Edward Jeffreys Avenue and +/- 118 metres along Markham Road. The lands are generally flat with no significant environmental features and are occupied by a commercial plaza.

The Subject Lands are approximately 260 metres south the Mount Joy GO Transit Station, directly north of Pottery Park, approximately 60 metres north of the Markham Museum and approximately 300 metres north of the Markham Village Heritage Conservation District.

#### [York Region Official Plan \(2022\)](#)

The Subject Lands are designated as 'Urban Area' and 'Community Area' by York Region Official Plan (2022) *Map 1 – Regional Structure and Map 1A – Land Use Designations* respectively. The 'Urban Area' and 'Community Area' designations are identified as locations for growth and development in the Region within the Urban System and permits a mix of uses. The Subject Lands are located within a 'Major Transit Station Area' specifically *PMTSA 18 – Mount Joy GO Station* which has a minimum density target of 200 people and jobs per hectare.

#### [City of Markham Official Plan \(2014\)](#)

The City of Markham Official Plan designates the Subject Lands as 'Mixed Use Neighbourhood Area' and 'Mixed Use Mid Rise' by *Map 1 – Markham Structure and Map 3 – Land Use* respectively. The 'Mixed Use Mid Rise' land use designation permits a mix of residential, retail, restaurant and service uses that contribute to the creation of complete communities while improving access to transit services. The



Official Plan further notes that the Subject lands are within the unapproved 'Markham Road Corridor – Mount Joy' Secondary Plan on *Appendix F – Secondary Plan Areas*.

### **Markham Road – Mount Joy Secondary Plan**

The Markham Road – Mount Joy Secondary Plan Study was initiated in November 2019 in preparation of the new secondary plan. We have reviewed the Mount Joy Secondary Plan (the 'MRMJ') as drafted and released for public consultation prior to finalization and approval.

In keeping with the Official Plan designation, the Subject Lands are designated as 'Mixed Use Neighbourhood Area' by *Map SP1 Community Structure* which also identifies the intersection of Markham Road and Edward Jeffreys Avenue as a 'Gateway Landmark'. The Subject Lands are designated 'Mixed Use Mid Rise – Retail Priority' by *Map SP2 – Detailed Land Use* of the MRMJ which intends to maintain and expand the existing retail and service uses while integrating residential uses and providing a downward transition in height toward the Markham Village Heritage Conservation District. The Secondary Plan identifies permitted height and density on *Map SP3A – Height* and *Map SP3B Density* which identify a maximum permitted height of 8 storeys and density of 3.0 FSI for the Subject Lands and identifies the existing Pottery Park to the south as well as new Public Park on the lands opposite Markham Road. Markham Road is identified as a 'Major Collector Road' and Edward Jeffreys Avenue as a 'Minor Collector Road' on *Map SP6 Transportation Network*. Separated cycling facilities for both Markham Road and Edward Jeffreys Avenue are identified on *Map SP7 Transit and Active Transportation Network* in addition to Markham Road being identified as a 'Frequent Transit Network Route'.

### **Surrounding Development Applications**

We have reviewed development proposals within the MRMJ to understand whether the contemplated height and density are in keeping with current redevelopment aspirations. A summary of these applications is provided in the table below with approximate statistics.

No.	Address	Secondary Plan Designation	Height		Density	
			Permitted	Proposed	Permitted	Proposed
1.	9331, 9351 and 9399 Markham Road	Mixed Use Neighbourhood Area	20-25 storeys	37 and 42 storeys	7.0 FSI	6.6 FSI
2.	77 Anderson Avenue	Mixed Use Employment Priority	30 storeys	45 storeys	7.0 FSI	8.6 FSI
3.	9781 Markham Road	Mixed Use Neighbourhood Area	25 storeys	32 and 27 storeys	7.0 FSI	5.2 FSI
4.	9900 Markham Road	Residential Neighbourhood Area and Greenway	15-20 storeys	21 storeys	3.0-7.0 FSI	3.32 FSI

The development applications submitted to the City within the MRMJ generally propose high-rise buildings ranging in heights from twenty-one (21) to forty-five (45) storeys with FSI that ranges from 3.3



to 8.6. Of particular relevance is the development application at 9331, 9351 and 9399 Markham Road which is located opposite of Markham Road to the east of the Subject Lands.

Generally speaking, the contemplated height and density permissions of the MRMJ are being exceeded by proposed development applications.

### **Land Use Comments and Requested Modifications**

With respect to the identification of a 'Landmark Gateway' at the Markham Road and Edward Jeffreys Avenue, the MRMJ indicates that these areas are intended to make a significant contribution to the character and identity of the Secondary Plan while respecting immediate context and creating a district-built form, appearance or landmark feature. We feel this objective is best achieved by implementing relatively taller buildings and higher densities such that the built form is prominent and economies of scale can allow for higher quality built form and a significant architectural contribution. Providing for additional building height may also allow for more meaningful space to be provided at grade with more generous building setbacks and an opportunity to respond to the landmark designation at a pedestrian scale.

With respect to the 'Mixed Use Mid Rise – Retail Priority' designation and the desire to provide a downward transition in height toward the Markham Village Heritage Conservation District (the "Heritage District"), we reiterate that the Heritage District is approximately 300 metres away from the Subject Lands. Allowing a height of greater than 8 stories and a density of greater than 3 FSI is unlikely to have any material impact on the Heritage District. In addition, Pottery Park occupies 60 metres of frontage along Markham Road south of the Subject Lands and provides for a physical separation from the Markham Museum to the south and Heritage District beyond. In this regard, there is significant physical separation between the Subject Lands and the Heritage District. In addition, the Subject Lands, having more than 118 metres of frontage along Markham Road, allow for a meaningful opportunity to provide transition within the Subject Lands through the arrangement of heights and built form on future development applications. Lastly, given that Pottery Park and the Markham Museum are south of the Subject Lands, it is unlikely that redevelopment of the Subject Lands would result in any meaningful shadow impact on these lands.

With respect to the 'Mixed Use Mid Rise – Retail Priority' designation and the desire to maintain and expand existing retail and service uses to meet the needs of residents while integrating residential uses, we believe that viable and vibrant retail uses benefit from higher residential densities. In this regard, we do not believe it is appropriate to require that retail uses be maintained or expanded while limiting the residential uses that can benefit from convenient access to retail and service uses to meet daily needs.

With respect to both Markham Road and Edward Jeffreys Avenues being identified as collector roads with planned separated bicycling facilities, the Subject Lands will be at the immediate intersection of two cycling routes within the MRMJ. Furthermore, the MRMJ contemplates a new minor collector road connection, with separated bicycling facilities, from Markham Road and Edward Jeffreys Avenue directly to the GO Transit Station. In this regard, the Subject Lands will benefit from improvements to the transportation network and the redevelopment of the Subject Lands should consider this investment in infrastructure as well as investments to the GO Transit Station and rapid transit corridor.

With respect to the maximum permitted height of 8 storeys and FSI of 3.0, we do not believe that this is appropriate in the context of the goals and objectives of the Secondary Plan or in the physical context of the Subject Lands as is substantiated through proposed applications for redevelopment in the Secondary Plan area.

The Subject Lands are within a roughly 3 minute walk to a Major Transit Station with a future separated bicycle facility enabling a roughly 1 minute commute to the station by bicycle. The Subject Lands are bound by open space to the west and south with future parkland to the east and high rise development to the north. It is not practical or appropriate to limit height and density for lands with physical separation from low rise uses and proximity to parkland and existing high density development.

We believe that the expanded retail uses sought through the Secondary Plan policies are best suited to high density development and that a greater height and density will allow for a more meaningful response to the Landmark Gateway objectives both through architecture and the arrangement of the pedestrian realm. Given that the lands have 118 metres of frontage on Markham Road, and that the typical residential floor plate is roughly 30 metres across, there is roughly 88 metres on the Subject Lands where transition could be provided. This on-site transition, together with the 60 metres of frontage of Pottery Park, provides for a potential tower setback of 148 metres to the Markham Museum. In this regard, a 148 metre or 50 storey building would result in a roughly 1:1 relationship in tower height and setback with the Markham Museum and allows for transition. We believe that with a mid rise component on the southerly portion of the Subject Lands and a high rise component on the northerly portion, an FSI of 5.5 can be achieved and is appropriate.

It is relevant to note that the building height and floor space index permissions that have been applied by the City are not mutually implementable. The table below provides a summary of the resultant height and density when implementing either the maximum height or floor space index.

<b>9408 - 9426 MARKHAM ROAD REDEVELOPMENT SCENARIOS</b>		
	<b>MAXIMUM HEIGHT SCENARIO</b>	<b>MAXIMUM FSI SCENARIO</b>
<b>Site Area</b>	78,000 m <sup>2</sup>	78,000 m <sup>2</sup>
<b>Lot Coverage</b>	65%	65%
<b>Building Floor Area</b>	50,700 m <sup>2</sup>	50,700 m <sup>2</sup>
<b>Building Height</b>	8 storeys	4.5 storeys
<b>Total Gross Floor Area</b>	405,600 m <sup>2</sup>	228,150 m <sup>2</sup>
<b>Floor Space Index</b>	5.2	2.9

As is demonstrated above, if we assume a building coverage of 65 percent, an 8 storey building would result in a floor space index of 5.2 times lot coverage and a floor space index of 3.0 times lot coverage would result in a building that is approximately 4.5 storeys. Therefore, it is not possible to achieve an 8 storey built form and maintain a maximum floor space index of 3.0 times lot coverage and it is not possible to limit space index to 3.0 times lot coverage and achieve a maximum building height of 8 storeys as permitted. In this regard, we believe that the City's density and height permissions may be flawed and require further review and assessment.

Allowing a greater height and density on the Subject Lands contributes to complete communities and the coordination of land use planning with transportation and infrastructure planning. Allowing 'Mixed Use High Rise' with consideration of the continuation of retail uses on the Subject lands will support the efficient use of land and resources and maximize housing options with convenient access to retail uses as well as active and public transportation infrastructure.

### **Conclusion**

It is our opinion that the request for a maximum height of 50 storeys and an FSI of 5.5 for the Subject Lands is consistent with and conforms to Provincial Plans and policy, conforms to the Region of Peel Official Plan and City of Markham Official Plan and will contribute to implementing the goals and

objectives of the Markham Road - Mount Joy Secondary Plan. We respectfully request that Development Services Committee refer this matter back to staff allowing for further consultation and an opportunity to amend the MRMJ in a manner that addresses our client's concerns related to the permitted height and density contemplated for the Subject Lands.

We trust the above information is sufficient for the City of Markham Development Services Committee to consider the request for the Subject Lands. Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Yours truly,

**KLM PLANNING PARTNERS INC.**

A handwritten signature in blue ink, appearing to read 'Rob Lavecchia', with a stylized flourish at the end.

Rob Lavecchia, BURPI, MCIP, RPP  
Associate

From: Nancy E. Walton

Sent: Thursday, April 18, 2024 3:20 PM

To: Mayor Scarpitti <[MayorScarpitti@markham.ca](mailto:MayorScarpitti@markham.ca)>; Clerks Public <[clerkspublic@markham.ca](mailto:clerkspublic@markham.ca)>;  
Councillor, Karen Rea - Markham <[KRea@markham.ca](mailto:KRea@markham.ca)>; Councillor, Andrew Keyes - Markham  
<[akeyes@markham.ca](mailto:akeyes@markham.ca)>

Subject: Strong Objection to the Markham Rd- Mount Joy Plan

CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.

Dear Mayor Scarpitti, the Development Service Committee, Councillors Rae and Keyes:

As residents of Markham for 25 years, my husband and I have watched our beautiful city become a traffic-congested mess. We have far too many people living in a relatively small area. Often it takes close to 30 minutes to travel from old Markham Village to the 407, due to the massive number of vehicles on the road.

Traffic everywhere in Markham has become completely unacceptable and this includes the area along Markham Road between 16th and Major Mackenzie, which is apparent even before your proposed development.

We recently moved from old Markham Village to Swan Lake, since we love this city but with this proposed development, we may not be staying. It's no secret that the density of this area is soon to be double what is necessary.

The intersection at Markham Road and 16th has been a logistical nightmare for years, especially with the back up on 16th from the never-ending sewer work.

Living along 16th Avenue, we can tell you that emergency vehicles use 16th Avenue as a quick route to Markham Stouffville Hospital.

Which brings me to my next point, our fabulous local hospital is already bursting at the seams, the proposed development and the thousands of new residents will have a negative impact on our overstressed community hospital.

Please consider our concerns and those of the residents that already live here, before moving ahead with this proposal and the negative impact it will have on all of us.

Sincerely,

Nancy E. Walton  
20 Kingfisher Cove Way  
Markham, Ontario  
L6E 1B4

**From:** Dave Clapperton  
**Sent:** Thursday, April 18, 2024 9:09 AM  
**To:** Councillor, Karen Rea - Markham <[krea@markham.ca](mailto:krea@markham.ca)>  
**Subject:** Re: Markham Rd - Mount Joy Secondary Plan update

**CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.**

Hi Karen

I am not sure if my comments or anyone's comments will bring about a more reasonable outcome to the proposed expansion plan. There is obviously an agenda to increase the density of our area to ridiculous and impractical levels that ignores the significant negative reality and expected outcomes that residents of Markham and this particular area of Markham will have to live with forever. It would appear that the intention is to build up this corridor to levels that are not sustainable for its residents. Perhaps this is simply an opportunity to increase the tax coffers but it is extremely short sighted. We do not have the infrastructure to support that many new residents within a small area. We are already struggling with the congestion of our road systems, watermain and sewage systems. Our shopping malls and plazas are already bursting at the seams and I understand that further high rise development is slated for the Markville Mall area. Couple that with the poor driving habits within our area and we have the nightmare that we live with today. An prime example is the ongoing contruction and reconstruction of our sewer system along 16th Avenue. This has been a project that came and went and has come again and lingers providing traffic disruption and an eye sore for our community. The City already made a mistake with allowing an exit of the 407 onto Markham Road. We than did not widen Markham Road sufficiently to handle the trafiic flow into Main Street Markham from the 407. Thus, the hope for the diversion of traffic along Doanld Cousins Parkway has not happened and we have bumper to bumper traffic on Main Street. This is just another example of extremely poor planning and lack of foresight.

I can only imagine that we will now have to deal with extreme high rise condos as builders and the City look to maximize their investment and potential tax income. This does not fit with our community! Why is it that the residents can see this but the City and its planners can not?

In my opinion, and I am sure that it will be ignored, but it is time to allow the residents of Markham and this area of Markham, in particular, to live in peace and enjoy our City. I have lived in this area for almost 30 years and another 15 years in the Unionville area prior to that. We have dealt with widespread growth for most of that time. Just to the west of us Unionville is looking at huge developments in the former York Downs Golf Course area and to our north Major Mackenzie is slated for more development. It is time for council and it splanning department to listen and step back and see things for how they are and will be for their residents rather than simply push things to limits that make no sense and will result in the disintegration of a community that has such potential. Go ahead and put in more parks and paths for residents. By all means look for ways to improve the economics of our area to minimize tax increases. But please do not do this on the backs of the residents of our area.

Just the thoughts of a long time resident.  
 Dave Clapperton  
 47 Grove Road



April 19, 2024

City of Markham  
Community Planning and Development Services Branch  
101 Town Centre Boulevard  
Markham, ON  
L3R 9W3

Attn: Ms. Lily-Ann D'Souza

Dear Ms. D'Souza,

**Re: Markham Road- Mount Joy Secondary Plan: Final Study and Draft Policy Framework  
Comments  
9999 Markham Road  
City of Markham**

Evans Planning acts on behalf of 2585231 Ontario Inc., the Owner of the property legally described as 'Part of Lot 20, Concession 8, City of Markham', and municipally known as 9999 Markham Road (the 'subject property'). The subject property is located on the east side of Markham Road, south of Major Mackenzie Drive East. The property is currently vacant, and has a total lot area of approximately 12.84 hectares (31.7 acres).

The Owner has previously submitted multiple applications to facilitate the redevelopment of the subject property, including:

- Zoning By-law Amendment and Draft Plan of Subdivision, approved by City of Markham Council at its meeting on December 10, 2019 (City File: ZA/SU 18 180621). The implementing amendment was approved as By-law 2019-139 on December 20, 2019.
- Site Plan Control approval for the first phase of the proposed development (Phase 1A) (City file SPC 19 127869)
- Zoning By-law Amendment for a subsequent phase (Phase 1C) to permit a 12-storey mid-rise building, deemed complete on December 22, 2021 (City file: PLAN 21 147900)

Additional applications to amend the Zoning By-law, as well as for Site Plan Control will be required for future phases of the proposed development.

The Owner has been an active participant in the Secondary Plan process, and has provided comments at prior Development Services Committee meetings, as well as the various workshops and open houses held by the City, including written correspondence related the previous Draft OPA in October 2023 and verbal



comments at the November 2023 DSC Meeting. We appreciate the opportunity to review the updated draft Official Plan Amendment and responses to our prior comments, and wish to provide the following for your consideration on behalf of our Client:

### **Amendments to Markham Official Plan (2014) (the 'MOP')**

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#### **Policy/Figure 9.3.6:**

The proposed Amendment seeks to illustrate the location of a 'park site' within a future phase of the proposed development of the subject property. While it is acknowledged that the location of a future park has been previously discussed with City Staff, we continue to have concerns regarding the suggestion of a specific area and shape within Figure 9.3.6 prior to the submission of applications for said future phase. We request that the proposed Figure be revised to simply indicate a general location of a park, subject to future determination through a development application and/or Master Parks Agreement. This would be consistent with the approach taken in Map 14, wherein the desired general location of future parks are identified with a coloured dot.

The Staff response to our prior comment on this matter does not address this concern.

#### **Policy 9.3.7.2:**

We continue to suggest that given the potential for a new GO Station north of Major Mackenzie Drive, we suggest that the description of the Secondary Plan Area should include reference to the potential for future expansion to accommodate same. While Staff are correct in noting that these lands are outside of the urban boundary, this does not negate the fact that the basis of large portions of the Secondary Plan are predicated on the location of such a station. Accordingly, we feel it would be appropriate to reference it in some manner.

#### **Maps 1, 2, and 3:**

We object to the partial redesignation of the property from 'mixed use' to 'residential' and request that the 'mixed use' designation be retained for all portions of the subject property west of Anderson Avenue within the both Secondary Plan and MOP.

#### **Greenway System/Natural Heritage Network/Valleyland/Mapping**

Thank you for confirming that the limits of the Greenway System correspond with the approved Draft Plan of Subdivision (DPOS). Notwithstanding this, our comment pertaining to the ultimate use of Block 5 on the DPOS remains valid, and has been recognized through provisions of the Subdivision Agreement. We continue to request that any mapping associated with the Secondary Plan denote that this Block is subject to further study to determine its ultimate use and will be appropriately zoned as part of a future process. Accordingly, the potential that this Block may be used for residential purposes should be reflected in the MOP.

#### **Draft Secondary Plan**

##### **Mobility/Vehicle Parking Rate (Section 7.1.4)**

The intent to address parking requirements through the implementing Zoning By-law and Parking Strategy is noted, however the timing of same is unknown at the present time. Particularly given the intent of the Province related to parking supplies in proximity to higher order transit as outlined in Bill 185, we request that





the policies related to parking within the Secondary Plan demonstrate the City's commitment to sustainability by framing such requirements in the context of 'maximum' parking rates, rather than 'minimum' rates.

### **Community Structure – North Precinct**

We appreciate the revision to the community structure and land use plans to recognize the provision of mixed-uses along Major Mackenzie Drive (MMD) and Markham Road. Notwithstanding this, the extent of same should be noted to be conceptual given that the internal layout of the laneway network that could comprise future phases of development on the subject property remains unknown at the present time.

Please also refer to our prior comments related to the ultimate use of Block 5.

### **Parks System (Section 3.1.8)**

Refer to our above comments above related to the size, configuration, and location of the future park contemplated in future phases of the development of the subject property.

We suggest that the Secondary Plan consider all means of achieving an appropriate level of parkland for the study area, including through the inclusion of stratified parks and privately owned, public spaces (POPS) within the master parks plan and/or Parks Agreement. These types of parks have the potential to contribute to developing the unique sense of place and character for the Study Area and individual development sites therein. We further suggest that partial credit for parkland contribution should be provided by City for the provision of these alternative parkland areas (as has been done in other areas of the City such as Markham Centre).

### **Greenway System:**

While we note the response from Staff regarding the extent of the Greenway System, we reiterate our prior comments related to Block 5 on the approved Draft Plan of Subdivision. The ultimate use of this Block has not been determined, and the Owner reserves the right to potentially permit redevelopment of these lands through a future application process. The City has acknowledged same through the language of the Subdivision Agreement.

### **Compact Community (Policies 5.1.1-5.1.4)**

Please clarify how this Section may need to be revised/updated if a second GO Station is established?

We continue to note that the York Region Official Plan (2022) (the 'YROP') identifies Major Mackenzie Drive as a *Rapid Transit Corridor* terminating at Markham Road, as well as the potential for a new *GO Rail Station* *subject to further study* in the vicinity of Major Mackenzie Drive along the Stouffville Rail Corridor.

On this basis, we continue to suggest that consideration for greater heights and densities at this intersection would be appropriate as a 'secondary node' within the Secondary Plan to avoid the potential need for future amendment to the Plan. While this appears to have partially been addressed through the inclusion of Site-Specific Policy 9.1, we feel that it is important the overall structure of the Secondary Plan also address this potential addition which would significantly impact the nature of the area.





### **Affordable Housing**

We support the inclusion of Policy 8.7.5 in order to incentivize the creation of affordable housing units by exempting the gross floor area associated with same from the calculation of height and density, however suggest that this should be expanded further. Given the realities of construction – specifically that the cost to build an affordable unit is no different than the cost to build a market unit - these units may need to be sold at a loss to meet the definition of ‘affordable’ for a specific area. We suggest that incentives be provided to offset the costs of these units to ensure that market rate units are not required to subsidize ‘affordable’ units, thus resulting in increased costs for all. Such incentives could include the reduction/elimination of planning and permit application fees, development charges, parkland contributions, or community benefits charges, as well as the elimination of the need to provide parking for any ‘affordable’ units.

We continue to suggest that the target of 25% of new housing units being affordable, is laudable but may be unrealistic. Further clarification as to how the City will implement an Inclusionary Zoning (IZ) framework given the proposed target exceeds the maximum provisions of the Act as proposed to be amended by Bill 23 through a future Ontario Regulation, and also that a portion of the lands within the Secondary Plan (including the subject property) are not within a Protected Major Transit Station Area (PMTSA) or subject to a Community Planning Permit System (CPP). Similarly, the target exceeds the ultimate requirements of the Inclusionary Zoning policies for the strongest market area adopted by Council for the City of Toronto, which are to be phased in over the course of several years.

Given the uncertainty inherent in the development process, the time it takes to bring a project to conclusion, and the general market uncertainty, requiring such an onerous target may lead to the cancellation of existing or planned projects, or developers seeking other opportunities for development outside of the Secondary Plan Area and/or City of Markham. This uncertainty would also make providing the details required in the ‘housing impact statement’ provided in Policy 5.1.8(b) difficult to provide with any degree of certainty.

We suggest that consideration should be given to phasing or transitioning towards whatever target is ultimately determined in order to accommodate projects already in the development process, such as with our Client’s lands.

We are also concerned that the Secondary Plan does not include reference to ‘attainable’ or ‘intrinsically affordable’ units. We feel that increasing the diversity and supply of housing options through the provision of apartment, townhouse, stacked townhouse, and other innovative design options is a crucial element in creating not only a complete and diverse community, but also contributes to the inherent affordability of said community by providing options for all income levels. Alternative forms of housing can be considered affordable when compared to the relatively limited supply of traditional forms of ground related housing, although may not meet the strict definition of ‘affordable’.

### **Multi-Use Trail (Policy 5.2.1 and 6.1.23)**

We continue to request consideration of parkland credit for the multi-use trail which is to be installed along the rail corridor on the subject property, which is likely to be a unique condition within the Secondary Plan area given it is a publicly accessible multi-use trail that has been provided at the request of the City over lands which are to remain privately owned and form part of a condominium. Given this facility would establish



an active transportation function that would offset demand from local parks, and provides easier access to a potential future GO Station, consideration of a credit applied towards parkland requirements is equitable.

#### **Pedestrian Crossings (Policy 6.1.4)**

While we acknowledge the response of Staff, in that the precise location of the pedestrian crossing indicated on Schedules SP1 and SP7 is subject to further study, it remains shown on our Client's lands, and more specifically within Phase 1A of the proposed development, for which Zoning has been approved, and which is to be of common element condominium tenure.

We reiterate that if public access is contemplated over the pedestrian walkway proposed through our Client's development west of the rail corridor further details must be provided in relation to how maintenance and liability are to be handled in order to minimize potential costs and risk to the future condominium corporation and the residents therein.

#### **Streets and Blocks (Policy 6.1.8, 7.1.1, 7.1.2, and SP6)**

We appreciate the response of Staff, however suggest that the Policies of Section 7.1.2.4 do not address our concern. We continue to request that further language be included to clarify that any future street network (being those not already approved as part of the Draft Plan of Subdivision, or Site Plan Control application for Phase 1A) on the subject property as shown on schedules to the Secondary Plan are conceptual only, and are not to be construed as an accepted ultimate alignment or tenure of right-of-way.

#### **Streetscapes**

We acknowledge that the details required to substantiate appropriate soil volumes are a matter for detailed design, however continue to suggest that the appropriate City Standards should be reviewed in conjunction with Policies 6.1.12, 13, and 14, to ensure that it is functionally viable to provide same. We also suggest that consideration for allowing low impact development measures (LIDs) within the boulevard of a public right-of-way should be considered to help offset the impact of the extension of future roads without the need to resort to downstream measures such as storm ponds. These measures could also be beneficial to the pedestrian realm and contribute to increased naturalization of the community.

#### **Public Art**

We suggest that to expedite approval and provide certainty to proponents, the provision of Public Art as an 'in kind' contribution for the purposes of the Community Benefits Charge (CBC) By-law or successor, should be permitted as-of-right.

#### **Built Form:**

We respectfully suggest that there may be situations wherein it is desirable to have awning, canopies, or signage which encroaches into the ROW to ensure a compact and pedestrian friendly environment.

We acknowledge the response of Staff, but continue to suggest that the proposed tower separation of 30-metres as provided in Policy 6.1.34 is too large, and not consistent with the intent to create a compact community. We would suggest that a reduced tower separation of approximately/generally 25-metres can still maintain privacy and sky-views, while mitigating shadow and wind impacts. We suggest that the required separation ought to be based on outcomes and context rather than a specific distance codified in policy.



### **Markham Road**

We appreciate the response of Staff with respect to the need for a future EA. Notwithstanding this, given the recent announcements by the Province, we request clarification as to whether an EA is still a required process?

### **Residential Mid- and High-Rise**

Please clarify whether the permission for 'stacked' townhouses include back-to-back stacked units?

### **Public Park (Policies 8.5.1-8.5.3)**

Refer to our comments above. Our Client reiterates their intent to preserve the right to modify the size and location of the contemplated park west of Anderson Avenue through future development applications, subject to review and acceptance by City Staff. Accordingly, please confirm if the park anticipated within future phases on the subject property is the 'Parkette' identified in Policy 8.5.3(j)?

### **Height and Density (Section 8.7)**

We appreciate the revisions to the schedules to make the applicable Height and Density more legible, however note that the built form identified for the lands comprising the proposed Phase 1C development does not comply with the application made in December 2021 (pending as City File PLAN 21 147900). The initial application proposed a 12-storey apartment building (exclusive of mechanical penthouse) with an anticipated density of 3.15 FSI, whereas the Secondary Plan proposes 10-storeys and 3.0 FSI. We request that for these lands, the schedules be revised to indicate a maximum height of 12-storeys and 3.15 FSI.

We further request that the Secondary Plan clarify what constitutes a 'storey' in order to provide certainty with respect to how rooftop access and amenity levels, and internal mezzanines may be considered. Additionally, in instances where above-grade parking is necessary due to groundwater or other context conditions (such as an elevated right of way), would these levels be considered as 'storeys'?

Generally, we find the density provision on Appendix 2 are too low to actually permit the intended height, and question how these were determined. Specifically, given the detailed plans provided as part of the above-referenced application, a maximum FSI of 3.0 for mid-rise buildings is insufficient, and request that it be increased to 5.0-5.5 to allow flexibility.

Please clarify if it is anticipated that the provisions of Policy 8.7.3 would apply to lands around a future GO Station at Major Mackenzie Drive as well? Additionally, we question why additional height should be limited to only 5-storeys beyond what is shown in the Secondary Plan if it can be demonstrated that all other aspects of the Plan are met.

See also our prior comments related to Policy 8.7.5.

### **Policy 9.1**

We support this Policy in principle, but suggest that there may be merit in considering additional height irrespective of the decision of Metrolinx to approve a further GO Station. Given the context of the property, and the connectivity to the existing Mount Joy GO Station that would be established upon the completion of the Anderson Avenue extension, as well as the future transit infrastructure envisioned along Major Mackenzie



Drive within the YROP (wherein the street is identified as a *Rapid Transit Corridor*), there is ample opportunity for these lands to contribute positively to the establishment of a compact, transit supportive community.

On this basis, we suggest that the Secondary Plan be revised to contemplate additional height and density for the subject property abutting Markham Road and Major Mackenzie Drive, which would serve as a 'secondary node' within the community.

Please also provide clarification with respect to which height/density would apply for lands with frontage onto both Streets. We suggest it be the greater.

We also suggest that the provided densities of 7.5 and 7.0 FSI is insufficient to accommodate the anticipated heights and built form.

### **Implementation**

A policy should be added to Section 10.2 similar to 10.4.3.

For the purposes of Section 10.2 (Developers Group Agreement) and 10.4 (Parkland Dedication and Master Parkland Agreement), we feel the City must take an active role in coordinating the initial formation of the Group given the multitude of Owners across the Plan Area.

### **Map SP3**

We request that the block of land abutting Anderson Road at the southern boundary of the property currently labelled as 6-storeys be increased. This is consistent with concept plans previously provided to Staff.

Should you require any additional information, please contact the writer at your earliest convenience.

Sincerely,

Adam Layton, MCIP, RPP

cc. Mr. Giulio Cescato City of Markham  
Mr. Darryl Lyons, City of Markham  
Mr. Duran Wedderburn, City of Markham  
Mr. Stephen Lue, City of Markham  
Ms. Stacia Muradali, City of Markham  
2585231 Ontario Inc.

----- Forwarded message -----

From: **Marvin Tang**

Date: Fri, Apr 19, 2024 at 11:22 AM

Subject: Response to the Final Study Report of Markham Road Mount Joy Secondary Plan Study

To: <[joeli@markham.ca](mailto:joeli@markham.ca)>, <[alan.ho@markham.ca](mailto:alan.ho@markham.ca)>, <[kirish@markham.ca](mailto:kirish@markham.ca)>, <[RitchLau@markham.ca](mailto:RitchLau@markham.ca)>, <[rmcalpine@markham.ca](mailto:rmcalpine@markham.ca)>, Councillor Karen Rea <[krea@markham.ca](mailto:krea@markham.ca)>, <[akeyes@markham.ca](mailto:akeyes@markham.ca)>, <[jnathan@markham.ca](mailto:jnathan@markham.ca)>, <[ilee@markham.ca](mailto:ilee@markham.ca)>

Cc: <[kwilson@markham.ca](mailto:kwilson@markham.ca)>, <[coombs@markham.ca](mailto:coombs@markham.ca)>, <[neerac@markham.ca](mailto:neerac@markham.ca)>, <[sxie@markham.ca](mailto:sxie@markham.ca)>, <[lpattton@markham.ca](mailto:lpattton@markham.ca)>, <[ntang@markham.ca](mailto:ntang@markham.ca)>, <[mantonoglou@markham.ca](mailto:mantonoglou@markham.ca)>, <[sjinasena@markham.ca](mailto:sjinasena@markham.ca)>, <[mgibbons@markham.ca](mailto:mgibbons@markham.ca)>, <[animalraj@markham.ca](mailto:animalraj@markham.ca)>, <[pho@markham.ca](mailto:pho@markham.ca)>

Hi Councilors,

I am glad that Markham residents have you, who are bringing the opportunities to the City and making our city better and better.

I have the following questions regarding the Final Study Report of Markham Road Mount Joy Secondary Plan Study dated September 2023.

1. The City of Markham Official Plan was published in 2014. Does the plan consider the current situation and the future? Right now, we have a new development under construction north of Major Mackenzie Road (Angus Glen South Village). The land between Major Mackenzie Rd and 19th Ave will also be developed in the future, according to the York Region Official Plan (2022). If the Markham official plan does not consider these, how can you draw the Markham Rd - Mount Joy Secondary Plan on top of it?

2. The plan area is at the northeast edge of the residential area in Markham. Most traffic is heading west and south in the morning and coming back in the evening. Keep in mind, The Markham Road has narrow parts in the Markham heritage area (two-lane wide in total), and in between hwy7 and 407 (three-lane wide in total). The traffic planning should count this, and provide a solution, based on current conditions and future development.

In HDR's Final Transportation Report dated June 15, 2023, I did not see the consideration of the traffic from the future developments north of Major Mackenzie Road.

Also, this report is based on many assumptions we may not be able to realize.

1) Two-way all-day GO service to Mount Joy GO station (with a 15-minute frequency to Mount Joy as the ultimate desired service level, though this is not part of the GO Expansion program).

2) A potential GO station at Major Mackenzie Drive.

3) Rapid transit on Major Mackenzie Drive is NOT currently identified in the Region's 2023 10-year roads and Capital Construction Program.

Based on all the above questions, I don't think the traffic report is qualified. While the secondary plan is based on this traffic report.

Also, What should be emphasized is WHO will pay for the GO station at Major MacKenzie Rd, The City, Or the Metrolinx?

3. For the newly added 33,000 population in this small area, Markham Stouffville Hospital (MSH) is their only choice. From the 16th Ave & Markham Rd intersection, It is 24km to North York General Hospital, and nearly 36km to Southlake Regional Health Centre, comparing 4km to MSH. Is MSH ready for the new added population and more from future developments? If a new hospital or upgrade is required, is there a plan, and most important thing, where is the money?

4. In the Secondary Plan, I did not see an expansion/upgrade of Mount Joy Community Centre. By adding nearly 1/10 of the current total population in Markham to this small area, but ignoring their needs for the community center, I don't think it is a good plan.

Definitely, our City needs development, and therefore, the municipal services should be expanded/upgraded, or added/built new accordingly. but, **where is the budget plan? Who will pay for it? Do we have enough money? Is the plan financially feasible?**

My point is, that when we approve the developer's plan, save enough money from the plan-related income for the required upgrade of the health system, the traffic system, and other municipal services, rather than cutting a big portion of the city tax income to patch the hole in the future. Without a healthy financial plan and support, nothing can be realized.

Looking forward to the new traffic plan, financial plan, and updated MRMJSP.

The City needs development, based on scientific and rigorous planning.

We should build a monument to those who brought development to the city so that when people enjoy the benefits of MRMJSP, they will remember these names.

They also say names when stuck in traffic or crowded emergency waiting rooms. Just kidding.

But a registered vote is necessary, so people know who contributed to the City's development.

All best wishes.

Marvin

**From:** Gracynn Beck

**Date:** April 19, 2024 at 11:52:23 AM EDT

**Subject:** Raydav Holdings Inc. - 7507 Kennedy Road, Markham - Proposed Designation Under Part IV of Ontario Heritage Act

**To:** Kitteringham, Kimberley <[kkitteringham@markham.ca](mailto:kkitteringham@markham.ca)>, Manning, Evan <[emanning@markham.ca](mailto:emanning@markham.ca)>

**Cc:** E. Bruce Solomon; Joseph Virgilio, David Solomon, Francis Lapointe

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Dear Ms. Kitteringham and Mr. Manning,

Please find attached hereto a letter from Mr. Joseph Virgilio with respect to the above-noted matter. Also attached is a preliminary report from Mr. Francis Lapointe, as referenced in Mr. Virgilio's letter.

Kind regards,

Gracynn Beck, Hons. B.A.  
Paralegal for E. Bruce Solomon, B.C.L., LL.B.  
and David A. Solomon, B.A. J.D.  
E. Bruce Solomon Professional Corporation  
Barristers & Solicitors

7507 Kennedy Road  
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e-mail: [gbeck@markhamlaw.ca](mailto:gbeck@markhamlaw.ca)

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## JOSEPH VIRGILIO PROFESSIONAL CORPORATION

### BARRISTERS & SOLICITORS

Joseph Virgilio, B.A., LL.B.  
Vince Perricone, B.A., LL.B. \*  
Jullian Brunino, B.A., J.D.

1 West Pearce Street, Suite 500  
Richmond Hill, Ontario L4B 3K3

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*\*Operating as a Professional Corporation*

Kimberly Kitteringham  
City Clerk  
City of Markham  
101 Town Centre Boulevard  
Markham, Ontario L3R 9W3

**BY EMAIL TO:** [kkitteringham@markham.ca](mailto:kkitteringham@markham.ca)  
**AND HAND DELIVERED**

-and-

Evan Manning  
Senior Heritage Planner  
Heritage Section- Planning and Urban Design Department  
Development Services Commission  
101 Town Centre Boulevard  
Markham, Ontario L3R 9W3

**BY EMAL TO:** [emanning@markham.ca](mailto:emanning@markham.ca)  
**AND HAND DELIVERED**

**Re: Raydav Holdings Inc. ("RHI") and 7507 Kennedy Road, Markham Ontario ("the Property") Proposed Designation Under Part 1V of the Ontario Heritage Act ("the Designation")**

Please be advised that we represent RHI in regard to its interest as an owner of the Property and the commercial building thereon, and we are responding to Mr. Manning's correspondence dated **April 8, 2024** ("the Markham Correspondence").

The Markham Correspondence was received by RHI on **April 12, 2024**. This has **not** given RHI adequate time to fully investigate and respond to the Committee's Recommendations and the proposed Designation of the Property and we hereby reserve RHI's right to do so within a "reasonable" time frame.

RHI hereby objects to: a) the Property having been the listed on the register ("the Register") as a property with cultural heritage value or interest pursuant to subsection 27(3) of the Ontario Heritage Act, R.S.O. 1990, c. O. 18 and amendments thereto ("the Heritage Act"); and, b) any future Designation of the Property.



The present building retains little, if any, historical value as the interior was completely gutted and most parts of the exterior substantially altered when the rear addition was added to the Property and the Property was converted to commercial use in the 1970's. Simply put, the Property does **not** meet the new threshold for either listing on the Register or Designation under the Bill 23 amendments to the Heritage Act.

RHI therefore respectfully requests that the Council remove the Property and the building located thereon from the Register and that the recommendation to Designate the Property be withdrawn.

Pursuant to the Heritage Act, which provides that: a) pursuant to subsection 27(7), the owner of a property who objects to a property being included in the Register under subsection (3) or a predecessor of that subsection shall serve on the clerk of the municipality a notice of objection setting out the reasons for the objection and all relevant facts. 2019, c. 9, Sched. 11, s. 6; 2022, c. 21, Sched. 6, s. 3 (3); and, b) pursuant to subsection 27(8), that if a notice of objection has been served under subsection (7), the Council of the municipality shall: (i) consider the notice and make a decision as to whether the property should continue to be included in the Register or whether it should be removed; and, (ii) provide notice of the council's decision to the owner of the property, in such form as the council considers proper, within 90 days after the decision.

Since receiving the Markham Correspondence, we have: a) briefly spoken to Mr. Manning, who provided us with the City's Research Report pertaining to the Property ("the Research Report"); and, b) retained Francis Lapointe, Dip. Arch. Tech., B. Arch., M. Arch., OAA, MRAIC, LEED® AP, CET ("Mr. Lapointe"), to assist us in dealing with this matter. A copy of his "preliminary" letter dated **April 18, 2024**, evidencing his preliminary findings in regard to the Property, together with a copy of his CV and pictures of the building taken on **April 18, 2024**, are attached to this email.

Please note that: a) the "more recent" picture of the building you are relying on does **not** fully represent the Property as it exists today; b) the chimneys noted in the Research Report still show on the picture you are relying on, notwithstanding that they have **not** been in place since in our about 2010; and, c) the white wood bannisters sounding the front deck and white lattice at the bottom of the deck which have been in place since in or about 2010 are also **not** shown.

Further, please note that in the 1970 conversion and thereafter, in furtherance of the conversion of the building and its use as commercial property, that:

1. In the 1970 renovations, the interior of the Property: a) was completely gutted and converted to offices with new partitions and drywall throughout; and, b) no original trim or other such historical remnants remained in place after the conversion.

2. Access to the interior of the Property since the 1970's has been through a door on the south side of the 1970 addition to the Property.
3. On the exterior of the Property in the 1970 renovations: a) at the front and both sides of the ground floor, the windows were enlarged and replaced with large/oversized fixed plate glass commercial windows; b) the roof line over the balcony and balcony were altered; c) a door on the south side of the Property was cemented over to accommodate the interior renovations; d) eavestroughs were added; e) window sills were replaced in some cases with wood and in others with cement sills; f) a modern front door together with a screen door were put in place; and, g) the deteriorating brick work was painted blue/gray.
4. Since the original 1970 renovation: a) various bricks have crumbled and have been filled in with cement and/or replaced with unmatching brick and repainted/sealed; b) the rear north-east corner wall was unstable and had to be completely reinforced with cement; c) the two chimneys were damaged creating a dangerous situation and therefore removed and capped; and, d) banisters and lattice were placed on and around the front balcony.
5. Most recently, a large underground communications vault was placed directly in the south-west corner of the Property by Rogers.
6. The Property is surrounded: a) to the East by a large subdivision of large, expensive homes; b) to the West, it fronts closely on to Kennedy Road; c) to the North, a large industrial commercial one-storey building housing a roofing company with outside storage of both materials and numerous commercial vehicles and trailers; and, d) to the South is a post office structure converted into a real estate brokerage office.

We appreciate that recent amendments to the Heritage Act are requiring municipalities, including the City of Markham, to consider what listed buildings on its register should receive designated status ahead of January 1, 2025 - this legislation, should, however, **not** foreclose an owners' right to make representations to the Committee.

We are of the view that the Building and the Property do **not** have sufficient features and/or characteristics required to receive a Designation and should be removed from the list of non-designated properties included on the Register.

Therefore, we respectfully request that: a) Markham Council remove the Building and the Property from the list of properties included on the Register pursuant to Subsection 27(3) of the Heritage Act; b) the Committee reconsider its' decision to recommend

Designation; and, c) if the recommendation is made by the Committee for Designation of the Property, that on reviewing all the evidence, Council should refuse the Designation.

Please note that it is our intention to attend the **April 23, 2024** meeting. Mr. Lapointe and I would like the opportunity to speak at this meeting and respond to any questions the Committee may have. Please provide us with the ZOOM link for this meeting. I can be reached by email at [jvirgilio@virgiliolaw.com](mailto:jvirgilio@virgiliolaw.com) or by phone at **416-567-4074**.

We look forward to receiving the Committee's and/or Council's decision. Please advise should you have any questions or require any further documentation.

Yours very truly,



Joseph Virgilio

cc David Solomon  
Francis Lapointe

April 19, 2024

Raydav Holdings Inc.,  
Attention: David Solomon,  
7507 Kennedy Road,  
Markham ON L3R 0L8

Re: Future Designation of 7507 Kennedy Road, Markham  
under Part IV Ontario Heritage Act

Dear Mr. Solomon,

As requested, I have reviewed the John and Elizabeth Smith House Research Report (updated 2024) prepared by the Heritage Section – City of Markham Planning and Urban Design, as well as the April 9, 2024 letter from the same department. The documents were prepared by Heritage Planning Staff “...to begin a conversation about the future potential designation of your property”. The April 9<sup>th</sup> letter was received by Raydav Holdings Inc. via Canada Post on April 12, 2024, and requires opposing submissions to the submitted to the Development Services Committee two days prior to their April 23<sup>rd</sup>, 2024 meeting.

Due to time constraints, I am not able to complete a thorough review of the subject building at this time, and instead offer this preliminary analysis. This summary report is based on a review of the following heritage conservation regulations, policies, and standards, that the City of Markham also relies upon:

- December 2023 e-Law release of the Ontario Heritage Act, R.S.O 1990 c. O.18, documents include:
- The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada, 2010
- Designating Heritage Properties, A Guide to Municipal Designation of Individual Properties Under the Ontario Heritage Act, Ontario Ministry of Culture, 2006
- Compliance with Ontario Regulation 9/06, as amended – Criteria for Determining Cultural Heritage Value or Interest,
- Criteria for Determining Cultural Heritage Value or Interest, O.Reg. 9/06.

**Comments regarding Future Heritage Designation  
7507 Kennedy Road, Markham ON**

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I also reviewed recent photographs of the building and completed online research on the Milliken Family of Markham.

I have examined whether the existing 1½ storey brick building at 7507 Kennedy Road meets the criteria that are required to be met under the *Ontario Heritage Act*. I can summarize my comments as follows:

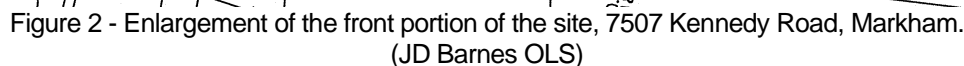
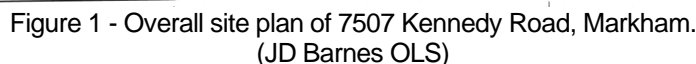
1. There are few cultural heritage features remaining on the exterior of the building,
2. The heritage and cultural features that remain are neither rare, unique, or representative,
3. There is little evidence to indicate that this house was constructed by and occupied by John and Elizabeth (nee Milliken) Smith. Furthermore, the evidence that was provided suggests that if the couple did reside on this property, they did so for a few years only.

Note that we will provide a more detailed report on the potential future designation of the subject property in approximately 2 weeks. Finally, the credentials of the author, Francis J. Lapointe, OAA, can be found in Appendix A at the end of this letter.

## **Part 1 – Property Description**

7507 Kennedy Road (Part of Lot 4, Concession 6) is a 2200 sm (0.54 acre) urban lot located on the east side of Kennedy Road, south of Highway 407 and north of Denison Avenue. The property is surrounded by a 2-storey commercial building to the south, a 2-storey commercial/industrial building on the north and low-rise residential buildings at the east (rear) of the property. Across the street is the Milliken Mills High School. The neighbourhood consists primarily of a mix of recently constructed low rise residential and commercial buildings. The heritage-designated Benjamin Milliken House is located approximately 0.5 kms north of the site on the west side of Kennedy Road.

The site is zoned (H)R3, Residential Low Rise under to old Zoning by-law and RES-ENLR under the new Comprehensive Zoning bylaw 2024-19, which is subject to appeal. The only building currently on the lot is a 1½ storey brick masonry building that includes a 1-storey rear addition clad with metal siding. The building is listed on the City of Marham Register of Properties of Cultural Heritage Value or Interest. The location of the 1½ story building on the lot is unusual in that the front wall of the building is located less than 4 m from the front lot line, while the front veranda is approx. 1.5 m from the front lot line. Based on its zoning, the site is likely to be developed for residential purposes in the future, as anticipated by Bill 23, More Homes Built Faster Act.



## Part 2 – Cultural Heritage Value or Interest

Under O.Reg. 9/06 Criteria for Determining Cultural Heritage Value or Interest, an Ontario Municipality must demonstrate that the property that they wish to designate under Part IV of the *Ontario Heritage Act* meet a minimum of two of the following criteria:

*(2) A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:*

- 1. The property has design value or physical value because it,*
  - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,*
  - ii. displays a high degree of craftsmanship or artistic merit, or*
  - iii. demonstrates a high degree of technical or scientific achievement.*
- 2. The property has historical value or associative value because it,*
  - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,*
  - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or*
  - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.*
- 3. The property has contextual value because it,*
  - i. is important in defining, maintaining or supporting the character of an area,*
  - ii. is physically, functionally, visually or historically linked to its surroundings, or*
  - iii. is a landmark.*

In their description of the subject property, Markham Heritage Planning staff indicate that the property meets the objectives of three of the heritage criteria. Those three criteria are described and refuted below.

### Criteria 1

*The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*

**Staff comment:** *The John and Elizabeth Smith House has design value and physical value as a representative example of a mid-nineteenth century brick farmhouse in the vernacular Georgian architectural tradition.*



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A review of photographs of the building at 7507 Kennedy Road (taken on April 18, 2024) reveals a simple rectangular 1½ storey brick building that is neither unique, unusual or “Georgian”, although it is ‘vernacular’<sup>1</sup>. The Ontario Heritage Trust website defines Georgian Architecture as:

*Georgian architecture, however, can be characterized by a formal arrangement of parts; it employs symmetrical composition enriched with classical details, such as columned facades.*<sup>2</sup>

The most apparent feature of the building is the front veranda, which is topped by a shed roof supported by six simple square columns, that measure 3½” by 3½”. Such small columns are not typical of heritage architecture, and the dimensions more accurately reflect a contemporary milled and planed pressure-treated wood post than a ‘Georgian’ column. The soffit of the front porch is currently constructed of painted plywood, a construction material that is contemporary, not historical. This front veranda hardly qualifies as a “*columned façade*” but rather is a typical front porch that you can find in many contemporary houses today. There is no ornamentation or details on the columns, and they are likely contemporary replacements, especially given their size and lack of ornamentation, such as stop chamfer edges.



Figure 3 - Front (west) elevation of 7507 Kennedy Road, Markham

<sup>1</sup> **Vernacular architecture** is building done outside any academic tradition, and without professional guidance. It is not a particular architectural movement or style, but rather a broad category, encompassing a wide range and variety of building types, with differing methods of construction, from around the world, both historical and extant and classical and modern.  
[https://en.wikipedia.org/wiki/Vernacular\\_architecture](https://en.wikipedia.org/wiki/Vernacular_architecture)

<sup>2</sup> <https://www.heritagetrust.on.ca/architectural-style>, accessed April 18, 2024.



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Figure 4 - View of Plywood Soffit below front veranda roof.

The building foundation consists of natural field stones which need repair and repointing and are a source of ground water ingress into the crawl space. Crawl space windows, visible on both sides, have been removed and the openings closed and finished with concrete parging.

The exterior above-grade walls, described in the Heritage Staff report as Flemish bond brick, have been repeatedly painted with extremely durable waterproof epoxy-based paint, that is all but impossible to remove. The only other feature of the brick walls are the shallow arched lintels over the ground floor windows. The epoxy-based paint makes it difficult to perceive the features of the brick, concealing the brick bonding pattern and the lintels.

The gable end roof has no rare or unique features and is virtually free of ornamentation save for a plain 6" high frieze board below the gable overhangs. The front and rear overhangs do include a small profiled under-soffit wood trim. The City's Heritage Research Report describes "*boxed eaves and eave returns*" as if they are significant cultural heritage features, when in fact they are plain and likely contemporary replacements of more detailed roof eave details. As reported (and

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as visible in the photo on the cover of the Staff research report) there were two corbelled brick chimneys in the past, but they have since been removed and capped slightly above the roof line, as the more ornate chimneys were a danger of collapsing.

Any potentially defining architectural features of the building have long been replaced with contemporary features. Where there once may have been double hung windows there now are large picture windows. The front door is a contemporary insulated metal door.

There are no known historical photographs of the subject property and as such, it is impossible to know what architectural features were used to decorate the house. The owner has indicated that both the exterior and the interior of the house were extensively renovated (under a building permit) in the 1970's. The interior was fully gutted and no cultural heritage features have been preserved.

The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada addresses the issue of potentially missing architectural features. The document recommends that heritage consultants should not try to 'guess' what the original appearance of a former heritage feature was. The Parks Canada guidelines recommends against:

*"Constructing a wood feature that was part of the original design of the building, but was never actually built; or constructing a feature that was thought to have existed during the restoration period, but for which there is insufficient documentation."*<sup>3</sup>

In conclusion, examinations of the current photographs of the existing building at 7507 Kennedy Road reveals that this building has little to no "rare, unique, [or] representative" cultural heritage features, and that the existing building fails to meet the first criteria for determining whether it is of cultural heritage value or interest. Furthermore, most of the identifying cultural heritage features has been replaced such that the building has little left to preserve and is no longer representative of the vernacular Georgian style.

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<sup>3</sup> Ibid.

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Figure 5 - South elevation of the original 1½ storey building and rear addition.



Figure 6 - North Elevation of the rear addition and original 1½ storey building.

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## Criteria 2

*The property has historical value or associative value because it is associated with a theme, event, belief, person, activity, organization or institution that is significant to a community.*

**Staff comment:** *The John and Elizabeth Smith House has historical value, representing the locally significant theme of agriculture as the former farmhouse of John and Elizabeth Smith, and for its association with the significant wave of British families that arrived in Markham Township in the 1820s-1830s. It also has historical value for its association with the prominent Milliken family after whom the community takes its name.*

Planning staff suggest that the building at 7507 Kennedy Road meets criteria 2 (the lot is associated with a person that is a significant to a community) because John and Betsy Smith (nee Milliken) once resided on that lot. But Heritage Planning Staff have not provided any conclusive evidence that proves that the couple lived in the building currently on the lot (which is only 1% of the original lot size). Instead, they quote the following data from historical censuses:

- 1838 – John and Elizabeth (or ‘Betsy’) (nee Milliken) Smith marry.
- 1843 - Benjamin Milliken and his sister Betsy Smith inherit property from their father, Norman Milliken, one of the founders of the community. Benjamin inherits 50 acres while Betsy inherits 11 acres (described as Lot 1, Concession 5).
- 1844 - John Smith purchased the 50-acre south-west portion of Lot 4, Concession 6 (that included the 0.54 acre lot now described as 7507 Kennedy Road).
- 1846-47 - Brown’s Directory of Markham Township, states that John and Betsy Smith reside at Lot 1, Concession 5, (Betsy’s lot), not the lot that John had purchased a few years earlier.
- 1851 – The census now states that John and Betsy Smith in a 1½” storey house at Lot 4, Concession 6 (a 50-acre lot including the 0.54 acre part of lot 4 now know as 7507 Kennedy Road).
- Late 1851 – John Smith dies and bequests his 50-acre south-west portion of Lot 4, Concession 6 to his son John Jr., and the 11-acre, Lot 1, Concession 5 property to his daughter Mary.

It should be emphasized that the current lot at 7507 Kennedy Road is 0.54 acres in size, which is 1% of the 50-acre Lot 4, Concession 6 (the historic lot). The position of the existing building with respect to the main road (Kennedy Road) suggest that this was not the ‘main’ house, because main houses were typically sited further away from a road, to distance themselves from road dust, noise and odours. Furthermore, Betsy and her brother Benjamin Milliken were both bequeathed land when their father died. Benjamin built a large stately house less than 500 m away from this property, and that house is located several hundred meters away from Kennedy Road.

Why did John and Betsy, who had inherited land and purchased another lot, build and settle in a small non-descript house very close to the dust, noise and odours originating from the road? The census data indicated that the couple had two children, a daughter Mary, aged 13 and a son



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John, aged 6. The two kids lived with them as did one of Betsy's brother, John Milliken, in a house that was then likely only two bedrooms on the upper half-storey. It is more likely that John and Betsy Smith were wealthy enough to have built a larger house a greater distance away from the road on another portion of the vast 50-acre lot, as Betsy's brother Benjamin had. The house currently located at 7507 Kennedy Road may have been built later and for another purpose (to house other family members or farm hands?). Its proximity to the road suggests so.

Finally, John and Betsy Smith likely only lived in this house (if at all) for a few years. The 1846/47 census indicated that John and Betsy lived at their 11-acre lot in 1847, while the 1851 census recorded them living somewhere on their 50-acre lot (Lot 4, Concession 6, a very small portion of which (1%) is now 7507 Kennedy Road). After John's death, Betsy married Henry Sanders and she and her young son moved to another house near German Mills. The subject lot remained in Betsy's family for many years and was leased to a tenant until she returned sometime around 1871, with her son John Smith Jr., who continued to farm the land. A house where a family lived for a few years over multiple decades does not qualify as a "... *property [that] has historical value or associative value because it is associated with a theme, event, belief, person, activity, organization or institution that is significant to a community.*" The partial occupation of the house by the Smith family simply does not meet the requirements of Criteria 2.

### Criteria 3

*The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*

**Staff comment:** The John and Elizabeth Smith House has contextual value because it is physically, functionally, visually and historically linked to its surroundings where it has stood since c.1850.

Planning staff report that the house at 7507 Kennedy Road is linked to its surroundings simply because it has been there since circa 1850, and for no other reasons. In other words, the house exists, therefore it should be designated! Planning staff have not provided any evidence of how the house was "...*functionally, visually and historically linked to its surroundings*".

Staff have also not determined which house the 1851 census refers to. In fact, they quote data from the later 1891 census that refers to John Smith Jr., his wife and their **six children living in a 2 storey, 7-room house**, a description not representative of the existing building on the subject property.

*By the time of the 1881 census, John Smith Jr. was married. John and Margaret Smith were both 34 years old and had three children between the ages of eight and one. Margaret Smith was known as "Maggie." John Smith Jr. was a farmer. The family were of the Methodist faith. In 1891, there were six children in the Smith household. Their dwelling was described as a two-storey brick structure containing seven rooms.*

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Criteria 3 was included as part of the Criteria for Determining Cultural Heritage Value or Interest (O.Reg. 9/06) to acknowledge the importance of a building to the surrounding community, often as the host of a major event. Was there a major community event that took place at this house? A wedding, a funeral, a murder? Was a play written here? Was a prominent statesman born here? In reality, the events that did occur at the house were the same type of events that occurred in every other house on this street and in this village. Children were born, families raised, parents worked and grandparents died. There is no community event of significance that occurred at 7507 Kennedy Road that is worthy of requiring the house to be designated under Criteria 3.

## Conclusion

Whether or not a building is worthy of designation under the Part IV of the *Ontario Heritage Act* depends on whether the building meets a minimum of two criteria for determining whether it is of cultural heritage value or interest under O.Reg. 9/06 Criteria for Determining Cultural Heritage Value or Interest. It is the responsibility of a Municipality to prove that the criteria have been met, whereas a property owner has the right to oppose the designation.

The existing 1½ storey building at 7507 Kennedy Road fails to meet the three criteria selected by the City of Markham Planning Staff, namely:

*1. The property has design value or physical value because it, is a rare, unique, representative or early example of a style, type, expression, material or construction method,*

My professional assessment as an Architect with substantial experience in heritage preservation is that few if any of the remaining building features are original to the building, and that this building struggles to be a representative example of vernacular Georgian architecture.

*2. The property has historical value or associative value because it, has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,*

Heritage Planning Staff have provided only circumstantial evidence that the existing building was occupied by John and Betsy Smith. In fact, the current lot is only 1% (0.54 acres) of the original 50-acre lot and there are multiple other locations on this very large lot that would have been better suited for the construction of a large house away from the dusty, noisy and smelly road.

*3. The property has contextual value because it is important in defining, maintaining or supporting the character of an area,*

The Research Report fails to provide any evidence that the existing building at 7507 Kennedy Road has hosted any major community event or somehow defined or influenced the development of the community. In fact, one of the reported events describes John Smith Jr., his wife Maggie and his six children living in a 2-storey, 7-room house, a description more fitting of the building to the south of the subject property, that may also be located on Lot 4, Concession 6.



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As such, I do not agree with Heritage Planning Staff that the existing building at 7507 Kennedy Road meets any of the required conditions described in the Criteria for Determining Cultural Heritage Value or Interest. Finally, I recommend that the building be removed from the City of Markham's Register of Properties of Cultural Heritage Value or Interest, as required by changes to the Ontario Heritage Act detailed in Bill 23, More Homes Built Faster Act.

Sincerely,



Francis J. Lapointe.

Dipl. Arch. Tech., B. Arch., M. Arch., OAA, MRAIC, CET, LEED® AP

## Appendix A

### Curriculum Vitae of Francis J. Lapointe, OAA

Francis Lapointe is the principal of Lapointe Architects. He formed the practice in 2001 with a focus on sustainable building technologies, materials and construction methods. Francis' design portfolio presents a broad range of building projects that demonstrate thoughtful transformation of space, responsiveness to the environment and enduring value. Throughout his career, Francis has completed dozens of heritage projects, sustainable projects including a LEED Platinum building, social housing for Canada's indigenous communities. Francis' passion for sustainability has culminated with the purchase of a large historically designated Victorian house in Trenton Ontario. When Francis and his partner Andrew took possession of the house it was in poor condition, having been left empty for a few years and suffering significant water damage from frozen water pipes. They are actively working at restoring the house to its former glory while repairing the structural systems and improving the energy efficiency of the building assemblies.

Francis has presented his work at several architectural and sustainability conferences across Canada and guest-lectured at Ryerson and OCAD. Since 2006, Francis has been a member of the Program Advisory Committee (PAC) for the Sustainable Architecture program at Centennial College, advising the College about the employment needs of the design and construction industry. Francis has been lecturing part-time at the College since 2007 and in 2010 became a full-time faculty member.

### Education

#### Technical University of Nova Scotia (Now Dalhousie University), Halifax NS

- Post-Professional Master of Architecture (M. Arch. II), 1993 - 1995

#### Université Laval, Québec City

- Baccalauréat en Architecture (B. Arch.), 1989 - 1992

#### Centennial College, Toronto ON

- Architectural Technologist Diploma, 1985 – 1988

### Professional Memberships and Accreditations

2011, Member, Ontario Association of Certified Engineering Technicians and Technologist (OACETT)

2009, CaGBC qualified instructor of the Building Green with LEED® post-secondary course.

2005, Accredited Professional, Leadership in Energy and Environmental Design (LEED®)

2001, Member, Royal Architect Institute of Canada (MRAIC)

2001, Member, Ontario Association of Architects (OAA)

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**Professional Experience / Selected Projects**

**Lapointe Architects, Toronto 2001 – present**

(Heritage projects highlighted in yellow)

- Fidler House (restoration/ interior alteration), Trenton ON
- First Nation Sustainable Development Standards, Atikameksheng Anishnawbek FN, Naughton, ON
- Sustainable Designs for your Community, Membertou FN, Cape Breton, NS
- Barrie Hill Farm Market (sustainable harvest market), Barrie, ON
- Sustainable Social Housing, Atikameksheng Anishnawbek FN, Naughton, ON
- Fire Arbour, Atikameksheng Anishnawbek FN, Naughton, ON
- (re) source pavilion (small diameter timber structure), Picton, ON
- Jubilee Pavilion and Banquet Hall (renovation and expansion), Oshawa, ON
- Fifth Town Artisan Cheese Company (LEED Platinum) Prince Edward County, ON
- Wawa Boreal Shield Eco-walk (waterfront eco-park), Wawa, ON
- Eco|Axis House (sustainable house), South Bay, ON
- Manse Inn, Picton (conversion of manse to inn), Picton ON
- St-Phillip Neri Oratory (seminary/chapel renovation), Toronto, ON
- Casa Loma (Life Safety Study) Toronto ON
- Edward Condominium (in heritage district, with Brian Clark, Architect), Picton, ON
- Blythdale Residence (sustainable house), Toronto, ON (with Claudio Gantous Architect, Mexico)
- Kickinghorse House (mountain house), Golden, B.C.
- 580 Spadina Circle (renovation/ addition), Toronto ON
- Cressy Residence (lakefront house), Prince Edward County, ON
- Sunnyside Concession, Western Beaches, Toronto, ON
- Vern's Greenhouse and Indoor Garden Center, Cambridge, ON
- Wheat Sheaf Tavern (restoration/ interior alteration), Toronto, ON
- St-Georges Ukrainian Seniors Housing (conversion of public school to senior's housing), Oshawa, ON

**Taylor Hariri Pontarini Architects, Toronto – Arch. Project Manager from 2000 - 2002**

- Canada One Factory Outlet – Phase Three, Niagara Falls ON
- Flavell House, Faculty of Law, University of Toronto, Toronto ON
- Art Collector's Residence, Toronto, ON

**Atkins Architect, Thornhill – Project Manager/ Architectural Designer from 1998 - 2000**

- 30 Scott's KFC Restaurants throughout Ontario, Alberta and Quebec
- The Palace at Granite Gates Condominium, Mississauga ON

**Domus Architects, Toronto - Architectural Technologist from 1997 - 1998**

- Embassy for the Kingdom of Saudi Arabia, Ottawa ON

**Jedd Jones Architects, Toronto - Architectural Technologist from 1988-89**

- Rockwood Academy for Boys, - Rockwood (Guelph) ON
- Napanee Train Station, Napanee ON

**Annau Associates Architects, Toronto - Architectural Technologist from 1988-89**

- 7<sup>th</sup> Street Public School, Etobicoke ON

**Comments regarding Future Heritage Designation  
7507 Kennedy Road, Markham ON**

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## **Teaching Experience**

### **Centennial College of Applied Arts and Technology**, Scarborough 2007 to Present

- Currently teaching several Environment, Design and Building Code courses in the Sustainable Architecture program.
- Developed and/or participated in three Global Citizen Equity Learning Experiences (GCELE):
  - Biodiversity Expedition, Pacaya Samiria Reserve, Amazon Jungle, Peru - March 2012
  - Construction of a Community School in the mountains overlooking Cusco, Peru – March 2013
  - Wetland Restoration, Walpole Island First Nation - March 2015

### **Technical University of Nova Scotia (TUNS)**, Halifax Winter 1995

- Teaching Assistant: supervised students from TUNS and NSCAD in the construction of a unique bentwood structure

### **Eskasoni First Nation**, Cape Breton, NS Summer/Fall 1994

- As Construction Supervisor and Instructor, Francis helped the community construct a 6700 sq./ft Cultural Centre that incorporates small diameter timber (SDT) technology.

### **Michipicoten First Nation**, Wawa, ON 1992-93

- Francis taught members of this First Nation community to design and build their own dwellings and other small structures, including a carpentry shop, administrative offices and a community center.

## **Awards and Scholarships**

- 2017 Learning-Centred Award, Centennial College
- 2016 President's Spirit Award, Centennial College
- 2015 Alumnus of Distinction, Centennial College
- 2008 LEED Platinum Certification - Fifth Town Cheese Factory
- 2008 Elizabeth Murray Green Building Award, Prince Edward County Construction Association
- 2008 Ontario Concrete Association – Architectural Merit Award for Fifth Town Cheese
- 2008 WoodWORKS Green Building Wood Design Award for Fifth Town Cheese
- 2008 Canadian Business Design Exchange Staff Choice Award for Fifth Town Cheese
- 2008 Canadian GeoExchange Coalition – Prize of Excellence for Fifth Town Cheese
- 1995 - Ontario Premier's Award
- 1994 & 1995 - TUNS Research Grant
- 1993-95 - CMHC Graduate Scholarship

**Comments regarding Future Heritage Designation  
7507 Kennedy Road, Markham ON**

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### **Exhibitions / Publications**

- Author/ Course Developer, FNSDS Modules for Learning 1 and 6, - March 2017
- Author, First Nation Sustainable Development Standards - Published December 2016
- (re) source Pavilion - Building for the Economy, Exhibition at the Harbourfront Centre, Summer 2009
- Twenty + Change - exhibition series dedicated to profiling emerging designers working in architecture, landscape and urban design, Gladstone Hotel, June – Aug 2009
- Factory Design, Braun Publication, Spring 2009
- Eco Design, Braun Publications, Summer 2009
- Green Cheese, Canadian Architect magazine, January 2009
- Co-authored Reduce Car Wash Consumption – Gain LEED Points, Octane Magazine, March 2008

### **Speaking Engagements**

- First Nation Sustainable Development Standards, presented at:
  - Ontario First Nation Technical Services Corporation, September 2014, Sault-Ste-Marie
  - Aboriginal Financial Officer's Association, February 2014, Halifax
  - Assembly of First Nation, National FN Infrastructure Conference, February 2014, Toronto
  - Assembly of First Nation, Special Chiefs Assembly, December 2013, Ottawa
  - Aboriginal Financial Officer's Association, February 2013, Toronto
- Fifth Town Cheese Factory: LEED Platinum Case Study, CaGBC Conference, Montreal, June 2009
- Small Diameter Timber, WoodWORKS Luncheon, Sudbury and Winnipeg, Feb. 2009
- Building a 'Green' Cheese Factory - presentation to the 6th Annual Eastern Lake Ontario Regional Innovation Network Conference, Aug 2008
- So You Want To Build A Cheese Factory? Presentation to Ontario Cheese Society, 2007 Annual General Meeting and Conference, May 2007

### **Committees / Boards**

- 2006-2010, Centennial College Program Advisory Committee, for the Sustainable Architecture Program
- 2007, OAA ExAC Task Group (Phase 2) – was one of several architects who authored questions for the new Canadian architectural registration exams (ExAC)



## Development Services Public Meeting Minutes

**Meeting Number: 5**  
**March 19, 2024, 7:00 PM - 9:00 PM**  
**Live streamed**

Roll Call	Deputy Mayor Michael Chan Regional Councillor Jim Jones Regional Councillor Joe Li Regional Councillor Alan Ho Councillor Ritch Lau	Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Juanita Nathan
Regrets	Mayor Frank Scarpitti Councillor Keith Irish	Councillor Isa Lee
Staff	Sabrina Bordone, Manager, Development, Central District Laura Gold, Council/Committee Coordinator	Stephen Lue, Senior Manager, Development Melissa Leung, Senior Planner

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

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### 1. CALL TO ORDER

The Development Services Committee convened with Regional Councillor Joe Li in the Chair at 7:05 PM.

### 2. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

### 3. DEPUTATIONS

There were no deputations.

### 4. REPORTS

#### 4.1 PUBLIC MEETING INFORMATION REPORT, APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT TO PERMIT A



**49-UNIT TOWNHOUSE DEVELOPMENT AT 4038 AND 4052 HIGHWAY  
7 EAST, WARD 3, FILE NO. PLAN 23 146079 (10.3, 10.5)**

The Public Meeting this date was to consider applications submitted by Scardred 7 Company Ltd.

The Committee Clerk advised that 1,240 notices were mailed on February 28, 2024, and a Public Meeting sign was posted on February 20, 2024. There was one written submission received regarding this proposal.

Stephen Lue, Senior Manager, Development, introduced the item.

Melissa Leung, Senior Planner, gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

Chris Pereira, Planning Consultant for the Applicant, provided a presentation on the proposed development.

There were no deputations with respect to the applications.

The Committee provided the following feedback on the proposed development:

- Expressed concern that the development proposal does not include enough visitors parking, which may lead to parking issues in the adjacent mature community.
- Suggested having more variety in the height of the townhouses to make the design more interesting.
- Noted that the garages need to be large enough for a car to be able to fit inside.

Mr. Pereira advised that the development proposals include 134 parking spaces for 49 units, and an additional nine visitors parking spaces. He further noted that several units will have double car garages and can accommodate up to four parking spaces per unit.

Staff also advised that the Applicant is proposing a visitor parking rate of 0.18 spaces per dwelling unit, which is a rate accepted by Transportation Planning Staff. Staff further clarified that 18 of the proposed units will have four parking spaces each. The Transportation Study submitted by the Applicant indicated that visitor demands of these units can be accommodated within their own driveways and that the visitor parking will primarily serve the remaining 31 units.

Members of Council requested this item be sent directly to a future Council meeting.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Juanita Nathan

- 1. That the written submission by Tracy Yang be received; and,**
2. That the report entitled “PUBLIC MEETING INFORMATION REPORT, Applications for Official Plan and Zoning By-law Amendment to permit a 49-unit townhouse development at 4038 and 4052 Highway 7 East, Ward 3, File No. PLAN 23 146079”, be received; and,
3. That the Record of the Public Meeting held on March 19, 2024 with respect to the proposed Official Plan and Zoning By-law Amendment applications, be received; and,
4. That the applications by Scardred 7 Company Ltd. for a proposed Official Plan and Zoning By-law Amendment (PLAN 23 146079) be approved and the draft implementing Official Plan Amendment and Zoning By-law Amendment be finalized and enacted without further notice; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

## **6. ADJOURNMENT**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Andrew Keyes

That the Development Services Public Meeting adjourned at 7:30 PM.

**Carried**



## Development Services Public Meeting Minutes

**Meeting Number: 6**  
**April 2, 2024, 7:00 PM - 9:00 PM**  
**Live streamed**

Roll Call	Regional Councillor Jim Jones Regional Councillor Joe Li Councillor Keith Irish Councillor Ritch Lau Councillor Reid McAlpine	Councillor Andrew Keyes Councillor Amanda Collucci Councillor Juanita Nathan Councillor Isa Lee
Regrets	Mayor Frank Scarpitti Deputy Mayor Michael Chan	Regional Councillor Alan Ho Councillor Karen Rea
Staff	Daniel Brutto, Senior Planner	Stephen Lue, Senior Manager, Development Laura Gold, Council/Committee Coordinator

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

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### 1. CALL TO ORDER

The Development Services Public Meeting convened at 7:05 PM with Regional Councillor Joe Li in the Chair.

### 2. DISCLOSURE OF PECUNIARY INTEREST

There was no disclosure of pecuniary interest.

### 3. DEPUTATIONS

There were no deputations.

### 4. REPORTS

#### 4.1 PUBLIC MEETING INFORMATION, APPLICATION BY ROBERT AND DEBORAH TIBERIO AT 196 AND 198 LANGSTAFF ROAD FOR

**TEMPORARY USE ZONING BY-LAW AMENDMENT APPLICATION TO PERMIT OUTDOOR STORAGE, ENCLOSED STORAGE AND BUSINESS OFFICE USES ON**

**196 AND 198 LANGSTAFF ROAD EAST FOR A 3-YEAR PERIOD, FILE NO. PLAN 23 145149 (WARD 1) (10.5)**

The Public Meeting this date was to consider an application submitted by Robert and Deborah Tiberio.

The Committee Clerk advised that 37 notices were mailed on March 13, 2024, and a Public Meeting sign was posted on March 12, 2024. There were 2 written submissions received regarding this proposal.

Stephen Lue, Senior Manager, Development, introduced the item.

Daniel Brutto, Senior Planner, gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

Members of Council requested that this item go directly to the April 17, 2024, Council meeting.

Moved by Councillor Keith Irish

Seconded by Regional Councillor Jim Jones

- 1. That the written submissions by Helen Lepek and Nick Seretis, be received; and,**
2. That the “PUBLIC MEETING INFORMATION REPORT – Temporary Zoning By-law Amendment application to permit outside storage, enclosed storage and business office uses on 196 and 198 Langstaff Road, (Ward 1), (File No. PLAN 23 145149), submitted by Deborah and Robert Tiberio, be received; and,
3. That the Record of the Public Meeting held on April 2, 2024, with respect to the proposed Temporary Zoning By-law Amendment application for 196 and 19, submitted by submitted by Deborah and Robert Tiberio. (File No. PLAN 23 23 145149), be received; and,
4. That the Temporary Zoning By-law Amendment application for 196 and 19, submitted by submitted by Deborah and Robert Tiberio. (File No. PLAN 23 23 145149), be approved and the implementing Temporary Zoning By-law Amendment be finalized and adopted without further notice; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**Carried**

**6. ADJOURNMENT**

Moved by Councillor Andrew Keyes

Seconded by Councillor Juanita Nathan

That the Development Services Public meeting adjourn at 7:19 PM.

**Carried**



## CYCLING AND PEDESTRIAN ADVISORY COMMITTEE

THURSDAY, NOVEMBER 16, 2023

### ZOOM MEETING MINUTES

7:00 – 9:00 PM

#### Members:

Peter Miasek, Chair  
 Steve Glassman, Co-Vice Chair  
 Andrew Dang, Co-Vice Chair  
 Amit Arora  
 Colin Cassar  
 Cliff Chan, MEAC  
 Daniel Yeung  
 Doug Wolfe  
 Joseph Lisi  
 Joska Zerczi  
 David Mok  
 Mauricio Martinez  
 Councillor Ritch Lau

#### Staff:

Loy Cheah, Senior Manager, Transportation  
 Fion Ho, TDM Coordinator, Transportation  
 John Britto, Committee Secretary (PT)  
 Laura Gold, Committee Coordinator

#### Agency:

Alex Heung, CICS  
 David Simor, Markham Cycles  
 Diana Kakamousias, York Region  
 Kevin Lee, CICS  
 Manini Pathania, Smart Commute  
 Reena Mistry – YRDSB  
 Cynthia Chan, York Region Public Health

#### Guests:

None

#### Regrets:

Anthony Ko, citizen member  
 Brenda Kazan, citizen member  
 PC Brownlee, YRP  
 PC Carnegie, YRP  
 Niko Dimitrakopoulos, YRP  
 Councillor Reid McAlpine, Ward 3  
 Sonia Sanita, York Region Public Health  
 Wincy Tsang, Smart Commute

The Cycling & Pedestrian Advisory Committee (CPAC) convened at 7:05 PM on November 16, 2023, with Peter Miasek presiding as Chair.

#### 1. **DISCLOSURE OF CONFLICTS OF INTEREST**

There were no conflicts of interest declared.

#### 2. **APPROVAL/MODIFICATIONS TO AGENDA**

The agenda was approved as presented.



**3. REVIEW OF MINUTES FROM: September 21, 2023**

**Moved by Steve Glassman  
seconded by Doug Wolfe**

**That the Minutes of the official September 21, 2023, CPAC meeting be approved, as presented.**

**CARRIED**

**Moved by Joska Zerczi  
Seconded by Doug Wolfe**

**That the Minutes of the unofficial October 19, 2023, CPAC meeting be approved, as presented.**

**CARRIED**

**4. PERTINENT INFORMATION FROM GUEST SPEAKERS**

There were no guest speakers.

**5. BUSINESS ARISING FROM LAST MEETING**

**5.1 Election of Committee Co-Vice-Chair**

At the September 16, 2023, Joska Zerczi was nominated for the position of Co-Vice-Chair, however, this matter was deferred to the November 16, 2023, CPAC meeting since Joska was not present at the September meeting.

Peter Miasek, Chair asked Joska if he was willing to accept his nomination. Joska advised that he was honoured by his nomination but would not like to accept his nomination for the position of Co-Vice Chair.

Peter Miasek, Chair called for nominations for the position of Co-Vice Chair.

Andrew Dang self-nominated himself for the position of Co-Vice Chair. As there were no other nominations, Andrew Dang was elected Co-Vice Chair of the CPAC.

**5.2 Introduction of New CPAC Member**

Joseph Lisi introduced himself as the new member of the CPAC.

Peter Miasek advised of the expiry of the term of a few CPAC members on November 30, 2023. He advised that Colin Cassar has indicated his resignation and thanked Colin for his contributions to the CPAC for the past

four years. Peter further advised of the nominal expiry of the terms of Mauricio Martinez, Doug Wolfe, Amit Arora and Joska Zerci, subject to reappointment.

Laura Gold, Committee Coordinator advised that letters were sent out and she has received a positive response from one of the members who would like to be considered for reappointment to the CPAC. The Chair requested those who have not yet responded to do so as soon as possible.

Responding to a question from a member, Laura advised that re-appointments will be done in January 2024. She further advised that appointments are typically done for a three-year period, however, a lesser term could be considered, if requested.

### 5.3 Representatives from other Advisory Committees

Peter Miasek, Chair advised that as provided in the CPAC Terms of Reference, it would be advisable to have representatives from the Markham Environmental Advisory Committee (MEAC), and the Advisory Committee on Accessibility (ACA). He further advised that Laura informed him that Cliff Chan is a member of the MEAC. Responding to a question from the Chair, Cliff Chan advised that he is willing to be the MEAC representative on CPAC. Responding to a question from Cliff Chan, Laura advised that she will inform MEAC that he is the MEAC representative on the CPAC.

Peter Miasek advised that it has been challenging to get a representative from the ACA. Laura advised that Councillor Ritch Lau is a member of the ACA as well. She advised that she will ask the ACA if any other member would like to be an ACA representative on the CPAC. Steve Glassman advised that the CPAC had a representative from the ACA pre-COVID.

## 6. STANDING ITEMS & ONGOING PROJECTS

### 6.1 City's Ongoing AT Project Updates

No updates since the September and October meetings.

### 6.2 School Programs & Pilots

Reena Mistry, York Region District School Board, provided an update on the Active School Travel Program in 2023.

iWalk events were organized at three City of Markham schools: Beckett Farms PS had over 150 participants, Parkland PS had over 70 participants and Aldergrove PS had over 90 participants. Giveaways from the CAA and McDonalds were handed out at these events.

For November, a Classroom Pizza Party Competition is being organized at the three participating schools, and a Scavenger Hunt and Photo Contest have been planned for December. Banners, sidewalk stencils and mobile signs have been installed at the three participating schools to promote awareness of the programs. Road stencils and curb markings are pending.

Responding to a question from Joska, Reena advised that the YRDSB continues to monitor safety issues with traffic operations at William Berczy PS. A safety blitz was held in November. PXO and mobile signs were installed. The Board is working with the City's By-law department and the YRP to investigate implementing possible changes.

Loy Cheah, Senior Manager of Transportation advised that similar situations exist at every elementary school in Markham. The city continues to monitor traffic situations at all schools during bell times. Crossing Guards are being utilized and will continue to be in effect. He further advised that if additional traffic control measures become warranted, those will be assessed, and appropriate changes will be implemented. As informed at a previous CPAC meeting, staff is planning to initiate a study in 2024, subject to budget approval, to review safety at school zones in a more comprehensive manner and introduce a set of guidelines that would apply to all school zones in the Markham.

Responding to a question from the Chair, Loy advised that staff rely on observations from Crossing Guards, Parent Councils, Teachers, Principals and School Boards who provide advice on when situations change in a negative way. Staff are then deployed to observe and collect data. He further advised that staff also collect data at major intersections in the city. Collecting such data in school zones is challenging due to the chaotic movements that occur during peak bell times.

Responding to a question from Councillor Ritch Lau with respect to speeding issues on the Woodbine Bypass, near Nokiidaa PS and close to a new townhouse complex on Russell Dawson Road that is likely to be completed in 2024, Loy Cheah, Senior Manager, Transportation advised that the Woodbine Bypass is a York Region arterial road and is designed to carry high traffic volumes at speeds of 60 km/hour. He further advised that traffic issues can be emailed to [transportation@york.ca](mailto:transportation@york.ca) to investigate possible mitigation opportunities, with a copy to himself and Peter Miasek, Chair of the CPAC.

Peter Miasek advised that a similar complaint by parents at Unionville PS re Kennedy Rd/Bridle Trail intersection was resolved satisfactorily by the Region, so it is worth making the request re Nokiidaa PS.

Responding to a question from Cliff Chan, with respect to more schools being added to the Active School Travel Program, Reena advised that she is the only YRDSB resource managing the program, and she is also working with the Town of

Newmarket and the City of Vaughan on a similar project. She further advised that due to limited staff resources, it is not possible to include additional schools in the program.

Responding to a further question from Cliff Chan about costs involved in the program, Reena advised that the costs are similar in the Town of Newmarket, however, in the City of Vaughan it is slightly different due to the difference in their political and residential situations.

### **6.3 Reports to Council**

Fion Ho, TDM Coordinator advised of the following reports going forward:

Road Safety Plan (scope of work) – November 27 DSC  
 High Frequency Rail Station Business Case – November 27 DSC  
 Milliken Centre Secondary Plan and Markham Road-Mount Joy Secondary Plan – November 21 DSC Public Meeting mandatory requirement for public participation  
 Markham Centre Trail Environmental Assessment Update – November 28 DSC  
 Markville Secondary Plan Update – December TBC and  
 Council Workshop on Parking Strategy – January 2024 TBC.

### **6.4 EA Updates**

No updates

### **6.5 Markham Cycling Day**

No updates.

### **6.6 York Region Projects**

Diana Kakamousias, Program Manager, Sustainable Mobility, Transportation Infrastructure and Asset Management, Public Works, York Region provided updates on the South York Greenway Cycling, Pedestrian and Micro-Mobility Corridor Feasibility Study, a 70 km project likely costing \$70-85M. It will be a 4.0 m MUP. There is no opportunity to separate walkers and cyclists, as the extra width causes too many environmental impacts. Details are available at: [york.ca/southyorkgreenway](https://york.ca/southyorkgreenway).

Diana also provided updates on York Region's ongoing standalone active transportation projects within the City of Markham: Don Mills Rd from Steeles to John (1.5 km) and 14<sup>th</sup> Ave from Warden to McCowan (4.2 km). Shawn Ellesworth is the Project Manager. Working towards 30% design in 2024. The City and CPAC will be engaged after the field surveys completed.

York will defer to the local municipality as to what micro mobility devices will be permitted on these facilities.

Responding to questions about micro-mobility, Loy Cheah, Senior Manager of Transportation advised that the province is yet to finalize legislation on the operation and management of different micro-mobility devices in the province.

Loy also advised that the City has learned from the German Mills experience on how to better manage pedestrian-cyclist conflicts on trails and paths, using signage and pavement markings.

## 6.7 Subcommittee Updates

### Protected Intersections

Peter Miasek advised that this subcommittee is working with York Region to develop good active transportation facilities on roads that are being widened. McCowan Road is complete, and the subcommittee is meeting to discuss facilities on Kennedy Road. Discussions are also ongoing with city staff with respect to facilities on Elgin Mills (see Item 7.1).

### Jane's Walk

Steve Glassman, Co-Vice Chair encouraged members to volunteer to join the Jane's Walk sub-committee to further the mandate of the committee. Joska Zerczi and Andrew Dang volunteered to help on this committee.

## 6.8 Road Safety subcommittee

### ➤ York Region Traveller Safety Plan (Branding)

Steve Glassman, Co-Vice Chair advised that the subcommittee's and CPAC's role is to promote and educate Markham citizens about road safety. The subcommittee is waiting for York Region to announce its safety program communication plan so the region's municipalities can work cohesively with York Region on this initiative.

### ➤ 407 Fatality: Letter to 407ETR

Steve advised that the sub-committee decided to write to the CEO of 407ETR about a recent fatality at the McCowan on-ramp, requesting a meeting to discuss safety at free-flowing on and off ramps at legacy interchanges. Peter Miasek, Chair read out the draft letter and advised that he will email a copy of the final letter to the committee members.

**Moved by: Andrew Dang  
seconded by Cliff Chan**

**That a letter be sent by CPAC to the CEO of 407ETR requesting a meeting with their engineering and safety team, York Region and Markham engineering staff to discuss cyclist fatalities at 407ETR interchanges.**

**Carried**

### ➤ 9<sup>th</sup> Line/Rail Crossing

Steve Glassman, Co-Vice Chair provided an update about the lack of safety features on the 9<sup>th</sup> Line railway crossing near 19<sup>th</sup> Ave. York Region has informed that plans are ongoing in 2024 for mitigation work to address this concern for all users of the rail crossing, including bicyclists.

## **6.9 Markham Cycles**

Alex Heung, Centre for Immigrant and Community Services (CICS) advised that CICS will be taking over Markham Cycles from TCAT from January 2024 onward. He provided an overview of the transition work done over the past two years to take over the programs, including job shadowing and program participation. All TCAT equipment will be transferred to CICS.

He further advised that funding to sustain the Markham Cycles programs is under discussion with the City of Markham and regular CICS funding through Immigration Canada. A funding meeting with York Region on the Bike Rescue program is slated for next week.

Responding to a question from Peter Miasek on how CPAC can assist CICS, Alex advised that CPAC should continue to sit on the MC advisory committee, as well as identify funding opportunities.

David Simor, Director, The Centre for Active Transportation (TCAT) provided an overview of Markham Cycles activities over 2023. He spoke about TCAT's community bike hub approach project through which people learn more about cycling, meet other cyclists and go cycling together. He thanked CPAC, the City of Markham, the various project partners and volunteers for their continued support in TCAT's programs and activities. TCAT will continue to sit on the Markham Cycles advisory committee.

Peter Miasek, Chair thanked David Simor and the TCAT team for their efforts in promoting active transportation in the City of Markham.

## **6.10 2024 Budget for AT related items & CPAC Budget**

Fion Ho, TDM Coordinator advised that the balance from the 2023 CPAC budget will be utilized as support for Cycling Without Age, to pay for school mobile signs and to purchase bicycle bells as promotional items.

## **6.11 E-bike / E-scooter (Micro Mobility Framework)**

See Item 6.6

## **6.12 Discussion Topics for 2023**

No update

## **7. INFO ITEM/NEW BUSINESS/ ANNOUNCEMENTS**



## **7.1 Elgin Mills EA Study Discussion**

Peter Miasek, Chair advised that the Elgin Mills EA Study is a city project, despite Elgin Mills being an arterial road. He advised that the EA has been completed and work on the detail design for road widening will soon commence. The EA looked at four options for the active transportation facility and selected Option 4, Combined Facility (multi-use path). The sub-committee was of the opinion that Option 3, Uni-directional Cycle Track + Sidewalks would be a better option considering micro-mobility devices coming into play in the future. On contacting the design engineer, it is possible to re-consider the Option choice once the work on the detail design commences.

Cr. Ritch Lau advised that he and Cr. McAlpine advised Council at a recent DSC meeting that they are in support of Option 3, Uni-directional Cycle Track + Sidewalks.

Loy Cheah, Senior Manager of Transportation advised that subsequent to discussion at the November 14 DSC meeting, the report has been referred back to staff to provide opportunity for further consultation with cycling groups and in an effort to incorporate separate cycling facilities into the detail design work. An update report is likely to be presented to DSC for consideration in December with revised recommendations.

## **7.2 Accessibility Training**

It was decided that the accessibility training and new member orientation will be rescheduled for a later date.

## **7.3 Future Formal Meeting Dates in 2024**

Fion Ho, TDC Coordinator advised that according to the new meetings protocol, CPAC will be meeting every quarter, the proposed 2024 meeting dates being February 15, May 16, September 10 and November 21.

Peter Miasek, Chair advised that some members suggested that the CPAC meetings be held virtually as they have to commute long distances to meet in person at Markham City Hall. He sought the opinion from the members about meeting in person as opposed to virtually.

Responding to a question about conducting the CPAC meetings in hybrid format, Fion Ho, TDC Coordinator advised that based on past experiences, this is only a viable option in Council chambers.

It was decided that the February 15, 2024, CPAC meeting be held virtually, the May 16, 2024, and September 19, 2024, meetings be held in-person or hybrid, and the November 21, 2024, meeting be held virtually.

**8. AGENDA ITEMS FOR THE NEXT MEETING**

No update.

**9. ADJOURNMENT**

The Cycling & Pedestrian Advisory Committee adjourned at 9:15 P.M.



**Minutes**  
**Varley-McKay Art Foundation of Markham**  
**Monday, January 15, 2023**  
**6:00 - 8:00 p.m.**  
**Art Gallery**

**Attendance**

**Board of Directors Present:** Jim Schmidt (Chair), Amin Giga (Treasurer), Connie Leclair (Governance Chair), Deputy Mayor Michael Chan, Carolyn Le Quéré, Councillor Reid McAlpine, and Nik Mracic

**Staff Present:** Niamh O’Laoghaire, Director, Varley Art Gallery; Francesca Dauphinais, Cultural Development Officer, Varley Art Gallery, Laura Gold, Clerk

**Regrets:** Craig McOuat (Vice-Chair), Emily Li, Lisa Joy-Facey, and Arpita Surana

Item	Discussion	Action
<b>1. Call to Order</b>	The Varley-McKay Art Foundation of Markham convened at 6:15 PM with Jim Schmidt presiding as Chair.	
<b>2. Disclosure of Pecuniary Interests</b>	There were no disclosures of pecuniary interest.	
<b>3. Minutes of The Varley-McKay Art Foundation of Markham Board Meeting held on February 15, 2023</b>	<p>A minor edit was made to the attendance.</p> <p>Moved by Nik Mracic            Seconded by Connie Leclair</p> <p>That the November 13, 2023, Varley-McKay Art Foundation of Markham Minutes, be approved as amended.</p> <p style="text-align: right;"><b>Carried</b></p>	
<b>4. Business Arising from the Minutes</b>	There was no business arising from the Minutes.	
<b>5. Director’s Report</b>	Niamh O’Laoghaire, Director of the Gallery, provided the Directors Report. Some of the highlight of the report include:	

Varley-McKay Art Foundation of Markham

January 15, 2024

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Item	Discussion	Action
	<ul style="list-style-type: none"> <li>• Congratulated the Foundation on the success of the Glitter and Gold event.</li> <li>• Announced that the Varley Staff won the “Innovation in Collections Based Exhibition” award at 46”.</li> <li>• Thanked Jim Schmidt for covering the printing cost of the Varley Brochures.</li> <li>• Shared the 2023 Varley Attendance figure, noting that the overall there were 51,325 attendees.</li> <li>• Presented the 2024 request for financial support from the foundation, noting that the amount being requested is \$35,000 (same as last year).</li> </ul> <p>Amin Giga, Treasurer, requested that the Gallery’s request for financial support from the Foundation be deferred to the next meeting, as the financial update will be provided at that meeting.</p>	
<b>6. Development Officer</b>	<p>Francesca Dauphinais, Cultural Development Officer, provide and update on the Glitter and Gold Event. The net profit from the event was \$22,000.</p> <p>The Directors provided the following feedback on the event:</p> <p><b>General Comments About Event</b></p> <ul style="list-style-type: none"> <li>• Congratulated the team on a successful and impressive event.</li> <li>• Noted that the event had a positive energy.</li> <li>• Impressed with how the event came together given the short timeframe it was planned under.</li> <li>• Impressed with the quality of the music.</li> <li>• The Board of Directors should have name tags to wear at the event.</li> </ul> <p><b>Notice and Event Attendance</b></p> <ul style="list-style-type: none"> <li>• Could have had more attendees if the event had been planned earlier, as more notice could have been provided to potential attendees.</li> <li>• Noted that it is easier to get patrons that have attended a Varley Fundraising event in the past to attend another event.</li> </ul>	

Varley-McKay Art Foundation of Markham

January 15, 2024

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Item	Discussion	Action
	<ul style="list-style-type: none"> <li>• Suggested that the Directors provide a complimentary ticket at their cost to start a relationship with potential long-term donors, as if they come to one event, they will likely come again.</li> <li>• Need to work on increasing the number of new attendees at Varley fundraising events.</li> <li>• Noted that the holiday season is a difficult time to get people to attend, as there are many other events happening at the same time.</li> <li>• Noted that the attendance and profit of the event could easily be increased if each Director brought a few more guests.</li> <li>• Noted the importance of the Directors being in attendance at the event.</li> <li>• Suggested that patrons need to be educated that patrons get a tax receipt for their purchase of tickets.</li> </ul> <p><b>Sponsorship</b></p> <ul style="list-style-type: none"> <li>• Hoped that the sponsors were happy with the event.</li> <li>• Need to diversify who the Directors are approaching for donations and sponsorship, as everyone is going to the developers.</li> <li>• Suggested reaching out to Chris Rickett to obtain support and advice on fundraising ( The Chair to reach out to Chris).</li> <li>• Suggested asking Members of Council for advice on who the Directors could reach out to for sponsorship.</li> <li>• Suggested the event should have a prime sponsor.</li> <li>• Should provide potential sponsors with more information on what their funds are being used for, such as to purchase artwork, supporting a children's program, or paying for school buses (make them feel as if they are buying something tangible for the Gallery).</li> <li>• Suggested possibly creating a video to visually show what the donations support.</li> <li>• Noted that Foundation will have to follow through with any fundraising promise they make.</li> </ul>	

Varley-McKay Art Foundation of Markham

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Item	Discussion	Action
	<ul style="list-style-type: none"> <li>• Need to better understand the Gallery's sponsorship needs prior to fundraising for a specific program or purchase.</li> </ul> <p><b>Event Set-Up</b></p> <ul style="list-style-type: none"> <li>• Suggested that there should be some tables and chairs, as attendees from some demographic groups may need to sit down.</li> <li>• Encourage more mingling of guests.</li> </ul> <p><b>Silent Auction</b></p> <ul style="list-style-type: none"> <li>• Suggested the silent auction should be hybrid in the future to serve different demographic groups and in case their issues with the Wi-Fi;</li> <li>• Suggested that the presentation of the artwork could be improved, as the location did not encourage the fluid movement of viewers.</li> <li>• Noted that the grids may need to be rented next time as the grids used were borrowed and did not have legs, which limited where the artwork could be displayed.</li> <li>• Suggested spreading out the silent auction pieces.</li> </ul> <p><b>Food</b></p> <ul style="list-style-type: none"> <li>• The Unionville Arms expressed an interest in providing the food for the next Varley Fundraising event.</li> <li>• Need one or two food items that really stand out.</li> <li>• Impressed with the food at the event.</li> </ul> <p><b>Ticket Price</b></p> <ul style="list-style-type: none"> <li>• Noted that the price point of the ticket may have deterred some demographic groups from attending.</li> <li>• Noted that getting a tax receipt for the purchase of the tickets appeals more to people of a certain income bracket.</li> <li>• Discussed the appropriate price point and generally agreed to keep the price point as is for the next event.</li> </ul>	



## Varley-McKay Art Foundation of Markham

January 15, 2024

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Item	Discussion	Action
<b>7. Financial Report</b>	There was no Financial Report presented at the meeting.	
<b>8. Committee Reviews</b>	<p><b>a. Fundraising Committee</b></p> <p>The 2023 fundraising event was discussed under the Development Officer Report.</p> <p><b>b. Art Acquisition Committee</b></p> <p>There was no report provided.</p> <p><b>c. Governance Committee</b></p> <p>There was no report provided.</p>	
<b>9. New Business</b>	Councillor Reid McAlpine advised that the Mayor will be presenting his budget at the end of January. Councillor Alpine advised that he submitted a budget request to the Mayor to re-build the Gallery's courtyard. He also questioned if there were any other pressing needs of the Gallery that should be put forward as a budget request from the Board.	
<b>10. Future Meeting Dates</b>	The next meeting of the Varley-McKay Art Foundation of Markham will be held on February 12, 2024.	
<b>11. Adjournment</b>	The Varley-McKay Art Foundation of Markham adjourned at 7:45 PM.	



**Minutes**  
**Varley-McKay Art Foundation of Markham**  
**Monday, February 11, 2024**  
**6:00 - 8:00 p.m.**  
**Art Gallery**

**Attendance**

**Board of Directors Present:** Jim Schmidt (Chair), Craig McOuat (Vice-Chair), Connie Leclair (Governance Chair), Councillor Reid McAlpine, Lisa Joy-Facey, and Arpita Surana

**Staff Present:** Niamh O’Laoghaire, Director, Varley Art Gallery; Francesca Dauphinais, Cultural Development Officer, Varley Art Gallery, Laura Gold, Clerk

**Regrets:** Amin Giga (Treasurer), Deputy Mayor Michael Chan, Carolyn Le Quéré Emily Li, Bonnie Leung, and Nik Mracic

Item	Discussion	Action
1. Call to Order	The Varley-McKay Art Foundation of Markham convened at 6:05 PM with Jim Schmidt presiding as Chair.	
2. Disclosure of Pecuniary Interests	There were no disclosures of pecuniary interest.	
3. Minutes of The Varley-McKay Art Foundation of Markham Board Meeting held on January 15, 2024	<p>Minor edits were made to the minutes.</p> <p>Moved by Craig McOuat Seconded by Connie Leclair</p> <p>That the January 15, Varley-McKay Art Foundation of Markham Minutes, be approved as amended.</p> <p style="text-align: right;"><b>Carried</b></p>	
4. Business Arising from the Minutes	There was no business arising from the Minutes.	
5. Director’s Report	Niamh O’Laoghaire, Director of the Gallery, provided the Directors Report. Some of the highlight of the report include:	

Varley-McKay Art Foundation of Markham

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Item	Discussion	Action
	<ul style="list-style-type: none"> <li>• Congratulated Francesca on receiving a \$30,000 grant to support exhibitions, programs and free admission in 2024.</li> <li>• Deferred the 2024 Request for support from the Foundation until the Treasurer presents the 2024 Foundation's Budget.</li> <li>• Provided an overview of staffing updates;</li> <li>• Advised that the Winter Exhibitions Opening Reception for <i>Lost and Found, Subject: Landscape</i>, and <i>A butterfly flaps its wings</i> went well and that attendance at the exhibitions remains strong.</li> <li>• Provided an update on upcoming Gallery programs.</li> <li>• Provided an update on facilities.</li> </ul> <p>The Directors discussed the possibility of reviewing the Foundation's 2024 Budget and approving the Gallery's request for support by email.</p>	
<b>6. Development Officer</b>	<p>Francesca Dauphinais, Cultural Development Officer, provided the following update:</p> <ul style="list-style-type: none"> <li>• Submitting an application for an Air Canada Grant to assist with air travel for artists living in BC and Ottawa, in-kind accommodations, and other items (summer exhibition).</li> <li>• Submitting an application for a Canada Post Grant to help support youth education by developing partnerships in delivering creative programs.</li> <li>• Applied for a Hydro One Energized Communities Grant.</li> <li>• Clarified with the Directors that the Foundation will be hosting two events – one in the spring and one in the fall.</li> <li>• Potential dates in June for the fundraising event included: June 13, 14, 20, or 21.</li> <li>• Discussed possibly holding the event in May and the pros and cons of having the event on a long weekend, noting that some people will be away, but others are looking for something to do.</li> <li>• Discussed possibly having spring event as a themed open house/party where the servers and possibly patrons wear costumes, and the Gallery is decorated with the theme in mind.</li> </ul>	

Varley-McKay Art Foundation of Markham

February 11, 2024

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Item	Discussion	Action
	<ul style="list-style-type: none"> <li>Noted that the Foundation's 2024 Business Plan is required to submit with some of the grant applications.</li> <li>Advised that Gallery patrons have started making donations via the tapping stand.</li> </ul> <p>The Chair asked the Development Officer to present a formal proposal for the spring event at the next meeting.</p> <p>Directors asked the Director of the Gallery to have her staff provide a wish list of artworks to purchase for the Gallery.</p> <p>The Directors discussed the following:</p> <ul style="list-style-type: none"> <li>The City's idea of having one Foundation for all its cultural venues.</li> <li>The past expansion of the Gallery, and how the Foundation funded the project (The Development Officer advised she would be looking to this and report back).</li> <li>How the Gallery would benefit from an additional expansion, understanding that this would also increase the operating costs of the Gallery.</li> <li>The Gallery's revenue targets.</li> <li>The importance of offering free admission due to the Gallery's small size and the fact that it is not currently a destination.</li> </ul> <p>The Chair asked that the spring and fall fundraisers be discussed at the next meeting.</p> <p>The Directors requested that the 2024 Business Plan be added to the next agenda.</p>	<p>Present formal proposal for spring fundraising event – Development Officer</p> <p>Add spring and fall fundraisers and the business plan to the next agenda – Laura Gold</p> <p>Add 2024 Business Plan to the next Agenda – Laura Gold</p>
<b>7. Financial Report</b>	There was no Financial Report presented at the meeting.	
<b>8. Committee Reviews</b>	<p><b>a. Fundraising Committee</b></p> <p>The 2023 fundraising event was discussed under the Development Officer Report.</p> <p><b>b. Art Acquisition Committee</b></p> <p>There was no report provided.</p> <p><b>c. Governance Committee</b></p>	

Varley-McKay Art Foundation of Markham

February 11, 2024

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Item	Discussion	Action
	Connie Leclair, Chair, Governance Committee, advised that she is still waiting to receive feedback from City Staff on the draft Charter for the Foundation. The Directors suggested that she follow-up as about 6 weeks have passed.	
<b>9. New Business</b>	There was no new business.	
<b>10. Future Meeting Dates</b>	The Clerk was asked to survey the Board to determine the next meeting date as the meeting is currently scheduled to be held during March break.	
<b>11. Adjournment</b>	The Varley-McKay Art Foundation of Markham adjourned at 7:40 PM.	



**Minutes**  
**Varley-McKay Art Foundation of Markham**  
**Monday, March 18, 2024**  
**6:00 - 8:00 p.m.**  
**Art Gallery**

**Attendance**

**Board of Directors Present:** Jim Schmidt (Chair), Amin Giga (Treasurer), Craig McOuat (Vice-Chair), Connie Leclair (Governance Chair), Councillor Reid McAlpine, Lisa Joy-Facey, Carolyn Le Quéré and Nik Mracic

**Staff Present:** Niamh O’Laoghaire, Director, Varley Art Gallery; Francesca Dauphinais, Cultural Development Officer, Varley Art Gallery, Laura Gold, Clerk

**Regrets:** Deputy Mayor Michael Chan, Arpita Surana, Emily Li, and Bonnie Leung

Item	Discussion	Action
<b>1. Call to Order</b>	The Varley-McKay Art Foundation of Markham convened at 6:05 PM with Jim Schmidt presiding as Chair.	
<b>2. Disclosure of Pecuniary Interests</b>	There were no disclosures of pecuniary interest.	
<b>3. Minutes of The Varley-McKay Art Foundation of Markham Board Meeting held on February 11, 2024</b>	<p>Moved by Craig McOuat            Seconded by Connie Leclair</p> <p>That the February 11, 2024, Varley-McKay Art Foundation of Markham Minutes, be approved.</p> <p style="text-align: right;"><b>Carried</b></p>	
<b>4. Business Arising from the Minutes</b>	There was no business arising from the Minutes.	
<b>5. Director’s Report</b>	Niamh O’Laoghaire, Director of the Gallery, provided the Directors Report. The report included:	

Varley-McKay Art Foundation of Markham

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Item	Discussion	Action
	<ul style="list-style-type: none"> <li>• An overview of the Gallery's 2024 Request for support from the Foundation.</li> <li>• An overview of staffing updates.</li> <li>• An update on grant applications being worked on.</li> <li>• An update on exhibitions and programs</li> <li>• The Gallery's 2024 February attendance of 5,058, which was a record attendance.</li> <li>• A public art update.</li> </ul> <p>Refer to Directors Report that was circulated with the agenda package for more details on any of the above.</p> <p>The Directors briefly discussed the Gallery's role with respect to reviewing public art proposals and that there are no charge backs for the expertise they provide as part of the public art process.</p>	
<b>6. Development Officer</b>	<p>Francesca Dauphinais, Cultural Development Officer, provided the following update:</p> <p><b>Spring Event</b></p> <ul style="list-style-type: none"> <li>• Immersive designs will be projected for decoration.</li> <li>• Finger food will be served.</li> <li>• Receiving a discount on the beer purchased for the event.</li> <li>• Renting small square tables to set-up in the Deacon Room.</li> <li>• Proposed possibly of setting up a tent in the courtyard.</li> <li>• Hiring a DJ rather than a band so that they can also help with the sound system, which will cost - \$1,800.</li> <li>• Tickets will remain at \$125 per ticket or \$200 per couple.</li> <li>• Trying to attract a greater number of younger attendees.</li> <li>• Will have to check ID if there are youth in attendance, as alcohol is being served.</li> <li>• May need temporary fencing to block off courtyard if alcohol is served in the tent.</li> <li>• Will be putting together the sponsorship package.</li> </ul> <p>The Chair noted that the Directors need to try to sell more tickets.</p> <p><b>Grant Application Update</b></p>	



Varley-McKay Art Foundation of Markham

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Item	Discussion	Action
	<ul style="list-style-type: none"> <li>• Air Canada Grant was declined.</li> <li>• Hydro One Grant is under review.</li> <li>• Canada Summer Grants Application is under review.</li> <li>• Trillium Group Grant was declined.</li> <li>• CN Grant – waiting for response.</li> <li>• McLean Family Foundation– working on grant application.</li> <li>• Noted that the Foundation needs a business plan to guide grant applications.</li> </ul> <p>The Directors requested that the grants the Development Officer applies to be tracked in a chart, and that this be emailed to the Directors. The Directors also suggested that any feedback should be obtained and tracked.</p> <p><b>Tap to Donate</b></p> <ul style="list-style-type: none"> <li>• Has generated \$180 to date in donations.</li> </ul> <p><b>New Gallery Website</b></p> <ul style="list-style-type: none"> <li>• Pictures of the Gallery’s new website were displayed to the Directors.</li> <li>• Most of the project’s budget was allocated to the development of the new website and the Project Coordinator’s salary.</li> </ul> <p>Moved by Amin Giga Seconded by Nik Mracic</p> <p>That the Varley-McKay Art Foundation of Markham proceed with a spring fundraising event.</p> <p style="text-align: right;"><b>Carried</b></p>	<p>Prepare chart of grants applied to and with their status, including why rejected if this information is available and circulate to the Board – The Development Officer.</p>
<b>7. Financial Report</b>	<p>Amin Giga, Treasurer, presented the draft Year End 2023 Financial Statements. The statements show that the Foundation has improved its fundraising efforts in 2023 and reduced its annual deficit. However, the Foundation still needs to work on</p>	

Varley-McKay Art Foundation of Markham

March 18, 2024

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Item	Discussion	Action
	<p>replenishing its General Fund, which it has been depleted due to having several years of deficits.</p> <p>The Directors discussed how the Development Officer is running the Gallery's volunteer program on behalf of the City and how this is typically done by City Staff.</p> <p>Amin Giga, Treasurer, presented the draft 2024 Budget and asked that the Directors review and provide any comments to him on the budget. The budget was to be approved at the next meeting.</p> <p>The Directors discussed their financial strategy moving forward and agreed to pre-approve the 2024 budget item to transfer \$35K to the Gallery to support its operations.</p> <p>Moved by Craig McOuat Seconded by Nik Mracic</p> <p>That the Varley-McKay Art Foundation of Markham pre-approve the Budget Item - \$35K – transfer funds to Gallery to support its operations.</p> <p style="text-align: right;"><b>Carried</b></p> <p>Moved by Nik Mracic Seconded by Carlyn Le Quéré</p> <p>That the Varley-McKay Art Foundation of Markham receive the Financial update for information purposes.</p> <p style="text-align: right;"><b>Carried</b></p>	
<b>8. Committee Reviews</b>	<p><b>a. Fundraising Committee</b></p> <p>The 2023 fundraising event was discussed under the Development Officer Report.</p>	

Varley-McKay Art Foundation of Markham

March 18, 2024

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Item	Discussion	Action
	<p><b>b. Art Acquisition Committee</b></p> <p>There was no report provided.</p> <p><b>c. Governance Committee</b></p> <p>Connie LeClair, Chair, Governance Committee, spoke of the need to have a Business Plan for the Foundation at the beginning of each calendar year that leads the grant application process. In the interim, the Foundation needs to hold a strategy session to develop the 2024 Business Plan for the Foundation.</p> <p>The Directors discussed looking at the Business Plans and Strategic Plans of other Art Gallery Foundations that support galleries of a similar sizes. The Directors formed a Sub-Committee to work on the development of Strategic Plan and Business Plan for the Foundation. The following Directors joined the Sub-Committee:</p> <p>Moved by Connie LeClair Seconded by Amin Giga</p> <p>That Business Plan/ Strategic Plan Sub-Committee be established; and,</p> <p>That the following Directors be appointed to the Sub-Committee:</p> <p>Connie LeClair Amin Giga Nik Mracic Craig McOuat Jim Schmidt</p> <p style="text-align: right;"><b>Carried</b></p>	
<p><b>9. New Business</b></p>	<p><b>Annual General Meeting Date</b></p> <p>The Directors asked the Clerk to ask for a date in September to hold the Varley-McKay Art Foundation of Markham- 2023 Annual General Meeting. A hybrid meeting format was recommended for the AGM.</p> <p><b>Gallery Expansion</b></p>	<p>Look for date in September to hold the Annual General Meeting – Laura Gold</p>

## Varley-McKay Art Foundation of Markham

March 18, 2024

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Item	Discussion	Action
	Francesca Dauphinais, Development Officer, responded to an inquiry from the Foundation from the last meeting, advising that funds from a donation received from Wally Joyce, Provincial funding, and Foundation funds were used to fund the Gallery expansion.	
<b>10. Next Meeting Date</b>	The next meeting of the Varley-McKay Art Foundation of Markham will be held on Monday, April 8, 2024, at 6:00 PM.	
<b>11. Adjournment</b>	The Varley-McKay Art Foundation of Markham adjourned at 8:04 PM.	



**DOORS OPEN MARKHAM 2024  
ORGANIZING COMMITTEE**

**MINUTES**

**Electronic Zoom Meeting  
January 11, 2024**

**Attendance**

**Present**

Andrew Fuyarchuk  
Jude Mahmoud  
Agatha McPhee  
Kenneth Ng  
Ken Steinberg  
Councillor Reid McAlpine

**Regrets**

Bowie Leung  
Yat Chi Ling  
Domenica Tang  
Regional Councillor Alan Ho  
Chris Rickett, Director, Economic Growth,  
Culture and Entrepreneurship

**Staff**

Audrey Bouman, Corporate Communications  
Bryan Frois, Office of the CAO  
Regan Hutcheson, Manager Heritage  
Planning  
Maxine Roy, Manager, Corporate  
Communications  
Renee Zhang, Manager, Corporate &  
Community Events  
Bev Shugg Barbeito, Committee Clerk

**1. CALL TO ORDER**

The Doors Open Markham 2024 Organizing Committee was called to order at 5:35 PM with Andrew Fuyarchuk serving as Chair.

**2. CHANGES OR ADDITIONS TO THE AGENDA**

The agenda was accepted as distributed.

### **3. ADOPTION OF THE MINUTES OF THE DOORS OPEN MARKHAM 2024 ORGANIZING COMMITTEE MEETING HELD ON NOVEMBER 22, 2023**

It was advised that the names of George Duncan and Peter Wokral should no longer be included on the attendance list.

It was

Moved by            Agatha McPhee  
 Seconded by        Ken Steinberg

That the minutes of the Doors Open Markham 2024 Organizing Committee meeting held on November 22, 2023 be adopted with the change noted above.

CARRIED

### **4. MATTERS ARISING FROM THE MINUTES**

#### **(a) Review of Terms of Reference**

Renee Zhang reported that the Clerk's Office had advised that the committee should remain at ten members, with a pool of alternate members who could replace a member who leaves the committee. Since this was the only outstanding matter, staff will now finalize the Terms of Reference.

#### **(b) Theme**

The Committee confirmed the choice of "Moving Forward, Looking Back" as the theme for this year's event, including the idea of weaving a theme of innovation today and yesterday into the choice of sites.

#### **(c) Event Sites**

Renee Zhang advised that York University has confirmed that it would prefer to participate in 2025, after the official opening of the Markham Campus in fall 2024. Committee members reviewed each of the other proposed event sites; please see Appendix A for the revised list of sites that will be approached about participating. Committee members discussed how best to approach the potential event sites to confirm their participation. Renee Zhang volunteered to send an initial email to those sites which belong to the City, and then once they identify a point of contact, she will connect them with Andrew Fuyarchuk to coordinate the logistics. Andrew Fuyarchuk will contact the remaining sites to confirm their willingness to participate.

It was recommended that Committee members continue to think of other potential sites, which meet the theme of "Moving forward, Looking back", in case some proposed sites are not able or willing to participate. Committee members suggested including interesting places of worship. Maxine Roy reviewed a list of Doors Open Markham signs from previous years to give Committee members an idea of some of the other locations that have been included in previous years. The list will be shared with the Committee.

A new site, the E. J. Sand Public School on Henderson Avenue in Thornhill was proposed. Ken Steinberg will speak with Councillor Irish and Board of Education officials, and then report back to the Committee on the feasibility of this site.

Committee members were reminded that a minimum of 10 sites is required according to Ontario Heritage Trust regulations. It was noted that the Early Bird registration fee is due by January 31, 2024, site descriptions for at least three sites are due by March 31, 2024 and then, 30 days before the event, information for the remaining 7 or 7 plus event sites must be submitted.

The Committee discussed the role of the committee on the day of the event. Corporate Communications staff will not be helping on the day of this event as it is not a corporate communications event. It was explained that Committee members support the sites by ensuring the sites have a supply of brochures, and by helping to resolve any issues that occur. The logistics of supporting the sites will be considered when finalizing the number of event sites.

**(d) Budget**

Renee Zhang reviewed a high level budget with Committee members. There is a \$7,500 budget allocation from Celebrate Markham for the Doors Open Markham 2024 event; there is no deficit or surplus affecting that amount. There are three different expense categories: (i) Marketing and Communications, which will be managed by Maxine Roy and Audrey Bouman Corporate Communications; (ii) Event registration - Regan Hutcheson has started the work and the cost for the registration is \$1,000 plus HST. It will be confirmed whether the HST amount is charged against the budget; and (iii) Other miscellaneous expenses such as t-shirts for volunteers, water for volunteers on the day of the event, and refreshments at the orientation session. It was noted that T-shirts may be expensive; the Committee may consider other options such as reusable City of Markham Event Volunteer vests.

In response to questions about the budget for Marketing and Communications, Committee members were advised that staff could now attach dollar values to items of the draft communications plan presented at the previous meeting. Staff will confirm whether HST is charged to the budget and present a more detailed budget plan at the next meeting for review by the Committee. At the Committee's suggestion, \$500 of the budget will be designated as "Contingency".

Committee members discussed the possibility of obtaining sponsorships for the event. It was advised that, while the City of Markham has a corporate sponsorship package, Doors Open Markham isn't included in the package because it's not identifiably a city exclusive event. Maxine Roy will discuss sponsorship possibilities with Communications staff; however, it was recommended not to pursue sponsorships this year, if the current amount of funding can support what is needed for this year's event.

Regan Hutcheson reported that the registration form has been started and the cheque has been requested through the City's treasury finance department. The registration will be finalized this week because it must be submitted by January 31, 2024 to take advantage of the early bird rate of \$1,000.

**(e) Draft Communications Plan**

Maxine Roy advised that staff will propose budget amounts for the various items, such as flyers, posters, electronic signs, social media messages et al, for the high level draft communications plan presented previously. At the next meeting, Committee members could discuss which efforts they think would have the most impact.

**(f) Roles and Responsibilities**

Renee Zhang advised that staff had drafted the Roles and Responsibilities document to identify the issues to be dealt with, and then to identify which responsibilities would be handled by Corporate Communications, the Planning department, the Community Events department, and the Doors Open Organizing Committee. Renee Zhang and Regan Hutcheson briefly reviewed the document with Committee members.

Maxine Roy provided explanations about communication strategies; staff will work with Committee members to revive the Doors Open Facebook page to see virtually how many people are expressing interest. The Clerk's Office will be asked to provide a complete list of community members on the Committee. Committee members were asked to consider taking on various roles, such as Volunteer Coordinator or Site Coordinator; Kenneth Ng and Andrew Fuyarchuk will discuss taking on these roles.

**5. NEW BUSINESS**

None was identified.

**6. OTHER BUSINESS**

None was identified.

**7. NEXT MEETING**

The next meeting of the Doors Open Markham 2024 Organizing Committee is scheduled for Wednesday, February 7, 2024 at 5:30 p.m., via Zoom.

**8. ADJOURNMENT**

The Doors Open Markham 2024 Organizing Committee adjourned at 8:00 PM.



## **APPENDIX A**

### **TENTATIVE SITES INCLUDING HERITAGE SITES**

***UPDATED JANUARY 11, 2024***

**Deadline for registration is January 31<sup>st</sup>**

**Registration closes March 31st**

1. Heintzman House
2. Markham Village Train Station
3. Unionville Train Station Stiver Mill
4. (Stiver House – Main Street Unionville)
5. Old Curiosity Tea Shop (Main Street Markham)

www. cuppa.ca <https://www.instagram.com/markhamtearoom/?hl=en>

6. Old Markham High School

<https://www3.markham.ca/Markham/aspc/heritage/photo/details.aspx?FOLDERRSN=306460>

7. Thornhill Village Branch Library

<https://markhampubliclibrary.ca/locations/tv/>

8. Heritage Estates Markham
9. Fire Station (across from Markham Village Train Station on Main Street)
10. Markham Museum
11. IBM lab
12. Venture Lab
13. Semi-Conductor
14. E. J. Sand Public School, Thornhill



**DOORS OPEN MARKHAM 2024  
ORGANIZING COMMITTEE**

**MINUTES**

**Electronic Zoom Meeting  
February 7, 2024**

**Attendance**

**Present**

Andrew Fuyarchuk  
Bowie Leung  
Jude Mahmoud  
Agatha McPhee  
Kenneth Ng  
Ken Steinberg  
Domenica Tang  
Councillor Reid McAlpine  
Regional Councillor Alan Ho

**Regrets**

Yat Chi Ling  
Bryan Frois, Office of the CAO  
Regan Hutcheson, Manager Heritage  
Planning  
Chris Rickett, Director, Economic Growth,  
Culture and Entrepreneurship  
Maxine Roy, Manager, Corporate  
Communications

**Staff**

Audrey Bouman, Corporate Communications  
Renee Zhang, Manager, Corporate &  
Community Events  
Bev Shugg Barbeito, Committee Clerk

**1. CALL TO ORDER**

The Doors Open Markham 2024 Organizing Committee was called to order at 5:35 PM with Agatha McPhee serving as Chair.

**2. CHANGES OR ADDITIONS TO THE AGENDA**

The agenda was accepted as distributed.

**3. ADOPTION OF THE MINUTES OF THE DOORS OPEN MARKHAM 2024  
ORGANIZING COMMITTEE MEETING HELD ON JANUARY 11, 2024**

It was

Moved by           Agatha McPhee  
Seconded by       Regional Councillor Alan Ho

That the minutes of the Doors Open Markham 2024 Organizing Committee meeting held on January 11, 2024 be adopted as distributed.

**CARRIED**

#### **4. MATTERS ARISING FROM THE MINUTES**

##### **(a) Event Sites**

It was reported that a number of sites have confirmed their participation or have indicated strong interest; please see Appendix A for the updated list.

A new site, the E. J. Sand Public School on Henderson Avenue in Thornhill was proposed. The school is actually the site of an aboriginal village which features lodges and elaborate exhibits. Ken Steinberg will speak with Councillor Irish and Board of Education officials, and then report back to the Committee on the feasibility of including this site.

It was also suggested to consider the Cathedral of the Transfiguration, and the Markham Civic Centre.

The Committee agreed that potential Doors Open Markham sites must confirm their participation by February 29, 2024.

It was noted that 2024 marks the anniversary of a number of special events; reference to them could be included in the information about the Doors Open Markham sites.

##### **(b) Budget**

Renee Zhang reported that HST is charged to the budget and that a surplus may not be carried forward to a future year; as a result, the Committee agreed to reduce the amount designated as “Contingency” from \$500 to \$200.

Renee Zhang left the meeting at 6:05 pm.

Audrey Bouman reviewed a draft Marketing and Communications budget for items of the draft communications plan presented previously: Paid Social Media @ \$2,000; mobile Signs @ \$1,600 (\$200/ward x 8 wards); Print Signs @ \$200, and Brochures @ \$1,282. Corporate Communications suggested that there is an opportunity to consider digital brochures, which would reduce the cost allocated to brochures and thereby allow larger allocations for other communications initiatives. Committee members discussed this opportunity but felt that printed brochures were still required. It was suggested that a nominal amount of 500 brochures be printed; Corporate Communications will obtain quotes.

The Committee discussed Other Miscellaneous Expenses such as t-shirts for volunteers, water for volunteers on the day of the event, and refreshments at the orientation session. It was noted that T-shirts may be expensive; Regional Councillor Alan Ho advised that he may be able to supply a small number of t-shirts. The Committee discussed other options such as stickers or reusable City of Markham Event Volunteer vests. Staff will be advised that the Committee is considering alternatives to t-shirts, investigate options, and report back to the Committee.

**(c) Draft Communications Plan**

Audrey Bouman reviewed proposed budget amounts for the various items for the high level draft communications plan presented previously. It was agreed that Chair Andrew Fuyarchuk and Vice Chair Kenneth Ng will serve as the Corporate Communications contacts with the Committee so that Corporate Communications may ask them to give approval on behalf of the Committee for communications items, rather than waiting to secure approval from the Committee as a whole at a monthly meeting. The Committee agreed to use the same brand identifier as was used in 2019, which had been updated to present larger images. Corporate Communications hopes to show the Doors Open Markham website to the Committee at the March meeting; therefore, copy for site descriptions would be appreciated by early March; copy should be a maximum of 350 words and may be accompanied by up to six photos.

**(d) Roles and Responsibilities**

Audrey Bouman briefly reviewed the document in order to confirm the discussions held at the previous meeting. Staff will now finalize the document.

The Committee raised the topic of Insurance; staff will investigate and report back to the Committee.

**5. NEW BUSINESS**

Event Day Coverage – At the March meeting, Committee members will be assigned to cover certain Doors Open Markham sites on the event day.

Indigenous speaker – It was suggested to begin researching potential speakers soon.

**6. OTHER BUSINESS**

None was identified.

**7. NEXT MEETING**

The next meeting of the Doors Open Markham 2024 Organizing Committee is scheduled for Wednesday, March 6, 2024 at 5:30 p.m., via Zoom.

**8. ADJOURNMENT**

The Doors Open Markham 2024 Organizing Committee adjourned at 7:10 PM.

## APPENDIX A

### TENTATIVE SITES INCLUDING HERITAGE SITES

*UPDATED FEBRUARY 7, 2024*

**Registration closes March 31st**

1. Heintzman House	
2. Markham Village Train Station	Confirmed
3. Unionville Train Station Stiver Mill	
4. (Stiver House – Main Street Unionville)	
5. Old Curiosity Tea Shop (Main Street Markham)	
<a href="http://www.cuppa.ca">www.cuppa.ca</a>	
<a href="https://www.instagram.com/markhamtearoom/?hl=en">https://www.instagram.com/markhamtearoom/?hl=en</a>	
6. Old Markham High School	Interested
7. Varley Art Gallery and MacKay Art Gallery	Confirmed
8. Thornhill Village Branch Library	Interested
<a href="https://markhampubliclibrary.ca/locations/tv/">https://markhampubliclibrary.ca/locations/tv/</a>	
9. Heritage Estates Markham	
10. Fire Station (across from Markham Village Train Station on Main Street)	Confirmed
11. Markham Museum	Confirmed, requested follow up in March
12. IBM lab	In contact with R. Zhang
13. Venture Lab	In contact with R. Zhang
14. Semi-Conductor	In contact with R. Zhang
15. E. J. Sand Public School, Thornhill	Ken Steinberg to investigate



**DOORS OPEN MARKHAM 2024  
ORGANIZING COMMITTEE**

**MINUTES**

**Electronic Zoom Meeting  
March 6, 2024**

**Attendance**

**Present**

Andrew Fuyarchuk  
Bowie Leung  
Agatha McPhee  
Kenneth Ng  
Domenica Tang  
Councillor Reid McAlpine  
Regional Councillor Alan Ho

**Regrets**

Yat Chi Ling  
Jude Mahmoud  
Ken Steinberg  
Bryan Frois, Office of the CAO  
Chris Rickett, Director, Economic Growth,  
Culture and Entrepreneurship  
Maxine Roy, Manager, Corporate  
Communications

**Staff**

Audrey Bouman, Corporate Communications  
Regan Hutcheson, Manager, Heritage  
Planning  
Renee Zhang, Manager, Corporate &  
Community Events  
Bev Shugg Barbeito, Committee Clerk

**1. CALL TO ORDER**

The Doors Open Markham 2024 Organizing Committee was called to order at 5:35 PM with Agatha McPhee serving as Chair.

**2. CHANGES OR ADDITIONS TO THE AGENDA**

The agenda was accepted as distributed.

**3. ADOPTION OF THE MINUTES OF THE DOORS OPEN MARKHAM 2024  
ORGANIZING COMMITTEE MEETING HELD ON FEBRUARY 7, 2024**

It was

Moved by            Agatha McPhee  
Seconded by        Councillor Reid McAlpine

That the minutes of the Doors Open Markham 2024 Organizing Committee meeting held on February 7, 2024 be adopted as distributed.

**CARRIED**

#### **4. MATTERS ARISING FROM THE MINUTES**

##### **(a) Event Sites**

It was reported that the following sites are not available: E. J. Sand Public School, Old Markham High School, IBM lab, Venture Lab, and Six Semi-Conductor lab. The Markham Civic Centre and the Flato Markham Theatre were recommended as potential event sites; Renee Zhang will check their availability. Kenneth Ng will check on the availability of Police Station District 5. Please see Appendix A for the updated list of confirmed sites.

A concern was noted about including the Fire Stations as event sites, in case fire engines would be needed on the day of the event. Andrew Fuyarchuk will ask the Fire Chief to consider the situation and make recommendations.

The Committee discussed whether to include places of worship as event sites, since attendance at these sites had been low in past years. It was suggested that the Committee could consider including two religious venues each year and rotate the venues from year to year, or requiring that a place of worship be listed on a register of cultural heritage and have some heritage value. The Committee will consider this matter at a future meeting.

Committee members suggested grouping event sites by location so that attendees could walk from site to site. It was noted that Jane's Walk, with similar walking tours, will take place on May 4, 2024. It was suggested that next year the Committee might consider a partnership with this event.

##### **(b) Event Site Descriptions**

It was reported that Andrea Bouman and Andrew Fuyarchuk have been drafting the event site descriptions. Committee members were reminded that, according to Ontario Heritage Trust rules, site descriptions for at least three sites are due by March 31, 2024 with the remainder due 30 days before the event. Andrea Bouman and Andrew Fuyarchuk will liaise with Regan Hutchinson about submitting the site descriptions.

##### **(c) Budget**

Renee Zhang reported that HST is charged to the budget and that it was recommended not to pursue sponsorships this year, if the current amount of funding can support what is needed for this year's event. The Committee discussed how to allocate the \$300 no longer needed as contingency funds. It was reported that a quote from the printers for 500 printed brochures was \$465; Kenneth Ng volunteered to provide information about a less expensive printing option. The Committee discussed whether to consider printing a larger supply of brochures. Audrey Bouman advised that budget funds would be required for printing stickers with the bar code for the door of each event site; attendees will be able to scan the barcode to access the digital brochure. The Committee agreed to promote the digital brochure and print the limited number of 500 brochures.

Audrey Bouman advised that she is developing a poster that Committee members will be able to distribute at the participating event sites and other community locations to help promote the Doors Open Markham 2024 event.

**(d) Draft Communications Plan**

Audrey Bouman advised that the details of the plan have not changed but she has moved forward creating the materials, drafting descriptions and gathering photos for each event site, and creating the website. It was agreed that Audrey Bouman would use descriptions of the currently confirmed event sites to launch the website; descriptions of additional event sites may be added as that information becomes available. Audrey Bouman reported that plans are to launch the website soon, and she is working with the design team to create the visual graphics to be shared with the event sites. She is also developing a document for participating sites informing them how they can self promote their involvement and how they can interact with the City of Markham online to cross promote the Doors Open Markham 2024 event.

In answer to questions about pictures of the event sites, it was advised that additional pictures of the fire station and the Thornhill Village Library would be welcome because then different photos can be used in various promotion pieces.

Kenneth Ng, Domenica Tang, Bowie Leung, and Agatha McPhee will work together to develop programming which may be required for the event sites, and bring proposals to the Committee for discussion.

**(e) Event Day Coverage**

The Committee discussed the need for a Volunteer Coordinator to assign volunteers to assist at the various event sites. Andrew Fuyarchuk volunteered to take on this role. Audrey Bouman advised that she and Andrew will liaise with Renee Zhang who has experience with the volunteer recruitment process.

**(f) Insurance**

Renee Zhang reported that the Doors Open Markham 2024 event will be covered under the City of Markham's insurance. Each event site will also carry appropriate insurance.

**5. NEW BUSINESS**

The Committee enquired about Markham's policy for Committee member attendance at meetings and the possible need to revisit the membership list. It was suggested that the Clerk's Office be advised that a certain individual or individuals have not been attending and ask the Clerk's Office to look into the matter per the policies for boards and committees.

**6. OTHER BUSINESS**

None was identified.

**7. NEXT MEETING**

The next meeting of the Doors Open Markham 2024 Organizing Committee is scheduled for Wednesday, April 3, 2024 at 5:30 p.m., via Zoom.

**8. ADJOURNMENT**

The Doors Open Markham 2024 Organizing Committee adjourned at 6:55 PM.



## APPENDIX A

### EVENT SITES

**UPDATED MARCH 6, 2024**

**Registration closes March 31st**

1. Heintzman House	Confirmed
2. Markham Village Train Station	Confirmed
3. Unionville Train and Station Stiver Mill	Confirmed
4. Stiver House – Main Street Unionville	Confirmed
5. Old Curiosity Tea Shop (Main Street Markham) <a href="http://www.cuppa.ca">www.cuppa.ca</a> <a href="https://www.instagram.com/markhamtearoom/?hl=en">https://www.instagram.com/markhamtearoom/?hl=en</a>	Confirmed
6. Varley Art Gallery and McKay Art Gallery	Confirmed
7. Thornhill Village Branch Library <a href="https://markhampubliclibrary.ca/locations/tv/">https://markhampubliclibrary.ca/locations/tv/</a>	Confirmed
8. Heritage Estates Markham	Confirmed
9. Fire Station (across from Markham Village Train Station on Main Street)	Confirmed
10. Markham Museum	Confirmed, requested follow up after March Break
11. Markham Civic Centre	R. Zhang to contact
12. Flato Markham Theatre	R. Zhang to contact
13. Police Station District 5	K. Ng to contact



Report to: Development Services Committee

April 23, 2024

**SUBJECT:** RECOMMENDATION REPORT  
Designation of Priority Properties – Phase IX

**PREPARED BY:** Evan Manning, Senior Heritage Planner, ext. 2296

**REVIEWED BY:** Regan Hutcheson, Manager of Heritage Planning, ext. 2080  
Stephen Lue, Senior Development Manager, ext. 2520

**RECOMMENDATION:**

- 1) THAT the Staff report, dated April 23, 2024, titled, "RECOMMENDATION REPORT, Designation of Priority Properties – Phase IX", be received;
- 2) THAT the June 14, 2023, recommendation from the Heritage Markham Committee, in support of the designation of the following properties under Part IV, Section 29 of the *Ontario Heritage Act* (in accordance with Appendix 'B'), be received as information:
  - 5011 Highway 7 East (Ward 3): "Eckardt-Sabiston House"
  - 7792 Highway 7 East (Ward 5): "Armstrong-Coumans House"
  - 7804 Highway 7 East (Ward 5): "Frank and Mary Jarvis House"
  - 7842 Highway 7 East (Ward 5): "Russell and Alma Forster House"
  - 7507 Kennedy Road (Ward 8): "John and Elizabeth Smith House"
  - 10754 Victoria Square Blvd (Ward 2): "William and Hannah Hatton House"
- 3) THAT Council state its intention to designate 5011 Highway 7 East (Ward 3) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance;
- 4) THAT Council state its intention to designate 7792 Highway 7 East (Ward 5) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance;
- 5) THAT Council state its intention to designate 7804 Highway 7 East (Ward 5) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance;
- 6) THAT Council state its intention to designate 7842 Highway 7 East (Ward 5) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance;
- 7) THAT Council state its intention to designate 7507 Kennedy Road (Ward 8) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance;
- 8) THAT Council state its intention to designate 10754 Victoria Square Blvd (Ward 2) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance;
- 9) THAT if there are no objections to the designation in accordance with the provisions of the *Ontario Heritage Act*, the Clerk's Department be authorized to place a designation by-law before Council for adoption;
- 10) THAT if there are any objections in accordance with the provisions of the *Ontario Heritage Act*, the matter return to Council for further consideration;

11) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

## PURPOSE:

This report provides information on the ninth batch of “listed” properties recommended for designation under Part IV, Section 29 of the *Ontario Heritage Act* (the “Act”) in response to Bill 23, in accordance with the May 3, 2023, Staff report adopted by Council, and noted in the recommendations of this report.

## BACKGROUND:

### ***Markham has a robust Heritage Register that includes both listed and designated properties***

There are currently 1730 properties included on the *City of Markham's Register of Properties of Cultural Heritage Value or Interest* (the “Register”). These include a mixture of individually-recognized heritage properties and those contained within the city’s four Heritage Conservation Districts (“HCD”) located in Thornhill, Buttonville, Unionville, and Markham Village.

Individually-recognized heritage properties consist of both “listed” properties and those designated under Part IV of the Act (HCDs are designated under Part V of the Act). While Part IV-designated properties are municipally-recognized as significant cultural heritage resources, listing a property under Section 27(3) of the Act does not necessarily mean that the property is considered a significant cultural heritage resource. Rather it provides a mechanism for the municipality to be alerted of any alteration or demolition application for the property and time (60 days) for evaluation of the property for potential designation under Part IV of the Act. Once designated, the City has the authority to prevent demolition or alterations that would adversely impact the cultural heritage value of the property. These protections are not available to the City for listed properties. At this time, there are 316 listed properties on the Register.

### ***Bill 23 has implications for the conservation of properties “listed” on municipal Heritage Registers***

On November 28, 2022, Bill 23 (*More Homes Built Faster Act*), received Royal Assent. Section 6 of the legislation included amendments to the Act that requires all listed properties on a municipal heritage register to be either designated within a two-year period beginning on January 1, 2023, or be removed from the register. Should a listed property be removed as a result of this deadline, it cannot be “re-listed” for a five-year period. Further, municipalities will not be permitted to issue a notice of intention to designate a property under Part IV of the Act unless the property was already listed on the heritage register at the time a *Planning Act* application is submitted (e.g., Official Plan, Zoning By-Law amendment and/or Draft Plan of Subdivision).

Should a property not be designated within the two-year time period and be removed from the register, a municipality would have no legal mechanism to deny a demolition or alteration request. The same applies to properties that are not listed at the time a *Planning Act* application is submitted as they would not be eligible for designation under the Act.

### ***Properties are to be assessed using Provincial Designation Criteria***

Ontario Regulation 9/06, as amended, (“O.Reg. 9/06”) prescribes criteria for determining a property’s cultural heritage value or interest for the purpose of designation. The regulation provides an objective base for the determination and evaluation of resources of cultural heritage value, and ensures the comprehensive, and consistent assessment of value by all Ontario municipalities. Municipal councils are permitted to designate a property to be of cultural heritage value or interest if the property meets two or more of the prescribed criteria (excerpted from O.Reg. 9/06):

1. *The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*

2. *The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.*
3. *The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement*
4. *The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.*
5. *The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.*
6. *The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.*
7. *The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*
8. *The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*

## **OPTIONS/ DISCUSSION:**

### ***The protection and preservation of heritage resources is consistent with City policies***

Markham's Official Plan, 2014, contains cultural heritage policies related to the protection and conservation of heritage resources that are often a fragile gift from past generations. They are not a renewable resource, and once lost, are gone forever. Markham understands the importance of safeguarding its cultural heritage resources and uses a number of mechanisms to protect them. Council's policy recognizes their significance by designating individual properties under the Act to ensure that the cultural heritage values and heritage attributes are addressed and protected.

### ***Provincial planning policies support designation***

The Provincial Policy Statement, 2020, issued under Section 3 of the *Planning Act* includes cultural heritage policies that indicate significant built heritage resources and significant cultural heritage landscapes shall be conserved. Designation provides a mechanism to achieve the necessary protection.

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

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

### ***Culturally significant "listed" properties for Part IV designation have been identified***

As described in the Staff report adopted by Council on May 3, Heritage Section staff have developed a matrix consisting of four criteria against which all listed properties have been evaluated to determine their degree of cultural heritage significance. This review found 52 "listed" properties ranked as "High", 78 ranked as "Medium", and 28 ranked as "Low" in terms of the cultural heritage value based on the evaluation criteria. Staff have prioritized those properties ranked as "High" and "Medium" for designation consideration under Part IV of the Act.

Staff propose to bring forward approximately 5-10 designation recommendations for Council consideration at any one time through to December 2024, to meet the imposed Bill 23 deadlines. The six properties identified in this report constitute the eighth phase of recommended designations that have been thoroughly researched and evaluated using O.Reg. 9/06. Staff determined that those properties merit designation under

the Act for their physical/design, historical/associative, and/or contextual value (refer to Appendix ‘A’ for images of the six properties).

***Statements of Cultural Heritage Value of Interest have been prepared in accordance with Section 29(8) of the Act***

These Statements of Significance include a description of the cultural heritage significance of the property and a list of heritage attributes that embody this significance. This provides clarity to both the City and the property owner as to which elements of the property should be conserved. Note that Part IV designation does not prevent future alterations to a property, but rather provides a guide to determine if the alterations would adversely impact the heritage significance of the property (refer to Appendix ‘C’). The full research report prepared for each property is available upon request.

***Heritage Markham (the “Committee”) supports the designations***

As per the Section 29(2) of the Act, review of proposed Part IV designations must be undertaken by a municipal heritage committee (where established) prior to consideration by Council. On June 14, 2023, the Committee reviewed the listed properties evaluated for designation by Staff and supported proceeding with designation (refer to Appendix ‘B’).

***Staff have communicated with affected property owners***

Staff have contacted and provided educational material to affected property owners regarding the impact of Part IV designation, including the relevant Statements of Significance, which helps owners understand why their property is proposed for designation at this time, what is of heritage value of the property, and provides answers to commonly asked questions (e.g. information about the heritage approvals process for future alterations and municipal financial assistance through tax rebates and grant programs). Property owners also have appeal rights to the Ontario Land Tribunal (“OLT”) should they wish to object to designation. For additional information, see the bulleted list in the last section.

Staff note that the material to the owner has been undertaken as a courtesy to provide advance notice of an upcoming meeting, Council will consider whether to initiate the designation process for the property. It is not formal notice of the intention to designate as required by the Act, which can only be done by Council. The objective of the advance notice is to begin a conversation about the future potential designation of the property.

***Deferral of the Notice of Intention of Designate is not recommended***

Staff have thoroughly researched and carefully selected the properties proposed for designation. The properties recommended for designation are, in the opinion of Staff, the most significant heritage properties currently listed on the Heritage Register. This position is substantiated by the detailed research undertaken by Staff for each property. Also, to allow a review the proposed designation material, owners are typically provided over 50 days including the 30-day official objection period required by the Act. Further, Staff opine that the tight timeline as imposed by Bill 23 (any properties that remain on the Heritage Register at the end of 2024 will automatically be removed from the Register as of January 1, 2025) make deferrals inadvisable. This could lead to unnecessary delays that may prevent Council from considering designation by the aforementioned timeline. Should this happen, the City risks losing valuable heritage properties to either demolition or insensitive alteration.

Staff welcome the opportunity to work with property owners to address their concerns whenever feasible prior to Council adoption of a designation by-law. For example, modifications have included scoping the impact of the designation by-law to the immediate area surrounding a heritage resource through the use of a Reference Plan should it be contained within a larger parcel or refining the identified heritage attributes, where warranted. Staff maintain the objective to be a cooperative partner in the designation process and ensure that good heritage conservation and development are not mutually exclusive.

***The Process and Procedures for Designation under Part IV of the Act are summarized below***

- Staff undertake research and evaluate the property under O.Reg. 9/06, as amended, to determine whether it should be considered a significant cultural heritage resource worthy of Part IV designation;
- Council is advised by its municipal heritage committee with respect to the cultural heritage value of the property;
- Council may state its Intention to Designate the property under Part IV of the Act and is to include a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property;
- Should Council wish to pursue designation, notice must be provided to the owner and the Ontario Heritage Trust that includes a description of the cultural heritage value of the property. A notice, either published in a local newspaper or posted digitally in a readily accessed location, must be provided with the same details (i.e. the City's website);
- Following the publication of the notice, interested parties can object to the designation within a 30-day window. If an objection notice is received, Council is required to consider the objection and make a decision whether or not to withdraw the notice of intention to designate;
- Should Council proceed with designation, it must pass a by-law to that effect within 120 days of the date in which the notice was published. There are notice requirements and a 30-day appeal period following Council adoption of the by-law in which interested parties can serve notice to the municipality and the OLT of their objection to the designation by-law. Should no appeal be received within the 30-day time period, the designation by-law comes into full force. Should an appeal be received, an OLT hearing date is set to examine the merits of the objection and provide a final decision.

**FINANCIAL CONSIDERATIONS:**

External heritage consultants may be required to provide evidence at the OLT in support of designation in property owners appeal. External legal services may also be required in the event of any appeals to the OLT. This constitutes a potential future financial cost.

**HUMAN RESOURCES CONSIDERATIONS:**

Not Applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The protection and preservation of cultural heritage resources is part of the City's Growth Management strategy.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Heritage Markham, Council's advisory committee on heritage matter, was consulted on the designation proposals. Clerks Department/Heritage Section will be responsible for future notice provisions. An appeal to the OLT would involve staff from the Planning and Urban Design (Heritage Section), Legal Services, and Clerks Department.

**RECOMMENDED BY:**

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Giulio Cescato, RPP, MCIP  
Director of Planning and Urban Design

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Arvin Prasad, MPA, RPP, MCIP  
Commissioner of Development Services

**APPENDICES:**

Appendix 'A': Images of the Properties Proposed for Designation

Appendix 'B': Heritage Markham Extract

Appendix 'C': Statements of Significance

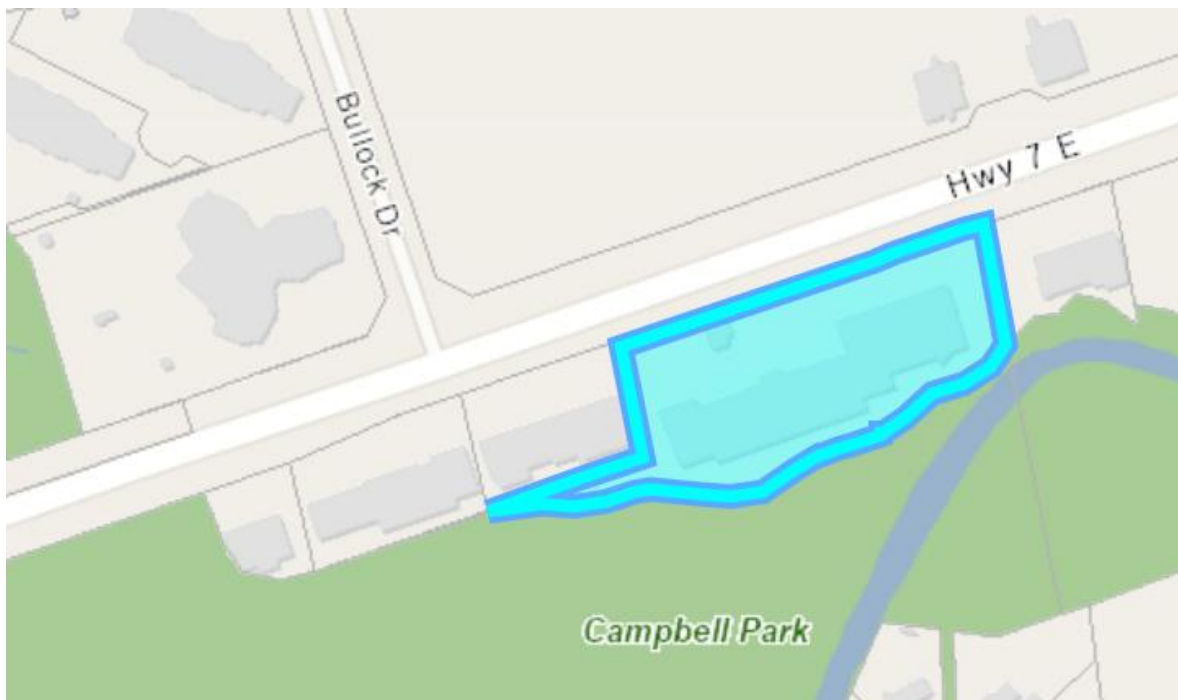
Appendix 'D': Research Reports



## APPENDIX 'A': Images of the Properties Proposed for Designation

### **5011 Highway 7 East (Ward 3): "Eckardt-Sabiston House"**

*Primary Elevation and Property Map*

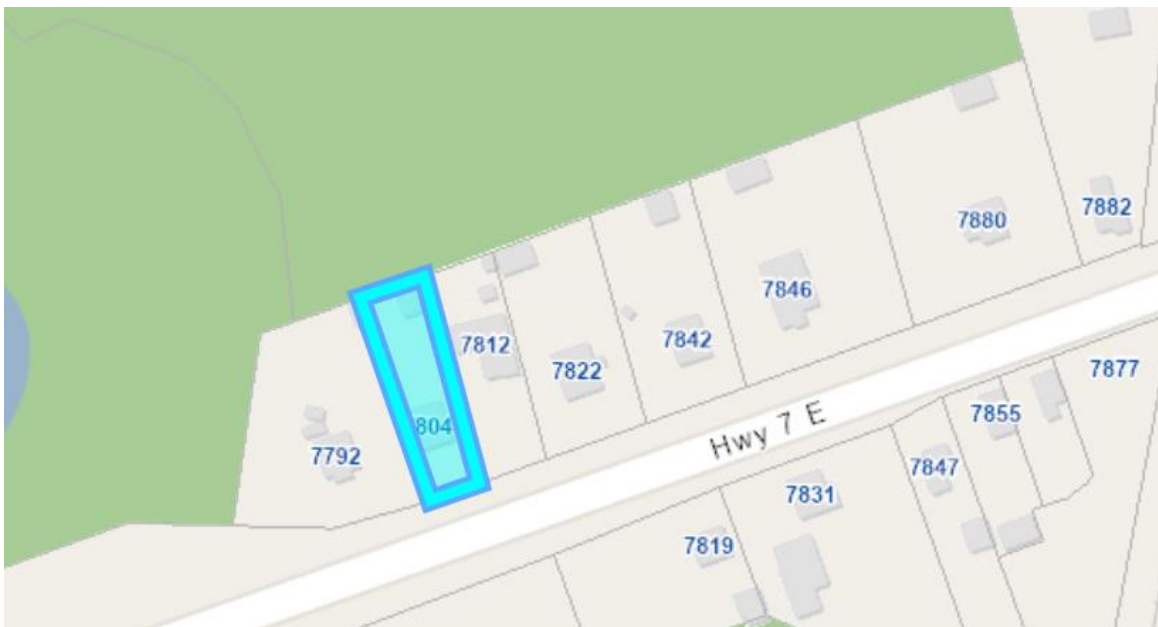




**7792 Highway 7 East (Ward 5): “Armstrong-Coumans House”**  
*Primary Elevation and Property Map*



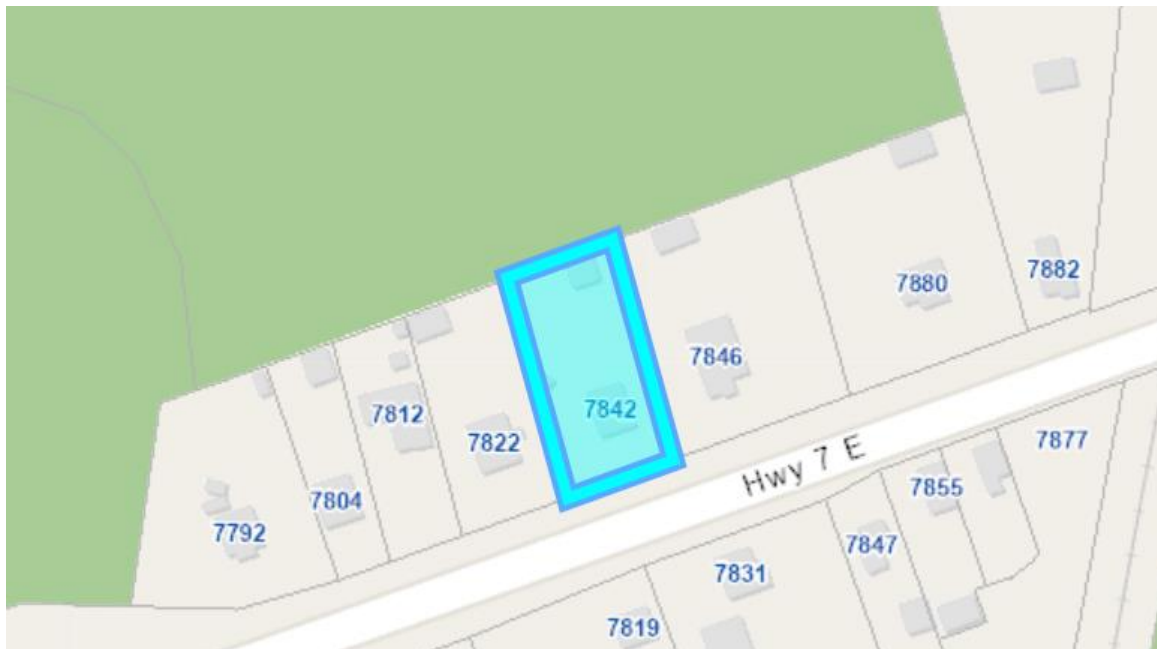
**7804 Highway 7 East (Ward 5): “Frank and Mary Jarvis House”**  
*Primary Elevation and Property Map*





**7842 Highway 7 East (Ward 5): “Russell and Alma Forster House”**

*Primary Elevation and Property Map*



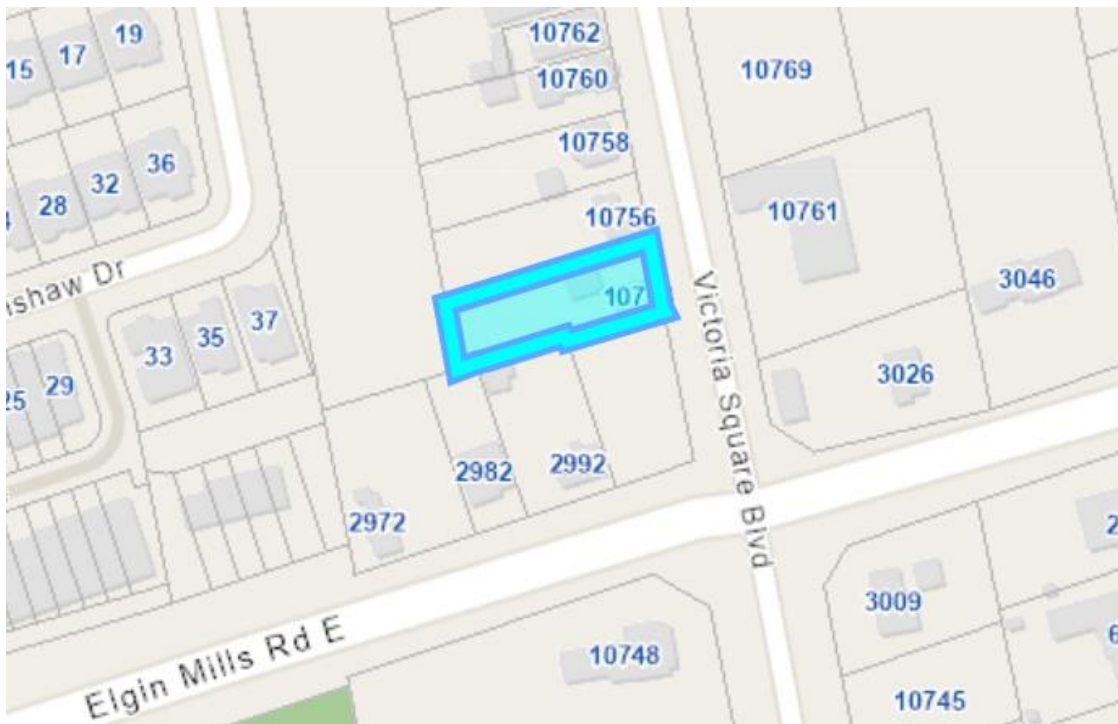
**7507 Kennedy Road (Ward 8): “John and Elizabeth Smith House”**

*Primary Elevation and Property Map*





**10754 Victoria Square Blvd (Ward 2): “William and Hannah Hatton House”**  
*Primary Elevation and Property Map*



**APPENDIX 'B': Heritage Markham Extract****HERITAGE MARKHAM EXTRACT**

Date: June 23, 2023

To: R. Hutcheson, Manager, Heritage Planning  
E. Manning, Senior Heritage Planner

EXTRACT CONTAINING ITEM # 6.1 OF THE SEVENTH HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON June 14, 2023

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**6. PART FOUR - REGULAR****6.1 PROPOSED STREAMLINED APPROACH FOR HERITAGE MARKHAM  
CONSULTATION****DESIGNATION OF PRIORITY PROPERTIES LISTED ON THE CITY OF  
MARKHAM'S REGISTER OF PROPERTIES OF CULTURAL HERITAGE  
VALUE OR INTEREST IN RESPONSE TO BILL 23 (16.11)**

File Number:

n/a

Evan Manning, Senior Heritage Planner, introduced this item advising that it is related to a proposal for a streamlined approach for the designation of priority listed properties which requires consultation with the municipal heritage committee. Mr. Manning provided an overview of the evaluation criteria used to evaluate the physical heritage significance of the properties listed on the Heritage Register and displayed images of all the evaluated properties organized into "High", "Medium", and "Low" as it relates to their perceived heritage significance. Mr. Manning stressed that Heritage Section Staff wish to designate as many properties as possible, but noted that it was important to establish priorities given the two-year deadline to designate.

Regan Hutcheson noted that these rankings were established based only upon appearance. Mr. Hutcheson confirmed that further research will be conducted into properties are part of the designation process.

Staff further explained that they were recommending a streamlined Heritage Markham consultation process to satisfy the requirements of Section 29(2) of the Ontario Heritage Act, and that was the purpose of reviewing all the ranked properties at this meeting. No further review with Heritage Markham Committee will occur if the Committee agrees with this approach concerning the designation of the identified properties in the Evaluation Report.

The Committee provided the following feedback:

- Questioned how the number of listed properties was reduced from over 300 to the 158 that were evaluated using the criteria shown in the presentation package. Staff noted that, for example, properties that are owned by the Provincial or Federal government were excluded from evaluation as they are not subject to the protections afforded by Part IV designation. Municipally-owned properties were removed as were cemeteries. This, along with other considerations, reduced the number of properties evaluated for designation;
- Questioned what will happen to the lowest ranked properties. Staff noted research efforts were being focused on the highest ranked properties and that if time permits, these properties would be researched. If designation is not recommended by staff, the specific properties will return to Heritage Markham Committee for review;
- Questioned why heritage building that were previously incorporated into developments are generally not considered a high priority for designation. Staff noted that these properties can be protected through potential future Heritage Easement Agreements should they be subject to a development application after “falling” off the Heritage Register;
- Requested that the Committee be kept up-to-date on the progress of the designation project. Staff noted that the Committee will be updated on a regular basis as the designation project progresses.

Staff recommended the proposed streamlined Heritage Markham review approach be supported.

Recommendations:

THAT Heritage Markham supports designation of the properties included in the Evaluation Report under Part IV of the Ontario Heritage Act;

AND THAT if after further research and evaluation, any of the identified properties are not recommended by staff to proceed to designation, those properties be brought back to the Heritage Markham Committee for review.

**Carried**

## APPENDIX 'C': Statements of Significance

### STATEMENT OF SIGNIFICANCE

#### Eckardt-Sabiston House

5011 Highway 7 East  
c.1891

The Eckardt-Sabiston House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

#### **Description of Property**

The Eckardt-Sabiston House is a one-and-a-half storey converted brick dwelling located on the south side of Highway 7 East in front of a commercial strip mall, and opposite the Markville Mall. The building faces north.

#### **Design Value and Physical Value**

The Eckardt-Sabiston House has design and physical value as a locally unique example of a late nineteenth century vernacular farmhouse designed with a blend of stylistic influences. Over time, decorative details in the Queen Anne Revival style have been removed as the building was updated by later owners, but the essential form of the c.1891 dwelling remains intact. The cutaway porch with its wide arched openings, now converted to enclosed interior space, is an unusual feature. It reflects the Romanesque Revival style of the 1890s, common in neighbouring Toronto but rare in Markham. The T-shaped plan, multiple gables, and steep centre gable on the west side of the building indicate the influence of the Gothic Revival style.

#### **Historical Value and Associative Value**

The Eckardt-Sabiston House has historical value for its association with the prominent Eckardt Berczy family and for making legible the contribution of later generations of early European families to the agricultural development of their community. Markham Township Lot 10, Concession 6 was purchased by Philip Eckardt, one of most successful members of the original Berczy community, in 1827. He was a farmer, cattle breeder, and lumber dealer. The Eckardt family are considered the founders of Unionville. This was one of a number of properties in the vicinity acquired by Philip Eckardt to be sold to his sons for the establishment of their own farms. His son, George Eckardt, was a long-time owner of the easternmost 50 acres. In 1880, Joseph Eckardt, the youngest son of George and Isabella Eckardt, purchased the property. In 1886, the farm was enlarged with the purchase of the adjoining 50 acres of the eastern half of Lot 10. According to local tradition, the farmhouse at 5011 Highway 7 East was built by Joseph Eckardt in 1891. The former Eckardt farm was purchased in 1913 by the Sabiston family of Toronto. Robert A. Sabiston married Laura M. Eckardt, daughter of Joseph and Joanna Eckardt, and changed his occupation from a manufacturer of horse blankets to farmer. The



property remained in the ownership of Eckardt-Sabiston family descendants until the mid-1980s when the property was sold for redevelopment.

### **Contextual Value**

The Eckardt-Sabiston House has contextual value because it is physically, functionally, visually and historically linked to its surroundings where it has stood since 1891. The Eckardt-Sabiston House is one of a small number of heritage buildings that remain on Highway 7 East between Unionville and Markham Village. It is the only nineteenth century building still standing in this primarily commercial area, and as such is a visual reminder of the rural past of this part of Markham. Its position as a free-standing building adjacent to suburban commercial properties illustrates the transition of the property from rural to urban.

### **Heritage Attributes**

Character-defining attributes that embody the cultural heritage value of the Eckardt-Sabiston House are organized by their respective Ontario Regulation 9/06 criteria, as amended, below:

*Heritage attributes that convey the property's design value or physical value as a locally unique example of a late nineteenth century vernacular farmhouse designed with a blend of stylistic influences:*

- Sideways T-shaped plan;
- Fieldstone foundation;
- Red-orange brick walls with projecting plinth and radiating arches over window openings;
- One-and-a-half storey height;
- Medium-pitched cross-gable roof with steep centre gable on west side;
- Kingposts with ball-shaped pendants in the front and west gables;
- Half-round headed arched openings within the front projecting bay;
- Flat-headed rectangular window openings with projecting lugsills.

*Heritage attributes that convey the property's historical for its association with the prominent Eckardt Berczy family and for the legibility it provides as to contribution of later generations of early nineteenth century families to the agricultural development of their community:*

- The dwelling is a tangible reminder of the Eckardt-Sabiston family that historically resided here, and the improvements made to the property by Joseph Eckardt, grandson of Philip Eckardt, with the construction of a new farmhouse in 1891.

*Heritage attributes that convey the property's contextual value because it is physically, functionally, visually or historically linked to its surroundings:*

- The location of the building on its original site, facing north.

*Attributes of the property that are not considered to be of cultural heritage value or are otherwise not included in the Statement of Significance:*

- Modern doors and windows within old openings;
- Non-functional shutters;
- External chimney on east gable end;

- Concrete entrance ramp and porch;
- Rear frame additions.

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## STATEMENT OF SIGNIFICANCE

### Armstrong-Coumans House

7792 Highway 7 East  
c.1925

The Armstrong-Coumans House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

#### **Description of Property**

The Armstrong-Coumans House is a one-and-a-half storey red brick dwelling located on the north side of Highway 7 East, in the historic hamlet of Locust Hill. The house faces south.

#### **Design Value and Physical Value**

The Armstrong-Coumans House is a unique expression of vernacular domestic architecture that displays elements of the Arts and Crafts and Edwardian Classical styles in its form and detailing. The composition of the broad, gable-fronted south (primary) elevation shows is reminiscent of the Arts and Crafts Movement in a generalized form. Selected details indicate specific design influences. The “cottage windows” of the primary elevation, with their large plate glass fixed sash and rectangular transom lights, were popular in both late nineteenth and early twentieth century houses designed in the Queen Anne Revival style as well as in Edwardian Classical houses of the early 1900s. The design of the porch, with its stylized Tuscan columns, also reflect the Edwardian Classical style.

#### **Historical Value and Associative Value**

The Armstrong-Coumans House has historical value as it is associated with the early twentieth century development of Locust Hill, specifically the creation of building lots on farms intended for the use of family members, and for being associated with the Jarvis, Reesor and Armstrong families, who were locally significant landowners in the early development of Locust Hill and vicinity. This house was constructed c.1925 on a portion of the western half of Markham Township Lot 11, Concession 10, a farm owned by Jonathan Jarvis and Agnes (Reesor) Jarvis. The house was built for Annie (Jarvis) Armstrong, the married daughter of Jonathan and Agnes Jarvis. Anna Adora Jarvis married James McCreight Armstrong of Locust Hill Farm in 1914. James M. Armstrong, a son of William Armstrong and Maria (McCreight) Armstrong, was a veterinary surgeon whose home and office were in the vicinity of Locust Hill. He was a veteran of the Boer War and president of the Markham Agricultural Society in 1910. James and Annie Armstrong moved into the hamlet of Locust Hill in the early to mid-1920s. Annie Armstrong remained in the family home after her husband's death in 1926. In 1948, Annie Armstrong sold to Oswald and Lilah Coumans, schoolteachers, who were long-time owners.

**Contextual Value**

The Armstrong-Coumans House has contextual value for being important in defining, maintaining and supporting the character of its area as one of a grouping of late nineteenth and early twentieth century residences that constitute the historic hamlet of Locust Hill.

**Heritage Attributes**

Character-defining attributes that embody the cultural heritage value of the Armstrong-Coumans House are organized by their respective Ontario Regulation 9/06 criteria, as amended, below:

*Heritage attributes that convey the property's design value and physical value as a unique expression of vernacular domestic architecture that displays elements of the Arts and Crafts and Edwardian Classical styles:*

- Gable-fronted rectangular plan;
- One-and-half storey height;
- Masonry foundation;
- Red brick walls;
- Medium-pitched gable roof with wide overhanging eaves;
- Window openings with cambered, radiating brick arches and projecting lugsills.
- Three-bay composition of the primary (south) elevation with single-leaf door placed slightly off-centre;
- Hip-roofed front porch with square, tapered Tuscan columns and simple railing;
- Ground floor windows along the primary elevation with fixed plate glass sash and flat-headed rectangular transom lights above.

*Heritage attributes that convey the property's historical value for its association with the early twentieth century development of the hamlet of Locust Hill, and for being associated with the Jarvis, Reesor and Armstrong families, who were locally significant landowners in the early development of Locust Hill and vicinity:*

- The dwelling is a tangible reminder of Locust Hill's early twentieth century development and the Jarvis, Reesor and Armstrong families.

*Heritage attributes that convey the property's contextual value as a building that is important in defining, maintaining and supporting the character and extent of the historic hamlet of Locust Hill:*

- The location of the building on its original site, facing south, within the historic hamlet of Locust Hill.

*Attributes of the property that are not considered to be of cultural heritage value or are otherwise not included in the Statement of Significance:*

- Modern doors and windows within old openings;
- Shed-roofed dormers;
- Rear addition;
- Accessory buildings.

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## STATEMENT OF SIGNIFICANCE

### Frank and Mary Jarvis House

7804 Highway 7 East  
c.1910

The Frank and Mary Jarvis House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

#### **Description of Property**

The Frank and Mary Jarvis House is a one-and-a-half storey red brick dwelling located on the north side of Highway 7 East, in the historic community of Locust Hill. The house faces south.

#### **Design Value and Physical Value**

The Frank and Mary Jarvis House has design value and physical value as a representative example of a village dwelling in the form of an American Foursquare with Edwardian Classical details. It is typical of the spacious, simply detailed houses built on farms and in villages throughout Markham Township in the first quarter of the twentieth century. The house was constructed in the form of an American Foursquare, with a functional, compact shape and deep front veranda. The red pressed brick cladding and two-and-a-half storey form of the house with a broad hip roof are representative features of the style. Its architectural detailing reflects Edwardian Classicism, a style popular from the early 1900s through the 1920s.

#### **Historical Value and Associative Value**

The Frank and Mary Jarvis House has historical value for its association with the early twentieth century development of the hamlet of Locust Hill, and specifically the creation of building lots on farms intended for the use of family members, and for its association with Henry Frank Jarvis and Mary (Burns) Jarvis from 1911 to the mid-twentieth century. The house was built c.1910 on a parcel of the Jonathan Jarvis and Agnes (Reesor) Jarvis farm that was eventually sold to their son, Henry Frank Jarvis (known as Frank), in 1929. He was a carpenter by trade. The construction of the house pre-dated the formal transfer of the land.

#### **Contextual Value**

The Frank and Mary Jarvis House has contextual value for being important in defining, maintaining and supporting the character of the area as one of a grouping of late nineteenth and early twentieth century residences that together constitute the historic hamlet of Locust Hill.

### **Heritage Attributes**

Character-defining attributes that embody the cultural heritage value of the Frank and Mary Jarvis House are organized by their respective Ontario Regulation 9/06, as amended, criteria below:

*Heritage attributes that convey the property's design value and physical value as a representative example of a village dwelling in the form of an American Foursquare with Edwardian Classical details:*

- Cubic form;
- Two-and-a-half storey height;
- Concrete foundation;
- Red brick veneer;
- Hip roof with overhanging, closed eaves.
- Three-bay primary (south) elevation with single leaf door, placed slightly off-centre.
- Rectangular window openings with cambered, radiating brick arches, and concrete lugsills;
- Open front veranda with hip roof and square, tapered wood columns resting on brick pedestals with concrete caps, and low railing with turned balusters.

*Heritage attributes that convey the property's historical value for its association with the early twentieth century development of the hamlet of Locust Hill, and specifically the creation of building lots on farms intended for the use of family members as the former residence of Frank and Mary Jarvis from 1911 to the mid-twentieth century:*

- The dwelling is a tangible reminder of Locust Hill's early twentieth century development and the Jarvis family that historically resided there.

*Heritage attributes that convey the property's contextual value as a building that helps define the character and extent of the historic hamlet of Locust Hill:*

- The location of the building on its original site, facing south, within the historic hamlet of Locust Hill.

*Attributes of the property that are not considered to be of cultural heritage value or are otherwise not included in the Statement of Significance:*

- Front dormer.
- Non-operational window shutters;
- Accessory building.

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## STATEMENT OF SIGNIFICANCE

### Russell and Alma Forster House

7842 Highway 7 East  
c.1933

The Russell and Alma Forster House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

#### **Description of Property**

The Russell and Alma Forster House is a one-and-a-half story brick house located on the north side of Highway 7 East, in the historic community of Locust Hill. The house faces south.

#### **Design Value and Physical Value**

The Russell and Alma Forster House has design value and physical value as a representative example of a village dwelling in the Dutch Colonial Revival Style with Arts and Crafts details. The gambrel roof places this 1930s dwelling into the stylistic category of Dutch Colonial Revival. It is one of the few examples of this style in Markham. The Dutch Colonial Revival style was one of several revivalist architectural styles that were popular in the early twentieth century. This revivalist style was not based on the design of traditional dwellings in Holland, but rather from colonial houses in the New England states where the gambrel roof was used by some English and Dutch colonists. The grouped windows, textured brick, and cutaway porch reflects an Arts and Crafts aesthetic, rather than the more commonly used Colonial Revival features seen in other examples of Dutch Colonial Revival.

#### **Historical Value and Associative Value**

The Russell and Alma Forster House has historical value for its association with the early twentieth century development of the hamlet of Locust Hill, and specifically the creation of retirement properties for former local farmers as the former residence of Herbert Russell Forster and Alma (Yeo) Forster. Russell Forster was a farmer, township assessor, and carpenter. He farmed the Forster family homestead on Lot 13, Concession 9, and married Alma Yeo of Goderich, Ontario in 1900. In 1933, the farm was sold and Russell and Alma Forster moved into the hamlet of Locust Hill where they built a modest, one-and-a-half storey brick house in the Dutch Colonial style on a building lot purchased from Maude (Reesor) Millard in 1933. The Forster family were the owners until 1948.

#### **Contextual Value**

The Russell and Alma Forster House has contextual value for being important in defining, maintaining and supporting the character of the area as one of a number of late nineteenth and early twentieth century buildings that constitute the historic hamlet of Locust Hill. Locust Hill's Post Office has been housed at 7842 Highway 7 for a number of years after being relocated from the Locust Hill General Store that formerly stood across the road.



**Heritage Attributes**

Character-defining attributes that embody the cultural heritage value of the Russell and Alma Forster House are organized by their respective Ontario Regulation 9/06 criteria, as amended, below:

*Heritage attributes that convey the property's design value and physical value as a representative example of a village dwelling in the Dutch Colonial Revival Style with Arts and Crafts details:*

- Rectangular plan;
- Concrete foundation;
- Red brick walls with segmental brick arches above door and window openings;
- Gambrel roof with shed-roofed dormers;
- Single-stack brick chimney;
- Cutaway porch with brick railings and brick column;
- Single-leaf doors;
- Existing window openings containing flat-headed, 1/1 single-hung windows.

*Heritage attributes that convey the property's historical value for its association with the early twentieth century development of the hamlet of Locust Hill, and specifically the creation of retirement properties for former local farmers as the former residence of Russell and Alma Forster:*

- The dwelling is a tangible reminder of the early twentieth century development of the hamlet of Locust Hill and of the Russell and Alma Forster family that historically resided here and were the original owners of this house.

*Heritage attributes that convey the property's contextual value as a building that is important in defining, maintaining and supporting the character and extent of the historic hamlet of Locust Hill:*

- The location of the building on its original site, facing south, within the historic hamlet of Locust Hill.

*Attributes of the property that are not considered to be of cultural heritage value or are otherwise excluded from the Statement of Significance:*

- Detached accessory building.

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## STATEMENT OF SIGNIFICANCE

### John and Elizabeth Smith House

7507 Kennedy Road  
c.1850

The John and Elizabeth Smith House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

#### **Description of Property**

The John and Elizabeth Smith House is a one-and-a-half storey brick former dwelling located on the east side of Kennedy Road in the historic community of Milliken. The building faces west.

#### **Design Value and Physical Value**

The John and Elizabeth Smith House is a representative example of a mid-nineteenth century brick farmhouse in the vernacular Georgian architectural tradition. This style persisted in Ontario long after the Georgian period ended in 1830. The essential design principles of symmetry, balance and formality extended beyond the 1830s to influence local vernacular architecture for much of the nineteenth century. In Markham, most examples of this conservative approach to domestic architecture were constructed in the 1850s. Alterations to the c.1850 dwelling were made as part of its conversion to commercial use, but its essential form has remained intact and its character as a mid-nineteenth century farmhouse is readily discernable.

#### **Historical Value and Associative Value**

The John and Elizabeth Smith House has historical value, representing the locally significant theme of agriculture through its function as the former farmhouse of John and Elizabeth Smith, and for its association with the significant wave of British families who arrived in Markham Township in the 1820s-1830s. It also has historical value for its association with the locally prominent Milliken family after whom the community takes its name. John Smith, an English immigrant, married Elizabeth "Betsy" Milliken in 1838. Elizabeth Milliken was the daughter of Norman Milliken, a United Empire Loyalist who came to Markham via New Brunswick in 1807. In 1844, John Smith purchased a small farm on the south-west quarter of Markham Township Lot 4, Concession 6. A brick farmhouse was constructed there c.1851. The property was later farmed by John and Betsy Smith's son, John B. Smith, until 1892.

#### **Contextual Value**

The John and Elizabeth Smith House has contextual value for being physically, functionally, visually and historically linked to its surroundings. It is one of a small number of nineteenth century buildings that remain in south-central Markham, and one of the few remnants of the agricultural past in the community of Milliken.

**Heritage Attributes**

Character-defining attributes that embody the cultural heritage value of the John and Elizabeth Smith House are organized by their respective Ontario Regulation 9/06 criteria, as amended, below:

*Heritage attributes that convey the property's design and physical value as a representative example of a mid-nineteenth century brick farmhouse in the vernacular Georgian architectural tradition:*

- Rectangular plan;
- One-and-a-half storey height;
- Fieldstone foundation;
- Brick walls in Flemish bond;
- Medium-pitched gable roof with projecting eaves and eave returns;
- Three-bay primary (west) elevation with a centrally placed single-leaf door and transom light remnant;
- Flat-headed rectangular window openings with projecting lugsills and radiating brick arches.

*Heritage attributes that convey the property's historical value and associative value, representing the themes of agriculture and immigration, as the former farmhouse of John and Elizabeth Smith, and for its association with the locally prominent Milliken family:*

- The dwelling is a tangible reminder of the Smith-Milliken family that historically resided here from and farmed the land c.1850 to 1892.

*Heritage attributes that convey the property's contextual value because it is physically, functionally, visually or historically linked to its surroundings:*

- The location of the building on its original site, facing west, within the historic community of Milliken.

*Attributes of the property that are not considered to be of cultural heritage value or are otherwise not included in the Statement of Significance:*

- Shed-roofed front veranda;
- Modern windows;
- Non-functional shutters;
- Modern front door;
- Rear addition.

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## STATEMENT OF SIGNIFICANCE

### William and Hannah Hatton House

10754 Victoria Square Boulevard  
c.1830

The William and Hannah Hatton House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

#### **Description of Property**

The William and Hannah Hatton House is a one-and-a-half storey stucco dwelling located on the west side of Victoria Square Boulevard, just north of Elgin Mills Road East, in the historic hamlet of Victoria Square. The house faces east.

#### **Design Value and Physical Value**

The William and Hannah Hatton House has design value and physical value as a locally rare example of plank frame construction, and dating from c.1830, it is the oldest house still standing in the historic hamlet of Victoria Square. It is a modified, early, representative example of a village dwelling in the vernacular Georgian architectural tradition. Renovations undertaken in 2006-2011 were carried out in a sympathetic historical style. The underlying construction of the front portion of this house is vertical plank combined with timber framing, or “plank frame,” an uncommon building technology that was in use in this area of the province in the first half of the nineteenth century. In this structural system, stout planks set vertically form the walls between the post and beam structural members.

#### **Historical Value and Associative Value**

The William and Hannah Hatton House has historical value and associative value, representing the locally significant home of immigration, particularly the substantial wave of British families who arrived in Markham Township from 1820s-1830s onward. It has further associative value as it represents the religious diversity of early Markham Township for its association with William Hatton, former resident of the dwelling, who was also the first leader of Victoria Square's Primitive Methodist Church. William Hatton was an English immigrant that came to Read's Corners (later known as Victoria Square) in the early 1830s. He was married to Hannah Cook, a widow from Yorkshire, England, who with her husband had settled in Markham Township in 1829. William Hatton was a member of a group of Primitive Methodists that were established by William Lawson and his wife in the Town of York in 1829. In 1832, the Reverend William Summerside formed a “class” of Primitive Methodists and appointed William Hatton as leader. Worship services were held in the Hatton House until a church was built across the road in the early 1830s. William and Hannah Hatton rented this modest frame house from the Heise family until they constructed a new dwelling next to the Primitive Methodist in approximately 1850.

### **Contextual Value**

The William and Hannah Hatton House has contextual value because it is one of a number of nineteenth and early twentieth century buildings that define the character and extent of the historic hamlet of Victoria Square, and because it is historically linked to the site of the Victoria Square Primitive Methodist Church at 10769 Victoria Square Boulevard, as well as the Hatton-Baker House at 10761 Victoria Square Boulevard.

### **Heritage Attributes**

Character-defining attributes that embody the cultural heritage value of the William and Hannah Hatton House are organized by their respective Ontario Regulation 9/06 criteria, as amended, below:

*Heritage attributes that convey the property's design and physical value as a locally rare example of plank frame construction, and a modified, early, representative example of a village dwelling in the vernacular Georgian architectural tradition:*

- Rectangular plan;
- One-and-a-half storey height;
- Stucco finish;
- Saltbox profile of the north elevation;
- Medium-pitched gable roof with overhanging boxed eaves and eave returns;
- Three-bay composition of the east (primary) elevation with a centrally placed single-leaf door flanked by six-over-six single hung windows;
- Multi-paned windows in varying sizes on the north and south gable-end walls;
- Underlying plank frame construction of the front portion of the building.

*Heritage attributes that convey the property's historical value and associative value, representing the theme of immigration, particularly the significant wave of British who arrived in Markham Township from 1820s-1830s onwards, as well as the religious diversity of Markham Township through its association with William Hatton, founder of a Primitive Methodist Church in Victoria Square:*

- The dwelling is a tangible reminder of the Hatton-Cook family, English immigrants who historically resided here, and of the early history of the Victoria Square Primitive Methodist Church.

*Heritage attributes that convey the property's contextual value as a building that is important in defining, maintaining and supporting the character and extent of the historic hamlet of Victoria Square:*

- The location of the building on its original site, facing east, within the historic crossroads hamlet of Victoria Square.

*Heritage Attributes that convey the property's contextual value because it is physically, functionally, visually and historically linked to its surroundings:*

- The location of the building opposite the site of the Victoria Square Primitive Methodist Church and the restored Hatton-Baker House.

*Attributes of the property that are not considered to be of cultural heritage value or are otherwise not included in the Statement of Significance:*

- Concrete foundation;
- North side door with gable-roofed canopy;
- Detached garage.

## **APPENDIX ‘D’: Research Reports**

*Provided under separate cover*

## **APPENDIX 'D': Research Reports**

## RESEARCH REPORT



### **Eckardt - Sabiston House**

**East Half Lot 10, Concession 6**

**5011 Highway 7 East**

**1891**

**Heritage Section**

**City of Markham Planning & Urban Design**

**2024**

***Update of previous research report, 1992***

### **History**

The Eckardt-Sabiston House is located on a portion of the eastern half of Markham Township Lot 10, Concession 6, opposite Markville Mall.

The 200 acres of Lot 10, Concession 6 were originally granted by the Crown to William Berczy, agent for the German Land Company, in 1804. William Berczy's important role in the early settlement of German-speaking settlers in Markham Township is well-documented in Markham's history. Shortly after receiving title to the property, William Berczy and his wife sold to John Gray, a non-resident land speculator.

In 1827, John Gray sold the property to Philip Eckardt, one of the Berczy settlers. The Eckardt family are considered the founders of Unionville. At the time of the purchase, Philip Eckardt lived on the western half of Lot 17, Concession 6. He was a successful farmer, cattle breeder,



and lumber dealer who acquired a number of properties in the vicinity of Unionville that were sold to several of his sons.

Lot 10, Concession 6 was sold by Philip Eckardt in 1827. The western 100 acres were sold to his son Philip Eckardt Jr. and the eastern 100 acres were sold to another son, Andrew Eckardt. Philip Eckardt Jr.'s c.1845 brick farmhouse still stands on its original site at 60 Meadowbrook Lane, overlooking the Rouge River. Andrew Eckardt operated the first store in Unionville and was the first postmaster of the village. He lived most of his life on a farm north of the Union Mills. It is not known if he ever resided on Lot 10, Concession 6.

In 1833, Andrew Eckardt sold the eastern half of Lot 10, Concession 6. The western 50 acres were sold to his brother Philip Eckardt Jr. to enlarge his farm, and the eastern 50 acres were sold to another brother, George Eckardt. George Eckardt lived on Cherry Hill Farm on the eastern half of Lot 11, Concession 6, east of Unionville. This property on Lot 10, Concession 6 was likely purchased as an investment and was occupied by a series of tenants. The converted dwelling at 5011 Highway 7 East stands within the property purchased by George Eckardt.

At the time of the 1851 census, Jacob Kleiser, a clockmaker, lived in a one-storey frame house on the property. Kleiser was related to the Eckardt family by marriage. In 1861, the census recorded Charles Bean, a tenant farmer, as residing on the property. He lived in a one-and-a-half storey frame house.

George Eckardt died in 1862. The property was bequeathed to his eldest son, William P. Eckardt, in 1869. In 1873, William Eckardt sold to his brother, John Eckardt. When the 1871 census was taken, Robinson Gray, a farm labourer, resided on the Eckardt property.

In 1880, Isabella Eckardt *et al* (widow of George Eckardt and probably some or all of the surviving children of George and Isabella Eckardt), sold the property to William Eakin for a nominal sum. William Eakin was the owner of the Unionville Planing Mill and Reeve of Markham Township. It is not certain how the property reverted to Isabella Eckardt from John Eckardt.

William Eakin sold to Joseph Eckardt later in 1880. Joseph Eckardt (1847-1912) was the youngest son of George Eckardt and Isabella (Robinson) Eckardt. He married Joanna Thompson (1850-1932) in 1874. A brief biographical sketch of Joseph Eckardt appears in the book *History of Toronto and County of York Ontario (1885)*, Volume II, Biographical Notices:

*"Joseph Eckardt, lot 10, concession 6, the youngest son of George Eckardt, was born in Markham Township., and is one of a family of eight children, all of whom are still living. He was born in 1846, and still lives on the old homestead, where he does a large and profitable trade in the cultivation of small fruits. He married in 1874 the eldest daughter of Hector C. Thompson, formerly of Glasgow, Scotland, by whom he has three children. His grandfather was one of the first settlers in Markham."*

At the time of the 1881 census, there were four households on the eastern part of Lot 10, Concession 6: Joseph Eckardt, John Eckardt, Isaac Quantz and Marshall O'Neil. Both Joseph and John Eckardt were farmers. Isaac Quantz was a carpenter while Marshall O'Neil was a brick-maker.

Joseph Eckardt enlarged his land holdings in 1886 with the purchase of the western 50 acres of the eastern half of Lot 10, Concession 6 from his cousin, Edward Eckardt. This gave him ownership of the entire eastern half of Lot 10. When the 1891 census was taken, there were three adjacent households on the property: Joseph Eckardt, Marshall O'Neil and William Breckon.

Joseph Eckardt resided with his wife Joanna and their four children Lisgar, Laura, Ella and Harvey in a two-storey frame house containing six rooms. Joseph Eckardt was a farmer. Marshall O'Neil, a brick and tile maker, resided in a two-storey brick house containing seven rooms. He may have worked in the Snowball brickworks which operated nearby. William Breckon, a labourer, resided in a two-storey frame house containing six rooms.

According to local tradition, the house at 5011 Highway 7 East was constructed by Joseph Eckardt in 1891. It either replaced the frame dwelling noted in the 1891 census or is the same building clad in brick and updated later in the 1890s. The other two dwellings noted above were still standing in the mid-1980s until they were demolished to make way for the Markham Mews shopping plaza. All three heritage houses were located to the north of the meandering Rouge River.

After the death of Joseph Eckardt in 1912, the property was transferred by Lisgar and Ethel Eckardt, Laura Mona Eckardt, and Ella J. (Eckardt) Mitchell to Joanna Eckardt. In 1913, Joanna Eckardt sold to Anna L. Sabiston and Mary Sabiston, who one year later transferred ownership to Robert A. Sabiston. Robert A. Sabiston (1875-1944) was the Canadian-born son of Scottish immigrants Robert and Ann Sabiston of Toronto. Robert Sabiston Sr. was a blacksmith, and later, an assessor. At the time of the 1911 census, Robert A. Sabiston was a widower, living at 53 Wilson Avenue, Toronto, with his widowed mother and unmarried sisters. He was a manufacturer of horse blankets.

Robert A. Sabiston later married Laura Mona Eckardt (1880-1958), a daughter of Joseph and Joanna Eckardt. He changed his occupation to "Farmer" after he moved to Markham Township. In 1915, Robert Sabiston transferred ownership of the former Eckardt property back to Anna and Mary Sabiston. In 1922, the property was transferred to Laura M. Sabiston *nee* Eckardt. During the mid-1940s, the Sabiston family subdivided the land south of the river (Plan 3684, 1949). Oakcrest Avenue, Riverbend Road and Sabiston Drive are located within the subdivided area.

In 1957, Laura M. Sabiston willed the property to her son Donald Robert Sabiston and his wife Evelyn Maude Mary Sabiston. In 1986, Evelyn M. M. Sabiston sold to Snow-Glen Developments Inc., ending the long-term ownership of the land by the Eckardt family and their descendants. A

strip plaza was built along the Highway 7 frontage. The Eckardt-Sabiston House was retained on its original site as a stand-alone commercial building adjacent to the Markham Mews Plaza. The former dwelling has housed a dental office for many years.



Archival photograph of 5011 Highway 7 East showing ornamental woodwork and original windows. Markham Museum Collection.

### Architecture

The Eckardt-Sabiston House is a one-and-a-half storey, brick, converted dwelling with a sideways T-shaped plan. The structure rests on a raised foundation of coursed, split and squared local fieldstone. The red-orange local brick is likely a veneer over a frame structure based on the use of stretcher bond. At some point, the brick was cleaned. In that process the brick has lost its original consistent red colour, which was a dye applied to the variegated local, intended to even out the colour. There is a projecting brick plinth on all sides of the building.

A concrete porch and ramp provide access to the front entrance in the street-facing ell. At the rear of the building, a one-storey board and batten addition is located in the ell, and a larger one-storey addition extends across the rear wall of the rear projecting bay. It is also sided in board and batten.

The cross-gabled roof has a medium pitch and projecting, open eaves. Decorative kingposts with ball-shaped pendants are seen in the gable peak of the front projecting bay and in the gable peak of a steeply-pitched centre gable on the west wall. These kingposts are the remnants of the ornate gable ornaments seen in the archival photograph within this report.

A heavy external chimney is located on the right side of the east gable end. It is an obvious later addition. The archival photograph shows that there were once two single-stack chimneys with corbelled caps on the roof ridge, positioned on the east and north gable ends.

Noteworthy features of the former dwelling are the half-round arched openings that once formed a cutaway porch within the front projecting bay. At one time, the opening on the front wall had a railing of turned balusters. That opening has been closed in with a window. The other opening, on the east wall of the front projecting bay, now contains a single-leaf door flanked by sidelights. The wide openings have radiating brick arches bordered with a raised, rock-faced string course of brick.

Window placement is generally regular. All window openings are flat-headed and rectangular, with radiating brick arches and projecting lugsills. They contain modern replacement windows. Originally there were plate glass windows with rectangular transom lights on the ground floor of the north and east gable end walls. The modern windows do not replicate the transom light treatment. Non-functional shutters frame most window openings.

Brick cleaning has removed the outline of the ornate hip-roofed veranda seen in the archival photograph. Its former presence is only indicated by the presence of a wooden nailing strip inset into the brick above the level of the ground floor windows.

The Eckardt-Sabiston House is a locally unique example of a late nineteenth century vernacular farmhouse designed with a blend of stylistic influences. Over time, decorative details have been removed as the building was updated by later owners, but the essential form of the 1891 dwelling remains intact. The cutaway porch with its wide arched openings, now converted to enclosed interior space, is an unusual feature. It reflects the Romanesque Revival style of the 1890s, common in neighbouring Toronto but rare in Markham. The T-shaped plan, multiple gables, and steep centre gable on the west side of the building indicate the influence of the Gothic Revival style. The ornate front veranda and gable ornaments seen in the archival photograph are typical of the Queen Anne Revival style that was popular in late nineteenth century Markham with examples in brick and frame. It was the most eclectic style of domestic architecture in the nineteenth century with the use of abundant decorative woodwork encouraged by the availability of machine-made components produced by local planing mills. The missing decorative elements of the Eckardt-Sabiston House could potentially be replicated based on the details shown in the archival photograph as shown above.

### **Context**

The Eckardt-Sabiston House is one of a small number of heritage buildings that remain on Highway 7 between Unionville and Markham Village. It is the only nineteenth century building still standing in this primarily commercial area, and as such it represents a touchstone to the rural past of this part of Markham. Its position as a free-standing building in front of the strip plaza of the late 1980s illustrates the transition of the property from rural to suburban.

### **Sources**

Abstract Index of Deeds for Markham Township Lot 10, Concession 6.  
Canada Census: 1851, 1861, 1871, 1881, 1891, 1901, 1911 and 1921.

Maps of Markham Township: McPhillips (1853-54), Tremaine (1860) and Historical Atlas of the County of York, Ontario (1878).

Property File for 5011 Highway 7 East, Heritage Section, City of Markham Planning & Urban Design.

Research Report by Dorie Billich, Heritage Section, Town of Markham Planning & Urban Design, 1992.

Eckardt Family File, Heritage Section, City of Markham Planning & Urban Design.

Markham Museum Archival Photograph Collection.

Find-a-Grave Website Search for Joseph Eckardt 1847-1912.

"Joseph Eckardt" entry in *History of Toronto and County of York, Ontario*. Toronto: C. Blackett Robinson Publisher, 1885. Page 288.

Champion, Isabel (ed.). *Markham 1793-1900*. Markham: Markham Historical Society, Second Edition, Revised, 1989. Pages 17-18, 301.

### **Compliance with Ontario Regulation 9/06, as amended – Criteria for Determining Cultural Heritage Value or Interest**

*The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*

**The Eckardt-Sabiston House has design and physical value as a locally unique example of a late nineteenth century vernacular farmhouse designed with a blend of stylistic influences.**

*The property has historical value or associative value because it is associated with a theme, event, belief, person, activity, organization or institution that is significant to a community.*

**The Eckardt-Sabiston House has historical value for its association with the prominent Eckardt family, and for because it is representative of the continuing contribution of later generations of early settler families to the agricultural development of their community.**

*The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*

**The Eckardt-Sabiston House has contextual value because it is physically, functionally, visually and historically linked to its surroundings where it has stood since 1891.**

## RESEARCH REPORT



### **Armstrong-Coumans House**

**West Half Lot 11, Concession 10, Locust Hill  
7792 Highway 7 East  
c.1920s**

**Heritage Section**

**City of Markham Planning & Urban Design, 2023**

#### **History**

The Armstrong-Coumans House is located on part of the western half of Markham Township Lot 11, Concession 10, in the historic hamlet of Locust Hill.

The hamlet of Locust Hill began to take shape in the late nineteenth century. The Ontario and Quebec Railway (later absorbed into the Canadian Pacific Railway) was built through this area in 1884, and a station established on the north side of what is now known as Highway 7 East. The station was initially called Green River but was soon renamed to Locust Hill to avoid confusion with the nearby hamlet of Green River in Pickering Township. A hamlet gradually emerged on farmland owned by the Reesor, Button, and Armstrong families. One of the earliest developments was the building of a combined temperance hotel and general store adjacent to the railway line by the Nighswander brothers. In 1885, a post office was established in the community and operated from the general store. William Armstrong Jr., the first postmaster, named the post office after his Locust Hill Farm. A mill, grain elevator, and lumber yard operated near the railway station. A creamery was established in 1893 and for many years it

was operated by the Reesor family. Further to the west of the rail line, a brick Methodist Church was built in 1890 to replace an earlier frame chapel. Development increased in the early twentieth century when several new brick houses were constructed on the north side of what is today Highway 7 East on lots severed from the Reesor and Jarvis family properties.

In 1893, Jonathan Jarvis and Agnes (Reesor) Jarvis purchased the western half of Lot 11, Concession 10, except for the Methodist Church and 2 ½ acres, from John A. E. Reesor who had inherited this property from his father, Christian Reesor. Before this purchase, the Jarvis family had been tenants on the Reesor property on Lot 9, Concession 9 to the south of Locust Hill. Their former home was relocated to Markham Heritage Estates in 2000 (12 Wismer Place).

Anna Adora Jarvis, known as Annie, was a daughter of Jonathan and Agnes Jarvis. In 1914, she married James McCreight Armstrong. James M. Armstrong was the son of William Armstrong and Maria McCreight who farmed Lot 10, Concession 10 (Locust Hill Farm). James M. Armstrong, a graduate of the Ontario Veterinarian College, was a veterinary surgeon. His office and residence were on Lot 12, Concession 10, north of Locust Hill, on a property purchased in 1916. He was a veteran of the Boer War and was president of the Markham Agricultural Society in 1910. In 1920, James M. Armstrong sold the property and moved to Markham Village, residing in a rented home on Church Street. According to the 1921 census, James was age 50, and Annie was age 40. There were no children listed.

James M. Armstrong died in 1926. Annie returned to her childhood home at Locust Hill according to the recollections of long-time local resident Barbara Galbraith. The brick house located at 7792 Highway 7 was constructed during the ownership of Annie's father, Jonathan Jarvis. The MPAC date of construction is 1917, however, the property was not transferred to Annie Armstrong from her elderly father until 1932. It is possible that the house was built for James and Annie Armstrong in the early 1920s. It may be that after selling their rural property, they rented a house in Markham Village while a new house was being constructed for them in Locust Hill. Alternatively, the house may have been constructed for Annie Armstrong once she was widowed, suggesting a date in the mid to late 1920s.

In 1948, Annie Armstrong sold to Oswald and Lilah Coumans, schoolteachers, who were long-time owners.

### **Architecture**

The Armstrong-Coumans House is a brick-veneered frame dwelling, one-and-a-half storeys in height, with a simple, gable-fronted plan. The building rests on a masonry foundation that projects a small amount above grade. The exterior is clad in dark red brick laid in stretcher bond. Originally, the cambered radiating brick arches above door and window openings were the same red brick as the body of the house, however, at some point after 2002, the brick arches were painted in a light colour for contrast.

The roof is a medium-pitched gable, with wide, overhanging eaves. There are small shed-roofed dormers on the east and west slopes. It is uncertain if the dormers are later additions. On the

west side wall is the base of a former exterior chimney which has been removed above the eaves.

The street-facing (south) elevation of the house is composed of three-bays and is gable-fronted. The single-leaf front door is slightly off-centre and is sheltered within a hip-roofed porch with square, tapered, Tuscan columns made of wood. There is a simple railing. On either side of the front door are large plate glass fixed sash windows with a transom light above. There are no pane divisions. Sills are poured concrete. In the peak of the gable is a small window opening that contains a three-over-one paned window. Openings on the sidewalls are asymmetrically placed.

This house is difficult to classify into a stylistic category. It is a unique, vernacular building simply designed and economically constructed. The broad, gable-fronted primary elevation shows echoes of the Arts and Crafts Movement in its form. Selected details indicate specific design influences. The “cottage windows” of the front elevation were popular in late nineteenth and early twentieth century houses in the Queen Anne Revival style, and also in Edwardian Classical style houses of the early 1900s. Design details of the porch, with its stylized Tuscan columns, reflect the Edwardian Classical style.

The overall form and design of the Armstrong-Coumans House, almost hall-like with its gable front and central door, suggests that it may be a re-purposed, non-residential, frame building that was converted to a dwelling in the 1920s and brick-veneered. This possibility can only be verified by a close examination of the underlying structure. If this is the case, the structure is older than the 1920s.

At the time of writing of this report (2023-2024), the construction of an addition to this house is underway.

### **Context**

The Armstrong-Coumans House is one of a grouping of late nineteenth and early twentieth century residences that contribute to and define the character of the historic hamlet of Locust Hill.

### **Sources**

Abstract Index of Deeds for Lot 11, Concession 10, Markham Township.

Canada Census, 1891, 1901, 1911 and 1921.

*The Reesor Family in Canada 1804-1980*, Pages 190, 385.

Recollections of old houses and their owners in Locust Hill by long-time resident Barbara Galbraith, 2010, in the files of the Heritage Section, City of Markham Planning & Urban Design. Research Report on 12 Wismer Place, Markham Heritage Estates, City of Markham Planning & Urban Design.



**Compliance with Ontario Regulation 9/06, as amended – Criteria for Determining Cultural Heritage Value or Interest**

*The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*

**The Armstrong-Coumans House is a unique expression of vernacular domestic architecture that displays echoes of the Arts and Crafts and Edwardian Classical styles in its form and design details.**

*The property has historical value or associative value because it has direct associations with a theme, belief, person, activity, organization or institution that is significant to a community.*

**The Armstrong-Coumans House has historical value as it is associated with the early twentieth century development of the hamlet of Locust Hill, and for being associated with the Jarvis, Reesor and Armstrong families, who were locally significant landowners in the early development of the community.**

*The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*

**The Armstrong-Coumans House is one of a grouping of late nineteenth and early twentieth century residences that contribute to and define the character and extent of the historic hamlet of Locust Hill.**

## RESEARCH REPORT



**Frank and Mary Jarvis House**  
**West Half Lot 11, Concession 10, Locust Hill**  
**7804 Highway 7 East**  
**c.1910**

**Heritage Section**  
**City of Markham Planning and Urban Design**  
**2023**

### History

The Frank and Mary Jarvis House at 7804 Highway 7 is located on the western half of Markham Township Lot 11, Concession 10, in the hamlet of Locust Hill.

The hamlet of Locust Hill began to take shape in the late nineteenth century. The Ontario and Quebec Railway (later to become part of the Canadian Pacific Railway) was built through this area in 1884, and a station was established on the north side of what is now known as Highway 7 East. The station was initially called Green River but was soon changed to Locust Hill to avoid confusion with the nearby hamlet of Green River in Pickering Township. A hamlet gradually grew up on both sides of what is now known as Highway 7 East on farmland owned by the Reesor, Button and Armstrong families. One of the earliest developments was the building of a combined temperance hotel and general store adjacent to the railway line by the Nighswander brothers. In 1885, a post office was established in the community and operated from the

general store. Its name was changed from Green River Station to Locust Hill in 1886. William Armstrong Jr., the first postmaster, named the post office after his Locust Hill Farm. A mill, grain elevator, and lumber yard operated near the railway station. A creamery was established in 1893 and for many years it was operated by the Reesor family. Further to the west of the rail line, a brick Methodist Church was built in 1890 to replace an earlier frame chapel. Development increased in the early twentieth century when a number of new brick houses were constructed on lots severed from the Reesor and Jarvis family properties.

In 1893, Jonathan Jarvis and Agnes (Reesor) Jarvis purchased the western half of Lot 11, Concession 10, except for the Methodist Church and 2 ½ acres, from John A. E. Reesor who had inherited the property from his father, Christian Reesor. The Jarvis family occupied a modest frame farmhouse that had previously served as a tenant farmer's residence on the Reesor farm. Before the purchase, Jonathan and Agnes Jarvis had been tenants on another Reesor property on Lot 9, Concession 9, south of Locust Hill. Their former home was relocated to Markham Heritage Estates in 2000 (12 Wismer Place).

In 1929, Jonathan Jarvis sold a parcel of his lot to the east of the Little Rouge Creek to his son, Henry Frank Jarvis, for the nominal sum of \$1.00. Henry Frank Jarvis was known as Frank. He married Mary Burns in 1911. According to the 1921 census, Frank Jarvis was a carpenter. The couple had children: Eileen, Helen and Ella. Mary Jarvis died in 1941, followed by her husband in 1951.

The property was sold to George E. Madill in 1951, the year of Frank Jarvis's death. In 1956, George Madill and his wife, Margaret, sold to Vera I. Nelson. In 1959, Vera Nelson sold to Ross and Frances Kennedy who in turn sold to Arthur and Helen Kennedy in 1961. Arthur Kennedy sold to Ann Kennedy in 1969.

The Province of Ontario expropriated the property in 1973 in connection with the proposed Pickering Airport and new community of Seaton but sold it back to the Kennedy family in 1974. That same year, Helen and Ann Kennedy sold to John Torrance and Laura Muriel (Reesor) Torrance. John and Muriel Torrance farmed on the eastern half of Lot 11, Concession 9, west of Locust Hill. They retired from farming in 1965, and prior to moving into Locust Hill, they sold off a number of building lots from their property through the late 1950s to the mid-1960s. Laura Muriel Torrance was the eldest daughter of Frederick E. N. Reesor and Laura Alice (Forster) Reesor. Frederick Reesor was the long-time owner and operator of the Locust Hill Creamery where he worked with his brother Albert C. G. Reesor. Laura Muriel Torrance sold in 1985.

The MPAC date of construction for this house is 1910, a date supported by the architectural character of the home. It wasn't until 1929, however, when the property was sold to Henry Frank Jarvis. This type of restrained, two-and-a-half storey American Foursquare house was built in Markham throughout the first quarter of the twentieth century. It appears that Jonathan and Agnes Jarvis allowed their son to construct a dwelling on their land prior to the formal purchase of the house and property.

## Architecture

The Frank and Mary Jarvis House is a two-and-a-half storey dwelling with a cubic shape, faced with red pressed brick. The building rests on a concrete foundation with the main floor raised a varying amount above grade due to the slope of the land toward the front lot line. The hip roof has a wide overhang with flat soffits and a gable-roofed dormer on the south side. This dormer replaced a smaller, shed-roofed dormer with a round-arched window. No historic chimneys remain.

A hip-roofed open veranda extends across the primary (south) elevation. The veranda has square, wooden Tuscan columns resting on brick pedestals with concrete caps. There is a low railing with turned balusters.

Door and window openings are rectangular with cambered radiating brick arches and masonry lugsills. Buff-coloured paint has been applied to the arches, for contrast. The placement of openings generally follows a balanced pattern. The main entrance is a single-leaf door placed slightly off-centre to the left on the front wall. Windows are flat-headed, 1/1 single hung sash that appear to be modern replacements. Non-functional louvered shutters frame the window openings.

The Frank and Mary Jarvis House is typical of the spacious, simply detailed houses built on farms and in villages in Markham Township in the first quarter of the twentieth century. Its architectural detailing reflects the Edwardian Classicism that was popular from the early 1900s through the 1920s. The house was constructed in the form of an American Foursquare with a functional, compact shape and spacious front veranda. The red pressed brick cladding, two-and-a-half storey height, as well as broad hip roof and deep front veranda are representative details of the style.

## Context

The Frank and Mary Jarvis House is one of a grouping of late nineteenth and early twentieth century residences that contribute to and define the character and extent of the historic hamlet of Locust Hill.

## Sources

Abstract Index of Deeds for Markham Township Lot 11, Concession 10.

Canada Census 1891, 1901, 1921.

*The Reesor Family in Canada 1804-1980*, pages 385, 386, 455.

Armstrong, Mrs. J. R. in *Pioneer Hamlets of York*. Kitchener: Pennsylvania German Folklore Society of Ontario, 1977. Page 65.

Champion, Mary B. (ed). *Markham Remembered – A Photographic History of Old Markham Township*. Markham Historical Society, 1988. Pages 30-31, 64.

## **Compliance with Ontario Regulation 9/06, as amended – Criteria for Determining Cultural Heritage Value or Interest**

*The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction.*

**The Frank and Mary Jarvis House is a representative example of a village dwelling in the form of an American Foursquare, with Edwardian Classical details.**

*The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community*

**The Frank and Mary Jarvis House has historical value or associative value representing the theme of the early twentieth century development of the hamlet of Locust Hill**

*The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*

**The Frank and Mary Jarvis House is one of a number of late nineteenth and early twentieth century residences that contribute to and define the character and extent of the historic hamlet of Locust Hill.**

## RESEARCH REPORT



### **Russell and Alma Forster House**

**Lot 11, Concession 10**

**7842 Highway 7**

**c.1933**

**Heritage Section**

**City of Markham Planning & Urban Design**

**2023**

#### **History**

The Russell and Alma Forster House is located on part of Markham Township Lot 11, Concession 10, within the historic hamlet of Locust Hill.

The hamlet of Locust Hill began to take shape in the late nineteenth century. The Ontario and Quebec Railway (later to become part of the Canadian Pacific Railway) was built through this area in 1884, and a station was established on the north side of what is now known as Highway 7 East. The station was initially called Green River but was soon changed to Locust Hill to avoid confusion with the nearby hamlet of Green River in Pickering Township. A hamlet gradually grew up on both sides of what is now known as Highway 7 East on farmland owned by the Reesor, Button and Armstrong families. One of the earliest developments was the building of a combined temperance hotel and general store adjacent to the railway line by the Nighswander brothers. In 1885, a post office was established in the community and operated from the general store. Its name was changed from Green River Station to Locust Hill in 1886. William Armstrong Jr., the first postmaster, named the post office after his Locust Hill Farm. A mill, grain

elevator, and lumber yard operated near the railway station. A creamery was established in 1893 and for many years it was operated by the Reesor family. Further to the west of the rail line, a brick Methodist Church was built in 1890 to replace an earlier frame chapel. Development increased in the early twentieth century when a number of new brick houses were constructed on lots severed from the Reesor and Jarvis family properties.

Abraham Moore received the Crown patent for the entire 200 acres of Lot 11, Concession 10, in 1828. In 1830, he sold the western 100 acres to Abraham Reesor who died the following year. The property passed to Peter Reesor who sold to Christian Reesor in 1853. Christian Reesor was the owner of considerable property in the Locust Hill area. He resided on Lot 14, Concession 10, in a fieldstone farmhouse that still stands at 9035 Reesor Road, land that is now part of the Rouge National Urban Park.

When Christian Reesor died in 1877, he willed this property on Lot 11, Concession 10, to his son, John Arthur Edward Reesor, who was a child at the time. In 1893, when John A. E. Reesor was 21 years of age, his widowed mother, Melissa Ann (Cornell) Reesor, relinquished her claim on the property, leaving clear title to her son. The southern frontage of the Reesor property became the core of the northern part of the hamlet of Locust Hill as it evolved in the late nineteenth and early twentieth centuries.

In 1908, John A. E. Reesor sold a building lot to Maud Millard. Maud (Reesor) Millard was the daughter of Christian Reesor and Melissa Ann (Cornell) Reesor, and the sister of John A. E. Reesor. Maude Reesor was born in Locust Hill and educated at Alma College in St. Thomas, Ontario. She married Dr. Frederick Payne Millard of Whitewater, Wisconsin, U.S.A. in 1900. He was a doctor of Osteopathy and practiced for a time in Toronto.

Maude Millard transferred ownership of the building lot to Herbert Russell Forster in 1933. Known as Russell, he was the son of William Byron Forster and Susanna (Reesor) Forster. In 1904, Russell Forster married Alma Yeo of Goderich, Ontario. He farmed Lot 13, Concession 9, Locust Hill, a property received from his parents in 1918. In addition to farming, he was an assessor for the Township and a carpenter. In 1933, the farm was sold and Russell and Alma Forster moved into the hamlet of Locust Hill where they built a modest one-and-a-half storey brick house in the Dutch Colonial style.

Russell Forster died in 1946. Alma Forster sold to Joseph and Wannetta Thurston in 1948. In 1955, the Thurstons sold to Samuel L. Bath. The property was acquired by the province in 1973 as part of the proposed Pickering Airport and community of Seaton, but was transferred back to Samuel Bath in 1975 and has remained in private ownership ever since.

Locust Hill's Post Office has been housed at 7842 Highway 7 for a number of years after being relocated from the Locust Hill General Store that formerly stood across the road.

## Architecture

The Russell and Alma Forster House is a one-and-a-half storey brick house with a rectangular plan. The foundation is poured concrete. The brick has a textured “rug brick” surface and its colour is composed of varying shades of red. The ground floor extends past the front wall to form an enclosed space on the west side, and an open cutaway porch on the east, both under a shallow-pitched hipped roof. The porch has a solid brick railing and a single heavy brick column at the outer corner. Exterior single-leaf doors are located within the porch. The main front door is on the south wall, next to the interior corner, and a secondary door leading into the enclosed space at the front of the house is on the east wall of that feature. There is an additional exterior door on the east wall of the house at grade level.

The most distinctive feature of the house is the gambrel roof. The gable-end walls have the same brick treatment as the ground floor walls rather than being shingled. There are two shed-roofed dormers on the west side of the roof, and one on the east side. A single-stack brick interior chimney is centred on the roof ridge.

Window openings are ordered and are single, paired, or triple units. Where there are multiple windows, they are separated by mullions. The tops of the window openings have cambered radiating brick arches, but the single-hung, 1/1 windows they contain are flat-headed.

Overall, the Russell and Alma Forster House retains most of its original architectural character. The gambrel roof places this 1930s dwelling into the stylistic category of Dutch Colonial Revival. It is one of only eight examples of this style in Markham. The Dutch Colonial Revival style was one of several revivalist architectural styles that were popular in the early twentieth century. Georgian, or Colonial Revival, and Tudor Revival were two others. The gambrel roof of the Dutch Colonial Revival house provided superior headroom and usable floorspace on the upper floor of one-and-a-half storey houses. Interestingly, this revivalist style was not based on the design of traditional dwellings in Holland, but rather from colonial houses in New England where the gambrel roof was used by some English and Dutch colonists.

The grouped windows, textured brick, and cutaway porch reflects an Arts and Crafts Movement aesthetic rather than the more common Colonial Revival features seen in other examples of Dutch Colonial Revival.

## Context

The Russell and Alma Forster House is one of a grouping of late nineteenth and early twentieth century residences that contribute to and define the character of the historic hamlet of Locust Hill.

## Sources

Abstract Index of Deeds for Markham Township Lot 11, Concession 10, and Lot 13, Concession 9.

Canada Census, 1901 and 1911.

Forster family research file, Heritage Section, City of Markham.



*Historical Sketch of Locust Hill United Church – Centennial 1856-1956*

*The Reesor Family in Canada 1804-1980*, pages 359, 453-456.

Champion, Isabel (ed). *Markham 1793-1900* (Second Edition, 1989). Markham: Markham Historical Society. Pages 52-53, 246-248.

## **Compliance with Ontario Regulation 9/06, as amended – Criteria for Determining Cultural Heritage Value or Interest**

*The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction.*

**The Russell and Alma Forster House is a representative example of a village dwelling in the Dutch Colonial Revival Style, with Arts and Crafts Movement details.**

*The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.*

**The Russell and Alma Forster House has historical value or associative value representing the theme of the early twentieth century development of the hamlet of Locust Hill, and as the former residence of Herbert Russell Forster and Alma (Yeo) Forster. Russell Forster was a farmer, a Township assessor, and carpenter. The house was built for them c.1933.**

*The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*

**The Russell and Alma Forster House is one of a number of late nineteenth and early twentieth century residences that help to define the character and extent of the historic hamlet of Locust Hill. Locust Hill's Post Office has been housed at 7842 Highway 7 for a number of years after being relocated from the Locust Hill General Store that formerly stood across the road. This function makes helps support the village-like character of Locust Hill.**

## RESEARCH REPORT



**John and Elizabeth Smith House**  
**South-West Quarter Lot 4, Concession 6, Milliken**  
**7507 Kennedy Road**  
**c.1850**

**Heritage Section**  
**City of Markham Planning & Urban Design**  
**2024**  
***Update of a Research Report from 1993***

### **History**

The John and Elizabeth Smith House is located on a portion of the south-west quarter of Markham Township Lot 4, Concession 6, in the historic community of Milliken.

This part of Markham, known as Milliken, began as a rural crossroads hamlet that straddled the border between Markham and Scarborough Townships. When a local post office was established in 1859, it was named Milliken Corners after a prominent United Empire Loyalist family that settled here in 1807.

In the early twentieth century, a number of village lots were severed from farms in the area and modest homes were constructed on the east and west sides of Kennedy Road north of Steeles Avenue. Turff Avenue and Thelma Avenue were established in 1930. Victory (originally Victor)

Avenue was constructed at a later date. Older buildings in the area include a small number of nineteenth century houses remaining from Milliken's early history, and twentieth century houses dating from about 1900 to the mid-1950s. Many of the later houses are typical of the modest homes built by returning veterans of World War II – hence the name Victory Avenue.

Shivers Cozens received the Crown Patents for Markham Township Lots 3 and 4, Concession 6, in 1802. Cozens was a member of a family of United Empire Loyalists from New Jersey that received generous land grants in Upper Canada in compensation for their losses during the American Revolution. In 1804, Cozens sold both lots to Ira Bentley who began to sell his properties in smaller parcels shortly after his purchase. Ira Bentley was one of four or five brothers that came to Upper Canada in about the year 1800. Elijah Bentley, believed to have been Ira Bentley's brother, purchased the western half of Lots 3 and 4 in 1807. He was an Anabaptist preacher. In 1813, Elijah Bentley was charged and tried by the colonial government of Upper Canada for disloyal behavior during the American occupation of the Town of York during the War of 1812.

There were numerous transactions involving both of these properties in the early nineteenth century. In 1844, John Smith purchased the south-west 50 acres of Lot 4, Concession 6 from Simon P. Dumond. John Smith (1803-1851) was an English immigrant. In 1838, he married Elizabeth Milliken (1811-1886), known as "Betsy." They were members of the Wesleyan Methodist Church. Betsy Milliken was the daughter of Norman and Susannah Milliken, prominent members of the Milliken community. Norman Milliken was a United Empire Loyalist who came to Markham via New Brunswick in 1807. He was engaged in the lumber industry, supplying timber to the British naval authorities.

In the early years of John and Betsy Smith's marriage, they resided on an 11-acre parcel of Lot 1, Concession 5 that Betsy Smith inherited from her father in 1843. Brown's Directory of Markham Township, 1846-47, placed John Smith on that property. It appears that the brick farmhouse on Lot 4, Concession 6 had not yet been constructed.

By the time of the 1851 census, John and Betsy Smith were residing in a one-and-a-half storey brick dwelling on Lot 4, Concession 6 (7507 Kennedy Road). John Smith was a farmer, age 49. Betsy Smith was 41. In the same household was their daughter Mary, age 13, their son John, age 7, and Betsy's brother John Milliken, a farmer.

John Smith died later in 1851. He bequeathed the 50 acres in the south-west corner of Lot 4, Concession 6 to his son John B. Smith, and the 11-acre parcel on Lot 1, Concession 5 to his daughter Mary.

Betsy Smith (nee Milliken) married Henry Sanders in 1858. The 1861 census lists Henry and Betsy Sanders as residing on the eastern half of Lot 2, Concession 3 in the general vicinity of German Mills. Henry Sanders' children from his previous marriage, as well as Betsy's youngest child, John Smith Jr., were also listed in the household. The property on Lot 4, Concession 6 in Milliken was occupied by a tenant in the 1860s, according to Markham Township assessment

rolls from that period. Betsy's daughter, Mary, and her husband, Robert Vardon, farmed the property until John Smith Jr. was old enough to farm there himself.

The 1871 census listed John Smith Jr. with his widowed mother on Lot 4, Concession 6. Henry Sanders had passed away, and Elizabeth/Betsy had reverted to her previous surname, "Smith." Mary Vardon, John Smith Jr.'s married sister, and her son William, were also listed in the household.

By the time of the 1881 census, John Smith Jr. was married. John and Margaret Smith were both 34 years old and had three children between the ages of eight and one. Margaret Smith was known as "Maggie." John Smith Jr. was a farmer. The family were of the Methodist faith. In 1891, there were six children in the Smith household. Their dwelling was described as a two-storey brick structure containing seven rooms.

In 1892, John and Maggie Smith mortgaged their property to Lady Sarah E. C. Mulock, wife of The Honourable Sir William Mulock of Toronto, for \$3,500. They subsequently defaulted on the mortgage payments and lost the property in 1903 when it was sold under power to John Reid, a farmer and carpenter. John Reid was the owner until 1918. After that, the property passed through a series of owners and was reduced in size until the existing house remained on a small portion of the original 50-acre farm. By the mid-1970s, the house was converted to commercial use, serving as an office for Action Communications Limited.

### **Architecture**

The John and Elizabeth Smith House is a one-and-a-half storey brick building with a rectangular plan. The building, a former dwelling, rests on a fieldstone foundation. The brick walls, laid in Flemish bond, have been painted for many years. A full-width shed-roofed veranda extends across the west or front elevation, supported on slender wood posts. This veranda does not appear to date from the nineteenth century. It has been in place since at least the mid-1970s. A two-storey frame addition of indeterminate age is located along the rear wall.

The medium-pitched gable roof has projecting, boxed eaves and eave returns. There is a bedmould below the flat soffits and a simple wood frieze along the raking eaves. Up until the 2010s there were single-stack brick chimneys with elaborately corbelled caps at each gable end. Now only the bases of those chimneys remain.

The three-bay primary (west) elevation has a centrally placed single-leaf door with a wood panel occupying the former location of a flat-headed transom light. The door is a modern replacement. On either side of the door are flat-headed rectangular window openings with projecting lugsills and radiating brick arches. Fixed plate glass replacement windows occupy these window openings as well as all others on the historic structure. Windows are flanked with non-functional decorative louvered shutters.

On the gable end walls, windows on the second storey are smaller in proportion to those on the ground floor. A large plate glass window has been inserted in the north gable end wall positioned towards the west front corner of the building.

The John and Elizabeth Smith House is a representative example of a mid-nineteenth century brick farmhouse in the Georgian architectural tradition. This style persisted in Ontario long after the Georgian period ended in 1830. The essential principles of uncluttered designs with a sense of symmetry, balance and formality carried forward to influence vernacular architecture for much of the nineteenth century. In Markham, most examples of this style were constructed in the 1850s.

Alterations to the c.1850 dwelling have taken place as part of its conversion to commercial use, but its essential form has remained intact and its character as a mid-nineteenth century farmhouse is readily discernable.

### **Context**

The John and Elizabeth Smith House is one of a small number of nineteenth century buildings that remain in south-central Markham, and one of the few remnants of the agricultural past in the community of Milliken. The former farmhouse is on its original site and represents a still point in a neighbourhood that has undergone significant suburban growth beginning in the 1970s.

### **Sources**

Abstract Index of Deeds for Markham Township Lot 4, Concession 6.

Canada Census: 1851, 1861, 1871, 1881, 1891, 1901, 1911 and 1921.

Maps of Markham Township: McPhillips (1853-54), Tremaine (1860) and Historical Atlas of the County of York, Ontario (1878).

Property File for 7507 Kennedy Road, Heritage Section, City of Markham Planning & Urban Design.

Milliken Family File, Heritage Section, City of Markham Planning & Urban Design.

Entry for William Milliken, *History of the County of York, Ontario*, Volume II: Biographical Notices. C. Blackett Robinson, publisher, 1885.

Research Report on the Widow Smith House by Dorie Billich, Heritage Section, Town of Markham Planning & Urban Design, 1993.

Champion, Isabel (ed.). *Markham 1793-1900*. Markham: Markham Historical Society, Second Edition, Revised, 1989. Page 161, 276.

**Compliance with Ontario Regulation 9/06, as amended – Criteria for Determining Cultural Heritage Value or Interest**

*The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*

**The John and Elizabeth Smith House has design value and physical value as a representative example of a mid-nineteenth century brick farmhouse in the vernacular Georgian architectural tradition.**

*The property has historical value or associative value because it is associated with a theme, event, belief, person, activity, organization or institution that is significant to a community.*

**The John and Elizabeth Smith House has historical value, representing the locally significant theme of agriculture as the former farmhouse of John and Elizabeth Smith, and for its association with the significant wave of British families that arrived in Markham Township in the 1820s-1830s. It also has historical value for its association with the prominent Milliken family after whom the community takes its name.**

*The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*

**The John and Elizabeth Smith House has contextual value because it is physically, functionally, visually and historically linked to its surroundings where it has stood since c.1850.**

## RESEARCH REPORT



### William and Hannah Hatton House

Lot 2, Plan 404, Victoria Square  
10754 Victoria Square Boulevard

c.1830

Heritage Section  
City of Markham Planning & Urban Design  
2023

#### History

The William and Hannah Hatton House is located on Lot 2, Plan 404, which is a portion of the eastern half of Markham Township Lot 26, Concession 3, in the historic hamlet of Victoria Square. The property was formerly municipally-known as 10754 Woodbine Avenue.

William Hatton was an English immigrant who arrived in Read's Corners (later known as Victoria Square) in the early 1830s. He was married to Hannah Cook, a widow from Yorkshire, England, who settled in Markham Township with her husband in 1829.

William Hatton was a member of a group of Primitive Methodists that were established by William Lawson and his wife in the Town of York in 1829. The Lawsons were from Cumberland, England. In 1831, the Reverend William Summerside arrived in York, and the number of adherents grew to the point where a York Mission was established. On February 14, 1832, Reverend Summerside noted in his journal: "*Travelled into Markham and preached in Bro. Hatton's house. He had been a member of the Primitive Methodist connection in England. We*

*had a full house and after preaching I tried to form a class. About eight or ten remained, and I set down four names and appointed Wm. Hatton leader."*

William Hatton was locally known as "Daddy Hatton". This naming convention for their leaders was a practice of the Primitive Methodists, many of whom were lay preachers rather than ordained ministers during this time period. Before a church building was constructed on the opposite side of the Fourth Concession Road (Victoria Square Boulevard), services were held in William and Hannah Hatton's house. No information has been found to indicate William Hatton's occupation, other than in the Markham Township assessment roll of 1853, where he was listed as a "gentleman," meaning "retired".

William and Hannah Hatton were tenants on the property of farmer Jacob Heise. It may be that the modest frame house they rented (10754 Victoria Square Boulevard) was first the home of Hannah Cook and her husband, and William Hatton's marriage to the widowed Hannah is what brought him from York to this part of Markham Township.

In 1849, William Hatton purchased a one-acre property on Lot 26, Concession 4 across the road from his rented dwelling, and next door to the Primitive Methodist Church and cemetery. On the north part of this property, c.1850 he built a new frame house in a similar style to the one he occupied as a tenant (10761 Victoria Square Boulevard). A minister, Reverend William Gledhill, was included in the Hatton household according to the 1851 census. The tenant house on the Heise property appears to have been rented in the early 1850s by John Cook, a farmer, who may have been Hannah Cook's son.

In 1857, William Hatton and his wife sold their property, which contained two frame dwellings and an inn made of adobe brick, to John L. Harrison. By the time of the 1861 census, Hannah Hatton was a widow, age 89, living in the household of her widowed daughter, Hannah Lee. Hannah Lee, formerly Hannah Walker, was born Hannah Cook. They resided in the frame house on the Heise farm.

The former Hatton House on the Heise property was eventually included on a village lot within a formal plan of subdivision (Lot 2, Plan 404). Plan 404, laid out by Peter S. Gibson P.L.S. for Christopher Heise in 1875, formalized a lot pattern that had been informally established before the creation of the plan through the sale of parcels of varying sizes at the eastern end of the Heise farm. The irregular sizes of the lots suggest that some accommodated pre-existing buildings. Christopher (also known as Christian) acquired the eastern 75 acres of Jacob Heise's farm on Lot 26, Concession 3 in 1867. He and his wife Leah lived in a brick farmhouse further west on the property that still stands at 2730 Elgin Mills Road. Christopher Heise helped develop the northwestern quadrant of Victoria Square by selling lots and by building houses at the crossroads. In addition to houses, this area of Victoria Square contained a general store, blacksmith shop, carriage factory, and temperance hall.

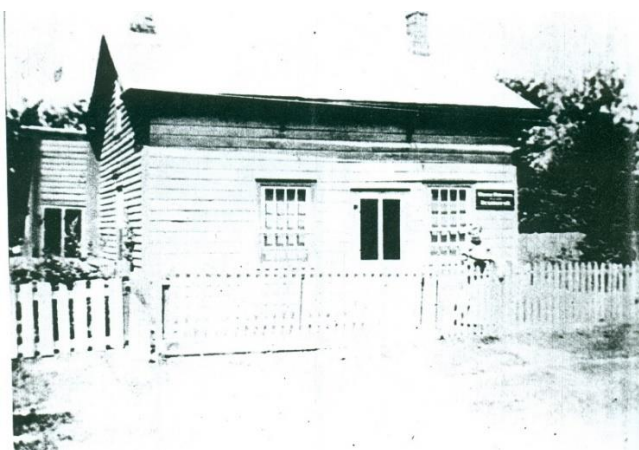
After being a rental property for many years, Christopher and Leah Heise sold Lot 2, Plan 404, to Samuel L. Brown in 1886. He was employed as an insurance agent. He and his wife Hannah



sold the property to Elizabeth Forster, a married woman, in 1902. In 1907, Henry and Elizabeth Forster sold to Charles Dennie, a butcher and drover, who lived on a property now municipally-known as 10737 Victoria Square Boulevard. In 1912, Charles and Anna Dennie sold the rear portion of Lot 2, Plan 404 to Edward Brown and the front portion containing the house to Lillian Forster. Lillian Forster sold to Walter Ridley in 1935, who in turn sold to Charles Stansbury in 1941. The property has since passed through the ownership of a number of others.

### Architecture

The William and Hannah Hatton House is the oldest dwelling remaining in the historic hamlet of Victoria Square. This modest frame house has gone through three stages of development, each of which has been documented in photographs. The oldest photograph, dating from the early twentieth century, is from the archives of Victoria Square United Church. Its quality is poor, since the image is a photocopy of a photographic print.



Archival image of 10754 Victoria Square Blvd  
Source: Victoria Square United Church Archives.

In its earliest form, the William and Hannah Hatton house was a low, one-and-a-half storey, clapboarded village dwelling with a saltbox profile formed by a rear lean-to that extended past the south gable end wall. The three-bay composition of the primary (east) elevation was asymmetrical in the placement of openings in contrast to the more common formal composition typical of Georgian architecture. In this vernacular building, the front door and flanking 12/8 windows are shifted to the right. This arrangement is often an indication of the former presence of a heavy internal cooking fireplace which would have been at the south end of the building based on the large wall space to the left of the window. When a fireplace projected into a room, windows were shifted so they would not be opposite the side of the chimney. In this house, the fireplace was later replaced by a wood stove and that is why there is a small, single-stack brick chimney at the north gable end.

In its intermediate form, the front door was covered over and the front windows were updated to a 2/2 glazing pattern. Non-functional shutters were added to the front windows, and above the those windows were decorative half-circle panels. The exterior was covered in horizontal

vinyl siding and small windows were added including an octagonal window in the knee wall of the east elevation. Additional windows were added on the gable end walls. A detached garage was built on the north side of the property.



10754 Victoria Square Blvd in the early 2000s.  
Source: City of Markham

In 2006-2011, extensive renovations were carried out that resulted in the building being placed upon a new concrete foundation and the rear lean-to being rebuilt and reconfigured into a gable-roofed rear wing. The saltbox profile of the north gable end was retained in this renovation project, and eave returns were restored. Work was also undertaken on the primary elevation. The three-bay configuration of this elevation with a door was restored, but the openings were altered and shifted to create a symmetrical façade. The new front door is non-functional. The exterior was clad in textured stucco that approximates the appearance of a historical roughcast finish.



10754 Victoria Square Blvd as renovated between 2006 and 2011.  
Source: City of Markham

During this work, it was discovered that the underlying construction of this house is vertical plank combined with timber framing, or “plank frame,” an uncommon building technology that

was in use in this area of the province in the first half of the nineteenth century. In this structural system, stout planks set vertically form the walls between the principal post and beam structural members.

The William and Hannah Hatton House is a modified, early, representative example of a village dwelling in the vernacular Georgian architectural tradition. The renovations that were undertaken in 2006-2011 were carried out in a sympathetic matter, but the alterations to the primary elevation have removed the asymmetrical placement of the original openings. The plank frame construction of the front portion of the house is noteworthy and locally rare.

### **Context**

Victoria Square is a former Heritage Conservation District Study Area that contains 44 properties, 22 of which are listed on the *Register of Property of Cultural Heritage Value or Interest*.

The William and Hannah Hatton House is located on a village lot north of a vacant property that used to be the site of Victoria Square's general store and post office. The house is sited close to the street. A recent detached garage stands to the north-west of the dwelling. Several properties listed on the *Register of Property of Cultural Heritage Value or Interest*, also fronting on Victoria Square Boulevard, are located to the north of this property.

The William and Hannah Hatton House is historically linked to the Hatton-Baker House at 10761 Victoria Square Boulevard, designated under Part IV of the Ontario Heritage Act (refer to By-law 2012-4), and the historic cemetery at 10769 Victoria Square Boulevard which is the former site of the Primitive Methodist Church with which William Hatton was associated. The Primitive Methodists worshipped here from the early 1830s until 1884.

### **Sources**

Deed Abstracts for Markham Township Lot 26, Concession 3.

Deed Abstracts for Lot 2, Plan 404.

Markham Township Assessment Roll, 1853, Markham Museum Collection.

Canada Census: 1851.

Maps of Markham Township: McPhillips (1853-54), Tremaine (1860), Historical Atlas of the County of York, Ontario (1878).

Victoria Square United Church Archives

Victoria Square Heritage Conservation District – Historical Background and Inventory, by Su Murdoch, Heritage Consultant, 2010, pages 120-123.

Property File, 10754 Victoria Square Blvd., City of Markham Heritage Section

Champion, Isabel (ed.). *Markham 1793-1900*. Markham: Markham Historical Society. Second Edition, Revised, 1989. Page 152.

Rempel, John I. *Building with Wood and other aspects of nineteenth-century building construction in central Canada*. Toronto: University of Toronto Press, Revised Edition, 1980. Pages 174-176.

**Compliance with Ontario Regulation 9/06, as amended – Criteria for Determining Cultural Heritage Value or Interest.**

*The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*

**The William and Hannah Hatton House has design value and physical value as a locally rare example of plank frame construction. Dating from c.1830, it is also the oldest house still standing in the historic hamlet of Victoria Square. It is a modified, early, representative example of a dwelling in the vernacular Georgian architectural tradition.**

*The property has historically value or associative value because it has direct associations with a theme, event, belief system, person, activity, organization or institution that is significant to a community.*

**The William and Hannah Hatton House has historical value and associative value, representing the theme of immigration, particularly the significant wave of British families who arrived in Markham Township from the 1820s-1830s onward. The property also has associative value as the former home of William Hatton, the first leader of Victoria Square's Primitive Methodist Church, making legible the religious diversity of early Markham Township.**

*The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*

**The William and Hannah Hatton House has contextual value as one of a number of nineteenth and early twentieth century buildings that define the character and extent of the historic hamlet of Victoria Square.**

*The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*

**The William and Hannah Hatton House has contextual value because it is historically linked to the site of the Victoria Square Primitive Methodist Church at 10769 Victoria Square Boulevard, and to the Hatton-Baker House at 10761 Victoria Square Boulevard.**



Report to: Development Services Committee

April 23, 2024

**SUBJECT:** RECOMMENDATION REPORT  
Objection to Notice of Intention to Designate – Phase VI Properties

**PREPARED BY:** Evan Manning, Senior Heritage Planner, ext. 2296

**REVIEWED BY:** Regan Hutcheson, Manager of Heritage Planning, ext. 2080  
Stephen Lue, Senior Development Manager, ext. 2520

### RECOMMENDATION:

- 1) THAT the Staff report, dated April 23, 2024, titled "RECOMMENDATION REPORT, Objection to Notice of Intention to Designate – Phase VI Properties", be received;
- 2) THAT the written objection to designation under the *Ontario Heritage Act* as submitted by the property owner of 7560 Ninth Line (Ward 7), be received as information;
- 3) THAT Council affirm its intention to designate 7560 Ninth Line (Ward 7) under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance;
- 4) THAT the Clerk's Department be authorized to place a designation by-law before Council for adoption;
- 5) THAT the Clerk's Department be authorized to publish and serve notice of Council's adoption of the designation by-law as per the requirements of the *Ontario Heritage Act*;
- 6) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

### PURPOSE:

This report provides information on an objection submitted for one property for which Council has stated its intention to designate under Part IV, Section 29 of the *Ontario Heritage Act* (the "Act"), in accordance with the Staff recommendations adopted by Council on January 31, 2024, and noted in the recommendations of this report.

### BACKGROUND:

#### *Notice of Council's Intention to Designate has been provided to the Property Owners*

On January 31, 2024, Council stated its intention to designate eight properties under Part IV, Section 29 of the Act. A notice of intention to designate was provided to the property owners and the Ontario Heritage Trust, and was published in accordance with the Act. The objection period ended on March 11, 2024. The City Clerk received a notice of objection from the owner of one of the eight properties within the timeframe as set out in the Act: 7560 Ninth Line (the "Property"). Refer to Appendix 'A' for images.

The Act requires that Council consider and decide on an objection within 90 days from the end of the objection period. Council may decide to withdraw, amend, or affirm its intention to designate. Council has until June 7, 2024, to decide on the objection. If Council decides not to withdraw a notice of intention to designate a property, Council may pass a by-law designating the property. Council has 120 days from after the date of publication of the notice of intention (February 8, 2024) to pass a designation by-law. Should Council not act within this timeframe, a notice of intention to designate is deemed to be withdrawn.

***Properties are to be assessed using Provincial Designation Criteria***

Ontario Regulation 9/06, as amended, (“O.Reg. 9/06”) prescribes criteria for determining a property’s cultural heritage value or interest for the purpose of designation. The regulation provides an objective base for the determination and evaluation of resources of cultural heritage value, and ensures the comprehensive, and consistent assessment of value by all Ontario municipalities. Municipal councils are permitted to designate a property to be of cultural heritage value or interest if the property meets two or more of the prescribed criteria (excerpted from O.Reg. 9/06):

- 1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*
- 2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.*
- 3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.*
- 4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.*
- 5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.*
- 6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.*
- 7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*
- 8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*

**OPTIONS/ DISCUSSION:*****Heritage Section Staff (“Staff”) considered the owner’s reasons for objection***

Staff received a letter via email from the Property owner outlining their objection to designation (refer to Appendix ‘C’). Below are excerpts from the letter that describe the Property owner’s concerns regarding designation followed by a response from Staff:

- 1. We first learned of the City’s intentions when we received the “Intention to Designate Letter” dated February 8, 2024, from the City Clerk on February 14<sup>th</sup> ... Despite the representations in the Recommendation Report dated January 23, 2024, at no time did City staff make an attempt to contact us or provide educational material.*

**Staff Response**

Information packages are mailed to property owners several weeks prior to DSC/Council consideration of a Staff recommendation in favour of designation. In this instance, Clerks Department mailed the information package to the Property owner on December 20, 2023. A digital copy of the information package was provided to the Property owner via email on March 1, 2024, once Staff were made aware that the physical copy had not been received.

2. *Also, as stated in the Recommendation Report, “Section 6 of the legislation requires that all properties listed be either designated or removed from the designation list within a 2 year period beginning January 1, 2023”. Why were property owners not informed at that time?*

Staff Response

The process to identify significant “listed” properties for evaluation, conduct historical research, and then produce a Statement of Significance (this forms the core of a designation by-law) is time intensive. Staff notify property owners of proposed designation as soon as the relevant Research Report and Statement of Significance are prepared (refer to Appendix B and D for these reports).

3. *Our initial request to Mr. Manning on February 22 requesting answers to some questions did not result in any responses to our questions, but only an offer to talk.*

Staff Response

The designation process is complicated and the vast majority of property owners have little understanding of its impact. Staff found phone conversations to be an effective method of addressing concerns about designation, allowing property owners to seek clarification and ask follow-up questions in real time. Staff also received positive feedback from many property owners on this approach. The owner, Ms. Bortolussi, initially accepted the offer for a call and scheduled a time for a discussion, but later cancelled and requested a written response to her concerns. This request was made via email on February 27 and a written response was provided by Staff on March 1. Following receipt of the appended letter of objection, Staff reached out to Ms. Bortolussi via email on March 4 and 22 with an offer to discuss her concerns. At the time of writing, the owner has not yet scheduled a call with Staff.

4. *We have lived on Ninth Line for nearly 30 years ... While we knew (and valued) that the **north** portion of our home was part of a 19<sup>th</sup> century structure, there has never been any indication that this was anything other than a regular farmhouse in the area.*

Staff Response

It is a common misconception that a property must be of a certain age to be considered historic or that designation should be reserved for buildings of outstanding design/material quality. While the dwelling on the Property is modest in its construction, it forms part of a cross section of residential architecture within Box Grove that makes legible the historic composition of the community. Staff are of the opinion that a representative cross section of residential architecture should be conserved to ensure an accurate understanding of a community’s history.

5. *The further comment that the heritage attributes that convey the property’s contextual value as “the location of the building south of the core of the historic crossroads of Box Grove” is a bit of a stretch, as our home is located nearly a kilometre south of the crossroad, and is **surrounded** by modern homes.*

Staff Response

Archival maps clearly shows that the Property was part of the Box Grove community that historically extended in all directions from the intersection of Ninth Line and 14<sup>th</sup> Avenue. Further, Staff are of the opinion that a critical mass of historic structures should be conserved to maintain the legibility of Box Grove as a hamlet. The proximity of the Property to contemporary dwellings does not dilute its contextual value nor negate its contribution to an understanding of the broader historic community.

6. *We have cared for our home and property, and do not have any immediate plans to make huge changes. However, we would appreciate the freedom to make changes to our home, perhaps paint the*

*siding, add dormers, raise the roof on the addition, and modify the home for our retirement needs (ie: ramps), without the restriction of a designation.*

#### Staff Response

The purpose of designation is not to “freeze” a building in time. Rather, it provides a framework to manage change while conserving the significant attributes from which a building derives its heritage value. Designation of the Property does not prevent exterior repainting or modifications, such as the installation of ramps, to allow the Property owner to continue to enjoy their home in retirement. Note that designation in this instance places no restrictions on the ability of the Property owner to make interior modifications.

7. *We feel like designation will unfairly and substantially reduce the value of our home. It is very likely that a purchaser would want to take advantage of the large lot and privacy and build a home more in keeping with the current neighbourhood ... Could the City provide us with a severance of our property, so that the west portion of our property could be sold separately in future, if the designation proceeds?*

#### Staff Response

While designation precludes demolition, it does not prevent the construction of an addition to meet the preferences of contemporary buyers provided that it is complementary in design to the heritage building and conforms with development permissions in the zoning by-law. As with any other property owner in the City, relief from the zoning by-law can be sought through a Minor Variance application, if desired. The Property owner also retains the right to apply for a severance through the Committee of Adjustment.

#### ***The protection and preservation of heritage resources is consistent with City policies***

Markham's Official Plan 2014 contains cultural heritage policies related to the protection and conservation of heritage resources that are often a fragile gift from past generations. They are a non-renewable resource, and once lost, are gone forever. Markham understands the importance of safeguarding its cultural heritage resources and uses a number of mechanisms to protect them. Council's policy recognizes their significance by designating individual properties under the Act to ensure that the cultural heritage values and heritage attributes are addressed and protected.

#### ***Provincial planning policies support designation***

The Provincial Policy Statement, 2020, issued under Section 3 of the *Planning Act* includes cultural heritage policies that indicate significant built heritage resources and significant cultural heritage landscapes shall be conserved. Designation provides a mechanism to achieve the necessary protection.

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

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

#### ***The Process and Procedures for Designation under Part IV of the Act are summarized below***

- Staff undertake research and evaluate the property under O.Reg. 9/06 to determine whether it should be considered a significant cultural heritage resource worthy of Part IV designation;



- 
- Council is advised by its municipal heritage committee with respect to the cultural heritage value of the Property;
  - Council may state its Intention to Designate the property under Part IV of the Act and is to include a statement explaining the cultural heritage value or interest of the Property and a description of the heritage attributes of the Property;
  - Should Council wish to pursue designation, notice must be provided to the owner and the Ontario Heritage Trust that includes a description of the cultural heritage value of the Property. A notice, either published in a local newspaper or posted digitally in a readily accessed location, must be provided with the same details (i.e. the City's website);
  - **Following the publication of the notice, interested parties can object to the designation within a 30-day window. If an objection notice is received, Council is required to consider the objection and make a decision whether or not to withdraw the notice of intention to designate;**
  - Should Council proceed with designation, it must pass a by-law to that effect within 120 days of the date in which the notice was published. There are notice requirements and a 30-day appeal period following Council adoption of the by-law in which interested parties can serve notice to the municipality and the Ontario Land Tribunal ("OLT") of their objection to the designation by-law. Should no appeal be received within the 30-day time period, the designation by-law comes into force. Should an objection be received, an OLT hearing date is set to examine the merits of the objection and provide a final decision.

#### **FINANCIAL CONSIDERATIONS:**

External heritage consultants may be required to provide evidence at the OLT in support of designation if property owners appeal. External legal services may also be required in the event of any appeals to the OLT. This constitutes a potential future financial cost.

#### **HUMAN RESOURCES CONSIDERATIONS:**

Not Applicable

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

The protection and preservation of cultural heritage resources is part of the City's Growth Management strategy.

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

Heritage Markham, Council's advisory committee on heritage matter, was consulted on the designation proposals. Clerks and Planning and Urban Design Department (Heritage Section) will be responsible for future notice provisions. An appeal to the OLT would involve staff from the Planning and Urban Design (Heritage Section), Legal Services, and Clerks Department.

#### **RECOMMENDED BY:**

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Giulio Cescato, RPP, MCIP  
Director of Planning and Urban Design

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Arvin Prasad, MPA, RPP, MCIP  
Commissioner of Development Services

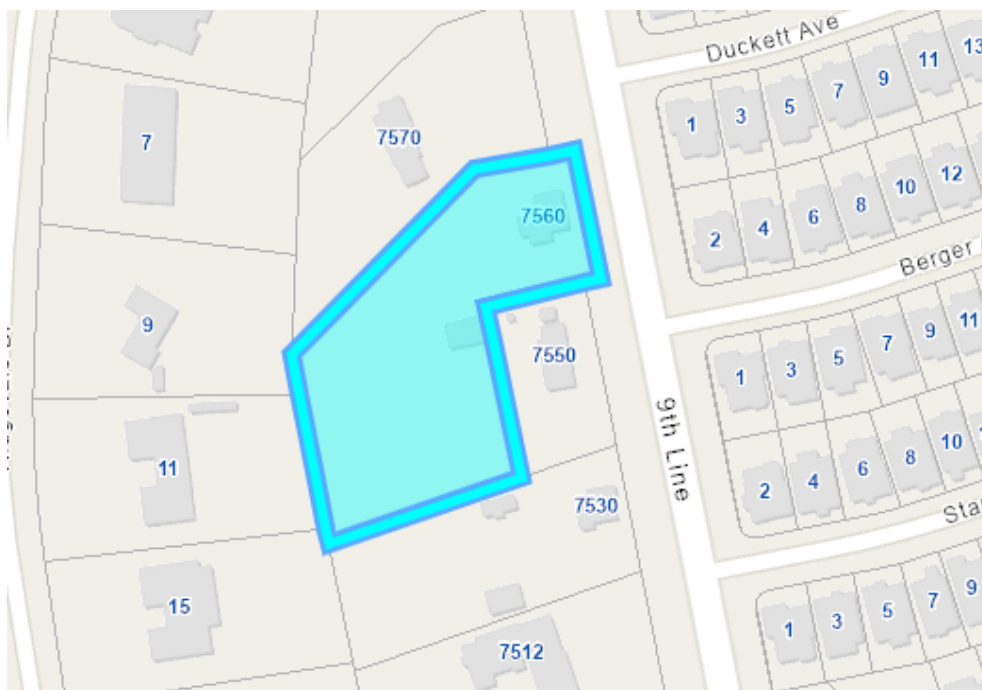
**APPENDICES:**

Appendix 'A': Location and Image of the Property

Appendix 'B': Statement of Significance

Appendix 'C': Letter of Objection

Appendix 'D': Research Report

**APPENDIX ‘A’****Location and Image of the Property****7560 Ninth Line (Ward 7): “Reesor-Spears House”***Primary Elevation and Property Map*

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## APPENDIX 'B': Statement of Significance

### Reesor-Spears House

7560 Ninth Line

c.1877 & c.1949

The Reesor-Spears House is recommended for designation under Part IV, Section 29 of the Ontario Heritage Act as a property of cultural heritage value or interest, as described in the following Statement of Significance.

#### **Description of Property**

The Reesor-Spears House is a one-and-a-half storey frame dwelling located on the west side of Ninth Line, south of the historic crossroads community of Box Grove.

#### **Design Value and Physical Value**

The Reesor-Spears House has design and physical value as a unique variation of the Colonial Revival style from the late 1940s. The architectural character of this evolved building primarily reflects midcentury alterations despite its original construction date of the late nineteenth century. Its design is a unique variation of the Colonial Revival style combined in an uncharacteristically asymmetrical form and without a prominent, centrally-placed entrance. The wide clapboard siding, rectangular multi-paned windows, prominent fireplace chimney, and gable-roofed dormer are typical features of suburban postwar Colonial Revival residences constructed prior to the shift to modernism in the 1950s. The six-over-six windows in the north section of the dwelling may date from the nineteenth century and were therefore retained when the house was altered to its current form.

The north portion of the Reesor-Spears House may be the relocated and repurposed first Box Grove Schoolhouse, and if that is the case, the arrangement of window and door openings has been changed to suit the later residential use.

#### **Historical Value and Associative Value**

The Reesor-Spears House has historical value for its association with Frederick K. Reesor, a school teacher at Box Grove School Section No. 18 who purchased the property in 1871 and built a modest frame residence to replace an old log house occupied by tenants. The property has historical value as the site of the first schoolhouse at Sparta/Box Grove. It is possible that the core of the house was originally the first Box Grove schoolhouse which was made redundant when a new brick school was constructed across the road in 1877. The east quarter of Markham Township Lot 4, Concession 8, was purchased by Peter Reesor in 1806. The eastern portion of this parcel was sold to his son Josephus S. Reesor in 1853. Josephus Reesor, who farmed across the road, continued to rent the land to a tenant until 1871 when he sold to his nephew Frederick K. Reesor, a teacher at Box Grove Public School. Frederick K. Reesor either built a new house to replace the old log house on the property or relocated the first Box Grove School and converted it into a dwelling. In 1949, the property was purchased by Vernon and Bernice Spears who remodeled the home in the Colonial Revival style.

**Contextual Value**

The Reesor-Spears House has contextual value as one of a grouping of nineteenth century buildings that are important in defining, maintaining and supporting the character of the historic crossroads hamlet of Box Grove.

**Heritage Attributes**

Character-defining attributes that embody the cultural heritage value of the Reesor-Spears House are organized by their respective Ontario Regulation 9/06 criteria, as amended, below:

*Heritage attributes that convey the property's design and physical value as a remodeled nineteenth century village dwelling in the Colonial Revival style:*

- Irregular plan;
- One-and-a-half storey height;
- Fieldstone foundation;
- Wide beveled clapboard siding with mitred corners;
- Cross-gabled roof with open overhanging eaves and gable-roofed front dormer;
- Red brick single-stack chimney and red brick fireplace chimney on the east wall;
- Single-leaf main entrance on the south wall with bracketed gable-roofed canopy;
- Flat-headed, rectangular, single-hung windows with a six-over-six pane division and projecting lugsills.
- Box bay window on the south wall with three-part picture window.

*Heritage attributes that convey the property's historical value for its association with the first schoolhouse at Sparta/Box Grove:*

- The dwelling is a tangible reminder of the first schoolhouse at Sparta/Box Grove.

*Heritage attributes that convey the property's contextual value as a building that is important in defining, maintaining and supporting the character and extent of the historic hamlet of Box Grove:*

- The location of the building south of the core of the historic crossroads hamlet of Box Grove.

*Attributes of the property that are not considered to be of cultural heritage value, or are otherwise not included in the Statement of Significance:*

- Rear addition on west side of dwelling, including sunroom;
- Accessory building.

## **APPENDIX ‘C’: Letter of Objection**

*Provided under separate cover*

## **APPENDIX 'D': Research Report**

### **RESEARCH REPORT**



### **Reesor-Spears House**

**East Half Lot 4, Concession 8, Box Grove  
7560 Ninth Line**

**c.1877 & c.1949**

**Heritage Section  
City of Markham Planning & Urban Design  
2023**

#### **History**

The Reesor-Spears House is located on a part of the eastern half of Markham Township Lot 4, Concession 8, at the southern end of the historic crossroads hamlet of Box Grove.

Elijah Bently, an Anabaptist preacher, received the Crown patent for the entire 200 acres of Markham Township Lot 4, Concession 8 in 1801. He also owned Lot 24, Concession 7 and the western halves of Lots 4 and 5, Concession 6 in the early nineteenth century. Bently was a sympathizer with the American forces that attacked Upper Canada during the War of 1812 and occupied the Town of York in 1813. He was tried, convicted and sentenced to six months' imprisonment by the colonial government. In 1805, several years

before the events of the War of 1812, Elijah Bently sold his property on Lot 4, Concession 8 to Samuel Lawrence.

In 1806, Samuel Lawrence sold the eastern quarter, comprising 50 acres, to Peter Reesor. The Rouge River runs through this part of Lot 4, which provided the opportunity for the establishment of a mill. By the early 1850s, a sawmill operated by Abraham Raymer was located on the property. The larger portion of Lot 4 to the west was sold by Samuel Lawrence in 1809 and by the early 1820s was in the ownership of John Raymer.

Peter Reesor did not reside on this property. It was tenanted for many years by John Glen, a Scottish-born weaver. The earliest indication of his presence on this site is in Brown's Directory of Markham Township, 1846-47, but he may have been living here earlier than that. According to the 1851 census, John Glen resided in a one-storey log house with his wife Sarah and their five children.

In 1853, Peter Reesor sold the portion of his land east of the Rouge River to his son Josephus S. Reesor. This parcel contained 31 ¼ acres. John Glen and his family remained tenants on the property. According to the 1861 census, the log house they occupied was constructed in 1830. At that time, John Glen's occupation was given as "Farmer" rather than "Weaver." Perhaps his weaving was a secondary business by that time; however, in the 1871 census, his occupation was given as "Weaver" once again. In 1871, John Glen was 71 years old.

Josephus Reesor did not reside on the property purchased from his father in 1853. He farmed the western halves of Lots 3 and 4, Concession 9 in the same area, another property purchased from his father in 1853. His large stone house still stands at 15 Bewell Drive within a subdivision built in the 2000s. Josephus Reesor was married first to Susannah Baker and then to Elizabeth Pike Hoover. The 1861 Census listed him as "Doctor," while the 1871 Census listed him as "Farmer." Josephus Reesor was known as a skilled herbalist and many of his remedies reportedly learned from First Nations sources were passed down after his death. When Josephus Reesor retired from farming he moved into the hamlet of Box Grove.

The first public school in the Sparta/Box Grove community stood at the north-east corner of Lot 4, Concession 8. It was noted in this location in lists of Common Schools in Markham Township dating from 1831 and 1838. In 1831, the teacher was Terrance McKenna; in 1838 the teacher was James Philips. The one-half acre school site was formally purchased from Josephus Reesor by the Trustees of School Section No. 18 in 1857. In 1861 the teachers were Judith Jones and Julia Mins, who lived in the house next door to the north of the subject property, now addressed 7662 Ninth Line.

In 1871, Josephus Reesor sold the 31¼ acre property to Frederick K. Reesor, less the school site. Frederick K. Reesor was the son of Peter Reesor Jr. and Anna (Hamilton) Reesor, and therefore the nephew of Josephus Reesor. He was married to Mary (McCreight) Reesor. A photographic portrait of Frederick K. Reesor is found on page 194 of *Markham 1900-2000*. In 1877, the Trustees of School Section No. 18 decided to build a new schoolhouse out of brick on the opposite side of Ninth Line. That school still stands at 7651 Ninth Line and now forms part of the Box Grove Community Centre. At the time of the 1881 census, Frederick K. Reesor was the teacher at the new school. It is not known how long he taught there. According to *The Reesor Family in Canada 1804-2000*:



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*“Frederick was a school teacher and warden of York County in 1900. He was also in the milling business with Glen Rouge Mills in Markham. Later in life, he was a real estate agent.”* Page 382.

In 1877, the same year the new school was built, the Trustees of School Section No. 18, John McCaffrey (postmaster and general store owner) *et al* sold the old school site to Frederick K. Reesor. According to a history of Box Grove written by Paul Burkholder in 1966, the old school building was “moved away” once the new one was completed. In nineteenth century Markham Township it was common for old school buildings to be repurposed to become farm outbuildings, dwellings and chapels. The schools of frame construction were often moved to other locations in the same general area. Paul Burkholder did not provide any information about where the old Box Grove schoolhouse was moved to, but it is possible that it was relocated from the corner of Frederick K. Reesor’s property to a site to the south on the same property and converted into a dwelling to replace the log house once inhabited by John Glen. The first Box Grove school may therefore form the core of the existing house at 7560 Ninth Line. It is also possible that Frederick K. Reesor replaced the old log house on the property with a new frame dwelling at some point during his ownership from 1871 to 1884.

Frederick K. Reesor sold the property to Anne Raymer in 1884. She was the unmarried daughter of Abraham Raymer and Elizabeth (Byer) Raymer. Anne Raymer became Annie (Raymer) Steinhoff when she married. In 1919 she sold the property to her brother Abraham Raymer Jr., then in 1939 the executors of Abraham and Phoebe Raymer sold to Cameron Graham.

Cameron and Alice Graham sold their property in two parts in 1947 and 1948. The larger part of the property, which likely contained the dwelling at 7560 Ninth Line, was sold to Arnon W. Burt, who sold to Vernon and Bernice Spears in 1949. The old frame house on the property was added to and remodeled in the Colonial Revival style that was popular in the 1940s and early 1950s. The Spears family likely carried out the transformation that created the house seen today at 7560 Ninth Line.

### **Architecture**

The Reesor-Spears House is a one-and-a-half storey frame dwelling with an irregular plan. The siding is wide mid-twentieth century style clapboard with mitered corners. The oldest part of the building is the north section which has a rectangular plan and a medium-pitched gable roof on an east-west axis. The structure rests on a fieldstone foundation set close to grade, but with at least a partial basement since there is a basement window on the front wall. This is possibly the first Box Grove Schoolhouse, converted to residential use in 1877 by Frederick K. Reesor. A site visit would be required to closely examine the structure to determine its age. The date of construction provided by MPAC is 1851. The gable end facing Ninth line has a balanced composition with two flat-headed single-hung windows with six-over-six panes on the ground floor and two smaller six-over-six windows vertically aligned above. An exterior single-stack red brick chimney runs up the middle of the wall. The north side wall has a single six-over-six window positioned near the rear corner. The west wall has an asymmetrical arrangement of openings on the ground floor with a single-leaf door to the left of centre, a six-over-six window to its right, and a smaller one-over-one window to the right of that.

A side wing extends from the south side of the dwelling's northern section. Its roofline is set slightly lower than that of the north wing. The pitch of its gable roof changes to a lower slope on its east or front side, suggesting that this area of the house could be an infilled ell. There is a small, gable-roofed dormer near the intersection of the sidewing's roof with the roof of dwelling's north section. On the front wall is an exterior red brick fireplace chimney. To the right of that there is a single six-over six-window, set lower in the wall compared with the ground floor windows on the north section. On the south wall there is a single-leaf side door with a bracketed gable-roofed canopy positioned near the front corner, and a box bay window containing a three-part picture window. The door on this wall functions as the main entrance. It may be that before the ell was infilled the main door was on the east wall of the side wing.



Rear and north side of 7560 Ninth Line showing volume of the oldest portion of the house and a later one-storey addition.

There is a one-storey addition on the west side of the side wing. On its south wall is a sunroom, and on its west wall, an open veranda. The addition appears to date from a later phase of the dwelling's evolution.

The architectural character of this evolved building primarily reflects the alterations and additions of the mid-twentieth century. Its design is a unique variation of the Colonial Revival style, notable for its uncharacteristically asymmetrical form, including the absence of a prominent, centrally-placed entrance. The wide clapboard siding, rectangular, multi-paned windows, prominent fireplace chimney, and gable-roofed dormer are features typical of suburban post-war Colonial Revival residences constructed prior to the emergence of large-scale suburban development in the 1950s. The six-over-six windows in the north section of the house may be nineteenth century windows that happened to be compatible with the renovations of c.1949 and were therefore retained when the house was altered to its current form.

The Colonial Revival style originated in the United States but was influential in Canada as well. The nostalgic style was derived from the Georgian houses of early New England and the Southern United States built during the 1700s to early the 1800s. The Colonial Revival style reflected a desire for tradition and a sense of continuity, particularly after the tumultuous times of the Second World War. In Markham,

very few examples of this style were built in rural areas. Most remaining examples are in or close to historic village settings in Thornhill and Markham Village, and another just outside of Unionville.

If the north portion of the Reesor-Spears House is indeed the relocated and repurposed Box Grove Schoolhouse, the arrangement of window and door openings has been changed to suit its later residential use. It is unlikely that a schoolhouse would have an upper storey, so the windows in the gables would have been added, and perhaps the pitch of the roof was increased to create a higher ceiling when a second floor was added.

### **Context**

The Reesor-Spears House is one of a grouping of nineteenth century buildings within or in the immediate vicinity of the historic crossroads hamlet of Box Grove. These buildings are important in defining, maintaining and supporting the character of the historic hamlet. This property is just south of the southernmost limit of Plan 19, the Tomlinson-Beebe plan of village lots dating from 1850. Although modern residential infilling has occurred, enough of the older building stock remains for Box Grove to be recognizable as one of Markham's historic hamlets.

The property at 7560 Ninth Line is historically linked to the Part IV-designated Box Grove Schoolhouse at 7651 Ninth Line (refer to By-law 2005-78) and the Part IV-designated Josephus Reesor House at 15 Bewell Drive (refer to By-laws 2021-96 and 2003-239).

### **Sources**

Abstract Index of Deeds for Markham Township Lot 4, Concession 8.

Canada Census: 1851, 1861, 1871, 1881, 1891, 1901, 1911, and 1921.

Directories of Markham Township: Walton (1837), Brown (1846-47), Rowsell (1850-51), Mitchell (1866), Nason (1871), 1892 Directory.

Maps of Markham Township: McPhillips (1853-54), Tremaine (1860) and Historical Atlas of the County of York, Ontario (1878).

Property File 7560 Ninth Line, Heritage Section, City of Markham Planning & Urban Design.

Research Report on the Josephus Reesor House, 15 Bewell Drive (formerly 7449 Reesor Road), Heritage Section, City of Markham Planning & Urban Design.

*The Reesor Family in Canada 1804-2000*, pages 382, 470.

Brydon, Catherine. *Markham 1900-2000 – Our Past Inspires Our Future*. Markham: Markham Historical Society, 2017. Page 382.

Burkholder, Paul. "Box Grove." *Pioneer Hamlets of York*. Kitchener. Pennsylvania German Folklore Society of Ontario, 1977. Page 92.

Champion, Isabel (ed.). *Markham 1793-1900*. Markham: Markham Historical Society, Second Edition, Revised, 1989. Pages 38, 161, and 169.

### **Compliance with Ontario Regulation 9/06, as amended – Criteria for Determining Cultural Heritage Value or Interest**

*The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*

**The Reesor-Spears House has design and physical value as a unique variation of the Colonial Revival style from the late 1940s.**

*The property has historical value and associative value because it has direct associations with a theme, event, person, activity, organization or institution that is significant to a community.*

**The Reesor-Spears House has historical value and associative value representing the theme of education, for its association with Frederick K. Reesor, a school teacher at Box Grove School Section No. 18, and for the property's association with the first schoolhouse in Sparta/Box Grove.**

*The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*

**The Reesor-Spears House has contextual value as one of a grouping of nineteenth century buildings that are important in defining, maintaining and supporting the character of the historic crossroads hamlet of Box Grove.**



Report to: Development Services Committee

April 23, 2024

**SUBJECT:** RECOMMENDATION REPORT – Notice of Objection to the Inclusion of a Property on the Markham Register of Property of Cultural Heritage Value or Interest, 7696 Ninth Line, Ward 7

**PREPARED BY:** Evan Manning, Senior Heritage Planner, ext. 2296

**REVIEWED BY:** Regan Hutcheson, Manager of Heritage Planning, ext. 2080  
Stephen Lue, Senior Development Manager, ext. 2520

### **RECOMMENDATION:**

- 1) THAT the April 23, 2024, report titled, “RECOMMENDATION REPORT - Notice of Objection to the Inclusion of a Property on the Markham Register of Property of Cultural Heritage Value or Interest, 7696 Ninth Line, Ward 7”, be received;
- 2) THAT the recommendation from the Heritage Markham Committee on February 20, 2024, that 7696 Ninth Line is not a significant cultural heritage resource and has no objection to removal of the property from the Markham Register of Property of Cultural Heritage Value or Interest (in accordance with Appendix ‘E’ of this report), be received as information;
- 3) THAT Council supports removal of 7696 Ninth Line from the Markham Register of Property of Cultural Heritage Value or Interest;
- 4) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **PURPOSE:**

This report recommends that Council support the request to remove 7696 Ninth Line (the “Property”) from the Markham Register of Property of Cultural Heritage Value or Interest (the “Heritage Register”) given the Property’s lack of cultural heritage significance.

### **BACKGROUND:**

***The Property contains a 1 ½ storey dwelling and a series of accessory buildings listed on the Heritage Register***

The Property is located on the east side of Ninth Line between 14<sup>th</sup> Avenue to the north and Ridgevale Drive to the south. The dwelling on the Property was constructed in 1880 as per Municipal Property Assessment Corporation records (see Appendices ‘A’ and ‘B’).

The Property was listed on the Markham Inventory of Heritage Buildings, predecessor of the current Heritage Register, in 1991. It is not a candidate for designation under the ongoing Priority Designation Project as described in the Council-adopted Staff report dated May 3, 2023.

***The Property appears to have been substantially modified in the 1950s and 1960s (refer to Appendix ‘F’ for a copy of the Objection Letter)***

In the correspondence provided to the City, the owner of the Property indicates there have been substantial alterations to the dwelling, including the following:

- 
- All of the features that could have been considered as having cultural heritage significance were removed in a 1950s renovation including the removal of the barrel-style cistern, stone foundation, the back summer kitchen, and the concrete chimneys;
  - None of the dwelling's nineteenth century exterior remains, including siding, windows, doors, and the roof (the siding is now composed of aluminium, plywood and brick);
  - The footprint of the house was enlarged in the 1960s with the construction of an addition at the rear of the dwelling (the exterior of which is composed of brick);
  - Major alterations were made to the frame of the dwelling to incorporate modern windows;
  - The size and location of most, if not all, of the window and door openings have been altered;
  - The blacksmith's shop (a separate outbuilding) was demolished in the 1950s;
  - The interior was completely remodelled around the same time with the layout of the rooms reconfigured; the lath and plaster walls replaced with drywall and fake wood panelling, the original stairwells moved and are now composed of modern materials, and the floors removed and fitted with new joists and flooring.

***Heritage Markham Committee ("Heritage Markham") does not object to the removal of the Property from the Heritage Register***

As per the *Ontario Heritage Act* (the "Act"), review by Heritage Markham is necessary prior to Council consideration of the objection to the Property's inclusion on the Heritage Register. On February 20, 2024, Heritage Markham reviewed this matter (refer to Appendix 'E' for a copy of the meeting extract).

**OPTIONS/ DISCUSSION:**

***The Act provides a mechanism for the removal of a property from a municipal Heritage Register***

Section 27 (7) of the Act provides a mechanism for an owner to object to the inclusion of their property on a municipal heritage register. This mechanism is the result of recent amendments to the Act. A property owner can object to the "listing" of their property at any time, even if the property was included on the Heritage Register prior to the aforementioned amendment coming into force, as is the case here.

Section 27 (8) of the Act directs the council of a municipality to consider the notice of objection and decide as to whether the property should continue to be included on the heritage register or whether it should be removed. Note that there are no timelines within the Act for Council consideration of the notice of objection, and that this objection is separate and distinct from the objections considered by Council related to designation of properties under Section 29 of the Act.

Note that "listing" a property as provided for by Section 27 (3) of the Act does not necessarily mean that a property is considered to be a significant cultural heritage resource, rather it provides a mechanism for the municipality to be alerted of any application to "de-list", demolish or insensitively alter the on-site structure(s), and provides time for evaluation of the property for potential designation under Part IV of the Act.

***The Official Plan provides policy direction for the evaluation and conservation of significance cultural heritage resources***

Section 4.5 of the Official Plan ("OP") contains policies concerning cultural heritage resources. The following are relevant to the proposed removal of the Property from the Heritage Register:

Concerning the identification and recognition of ***cultural heritage resources***, Section 4.5.2.4 of the OP states that it is the policy of Council:

*To ensure consistency in the identification and evaluation of ***cultural heritage resources*** for inclusion in the **Register of Property of Cultural Heritage Value or Interest** and/or for individual property designation, by utilizing the criteria for determining ***cultural heritage*** value or interest established by provincial regulation under the Ontario Heritage Act and criteria included in Markham's Heritage Resources Evaluation System.*

Concerning the protection of ***cultural heritage resources***, Section 4.5.3.2 of the OP states that it is the policy of Council:

*To give immediate consideration to the designation of any ***significant cultural heritage resource*** under the Ontario Heritage Act if that resource is threatened with demolition, inappropriate alterations or other potentially adverse impacts.*

***Heritage Section staff have no objection to removal of the property from the Heritage Register***  
Markham's Heritage Resources Evaluation System

The Property was evaluated using Markham's Heritage Resources Evaluation System in accordance with the above-referenced OP policy. This evaluation system, adopted by Council in 1991 to offer more context-specific criteria for the assessment of potential significant cultural heritage resources, has a point-based property classification system consisting of three tiers (Group 1, 2 and 3). It is a complementary evaluation system to Ontario Regulation 9/06 to which it predates. The findings of this evaluation indicate that the property falls into "Group 3". For a description of the typical guidance associated with each Group, please see Appendix 'C'.

Ontario Regulation 9/06

The Property was also evaluated using Ontario Regulation 9/06 "Criteria for Determining Cultural Heritage Value or Interest" ("9/06") in accordance with the above-referenced OP policy. This regulation, introduced by the Province in 2006 and amended in 2023, provides a uniform set of criteria for municipalities to use when determining whether a property should be considered a significant cultural heritage resource. As per Provincial direction, a property must now meet a minimum of two of the 9/06 criteria to warrant designation under Part IV of the Act.

Staff have undertaken extensive research on the Property and opine that it has minimal *design/physical value*, *historical/associative value*, and *contextual value* and as such does not meet the required number of 9/06 criteria to warrant designation under the Act. Refer to Appendix 'E' for a copy of the Research Report prepared by Staff.

Staff recommend that Council support removal of 7696 Ninth Line from the Markham Register.

**FINANCIAL CONSIDERATIONS:**

None

**HUMAN RESOURCES CONSIDERATIONS:**

Not Applicable

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**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The protection and preservation of cultural heritage resources is part of the City's Growth Management strategy.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

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

**RECOMMENDED BY:**

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Giulio Cescato, RPP, MCIP  
Director of Planning and Urban Design

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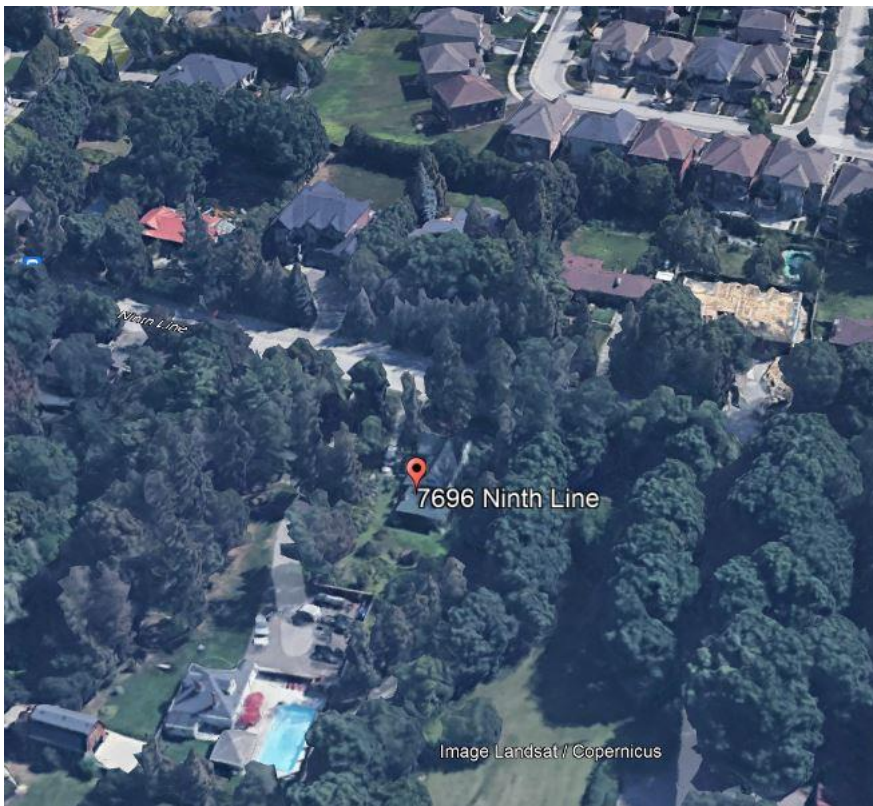
Arvin Prasad, RPP, MCIP  
Commissioner of Development Services

**ATTACHMENTS:**

Appendix 'A':	Property Map and Aerial Image of the Property
Appendix 'B':	Photographs of the Property
Appendix 'C':	Markham's Heritage Resources Evaluation System
Appendix 'D':	Heritage Markham Extract – February 20, 2024
Appendix 'E':	Research Report for 7696 Ninth Line
Appendix 'F':	Letter of Objection



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**APPENDIX 'A': Property Map and Aerial Image of the Property**

*The Property outlined in yellow [above] and an aerial image of the Property [below] (Source: City of Markham)*

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**APPENDIX ‘B’: Photographs of the Property**

*The east (primary) elevation [above] and the west/south elevations of the on-site dwelling [below] as seen in October 2023 (Source: Applicant)*





*The north elevation of the on-site dwelling as seen in October 2023 (Source: Applicant)*

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## APPENDIX 'C': Markham's Heritage Resources Evaluation System

### GROUP 1

- *The designation of the building pursuant to the Ontario Heritage Act will be pursued.*
- *Every attempt must be made to preserve the building on its original site.*
- *Any development proposal affecting such a building must incorporate the identified building.*
- *Appropriate alternative uses for the building will be encouraged when necessary to ensure its preservation.*
- *A Letter of Credit will typically be required to ensure the protection and preservation of the building.*

### GROUP 2

- *The designation of the building pursuant to the Ontario Heritage Act will be encouraged.*
- *The retention of the structure in its existing location is encouraged.*
- *Any developed proposal affecting such a structure should incorporate the identified building.*
- *Appropriate alternative uses for the building will be encouraged when necessary to ensure its preservation.*
- *A Letter of Credit may be required to ensure the protection and preservation of the building.*

### GROUP 3

- *The designation of the building pursuant to the Ontario Heritage Act may be supported with an approved restoration plan, but would not be initiated by the Town.*
- *Retention of the building on the site is supported.*
- *If the building is to be demolished, a photographic record, measured drawings and/or salvage of significant architectural elements may be required.*

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**APPENDIX 'D': Heritage Markham Extract – February 20, 2024****EXTRACT**

Date: February 27, 2024

To: R. Hutcheson, Manager of Heritage Planning  
E. Manning, Senior Heritage Planner

EXTRACT CONTAINING ITEM # 6.2 OF THE SECOND HERITAGE MARKHAM  
COMMITTEE MEETING HELD ON February 20, 2024

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**6. PART FOUR - REGULAR****6.2 REQUEST FOR FEEDBACK****NOTICE OF OBJECTION TO THE INCLUSION OF A PROPERTY ON THE  
MARKHAM REGISTER OF PROPERTY OF CULTURAL HERITAGE  
VALUE OR INTEREST****7696 NINTH LINE (“ANTHONY GRAHAM HOUSE”) (16.11)**

File Numbers:

N/A

Evan Manning, Senior Heritage Planner, introduced this item as related to a notice of objection to the inclusion of a property on the heritage register. Mr. Manning advised that an Agent of the Owner of 7696 Ninth Line has requested that the property be “de-listed” from the register, a process which requires consideration by both the Heritage Markham Committee and Council. Mr. Manning advised that Staff have evaluated the property and find that it does not appear to meet the requisite number of Ontario Regulation 9/06 criteria to be considered a significant cultural heritage resource. As such, Mr. Manning advised that Staff do not object to the request to “de-list” the property.

The Committee asked about the intent behind requesting to be “de-listed”.

Regan Hutcheson, Manager, Heritage, advised that this property would be the first property to be “de-listed” in the City and the ability to request de-listing was recently added to the Ontario Heritage Act. Mr. Manning advised that the Owner may wish for their property to be “de-listed” as it could impact resale value understanding that a future owner may wish to demolish the building. Mr.

Manning reminded the Committee that as Staff would not have otherwise recommended pursuing designation of the property, it would fall off the register at the end of 2024 as a result of recent amendment to the Ontario Heritage Act.

Recommendation:

THAT Heritage Markham is of the opinion that 7696 Ninth Line is not a significant cultural heritage resource and has no objection to removal of the property from the Markham Register of Property of Cultural Heritage Value or Interest.

Carried

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## **APPENDIX ‘E’: Research Report for 7696 Ninth Line**

### **RESEARCH REPORT**



### **Graham-Osland-Grant House**

**Lot 5 Block A Plan 19**

**7696 Ninth Line, Box Grove**

**c.1880**

**Heritage Section**

**City of Markham Planning & Urban Design**

**2023**

#### **History**

The Graham-Osland-Grant House at 7696 Ninth Line is located on Lot 5, Block A, Plan 19, a plan of village lots laid out by George McPhillips, P.L.S. in 1850 on the lands of Joseph Tomlinson and William E. Beebe. Block A is within the eastern portion of Markham Township Lot 5, Concession 8.

In the mid-nineteenth century, a hamlet of tradesmen and labourers grew up around a cluster of industries located on the banks of the Rouge River, near the crossroads of Fourteenth Avenue and Ninth Line. In the early years, the community was known as Sparta, after the celebrated city-state of ancient Greece. By 1867, the year of Canada's Confederation, a local post office was opened with the name Box Grove.

The Tomlinson family, along with the Kirkhams, played a prominent role in the establishment of a sawmill, woollen mill and shoddy mill (for recycling old cloth) in the Rouge River valley. These and other industries took advantage of the water power available from the creation of a dam and mill

pond in the hollow. In time, modest houses for workers in the numerous local industries were built on village lots subdivided from the Tomlinson and Beebe farms. A general store, two taverns, two blacksmith shops and a cooperage were built to serve the needs of the local residents and the surrounding farm families.

Anthony Graham was an English-born blacksmith that was working in the blacksmith shop at Cedar Grove at the time of the 1871 census. His widowed father, Alexander Graham, lived in the same household and was also a blacksmith. This blacksmith shop is now located on the grounds of the Markham Museum.

In 1880, Anthony Graham purchased a block of land within Markham Township Lot 5, Concession 8 in two parts. He bought two and a half acres from Thomas Ellis, and two acres from John Mapes. The portion purchased from John Mapes included a number of quarter-acre village lots fronting onto Ninth Line, including Lot 5 and several lots to the south.

The McPhillips Plan of 1850 shows the outline of buildings that were standing at the time the plan was created. There was a building (presumably a dwelling) illustrated on Lot 5 with a rectangular plan shape that generally conforms to that of the front section of the existing house at 7696 Ninth Line. It is possible that the ground floor of the front section of the existing dwelling may be the building illustrated on Plan 19, raised to one and a half storeys at a later date. It is also possible that the old house on the property was replaced by a new dwelling by Anthony Graham in 1880. A site visit would be necessary to examine the structure in detail to determine its age.

Anthony Graham was married to Mary Ann (Gibson) Graham, who was also born in England. The family were of the Roman Catholic faith. At the time of the 1881 census, they had four children between the ages of three and eleven: Alexander, Elizabeth, Mary J. and John A. Later, at the time of the 1891 census, Anthony Graham was a widower, age 53. The Graham residence was described in the census records as a one storey frame house containing five rooms. This description differs from the existing one-and-a-half storey form of the house at 7696 Ninth Line. It is possible that second storey was added to this dwellings later in the 1890s, around the time that Anthony Graham re-married. His second wife was named Mary. At the time of the 1901 census, they had two children together, James A., age nine, and Owen G., age 8.

The blacksmith shop (demolished) was located to the west of the Grahams' dwelling. A note at the Markham Museum concerning the memories of Levi DeGeer about various sites in Box Grove says the shop was at the end of the driveway leading to the Murray Dowdell House (7682 Ninth Line). It is not known if the blacksmith shop was on the property at the time of Anthony Graham's purchase. If not, then Graham was the builder of the shop.

Anthony and Mary Graham sold Lot 5 (7696 Ninth Line) to Wesley Osland in 1906 and continued to live on the larger portion of their property, possibly on Lot 9, Block A, Plan 19, in the frame house now addressed 7662 Ninth Line that he acquired in the early twentieth century. There is a gap in the Abstract of Deeds for that property that does not show how it passed from Edward Smith to Anthony



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Graham. By 1921, Anthony Graham's occupation had changed from "Blacksmith," as it was in 1911, to "Farmer."

Census records from 1911 and 1921 have George Osland, an English-born labourer, as Anthony and Mary Graham's neighbor. His wife was named Annie. The property passed to George Osland's son Charles Osland. In 1944, the administrator of Charles Osland's estate sold to Harry and Elizabeth Brennan. In 1954, Joseph and Martha Grant purchased the property. Based on the style of the large front windows and front door, it seems probable that the house was modernized by the Grant family in the 1950s. The time period of the renovations was recently confirmed as the mid-1950s by members of the Grant family.

### **Architecture**

The Graham-Osland-Grant House is a one-and-a-half storey frame dwelling with a rear-facing L-shaped plan. Exterior cladding is wide horizontal aluminum siding. The front section of the house is rectangular in plan, facing east. A one-and-a-half storey rear wing extends west from the south half of the rear wall. There is an open porch within the north-facing ell formed by the intersection of the front and rear sections of the building. The ground floor is placed a little above grade level, and the foundation material is not readily visible. Information recently provided by the Grant family indicates the original stone foundation was replaced during renovations of the 1950s. A one storey flat-roofed addition in red-brown brick, dating from the 1960s, is located at the western end of the rear wing.

The roof is a steeply-pitched cross gable with projecting, boxed eaves. There is a single-stack exterior chimney centred on the north gable end wall. The red-brown brick of this chimney is similar to that of the one-storey rear addition. There is a small shed-roofed dormer window on the rear slope of the main roof, and a shed-roofed wall dormer on the north slope of the roof of the rear wing.

The house has a three-bay façade. The single-leaf front door, centred on the wall, has a 1950s style slab door with small rectangular lights. On either side of the front door are large three-part picture windows, also characteristic of the 1950s. Door and window frames are simple and narrow, likely contemporary with the application of modern siding to the exterior.

The gable end walls and north and south walls of the rear wing have a variety of styles and sizes of windows. There is picture window on the south wall, simpler in detail and smaller in scale than the picture windows on the front wall. Some of the window openings on the north and side walls are more in keeping with the nineteenth century age of the building, but all contain modern replacement windows.



7696 Ninth Line. West and south side view showing rear wing and 1960s addition.

The side porch has a simple shed roof supported on slender square wooden posts. It does not appear to be very old, but it could occupy the same space as an earlier porch that may have existed in this location. There is a single-leaf door within the side porch, at the east end of the north wall of the rear wing.

The Graham-Osland-Grant House is an altered nineteenth century village dwelling that may have once reflected a vernacular Georgian architectural tradition character in the symmetry of its façade and the simplicity of its design. Unfortunately, there are no historic photographs to illustrate its earlier appearance. The door and flanking windows of the street-facing façade are typical of the 1950s period of its remodeling. The steep pitch of the roof suggests a possible Gothic Revival influence in a general way, but overall it is difficult to place this modest house within any definite stylistic category in its present state.

The research into this building raises a number of questions. The front section occupies the same approximate footprint of a building shown in this location on Plan 19. If it is indeed the same structure, then at least a portion of the existing building pre-dates 1850. The description of the home of the Graham family and those of their immediate neighbours in the 1891 census as one storey is unexpected since the house at 7696 Ninth Line is one-and-a-half storeys in height and appears to have been in this form for a long period of time.

### **Context**

The Graham-Osland House is historically linked to the Tomlinson-Smith House at 7662 Ninth Line, owned by the Graham family from 1880 until 1933.

Several properties in the vicinity have been individually designated under Part IV of The Ontario Heritage Act, including the James Bishop House, c.1890 at 7739 Ninth Line (By-law 2020-67), the Box

Grove Schoolhouse, 1877, at 7651 Ninth Line (By-law 2005-78), and the Tomlinson-Gates House, c.1875, at 7790 Ninth Line (By-law 2016-135).

**Sources**

Abstract Index of Deeds for Markham Township Lot 5, Concession 8.

Abstract Index of Deeds for Lots 2 - 10, Block A, Plan 19.

Plan 19 (1850).

Markham Township Assessment Rolls: 1880, 1890 and 1900.

Canada Census: 1851, 1861, 1871, 1881, 1891, 1901, 1911 and 1921.

Maps of Markham Township: McPhillips (1853-54), Tremaine (1860), and Historical Atlas of York County, Ontario (1878).

Directories of Markham Township: Nason (1871).

Burkholder, Paul. "Box Grove." *Pioneer Hamlets of York*. Kitchener: Pennsylvania German Folklore Society, 1977. Pages 91-96.

Champion, Isabel (ed.). *Markham 1793-1900*. Markham: Markham Historical Society, Revised Edition, 1989. Pages 287-289.

**Compliance with Ontario Regulation 9/06, as amended – Criteria for Determining Cultural Heritage Value or Interest**

*The property has historical or associative value because it has direct associations with a theme, event, person, activity, organization or institution that is significant to a community.*

**The Graham-Osland-Grant House has historical value and associative value representing the theme of urban development, specifically the nineteenth century development of the historic hamlet of Sparta/Box Grove around a cluster of industries at the crossroads of Fourteenth Avenue and Ninth Line.**

## **APPENDIX 'E': Letter of Objection**

*Provided under separate cover*



# **Key Secondary Plans Development Activity and Forecasted Unit Growth**

**Development Services Committee Meeting**

**April 23, 2024**



## Outline

- March 20, 2024 Council request on development activity in relation to draft unit forecasts
- Context: Planning for Growth in Markham
- Secondary plan areas of interest:
  - Markham Centre
  - Yonge Corridor
  - Langstaff Gateway
  - Markville
  - Markham Road Mount Joy
  - Milliken Centre
  - Cornell Centre



## Planning for Growth In Markham: Forecasted Minimum Population and Employment Growth

### York Region

### Markham

**2021**

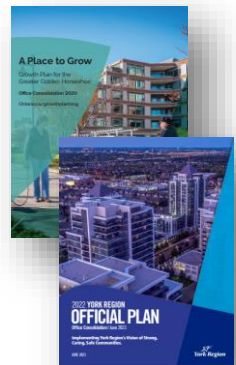
1.2M People  
640,000 Jobs

350,000 People  
190,000 Jobs

**2051**

2M People  
1M Jobs

618,000 People  
302,000 Jobs





## Growth Forecasting in Secondary Plans and Studies

- Following slides provide an overview of forecasted growth within ongoing secondary plan initiatives across the City and Approved and Active Development Applications
- Key Considerations:
  - Unit forecasts and building heights in Secondary Plan initiatives are from a point in time and are not approved
  - Forecasted growth in some areas may change as Secondary Plan initiatives advance towards completion





# Markham Centre Developments

## Approved Applications: Active Applications:

### 1. 3505, 3555 Hwy. 7

OPA/ZBA, Approved November 2023  
42, 38, 48 storeys, 1,114 units  
(Concept Plan – 45 storeys)

### 2. 4077, 4101 Hwy. 7

OPA/ZBA, Approved July 2023  
25 to 37 storeys, 1,749 units  
(Concept Plan – 8-30 storeys)

### 3. Enterprise Boulevard

OPA/ZBA, Approved March 2023  
36, 40, 44 storeys, 1,350 units  
(Concept Plan – 45 storeys)

### 4. 3083 Hwy. 7

OPA/ZBA (phase 1), 2021 submission  
4 towers, 25-34 storeys, 1,152 units  
(Concept Plan – 8-20 storeys)

### 5. Hwy. 7 and Rodick Road (Appealed)

Site Plan, 2023 submission  
17, 18, 20 storeys, 723 units  
(Concept Plan - 12 storeys)

### 6. 100 Clegg Road

OPA/ZBA/SU, 2021 submission  
8 towers, 18 to 39 storeys, 2,666 units  
(Concept Plan – 37-39 storeys)

### 7. 8500 Warden Avenue (Appealed)

OPA/ZBA (phase 1), 2020 submission  
5 towers, 40-55 storeys, 3,049 units  
(Concept Plan – 30 storeys)

### 8. 8601 Warden Avenue

OPA/ZBA (phase 1), 2021 submission  
5 towers, 25-48 storeys, 1,666 units  
(Concept Plan – 6-30 storeys)

### 9. 3825 Hwy. 7

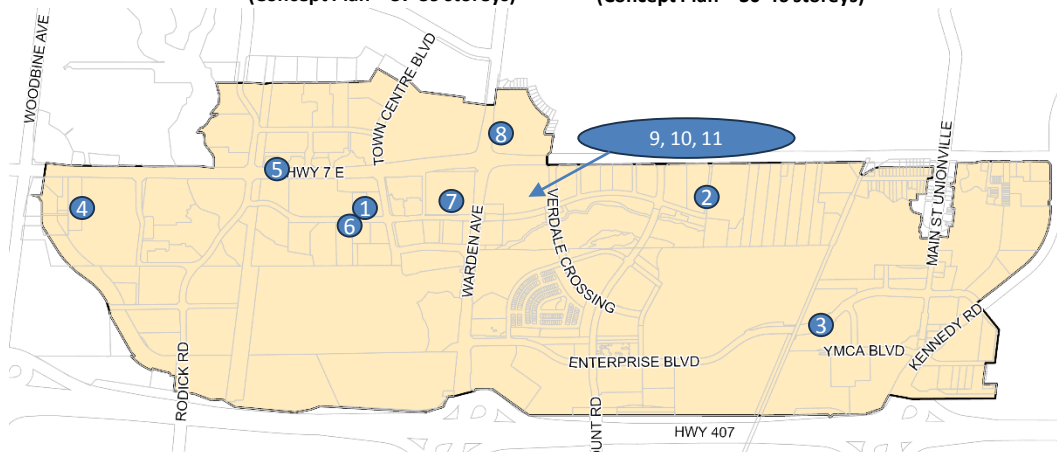
Site Plan, 2023 submission  
Two 30 storey towers 616 units  
(Concept Plan – 30-46 storeys)

### 10. 3825 Hwy. 7

Site Plan, 2023 submission  
40, 45 storeys, 811 units  
(Concept Plan – 30-46 storeys)

### 11. 3825 Hwy. 7

Site Plan, 2023 Submission  
36, 38 storeys, 760 units  
(Concept Plan 30-46 storeys)



Status	Details
<b>Forecasted Growth, Markham Centre Recommended Development Concept Plan Dec.2023</b>	<b>56,500 Residential Units</b>
<b>Building Permit Occupancies since 2023</b>	<b>1,689 Residential Units</b>
<b>Approved Development Applications since 2023 (OPA, ZBA, SU, SPC)</b>	<b>4,344 Residential Units</b>  <b>0 m<sup>2</sup> Non-Residential GFA</b>  <b>3 Approved Applications</b>
<b>Active Development Applications since 2020 (OPA, ZBA, SU, SPC)</b>	<b>35,487 Residential Units</b>  <b>16,313 m<sup>2</sup> Non-Residential GFA</b>  <b>34 Active Applications</b>



# Markham Centre Developments

## Active Applications:

### 1. 4077 Hwy. 7

Site Plan, 2020 Submission  
8 storeys, 355 units  
(Concept Plan – 8-30 storeys)

### 3. 4121 Hwy. 7

OPA/ZBA, 2023 submission  
9 storeys & townhouses, 233 units  
(Concept Plan – 8 storeys)

### 5. 2 University Boulevard

Site Plan, 2023 submission  
5 towers, 35-49 storeys, 2,608 units  
(Concept Plan – 40 storeys)

### 7. 8111 Kennedy Road

OPA/ZBA/SU, 2021 submission  
4 towers 21-41 storeys, 2 mid-rise 8 storeys, 2 townhouse blocks, 1,772 units  
(Concept Plan – 6-20 storeys)

### 2. 4077 Hwy. 7

Site Plan, 2023 Submission  
27, 32, 37 storeys, 1264 units  
(Concept Plan – 8-30 storeys)

### 4. 190 Enterprise Boulevard

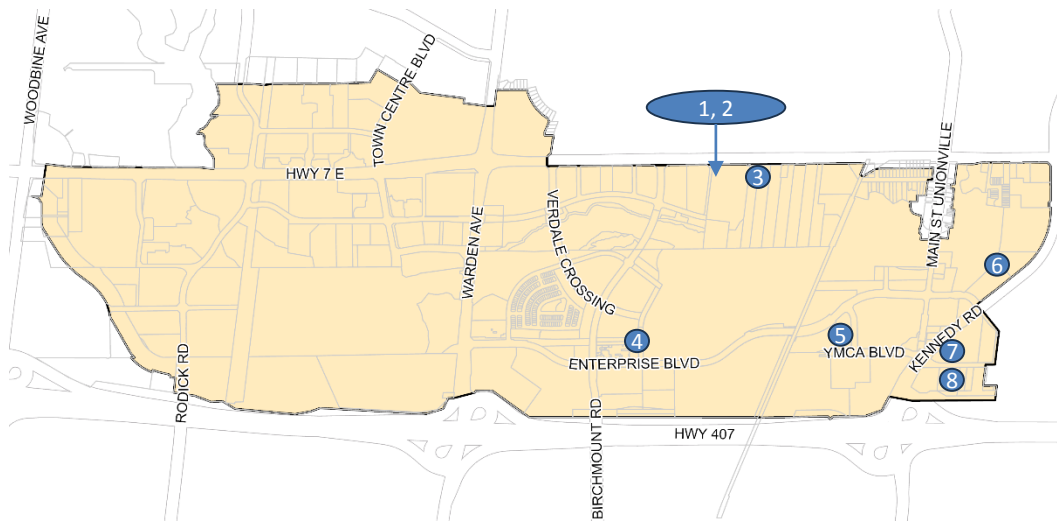
Site Plan, 2021 Submission  
35 storeys, 276 units  
(Concept Plan – 20 storeys)

### 6. 8350 Kennedy Road

OPA/ZBA, 2023 submission  
23, 27 storeys, 769 units  
(Concept Plan – 25 storeys)

### 8. 55 Helen Avenue

OPA/ZBA (phase 2), 2023 submission  
25 storeys, 307 units  
(Concept Plan – 8 to 25 storeys)



Status	Details
Forecasted Growth, Markham Centre Recommended Development Concept Plan Dec.2023	56,500 Residential Units
Building Permit Occupancies since 2023	1,689 Residential Units
Approved Development Applications since 2023 (OPA, ZBA, SU, SPC)	4,344 Residential Units  0 m <sup>2</sup> Non-Residential GFA  4 Approved Applications
Active Development Applications since 2020 (OPA, ZBA, SU, SPC)	35,487 Residential Units  16,313 m <sup>2</sup> Non-Residential GFA  34 Active Applications



# Yonge Steeles Corridor Developments

## Active Applications:

### 1. 8127-8149 Yonge Street (Appealed)

OPA/ZBA, 2022 Submission

Two 40 storey towers, 865 units

### 2. 7509-7529 Yonge Street (Appealed)

OPA/ZBA, 2023 Submission

Two 60 storey towers, 1,330 units

### 3. 17-23 Morgan Avenue

Site Plan, 2023 Submission

40 storeys, 487 units

### 4. 7115 Yonge Street

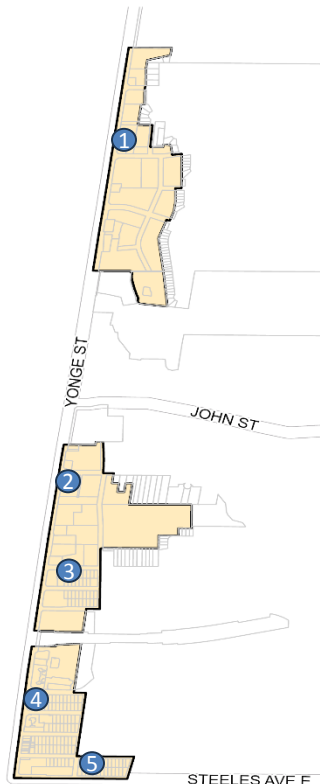
OPA/ZBA, 2023 Submission

36 storeys, 437 units

### 5. 36-48 Steeles Avenue

Subdivision, 2022 Submission

Two 27 storey towers, One 6 storey building, 536 units



Status	Details
Forecasted Growth, Yonge Steeles Corridor Land Use and Built Form Study June 2022  (Proposed heights and densities to be determined through Secondary Plan Study)	23,000 Residential Units
Building Permit Occupancies since 2023	0 Residential Units
Approved Development Applications since 2023 (OPA, ZBA, SU, SPC)	0 Residential Units 0 m <sup>2</sup> Non-Residential GFA
Active Development Applications since 2020 (OPA, ZBA, SU, SPC)	3,664 Residential Units 156 m <sup>2</sup> Non-Residential GFA  6 Active Applications

\* Proposed heights and densities to be determined through Secondary Plan Study



# Langstaff Gateway Developments

## Active Applications:

### 1. 25 Langstaff Road East

Subdivision, 2022 Submission

1,132 units

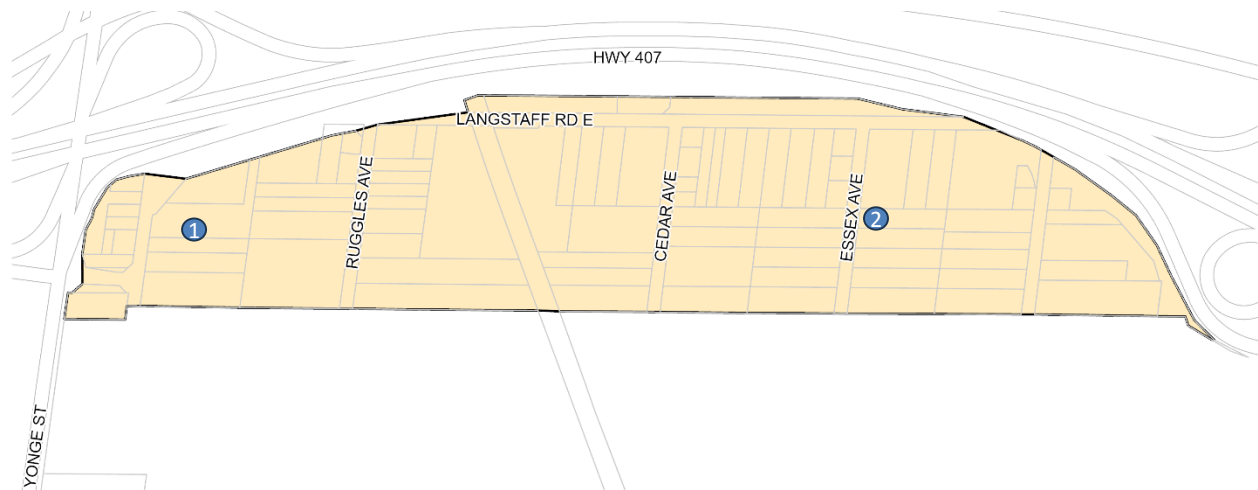
(MZO April 2022 – 80 storeys)

### 2. 203 Langstaff Road

CIHA, 2023 Submission

Approx. 25 buildings/towers, 4-58 storeys,  
9,283 units

(2011 Secondary Plan – up to 50 storeys)



Status	Details
Forecasted Growth, Langstaff (East – CIHA Dec.2023) and Langstaff (West – MZO April 2022)	29,773 Residential Units
Building Permit Occupancies since 2023	0 Residential Units
Approved Development Applications since 2023 (OPA, ZBA, SU, SPC)	0 Residential Units 0 m <sup>2</sup> Non-Residential GFA
Active Development Applications since 2020 (CIHA, OPA, ZBA, SU, SPC)	10,415 Residential Units 0 m <sup>2</sup> Non-Residential GFA 6 Active Applications



## Markville Developments

### Active Application:

#### 1. 5000 Highway 7

OPA, 2023 Submission

6-45 storeys, 4,340 units

(Draft Demonstration Concept 2023 – 5-40 storeys)



Status	Details
Forecasted Growth, Markville Initial Draft Demonstration Concept Dec.2023	14,200 Residential Units
Building Permit Occupancies since 2023	0 Residential Units
Approved Development Applications since 2023 (OPA, ZBA, SU, SPC)	0 Residential Units 15,299 m <sup>2</sup> Non-Residential GFA 2 Approved Applications
Active Development Applications since 2020 (OPA, ZBA, SU, SPC)	4,340 Residential Units 0 m <sup>2</sup> Non-Residential GFA 1 Active Application



# Markham Road Mount Joy Developments

## Approved Applications:

### 1. 9781 Markham Road

Site Plan, 2023 Approved  
Two 22 storey towers, 536 units  
(Recommended SP April 2024 33 storeys)

### 2. 9781 Markham Road

Site Plan, 2024 Approved  
33 storeys, 27 storeys, 755 units  
(Recommended SP April 2024 33 storeys)

### 3. 9900 Markham Road

OPA/ZBA, 2023 Approved  
Two 21 storey towers, 4 townhouse blocks, 736 units  
(Draft SP June 2023 15/25 storeys, Recommended SP April 2024 21 storeys)

## Active Applications:

### 4. 9999 Markham Road

ZBA, 2023 Submission  
12 storeys, 258 units  
(Recommended SP April 2024 21 storeys)

### 5. 77 Anderson Avenue

OPA/ZBA, 2021 Submission  
45 storeys, 508 units  
(Recommended SP April 2024 30 storeys)

### 6. 9331 Markham Road (Appealed)

Site Plan, 2022 Submission  
37 storeys, 42 storeys, 933 units  
(Recommended SP April 2024 25 storeys)



Status	Details
Forecasted Growth, Markham Road Mount Joy Draft Secondary Plan June 2023	14,500 Residential Units
Building Permit Occupancies since 2023	0 Residential Units
Approved Development Applications since 2023 (OPA, ZBA, SU, SPC)	2,027 Residential Units 220 m <sup>2</sup> Non-Residential GFA 4 Approved Applications
Active Development Applications since 2020 (OPA, ZBA, SU, SPC)	1,699 Residential Units 0 m <sup>2</sup> Non-Residential GFA 3 Active Applications



# Milliken Centre Developments

## Approved Application:

1. 35-51 Old Kennedy Road  
OPA/ZBA, 2023 Submission  
30 storeys, 372 units  
(Draft SP May 2023, 25 storeys)

## Active Application:

1. 186 Old Kennedy Road  
Site Plan, 2022 Submission  
4 storeys, 94 Townhouse units  
(Draft SP May 2023, 8 storeys)



Status	Details
Forecasted Growth, Milliken Centre Draft Secondary Plan May 2023	8,000 Residential Units
*Additional growth anticipated through future policies of draft Secondary Plan	
Building Permit Occupancies since 2023	39 Residential Units
Approved Development Applications since 2023 (OPA, ZBA, SU, SPC)	372 Residential Units 0 m <sup>2</sup> Non-Residential GFA
Active Development Applications since 2020 (OPA, ZBA, SU, SPC)	94 Residential Units 0 m <sup>2</sup> Non-Residential GFA 2 Active Applications





# Cornell Centre Developments

## Approved Applications:

**1. Rustle Woods Ave/Cornell Rouge Blvd**  
Site Plan, 2023 Approved  
60 Townhouse units

## Active Applications:

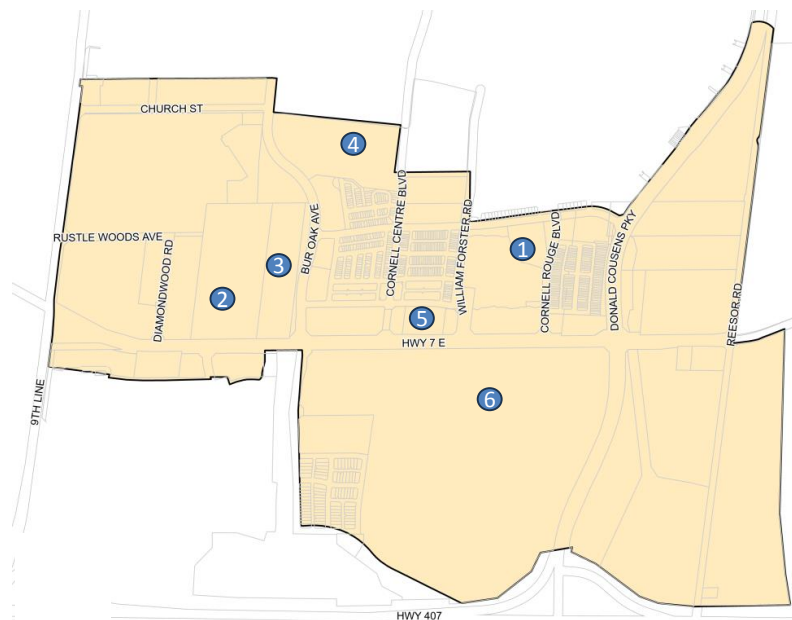
**2. 6950 Hwy. 7**  
OPA/ZBA/SU, 2022 Submission  
Approx. 3 Towers, 18-28 storeys, 7  
Buildings, 10-12 storeys, 2,377 units

**3. Bur Oak Ave/Rustle Woods Ave**  
OPA/ZBA/SU, 2022 Submission  
Approx. 6 towers, 16-28 storeys, 2  
buildings, 6-10 storeys, 1,785 apartment  
units

**4. Church St./Cornell Centre Blvd**  
OPA/ZBA, 2023 Submission  
318 Townhouse units, two 13 storey  
buildings, 748 units

**5. 7128-7186 Hwy. 7**  
Site Plan, 2020 Submission  
94 Townhouse units

**6. Hwy.7 west of Donald Cousens Pkwy**  
Subdivision, 2020 Submission  
79 Detached, 429 Townhouse, 452  
Apartment (future Site Plan) Units



Status	Details
Forecasted Growth, Cornell Centre  (Proposed heights and densities to be determined through Secondary Plan Study)	To be determined
Building Permit Occupancies since 2023	164 Residential Units
Approved Development Applications since 2023 (OPA, ZBA, SU, SPC)	60 Residential Units  0 m <sup>2</sup> Non-Residential GFA  1 Approved Application
Active Development Applications since 2020 (OPA, ZBA, SU, SPC)	7,072 Residential Units  0 m <sup>2</sup> Non-Residential GFA  5 Active Applications

\* Proposed heights and densities to be determined through Secondary Plan Study





## Next Steps

- Continue to monitor growth in key secondary plan areas
- Report on a regular basis
- May 2024 DSC report on Planning & Urban Design Department work plan including secondary plan areas



Thank You



Report to: Development Services Committee

Meeting Date: April 23, 2024

**SUBJECT:** RECOMMENDATION REPORT  
City Initiated Official Plan Amendment for the Markham  
Road – Mount Joy Secondary Plan

File No. PR 20 142832  
Wards 4, 5 and 6

**PREPARED BY:** Lily-Ann D’Souza, M.C.I.P., R.P.P., ext. 2180  
Senior Planner, Policy

**REVIEWED BY:** Duran Wedderburn, M.C.I.P., R.P.P., ext. 2109  
Manager, Policy

#### **RECOMMENDATION:**

- 1) That the Staff report dated April 23, 2024 entitled “RECOMMENDATION REPORT, City Initiated Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan” be received;
- 2) That the Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan, attached as Appendix “2”, be finalized and forwarded to Council for adoption, and subsequently forwarded to York Region for approval; and
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

#### **EXECUTIVE SUMMARY:**

This report recommends Council adoption of the City initiated Official Plan Amendment to incorporate the Markham Road – Mount Joy Secondary Plan (“draft Secondary Plan”) into the City of Markham Official Plan, 2014. The preparation of the draft Secondary Plan was informed by the recommendations and policy directions from the Markham Road – Mount Joy Secondary Plan Study (“Study”). The draft Secondary Plan introduces a comprehensive policy framework to guide growth and development in the Secondary Plan Area, including 10 public parks and two new public schools, to accommodate approximately 33,000 residents, 14,500 units, and 6,000 jobs at build out. The draft Secondary Plan was considered at a statutory public meeting on November 21, 2023 and revised, where appropriate, based on agency, stakeholder and public feedback. Staff are of the opinion that the draft Secondary Plan, attached as Appendix “2”, is consistent with the Provincial Policy Statement, 2020, and conforms to all applicable Provincial, Regional and Municipal plans.

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**PURPOSE:**

This report recommends adoption of the City initiated Official Plan Amendment to incorporate the Markham Road – Mount Joy Secondary Plan into the City of Markham Official Plan, 2014.

**BACKGROUND:**

**The draft Markham Road – Mount Joy Secondary Plan was prepared based on the recommendations and policy directions of a multi-phased Secondary Plan Study and considered at a statutory public meeting in November 2023**

The City of Markham's Official Plan, 2014 ("Official Plan") provides direction to prepare a new secondary plan for the Markham Road – Mount Joy Local Corridor. The purpose of the new secondary plan is to build on the policies of the Official Plan, providing detailed direction on the environment, land use, urban design, infrastructure, and community amenities to guide growth within the Markham Road – Mount Joy Secondary Plan Area ("Secondary Plan Area"), as shown in Figure 1, and to support the development of a complete community at transit supportive densities near Mount Joy GO Station.

The Secondary Plan Area includes the Local Corridor identified on Map 1 – Markham Structure in the Official Plan. Local Corridors are intended to serve as main streets that provide a mix of uses and services to surrounding communities, as well as connections to higher order transit, and are part of the City's strategy for accommodating forecasted population and employment growth to 2031. Lands within the Secondary Plan Area centred around the Mount Joy GO Station are also delineated as an intensification area on Map 2 – Centres and Corridors and Transit Network in the Official Plan and planned to accommodate development at higher densities.

A large portion of the lands within the Secondary Plan Area are also within the Mount Joy GO Station Protected Major Transit Station Area ("PMTSA") delineated in the York Region Official Plan, 2022 ("YROP"), as shown in Figure 2. Lands within the Mount Joy GO Station PMTSA are required to achieve a minimum density target of 200 people and jobs per hectare. The YROP also identifies a GO Rail Station subject to further study on the Stouffville GO Railway Corridor at Major Mackenzie Drive East adjacent to the Secondary Plan Area.

The Markham Road – Mount Joy Secondary Plan Study ("the Study") was initiated in late 2019 as a first step to preparing the new secondary plan. The multidisciplinary Study was undertaken in six phases and included extensive stakeholder and community engagement. Key milestones in the Study process included:

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- An introduction to the Study purpose, process, key considerations and objectives, and next steps that was received by the Development Services Committee (“DSC”) of Markham Council on [December 9, 2019](#).
  - A multi-day virtual design charrette and two virtual community information sessions held between [July and September 2020](#) to present and obtain input on the draft vision, guiding principles and emerging framework plans for the Secondary Plan Area.
  - An update on the results of the virtual engagement activities, ongoing technical work, and the emerging demonstration plan that was received by DSC on [December 15, 2020](#).
  - An Interim Report and a flythrough of the 3D model of the draft demonstration plan which were received by DSC on [April 21, 2021](#). The Interim Report documented the results of the technical work, and stakeholder and community engagement completed during the first three phases of the Study.
  - A virtual community information session on [June 3, 2021](#), followed by a virtual stakeholder session later the same month, to obtain input on the Interim Report and draft demonstration plan.
  - An update summarizing revisions to the draft demonstration plan based on feedback obtained through the third virtual community information session and virtual stakeholder workshop, as well as technical modelling and analysis undertaken since the Interim Report, that was received by DSC on [July 11, 2022](#).

The Study recommendations and policy directions informed the preparation of the draft City Initiated Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan (“draft Secondary Plan”) that was received by DSC on [June 26, 2023](#).

The draft Secondary Plan introduces a comprehensive policy framework to achieve the vision of a mixed use, transit oriented, complete community that will accommodate a minimum of approximately 33,000 residents, 14,500 units, and 6,000 jobs through intensification. A key component of the draft Secondary Plan is a refined Community Structure featuring an enhanced Greenway System; three Precinct Areas; Residential Neighbourhood Areas; Mixed Use Neighbourhood Areas (which includes the Mount Joy GO Station Mixed Use Node); Mixed Use – Employment Priority Lands; a Parks System with approximately 10 hectares of parkland; an Open Space System, and an improved and integrated Transportation System.

A statutory public meeting was held on [November 21, 2023](#) to consider the draft Secondary Plan. In addition to the deputations at the statutory public meeting, comments on the draft Secondary Plan have also been received through written correspondence from agencies, stakeholders and the public. The comments include recommended revisions to specific policies, concerns about the impacts of high density development on

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the transportation system and public realm, and requests to revise site specific land use permissions, among other things. Staff have completed their review of the feedback received to date and revised the draft Secondary Plan, where appropriate.

## **OPTIONS/DISCUSSION:**

### **November 21, 2023 Statutory Public Meeting Feedback**

#### **A range of general and site specific comments were raised by deputants at the November 21, 2023 statutory public meeting**

A total of eight (8) deputations were made at the statutory public meeting held on November 21, 2023 providing general and site specific comments on the draft Secondary Plan. The comments made by deputants included:

- a) Concerns about the impact of high density development on existing road capacity in surrounding communities and assumptions about planned transit service levels;
- b) Requests to remove maximum heights and densities in the draft Secondary Plan;
- c) Requests to revise site specific land use designations and/or maximum heights and densities;
- d) Requests to maintain the lands north of Castlemore Avenue as 'Mixed Use Neighbourhood Area';
- e) Concerns about the amount of high density development in the Secondary Plan Area and the impact on the public realm at grade;
- f) Concerns about the impact of the realignment of Mount Joy Creek on privately owned lands; and
- g) Requests to require the formation of a Developers' Group Agreement in the draft Secondary Plan.

Responses to the comments raised by deputants are provided in the comment response matrix in Appendix "1" which catalogues all the comments received on the draft Secondary Plan, and staff responses.

### **Staff Modifications to the Draft Secondary Plan**

**Feedback from prescribed bodies, stakeholders and members of the public informed revisions, where appropriate, to the draft Secondary Plan**

In addition to the comments provided by deputants at the statutory public meeting, thirty-four (34) written submissions from agencies, stakeholders and the public with comments on the draft Secondary Plan have been received. Staff have completed their review of the comments and revised the draft Secondary Plan, where appropriate. In addition, typographical edits as well as technical revisions to clarify the intent of various policies and maps were also made to the draft Secondary Plan. Changes to the overall draft Secondary Plan policy framework were however limited to:

- *Deleting Area and Site Specific Policy 9.1* – This area and site specific policy applied to the lands at 9900 Markham Road and provided for an increase to the maximum height identified on Map SP3B – Height (now Map SP3 – Height) subject to addressing specific criteria. The lands were also the subject of a combined official plan amendment (OPA) and zoning bylaw amendment (ZBLA) application. Markham Council adopted the OPA and approved the ZBLA with hold provisions on December 13, 2023. The draft Secondary Plan was therefore updated to remove the area and site specific policy and replace the maximum height on the portion of the lands designated ‘Residential High Rise’ from 15 storeys to 21 storeys, per the adopted OPA, on Map SP2 - Detailed Land Use.
- *Updating Area and Site Specific Policy 9.2 (now 9.1)* – This area and site specific policy applies to a portion of the lands at 9999 Markham Road, and also provides for additional maximum heights subject to addressing certain criteria. The area and site specific policy was updated to clarify the densities that would also be permitted if the listed criteria are addressed. In addition, the extent of the area and site specific policy previously included a portion of the lands fronting onto Anderson Avenue and was revised to apply only to the lands fronting Markham Road and Major Mackenzie Drive East. The lands within the area and site specific policy were also redesignated from ‘Residential High Rise’ to ‘Mixed Use High Rise’ and the maximum height was increased from 15 storeys to 21 storeys on Map SP2 – Detailed Land Use following a technical review by staff in response to stakeholder and public comments. There were no changes to the densities identified on Map SP3B – Density (now Appendix 2 – Density).
- *Moving Map SP3B - Density to the appendix as Appendix 2 - Density.* Map SP3B – Density identified the maximum densities on lands throughout the Secondary Plan Area based on the established community structure. Map SP3B – Density has been moved to the appendix, which is provided for information purposes, and renamed as Appendix 2 – Density. Together with the maximum heights identified on Map SP3 – Height, this approach emphasizes the built form of a proposed development by setting a limit on a building’s height with density as a guiding factor. The approach also provides flexibility to consider minor increases to the densities identified in Appendix 2 - Density without the need for an amendment subject to addressing the technical requirements detailed in the policy framework. Both height and density will continue to be reviewed through the development approval process to ensure proposed developments achieve the built form and public realm objectives, among other things, set out in the draft Secondary Plan.

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- *Adding a new policy to encourage the development of affordable housing units* – A new policy to incentivize the provision of affordable housing units in mixed use and residential developments was added to Section 8.7 Height and Density. The policy exempts the provision of affordable housing units from the calculation of the maximum height as shown on Map SP3 – Height and maximum density as shown on Appendix 2 – Density.

It is noted that revisions were also made to increase the maximum heights on specific sites on Map SP3 – Height based on a technical review by staff in response to stakeholder comments. These revisions are documented in Appendix “1”.

It is also noted that lands within the Secondary Plan Area are under appeal, as documented in Appendix “1”, and will be subject to the Ontario Land Tribunal decision.

All the comments received on the draft Secondary Plan, and how they have been addressed, are detailed in Appendix “1”. A copy of the revised draft Secondary Plan is included as Appendix “2”.

### **Conformity with the Land Use Planning Policy Framework**

#### **The draft Secondary Plan is consistent with the Provincial Policy Statement, 2020**

The draft Secondary Plan is consistent with the Provincial Policy Statement, 2020 (“PPS”). It supports the efficient use of land, infrastructure and resources by accommodating growth through intensification and providing for a mix of residential, employment, institutional, parkland and other uses that optimize investments in transit infrastructure and services while promoting active transportation to meet the needs of individuals of all ages and abilities. The draft Secondary Plan also provides direction to confirm the realignment, and potentially daylight, a portion of Mount Joy Creek to remove the existing flood hazard within the Secondary Plan Area, enhance the natural heritage system, and protect public safety.

#### **The draft Secondary Plan conforms to the Growth Plan, 2019**

The draft Secondary Plan conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (“Growth Plan”) as it accommodates growth through higher density development comprising a mix of residential and non-residential uses, services and community facilities in a Strategic Growth Area (“SGA”), specifically within and adjacent to a MTSA. The draft Secondary Plan also provides direction to align transit with growth and enhance opportunities for transit use and active transportation within a compact and complete community.

#### **The draft Secondary Plan conforms to the Greenbelt Plan, 2017**

Mount Joy Creek traverses the northern portion of the Secondary Plan Area and is identified as an urban river valley (“URV”) in the Greenbelt Plan, 2017 (“Greenbelt



Plan”). The Greenbelt Plan provides for the inclusion of publicly owned lands in URVs to integrate the Greenbelt into urban areas and recognizes URVs as important connections to the Great Lakes, among other things. The majority of the Mount Joy Creek lands within the URV designation are currently in private ownership. The draft Secondary Plan provides direction to undertake a comprehensive study to confirm the realignment, and potentially daylight, a portion of Mount Joy Creek. It is intended that the realigned creek will be conveyed into public ownership in support of the vision and goals of the Greenbelt Plan.

### **The draft Secondary Plan Conforms to the York Region Official Plan, 2022**

The draft Secondary Plan conforms to the York Region Official Plan, 2022 (“YROP”). It accommodates planned growth through intensification to meet the minimum density target of 200 people and jobs per hectare within the Mount Joy GO Station PMTSA. It also contributes to the development of a compact community with a mix of uses and densities supportive of transit use adjacent to the GO Station subject to further study at Major Mackenzie Drive East. The draft Secondary Plan also conforms to the YROP in terms of identifying existing and/or planned transportation, municipal servicing, and community amenities required to support growth in the Secondary Plan Area and meet the needs of residents of all ages and abilities.

### **A new zoning by-law will be prepared to implement the adopted Secondary Plan**

Lands within the Secondary Plan Area are currently subject to the provisions of multiple zoning by-laws. In the future, a new zoning bylaw will be prepared following adoption of the Secondary Plan. In the interim, it is anticipated that landowners in the Secondary Plan Area will bring forward development applications to amend the in-effect zoning by-laws to conform to the Secondary Plan.

### **A Master Parkland Agreement is encouraged to achieve the Parks System identified in the Secondary Plan**

As discussed in the [June 26, 2023](#) report to DSC, there is approximately 1.24 hectares of existing and secured parkland in the Secondary Plan Area. The draft Secondary Plan designates eight new public parks that would add approximately 9.05 hectares to the parks system in the Secondary Plan Area. Due to the changes introduced by the More Homes Built Faster Act, 2022 (Bill 23), the total amount of parkland that is anticipated to be secured is between 8.0 and 9.0 hectares. This results in a shortfall of less than one hectare of the parkland identified in the Secondary Plan Area.

The draft Secondary Plan includes policies encouraging the City and landowners to enter into a Master Parkland Agreement to secure and consolidate larger and more functional parks at the general locations identified in the Secondary Plan Area to avoid smaller fragmented parks that would be of limited benefit to the community.

### **Implementation of the Secondary Plan will occur over the long-term and be coordinated with the delivery of infrastructure**

Full build out of the Secondary Plan Area will be achieved over the long-term. Development and redevelopment will be coordinated and phased with the delivery of transportation and municipal servicing infrastructure in accordance with local and regional capital plans, and community facilities. It is noted that a limited amount of new development can proceed before upgrades to the existing municipal servicing infrastructure are needed. It is also noted that a portion of the lands north of Major Mackenzie Drive East are within the same sanitary catchment area as the Secondary Plan Area and therefore sanitary system upgrades should be evaluated holistically.

### **GO Station Subject to Further Study at Major Mackenzie Drive East**

The transportation component of the Study included a feasibility review to test the performance at a high level of the GO Rail Station subject to further study at Major Mackenzie Drive East on the Stouffville GO Railway Corridor. The feasibility review recommended continuing to protect for the additional station on the Stouffville GO Railway Corridor at Major Mackenzie Drive East, and engaging Metrolinx in further discussions to undertake ridership forecasting and ultimately an Initial Business Case (IBC) once the Secondary Plan is adopted by Council. Staff will reach out to Metrolinx regarding the necessary analysis for the GO Rail Station subject to further study at Major Mackenzie Drive East and the GO Rail Station subject to further study at Denison Street following the adoption of both the Markham Road – Mount Joy Secondary Plan and the Milliken Centre Secondary Plan as it will be more efficient and cost effective to undertake the IBC processes for both stations concurrently. The draft Milliken Centre Secondary Plan will be brought to Council for adoption in Q2 2024.

### **CONCLUSION:**

The draft Secondary Plan has been revised based on agency, stakeholder and public feedback, where appropriate, as well as a technical review to clarify the intent of various policies and maps. Staff are satisfied that the draft Secondary Plan is consistent with the PPS, and conforms to the Growth Plan, Greenbelt Plan, and YROP, fulfills the direction in the Official Plan and represents good planning. Staff therefore recommend that the City Initiated Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan be adopted and forwarded to York Region for approval.

### **FINANCIAL CONSIDERATIONS:**

Funding to implement the policy direction in the Secondary Plan, specifically relating to City-initiated studies, infrastructure improvements, and related maintenance and operations will be raised through future budget processes for Council consideration.

### **HUMAN RESOURCES CONSIDERATIONS:**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The Official Plan Amendment and draft Secondary Plan fulfill the requirements of the direction in the City's 2014 Official Plan and support Goal 3 – Safe, Sustainable and Complete Community in Building Markham's Future Together, 2020-2023. The draft Secondary Plan also establishes a policy framework to manage and guide growth to meet the Housing Pledge approved by Markham Council in March 2023.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Staff from Development Planning, Urban Design, Parks Planning, Natural Heritage, Zoning, Transportation, Engineering, Sustainability, System Engineering, Operations & Maintenance, Waste & Environmental Management, and Legal were consulted in the preparation of this report.

**RECOMMENDED BY:**

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Darryl Lyons, RPP, MCIP  
Deputy Director, Planning & Urban Design

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Giulio Cescato, RPP, MCIP  
Director, Planning & Urban Design

Arvin Prasad, RPP, MCIP  
Commissioner, Development Services

**ATTACHMENTS:****Accompanying Figures**

Figure 1 – Location Map

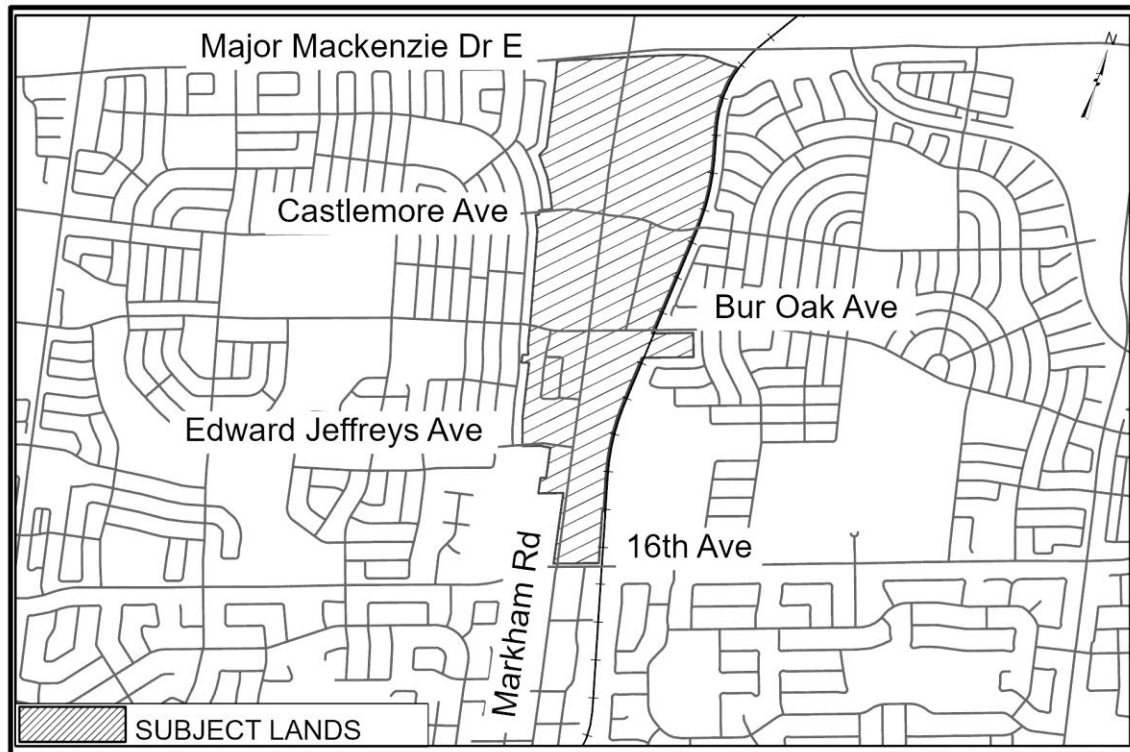
Figure 2 – Mount Joy GO Station Protected Major Transit Station Area (excerpt from 2022 York Region Official Plan)

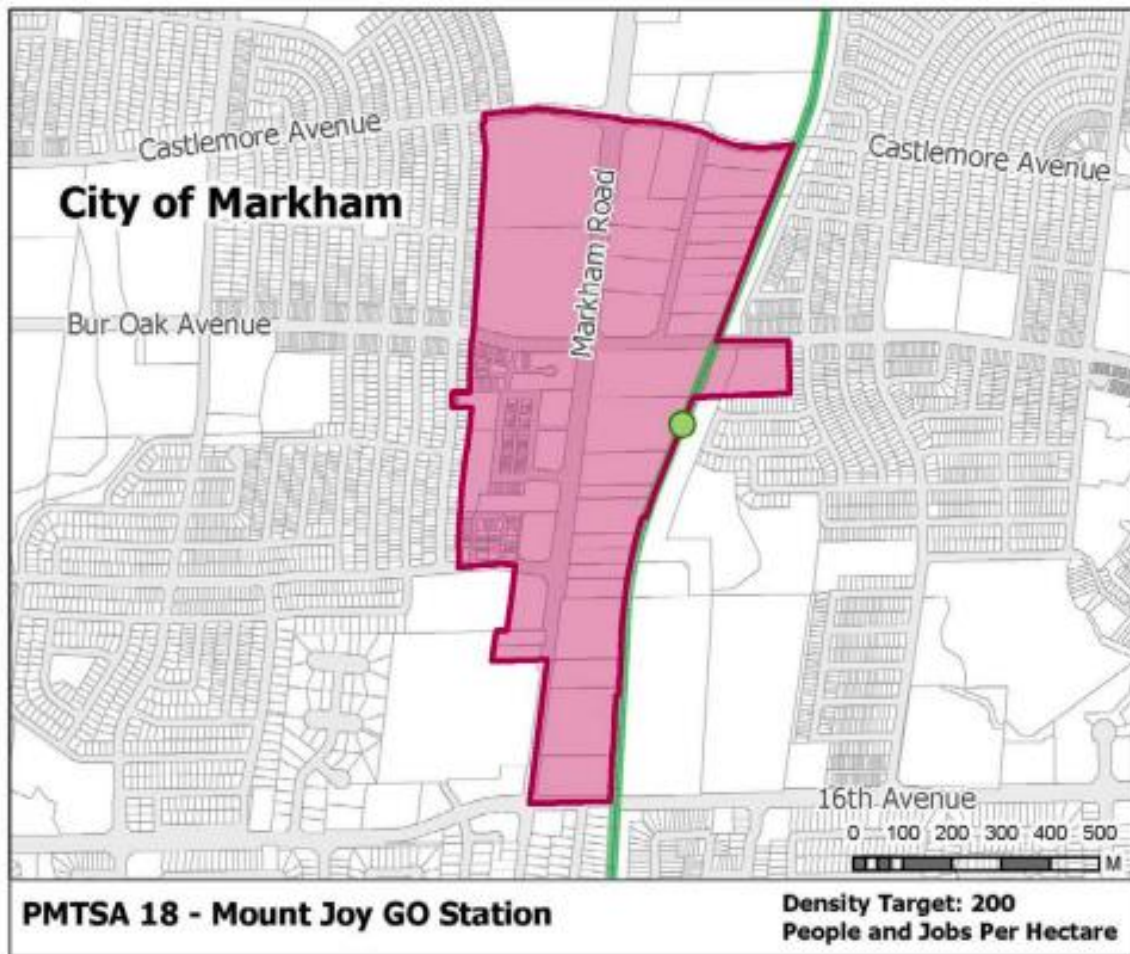
**Accompanying Appendices**

Appendix 1 – Comment Response Matrix of Feedback on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan

Appendix 2 – Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan



**Figure 1 – Location Map**

**Figure 2 – Mount Joy GO Station Protected Major Transit Station Area**

Appendix 1 - Comment Response Matrix of Feedback on the Draft OPA for the Markham Road - Mount Joy Secondary Plan						
No.	Submission Date	Stakeholder Type	Submission Type	Commenter	Summary of Comment(s)	Staff Response(s)
1	23-Jun-23	Landowner / Developer	Letter	Humphries Planning Group Inc. c/o Meadowpark Investments 77 Anderson Avenue	1. Requested that the zoning bylaw amendment application (ZBLA) for a 45-storey mixed use condominium building on the Subject Lands, which are located within the Mount Joy GO Station Mixed Use Node, be considered for approval prior to the adoption of the Markham Road - Mount Joy ("MRMJ") Secondary Plan, or creation of Developer's Group Agreement(s).	1. Noted - The zoning bylaw amendment application ("ZBLA") application is still under review.
2	23-Jun-23	Landowner / Developer	Letter	Humphries Planning Group Inc. c/o Krashnik Investments Limited 9833 & 9829 Markham Road	1. Commented that previous comments and objections to the proposed distribution of land uses in the Secondary Plan Area have not been addressed. 2. Commented that it is premature to seek comments on the draft Secondary Plan policy framework until the Secondary Plan Study reports are publicly available, and requested circulation of the detailed Secondary Plan Study work as soon as possible. 3. Expressed concern that Developer's Group Agreement(s) are encouraged, but not required in the draft MRMJ Secondary Plan policy framework. 4. Expressed support for mixed use development and higher building heights on school sites as outlined in the staff report, and expressed concern that this does not appear to be reflected in the draft MRMJ Secondary Plan policy framework.	1. The Subject Lands are located in the North Precinct, which as per the community structure policies in the draft Markham Road - Mount Joy Secondary Plan "(draft Secondary Plan)" is primarily residential in character with community infrastructure and amenities. More specifically, the Subject Lands are situated between Markham Road and the Stouffville GO Railway Corridor and designated 'Residential High Rise', 'Residential Mid Rise', 'Greenway' and 'Institutional' to implement the community structure established for the Secondary Plan Area. The public park, greenway system, and public school site identified on the Subject Lands are also based on the recommendations of the Markham Road - Mount Joy Secondary Plan Study ("Secondary Plan Study"), which comprehensively analyzed land use and urban design, transportation and municipal servicing to determine what infrastructure and amenities would be needed to support growth in the Secondary Plan Area. As per policy 10.2.1, the new schools and public parks identified on the Subject Lands were incorporated in the draft Secondary Plan without regard to ownership. 2. The technical analysis, results and recommendations from the Secondary Plan Study were shared throughout the Study process, and used to inform the preparation of the draft Secondary Plan. An executive summary of the Final Study Report was released in June 2023 and followed by the final reports in September and October 2023. 3. Landowners and developers have been encouraged since the outset of the Secondary Plan Study in 2019 to form a Developers Group to support an equitable distribution of costs for community infrastructure and services. Given that the City would not be involved in the Developer's Group, the City can only encourage the formation of a group or agreement between developers. 4. Policy 8.6.3 was revised to allow for residential uses in the 'Institutional' land use designation if the residential uses are integrated with a public school in a multi-storey mixed use building.
3	25-Jun-23	Landowner / Developer	Letter	WND Associates c/o Fouro Towers Builders Ltd. & Sasson Construction Inc. 9331 - 9399 Markham Road	1. Commented that the boundary of the Mount Joy GO Station Mixed Use Node should be expanded to include the Subject Lands. 2. Commented that the maximum building heights identified on Map SP3A - Height (i.e., 20 to 25 storeys) are inconsistent with the density identified on Map SP3B - Density (i.e., 7.0 FSI), and noted the Subject Lands can accommodate a taller built form. 3. Commented that the draft MRMJ Secondary Plan should not place restrictions on building heights and densities within the Mount Joy GO Major Transit Station Area (MTSA). 4. Requested that the draft Secondary Plan be revised to reflect the ZBLA and site plan application for the proposed mixed use building with 37 and 42-storey residential towers.	Note: The Development Application for the Subject Lands was appealed to the Ontario Land Tribunal (Case Number OLT-23-00747).

4	26-Jun-23	Landowner / Developer	Letter	Brutto Consulting c/o The Monopoly Group 158 Anderson Avenue	<p>1. Expressed concern that a portion of the Subject Lands are being redesignated from 'Mixed Use High Rise' to 'Residential Mid Rise', and commented that the 'Mixed Use High Rise' designation should be maintained.</p> <p>2. Expressed concern that the maximum heights of 20 storeys and three storeys identified on Map SP3A - Height represent an underutilization of the Subject Lands considering its proximity to the Mount Joy GO Station, and the greater height permissions identified on neighbouring lands to the north and south.</p> <p>3. Expressed concern that the densities of 7.0 FSI and 3.0 FSI identified for the Subject Lands on Map SP3B - Density are the same as the densities identified for adjacent lands with greater height permissions.</p> <p>4. Commented that the Subject Lands merit maximum greater heights as well as a density of 7.0 FSI across the entire Subject Lands.</p>	<p>1. to 4. The Subject Lands are located in the Central Precinct along Markham Road, which as per the community structure policies, is intended to accommodate the secondary peak in height and density. The Subject Lands are also situated within the Mount Joy GO Station Major Transit Station Area ("MTSA"), but outside the Mount Joy GO Mixed Use Node which is intended as the primary peak in height and density. The 'Mixed Use High Rise' and 'Residential Mid Rise' land use designations, identified for the Subject Lands are based on the established community structure to guide the pattern of development, particularly peaks and transitions in height and density. The same land use designations are applied on both sides of Markham Road in this area of the Central Precinct. The land use designations on the east side of Markham Road in particular are intended to be consistent with pattern of development approved for the lands to the north. Given recent proposals approved on the lands immediately to the north, as well as the maximum height identified for the lands to the south, the maximum height on the portion of the Subject Lands designated 'Mixed Use High Rise' can be increased from 20- to 25-storeys on Map SP3 - Height and still maintain the intended community structure. There were no revisions to the densities identified for the Subject Lands, however Policy 8.7.2 provides consideration for densities exceeding the FSIs shown on Appendix 2 - Density (formerly Map SP3B - Density) subject to meeting criteria relating to transportation, servicing, urban design and the provision of affordable housing and/or rental housing. Similarly, Policy 8.7.3 provides consideration for additional heights up to 5 storeys above the maximum height shown on Map SP3 - Height on lands designated 'Mixed Use High Rise' within the Mount Joy GO MTSA subject to meeting the same criteria noted in Policy 8.7.2.</p>
5	26-Jun-23	Landowner / Developer	Letter	Islamic Centre of Markham 1330 Castlemore Avenue	<p>1. Expressed concerns that the alignment to reconfigure Mount Joy Creek which includes an open channel adjacent to the railway corridor on the Subject Lands will have a considerable impact on the availability of parking at the mosque.</p> <p>2. Requested channeling Mount Joy Creek through pipes under Anderson Avenue instead.</p>	<p>1. and 2. The Subject Lands are located in the North Precinct between Anderson Avenue and the Stouffville GO Railway Corridor. A portion of the Subject Lands is within the Mount Joy Creek floodplain as shown on Map SP5 - Natural Heritage Features. The Secondary Plan Study included the evaluation of five (5) options to reconfigure Mount Joy Creek to address flood hazards and enhance the Greenway System in the northern portion of the Secondary Plan Area. A hybrid option comprising a piped and open channel system adjacent to the railway corridor performed the best in the evaluation and was therefore included in the draft Secondary Plan. As per Policy 4.3.3., future work through a comprehensive study such as a municipal class environmental assessment or equivalent is needed to implement the realignment and possibly daylight a portion of Mount Joy Creek to remove the flood hazard on certain lands in the Secondary Plan Area.</p>
6	26-Jun-23	Landowner / Developer	Deputation	Trinity Point Developments (Fouro Towers) 9331 to 9399 Markham Road	<p>1. Mr. DiMartino introduced himself and explained that he was making himself available to address questions, if any, relating to the written comments submitted by WND Associates on behalf of Trinity Point Developments for the lands at 9331 to 9399 Markham Road or Trinity Point's involvement in the Secondary Plan Study process.</p>	<p>Note: The Development Application for the Subject Lands was appealed to the Ontario Land Tribunal (Case Number OLT-23-00747).</p>
7	26-Jun-23	Landowner / Developer	Deputation	Kagan Shastri LLP c/o Trinity Point Developments (Fouro Towers) 9331 to 9399 Markham Road	<p>1. Requested that the draft MRMJ Secondary Plan policies and mapping that relate to the Subject Lands be revised to permit the development proposed in the revised zoning bylaw amendment and site plan applications filed in March 2022. The proposed development comprises a mixed use building with two towers, 42- and 37-storeys respectively in height, an elevated sky bridge and two new municipal rights of way.</p> <p>2. Requested that the boundary of the Mount Joy GO Station Mixed Use Node be expanded to include the Subject Lands.</p> <p>3. Requested that once these changes have been made that the City proceed to approve the MRMJ Secondary Plan.</p>	<p>Note: The Development Application for the Subject Lands was appealed to the Ontario Land Tribunal (Case Number OLT-23-00747).</p>



8	26-Jun-23	Landowner / Developer	Deputation	Malone Given Parsons c/o Sunny Communities 9900 Markham Road	1. Requested that the draft MRMJ Secondary Plan policies and mapping that relate to the Subject Lands be revised to permit a maximum height of 21 storeys and a maximum density of 7.0 FSI. 2. Requested that site specific policy 9.1 in the draft MRMJ Secondary Plan that provides for additional density if the additional GO Station at Major Mackenzie Drive is approved not be applicable to the Subject Lands.	1. On December 13, 2023, Markham Council adopted official plan and zoning bylaw amendment applications to permit a development consisting of two 21-storey buildings and four four-storey buildings with an overall density of 3.56 FSI on the Subject Lands. The maximum height on the portion of the Subject Lands designated for 'Residential High Rise' uses was therefore revised from 20- and 15-storeys, respectively, to 21-storeys on Map SP3 - Height to be consistent with Council's decision. The draft Secondary Plan takes a permissive approach to density; the approved density of 3.56 FSI is generally consistent with the density of 3.5 FSI identified on Appendix 2 - Density (formerly Map SP3B - Density) and therefore no changes were made to the map. 2. Area and Site Specific Policy 9.1 was deleted and Map SP2 - Detailed Land Use was revised to remove the corresponding hatching to be consistent with the development approved by Council.
9	26-Jun-23	Resident	Deputation	R. Thacker	1. Commented on the cycling infrastructure proposed in the draft MRMJ Secondary Plan, and cited concerns about the safety of providing cycling facilities on a shared roadway.	1. The draft Secondary Plan provides direction to achieve separated cycling facilities (e.g., cycle track, or buffered bike lane) on designated collector roads. Bike lanes are provided on roads where conditions are assessed to be appropriate based on exposure, volume and speed. Where bike lanes are provided on roads, they are designed to be buffered (separated) from vehicular lanes as much as possible; deflectors may also be installed. The Transit and Active Transportation policies as well as other policies in Section 7.1 Transportation System, such as policies pertaining to Vehicle Parking Rates and Transportation Demand Management, are intended to work together to decrease dependence on the automobile.
10	24-Jul-23	Prescribed Body	Email	Markham District Energy	1. Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that Markham District Energy has no comments.	1. Noted.
11	24-Jul-23	Prescribed Body	Email	Rogers Communications	1. Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that Rogers Communications has no comments.	1. Noted.
12	25-Jul-23	Prescribed Body	Email	Bell	1. Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that Bell has no comments.	1. Noted.
13	26-Jul-23	Prescribed Body	Email	Alectra Utilities	1. Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that Alectra Utilities has no comments.	1. Noted.
14	31-Jul-23	Prescribed Body	Email	Enbridge	1. Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that Enbridge has no comments.	1. Noted.
15	31-Aug-23	Prescribed Body	Email	York Catholic District School Board	1. Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that the York Catholic District School Board has no comments.	1. Noted.
16	12-Sep-23	Prescribed Body	Email	Canada Post	1. Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that Canada Post has no comments.	1. Noted.
17	15-Sep-23	Prescribed Body	Letter	Toronto and Region Conservation Authority	1. Policy 4.3.3 - TRCA is generally supportive of Policy 4.3.3, subject to the following revised policy wording. These modifications are proposed to ensure that appropriate objectives and requirements for the realignment of the tributary area included in the Secondary Plan. “That a comprehensive study to implement the realignment and potentially daylight to the greatest extent possible (there shall be no net loss of open channel length) a portion of Mount Joy Creek, such as a class a Municipal Class Environmental Assessment or equivalent, shall be completed in consultation with to the satisfaction of the City, TRCA, and all other stakeholders and in compliance with applicable guidelines and standards to address: a) current tableland flood remediation (removal of tableland flooding); b) safe conveyance of the Regional storm event plus a freeboard and demonstration of no adverse flood or erosion impacts on upstream or downstream properties; c) natural channel design and naturalized plantings to accommodate wildlife movement, to the extent feasible; d) where the channel corridor will be open, that the channel block includes the required 10 metre buffer to buffers to natural hazards to the satisfaction of TRCA and the City; and, e) comprehensive grading strategy that provides a stable grade transition from the open channel sections to adjacent development lands and Metrolinx’s railway.”	1. The intent of Policy 4.3.3 is to provide direction to undertake a comprehensive study to implement the realignment of Mount Joy Creek. Some of the recommended revisions were incorporated into the policy, while others that were considered too technical at the secondary plan level were not (i.e., freeboard, buffer size and grading strategy). The reference to “potentially daylight” was moved from the first sentence of the policy to itemized list, to keep the focus on the comprehensive study. Text was also added to item c) in the bulleted list encouraging a net gain of open channel length. Additional bullets were also added to the policy to capture the intent of the revisions recommended by TRCA, and provide direction to meet regulatory requirements as well as other applicable guidelines and standards. It is also noted that earlier discussions contemplated a 6 metre access allowance instead of a full 10 metre buffer. As such, it is recommended that the buffer width be determined through the comprehensive study instead of being specified in the policy. Further revisions were also made to group similar ideas, and simplify the policy.
17		Prescribed Body	Letter	Toronto and Region Conservation Authority Cont'd	2. Policy 4.5.2 - TRCA is generally supportive of Policy 4.5.2, subject to the following revised policy wording. These modifications are proposed as it is currently unclear if the tributary realignment will address the remediation of all spills or if additional remediation is required (e.g., additional remediation may be necessary in the vicinity of 9900 Markham Road / Markham Road and potentially other areas). “That the limits of hazardous lands and hazardous sites in the Markham Road - Mount Joy Secondary Plan catchment area be delineated to the satisfaction of the City, Toronto and Region Conservation Authority, and relevant stakeholders. Flood hazards associated with the existing alignment of Mount Joy Creek located outside of the ‘Greenway’ designation are intended to be comprehensively addressed and mitigated through works identified in Section 4.3.3 and additional site-specific flood plain remediation works, as necessary. Until the realignment of Mount Joy Creek and flood plain remediation works are implemented, development, redevelopment and site alteration shall be prohibited in flood-related hazardous lands, as shown on Map SP5 – Natural Heritage System, in accordance with Section 3.4 of the Official Plan.”	2. The recommended revisions were incorporated into Policy 4.5.2 in addition to revisions made by staff to clarify the intent of the policy.

17		Prescribed Body	Letter	Toronto and Region Conservation Authority Cont'd	<p>3. Policy 4.5.2 and Mapping - Policy 4.5.2 and Maps SP1 to SP7: While TRCA supports Policy 4.5.2 subject to the revised policy wording above, the schedules associated with the Secondary Plan need to clearly outline where encumbered lands within the flood plain are located for greater transparency to the users of the Secondary Plan (see example below).</p> <p>4. Map SP5 - Map SP5 shows a realignment of Mount Joy in yellow however Map SP4 Greenway system has the section as separate from the NHS. Given the realignment in the Secondary plan, Map SP4 should be updated to place the “other Greenway lands” into the Greenway System Boundary and Natural Heritage Network.</p> <p>5. Policy 4.1.8 - Section 4.1.8 “To minimize and mitigate” should be revised to be “<a href="#">To avoid, minimize, and mitigate...</a>”</p> <p>6. Policy 4.1.9 - Section 4.1.9 c) “Enhancement opportunities” should be revised to “<a href="#">Enhancement and restoration opportunities and objectives.</a>”</p> <p>7. Schedule E, F, G &amp; L - It appears Schedule E, F, G &amp; L do not have the permanent streams and intermittent streams connected to one another across Castlemore Avenue and north. The watercourse lines should be revised to be connected.</p> <p>8. Mount Joy Creek Realignment - The realignment of Mount Joy Creek towards the railway can potentially result in conflict of uses if or when Metrolinx expands the railway in this area. It would be beneficial to determine long term plans of this rail track in order to locate the realigned creek with enough distance to ensure it does not pose a hazard risk to future infrastructure.</p> <p>9. Mount Joy Creek Realignment - It is understood that detailed design materials for the Mount Joy Creek are to be provided as part of the future Environmental Assessment process. We recommend further consultation with TRCA regarding channel design matters (e.g., kick off meeting to discuss the scope and requirements for the EA reports/plans) to help ensure a smooth review process.</p>	<p>3. As per Policy 4.5.2, flood-related hazardous lands within the Secondary Plan Area are shown on Map SP5 – Natural Heritage Features to illustrate where development, redevelopment and site alteration are prohibited until the realignment of Mount Joy Creek and flood plain remediation works are completed. Map SP5 has been revised to include the in-effect screenline and floodplain information, which was not available when the draft map was originally prepared, and clarify that the “Potential re-alignment of Mount Joy Creek / valleylands” is subject to Policy 4.3.3.</p> <p>4. Map SP4 - Greenway System was updated to include the potential realignment of Mount Joy Creek as shown on Map SP5 - Natural Heritage Features as the 'Other Greenway System Lands including certain naturalized stormwater management facilities'.</p> <p>5. The recommended revision was not made as the need for the required infrastructure referred to in Policy 4.1.8 would have been determined in accordance with Policy 3.1.2.9 in the 2014 Official Plan (i.e., where the need for infrastructure in the Natural Heritage Network is demonstrated and no reasonable alternative is available...) and therefore could not have been avoided.</p> <p>6. The recommended revisions were incorporated into Policy 4.1.9 c).</p> <p>7. The linework for permanent streams and intermittent streams was revised to show connectivity across Castlemore Avenue on Schedules E, F, G, &amp; L.</p> <p>8. Noted – to be confirmed through the future comprehensive study.</p> <p>9. Noted - to be confirmed through the future comprehensive study.</p>
18	18-Sep-23	Prescribed Body	Letter	Metrolinx	<p>1. Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that Metrolinx has no specific comments, and provided information about the market-driven process for new GO stations.</p>	<p>1. Noted – staff met with Metrolinx staff multiple times throughout the Secondary Plan Study process to learn more about the market-driven process for new GO stations.</p>
19	21-Sep-23	Prescribed Body	Email	CN	<p>1. Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that CN is no longer the owner of the rail corridor adjacent to the limits of the Secondary Plan Area, and recommended reaching out to Metrolinx, the new owner and operator for comments.</p> <p>2. The response also stated that CN follows the guidelines for developments in proximity to railways, developed by the Railway Association of Canada and the Federation of Canadian Municipalities, and included attachments with recommendations which may help to guide the municipality with the proposed land use planning and compatibility issues with railway operations within the Secondary Plan.</p>	<p>1. Metrolinx responded to the request for comments on the draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating they do not have comments.</p> <p>2. Comments provided by Metrolinx during the Study referred to Transport Canada Guidelines for Grade Crossing Standards. The Transport Canada Guidelines were considered through the transportation component of the Study, and informed policy directions and recommendations that were used to prepare the draft Secondary Plan. Metrolinx also confirmed that Metrolinx’s Adjacent Development Guidelines are essentially the same as those by the Railway Association of Canada, and Federation of Canadian Municipalities which were cited by CN. Policies in Section 4.5 Environmental Hazards were augmented to provide further direction about air quality and/or noise and vibration studies and requirements for the development of sensitive uses adjacent to the GO Railway Corridor.</p>
20	21-Sep-23	Prescribed Body	Email	TransCanada Pipelines Ltd.	<p>1. Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that TransCanada Pipelines has no comments.</p>	<p>1. Noted.</p>
21	21-Sep-23	Prescribed Body	Email	Ministry of Transportation	<p>1. Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that the Ministry of Transportation has no specific comments related to the Draft Official Plan Amendment.</p> <p>2. The response also stated that the Ministry has jurisdiction within a 396 m circle of the Hwy 48/Major Mackenzie intersection, and requested, once the design work is initiated, submission of the design, Traffic Impact Study, Drainage Report and illumination plan to MTO for review and approval. Once MTO approves the submitted design and reports, developers can apply to the Ministry for permits.</p>	<p>1. Noted.</p> <p>2. Noted.</p>
22	27-Sep-23	Prescribed Body	Letter	York Region District School Board	<p>Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that:</p> <p>1. There is insufficient capacity in existing local area schools to serve the Secondary Plan Area, and that the school board continues to require additional elementary school site(s).</p> <p>2. The location and distribution school sites in the Secondary Plan Area are generally acceptable.</p> <p>3. The YRDSB’s standard for a school site in a high density community is five acres, but the Board is open to exploring the potential reduction in the school site size subject if appropriate agreements and commitments are in place.</p> <p>4. The school sites will not be required in the initial phase of development, and the phasing plan for the Secondary Plan Area should consider how the delivery of school sites will be coordinated with development.</p>	<p>1. The draft Secondary Plan identifies two public school sites on Map SP2 - Detailed Land Use as recommended in the Final Study Report of the Secondary Plan Study.</p> <p>2. Noted.</p> <p>3. Noted.</p> <p>4. Public school sites will be confirmed and secured through the development approval process.</p>

23	27-Sep-23	Landowner / Developer	Letter	Brutto Consulting c/o 21134018 Ontario Inc. 158 Anderson Avenue	<p>1. Submitted similar comments to those from June 2023 regarding the land use direction in the draft Secondary Plan for the Subject Lands that would redesignate a portion of the Subject Lands from 'Mixed Use High Rise' to 'Residential Mid Rise', and set corresponding maximum heights of 20 storeys and three storeys.</p> <p>2. Commented that the proposed land use designation, height and density identified for the easterly portion of the Subject Lands is inconsistent with the minimum density of 200 people and jobs for the Mount Joy GO MTSA mandated by the Region.</p> <p>3. Requested that the proposed land use designations, maximum heights and densities identified for the Subject Lands in the draft Secondary Plan be revised to permit two 36 storey towers on the Subject Lands to reflect the highest and best use of the lands.</p>	<p>1. and 3. See responses to Submission 4 above.</p> <p>2. The anticipated density of the Mount Joy GO Station MTSA at build out is 500 people and jobs per hectare which exceeds the minimum density identified in the 2022 York Region Official Plan (YROP).</p>
24	29-Sep-23	Prescribed Body	Letter	York Region	<p>Responded to the request for comments on the Draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan indicating that: York Region Official Plan 2022</p> <p>1. The proposed Markham Road - Mount Joy Secondary Plan generally conforms with the 2022 York Region Official Plan. It conforms with policy 4.4.5 as the planned growth is consistent with: the Region's intensification hierarchy; existing and/or planned transit; water, water-wastewater and road infrastructure capacities, and the provision of /access to local parks, schools, and other social, cultural, and commercial services.</p> <p>2. The Secondary Plan conforms with YROP 2022 policy 4.4.11, which states: <i>“That local municipalities shall develop local municipal intensification hierarchies and identify minimum density and height targets for strategic growth areas in a manner that is consistent with the Regional intensification hierarchy.”</i></p> <p>3. The Secondary Plan conforms with YROP 2022 policy 4.4.21, which states that a minimum of 35% of new housing within Regional Centres and major transit station areas be affordable.</p> <p>4. The Secondary Plan conforms with YROP 2022 policy 4.4.24, and contains policies that:</p> <ul style="list-style-type: none"><li>• identify York Region’s minimum density targets</li><li>• identify minimum heights and densities</li><li>• identify the planned population and jobs</li><li>• include a range of residential and commercial land uses, including retail uses, office, mixed-use, human services and other amenities</li><li>• permit a range of unit sizes and housing and tenure options, and employment uses</li><li>• identify a fine-grained street grid that incorporates sidewalks and cycling facilities</li><li>• address vehicular and active transportation connections between sites and shared access</li><li>• address an urban built form that is massed, designed and oriented to people, and creates active and attractive streets for all seasons with ground-floor uses such as retail, human and personal services</li><li>• include staging and phasing policies and/or plans that sequence development in an orderly way, coordinated with water, wastewater, and transportation capacity, residential/non-residential development thresholds, the provision of human services, community facilities, and other infrastructure.</li></ul>	<p>1. Noted.</p> <p>2. Noted.</p> <p>3. Noted.</p> <p>4. Noted.</p>
		Prescribed Body	Letter	York Region Cont'd	<p>5. The Secondary Plan has the potential to significantly add a high level of growth, and YROP 2022 policy 4.4.25 is of particular importance. Policy 4.4.25 states: “That approval of secondary plans and/or development within strategic growth areas shall be contingent on the availability of existing or planned infrastructure and other services and be consistent with the Regional intensification hierarchy outlined in policy 4.1.3. York Region may require phasing of development on the basis of the capacity of water, wastewater and/or transportation and transit systems, and/or the timing of required infrastructure. York Region may also require the coordination of development applications to ensure an orderly, coordinated and phased approach to development and the provision of transportation, transit, water, wastewater and other infrastructure.” The Markham Road – Mount Joy Secondary Plan, together with the 2014 Markham Official Plan, contain appropriate policies for the efficient staging and phasing of development while ensuring appropriate infrastructure is available to accommodate the planned growth.</p>	<p>5. Noted.</p>

24	Prescribed Body	Letter	York Region Cont'd	<p>Water and Wastewater Servicing</p> <p>6. Infrastructure and Asset Management (IAM) recommends rewording Section 7.2.3.1 to ... "That a functional servicing report shall be submitted in support of a development application for review and accepted by the City and Region, prior to approval of the development."</p> <p>7. IAM recommends rewording Section 7.2.3.3 to ... "That the functional servicing report address, but not be limited to, lot grading, sewer and watermain works, road cross sections and utility requirements. Engineering drawings are to be prepared in accordance with this report and shall be submitted for review and approval by the City and Region. All municipal services shall be designed in accordance with the policies, guidelines, and standards of the City, and where applicable, relevant approval agencies."</p> <p>8. The Draft Secondary Plan proposes significantly higher growth than considered in the 2022 Regional Official Plan and Water &amp; Wastewater Master Plan. As such, the potential impact of the proposed growth on the Region's water and wastewater infrastructure has not been assessed or considered in the context of the cumulative impact of planned and approved growth both upstream and downstream of the Secondary Plan area. The phasing policies proposed in the Draft Secondary Plan will be an important tool to help align the pace of growth with available servicing capacity in the City and Regional infrastructure system.</p> <p>9. The Region also looks forward to the further coordination between City and Region staff as the Mount Joy Master Environmental Servicing Plan is advanced.</p> <p>10. York Region is developing a Terms of Reference for Functional Servicing Reports (FSR) to be used by all municipalities within York Region. The document identifies the appropriate technical components, standards to be met, and items to be addressed in the study. This will be provided to the City as soon as possible upon finalization.</p>	<p>6. The policy was reworded as recommended.</p> <p>7. The policy was reworded as recommended.</p> <p>8. Noted.</p> <p>9. Noted - the draft Final Municipal Servicing Report was circulated to York Region on October 23, 2023.</p> <p>10. Noted.</p>
24	Prescribed Body	Letter	York Region Cont'd	<p>Water Resources</p> <p>11. Water Resources does not have any objections/concerns as it relates to Source Protection policy. Please note that there are Highly Vulnerable Aquifer (HVA) designated areas within the Secondary Plan boundary. Please note any development within these areas should reference the associated policies /requirements within Markham’s Official Plan.</p>	<p>1. Noted - Policy 4.3.1 in the Draft Secondary Plan provides direction regarding the protection of ground and surface water quality and quantity as per the policies in Section 3.3 of the 2014 Official Plan.</p>
24	Prescribed Body	Letter	York Region Cont'd	<p>Transportation</p> <p>12. Local Street 7 seems too close to the 16th Avenue rail-crossing to support a future grade separation. Section 8.9 (Road-Rail Grade Separations) notes that Metrolinx requires a 30 metre setback of driveways or roadways from the rail corridor. The study should clarify if grade separation with a 30 metre setback can be achieved and if future study of additional setback requirements are required for implementing grade separation structures.</p> <p>13. The Region reserves the right to modify or close the Local Street 7 access onto 16th Avenue in the future should it be required to accommodate a future grade separation in the event that a 30 metre setback is inadequate for adjacent streets. It is recommended that the Transportation Study/Secondary Plan include text for the Local Street 7 alignment and setback be subject to further study of any potential road-rail grade separation, which should identify potential future access restrictions / modifications to accommodate any future grade separation.</p>	<p>12. The Secondary Plan Study meets Metrolinx's setback requirements for grade separation. Comments provided by Metrolinx during the Secondary Plan Study referred to Transport Canada Guidelines for Grade Crossing Standards. The Transport Canada Guidelines were considered through the transportation component of the Secondary Plan Study, and informed policy directions and recommendations that were used to prepare the draft Secondary Plan. Specifically, Policy 7.1.2.5 in the draft Secondary Plan provides direction for protecting for rail-road grade separations, including working with Metrolinx and York Region to confirm opportunities for grade separation projects in the Secondary Plan Area.</p> <p>13. The alignment for Local Street 7 will be confirmed through the development approval process. Policy 7.1.2.5 was revised to specify that future study is needed to identify potential future access restrictions / modifications to facilitate any future grade separation.</p>
	Prescribed Body	Letter	York Region Cont'd	<p>14. It is noted that the previous comments provided were not fully addressed. The previous comments are repeated with additional clarification inside brackets:</p> <p>a. Pg 9, Section 2, mentions that this document relies on the Transportation Plans found in other provincial and regional plans. Specifically relating to the following two projects:</p> <ul style="list-style-type: none"><li>• Rapid transit on Major Mackenzie Drive connecting the study area westerly to the Cities of Richmond Hill, Vaughan, and Brampton</li><li>• Grade separation of the Major Mackenzie Drive at the Stouffville GO rail line. [ Revision details appear to have been incorrectly made to another project ("A potential GO station ..."). Text needs to be added under “Grade separation ...” Please remove regional references from the potential GO station.</li></ul> <p>While it is appropriate to indicate that these two Regional improvements are identified in longrange Regional Transportation Documents, our comment is that clarification should be provided that indicates that these two improvements are not currently identified in the Region’s 2023 10-Year Roads and Transit Capital Construction program and should not to be expected to commence within the 2033 horizon year. Furthermore, it should also be noted that Environmental Assessments have not been initiated for these projects and that the Grade separation project requires prioritization from Metrolinx. Moreover, as this report provides a preliminary analysis for the 2041 horizon year, the report should consider advising other processes that will determine the timing and scheduling of these projects, so that it should not be assumed that these projects will be completed for the 2041 horizon year.</p> <p>b. Pg 11 (now 12), Figure 3-2, the ROW for 16th Avenue should be 43m [Figure shows 45m – please revise].</p>	<p>14. Noted - These comments refer to the Final Transportation Report that was prepared as part of the Secondary Plan Study, and informed the preparation of the draft Secondary Plan. Policy 10.3.2 in the draft Secondary Plan provides direction to coordinate development with the delivery of infrastructure in accordance with the York Region 10-year capital plan, Water and Wastewater Master Plan and Transportation Master Plan.</p>

24	Prescribed Body	Letter	York Region Cont'd	<p>Public Health</p> <p>15. Section 2 (Goals, Objectives and Principles for a Healthy and Resilient Community) - Suggest including language on the importance of developing age-friendly communities. Suggest including language on local sustainable food systems as one of the elements to support healthy and resilient communities.</p> <p>16. Section 4.2 (Urban Forest System) - YRPH recommends including the following additions in red: The Urban Forest System includes all wooded areas, individual trees, and the soils that sustain them on public and private property. The urban forest provides a number of <b>environmental and health</b> benefits which contribute to the quality of life for residents and workers in the Markham Road - Mount Joy Secondary Plan Area, <b>improved physical and mental health</b>, improved air <b>and water quality, carbon sequestration, climate regulation, flood control</b>, energy efficiency and wildlife habitat. The City will work with development proponents and community groups to increase tree canopy coverage.</p> <p>17. Section 4.5 (Environmental Hazards) - The Secondary Plan explains that this section deals with human environmental hazards resulting from soil contamination and air and noise pollution which can pose a threat to public health and safety. Air quality policies are missing from this section. YRPH recommends adding policies in section 4.3.1 for when an air quality study would be required for applications for development approval e.g., for sensitive land uses adjacent to a major road in the Secondary Plan. This is to support YROP policies 2.3.28, 2.3.29, 2.3.30.</p> <p>18. Section 5.2 (Community Infrastructure and Services) - YRPH recommends including the following additions in red: Community infrastructure and services should be located and designed to act as “community hubs” and focal points within the Markham Road - Mount Joy Community. These “community hubs” may consist of facilities and services provided by the City or York Region such as public schools, parks, open spaces, <b>urban gardening opportunities</b>, libraries and/or community centres, and/or facilities and services provided by the private sector such as day care centres and places of worship.</p> <p>19. Section 5.2 (Public Schools) - Suggest including language on ensuring that public schools are sited, planned and well-integrated into an active transportation network to encourage active travel for the school community.</p> <p>20. Section 6.2 (Sustainable Development) - YRPH recommends including the following additions in red: To achieve sustainable development, policy direction is provided with respect to conservation of environmental resources, energy efficiency and the reduction of greenhouse gas emissions, and supporting <b>climate change mitigation</b> and adaptation. Sustainable building and site design within the Markham Road - Mount Joy Secondary Plan Area will focus on water efficiency, energy conservation and renewable energy generation, ecological protection and enhancement, food production and active transportation at the site scale.</p> <p>21. Section 7.1.3 (Transit and Active Transportation Network) - Suggest including recommendation for protected bicycle facilities to help enhance safety and encourage cycling.</p>	<p>15. The preamble text was revised as recommended. Two new policies were also added to promote the development of an age-friendly community with regard to the City of Markham's Age-Friendly Guidelines, specifically Policies 5.3.5 and 6.1.25.</p> <p>16. The policy was revised as recommended with one modification. The modification replaced "flood control" with "stormwater run-off reduction".</p> <p>17. A new policy providing direction for when an air quality impact study would be needed was added to Section 4.5.</p> <p>18. Section 5.2 preamble was revised as recommended.</p> <p>19. Policy 5.2.4 was revised as recommended.</p>
					<p>20. Policy 6.2 preamble was revised as recommended.</p> <p>21. Policy 7.1.3.3 c) provides direction to prioritize separated and protected cycling facilities in the active transportation network.</p>
24	Prescribed Body	Letter	York Region Cont'd	<p>Natural Heritage Review</p> <p>1. Recent changes imposed through Bill 23 (O. Reg 596/22) prohibit the Conservation Authorities to comment on behalf of municipalities for Natural Heritage reviews outside of the regulated area as part of a Planning Act application submission. However, since the Toronto and Region Conservation Authority (TRCA) regulates land use activities in and adjacent to wetlands, watercourses and valleylands under O. Reg 166/06, through our Memorandum of Understanding (MOU), York Region relies on the expertise of the TRCA regarding matters associated with its regulatory requirements.</p> <p>2. Provincial and municipal natural heritage policy matters are being addressed by the applicable provincial and municipal authorities. In a letter dated September 15, 2023 to the City of Markham, the TRCA provided comments with respect to the realignment of Mount Joy Creek. In addition to some suggested revised policy wording, they state that detailed design materials for the Mount Joy Creek are to be provided as part of the future Environmental Assessment process.</p> <p>3. In accordance with Section 17(22) of the Planning Act, once Markham Council adopts the Amendment, the Amendment shall be submitted to York Region for approval.</p>	<p>1. Noted.</p> <p>2. Noted - See Item 17 above for TRCA's comments as well as responses from Markham staff.</p> <p>3. Noted.</p>



25	6-Oct-23	Landowner / Developer	Letter	Evans Planning c/o 2585231 Ontario Inc. 9999 Markham Road	<p>Amendments to Markham Official Plan (2014)</p> <p>1. Policy 9.3.6 and associated Figure, Amendment to Map 14 - The proposed Amendment seeks to illustrate the location of a ‘park site’ within a future phase of the proposed development of the subject property. While it is acknowledged that the location of a future park has been previously discussed with City Staff, we have concerns regarding the suggestion of a specific area and shape within Figure 9.3.6 prior to the submission of applications for said future phase. We also note that the Secondary Plan includes policies related to the creation of a Master Parks Agreement which could further impact the size and configuration of any future parks. Accordingly, we suggest that the proposed Figure be revised to simply indicate a general location of a park, subject to future determination through a development application and/or Master Parks Agreement. Additionally, we request clarification regarding how the provision of parkland shown in the Secondary Plan has been calculated. Are the areas shown reflective of the existing City Parkland By-law, or on the basis of the legislated maximum rates which are in force as per Bill 23?</p> <p>2. Policy 9.3.7.2 - Given the potential for a new GO Station north of Major Mackenzie Drive, we suggest that the description of the Secondary Plan Area should include reference to the potential for future expansion to accommodate same.</p> <p>3. Maps 1, 2, and 3 - We object to the redesignation of the property from ‘mixed use’ to ‘residential’ and request that permissions for non-residential uses be retained for the subject property within the Secondary Plan and MOP.</p> <p>4. Greenway System/Natural Heritage Network/Valleyland/Mapping - As part of the above referenced applications, the extent of the natural features on the subject property have been studied and delineated. We request that the extent of the Greenway System shown on all mapping be updated to demonstrate these limits as implemented through site-specific Zoning By-law amendment 2019- 139, and the approved Draft Plan of Subdivision (19TM-18007). Additionally, we request that all mapping be revised to reflect that the final use of Block 5 on the approved Draft Plan of Subdivision remains subject to further study to determine its ultimate use and will be appropriately zoned as part of a future process. Accordingly, the potential that this Block may be used for residential purposes should be reflected in the MOP.</p>	<p>1. The intent of the amendments to Policy 9.3.6 and the associated figure, and Map 14 in the 2014 Official Plan is to align them with the draft Secondary Plan policies in Section 8.5 pertaining to the identification and location of public parks, as such no revisions were made. Refer to Sections 2.7.5 and 6.4.2 in the Final Study Report for a discussion of how the amount of parkland identified in the Secondary Plan Area was calculated. The total area of existing / secured (1.24 ha) and proposed (9.05 ha) parkland identified in the Secondary Plan Area is approximately 10 ha. As per the June 26, 2023 staff report due to the changes introduced by the More Homes Built Faster Act, 2022 (Bill 23), the total parkland anticipated to be secured is between 8.0 and 9.0 hectares, and results in a shortfall of less than one hectare of the proposed parkland in the Secondary Plan Area.</p> <p>2. The lands north of Major Mackenzie Drive East are currently outside the City's urban boundary, and there are no policies or land use designations proposed in the draft Secondary Plan that would apply to these lands. Work to bring the lands north of Major Mackenzie Drive East into the City's urban boundary in conformity with the 2022 YROP will be undertaken through the City's Official Plan Review.</p> <p>3. See response to item 22. below.</p> <p>4. Greenway System limits were reviewed against the approved Draft Plan of Subdivision (19TM-18007) and found to be consistent, as such no updates were made to extent of the Greenway System shown on the draft Secondary Plan mapping. Block 5, in the Draft Plan of Subdivision is currently shown as Open Space and adjacent to Mount Joy Creek. The Block is designated as 'Greenway' on Map SP2 - Detailed Land Use, and based on updated mapping provided by TRCA, is within the Mount Joy Creek floodplain.</p>
25	6-Oct-23	Landowner / Developer	Letter	Evans Planning c/o 2585231 Ontario Inc. 9999 Markham Road Cont'd	<p>5. Mobility - While promoting electric vehicle charging locations is a laudable goal, it would seem to conflict with the intent to promote walking, transit, and cycling as alternatives to automobile use, and would also negatively impact traffic operations within the area. An electric vehicle is, after all, still a vehicle that takes up space on roads, and requires parking. We suggest that given the transit accessibility of the area, potentially to be further strengthened by a second GO Station and future transit corridor along Major Mackenzie Drive, the Secondary Plan should strive to minimize parking requirements (including visitor parking), and introduce sufficient densities and mix of uses such that it is feasible to eliminate the need for automobiles altogether.</p> <p>6. Community Structure - North Precinct - We object to the redesignation of the property from ‘mixed use’ to ‘residential’ and request that permissions for non-residential uses be retained for the subject property within the Secondary Plan. Additionally, we request that all mapping be revised to reflect that the final use of Block 5 on the approved Draft Plan of Subdivision remains subject to further study to determine its ultimate use and will be appropriately zoned as part of a future process. Accordingly, the potential that this Block may be used for residential purposes should be reflected in the MOP.</p>	<p>5. The draft Secondary Plan provides for multi-modal options to encourage and facilitate the transition from a car-dependent community to one where taking transit, and cycling or walking are equally considered. This mode shift is anticipated to occur over the long-term as the necessary supporting infrastructure and facilities are implemented. Refer to Section 7.1.4 in the draft Secondary Plan for the policy direction regarding the vehicle parking rate.</p> <p>6. See the responses to items 3. and 4. above.</p>

25	6-Oct-23	Landowner / Developer	Letter	Evans Planning c/o 2585231 Ontario Inc. 9999 Markham Road Cont'd	<p>7. Parks System (Section 3.1.8) - See our comments above related to the size, configuration, and location of the future park contemplated on the subject property. We suggest that the Secondary Plan consider all means of achieving an appropriate level of parkland for the study area, including through the inclusion of stratified parks and privately owned, public spaces (POPS) within the master parks plan and/or Parks Agreement. These types of parks have the potential to contribute to developing the unique sense of place and character for the Study Area and individual development sites therein. We further suggest that partial credit for parkland contribution should be provided by City for the provision of these alternative parkland areas (as has been done in other areas of the City such as Markham Centre). We request clarification regarding how the provision of parkland shown in the Secondary Plan has been calculated. Are the areas shown reflective of the existing City Parkland By-law, or on the basis of the legislated maximum rates implemented through Bill 23?</p> <p>8. Greenway System - We request confirmation of Staff that the extent of the Greenway System on the subject property which has been delineated and appropriately Zoned is accurately reflected on all mapping, and that no further dedications are anticipated to be necessary. Kindly also refer to our prior comments above related to Block 5 on the approved Draft Plan of Subdivision.</p> <p>9. Mount Joy Creek EA - We request clarification from the City with respect to who the proponent of the required Class EA will be. Recognizing that a small proportion of the Secondary Plan area is impacted by the Creek, and that our Client has already undertaken channel redesign and remediation works on its property, is it anticipated that some or all participants in a Landowners Group (LOG) would undertake this work, or merely front-end finance it? Additionally, please confirm that the portion of Mount Joy Creek that is proposed to be piped east of the extension of Anderson Avenue will not impact the lands comprising Phase 1A of our Client’s development, for which a Zoning By-law Amendment has been approved to permit townhouse dwellings, and for which a Site Plan Control application has been endorsed. Lastly, we would appreciate clarification regarding whether it is envisioned that works already undertaken to channelize/restore Mount Joy Creek within the Study Area, such as those previously undertaken across the subject property, are to be eligible for compensation from a future Developers Group?</p> <p>10. Compact Community (Policies 5.1.1-5.1.4) - Is there any contemplation as to how this Section may need to be revised/updated if a second GO Station is created? As the York Region Official Plan (2022) (the ‘YROP’) identifies Major Mackenzie Drive as a Rapid Transit Corridor terminating at Markham Road, as well as the potential for a new GO Rail Station subject to further study in the vicinity of Major Mackenzie Drive. On this basis, we suggest that</p>	<p>7. See the response to item 1. above regarding the identification and location of public parks. The City is currently undertaking analysis through the Urban Parks Strategy to inform recommendations, and future policy direction, pertaining to stratified parks and POPs. See the response to item 1. above regarding the calculation of parkland in the Secondary Plan Area.</p> <p>8. See the response to Item 4. above.</p> <p>9. The Class EA to implement the realignment of Mount Joy Creek as described in Policy 4.3.3 may be undertaken by either the City or the Developers Group. If undertaken by the City, the timing of the project would be subject to funding and priority among other infrastructure projects in Markham. The piped portion of the recommended option to realign Mount Joy Creek is located on the lands south of 9999 Markham Road; the exact location will be determined through the Class EA. Compensation through the Developers Group for restoration works already completed for Mount Joy Creek is a private matter, and should be discussed with landowners and/or developers in the Developers Group when it is formed.</p> <p>10. See the response to item 22. below.</p>
25	6-Oct-23	Landowner / Developer	Letter	Evans Planning c/o 2585231 Ontario Inc. 9999 Markham Road Cont'd	<p>11. Affordable Housing (Policies 5.1.5-5.1.8) - Is it contemplated that if a second GO Station is approved, that inclusionary zoning would be required for that station area as well? We feel the target of 25% of new housing units be affordable, is unrealistic, however acknowledge the goal is laudable. Notwithstanding this, we request clarification as to how the City will implement an Inclusionary Zoning (IZ) framework given the proposed target exceeds the maximum provisions of the Act as proposed to be amended by Bill 23 through a future Ontario Regulation, and also that a portion of the lands within the Secondary Plan (including the subject property) are not within a Protected Major Transit Station Area (PMTSA) or subject to a Community Planning Permit System (CPP). We suggest that consideration should be given to phasing or transitioning towards whatever target is ultimately determined in order to accommodate projects already in the development process, such as with our Client’s lands. While attempting to increase the rate at which affordable housing is created, the realities of construction must be considered – specifically that the cost to build an affordable unit is no different than the cost to build a market unit, however these units may need to be sold at a loss to meet the definition of ‘affordable’ for a specific area. We suggest that incentives be provided to offset the costs of these units to ensure that market rate units are not required to subsidize ‘affordable’ units, thus resulting in increased costs for all. Such incentives could include the reduction/elimination of planning and permit application fees, development charges, parkland contributions, or community benefits charges, as well as the elimination of the need to provide parking for any ‘affordable’ units. We are also concerned that the Secondary Plan does not include reference to ‘attainable’ or ‘intrinsically affordable’ units.</p>	<p>11. If the GO Station subject to further study at Major Mackenzie Drive East is approved, it would be incorporated as a protected Major Transit Station Area in the Markham Official Plan, to enable inclusionary zoning. The affordable housing targets identified in the draft Secondary Plan are based on the policy direction and targets in the 2022 York Region Official Plan, which the City is required to conform to. The City agrees that additional tools and incentives are needed to facilitate the development of affordable housing. A new policy was added to Section 8.7 Height and Density providing a density exemption for affordable housing units to promote their inclusion within new mixed use or residential buildings. Further to this, affordable housing will be secured by working with York Region, the non-profit sector, and development industry through the applicable legislative framework, agreements, partnerships and available tools. It is also noted that increasing the diversity and supply of housing is necessary to support the development of a complete community and may contribute to 'intrinsic affordability', but is insufficient to meet the needs of low and moderate income households.</p>

25	6-Oct-23	Landowner / Developer	Letter	Evans Planning c/o 2585231 Ontario Inc. 9999 Markham Road Cont'd	<p>12. Multi-Use Trail (Policy 5.2.1 and 6.1.23) - We suggest that where lands are provided to facilitate the creation of the multi-use trail along the rail corridor, which provides an active transportation function that would offset demand from local parks, and consequently a credit should be provided for parkland requirements for a development application.</p> <p>13. Pedestrian Crossings (Policy 6.1.4) - As we have noted in our previous submissions in relation to the Secondary Plan process, Phase 1A of the proposed development (for which Zoning has been approved) is to be of common element condominium tenure. Schedule SP7 to the draft Secondary Plan contemplates a pedestrian crossing of the rail corridor within the Phase 1A lands, indicating that public access would be provided over the pedestrian walkway proposed through our Client’s development west of the rail corridor, which extends from the southern property boundary to Major Mackenzie Drive. We request clarification as to whether the City will be taking an access easement over these lands, and further details related to how maintenance of these lands, and potential liability are to be handled in order to minimize potential costs to the future condominium corporation.</p> <p>14. Streets and Blocks (Policy 6.1.8) - We request that further language be included to clarify that with respect to our Client’s lands the alignment of any roads and the configuration of any block shown west of the extension of Anderson Avenue and north of Lica Avenue should be considered conceptual only, and are to be further refined and revised through future development applications.</p> <p>15. Streetscapes - While we have no opposition to the provisions of Policies 6.1.12, 13, and 14, we suggest that greater clarity should be provided with respect to what is an ‘adequate’ soil volume. Further, wider sidewalks, and streetscape elements may potentially preclude the ability to provide said soil volumes, or to provide a sense of enclosure along the street which contributes to a comfortable pedestrian environment.</p> <p>16. Public Art - Should the reference to Section 6.2.7 of the MOP be ‘6.1.7’? We request confirmation that the provision of Public Art will be considered an ‘in kind’ contribution for the purposes of the Community Benefits Charge (CBC) By-law or successor.</p>	<p>12. The multi-use trail adjacent to the rail corridor is identified as open space in the draft Secondary Plan. As per Policy 4.3.2.2 c) in the 2014 Official Plan, which states that open space lands are not accepted as parkland dedication, the City does not provide parkland credit for these lands.</p> <p>13. The pedestrian crossing across the railway corridor is intended to provide access to the multi-use trail; the precise location is subject to further study.</p> <p>14. Refer to Policy 7.1.2.4 in the draft Secondary Plan which provides direction for planning local roads within the Secondary Plan Area.</p> <p>15. The intent of this policy is to ensure that complete streets, inclusive of street trees which provide social and environmental benefits, are achieved throughout the Secondary Plan Area. Additional design details are not recommended to be added in the draft Secondary Plan as adequate soil volumes to support street trees, including the accommodation of additional streetscaping elements where necessary, are most appropriately confirmed through detailed design at the subdivision/site plan stage.</p> <p>16. The section number has been revised accordingly. Refer to Section 6.1.7 in the 2014 Official Plan and the City's Public Art Policy for more information about the aquisition of public art in Markham. As per the City's Community Benefits Charges By-Law (2022-48), in kind contributions in-lieu of a payment of a portion or all of the required community benefits charges would be subject to Council approval.</p>
25	6-Oct-23	Landowner / Developer	Letter	Evans Planning c/o 2585231 Ontario Inc. 9999 Markham Road Cont'd	<p>17. Built Form - We respectfully suggest that there may be situations wherein it is desirable to have awning, canopies, or signage which encroaches into the ROW to ensure a compact and pedestrian friendly environment. We also suggest that the proposed tower separation of 30-35 metres is too large, and not consistent with the intent to create a compact community. We would suggest that a reduced tower separation of approximately/generally 25-metres can still maintain privacy and sky-views, while mitigating shadow and wind impacts. We suggest that the required separation ought to be based on outcomes and context rather than a specific distance codified in policy.</p> <p>18. Markham Road - We request clarification with respect to who will be undertaking the Class EA for Markham Road described in Policy 7.1.2.3(f)? Is this anticipated to be undertaken by the City, or by a Developers Group?</p> <p>19. Servicing Study (7.2.2) - We request clarification as to how this work would differ from the servicing study already undertaken by the City’s consultants as part of the preparation of the Secondary Plan Study?</p> <p>20. Residential Mid- and High-Rise - Please clarify whether the permission for ‘stacked’ townhouses include back-to-back stacked units? We further question why back-to-back townhouse units would not be permitted in the High-Rise designation, but be allowed in the Mid-Rise designation? We have provided comments related to heights and densities below.</p> <p>21. Public Park (Policies 8.5.1-8.5.3) - Refer to our comments above. Our Client wishes to preserve the right to modify the size and location of the contemplated park west of Anderson Avenue through future development applications, subject to review and acceptance by City Staff. We suggest that a further schedule is required as none of the streets are labelled to correspond with the descriptions in Policy 8.5.3. As noted previously, we request clarification as to how the extent of parkland identified for the Secondary Plan area has been determined.</p>	<p>17. Policy 6.1.29 (formerly 6.1.28) in the draft Secondary Plan was revised to generally identify a setback from the property line of a minimum of 3.0 metres and maximum of 5.0 metres for greater clarify and to ensure that all future developments have frontages that more or less align to create the desired street wall effect. As for the minimum tower separation distance, 30 metres is generally what staff have seen in practice in intensification areas. The minimum separation distance, combined with a maximum tower gross floor plate area of 800 metres square, is meant to avoid overcrowding of the skyline while also mitigating impacts of wind at ground level and shadowing on adjacent properties.</p> <p>18. The Class EA for Markham Road as described in Policy 7.12.3 (f) may be undertaken by either the City or the Developers Group. If undertaken by the City, the timing of the project would be subject to funding and priority among other infrastructure projects in Markham.</p> <p>19. Policy 7.2.2.1 was revised and directs that development applications shall be prepared in accordance with the Municipal Servicing Strategy prepared for the Secondary Plan Area. Policy 7.2.2.2 was revised to clarify that additional servicing studies will be required if the development proposed through an application exceeds the land use provisions in the Secondary Plan.</p> <p>20. The exclusion of townhouses in the 'Residential High Rise' designation was consistent with the approach in the 2014 Official Plan. The draft Secondary Plan was revised to provide for townhouses in the 'Residential High Rise' and 'Mixed Use High Rise' designations if the townhouses are part of a development that integrates one or more apartment buildings.</p> <p>21. See the response to item 1. above regarding the identification and location of public parks, and calculation of parkland in the Secondary Plan Area. Policy 8.5.3 and Map SP2 - Detailed Land Use were revised to ensure the street names correspond to descriptions of the park locations. See item 3. above re how the extent of parkland was identified for the Secondary Plan Area.</p>



25	6-Oct-23	Landowner / Developer	Letter	Evans Planning c/o 2585231 Ontario Inc. 9999 Markham Road Cont'd	<p>22. Policy 9.2 - We support this provision in principle, but suggest that there may be merit in considering additional height irrespective of the decision of Metrolinx to approve a further GO Station. Given the context of the property, and the connectivity to the existing Mount Joy GO Station that would be established upon the completion of the Anderson Avenue extension, as well as the future transit infrastructure envisioned along Major Mackenzie Drive within the YROP (wherein the street is identified as a Rapid Transit Corridor), there is ample opportunity for these lands to contribute positively to the establishment of a compact, transit supportive community. On this basis, we suggest that the Secondary Plan be revised to contemplate additional height and density for the subject property abutting Markham Road and Major Mackenzie Drive, which would serve as a ‘secondary node’ within the community. Further, there are no details provided as to what potential density would be permitted in the event that additional height is permitted.</p> <p>23. Implementation - Policy 10.2 should clearly identify if any of the Environmental Assessments mentioned within the Secondary Plan are to be undertaken by the Developers Group. We also request confirmation as to whether any planned infrastructure improvements would necessitate the implementation of an Area Specific Development Charge. Finally, for the purposes of Section 10.2 (Developers Group Agreement) and 10.4 (Parkland Dedication and Master Parkland Agreement), we feel these items should be requirements, not simply ‘encouraged’ by the City.</p> <p>24. Map 3A - We request that the portion of lands west of Anderson Road and east of the future private road currently labelled as 3-storeys be permitted additional height up to 15-storeys. Similarly, the block of land abutting Anderson Road at the southern boundary of the property currently labelled as 6-storeys should be increased. This is consistent with concept plans previously provided to Staff.</p> <p>25. Map 3B - We suggest that the method of illustrating density be revised as the various shades of grey may be difficult to differentiate. Further, we request further details as to how the maximum densities were calculated as in our experience a maximum of 3.5 FSI for a 15-storey building may be too low, and may not permit the optimization of built form.</p>	<p>22. The Subject Lands are located in the North Precinct, which as per the community structure policies is primarily residential in character, and includes community infrastructure and amenities. More specifically, the Subject Lands are situated between Markham Road and the Stouffville GO Railway Corridor immediately south of Major Mackenzie Drive East and were originally identified as 'Residential Neighbourhood Area' in the draft Secondary Plan to implement the community structure established for the Secondary Plan Area. The draft Secondary Plan was revised to allow for a mix of uses and greater heights on a portion of the Subject Lands at the intersection of Major Mackenzie Drive East and Markham Road while still keeping with the community structure established for the Secondary Plan Area. See Map SP1 - Community Structure, Map SP2 - Detailed Land Use, and Map SP3 - Height for the revisions to the permitted uses and heights. The lands now designated 'Mixed Use High Rise' are still subject to an area and site specific policy; the area and site specific policy was also revised to clarify the density that would be permitted if the GO Station Subject to Further Study at Major Mackenzie Drive East is approved, among other things.</p> <p>23. The Environmental Assessments identified in the draft Secondary Plan may be undertaken by either the City or the Developers Group. If undertaken by the City, the timing of the project would be subject to funding and priority among other infrastructure projects in Markham. The need for an Area Specific Development Charge is being explored and subject to further discussion. In terms of cost sharing agreements, landowners and developers have been encouraged since the outset of the Study in 2019 to form a Developers Group to support an equitable distribution of costs for community infrastructure and services. Given that the City would not be involved in the Developer's Group, the City can only encourage the formation of a group or agreement between developers.</p> <p>24. See response to item 22. above.</p> <p>25. See Appendix 2 - Density (formerly Map SP3B - Density), which has been revised to use different colours to distinguish FSIs. Refer to the Final Study Report, Section 6.4.5, for a discussion of how density was determined.</p>
25	6-Oct-23	Landowner / Developer	Letter	Evans Planning c/o 2585231 Ontario Inc. 9999 Markham Road Cont'd	<p>26. Finally, we note that the Servicing Study prepared by the City’s consultant as part of the background study process has not yet been released for review and comment. We would appreciate the opportunity to have this document in advance of any final consideration of the Secondary Plan.</p>	<p>26. Noted - A draft of the Final Municipal Servicing Study was published on the project webpage on October 23, 2023.</p>
26	1-Nov-23	Landowner / Developer	Email	Joanne Barnett c/o Markham Subaru 9401 Markham Road	<p>1. Expressed support for the 'Mixed Use High Rise' designation identified on the Subject Lands in the draft Secondary Plan, but maintain that the range of heights in this precinct (i.e., 20 to 35 storeys) should not be transitioned throughout the block as there is sufficient transit infrastructure, both existing and proposed to support consistent heights.</p> <p>2. Commented that the appeal for 37 and 42 storeys on the adjacent property to the south is being monitored.</p> <p>3. Commented that Markham Subaru is interested in remaining at the location with a more sophisticated mixed use development.</p>	<p>1. The Subject Lands are located in the Central Precinct along Markham Road, which as per the community structure policies, is intended to accommodate the secondary peak in height and density. The Subject Lands are also situated within the Mount Joy GO Station MTSA, but outside the Mount Joy GO Mixed Use Node which is intended as the primary peak in height and density. The 'Mixed Use High Rise' land use designation, maximum height of 20 storeys and density of 7.0 FSI identified for the Subject Lands, are based on the community structure established to guide the pattern of development, particularly peaks and transitions in height and density, in the Secondary Plan Area. The Draft Secondary Plan provides flexibility with regard to height within the Mount Joy GO MTSA subject to criteria relating to transportation, servicing, urban design and the provision of affordable housing as per Policy 8.7.3.</p> <p>2. Noted.</p> <p>3. Noted.</p>
27	14-Nov-23	Prescribed Body	Email	N. Lingard c/o Bell Canada	<p>1. Submitted comments in response to the notification of the November 21 public meeting. Comments indicated that Bell Canada does not have any specific comments or concerns at this time, and requested to be circulated on any future materials and/or decisions related to this matter.</p>	<p>1. Noted.</p>
28	14-Nov-23	Landowner / Developer	Letter	Brutto Consulting c/o The Monopoly Group 158 Anderson Avenue	<p>1. Expressed concern that a portion of the Subject Lands are being redesignated from 'Mixed Use High Rise' to 'Residential Mid Rise, particularly given it's location within the Mount Joy GO Station MTSA.</p> <p>2. Requested that the draft secondary plan be revised to provide for a maximum height of 36 storeys on the Subject Lands.</p> <p>3. Referred to detailed comments in the Planning Justification Report for a conceptual development comprising two 36-storey towers on the Subject Lands.</p>	<p>1. to 3. See response to Submission 4 above.</p>

29	16-Nov-23	Landowner / Developer	Letter	KLM Planning Partners Inc. c/o 9781 Markham Road	<p>Submitted the following comments in advance of the November 21 public meeting:</p> <p>1. Map SP3A - Height - Development of the Subject Lands is controlled by the in force site-specific Community Amenity One Exception 425 (CA1*425) zone standards approved under By-law 2023-58, where a maximum building height of thirty-three (33) storeys is permitted. However, Map SP3A – Height in the draft policy framework for the MRMJSP proposes a maximum building height of twenty-five (25) storeys on the western portion of the Subject Lands. It is our opinion that the policy framework and associated schedules in the MRMJSP should reflect the site-specific provisions for the Subject Lands, recently approved by Council in March 2023, in order to ensure conformity between the Zoning Bylaw and Secondary Plan, as required in the Planning Act. As such, we request that Map SP3A – Height is revised to be consistent with the site-specific zoning and the maximum building height on the portion of the Subject Lands designated “Mixed Use High Rise” is revised to thirty-three (33) storeys accordingly.</p> <p>2. Parkland Policies - Policy 8.1.7 identifies publicly owned parkland as a use which is permitted in all designations. Although Map SP2 - Detailed Land Use does not designate the proposed 0.17-hectare stratified park on the Subject Lands as “Public Park”, we recommend that Policy 8.1.7 and Section 8.5 of the Secondary Plan be revised to acknowledge the role that stratified parks (“strata parks”) can play in providing a full range of public parkland and open space across the entirety of the Secondary Plan Area. The Secondary Plan should contain policies that support the potential implementation of strata parks, where appropriate, to assist Owners and the City in building complete communities that are well attuned to the unique characteristics of high-density development.</p> <p>3. Built Form Policies - Policies 6.1.31, 6.1.32, and 6.1.33 provide built form policies pertaining to minimum setbacks, maximum tower floor plate, and minimum tower separation that are typically found in Urban Design Guidelines or Zoning By-laws. Including these provisions within the Secondary Plan leaves no flexibility to accommodate slight deviations to these requirements without the need for an amendment to the Official Plan. As such, in order to allow for an appropriate degree of flexibility, we recommend that the built form policies noted above be revised to indicate that the requirements “should” or “shall generally” be met. Without this revision, slight deviations to these requirements will require an Official Plan Amendment, creating an additional, onerous layer to the planning application process. It should be acknowledged that the City can maintain the ability to review and approve such deviances through a more appropriate avenue such as Zoning By-law Amendments and</p>	<p>1. Map SP3 - Height was revised to reflect the maximum height of 33 storeys in the ZBLA applicable to the Phase 2 development on the northern portion of the Subject Lands that was approved by Council in March 2023.</p> <p>2. The City is currently undertaking analysis through the Urban Parks Strategy to inform recommendations, and future policy direction, for stratified parks and privately owned public spaces.</p> <p>3. The built form policies relating to minimum setbacks, maximum tower floor plate sizes, and minimum tower separation distances include metrics based on what has been incorporated into the design of recently approved intensification projects. The policies work together to avoid overcrowding of the skyline while also mitigating the impacts of wind at ground level and shadow impacts on adjacent properties. Minor revisions were made to the policies to provide flexibility with respect to their implementation.</p>
30	18-Nov-23	Resident	Email	D. Burd	<p>1. Questioned whether the high density development anticipated in the Secondary Plan Area will worsen traffic through Markham Village. Comments also noted changes to traffic circulation patterns that funnel northbound Markham Road traffic to Main Street as well as limited alternate road options to access Highway 407 and Highway 401 from Markham Road.</p>	<p>1. Refer to the Final Transportation Report for a discussion of the key findings of the transportation analysis that was completed based on the anticipated development in the Secondary Plan Area.</p>
31	20-Nov-23	Landowner / Developer	Letter	Humphries Planning Group Inc. c/o Krashnik Investments Limited 9833 & 9829 Markham Road	<p>1. Firstly, we have a concern in the utilization in the plan and reports of the words “recommend” and “encourage” regarding matters related to formation of cost sharing agreements for parkland, school sites and other matters typically addressed through agreements entered into by landowner cost sharing groups as a precondition to development. It appears that there is no requirement for such to be undertaken as part of a development approval process and therefore no guarantee that a landowner who is potentially saddled with a greater number of public/institutional uses will derive appropriate compensation for such.</p> <p>2. The proposed land use designations and implementing land use policy for the Subject Lands are not adequate. Greater building heights should be applicable given the location of the lands and surrounding context.</p> <p>3. Further to such, we continue to remain opposed to the proposed open channel portion of the Mount Joy Creek through the Subject Lands and statements made by staff that lands with 30m of the railway corridor cannot be utilized for development purposes. As previously indicated, we do not support an open channel anywhere on the subject lands. The Mount Joy Creek should remain closed and routed beneath the future Anderson Avenue for economic and development efficiency purposes.</p> <p>4. Further, we are concerned that the proposed policy not only does not implement the City’s intention for school sites but does not provide appropriate height and density. We understand and note that the Final Study Report September 2023 encourages mixed use development and higher building heights on school sites, a recommendation with which we agree, but this encouragement is not reflected in the planning document. Without the appropriate land use policy in place for school site matters regarding height and density along with definite assurances for cost sharing we are opposed to such designation on the subject property.</p>	<p>1. See response to Submission 2, item 3 above.</p> <p>2. See response to Submission 2, item 1 above regarding land use designations and and maximum building heights.</p> <p>3. A portion of the Subject Lands is within the Mount Joy Creek floodplain as shown on Map SP5 - Natural Heritage Features. The Secondary Plan Study included the evaluation of five (5) options to reconfigure Mount Joy Creek to address flood hazards and enhance the Greenway System in the northern portion of the Secondary Plan Area. A hybrid option comprising a piped and open channel system adjacent to the railway corridor performed the best in the evaluation and was therefore included in the draft Secondary Plan. As per Policy 4.3.3., future work through a comprehensive study such as a municipal class environmental assessment or equivalent is needed to implement the realignment and possibly daylight a portion of Mount Joy Creek to remove the flood hazard on certain lands in the Secondary Plan Area..</p> <p>4. See response to Submission 2, item 4 above.</p>

32	21-Nov-23	Landowner / Developer	Letter	KLM Planning Partners Inc. c/o Wismer Markham (Commercial) Developments Inc. (Metrus Properties)	<p>1. Expressed concerns about the concentration of community infrastructure and services on the Subject Lands, and suggested that the public parks should be distributed throughout the Secondary Plan Area to provide better access to all residents, and that the elementary school block would be better suited directly adjacent to the Mount Joy GO Station.</p> <p>2. Requested that policies within the draft Secondary Plan require the creation of a landowner's group prior to development applications being approved to ensure those that have community uses on their lands are appropriately and fairly compensated.</p>	<p>1. The Subject Lands are located in the North and Central Precincts, between Markham Road and the western boundary of the Secondary Plan Area, and designated 'Mixed Use High Rise', 'Residential High Rise', 'Residential Mid Rise', 'Public Park' and 'Institutional' to implement the community structure established for the Secondary Plan Area. The public park, and public school site identified on the Subject Lands are also based on the recommendations of the Secondary Plan Study, which comprehensively analyzed land use and urban design, transportation and municipal servicing to determine what infrastructure and amenities would be needed to support growth in the Secondary Plan Area. As per policy 10.2.1, the new schools and public parks were incorporated in the Draft Secondary Plan without regard to ownership in the Secondary Plan Area.</p> <p>2. Landowners and developers have been encouraged since the outset of the Study in 2019 to form a Developers Group to support an equitable distribution of costs for community infrastructure and services. Given that the City would not be involved in the Developer's Group, the City can only encourage the formation of a group or agreement between developers.</p>
33	21-Nov-23	Landowner / Developer	Deputation	Kagan Shastri LLP c/o Trinity Point Developments (Fouro Towers) 9331 to 9399 Markham Road	<p>1. Noted that the Subject Lands are approximately 400 metres south of the Mount Joy GO Station, and 40 metres from the southern edge of the extended station platform, and that a revised zoning bylaw amendment (ZBLA) application for a mixed use building with a 37-storey tower and a 42-storey tower connected by a 3-storey skey bridge was submitted.</p> <p>2. Noted that comments have been submitted throughout the secondary plan planning process outlining concerns about the height and density restrictions on the Subject Lands which contradict the intent to ensure that intensification and density is focused around the Mount Joy GO Station. Further, the height and density restrictions on the Subject Lands are significantly less than the heights and densities approved on other sites in the Secondary Plan Area that do not enjoy the immediate relationship to Mount Joy GO Station that the Subject Lands do. The restrictions are even less supportable given that the Subject Lands are located at gateway location.</p> <p>3. Acknowledged that the draft Secondary Plan provides a mechanism for increased heights and densities without an amendment, but expressed concern that the increamental increases will not be sufficient to address the heights proposed in the ZBLA application or the objectives of the draft Secondary Plan.</p> <p>4. Commented that a more appropriate approach would be to remove the height and density limits on the lands surrounding the Mount Joy GO Station including the Subject Lands.</p> <p>5. Expressed concern with the place of worship designated north of the Subject Lands, which has a maximum height of 2-storeys., and commented at the location of the place of worshp should not be a consideration as to what height should be appropriate on other lands near or adjacent to the Mount Joy GO Station.</p> <p>6. Expressed concern that the draft secondary plan policies that provide direction to align development with the provision of servicing and other community infrastructure will delay the delivery of much needed housing. There is a need for policy language to support the advancement of projects, such as the development proposed on the Subject Lands, that are ready to be advanced and will contribute to needed infrastructure such as public roads based on servcing that has been generally allocated to the City.</p>	<p>Note: The Development Application for the Subject Lands was appealed to the Ontario Land Tribunal (Case Number OLT-23-00747).</p>
34	21-Nov-23	Landowner / Developer	Deputation	K. Usman c/o Islamic Centre of Markham 1330 Castlemore Avenue	<p>1. Noted that the Islamic Centre of Markham was originally planning to build a mosque at a location on 16th Avenue and Williamson Road, but due to opposition from some community members and councillors the mosque was voluntarilly moved to its current location.</p> <p>2. Commented that the open channel concept for Mount Joy Creek shown on the mosque lands is not supported by the Islamic Centre of Markham, and that there are three other options that are cheaper and acceptable to other affected landowners.</p> <p>3. Expressed concern that the open channel concept and the potential expropriation of the land to implement the open channel concept would remove land needed for parking for the mosque's current operations.</p> <p>4. Commented that the mosque does not support the multi-use trail proposed adjacent to the open channel on their lands, and requested that it be moved to the other side of the railway corridor.</p> <p>5. Requested assistance to build a school on the mosque property which cannot be approved by the Toronto and Region Conservation Authority until a flood hazarad on the lands is removed, and suggested piping Mount Joy Creek under Anderson Avenue.</p>	<p>1. Noted.</p> <p>2., 3. and 5. see responses to Submission 5 above.</p> <p>4. A multi-use trail is proposed adjacent to the west side of the railway corridor from Major Mackenzie Road East in the north to 16th Avenue in the south to increase opportunities for a convenient and continuous active transportation network within the Secondary Plan Area, and support walking and cycling. A similar multi-use trail already exists on the east side of the railway corridor.</p>
35	21-Nov-23	Landowner / Developer	Deputation	S. Malik c/o Islamic Centre of Markham 1330 Castlemore Avenue	<p>1. Commented that the Islamic Centre of Markham is not supportive of the open channel for Mount Joy Creek on the east portion of the mosque's lands.</p>	<p>1. See responses to Submission 5 above.</p>
36	21-Nov-23	Landowner / Developer	Deputation	Brutto Consulting c/o The Monopoly Group 158 Anderson Avenue	<p>1. Commented that the draft Secondary Plan is headed in the right direction in terms of land uses, including on the Subject Lands.</p> <p>2. Commented that there is a disconnect between the identified maximum height of 20 storeys and density of 7.0 FSI on the Subject Lands despite being within walking distance of the Mount Joy GO Station, and the future Major Mackenzie GO Station. Surrounding properties have maximum height of 25 storeys.</p> <p>3. Expressed an interest to continue working with staff and other landowners, and noted that written comments were also submitted in advance of the public meeting.</p>	<p>1. to 3. See response to Submission 4 above.</p>

37	21-Nov-23	Resident	Deputation	E. Brown c/o Sherwood Rate Payer's Association	<p>1. Expressed concern about the number of high density buildings anticipated in the Secondary Plan Area, their location in relation to the street, and the impact of the heights and densities on the Markham Road corridor.</p> <p>2. Expressed concern about the traffic that will result from anticipated development, and inquired whether there will be sufficient transit.</p> <p>3. Expressed concern about permitting residential uses above grade in the employment lands, and inquired what is planned for the employment lands.</p>	<p>1. and 2. Lands within the Secondary Plan Area centred around the Mount Joy GO Station area are delineated as an <i>intensification area</i> in the 2014 Official Plan, and planned to accommodate growth at higher densities. The draft Secondary Plan establishes a comprehensive policy framework to support the long-term development of a vibrant mixed use, transit oriented and complete community. Higher density development is anticipated to take place over the long term and will be phased based on the availability of transportation and municipal servicing infrastructure and services. Subsequent work in the planning process will focus on creating an inviting, attractive and inclusive community through urban design.</p> <p>3. The existing employment lands in the Secondary Plan Area located north of Mount Joy GO Station are being retained under the designation 'Mixed Use Mid Rise - Employment Priority'. The intent of the designation is to broaden the employment uses historically permitted on the lands while introducing compatible and complementary non-employment uses to promote transit supportive development near Mount Joy GO Station. Residential uses will be discretionary on these lands.</p>
38	21-Nov-23	Resident	Deputation	H. Poon	<p>1. Requested maintaining the 'Mixed Use' designation on lands along Markham Road north of Castlemore Avenue to encourage walking to grocery stores, coffee shops, etc.</p> <p>2. Emphasized the need to improve local transit service in the Secondary Plan Area before development actually comes to support transit use; the current level of service is unacceptable.</p>	<p>1. A portion of the lands fronting Markham Road and Major Mackenzie Drive East were redesignated from 'Residential High Rise' to 'Mixed Use High Rise' in the draft Secondary Plan. See the response to Submission 25, item 22. above.</p> <p>2. The draft Secondary Plan provides direction to work with York Region and Metrolinx to enhance transit services in the Secondary Plan Area. Refer to Policy 7.1.3.1 in the draft Secondary Plan and the Final Transportation Report for more information about this matter.</p>
39	21-Nov-23	Resident	Deputation	C. Roggue	<p>1. Expressed concern about the impact of high density development in the Secondary Plan Area on traffic, as well as access to Highway 407, given constraints on roads (e.g., potential to widen Main Street, Markham Road, Ninth Line, McCowan Road) in the surrounding communities. Inquired if anyone has thought about the traffic impacts of the plan.</p>	<p>1. Road widening is planned to increase the capacity of Regional roads in Markham (i.e., McCowan Road, 16th Avenue, Kennedy Road, Elgin Mills Road East), and work is underway to accelerate design and construction. However, investments in rapid transit and aligning growth with transit in mixed use communities is also needed to shift the reliance on automobile use to transit use and active transportation. Service enhancements are planned on the Stouffville GO Railway Corridor, specifically, two-way all-day service between Union Station and Mount Joy Station by 2041, and an additional GO Rail Station Subject to Further Study is also identified at Major Mackenzie Drive East. Bus rapid transit (BRT) service is also planned on Major Mackenzie Drive East by 2051 to accommodate future growth and provide connections to transit and destinations in west Markham. In addition, the Secondary Plan Study included a comprehensive transportation analysis to determine the infrastructure and service requirements to the street network, intersections controls, lane configurations, and transit services needed to accommodate the growth anticipated in the Secondary Plan Area. The mode share assumptions used in the analysis, and the results of the analysis are detailed in the Final Transportation Report. The results of the analysis informed the preparation of the draft Secondary Plan.</p>
40	21-Nov-23	Landowner / Developer	Deputation	Evans Planning c/o 2585231 Ontario Inc. 9999 Markham Road	<p>1. Noted that detailed written comments were provided to staff prior to the public meeting.</p> <p>2. Requested that the City assist with the formation of a landowners group for the Secondary Plan Area.</p> <p>3. Noted that the Subject Lands about the future GO Station at Major Mackenzie Drive East, and that the landowners would be interested as part of a group of landowners who would benefit from the future GO Station here or at Dension Street in front ending the cost of preparing the business case as previously conveyed to staff, with benefits to the heights and densities on the northern portion of the Subject Lands.</p> <p>4. Expressed concern about the revision to the land use designation from mixed use to residential on the Subject Lands.</p> <p>5. Commented that consideration should be given to moving toward a built form framework with only minimum heights and densities, and using urban design considerations (e.g., setbacks, angular planes and shadows) to determine the appropriate height, density and built form that can be supported by traffic and servicing studies rather than setting the maximums in the Secondary Plan.</p>	<p>1. and 2. See responses to Submission 25 above.</p> <p>3. Noted.</p> <p>4. See response to Submission 25 above.</p> <p>5. Maximum heights and densities are identified in the draft Secondary Plan to support the implementation of the community structure established for the Secondary Plan Area. The provision of maximum heights and densities also conforms to the 2022 YROP which requires that local municipalities establish minimum and maximum heights and densities in secondary plans in strategic growth areas such as the Markham Road - Mount Joy Secondary Plan Area. It is also noted that the draft Secondary Plan takes a permissive approach to density, and that Map SP3B - Density is now Appendix 2 - Density.</p>
41	4-Dec-23	Resident	Email	E. Tan	<p>1. Submitted comments regarding the Cadillac Fairview development proposal for Markville Mall that referenced the draft Markham Road - Mount Joy Secondary Plan. The comments noted that the projected population and jobs in the MRMJ Secondary Plan Area are challenging to the surrounding communities.</p>	<p>1. Noted.</p>

42	22-Dec-23	Landowner / Developer	Email	R. Mangotich c/o Fieldgate Developments 10015 Highway 48	<p>1. I’m writing on behalf of Light Blue Developments Limited (Light Blue) and Midnight Blue Developments Limited (Midnight), owners of lands immediately to the north of Major Mackenzie Drive on either side of Markham Road respectively. Despite never having received any direct notice whatsoever from the City of Markham, our attention has been drawn to the draft Official Plan Amendment for the Markham Road - Mount Joy Secondary Plan which includes a depiction of its study area extending onto these two parcels. Further, the Plan appears to suggest a “GO Rail Station subject to further study” on the lands belonging to Light Blue. It is remarkable that neither the City nor its consultants engaged the owners of lands so significantly impacted.</p> <p>2. Of particular offence, is the background Transportation Report, prepared by HDR dated June and marked final, which appears to have included detailed research, again without ever having involved or advised a significantly impacted landowner. This report depicts a substantial automobile parking lot located directly on Light’s lands. Once again, it is astounding that such an impactful land use change would be suggested on private lands without formally inviting the affected landowner to engage in the process, and comment and voice concerns or otherwise.</p> <p>3. We would ask, please, that all of the text and graphics associated with the Plan be revised to add the word “Potential” before “GO Rail Station subject to further study”, and that text be added to make it abundantly clear that the location of the “Potential GO Rail Station subject to further study” has not been determined. Further, we ask that all Plan graphics and schedules be revised to relocate the depiction of the “Potential GO Rail Station subject to further study” to the east side of the existing railway line and north of the future alignment of Major Mackenzie Drive. We believe that the area of land lying amidst the realigned Major Mackenzie Drive, the extended Donald Cousins Parkway, and the existing railway line provides ample space for a station and parking, and with far greater accessibility.</p>	<p>1. The Subject Lands are located north of Major Mackenzie Drive East, and are currently outside the City’s urban boundary. There are no policies or land use designations proposed in the draft Secondary Plan that would apply to these lands. City staff met with representatives of the Upper Markham Village ("UMV") landowner’s group, which includes the Subject Lands, during the Secondary Plan Study to provide updates about the Study and learn more about the long-term plans for the UMV lands.</p> <p>2. The lands north of Major Mackenzie Drive East were included in the Secondary Plan Study Area to assess the feasibility of an additional GO Rail Station on the Stouffville GO Rail Corridor at Major Mackenzie Drive East. A ‘GO Rail Station Subject to Further Study’ in this general location is identified in the 2022 YROP and 2022 York Region Transportation Master Plan ("YRTMP"). The location of the GO Rail Station Subject to Further Study has not been determined, and the centroid shown on Map SP1 – Community Structure and Map SP7 – Transit and Active Transportation Network in the draft Secondary Plan is conceptual. As a next step the feasibility assessment recommends engaging Metrolinx through its Initial Business Case (IBC) process to advance the discussion on the feasibility of a GO Station.</p> <p>3. The term "GO Rail Station Subject to Further Study" is from with the language used in the 2022 YROP and 2022 YRTMP and should remain consistent with these plans. The feasibility review undertaken through the Secondary Plan Study recommended protecting for a station in this general location, in part because of environmental considerations on the lands north east of the railway corridor that are within the provincial Greenbelt Plan. The centroid shown on Schedule A - Amendment to Map 1 - Markham Structure was deleted and will be reviewed through the City's Official Plan Review. The centroid of the station location shown on Map SP1 – Community Structure and Map SP7 – Transit and Active Transportation Network in the draft Secondary Plan is conceptual, and has been moved to the intersection of the Stouffville GO Rail Corridor and Major Mackenzie Drive East for clarity.</p>
42	22-Dec-23	Landowner / Developer	Email	R. Mangotich c/o Fieldgate Developments 10015 Highway 48	<p>4. We also note that the background servicing report seems to have failed to recognize previously planned sanitary flows from north of Major Mackenzie. The original system design indicates a sanitary catchment area to the north, but the report supporting this Plan appears to ignore this completely. We see this as a shortcoming of the study and request that a proper analysis be completed that thoroughly investigates and provides for the servicing of this area.</p>	<p>4. In terms of municipal servicing, as work proceeds to bring the lands north of Major Mackenzie Drive East into the City’s urban boundary in conformity with the 2022 YROP, the City will require all lands within the drainage area to connect to the York Durham Sewage System ("YDSS"), through the Markham Road Trunk Sewer catchment area, to be analyzed in full. This could include some areas of both the Markham Road - Mount Joy Secondary Plan Area and UMV lands.</p>
Note: The following correspondence was submitted prior to the release of the draft Markham Road - Mount Joy Secondary Plan in June 2023, and is included here to document a revision applicable to the Subject Lands.						
	10-Aug-22	Landowner / Developer	Email	Malone Given Parsons c/o Legatus Advisory Services 9311 Markham Road	<p>1. Commented that the maximum height for the Subject Lands was increased from 11 storeys in the draft demonstration plan to 15 storeys in the revised demonstration plan, partially addressing previous comments from January 2022 and providing greater flexibility for redevelopment on the Subject Lands. Requested that the maximum height be further increased from 15 storeys to 20+ storeys and the land use type be revised from Mixed Use Mid Rise to Mixed Use High Rise to provide flexibility for a redevelopment that can integrate a grocery store.</p>	<p>1. The Subject Lands are located in the South Precinct, which as per the community structure policies in the draft Secondary Plan is characterized by retail uses and intended to serve residents and vistors. More specifically, the Subject Lands are situated south of Edward Jeffreys Avenue between Markham Road and the Stouffville GO Railway Corridor and designated 'Mixed Use High Rise' to implement the community structure established for the Secondary Plan Area. The maximum height on the Subject Lands shown on Map SP3A - Height (now Map SP3 - Height) was increased from 15 storeys to 20 storeys to facilitate retaining the existing grocery store use if the lands are redeveloped and still aligns with the community structure established for the Secondary Plan Area. There were no revisions to the density identified for the Subject Lands, however Policy 8.7.2 provides consideration for densities exceeding the FSIs shown on Appendix 2 - Density (formerly Map SP3B - Density) subject to meeting criteria relating to transportation, servicing, urban design and the provision of affordable housing and/or rental housing. Similarly, Policy 8.7.3 provides consideration for additional heights up to 5 storeys above the maximum height shown on Map SP3 - Height on lands designated 'Mixed Use High Rise' within the Mount Joy GO MTSA subject to meeting the same criteria noted in Policy 8.7.2.</p>

**CITY OF MARKHAM**

**OFFICIAL PLAN AMENDMENT NO. XXX**

To amend the City of Markham Official Plan 2014, as amended, and to incorporate the Markham Road –  
Mount Joy Secondary Plan

DRAFT

***April 2024***

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**CITY OF MARKHAM**

**OFFICIAL PLAN AMENDMENT NO. XXX**

To amend the City of Markham Official Plan 2014, as amended, to incorporate the Markham Road – Mount Joy Secondary Plan.

This Official Plan Amendment was adopted by the Corporation of the City of Markham, by By-Law No. \_\_\_\_ - \_\_\_\_ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 1st day of May, 2024.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



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**THE CORPORATION OF THE CITY OF MARKHAM**

**BY-LAW NO. \_\_\_\_\_**

Being a By-Law to adopt Amendment No. XXX to the City of Markham Official Plan 2014, as amended.

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT, R.S.O., 1990, HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX to the City of Markham Official Plan 2014, as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 1st DAY OF MAY, 2024.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

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## **PART I – INTRODUCTION**

(This is not an operative part of Official Plan Amendment No. XXX)

### **1.0 GENERAL**

PART I - INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.

PART II - THE OFFICIAL PLAN AMENDMENT, amends Part I of the City of Markham Official Plan 2014 being affected by Official Plan Amendment No. XXX, including Schedules “A” through “M” attached hereto, and is an operative part of this Official Plan Amendment.

PART III - THE SECONDARY PLAN, amends Part II of the City of Markham Official Plan 2014, and constitutes the Markham Road – Mount Joy Secondary Plan, including Maps SP1 through SP7, and Appendices 1 and 2, attached hereto, and is an operative part of this Official Plan Amendment.

### **2.0 LOCATION AND DESCRIPTION OF THE AMENDMENT AREA**

The Markham Road – Mount Joy Secondary Plan Area (“Secondary Plan Area”) comprises lands along both sides of Markham Road from 16th Avenue in the south to Major Mackenzie Drive East in the north. The westerly limit of the Secondary Plan Area is generally defined by the properties on the west side of Markham Road, while the easterly limit is the Stouffville GO rail corridor, including the surface parking lot east of the GO rail corridor. The Secondary Plan Area contains approximately 97 hectares of land.

### **3.0 PURPOSE OF THE AMENDMENT**

The purpose of this amendment is to incorporate into the City of Markham Official Plan 2014 (“Official Plan”) a new secondary plan for the Markham Road – Mount Joy Local Corridor, fulfilling the requirement of Section 9.3.7.2 of the Official Plan.

### **4.0 BASIS OF THE AMENDMENT**

The proposed Markham Road – Mount Joy Secondary Plan is consistent with the Provincial Policy Statement, 2020, and conforms to all applicable Provincial Plans as well as the 2022 York Region Official Plan.

#### **Provincial Policy Context**

The Provincial Policy Statement (“PPS”), 2020 issued under the Planning Act, provides principles and policy direction on matters of provincial interest relating to land use planning and development. These matters include building strong communities with an emphasis on efficient

development and land use patterns, wise use and management of resources and protecting public health and safety.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“Growth Plan”), 2019 builds on the policy foundation of the PPS and provides additional and more area specific land use policies for managing urban growth, building complete communities, and protecting the natural environment in the Greater Golden Horseshoe. It establishes a framework for where and how the region will grow, and directs municipalities to plan for compact and complete communities by prioritizing intensification and higher densities in Strategic Growth Areas (“SGAs”) to make efficient use of land and infrastructure and support transit viability, among other things. SGAs include Major Transit Station Areas (“MTSAs”) which are defined as the area within an approximate 500 to 800 metre radius, or about a 10-minute walk, of any existing or planned higher order transit station or stop.

The Greenbelt Plan (“Greenbelt Plan”), 2017 together with the Growth Plan builds on the PPS by providing additional and more area specific land use policies on where urban growth will not occur to provide for the protection of agriculture and the natural environment from urban development. The Greenbelt Plan provides for the inclusion of publicly owned lands in urban river valleys to integrate the Greenbelt into urban areas, and recognize urban river valleys as important connections to the Great Lakes, among other things.

### **Regional Planning Context**

The York Region Official Plan (“YROP”), 2022 establishes a framework to manage growth over the long-term in accordance with provincial plans and policies. In particular, the YROP implements the Growth Plan by directing growth within York Region’s built-up area to SGAs in the Region’s urban structure, which comprises a network of centres and corridors with connections to rapid transit. The YROP also establishes a hierarchy for accommodating growth within SGAs that includes MTSA delineations with minimum density targets based on the direction in the Growth Plan. The YROP also identifies all MTSAs as “Protected” MTSAs (i.e., “PMTSAs”) per the *Planning Act* to enable inclusionary zoning. The YROP further assigns growth to local centres and corridors, which play a supporting role in accommodating growth in the Region’s growth hierarchy. The Secondary Plan Area comprises lands within the Markham Road – Mount Joy Local Corridor. A large portion of the lands within the Secondary Plan Area are also within the Mount Joy GO Station PMTSA delineation which has a minimum density target of 200 people and jobs per hectare. If the GO Rail Station subject to further study on the Stouffville GO rail corridor east of Markham Road and north of Major Mackenzie Drive East is approved as an MTSA, the MTSA delineation would also include lands in the Secondary Plan Area.

### **Municipal Planning Context**

The City of Markham Official Plan 2014 builds on the urban structure and growth hierarchy as identified in the 2010 YROP. It identifies a portion of the lands within the Secondary Plan Area as a Local Corridor and intensification area within the City’s urban structure. The Official Plan also

provides direction to establish a new secondary plan for the Markham Road – Mount Joy Local Corridor, and outlines a comprehensive planning process to inform the preparation of the secondary plan. An integrated Secondary Plan Study (“Study”) was undertaken as a first step to preparing the new secondary plan. Policy directions and recommendations resulting from extensive technical analysis and stakeholder and public engagement completed through the Study were used as the basis for preparing the new secondary plan. The new secondary plan is intended to guide growth and development in the Markham Road – Mount Joy Local Corridor by providing more detailed direction for land use, infrastructure, transportation, community services, environment, etc. beyond the general policies provided for in the Official Plan.

DRAFT

## PART II – AMENDMENT TO PART I OF THE OFFICIAL PLAN 2014

(This is an operative part of Official Plan Amendment No. XXX)

### 1.0 THE OFFICIAL PLAN AMENDMENT

The following sections of Part I of the City of Markham Official Plan 2014, as amended, are hereby amended as follows:

- 1.1 The Table of Contents, is amended by adding “12.5 Markham Road – Mount Joy Secondary Plan” after “12.4 Angus Glen Secondary Plan” under “Chapter 12: Secondary Plans”.
- 1.2 Section 1.5 is amended by adding the following text “5. Secondary Plan for the Markham Road – Mount Joy Community” after “4. Secondary Plan for the Angus Glen Community”.
- 1.3 Section 9.3 is amended by:
  - a) Amending Section 9.3.1 by modifying the boundary of the Markham Road – Mount Joy Local Corridor and deleting the references to Sections 9.3.7.5, 9.3.7.6, and 9.3.7.7 in Figure 9.1 as follows:

“

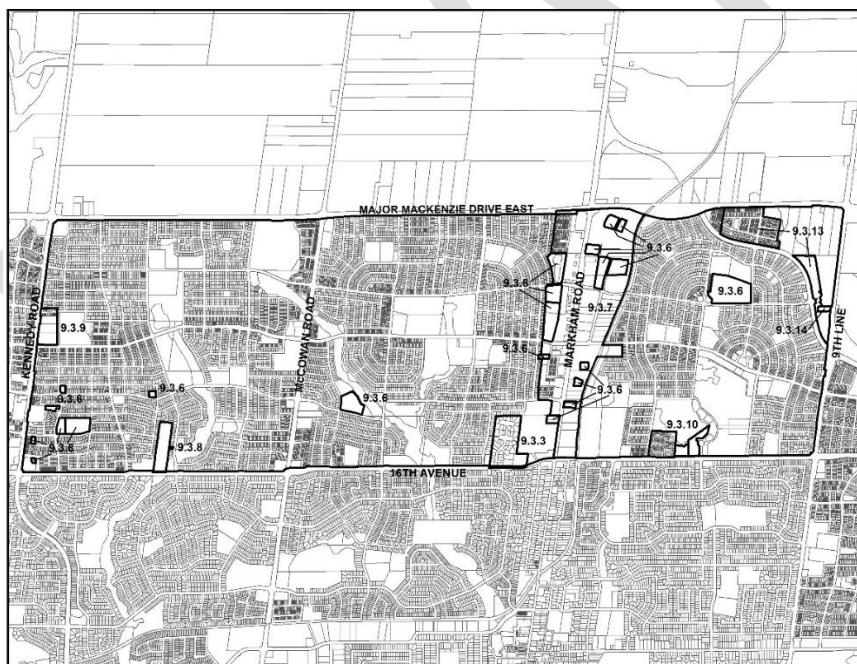


Figure 9.3.1”

- b) Amending Section 9.3.4 to delete items d) and e), and renumbering the remaining items as needed.



- c) Amending Section 9.3.6 to update the public school and parks sites identified in Figure 9.3.6 as follows:

“



Figure 9.3.6”

- d) Deleting Section 9.3.7 and replacing it with the following:

“Local Corridor – Markham Road – Mount Joy

9.3.7 The Markham Road – Mount Joy Local Corridor comprises the lands along Markham Road between 16<sup>th</sup> Avenue and Major Mackenzie Drive East, including the parcel east of the Stouffville GO Railway, as shown in Figure 9.3.7.

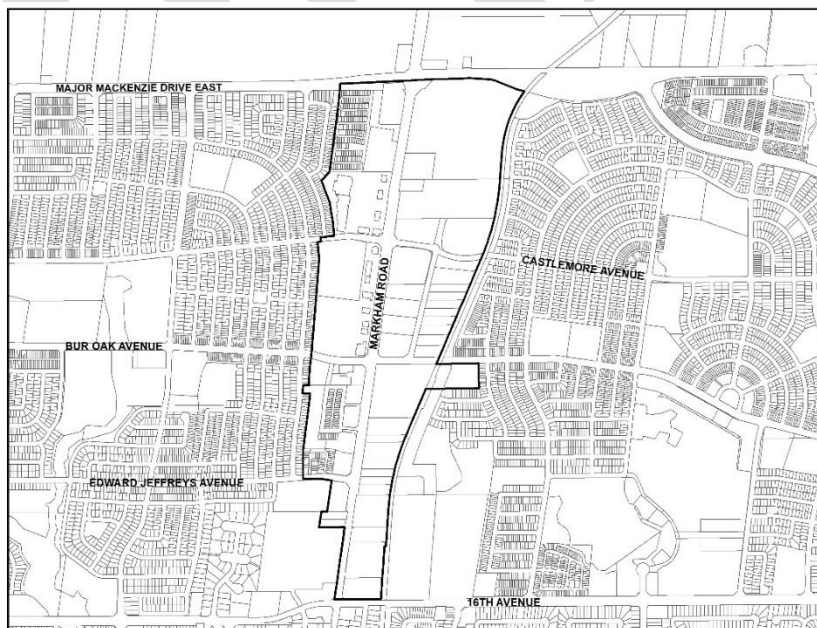


Figure 9.3.7"

Land Use Objective

9.3.7.1 The land use objective for the Markham Road – Mount Joy Local Corridor is to provide for a mixed-use local corridor that functions as a main street integrating a range of housing, employment, shopping and recreation opportunities, at transit-supportive densities adjacent to the GO station, to serve the adjacent communities of Berczy Village, Wismer Commons, Greensborough and Swan Lake.

Markham Road – Mount Joy Secondary Plan

9.3.7.2 The detailed goals, objectives, policies, and maps of the Secondary Plan for the Markham Road – Mount Joy Secondary Plan Area contained in Part II of the City of Markham Official Plan 2014, as amended, shall apply to the lands along both sides of Markham Road from 16<sup>th</sup> Avenue in the south to Major Mackenzie Drive East in the north. The westerly limit of the Secondary Plan Area is generally defined by the properties on the west side of Markham Road, while the easterly limit is the Stouffville GO rail corridor, including the surface parking lot east of the GO rail corridor, as shown in Figure 9.3.7."

- 1.4 Chapter 11, Section 11.2 Definitions, is amended by adding the following definitions:

"Higher Order Transit – Transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. Higher order transit can include heavy rail (such as subways and inter-city rail), light rail, and buses in dedicated rights-of-way."

"Major Transit Station Area – the area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major Transit Station Areas generally are defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk."

"Transit-supportive – Relating to development that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Transit-supportive development will be consistent with Ontario's Transit Supportive Guidelines."

The following sections of Part II of the City of Markham Official Plan 2014, as amended, are hereby amended as follows:

- 1.5 The Table of Contents titled "Part II – Secondary Plans" is amended by adding a reference to the Markham Road – Mount Joy Secondary Plan as follows: "5. Secondary Plan for the Markham Road – Mount Joy Community."
- 1.6 To add a reference to the Secondary Plan for the Markham Road – Mount Joy Community in Figure 12.0 as follows:

“

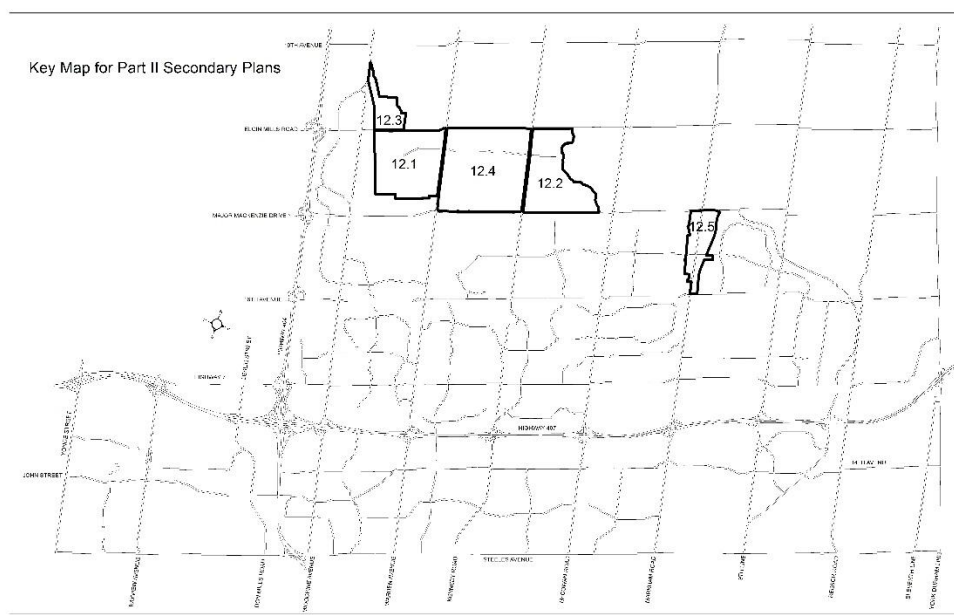


Figure 12.0”

- 1.7 Following Section 12.4, adding a new section 12.5 containing the Secondary Plan for the Markham Road – Mount Joy Community, comprised of Part II – Secondary Plan for the Markham Road – Mount Joy Community of Official Plan Amendment XXX.
- 1.8 The following Maps and Appendices of Part I of the City of Markham Official Plan 2014, as amended, are hereby amended as follows:
  - a) Map 1 – Markham Structure is amended by reflecting the modified boundary of the ‘Greenway System’, ‘Neighbourhood Area’, and ‘Mixed Use Neighbourhood Area’ designations, and replacing the ‘Employment Area’ designation with ‘Mixed Use Neighbourhood Area’, as shown on Schedule “A” attached hereto.
  - b) Map 2 – Centres and Corridors and Transit Network is amended by reflecting the modified boundary of the ‘Greenway System’, ‘Neighbourhood Area’ and ‘Mixed Use Neighbourhood Area’ designations, and replacing the ‘Employment Area’ designation with ‘Mixed Use Neighbourhood Area’, as shown on Schedule ‘B’ attached hereto.
  - c) Map 3 – Land Use is amended by modifying the boundaries of the ‘Greenway’, ‘Mixed Use High Rise’, and ‘Mixed Use Mid Rise’ designations as shown on Schedule “C” attached hereto, replacing the ‘Service Employment’ designation with the ‘Mixed Use Mid Rise’ designation, and adding the ‘Residential High Rise’ and ‘Residential Mid Rise’ designations as shown on Schedule “C” attached hereto.

- d) Map 4 – Greenway System is amended by modifying the boundaries of the ‘Greenway System’, ‘Natural Heritage Network’, and ‘Other Greenway System Lands including certain naturalized stormwater management facilities’ as shown on Schedule ‘D’ attached hereto.
- e) Map 5 – Natural Heritage Features and Landforms is amended by modifying the boundaries of the ‘Greenway System’, ‘Woodlands’ and ‘Other Greenway System Lands including certain naturalized stormwater management facilities’, and adding and removing a segment of the ‘Permanent Streams and Intermittent Streams’, as shown on Schedule ‘E’ attached hereto.
- f) Map 6 – Hydrologic Features is amended by modifying the boundaries of the ‘Greenway System’, ‘Valleylands’, and ‘Other Greenway System Lands including certain naturalized stormwater management facilities’, and removing and adding ‘Permanent Streams and Intermittent Streams’, as shown on Schedule “F” attached hereto.
- g) Map 11 – Minor Collector Road Network is amended by adding ‘Minor Collector Roads’, and reflecting the modified alignment of a segment of ‘Permanent Streams and Intermittent Streams’ as detailed in Schedule “F” attached hereto, as shown on Schedule “G” attached hereto.
- h) Map 14 – Public School, Place of Worship and Park Sites is amended by adding ‘Public School Site’, ‘Place of Worship Site’ and ‘Park Site’ symbols as shown on Schedule “H” attached hereto.
- i) Appendix B – Headwater Drainage Features is amended by reflecting the modified boundary of the ‘Greenway System’ as detailed in Schedule “D” and shown on Schedule “I” attached hereto.
- j) Appendix C – Community Facilities is amended by reflecting the modified boundary of the ‘Greenway System’ as detailed in Schedule “D” attached hereto, and adding the collector road network as shown on Schedule “J” attached hereto.
- k) Appendix D – Cycling Facilities is amended by adding ‘Proposed Cycling Facilities’, as shown on Schedule “K” attached hereto.
- l) Appendix E – Transportation Services and Utilities is amended by reflecting the modified alignment of ‘Permanent Streams and Intermittent Streams’ as detailed in Schedule “F” attached hereto, and as shown on Schedule “L” attached hereto.
- m) Appendix F – Secondary Plan Areas is amended by modifying the label from “Markham Rd Corridor – Mount Joy” to “Markham Road – Mount Joy Local Corridor”, modifying the boundary of the secondary plan area to reflect the boundary as detailed in Schedule ‘B’, and replacing the reference ‘To Be Approved’ over the subject lands with ‘Approved’, as shown on Schedule “M” attached hereto.

**2.0 IMPLEMENTATION**

The provisions of the City of Markham Official Plan 2014, as amended from time to time, regarding the implementation of that Plan, shall apply to this Amendment.

**3.0 INTERPRETATION**

The provisions of the City of Markham Official Plan 2014, as amended from time to time, regarding the implementation of that Plan, shall apply to this Amendment.

DRAFT

MAJOR MACKENZIE DRIVE EAST

FROM "MIXED USE NEIGHBOURHOOD AREA"  
TO "NEIGHBOURHOOD AREA"

FROM "MIXED USE  
NEIGHBOURHOOD AREA" TO  
"NEIGHBOURHOOD AREA"

CASTLEMORE AVENUE

FROM "EMPLOYMENT AREA"  
TO "MIXED USE NEIGHBOURHOOD AREA"

BUR OAK AVENUE

FROM "MIXED USE  
NEIGHBOURHOOD AREA" TO  
"NEIGHBOURHOOD AREA"


EDWARD JEFFERYS AVENUE

MARKHAM ROAD

16TH AVENUE


## AMENDMENT TO MAP 1 - MARKHAM STRUCTURE OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX


--- BOUNDARY OF AMENDMENT AREA


 Greenway System prior to this amendment

 Greenway System


 GO Rail Station

 Neighbourhood Area prior to this amendment

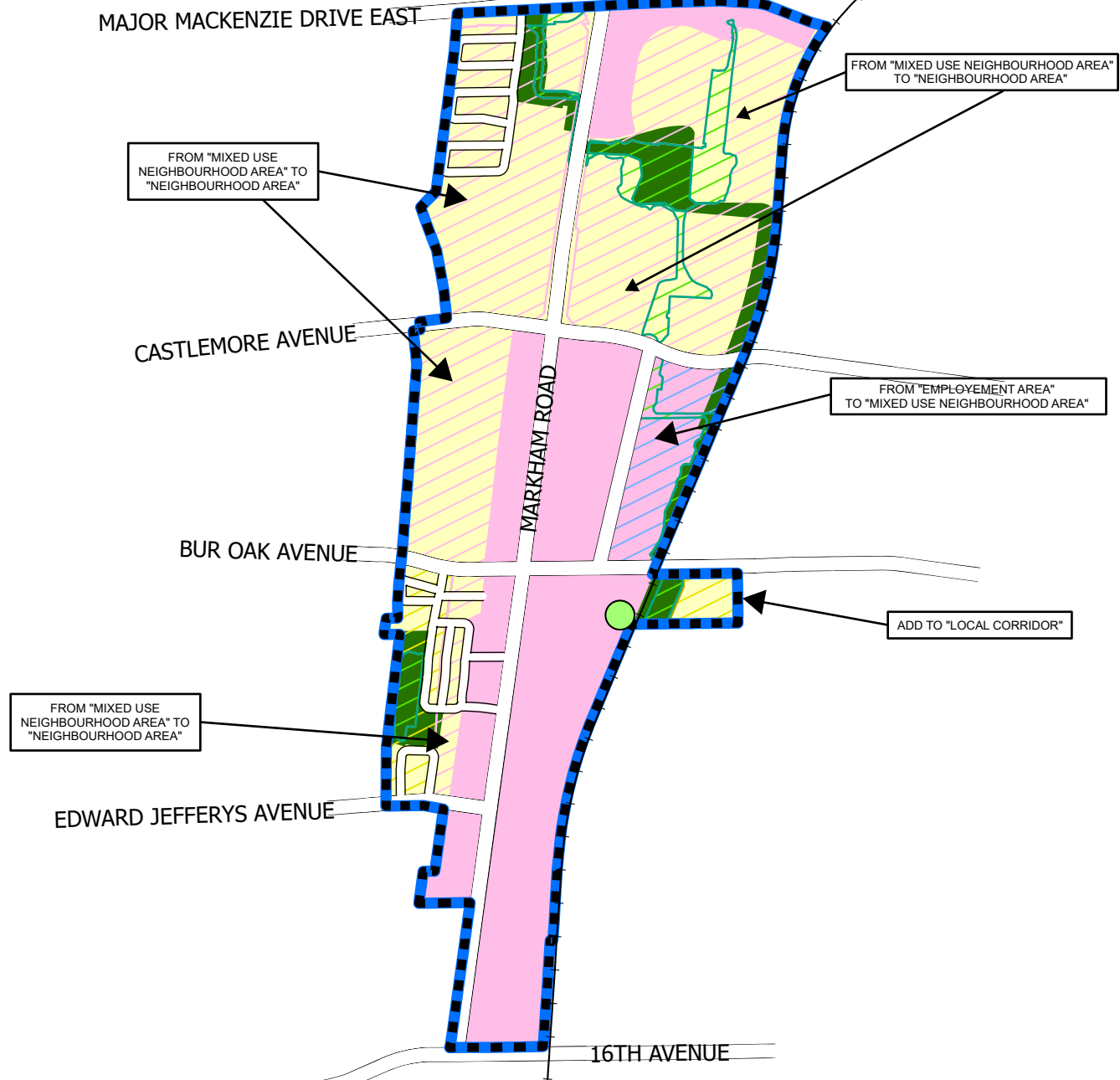
 Neighbourhood Area

 Mixed Use Neighbourhood Area prior to this amendment

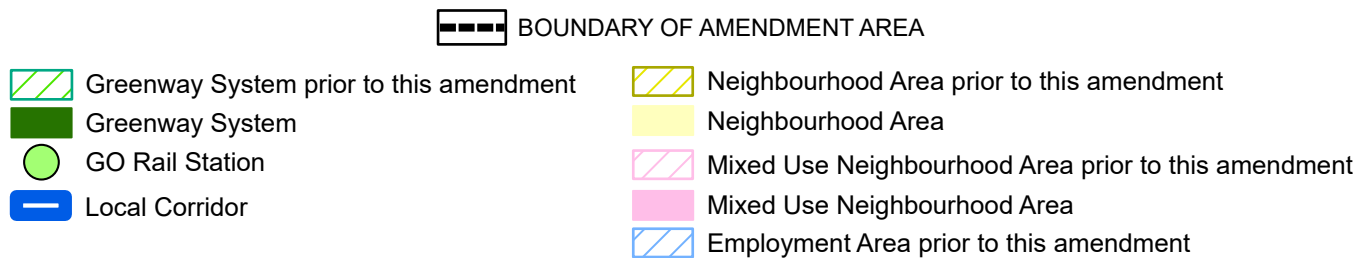
 Mixed Use Neighbourhood Area

 Employment Area prior to this amendment

**DRAFT**

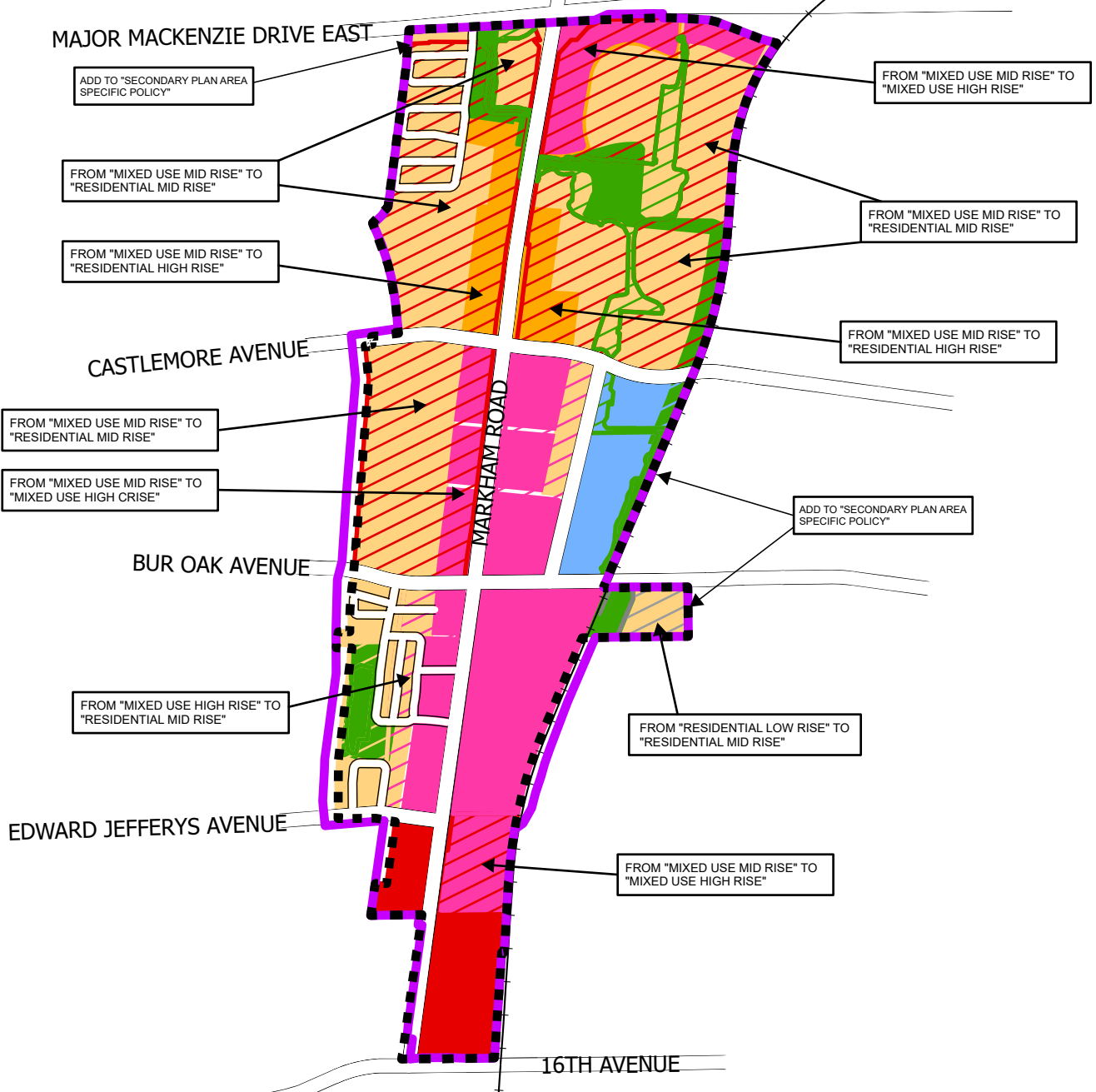


## AMENDMENT TO MAP 2 - CENTRES AND CORRIDORS AND TRANSIT NETWORK OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX



**DRAFT**





## AMENDMENT TO MAP 3 - LAND USE OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

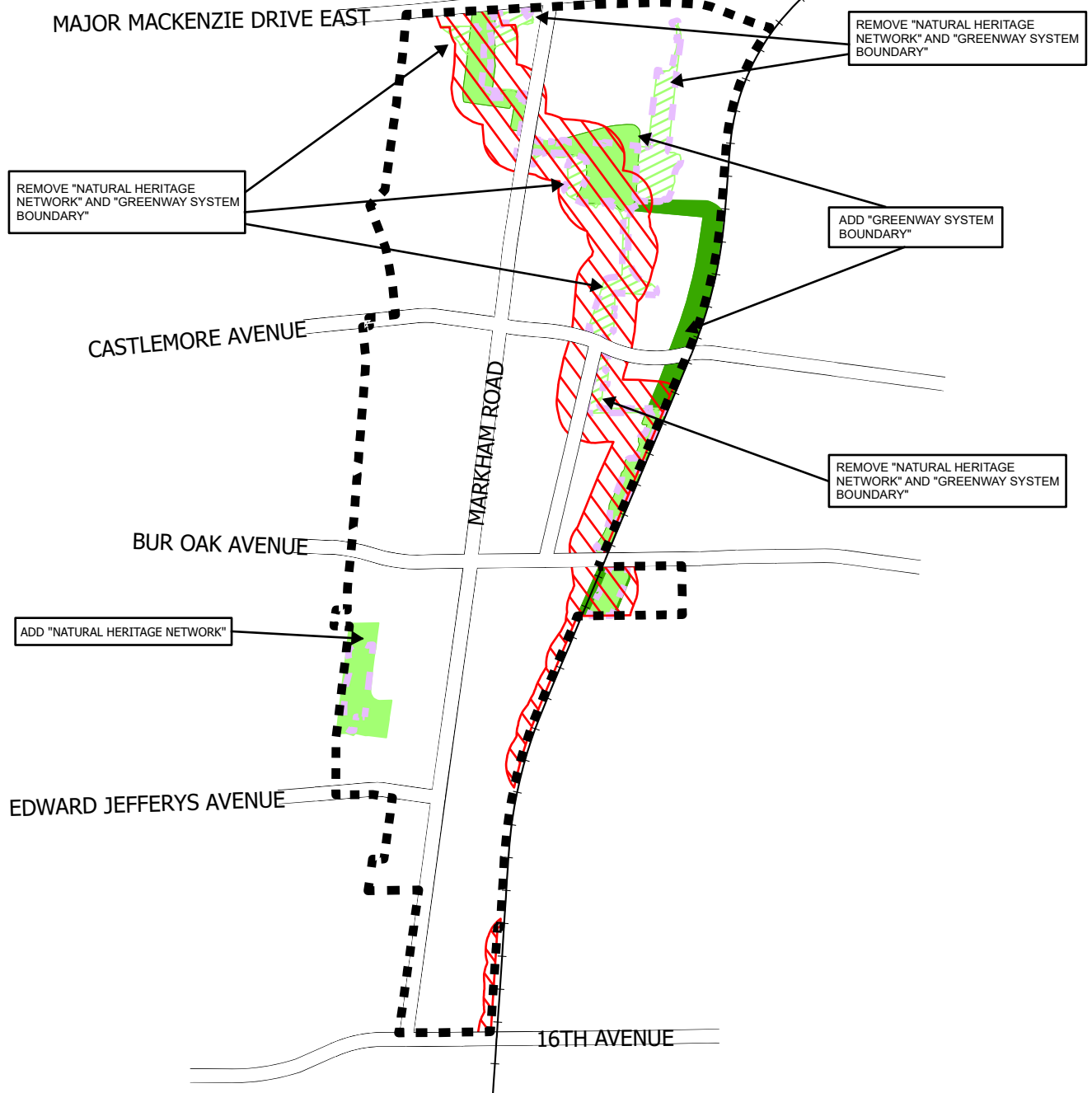
--- BOUNDARY OF AMENDMENT AREA

- Greenway
- Mixed Use High Rise
- Mixed Use Mid Rise
- Residential High Rise
- Residential Mid Rise

- Greenway prior to this amendment
- Mixed Use High Rise prior to this amendment
- Mixed Use Mid Rise prior to this amendment
- Residential Low Rise prior to this amendment
- Service Employment prior to this amendment
- Secondary Plan Area Specific Policy

**DRAFT**

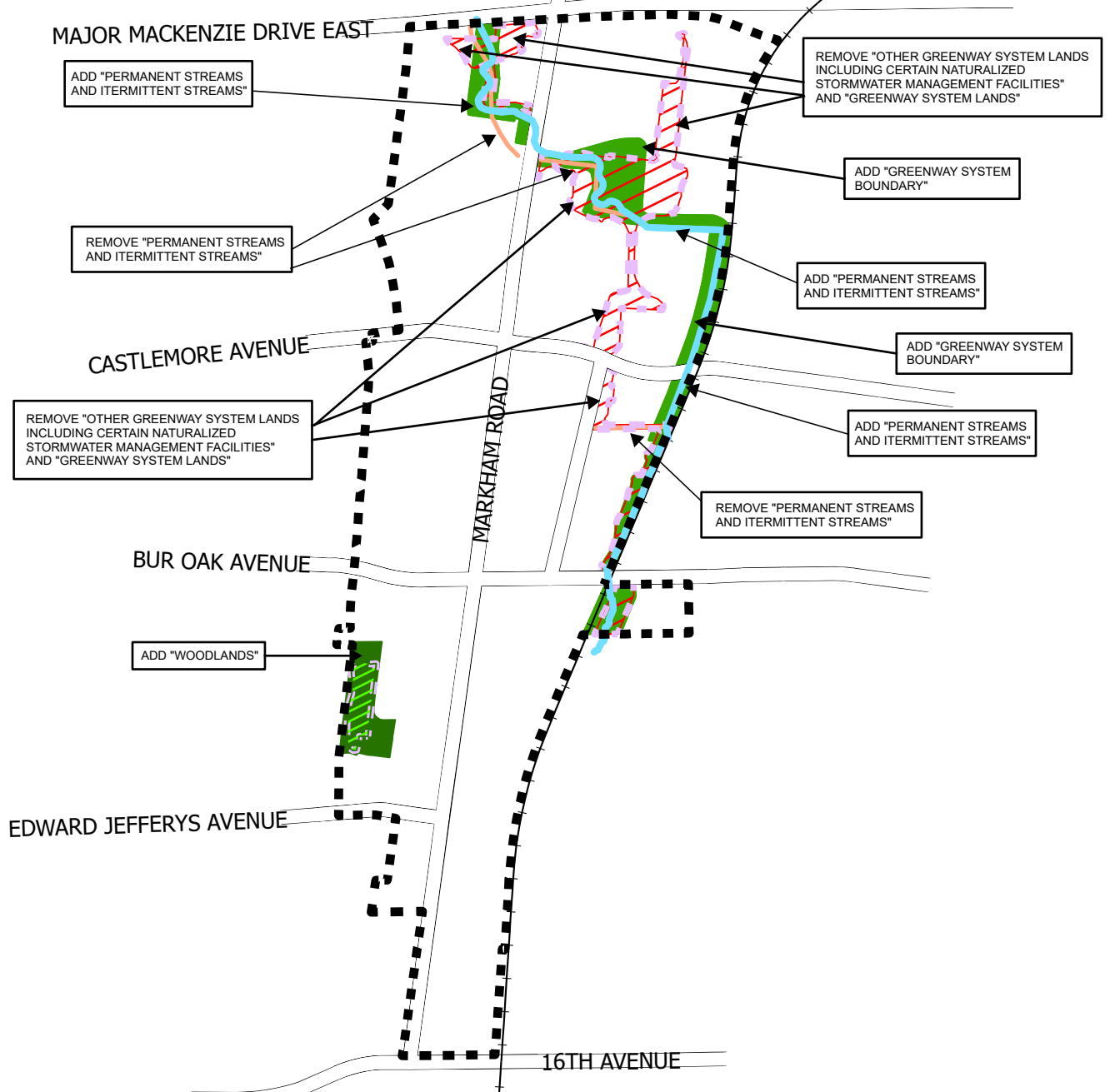




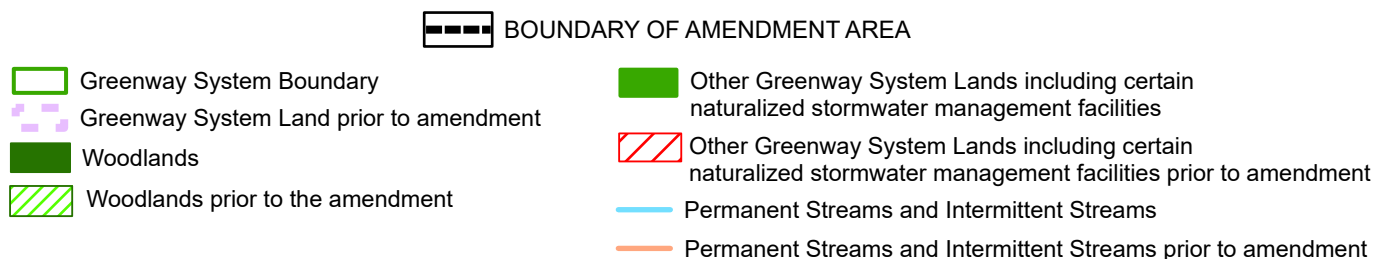
# AMENDMENT TO MAP 4 - GREENWAY SYSTEM OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

- BOUNDARY OF AMENDMENT AREA
- Greenway System Boundary
- Greenway System Boundary prior to this Amendment
- Natural Heritage Network
- Natural Heritage Network prior to this Amendment
- Other Greenway System Lands including certain naturalized stormwater management facilities

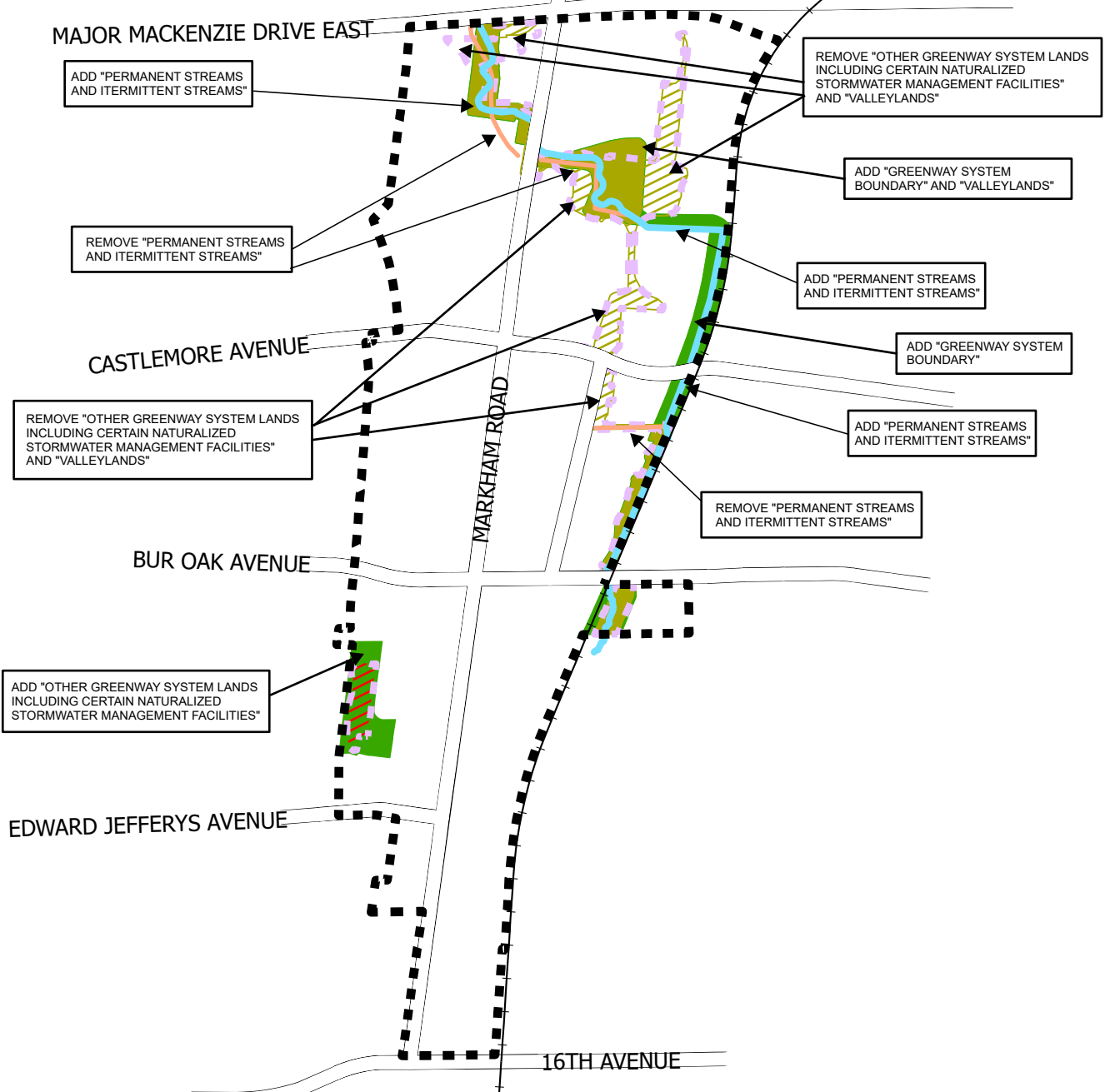
**DRAFT**



# AMENDMENT TO MAP 5 - NATURAL HERITAGE FEATURES AND LANDFORMS OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX



**DRAFT**

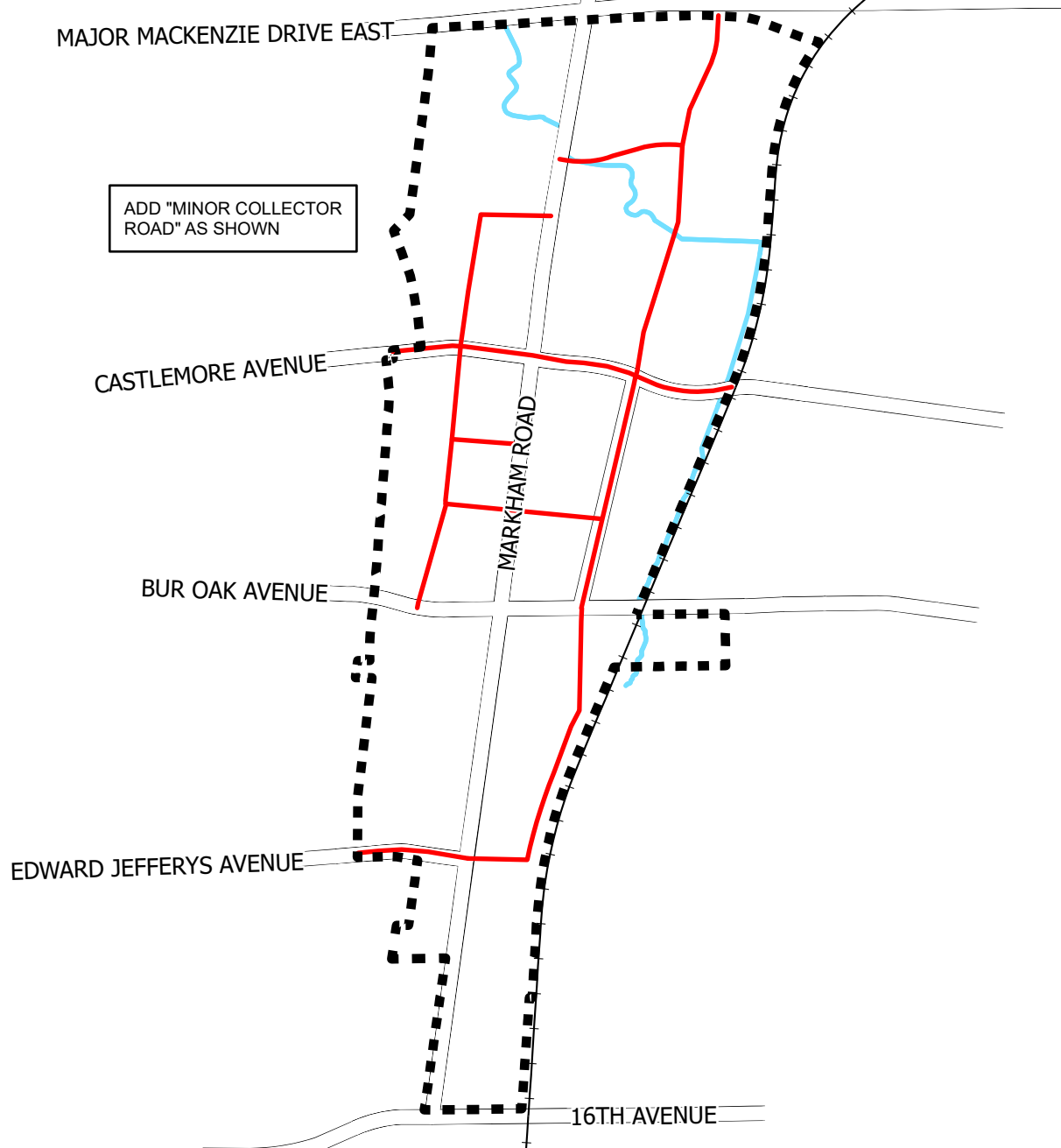


## AMENDMENT TO MAP 6 – HYDROLOGIC FEATURES OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

--- BOUNDARY OF AMENDMENT AREA

- |                                                                                            |                                                                                                               |
|--------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| Greenway System Boundary                                                                   | Other Greenway System Lands including certain naturalized stormwater management facilities prior to amendment |
| Greenway System Land prior to amendment                                                    | Valleylands prior to amendment                                                                                |
| Valleylands                                                                                | Permanent Streams and Intermittent Streams                                                                    |
| Other Greenway System Lands including certain naturalized stormwater management facilities | Permanent Streams and Intermittent Streams prior to amendment                                                 |

**DRAFT**



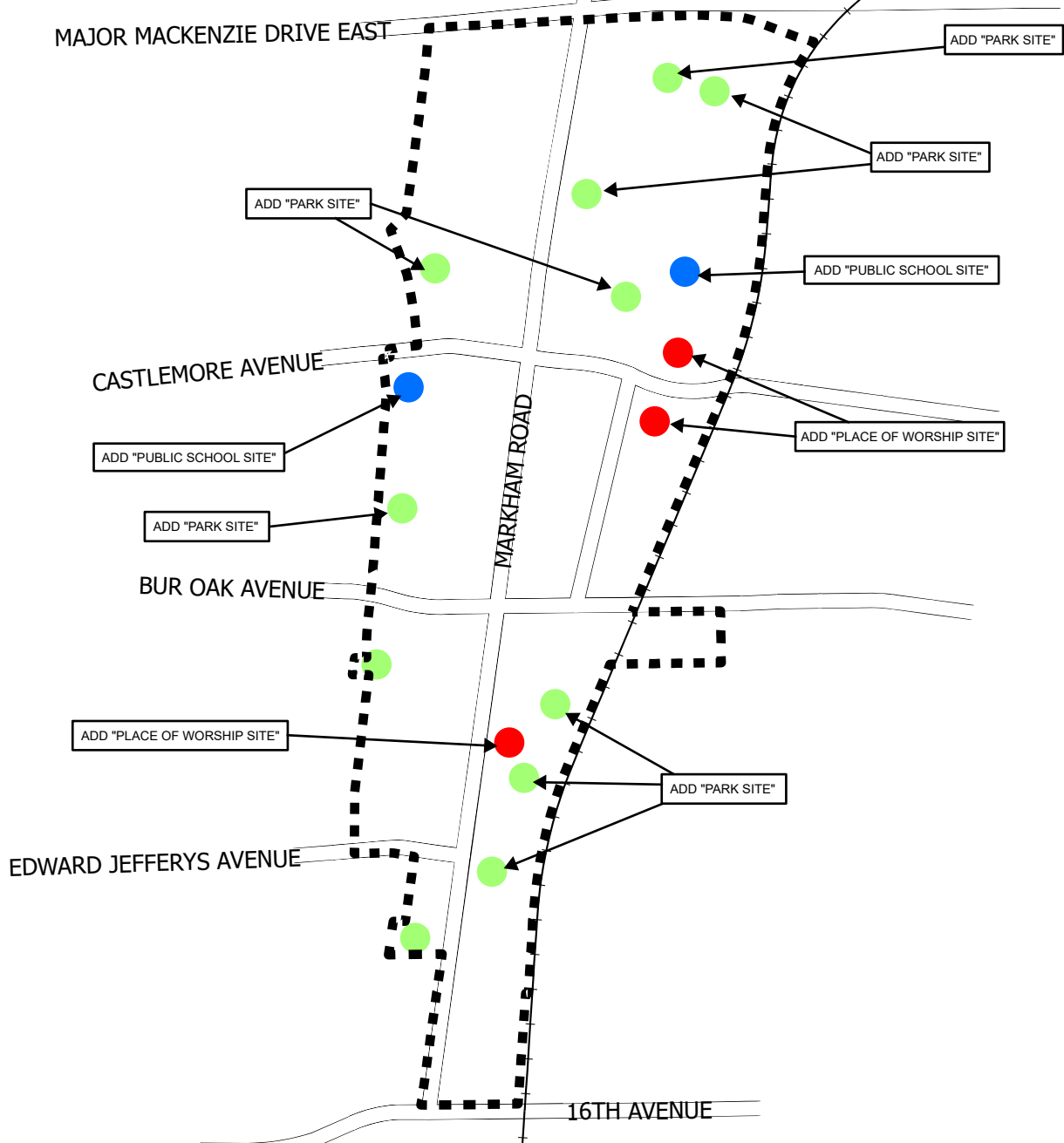
# AMENDMENT TO MAP 11 – MINOR COLLECTOR ROAD NETWORK OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA

 Minor Collector Road

 Permanent Streams and Intermittent Streams as modified by Schedule "F"

**DRAFT**



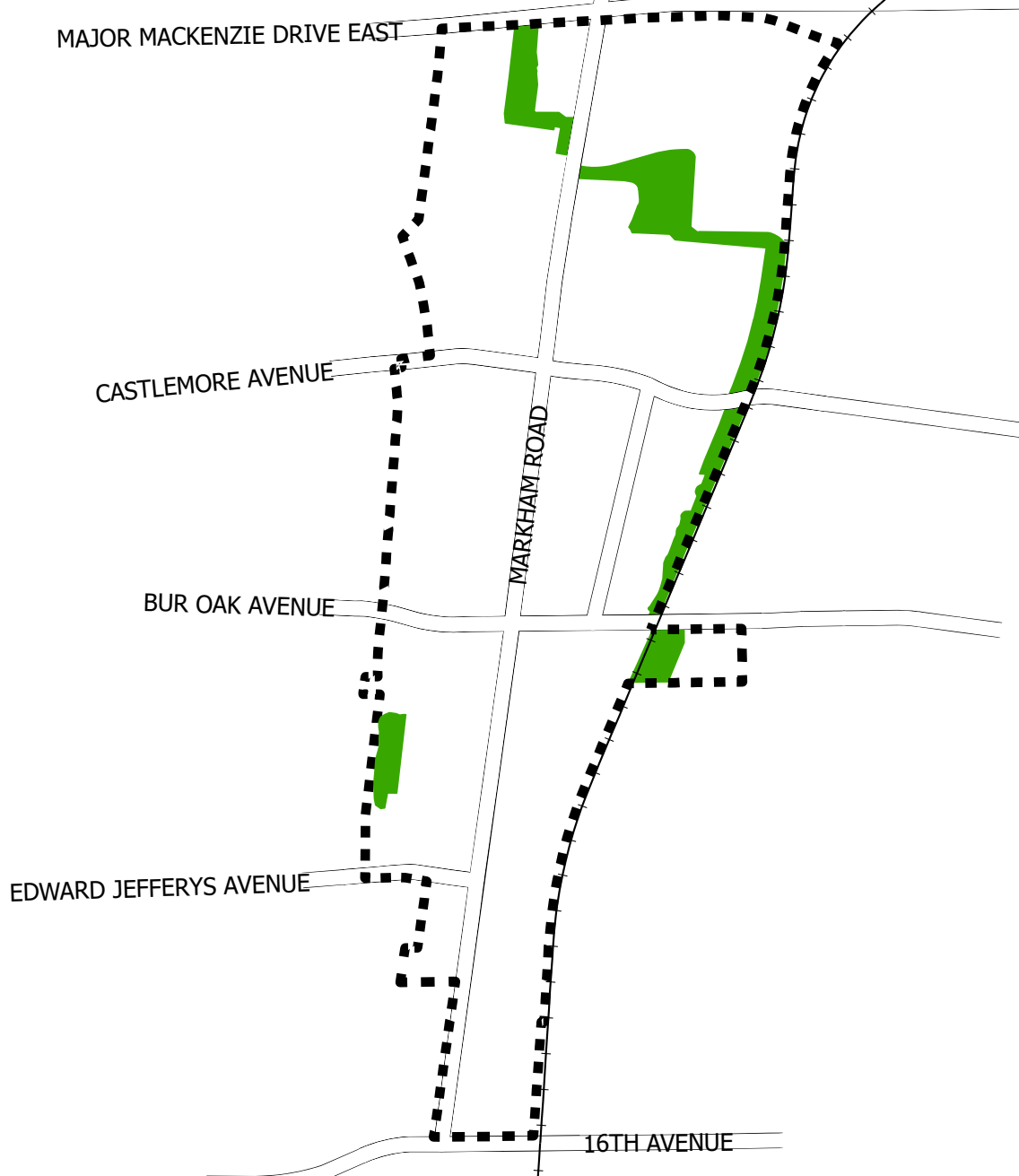
# AMENDMENT TO MAP 14 - PUBLIC SCHOOL, PLACE OF WORSHIP AND PARK SITES OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

--- BOUNDARY OF AMENDMENT AREA

- Parks Site
- Place of Worship Site
- Public School Site


**DRAFT**





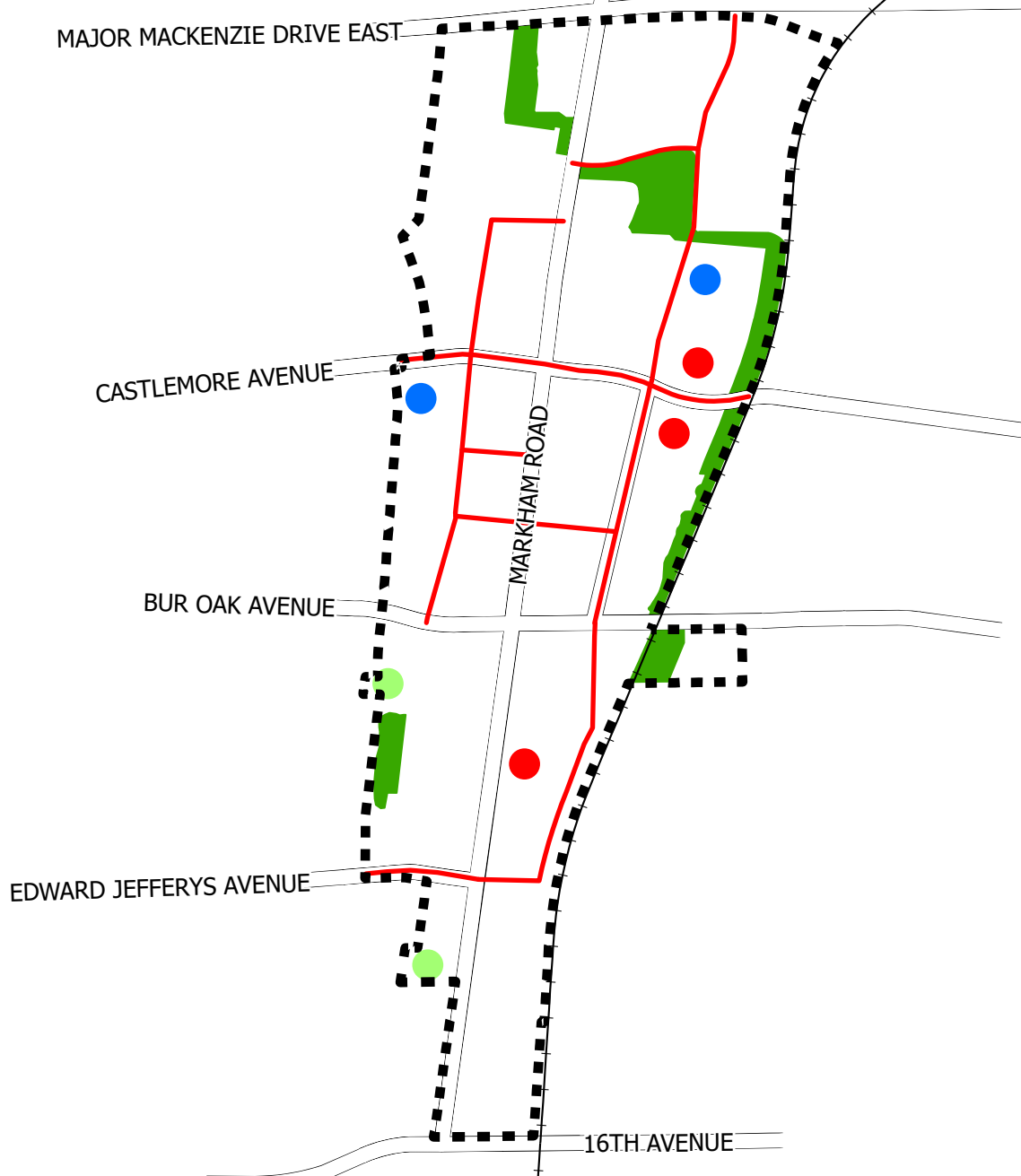
# AMENDMENT TO APPENDIX B - HEADWATER DRAINAGE FEATURES OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA

 Greenway System as modified by Schedule 'D'

**DRAFT**



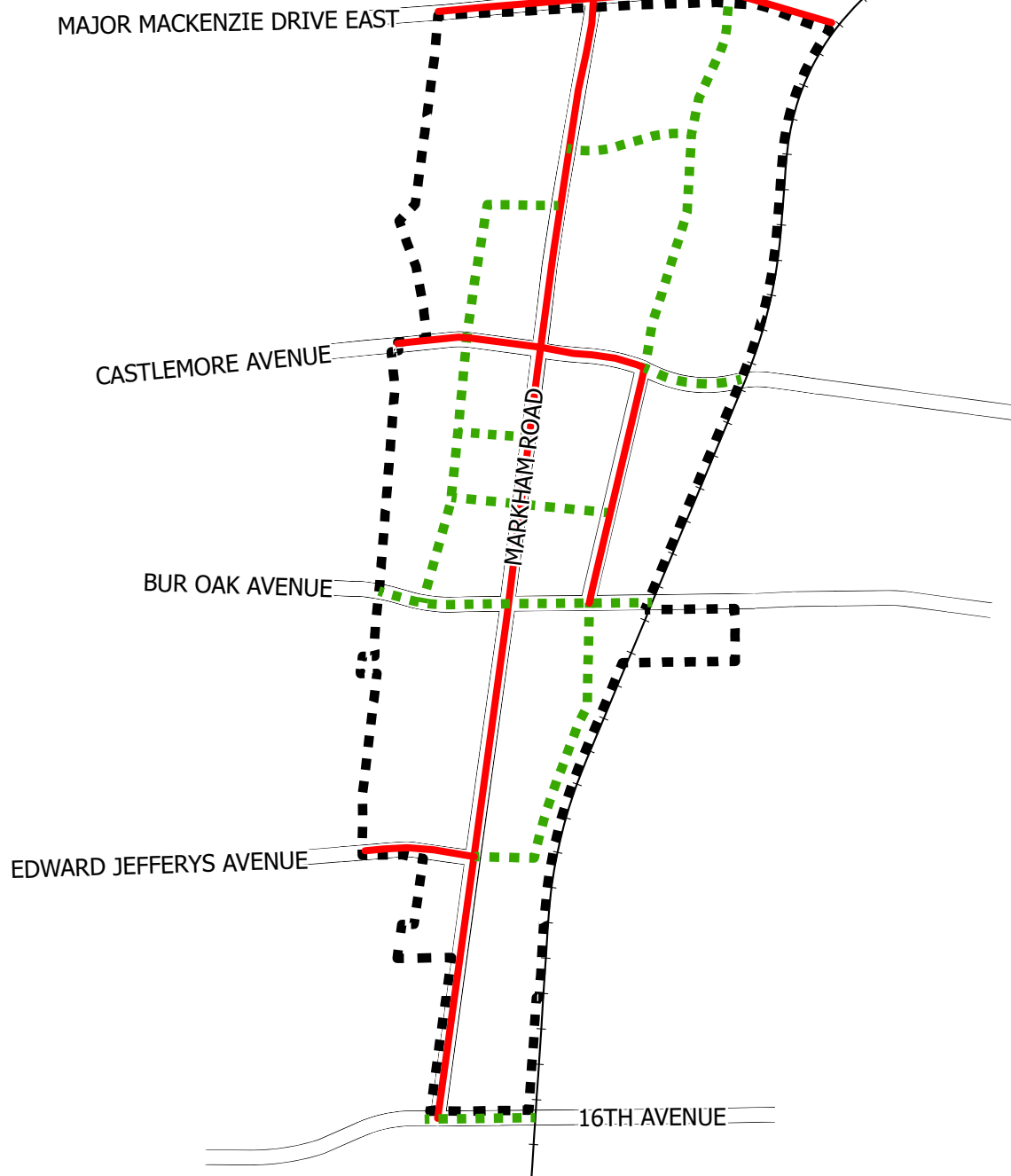


# AMENDMENT TO APPENDIX C – COMMUNITY FACILITIES OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

- BOUNDARY OF AMENDMENT AREA
- Minor Collector Road as shown on Schedule "G"
- Greenway System as modified by Schedule "D"
- Parks and Open Space
- Place of Worship Site
- Public School Site

**DRAFT**





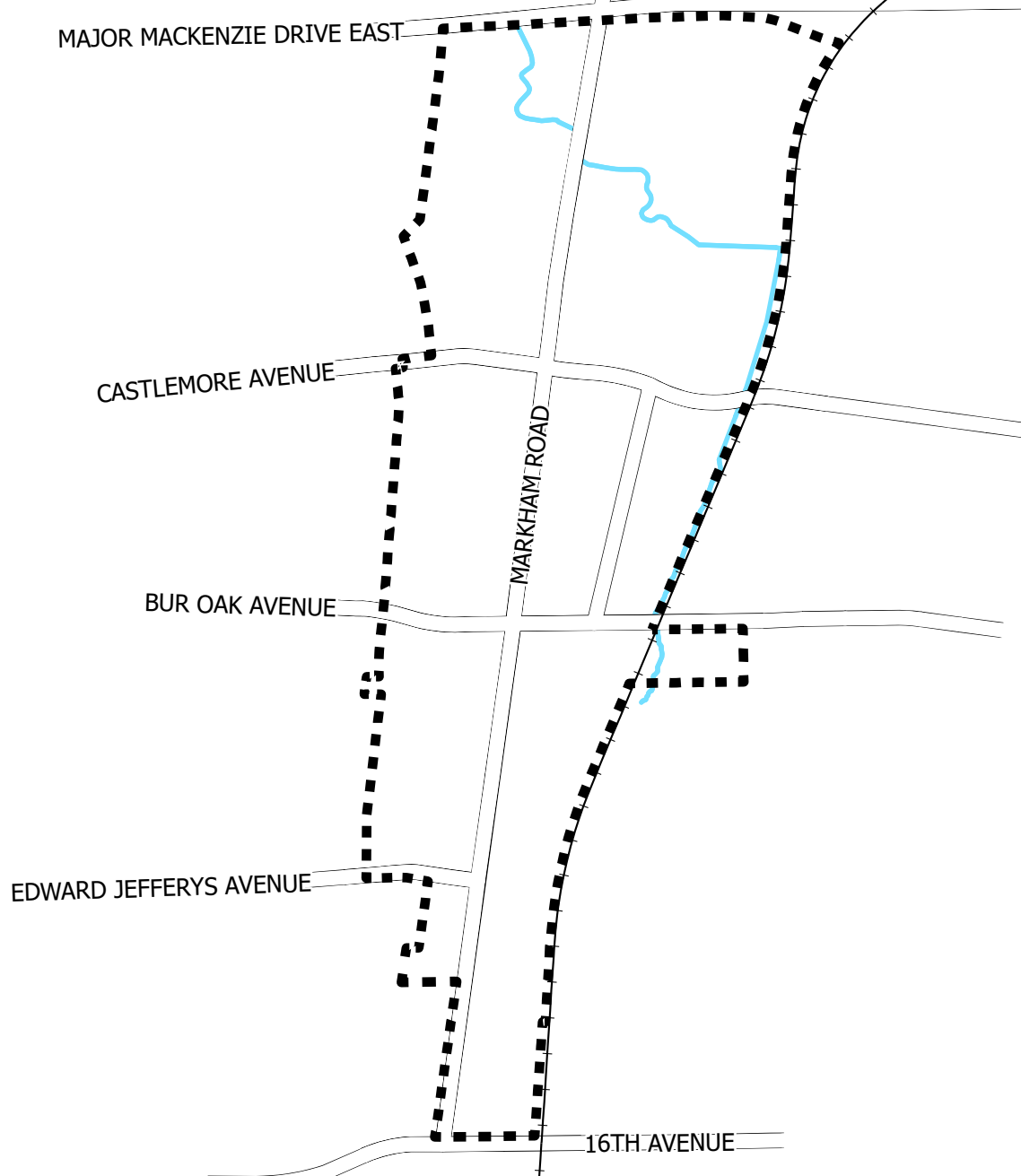
# AMENDMENT TO APPENDIX D – CYCLING FACILITIES OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

- BOUNDARY OF AMENDMENT AREA
- Existing Cycling Facilities
- Proposed Cycling Facilities

**DRAFT**







# AMENDMENT TO APPENDIX E – TRANSPORTATION SERVICES AND UTILITIES OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA

 Permanent Streams and Intermittent Streams as modified by Schedule "F"

**DRAFT**




MARKHAM ROAD-  
MOUNT JOY LOCAL  
CORRIDOR

CHANGE FROM "MARKHAM RD CORRIDOR -  
MOUNT JOY" TO "MARKHAM ROAD - MOUNT  
JOY LOCAL CORRIDOR"

FROM "TO BE APPROVED" TO "APPROVED"

# AMENDMENT TO APPENDIX F – SECONDARY PLAN AREAS OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA

 To Be Approved

 Approved

**DRAFT**

**PART III – AMENDMENT TO PART II OF THE OFFICIAL PLAN 2014, AS AMENDED**

(This is an operative part of Official Plan Amendment No. XXX)

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MAP SP5 – NATURAL HERITAGE FEATURES

MAP SP6 – TRANSPORTATION NETWORK

MAP SP7 – TRANSIT AND ACTIVE TRANSPORTATION NETWORK

## APPENDICES

APPENDIX 1 – CULTURAL HERITAGE RESOURCES

APPENDIX 2 – DENSITY

## PART III – THE SECONDARY PLAN AMENDMENT

### 1. INTRODUCTION

The following text and maps constitute the Secondary Plan for the Markham Road - Mount Joy Secondary Plan Area within the Berczy Village/Wismer Commons/Greensborough/Swan Lake District, as established and adopted by Amendment No. XXX to the City of Markham Official Plan 2014, as amended. This Secondary Plan, contained in Part II - Secondary Plans of the City of Markham Official Plan, 2014, must be read in conjunction with Part I of the City of Markham Official Plan, 2014.

Sections 2.0 through 11.0 and the Maps to this Secondary Plan constitute the operative portions of the Secondary Plan. Section 1.0 and the appendices are provided for information purposes and are not operative parts of the Secondary Plan. In addition, the preamble in each Section and subsection shall assist in understanding the policies of the Secondary Plan. Terms in *italicized* text are defined in Section 11.2 of the Official Plan.

For the purposes of this Plan, unless otherwise stated, Part I of the City of Markham Official Plan 2014, as amended, is referred to as “the Official Plan”, and the Markham Road - Mount Joy Secondary Plan is referred to as “the Secondary Plan”.

### 2. GOALS, OBJECTIVES AND PRINCIPLES FOR A HEALTHY AND RESILIENT COMMUNITY

Sustainable growth contributes to healthy and resilient communities. There is increasing evidence of the strong linkages between public health and community planning, design and human well-being.

A healthy community is a complete community and one that is planned and designed to be inclusive as well as age-friendly, meeting the needs of residents of all ages and abilities, and to improve the quality of life by designing neighbourhoods that promote pedestrian and cycling activity. A healthy community offers a mix and range of housing types including affordable and *shared housing*; provides convenient access to community facilities such as schools and parks; facilitates connections to the open space system to create opportunities for passive and active recreational activities; and provides access to a mix of uses and live/work opportunities to reduce the number of vehicular trips by focusing density around Major Transit Station Areas (“MTSA”) which are areas served by high order transit.

A healthy community is close to transit, and provides for safe pedestrian and cycling opportunities to promote daily physical activity and active lifestyle choices. Increasing the number of trips taken through active transportation and transit reduces the number of car trips and traffic congestion, lowers emissions and creates healthier communities.

A healthy community is a resilient community that reduces carbon emissions through design, providing opportunities for green infrastructure and innovative design solutions to make efficient use of energy, water and waste systems, and to minimize negative impacts from a changing climate.

## 2.1 Guiding Principles

Guiding principles for the development of a healthy and resilient community are identified in this section. These principles were developed through the Markham Road - Mount Joy Secondary Plan Study to guide development within the Secondary Plan Area in accordance with provincial plans, the 2022 York Region Official Plan and Markham's Official Plan.

The guiding principles are generally organized under the broad City-wide goals and strategic objectives identified in Chapter 2 of the Official Plan, with some modifications and additions to the goals to reflect the Markham Road - Mount Joy Secondary Plan context.

### It is the policy of Council:

- 2.1.1** That development in the Markham Road - Mount Joy Secondary Plan shall be consistent with the goals and strategic objectives outlined in Chapter 2 of the Official Plan as further defined by the principles outlined in Section 2.1.2 through 2.1.7 of the Secondary Plan.

### **2.1.2 Protecting and Enhancing the Natural Environment**

- a) To delineate an effective Greenway System associated with Mount Joy Creek as one of the main organizing elements of the community, with the objective of protecting and enhancing the features, functions and water resources associated with the natural heritage network;
- b) To integrate the Greenway System and associated natural heritage features into planned communities in a manner that protects and bolsters natural features through design; and,
- c) To develop new communities to be safe from flooding and to be resilient from the effects of climate change.

### **2.1.3 Building Compact and Complete, Transit-Supportive Communities**

- a) To redefine Markham Road from 16th Avenue to Major MacKenzie Drive East as a main street that provides for the daily needs of residents, businesses and visitors;
- b) To protect for the provision of appropriate community infrastructure and facilities that are easily accessible to residents and visitors;
- c) To promote the health and wellbeing of residents and visitors, through active living, access to the natural environment, local food and connection to a vibrant, inclusive and caring community;
- d) To encourage an efficient use of land at *transit supportive* densities and with good urban form that reinforces a coherent urban structure through coordinated and appropriately scaled infill development;
- e) To provide for a range of housing types and tenures, including affordable and rental housing options, and shared housing, and to provide opportunities to age in place; and,
- f) To create a sense of community identity through the establishment of a high quality public realm, placemaking and a high standard of urban design (distinctive built form, streetscapes, parks and open space, landmarks and views, public art, etc.), ensuring the community is designed to be accessible by all, regardless of age or physical ability.

#### **2.1.4 Increasing Mobility Options**

- a) To enhance the existing transportation network to emphasize walking, cycling and transit as increasingly viable and attractive alternatives to the automobile;
- b) To improve access and circulation, as well as parking amenities that will allow people to easily visit the Markham Road – Mount Joy area;
- c) To plan for transit improvements to connect to, and enhance, existing transit infrastructure and amenities; and,
- d) To balance public rights-of-way for multi-modal use, with the adequate allocation of space and functional design to ensure the safety of all users.

#### **2.1.5 Maintaining a Vibrant and Competitive Economy**

- a) To plan for employment opportunities that serve the community and that are accessible by transit and active transportation, including live/work opportunities;
- b) To plan for the appropriate scale of retail and community-serving uses to support an active, locally-serving retail area, particularly on Markham Road between Castlemore Avenue and Edward Jeffreys Avenue, and the lands north east of Markham Road and 16th Avenue;
- c) To maintain employment uses within the Mount Joy Business Park, by enhancing the competitiveness of existing employment lands and providing opportunities for new and innovative businesses to grow and flourish; and,
- d) To provide flexibility in built form and land uses to foster economic growth and versatility to support a range of employment uses within mixed-use areas.

#### **2.1.6 Adopting Green Infrastructure and Development Standards**

- a) To identify and implement best management practices and approaches to stormwater management systems/ facilities, floodplain management, water and wastewater systems, and the transportation network to maximize water and energy conservation and support climate change resilience at the community level;
- b) To identify and implement best management practices for green buildings to reduce demands on energy, water and waste systems;
- c) To incorporate infrastructure for transportation powered by renewable energy (i.e., electric vehicle plug-in stations) and,
- d) To encourage sustainable community and building design that uses green infrastructure technologies, and incorporates best practices in sustainable building and open space designs, through the use of energy efficient materials, systems, and landscaping, with an emphasis on air and water quality, energy and water efficiency and conservation, and waste management practices.

#### **2.1.7 Implementation**

- a) To identify general phasing and sequencing for development of the Markham Road - Mount Joy community.

### 3. COMMUNITY STRUCTURE

Community structure describes the various elements or building blocks that make up a complete community, consistent with the guiding principles in Section 2.1 of the Secondary Plan. The community structure includes the identification of structural land use categories, a high level transportation system, a parks system, an open space system, and community infrastructure and service facility requirements. It is based on the results of a comprehensive study that integrated land use and urban design, transportation, and municipal servicing, and considered existing land uses and public input.

#### 3.1 General Provisions

The structure of the Markham Road - Mount Joy community is established in this Secondary Plan and builds upon the existing Greenway System, mix of land uses, public parks system, open space system, and transportation system, including the Mount Joy GO Station, in the Secondary Plan Area. The Secondary Plan Area is comprised of three distinct precincts that serve as supporting structural elements of the community. Each of the structural components are shown on Map SP1 - Community Structure.

**It is the policy of Council that:**

3.1.1 The Secondary Plan provides for a distribution of appropriate land use designations to ensure the development of the Markham Road - Mount Joy Secondary Plan Area as a compact, complete and *transit-supportive* community. The structural elements of the Markham Road - Mount Joy community include, a protected Greenway System, Precinct Areas, a Residential Neighbourhood Area, a Mixed Use Neighbourhood Area, including the Mount Joy GO Station Mixed Use Node, Mixed Use - Employment Priority lands, a Parks System, an Open Space System, and Transportation System.

#### 3.1.2 Greenway System

- a) The Greenway System comprised of the Mount Joy Creek valleylands, and the Hammersley Woodlot, are a key structural element of the Secondary Plan Area. The Greenway System provides for the protection of natural heritage features, and opportunities for trail linkages, natural view sheds and passive recreational uses.
- b) In addition, the Greenway System, together with a network of open spaces and multi-use trails and pathways form an interconnected Open Space System for the Markham Road - Mount Joy community.

#### 3.1.3 Precincts

The Secondary Plan Area is subdivided into three precincts based on their unique context, land use and built form considerations that also contribute to the shared identity of the Markham Road - Mount Joy community. Each precinct incorporates a mix of land uses, new public parks, new



streets as well as components of the new multi-use trail adjacent to the Stouffville GO Rail corridor, and elements of the Greenway System.

- a) The North Precinct is primarily residential in character, but includes a mix of residential, mixed use and institutional uses as well as several public parks, and the majority of the Mount Joy Creek valleylands. The North Precinct is also adjacent to the GO Rail Station subject to further study at Major Mackenzie Drive East and will include direct connections to the new GO Rail Station.
- b) The Central Precinct is the focus of activity in the Secondary Plan Area. In addition to a mix of residential and non-residential uses, the Central Precinct also comprises the entire Mount Joy GO Station Mixed Use Node.
- c) The South Precinct is characterized by retail uses and is intended to serve residents as well as visitors from outside the Secondary Plan Area. These retail uses are complemented by other residential and non-residential uses.

#### 3.1.4 Residential Neighbourhood Area

- a) Lands within the Residential Neighbourhood Area provide a transition in built form and density to the residential neighbourhoods located east and west of the Secondary Plan Area.
- b) Residential blocks are situated near community facilities and amenities such as *public schools*, *places of worship* and public parks, as well as other community infrastructure.
- c) Residential building types, lots sizes and densities will vary throughout the Residential Neighbourhood Area. These lands are intended to be developed primarily with a range and mix of higher density ground oriented or apartment housing types located adjacent to Mixed Use Neighbourhood Areas and residential neighbourhoods outside the Secondary Plan Area.

#### 3.1.5 Mixed Use Neighbourhood Area

- a) Lands within the Mixed Use Neighbourhood Area provide for a mix of residential and non-residential uses that contribute to the development of a complete community at *transit-supportive* densities around the Mount Joy GO Station and the GO Rail Station subject to further study at Major Mackenzie Drive East.
- b) Mixed use blocks are intended to be developed with higher density building types comprising a mix of residential, employment, retail and service uses that support active transportation and transit use.
- c) Primary height and density peaks will be located within the Mount Joy GO Station Mixed Use Node. These will transition downward to secondary height and density peaks in the mixed use blocks along the length of Markham Road, between Major Mackenzie Drive East and Edward Jeffreys Avenue, and support the creation of a mixed use main street on Markham Road.
- d) The mixed use blocks north east of Markham Road and 16<sup>th</sup> Avenue will prioritize retail uses that serve residents as well as visitors from surrounding communities in built forms that also provide a transition in height and density from the primary peak within the Mount Joy GO Station Mixed Use Node to the Markham Village Heritage Conservation District (HCD).

### 3.1.6 Mount Joy GO Station Mixed Use Node

- a) The Mount Joy GO Station Mixed Use Node within the Mixed Use Neighbourhood Area is intended to accommodate the greatest densities, building heights and mix of uses in the Secondary Plan Area, establishing a destination for residents and visitors to access neighbourhood and community uses and services.

### 3.1.7 Mixed Use – Employment Priority

- a) The Mixed Use - Employment Priority lands will provide opportunities for a range of light industrial and manufacturing uses that can co-exist alongside street-related retail and services uses, as well as commercial, office and residential uses on upper storeys of vertically integrated mixed use buildings that support active transportation and transit use. The intent is to broaden the employment uses historically permitted on the lands while introducing compatible and complementary non-employment uses to promote transit supportive development adjacent to the Mount Joy GO Station.

### 3.1.8 Parks System

- a) The Parks System will incorporate a hierarchy of public parks to meet the diverse recreational and leisure needs of residents, workers, and visitors in the Secondary Plan Area, and enhance connectivity between neighbourhoods and adjacent communities.
- b) New public parks will be distributed throughout the Secondary Plan Area, providing for a variety of active and passive recreational uses within reasonable walking distance of all residents.
- c) New public parks shall be shaped and sized as shown on Map SP2 – Detailed Land Use to ensure they can provide for active programming and uses.
- d) Community and neighbourhood parks shall provide views and physical connections to the adjacent open space system, where appropriate.

### 3.1.9 Open Space System

- a) The Open Space System will provide connections to neighbourhoods within the Markham Road - Mount Joy community, and as well as the adjacent Greensborough, Wismer Commons and Markham Village Heritage Conservation District communities.
- b) A linear open space system west of the Stouffville GO Rail corridor from Major Mackenzie Drive East to 16<sup>th</sup> Avenue will provide for a north-south multi-use trail.
- c) The Open Space System shall provide physical connections to adjacent public parks and pedestrian crossings of the Stouffville GO Rail corridor.

### 3.1.10 Transportation System

- a) The Transportation System is a key structural element within the Markham Road - Mount Joy community and establishes a framework to guide the development of a well-defined street

hierarchy, refined streets and blocks layout, and complete streets for all ages, abilities and modes of travel.

- b) The Transportation System consists of a hierarchy of arterial, collector and local roads and will accommodate the majority of cycling, vehicular, and transit service traffic within the Markham Road - Mount Joy community, and provide links to neighbouring communities.
- c) The street hierarchy is intended to increase options for multi-modal movement with the objective of reducing reliance on the automobile by increasing opportunities for walking, cycling and transit use throughout the Secondary Plan Area, and in particular along Markham Road to support the creation of an animated and vibrant mixed use main street.
- d) Connectivity throughout the Secondary Plan Area will be provided through the distribution of parks, open spaces, *public school* sites, a multi-use trail adjacent to the Stouffville GO Rail corridor, and pedestrian connections across the Stouffville GO Rail corridor.

#### 4. ENVIRONMENTAL SYSTEMS

This Section addresses the Greenway System, the urban forest, water resources, stormwater management and environmental hazards.

##### 4.1 Greenway System

The protected Greenway System lands located within the Markham Road - Mount Joy Secondary Plan Area reflect, for the most part, the natural heritage system associated with Mount Joy Creek. Mount Joy Creek is a tributary of the Rouge River and is identified as an Urban River Valley in the Greenbelt Plan. The Mount Joy Creek corridor traverses the northern portion of the Secondary Plan Area from the north-west to the east providing a natural heritage spine within the community as well as connections to the City-wide Greenway System and to the north and east.

The majority of the Mount Joy Creek lands within the Urban River Valley designation in the Greenbelt Plan Area lands are currently in private ownership. It is intended that through the reconfiguration of Mount Joy Creek, the valley lands will be conveyed into public ownership in support of the vision and goals of the Provincial Greenbelt Plan, and Markham's Official Plan.

The Greenway System within the Markham Road - Mount Joy Secondary Plan has been refined based on the municipal servicing plan, which includes the alignment for Mount Joy Creek as shown on Map SP4 – Greenway System, and may be subject to further refinements through future studies and development approvals.

##### **It is the policy of Council:**

- 4.1.1 To identify, protect and enhance the Greenway System in the Markham Road - Mount Joy Secondary Plan Area in a manner consistent with Section 3.1 of the Official Plan, the policies of this Secondary Plan, the realignment of Mount Joy Creek, and the Municipal Servicing Plan prepared in support of this Secondary Plan.

4.1.2 That further to Section 3.1 of the Official Plan, the components of the Greenway System within the Markham Road - Mount Joy Secondary Plan Area include the following as generally shown on Map SP4 - Greenway System:

- a) Natural Heritage Network lands; and
- b) Greenbelt Plan Area lands (Urban River Valleys).

4.1.3 That further to Sections 3.1.2.1 and 3.1.2.10 of the Official Plan, the components of the Natural Heritage Network within the Markham Road - Mount Joy Secondary Plan Area include the following:

- a) *natural heritage and hydrologic features*, and more specifically:
  - i) *fish habitat*;
  - ii) *valleylands*;
  - iii) *woodlands*;
  - iv) *permanent streams and intermittent streams*;
- b) *vegetation protection zones* associated with features identified in a) above; and
- c) *hazardous lands*.

Where these features are mapped, they are generally shown on Map SP5 - Natural Heritage Features.

4.1.4 That the *vegetation protection zones* as generally shown on Map SP5 - Natural Heritage Features be required in accordance with Section 3.1.2.22 through 3.1.2.27 of the Official Plan.

4.1.5 That the boundaries of the Greenway System and the Natural Heritage Network within the Markham Road - Mount Joy Secondary Plan Area, including the delineation of *natural heritage and hydrologic features* and their associated *vegetation protection zones*, as shown in Map SP5 – Greenway System and Map SP4 - Natural Heritage Features reflect, for the most part, the alignment for Mount Joy Creek, and may be refined or modified in accordance with Section 3.1.1.3 of the Official Plan and the policies of this Plan.

4.1.6 That the ‘Greenbelt Plan Area - Urban River Valley’ lands shown on Map SP4 – Greenway System are subject to the policies of the Greenbelt Plan 2017. The outer boundary of the Greenbelt Plan Area lands can only be refined or modified by the Province.

4.1.7 That any conveyance and/or securement of lands within the Greenway System shall be in accordance with Sections 3.1.2.4 through 3.1.2.7, 3.1.2.22 b), 3.1.3.4 and 3.4.1.7 of the Official Plan.

4.1.8 To minimize and mitigate the impact of required infrastructure in accordance with Section 3.1.2.9 of the Official Plan, the municipal servicing plan and any class environmental assessments.

4.1.9 Where a natural heritage evaluation and/or hydrological evaluation or environmental impact study is required in accordance with Section 3.5.5 of the Official Plan, the evaluation/study shall also address:

- a) how the municipal servicing plan is to be implemented within the site development context;
- b) the direct and indirect impacts and mitigation associated with the development proposal; and
- c) enhancement and restoration opportunities and objectives.

4.1.10 That where nature-based trails are provided for in the Greenway System, the following shall apply:

- a) trails shall avoid or minimize impacts to *natural heritage and hydrologic features* by generally being located outside of the Natural Heritage Network and at the outer edge of the Greenway System, and along the west side of the Mount Joy Creek, where feasible;
- b) where trail alignments may impact *natural heritage and hydrologic features*, a scoped environmental impact study shall be required to identify potential impacts and to provide recommendations on methods to minimize impacts;
- c) the conceptual design and location of trails as shown on Map SP1 – Community Structure and where feasible and appropriate, regard for provincial guidelines for accessibility; and
- d) trails should be integrated with maintenance access required for infrastructure and stormwater management facilities, where possible.
- e) the area of land provided for a trail is not eligible for parkland credit.

## 4.2 Urban Forest System

The Urban Forest System includes all wooded areas, individual trees, and the soils that sustain them on public and private property. The urban forest provides a number of environmental and health benefits which contribute to the quality of life for residents and workers in the Markham Road - Mount Joy Secondary Plan Area, including improved air and water quality, carbon sequestration, climate regulation, stormwater run-off reduction, energy efficiency, wildlife habitat, and improved physical and mental health. The City will work with development proponents and community groups to increase tree canopy coverage.

### **It is the policy of Council:**

- 4.2.1 To protect, expand and integrate the urban forest in the Markham Road - Mount Joy Secondary Plan Area in a manner consistent with Section 3.2 of the Official Plan and the policies of this Secondary Plan.
- 4.2.2 That prior to approval of an application for development, *redevelopment* or site alteration, the proponent shall retain a certified Arborist to prepare an Arborist Report and Tree Inventory and Preservation Plan in accordance with the City's Arborist Report and Tree Inventory & Preservation Plan Terms of Reference.

- 4.2.3 That where trees cannot be retained in situ, compensation will be provided in accordance with Section 3.2.1 c) of the Official Plan.

#### 4.3 Water Resources and Mount Joy Creek

The municipal servicing study completed for the Secondary Plan Area assessed infrastructure requirements based on the anticipated build out of the Secondary Plan Area, and provided recommendations to manage water resources that included realigning Mount Joy Creek, and daylighting a portion of the Creek that is currently buried, as well as restoring the associated natural habitat. These works are intended to remove existing tableland flooding to facilitate the re-development of these lands, and will also provide opportunities to restore natural cover.

##### **It is the policy of Council:**

- 4.3.1 That development, *redevelopment* and *site alteration* be designed with the goal of protecting ground and surface water quality and quantity in the Markham Road - Mount Joy Secondary Plan Area in a manner consistent with Section 3.3 of the Official Plan, the policies of this Secondary Plan and with regard for all applicable guidelines.
- 4.3.2 To confirm the realignment of Mount Joy Creek as shown on Map SP4 – Greenway System as 'Other Greenway System Lands including certain naturalized stormwater management facilities. The approximate location, size and extent of lands required for the realignment of Mount Joy Creek shall be determined in accordance with Section 4.3.3.
- 4.3.3 That a comprehensive study such as a Municipal Class Environmental Assessment or equivalent shall be completed to assess and evaluate options for the realignment of a portion of Mount Joy Creek in consultation with the City, TRCA, and all other stakeholders. The comprehensive study and the realignment options must:
- a) Provide feasible recommendations for the remediation of the current tableland flooding;
  - b) Establish safe conveyance of the Regional storm event and demonstrate no adverse flood or erosion impacts on upstream or downstream properties;
  - c) Consider daylighting a portion of Mount Joy Creek as an option and the required naturalization, including plantings, to accommodate wildlife movement, to the extent feasible.
  - d) Maintain the existing open channel section of Mount Joy Creek (i.e., no net loss of the existing open channel). Subject to the comprehensive study, a net gain of open channel length shall be encouraged.
  - e) Review the preliminary recommendations for the realignment of a portion of Mount Joy Creek in the Municipal Servicing Strategy for the Secondary Plan Area; and
  - f) Follow the standards, guidelines, and process established in the current Municipal Engineering Association Class EA document for establishing the preferred realignment option for a portion of Mount Joy Creek.

#### 4.4 Stormwater Management

Appropriately designed stormwater management facilities will protect water quality and aquatic wildlife (including aquatic species at risk), and provide water quantity and erosion control within the Mount Joy Creek subwatershed. Low Impact Development measures will be implemented throughout the Secondary Plan Area where appropriate in accordance to the City's Low Impact Development Guidelines to provide the required water balance and groundwater recharge functions.

**It is the policy of Council:**

- 4.4.1 That stormwater management facilities shall be located and designed in a manner consistent with Section 3.3 of the Official Plan and Section 7.2 of this Plan, and based on the recommendations and findings of the municipal servicing plan prepared for the Secondary Plan Area.
- 4.4.2 That stormwater management reports submitted in support of applications for development, *redevelopment* or *site alteration* shall address applicable City and agency guidelines and requirements in accordance with Section 3.3 of the Official Plan and Section 7.2.4 of this Secondary Plan.
- 4.4.3 That development proponents shall be responsible for ensuring that stormwater management facilities are designed and constructed in compliance with the *Federal Species at Risk Act*, *Provincial Endangered Species Act*, as well as any other applicable provincial and federal legislation, and address applicable Ministry of Environment, Conservation and Parks, and City of Markham requirements.
- 4.4.4 That stormwater management facilities be located and designed in a manner that does not impact public park blocks based on the criteria in Section 7.2.1 of this Plan.
- 4.4.5 That development proponents shall be responsible for upgrading storm sewers, where required, to eliminate any existing surcharging; and,
- 4.4.6 That development proponents shall be responsible for evaluating the hydraulic capacity of existing ponds and undertaking upgrades, as required by the City to ensure they continue to provide the required quantity and quality controls.

#### 4.5 Environmental Hazards

Environmental hazards referred to in this section include natural hazards such as floodplain lands and erosion sites, as well as human environmental hazards resulting from soil contamination and air and noise pollution which can pose a threat to public health and safety.

**It is the policy of Council:**

- 4.5.1 That development, *redevelopment* and *site alteration* should be designed to protect the health and safety of the public and reduce property damage within the Markham Road - Mount Joy Secondary Plan catchment area in a manner consistent with Section 3.4 of the Official Plan and the policies of this Plan.
- 4.5.2 That the limits of *hazardous lands* and *hazardous sites* in the Markham Road - Mount Joy Secondary Plan catchment area be delineated to the satisfaction of the City, Toronto and Region Conservation Authority, and relevant stakeholders. Development, *redevelopment* or *site alteration* shall generally be directed away from *hazardous lands and sites* in accordance with Section 3.4 of the Official Plan.

Flood hazards associated with the existing alignment of Mount Joy Creek located outside of the 'Greenway' designation are intended to be comprehensively addressed and mitigated through works identified in Section 4.3.3 or through site specific flood plain remediation works, as necessary. Until the realignment of Mount Joy Creek and flood plain remediation works are implemented, development, *redevelopment* and *site alteration* shall be directed away from the flood-related *hazardous lands* located outside of the Greenway, as shown on Map SP5 – Natural Heritage System, in accordance with Section 3.4 of the Official Plan.

- 4.5.3 That applications for *development approval* adjacent to potential or known air emission sources that can potentially impact certain *sensitive land uses* shall be accompanied by an air quality impact study to assess the impact on human health and incorporate appropriate mitigation measures to reduce and prevent exposure to air pollutants
- 4.5.4 That applications for *development approval* for *sensitive land uses* adjacent to an arterial road or railway corridor in the Markham Road - Mount Joy Secondary Plan Area shall be accompanied by a noise and vibration study prepared in accordance with the Ministry of Environment Guidelines and York Region noise policies including required mitigation measures prepared to the satisfaction of the City and York Region. The studies shall include the following:
- a) detailed assessment of the transportation and stationary noise constraints to the proposed development;
  - b) recommendations with respect to specific noise and vibration mitigation measures consistent with engineering and urban design requirements;
  - c) identification of any requirements for warning clauses to be incorporated into development agreements; and
  - d) appropriate safety measures such as setbacks, berms and fencing.
- 4.5.5 To require Environmental Site Assessments (ESAs) and a Record of Site Condition (RSC) be prepared by a Qualified Person (QP) in accordance with the Environmental Protection Act and its regulations and the City's Brownfield Policy, for any lands to be conveyed to the City in the Markham Road - Mount Joy Secondary Plan Area.



## 5. HEALTHY NEIGHBOURHOODS AND COMMUNITIES

The Markham Road - Mount Joy Community is being planned and designed as a healthy and compact community, with neighbourhoods that contain a variety of housing types, a range of parks and required community facilities such as schools, and where *cultural heritage resources* are integrated as appropriate.

### 5.1 Housing

Providing for a range of housing types and tenures, and *affordable housing* options will contribute to the livability of the Markham Road - Mount Joy residential and mixed use neighbourhoods and the quality of life for residents. Providing for medium and high density housing forms along transit corridors will improve access to services, jobs and amenities beyond the Markham Road - Mount Joy Community.

Ensuring there is an adequate supply of *affordable housing* opportunities for those low and moderate income households experiencing affordability challenges, and *shared housing* opportunities for seniors or those persons with special needs is integral to the economic and social well-being of the Markham Road - Mount Joy Community.

**It is the policy of Council:**

#### Range of Housing Types

- 5.1 To promote an appropriate and adequate range of housing choices by type, tenure and affordability level, to accommodate the needs of Markham Road - Mount Joy residents and workers in a manner consistent with Section 4.1 of the Official Plan and the policies of this Plan, and more specifically by:
  - a) encouraging the construction of multiple units, including stacked townhouses and townhouses, and apartment units with a mix of unit sizes including larger units with multiple bedrooms and smaller units;
  - b) encouraging the construction of rental, affordable and *shared housing* units with a full range of unit types and sizes, particularly in locations served by transit, including along Markham Road; and
  - c) providing for the establishment of *secondary suites* subject to appropriate zoning, development criteria and standards as set out in Section 8.13.8 of the Official Plan.

#### Compact Community

- 5.1.1 That the tallest buildings shall generally be focused within the Mount Joy GO Station Mixed Use Node, and along Markham Road, and planned in accordance with Section 6.1 of this Secondary Plan.

- 5.1.2 That employment uses will be directed to the Mount Joy GO Station Mixed Use Node, and lands within the Mixed Use Mid Rise – Retail Priority, and Mixed Use Mid Rise - Employment Priority designations.
- 5.1.3 That the Secondary Plan Area is planned to achieve a minimum of:
- a) 33,000 people, 14,500 units, and 6,000 jobs;
  - b) 200 people and jobs per hectare within the Mount Joy GO Station Protected MTSA as shown in SP1 – Community Structure.
- 5.1.4 To monitor development and the achievement of the density targets identified in Section 5.1.3 of this Plan through *development approvals*.

#### **Affordable and Shared Housing**

- 5.1.5 To provide for *affordable* and *shared housing* opportunities within the Markham Road - Mount Joy Secondary Plan Area according to Section 4.1.3 of the Official Plan, and more specifically by:
- a) targeting 35 percent of the new housing units within the Mount Joy GO Station PMTSA be *affordable* to low to moderate income households;
  - b) targeting 25 percent of the new housing units outside the Mount Joy GO Station PMTSA be *affordable* to low to moderate income households;
  - c) encouraging the provision of purpose built rental housing with a range of unit sizes, including larger units with multiple bedrooms and smaller units;
  - d) encouraging a portion of the targeted *affordable housing* units to be designed as *shared housing* units with supports to accommodate persons with special needs; and
  - e) supporting the equitable distribution of *affordable* and *shared housing* within permitted building forms, particularly in locations well-served by transit, including along Markham Road, within the Mount Joy GO Station Mixed Use Node Overlay.
- 5.1.6 To work with York Region, the non-profit sector, the development industry, community partners, and senior levels of government to provide *affordable*, purpose-built rental and *shared housing* through the applicable legislative framework, agreements and/or partnerships, and available tools. *Affordable housing* may also be achieved through inclusionary zoning where applicable.
- 5.1.7 To require proposed development applications to demonstrate support for the implementation of *affordable housing* in accordance with Section 4.1.3 of the Official Plan and the City of Markham's Affordable and Rental Housing Strategy.
- 5.1.8 That in accordance with Sections 4.1.2.8 and 4.1.3.6 c) and d) of the Official Plan, in order to monitor and encourage the implementation of a diverse and *affordable housing* stock in the Secondary Plan Area, housing impact statements will be required to be submitted in support of development applications in the 'Residential Mid Rise', 'Residential High Rise', 'Mixed Use Mid Rise', 'Mixed Use High Rise' and 'Institutional' designations, which will identify:

- a) the number of proposed new housing units by type, size and tenure;
- b) the estimated rents and/or initial sales prices of the proposed new housing units by type; and
- c) the relationship of the proposed new housing units to York Region's annual maximum *affordable housing* thresholds for Markham.

## 5.2 Community Infrastructure and Services

Community infrastructure and services should be located and designed to act as “community hubs” and focal points within the Markham Road - Mount Joy Community. These “community hubs” may consist of facilities and services provided by the City or York Region such as *public schools*, parks, open spaces, urban gardening opportunities, libraries and/or community centres, and/or facilities and services provided by the private sector such as *day care centres* and *places of worship*.

Optimal locations for *public schools*, parks, and open spaces are identified conceptually within the Markham Road - Mount Joy Secondary Plan Area to inform future *development approvals*. It is recognized that community infrastructure and services in adjacent communities, such as the community centre to the southeast, will also serve the Markham Road - Mount Joy Community.

**It is the policy of Council:**

### General Policies

- 5.2.1 To plan and coordinate the provision of community infrastructure and services for the Markham Road - Mount Secondary Plan Area, including *public community infrastructure* provided by Markham and York Region, and other community infrastructure provided by the private sector, in a manner consistent with Section 4.2 of the Official Plan and the policies of this Secondary Plan to, among other things:
  - a) support the development and implementation of Markham's Integrated Leisure Master Plan, as amended from time to time;
  - b) ensure the delivery of community infrastructure and services is balanced to meet the needs of existing and future residents of the Markham Road - Mount Joy community; and
  - c) encourage new approaches to the delivery of community infrastructure and services that promote shared use or multi-functional facilities and services in order to achieve capital and operating cost efficiencies.
- 5.2.2 To identify optimal locations within the Markham Road - Mount Joy Secondary Plan Area for *public schools*, parks, and *places of worship* as shown conceptually on Map SP2 – Detailed Land Use.
- 5.2.3 To secure *public community infrastructure* through *development approvals*. In accordance with Section 4.2.2.2 of the Official Plan, a community infrastructure impact statement may be required

to be submitted in support of development applications to identify how required public community infrastructure may be delivered.

### Public Schools

- 5.2.4 That the location of the *public school* sites shown on Map SP2 - Detailed Land Use have been selected to reflect the role of school sites in defining community and neighbourhood structure, the parks system, patterns of land use, and integration with the planned active transportation network to encourage active travel for the school community.
- 5.2.5 That the location, size and configuration of each *public school site* shown on Map SP2 – Detailed Land Use shall be determined in consultation with the School Board within the context of the community design principles outlined in this Secondary Plan.
- 5.2.6 That where a *public school* site adjoins public parkland, the school site shall be of a size, configuration, and design that facilitates potential joint use by the City and the respective School Board.
- 5.2.7 To encourage innovative approaches in the design of *public schools* including vertical schools and schools integrated into the base of multi-storey buildings.
- 5.2.8 That *public school* sites be confirmed and secured through the *development approval* process.
- 5.2.9 That a *public school* site may be relocated in consultation with the School Board, and without amendment to this Secondary Plan, provided the alternate site is consistent with the community structure objectives of this Secondary Plan and the long term needs of the School Board.
- 5.2.10 That in the event a *public school* site shown on Map SP2 – Detailed Land Use is no longer required by a School Board, other educational institutions, or the City in accordance with Section 4.2.3.2 of the Official Plan, the uses in the ‘Residential Mid Rise’ and ‘Institutional’ designations shall be permitted subject to a zoning bylaw amendment.
- 5.2.11 That *public school* sites may be zoned to permit appropriate alternate uses with a ‘Hold’ provision, in addition to a *public school* and accessory uses in the event the site is not required by a School Board or other educational institutions, and Council has not considered any alternative use in accordance with Section 4.2.3.2 of the Official Plan. Appropriate alternate uses may be identified through plans of subdivision.

Removal of the ‘Hold’ provision for the alternate uses on the site shall be addressed in the conditions of approval of an appropriate plan of subdivision and/or site plan control agreement secured through the development approval process.

## Places of Worship

- 5.2.12 That the location, size and configuration of the existing *place of worship* sites shown on Map SP2 – Detailed Land Use shall address Council’s *place of worship* site reservation policy, in accordance with Section 4.2.4 of the Official Plan.
- 5.2.13 That in addition to the existing *place of worship* sites identified symbolically on Map SP2 – Detailed Land Use, additional *place of worship* sites are located to the north and to the south of the Secondary Plan Area.

## 5.3 Parks System

Markham is committed to ensuring that a sufficient supply of programmable parks is available to its residents. Within the Markham Road - Mount Joy Community, a well-designed and connected system of parks will provide opportunities for diverse recreational and leisure activities.

### It is the policy of Council:

- 5.3.1 To plan and develop a system of parks that is integrated throughout the Markham Road - Mount Joy Secondary Plan Area in a manner consistent with Section 4.3 of the Official Plan and the policies of this Secondary Plan.
- 5.3.2 That the Parks System within the Markham Road - Mount Joy Secondary Plan Area, as shown on Map SP2 – Detailed Land Use, and further described in Section 8.5 of this Plan, includes the following hierarchy of parks:
- a) Active Parks, generally 1 to 6 hectares in size;
  - b) Urban Squares, generally 0.5 to 5 hectares in size;
  - c) Parkettes, generally 0.5 to 1.5 hectares in size; and,
  - d) Urban Parkettes, generally 0.2 to 0.5 hectares in size, to serve park users generally within a 5-minute walking distance (approximately 400 metres).
- 5.3.3 To acquire public parkland in the form of City Parks within the Markham Road - Mount Joy Secondary Plan Area through the *development approval* process in accordance with applicable legislation to secure public park sites through the *development approval* process, including the establishment, where appropriate, of an area specific parkland agreement.
- 5.3.4 That parks be distributed generally in accordance with the following principles:
- a) Achieving minimum walking distances for residents in accordance with Section 4.3.2.2 of the Official Plan;
  - b) Co-locating parks and *public school* sites where possible;
  - c) Providing connections from Parks to adjacent open spaces, the Greenway System, streets, utility corridors, and pedestrian and cycling trails; and

d) Locating parks to take advantage of topography and views where appropriate.

5.3.5 To encourage planning for parks in the Secondary Plan Area with regard to the City of Markham's Age-Friendly Guidelines.

5.3.6 That a park site identified on Map SP2 – Detailed Land Use may be relocated without amendment to this Secondary Plan provided the alternate site is consistent with the community structure objectives of this Secondary Plan. In the event a park site is relocated, the uses in the abutting 'Residential Mid Rise', 'Residential High Rise', 'Mixed Use High Rise' and 'Institutional' designations shall be permitted subject to a zoning bylaw amendment. Removal of identified park sites shall require an amendment to this Secondary Plan.

#### 5.4 Open Space System

Open Space Lands may include natural heritage lands, vegetation protection zones, transportation and utility corridors, stormwater management facilities, lands required for pedestrian and cycling routes, and other open space lands encumbered by easements or use restrictions.

##### **It is the policy of Council:**

5.2.1 To plan and develop an open space system featuring a multi-use trail west of the GO Rail corridor between Major Mackenzie Drive and 16<sup>th</sup> Avenue in accordance with Sections 4.3.2.2 c), 4.3.4 and 7.1.3.4 of the Official Plan and the policies of this Secondary Plan.

5.2.2 To provide a 3.5 metre vegetation buffer in the open space system identified in Section 5.2.1 along the railway corridor to protect for the future electrification of GO Rail service.

#### 5.5 Cultural Heritage Resources

Three residential properties within the Markham Road - Mount Joy Secondary Plan Area are designated on the City's *Register of Property of Cultural Heritage Value or Interest*. The City's objective is to *conserve*, enhance and restore *significant cultural heritage resources* including *built heritage resources*, *archaeological resources* or *cultural heritage landscapes* that are valued for the important contribution they make to understanding the history of a place, event or a people, according to the policies of Section 4.5 of the Official Plan.

5.5.1 That *conservation of cultural heritage resources* within the Markham Road - Mount Joy Secondary Plan Area shall be consistent with Section 4.5 of the Official Plan, and the policies of this Secondary Plan.

5.5.2 That the *cultural heritage resources* contained in the City's *Register of Property of Cultural Heritage Value or Interest* within the Markham Road - Mount Joy Secondary Plan Area are identified in Appendix 1 – Cultural Heritage Resources.

- 5.5.3 That the retention and/or relocation of *cultural heritage resources* be considered in accordance with Section 4.5 of the Official Plan.
- 5.5.4 To ensure that development of a *significant cultural heritage resource* itself, or development on adjacent lands is designed, sited or regulated so as to protect and mitigate any negative visual and physical impact on the *heritage attributes* of the resource, according to Section 4.5.3.11 of the Official Plan, including considerations such as scale, massing, height, building orientation and location relative to the resource. The strategy for integrating *cultural heritage resources* where required shall be outlined in an application for development, *redevelopment* or site alteration.
- 5.5.5 To impose the following conditions of approval on development or *site alteration* containing a *cultural heritage resource* in addition to those provided in Section 4.5 of the Official Plan, where it has been determined appropriate subject to the policies in Section 4.5 of the Official Plan to retain a *cultural heritage resource*:
- a) securement of satisfactory financial and/or other guarantees to restore a *cultural heritage resource* or reconstruct any *cultural heritage resources* damaged or demolished as a result of new development;
  - b) obtaining a form of development approval for the *cultural heritage resource* including the implementation of a restoration plan for the heritage building;
  - c) requiring provisions in offers of purchase and sale which give notice of the *cultural heritage resource* on the property; and
  - d) requiring the commemoration of the *cultural heritage resource* through the provision and installation of an interpretive plaque, in a publicly visible location on the property (i.e., Markham Remembered Plaque).

## 5.6 Archaeological Resources

First Nations and Métis *archaeological resources* contribute to Markham's unique local identity. This Secondary Plan recognizes the importance of conserving *archaeological resources* and the potential opportunity for incorporating appropriate archaeological discoveries in place making within the Markham Road - Mount Joy Secondary Plan Area.

### **It is the policy of Council:**

- 5.6.1 That the conservation of archaeological resources within the Markham Road - Mount Joy Secondary Plan Area will be promoted in a manner consistent with Section 4.6 of the Official Plan and the policies of this Secondary Plan.
- 5.6.2 That prior to approval of an application for development, *redevelopment* or site alteration, on lands containing *archaeological resources* or *areas of archaeological potential*, the proponent shall retain a provincially licensed archaeologist to undertake an archaeological assessment and complete other requirements outlined in Section 4.6.2.2 of the Official Plan to the satisfaction of the City and the Province.

- 5.6.3 To prohibit grading or other *site alteration*, including installation of infrastructure, on any site within the Markham Road - Mount Joy Secondary Plan Area prior to the issuance of a letter of acceptance of an archaeological assessment from the Province, if one was required.
- 5.6.4 To only permit development and *site alteration* on lands containing *archaeological resources* or *areas of archaeological potential* if the *significant archaeological resources* have been *conserved* by preservation on site, or by removal and documentation. Where significant *archaeological resources* must be preserved on site, only development and *site alteration* which maintain the heritage integrity of the site may be permitted.

## 6. URBAN DESIGN AND SUSTAINABLE DEVELOPMENT

The physical layout and design of the Markham Road - Mount Joy Secondary Plan Area will be defined by the pattern and design of a network of streets and blocks, open spaces and other elements of the public realm. In addition to ensuring a sustainable pattern of development through the appropriate integration of land use, transportation and infrastructure, this Secondary Plan anticipates the application of innovative sustainable development practices and technologies in site planning and building design.

### 6.1 General Provisions

It is intended that the Markham Road - Mount Joy Community be designed as a pedestrian, cycling, transit and age friendly compact community with sustainable building and site design elements, and innovative techniques for stormwater management.

The emphasis will be defining the urban form and character of the Markham Road - Mount Joy community through:

- compact neighbourhoods with pedestrian-friendly and age-friendly streets;
- compatible built form and high-quality building design and construction;
- vibrant people places with a clearly identifiable and well-designed public realm; and
- sustainable development.

To achieve sustainable development, policy direction is provided with respect to conservation of environmental resources, energy efficiency and the reduction of greenhouse gas emissions, and supporting climate change adaptation. Sustainable building and site design within the Markham Road - Mount Joy Secondary Plan Area will focus on water efficiency, energy conservation and renewable energy generation, ecological protection and enhancement, food production and active transportation at the site scale.

#### It is the policy of Council:

- 6.1.1 To shape the urban form of the Markham Road - Mount Joy Secondary Plan Area in a manner consistent with Sections 6.1 and 10.1.2.2 of the Official Plan and the policies of this Plan.



### **Public Realm**

- 6.1.2 To design and organize the public realm in accordance with Section 6.1.2 of the Official Plan.
- 6.1.3 To provide connections and linkages to destinations throughout the Markham Road - Mount Joy Secondary Plan Area comprising public boulevard, the parks and open space system, multi-use pathways and the multi-use trail to form an active transportation network as shown on Map SP7 - Transit and Active Transportation Network that is accessible to people of all ages and abilities.
- 6.1.4 To incorporate two pedestrian crossings over or under the Stouffville GO rail corridor, subject to agreement from Metrolinx, as shown on Map SP7 - Transit and Active Transit Network.
- 6.1.5 To coordinate street planting with utility locations to minimize disruption and ensure adequate space and growing conditions for trees, in accordance with the City of Markham's Tree Preservation By-law and City of Markham's Streetscape Manual.
- 6.1.6 To contribute to a net increase in the City of Markham's tree canopy to support achieving the 30% target in the City's Trees for Tomorrow Program.
- 6.1.7 To design sidewalks that are barrier-free in accordance with the City of Markham's Accessibility Guidelines.

### **Streets and Blocks**

- 6.1.8 To design and arrange streets and blocks in accordance with Section 6.1.3 of the Official Plan and Map SP1 - Detailed Land Use of this Secondary Plan.

### **Streetscapes**

- 6.1.9 To design and arrange streetscapes in accordance with Section 6.1.4 of the Official Plan and Map SP6 - Transportation Network of this Secondary Plan.
- 6.1.10 To support cycling infrastructure by providing bicycle parking post and ring facilities at major activity nodes and within the landscape and utility zone of the boulevard.
- 6.1.11 To encourage year-round activity along the boulevard with boulevard spaces that are adaptable to seasonal conditions (i.e., seasonal patios).
- 6.1.12 To ensure wider boulevards encompass streetscape elements that enhance the pedestrian experience.
- 6.1.13 To provide sidewalks of a width no less than 2 metres.

- 6.1.14 To ensure adequate soil volume that will sustain the growth of canopy trees along street boulevards.
- 6.1.15 To include streetscape elements that enhance the pedestrian experience and contribute to year-round use.
- 6.1.16 To transform Markham Road between Castlemore Avenue and Edward Jeffreys Avenue into a vibrant and animated main street by:
- a) redistributing the balance of space in the road right-of-way from vehicular travel lanes to active transportation and public realm elements;
  - b) incorporating protected cycling facilities within the Markham Road boulevards, between Major Mackenzie Drive East and 16th Avenue;
  - c) establishing a continuous mid-rise street wall condition set back from the public boulevard at a consistent distance, with taller building elements stepped back to create an appropriate and desirable scale of development;
  - d) ensuring all buildings incorporate pedestrian weather-protection elements at-grade, such as awnings or canopies;
  - e) incorporating front yard setbacks, on either side of Markham Road;
  - f) utilizing the space on the west side of Markham Road within the existing easement generally between Minor Collector 8 and Edward Jeffreys Avenue as an extension of the public realm;
  - g) providing for generous boulevards on either side of Markham Road, between the roadway and adjacent flexible spill-out zones, inclusive of generous landscaping, sidewalks, and protected cycling facilities; and
  - h) increasing the number of signalized intersections, and providing signalized crossings at regular intervals as shown on Map SP6 - Transportation Network.

#### **Landmarks and Views**

- 6.1.17 To plan for and arrange streets and blocks, parks and open spaces, buildings and public art to create view corridors and focal points to enhance a sense of place, and in accordance with section 6.1.5 of the Official Plan.
- 6.1.18 To recognize the following intersections as landmark gateways into and within the Markham Road - Mount Joy Community:
- a) Markham Road and Major Mackenzie Drive East;
  - b) Markham Road and Castlemore Avenue;
  - c) Markham Road and Bur Oak Avenue;
  - d) Markham Road and Edward Jeffreys Avenue; and
  - e) Markham Road and 16th Avenue;
- 6.1.19 To ensure that buildings and public realm features at the intersections identified in Section 6.1.18 make a significant architectural contribution to the character and identity of the Secondary Plan

Area, while respecting the immediate context and creating a distinct built form, appearance or landmark feature, in accordance with the City's Gateway Masterplan.

- 6.1.20 To promote the creation of EcoMobility Hubs of activity at the intersections identified in Section 6.1.18, inclusive of an appropriate mix of uses, public art, wayfinding elements, open spaces, and other placemaking features.

#### **Open Space**

- 6.1.21 To design and develop open space in accordance with Sections 4.3 and 6.1.6 of the Official Plan and Map SP2 - Detailed Land Use of this Secondary Plan.
- 6.1.22 To design the Neighbourhood Park and *public school* campus west of Markham Road as a shared facility, providing a seamless layout and landscaping.
- 6.1.23 To implement a multi-use trail adjacent to the rail corridor as shown on Map SP7 - Transit and Active Transit Network in accordance with the standards in the City's Active Transportation Master Plan.

#### **Public Art**

- 6.1.24 To plan for and encourage the provision of public art in the Markham Road - Mount Joy Secondary Plan Area in accordance with Section 6.1.7 of the Official Plan.

#### **Built Form and Site Development**

- 6.1.25 To design and plan the built form in the Secondary Plan Area in accordance with Section 6.1.8 of the Official Plan.
- 6.1.26 To encourage designing and planning the built form and associated site works in the Secondary Plan Area with regard for the City of Markham's Age-Friendly Guidelines.
- 6.1.27 To establish appropriate height peaks and transitions throughout the Secondary Plan Area, including:
- a) primary height and density peaks within the Mount Joy GO Station Mixed Use Node;
  - b) secondary height and density peaks along the length of Markham Road, between Major Mackenzie Drive East and Edward Jeffreys Avenue; and,
  - c) downward transitions between the primary and secondary height peaks to residential areas adjacent to the Secondary Plan Area.
- 6.1.28 To provide all buildings within the Secondary Plan Area with an appropriate degree of street-wall continuity and enclosure to the street while maximizing views into parks and open spaces.

- 6.1.29 To generally establish a consistent building frontage set back from the property line of a minimum of 3.0 metres and maximum of 5.0 metres for the building podium, or base, in order to provide for a zone of transition between public and private realms while also providing spillover space for commercial activity, or a buffer for residential units at grade, and also enabling the inclusion of awnings, canopies, and signage without encroachment into the right-of-way.
- 6.1.30 To orient all buildings to frame and provide uses at grade that animate the public realm around parks and open spaces.
- 6.1.31 To ensure minimal shadow and wind impacts on public and private streets, parks and open spaces, and community facilities.
- 6.1.32 To generally incorporate upper-storey stepbacks between podiums and towers of no less than 3 metres to ensure a strong delineation between the pedestrian-scaled base of a building and its taller elements while also mitigating on wind impacts at ground level.
- 6.1.33 To generally maintain a maximum residential tower floor plate gross floor area of 800 metres square.
- 6.1.34 To generally maintain a minimum tower separation distance of 30 metres, offsetting the location of towers, where possible.

#### **Buildings Abutting Cultural Heritage Resources**

- 6.1.35 To design buildings abutting any cultural heritage resource to complement and enhance the retained resources through the following design considerations:
  - a) Provide a built form that is complementary in scale to adjacent cultural heritage resources;
  - b) Consider materials that are sympathetic to adjacent cultural heritage resources;
  - c) Ensure setbacks are complementary to adjacent cultural heritage resources;
  - d) Provide building massing that is appropriate within its context and does not negatively impact adjacent cultural heritage resources;
  - e) Where appropriate, incorporate design features that complement the architectural style and character of adjacent cultural heritage features but are distinct from them; and
  - f) Ensure new buildings have a consistent approach to design detail in all building elements.

## **6.2 Sustainable Development**

To achieve sustainable development, policy direction is provided with respect to conservation of environmental resources, energy efficiency and the reduction of greenhouse gas emissions, and supporting climate change mitigation and adaptation. Sustainable sub-division and site plan design within the Secondary Plan Area will achieve a minimum score in accordance with the Sustainability Metrics Program.

- 6.2.1 To support the sustainable development of the Markham Road - Mount Joy Secondary Plan Area in a manner consistent with Section 6.2 of the Official Plan and the policies of this Plan, through the integration of land use, transportation and infrastructure planning at the community level and the application of innovative sustainable development practices and technologies in site planning and building design.
- 6.2.2 To consider the application of innovative sustainable design practices and technologies as appropriate, in site planning and building design through the *development approval* process and in particular, through the application and compliance with a sustainable development checklist, as part of the site plan control and/or plan of subdivision application process, as generally set out in Section 6.2.3.1 of the Official Plan.

### 6.3 Municipal Energy Plan

- 6.3.1 To design and plan for an energy efficient Markham Road - Mount Joy Community that contributes to the achievement of the goals and objectives in the City of Markham Municipal Energy Plan towards net zero greenhouse gas (GHG) emissions development by:
  - a) encouraging the design of net zero ready buildings that also exceed Ontario Building Code standards;
  - b) encouraging the incorporation of solar photovoltaic infrastructure on building rooftops;
  - c) designing all residential and non-residential buildings to be electric vehicle ready; and
  - d) providing publicly accessible electric vehicle charging infrastructure as part of public and private developments where feasible.

## 7. TRANSPORTATION, SERVICES AND UTILITIES

### 7.1 Transportation System

The transportation system servicing the Markham Road - Mount Joy Secondary Plan Area includes public roads private roads, and pedestrian, bicycle and transit routes and facilities. It is intended that this integrated transportation system will facilitate growth and *redevelopment* in the Secondary Plan Area by improving the existing road and transit network, connections to destinations within the Secondary Plan Area and adjacent communities, and by providing a convenient range of travel choices.

**It is the policy of Council:**

#### 7.1.1 General Policies

- 7.1.1.1 To plan and design a transportation system to service the Markham Road - Mount Joy Secondary Plan Area that balances the needs of all road network users including pedestrians, cyclists, transit and motorists, and the integration of land uses, in a manner consistent with Section 7.1 of the Official Plan, and the policies of this Secondary Plan.

- 7.1.1.2 That the transportation system servicing the Markham Road - Mount Joy Secondary Plan Area includes the planned road network of arterial roads, major collector and minor collector roads as shown on Map SP6 – Transportation Network and the planned transit network and active transportation network of transit, cycling, and pedestrian routes and facilities as shown on Map SP7 – Transit and Active Transportation Network.
- 7.1.1.3 That the location of collector roads and transit, cycling and pedestrian routes and facilities will be confirmed through more detailed studies submitted in support of *development approvals* for the Markham Road - Mount Joy Secondary Plan Area. The final location of trails/pathways, roads, and related facilities may be revised without amendment to this Secondary Plan, provided the intent of the Official Plan and this Secondary Plan is maintained.
- 7.1.1.4 To require through the *development approval* process, where appropriate and at no public cost, and in accordance with the Planning Act, the conveyance of lands within the Markham Road - Mount Joy Secondary Plan Area needed to achieve the road network shown on Map SP6 – Road Network and the active transportation network shown on Map SP7 – Transit and Active Transportation Network in accordance with Section 7.1.3.4 of the Official Plan. Determination of final right-of way requirements shall be made through the completion of the Functional Traffic Design Study, Transportation Impact Assessment and/or any applicable environmental assessment as initiated through the development approval process. Notwithstanding the planned rights-of-way for minor collector roads, should it be determined through the development approval process that greater right-of-way widths are required, the additional lands shall be conveyed to the City and/or the Region at no public cost, without an amendment to this Secondary Plan.
- 7.1.1.5 That the implementation of certain components of the transportation system servicing the Markham Mount - Joy Secondary Plan Area, including the road, transit and active transportation networks will require the completion of appropriate municipal class environmental assessments, initiated through the *development approval* process to the satisfaction of the City.

## 7.1.2 Road Network

The road network within the Markham Road - Mount Joy Secondary Plan Area is largely influenced by existing arterial and collector roads as well as proposed collector roads that are expected to carry the majority of pedestrian, cycling, vehicular, and transit service traffic within the community, and will serve as links to neighbouring areas. The collector road network establishes a grid pattern within the Secondary Plan Area that creates a well-defined street and block hierarchy of continuous collector roads in both east-west and north-south directions, providing alternate routes to Markham Road as well as increasing opportunities for connections between active transportation facilities and transit services.

**It is the policy of Council:**

7.1.2.1 That the designated arterial roads surrounding the Markham Road - Mount Secondary Plan Area as shown on Map SP6 – Transportation Network be planned to achieve the requirements of the York Region Official Plan, as may be amended from time to time.

7.1.2.2 That the designated collector roads within the road network of the Markham Road - Mount Joy Secondary Plan Area as shown on Map SP6 - Transportation Network be planned to generally achieve the following:

- a) Major collector roads shall generally have a mid-block right-of-way width of up to 30.5 metres with the exception of Markham Road. Markham Road shall generally have a mid-block right-of-way width of 36.0 metres north of Edward Jeffreys Avenue and a mid-block right-of-way width of 30.5 m south of Edward Jeffreys Avenue;
- b) Minor Collector roads shall generally have a mid-block right-of-way width of 23.0 metres;
- c) Separated cycling facilities (e.g., cycle track, protected bike lane or buffered bike lane) shall generally be provided on each side of the collector roads except Anderson Avenue, which shall be planned for in-boulevard multi-use paths on both sides. Design requirements shall have regard for the City's Design Guidelines for Separated Cycling Facilities, Multi-use Paths & Trails;
- d) Aligned travel lanes through the collector road intersections;
- e) Restrict driveway access from developments adjacent to Regional Roads or major collector roads to maximize the efficiency of the street system through techniques such as suitable local street access, shared driveways and interconnected properties; and
- f) Plan and implement, including land takings necessary for, continuous collector streets in both east-west and north-south directions, in all new urban developments.

Where a collector road intersects another collector road, it shall be recognized that a number of traffic control alternatives may be considered, including stop-controls, traffic signals and/or roundabouts. The intersection right-of-way shall be confirmed through the completion of the functional traffic design study and transportation impact assessment and/or any applicable environmental assessment.

7.1.2.3 That Markham Road is envisioned to be transformed into a mixed use main street with active at-grade frontages. This change will extend the role and function of the street south of 16th Avenue into the Secondary Plan Area. Markham Road will be a pedestrian oriented boulevard and mixed-use main street destination which prioritizes placemaking and access for people. To enable this transformation:

- g) Vehicular movements will be redirected away from Markham Road through the creation of a fine-grained parallel street network;
- h) The number of general purpose lanes will be reduced from four lanes to two lanes;

- i) Curb lanes will be repurposed to accommodate queue jump lanes for transit buses, and accommodating short-term, on-street parking between queue jumps to facilitate more efficient access via on-demand micro transit or ride-sharing services;
- j) Provide interim in-boulevard multiuse paths on both sides; and ultimately to provide separated cycling facilities along both sides of Markham Road;
- k) To enhance the streetscaping elements; and
- l) The improvements to Markham Road would be subject to a Municipal Class Environmental Assessment and/or Streetscape Design Study.

7.1.2.4 That the local roads within the road network of the Markham Road - Mount Joy Secondary Plan Area be planned to achieve the following:

- a) a primary road network providing frontage for development lots and blocks;
- b) design requirements, in a manner consistent with the urban design policies in Section 6.0 of this Plan, to be determined through the approval of functional traffic design studies and transportation impact assessments; and
- c) aligned travel lanes through the collector road intersections.

Where possible local roads shall be organized to form a modified grid network intersecting with the designated collector roads in order to maximize connectivity throughout the Markham Road - Mount Joy Secondary Plan Area.

7.1.2.5 To protect for rail-road grade separations by:

- a) protecting for Metrolinx's required 30 metre setback of driveways or roadways from the rail corridor at Major Mackenzie Drive East, Castlemore Avenue, Bur Oak Avenue and 16<sup>th</sup> Avenue;
- b) working with Metrolinx and York Region to confirm opportunities for grade separation projects in the Secondary Plan Area; and,
- c) securing the necessary lands in the block at the northeast quadrant of Markham Road and 16<sup>th</sup> Avenue to protect and facilitate rail-road grade separation on 16<sup>th</sup> Avenue when the block is redeveloped. The alignment and setback of the local road adjacent to the railway corridor on this block as shown on Map SP6 – Transportation Network will be included in any required study(ies) to identify potential future access restrictions / modifications to accommodate any future rail-road grade separation at 16<sup>th</sup> Avenue.

### **7.1.3 Transit and Active Transportation Network**

Within the Markham Road - Mount Joy community, interconnectivity between the transit network and cycling and walking facilities is essential to the establishment of a well-integrated active transportation network. Providing opportunities for a convenient and continuous active transportation makes it easier for people to decrease their dependence on the automobile. Conveniently located and adequately spaced transit stops are also crucial to establishing an integrated transit network to service the Markham Road - Mount Joy Secondary Plan Area and promote ridership.



**It is the policy of Council:**

- 7.1.3.1 To work with Metrolinx, York Region, other applicable transit providers and development proponents, to plan, enhance or facilitate transit services in the Markham Road - Mount Joy Secondary Plan Area as shown on Map SP7 – Transit and Active Transportation Network. This will be a continuous process with:
- a) Ongoing coordination with York Region Transit and York Region to align transit plans with growth in the Markham Road-Mount Joy Secondary Plan Area; and,
  - b) Ongoing coordination with Metrolinx, to identify growth in the Markham Road - Mount Joy Secondary Plan Area, including accounting for appropriate population and employment growth in future Metrolinx ridership forecasting analysis and service planning.
- 7.1.3.2 To facilitate the development of a transit-supportive urban structure, in cooperation with York Region and development proponents, by:
- a) Planning for a local road pattern and related pedestrian routes that accommodate direct pedestrian access to transit routes and stops;
  - b) ensuring all areas within the Markham Road - Mount Joy Secondary Plan Area are adequately served by public transit;
  - c) incorporating transit stops in road design requirements, where appropriate;
  - d) incorporating transit waiting areas into buildings located adjacent to transit stops, and
  - e) promoting public transit ridership through site planning and building design, building scale, distribution of development densities, land use mix and location.
- 7.1.3.3 That the active transportation network shown on Map SP7 – Transit and Active Transportation Network be planned to achieve the following:
- a) An interconnected system of paths linking pedestrians and cyclists within the Markham Road - Mount Joy Secondary Plan Area with other pathway systems in the City;
  - b) An active transportation network that seamlessly connects destinations and communities, including the:
    - i) Mount Joy GO Station;
    - ii) GO Rail Station subject to further study at Major Mackenzie Drive East;
    - iii) Greenway System;
    - iv) Parks System;
    - v) Open Space System;
    - vi) Future *public school* sites;
    - vii) Future potential trail systems adjacent to the Little Rouge Creek Valley Corridor north of the Secondary Plan Area;
    - viii) Greensborough neighbourhood to the east;
    - ix) Markham Village Heritage Conservation District to the south; and
    - x) Wismer Commons neighbourhood to the west;
  - c) An active transportation network that is designed with regard for the urban design policies, applicable engineering standards and guidelines, and determined through further studies

- such as functional traffic design studies and transportation impact assessments and detailed designs; and
- d) Separated and protected cycling facilities, where they can be prioritized.

#### **7.1.4 Vehicle Parking Rate**

##### **It is the policy of Council:**

- 7.1.4.1 To reduce minimum parking rate standards reflective and supportive of the planned improvements in sustainable mode choices in the Markham Road - Mount Joy Secondary Plan Area, and in particular within *Major Transit Station Area(s)*.
- 7.1.4.2 That parking rate standards and related requirements shall be defined in the implementing zoning by-law for the secondary plan area, and may be further informed by the Citywide Parking Strategy Study, or other City initiated parking studies.
- 7.1.4.3 To require as part of a development application, a Transportation Demand Management plan, in accordance with Section 7.1.6.1 in this Plan, that is also reflective of the vehicle parking rate.

#### **7.1.5 Ecomobility Hubs**

Ecomobility hubs are multi-modal one-stop hubs to facilitate smart and easy access to mobility services such as bike and/or scooter sharing stations, ride sharing (microtransit) or car sharing. Strategic implementation of ecomobility hubs will provide additional sustainable mobility options to access the Markham Road Mount Joy Secondary Plan area and surrounding communities from the hub locations.

##### **It is the policy of Council:**

- 7.1.5.1 To facilitate the planning and implementation of ecomobility hubs with the purpose of providing additional sustainable mobility options to access the Markham Road - Mount Joy Secondary Plan Area and surrounding communities by:
- a) Coordinating with and engaging Metrolinx on the integration of an ecomobility hub in the transit station design for Mount Joy GO Station;
  - b) Planning for a transit and mobility hub at the GO Rail Station subject to further study at Major Mackenzie location in conjunction with York Region's plan for rapid transit on Major Mackenzie Drive and/or in conjunction with the GO Rail Station subject to further study at Major Mackenzie GO Station;
  - c) Planning for implementation of smaller scale ecomobility hubs at key intersections within an unused street right-of-way, within a municipally owned park or open space, or as part of private developments.

### **7.1.6 Transportation Demand Management**

Transportation demand management measures seek to modify travel behaviour or demand in order to make more efficient use of available transportation capacity. These objectives can be achieved by encouraging residents and workers within the Markham Road - Mount Joy Secondary Plan Area to make more trips by walking, cycling, transit and carpooling, and other sustainable modes of transportation.

**It is the policy of Council:**

- 7.1.6.1 That a comprehensive Transportation Demand Management plan be prepared by development proponents in the Secondary Plan Area, to reduce the number of trips, length of trips, and reliance on single occupancy vehicles and promote a shift from automobile use to other modes of transportation.
- 7.1.6.2 That the Transportation Demand Management plan be adaptive and reflective of the planned and committed transportation infrastructure and programs in the Secondary Plan Area. Further, the Transportation Demand Management plan may be enhanced in the interim until such transportation improvements are in place.

## **7.2 Services and Utilities**

### **7.2.1 Municipal Water, Wastewater and Stormwater Management**

Municipal infrastructure provides for the safe and effective delivery of potable water and the conveyance of wastewater and stormwater.

**It is the policy of Council:**

- 7.2.1.1 To ensure that new developments in the Markham Road - Mount Joy Secondary Plan Area are serviced with municipal water, wastewater, and stormwater infrastructure in accordance with the provisions of Section 7.0 of the Official Plan, and that such infrastructure are designed to City standards and guidelines. Additionally, water, wastewater, and stormwater infrastructure to support new developments shall be designed in a manner consistent with the recommendations of the Municipal Servicing Study Report.
- 7.2.1.2 That the design of the trunk water, wastewater, and stormwater infrastructure should generally be based on the recommendations in the Municipal Servicing Strategy. The design of the local water, wastewater, and stormwater infrastructure is to be confirmed through more detailed studies and development approvals.
- 7.2.1.3 That the assignment of sanitary capacity allocation for development in the Secondary Plan Area will be determined by the City, in consultation with York Region as part of the review of a development application, and in accordance with the Municipal Servicing Study Report.

- 7.2.1.4 That satisfactory arrangements between Developers' Groups, the City and York Region, where applicable, shall be established to ensure timely delivery of the key components of the water and wastewater infrastructure for the Secondary Plan Area as a condition of development approvals in the Markham Road - Mount Joy Secondary Plan Area.

## **7.2.2 Municipal Servicing Strategy**

### **It is the policy of Council:**

- 7.2.2.1 That development applications be prepared in accordance with the Municipal Servicing Strategy prepared for the Secondary Plan Area.
- 7.2.2.2 That should the provision of infrastructure services be required to facilitate development that exceeds the land use provisions established in the Secondary Plan, development approval shall be contingent on the City's review and acceptance of the following servicing requirements for the Secondary Plan Area:
- a) required servicing studies to address the servicing requirements for the additional development. The servicing studies shall address, to the City's satisfaction, the requirements for the following:
    - i) sanitary sewers;
    - ii) watermains;
    - iii) stormwater management design including low impact development measures as per City guidelines.

## **7.2.3 Functional Servicing Report**

### **It is the policy of Council:**

- 7.2.3.1 That a functional servicing report shall be submitted in support of a development application for review and accepted by the City and Region, prior to approval of the development.
- 7.2.3.2 That the functional servicing report reflect the recommendations of the Municipal Servicing Study and support the detailed design of the water, wastewater, and stormwater infrastructure required to service the development.
- 7.2.3.3 That the functional servicing report address, but not be limited to, lot grading, sewer and watermain works, road cross-sections and utility requirements. Engineering drawings are to be prepared in accordance with this report and shall be submitted for review and approval by the City and Region. All municipal services shall be designed in accordance with the policies, guidelines, and standards of the City, and where applicable, relevant approval agencies.

## 7.2.4 Stormwater Management Report

**It is the policy of Council:**

- 7.2.4.1 That as a condition of *development approvals*, and based on the findings and recommendations of the accepted Municipal Servicing Study and/or functional servicing report, a stormwater management report shall be prepared in accordance with Section 3.3 of the Official Plan and Section 4.4 of this Secondary Plan, and submitted for review and acceptance by the City in consultation with the Toronto and Region Conservation Authority. The report shall provide detailed information regarding the provision of water quality and quantity management facilities, low impact development facilities, hydraulic gradelines, major and minor systems, and erosion and siltation control measures for the plan of subdivision or other development proposal.

## 7.2.5 Utility and Telecommunication Services

Utilities such as natural gas, electricity and/or renewable energy, street lighting and telecommunications shall be planned and coordinated within the Markham Road - Mount Secondary Plan Area to the greatest extent possible.

**It is the policy of Council:**

- 7.2.5.1 To require that, to the greatest extent possible, utilities shall be planned and constructed in a coordinated manner. Utility and telecommunication services shall be planned to be located underground and shall be grouped wherever possible. Where required, above ground utility fixtures shall be located and designed in accordance with City policies and have regard to the urban design policies in Section 6.0 of this Secondary Plan.
- 7.2.5.2 That utility and telecommunication services shall be permitted in all land use designations subject to the requirements of the master environmental servicing plan and detailed engineering designs to be approved by the City. Any proposed services located within the Greenway System lands associated with Mount Joy Creek, as shown on Map SP2 – Detailed Land Use shall be minimized, and shall coincide with required road rights-of-way wherever possible. In the event that a single loaded road is approved to adjoin Greenway System lands, services should be confined to the edge of the road right-of-way farthest from the ‘Greenway’ designation, wherever possible.
- 7.2.5.3 That utility providers shall, as a condition of development approvals, confirm that existing, upgraded or new services will be available to support proposed development approval.

## 8. LAND USE

### 8.1 General Provisions

The land use designations shown on Map SP2 - Detailed Land Use establish the general pattern for development in the Secondary Plan Area. The policies for these designations, as set out in Sections 8.1 through 8.7 of the Secondary Plan, provide comprehensive guidance for

development, and must be read in conjunction with other applicable provisions of this Secondary Plan as well as Chapter 8 and other applicable provisions of the Official Plan.

**It is the policy of Council:**

- 8.1.1 That the general pattern of land use for the Secondary Plan Area is established in schedules that amend the Official Plan, and refined on Maps SP1 through SP7 in this Secondary Plan.
- 8.1.2 That further to the provisions of Chapter 8 of the Official Plan, the following land use designations, overlays, and symbols are established and applied to the lands within the Secondary Plan, as shown on Map SP2 - Detailed Land Use:
  - 'Residential Mid Rise';
  - 'Residential High Rise';
  - 'Mixed Use Mid Rise - Retail Priority';
  - 'Mixed Use Mid Rise – Employment Priority';
  - 'Mixed Use High Rise';
  - 'Greenway';
  - 'Public Parks';
  - 'Institutional';
  - *Public school* sites as set out in Section 5.2 of this Plan; and
  - *Place of worship* sites as set out in Section 5.2 of this Plan.
- 8.1.3 That the pattern of land use shown on Map SP2 - Detailed Land Use and the proposed specific land uses or facilities identified in Section 8.1.2 will be implemented through required *development approvals* such as draft plan of subdivision or condominium, zoning by-law amendment, and/or site plan control, in accordance with the applicable policies of the Secondary Plan, the Official Plan, and addressing City standards and guidelines.
- 8.1.4 That in considering an application for *development approval*, the City shall ensure that development has adequate transportation, water and wastewater infrastructure, and community infrastructure such as *public schools*, parks, and open spaces, and has regard for the Urban Design and Sustainable Development policies outlined in Section 6.0 of this Secondary Plan and Chapter 6 of the Official Plan.
- 8.1.5 That the locations of park sites, open spaces, *public school sites* and sites of other community facilities and infrastructure shown on Map SP2 - Detailed Land Use have been identified to support the development of a *complete community* and ensure all residents have access to park spaces for active and passive recreation.
- 8.1.6 That development proponents are encouraged to enter into one or more developers' group agreement(s), where appropriate, within the Secondary Plan Area, to ensure the equitable distribution of costs for community and infrastructure facilities in accordance with Section 10.2 of this Secondary Plan.

8.1.7 To provide for the following uses in all designations, except the 'Greenway' and 'Public Parks' designations:

- a) publicly owned and operated community facility, including a library, community centre and recreation centre, provided the facility is located on an arterial or major collector road;
- b) fire, police and emergency service facility;
- c) electrical, gas and oil transmission/distribution facilities;
- d) publicly owned parking facility;
- e) publicly owned parkland and public recreation use;
- f) municipal district heating and/or cooling system;
- g) automatic vacuum collection;
- h) municipal transportation facility; and
- i) municipal service including an underground service, and utility, operation and maintenance facility.

## 8.2 Residential Designations

The 'Residential' designations are intended to provide compatibility with the pattern and character of surrounding development, and contribute to the development of *complete communities*. Lands designated 'Residential' are also intended to accommodate community infrastructure and services such as *public schools, places of worship, open spaces, and affordable and shared housing*, all with access to a transportation network that encourages walking, cycling and transit use.

Lands designated 'Residential' are further categorized into 'Residential Mid Rise' and 'Residential High Rise' as shown on Map SP2 – Detailed Land Use. This Secondary Plan establishes provisions relating to the residential development contemplated in each designation in addition to those in Sections 8.2.4 and 8.2.5 of the Official Plan.

### 8.2.1 Residential Mid Rise

The 'Residential Mid Rise' designation, as identified on Map SP2 – Detailed Land Use, is intended to accommodate medium density residential development. Lands within the 'Residential Mid Rise' designation are generally located east and west of Markham Road and are characterized primarily by mid-rise residential buildings that provide for a range and variety of housing options by type, tenure and income level, including affordable housing, and respect the existing character of adjacent and surrounding areas. They are also intended to support existing or planned transit services through modest levels of *intensification*.

**It is the policy of Council:**

#### General Policies

8.2.1.1 That lands within the Secondary Plan Area designated 'Residential Mid Rise' shall be subject to the relevant provisions of Sections 8.1, 8.2.1 and 8.2.4 of the Official Plan, except as otherwise provided for in Sections 8.2.1.2 and 8.2.1.3 in this Plan.

#### **Uses**

8.2.1.2 In addition to the uses permitted in Section 8.1.7 of this Secondary Plan, the following uses may be permitted on lands designated 'Residential Mid Rise':

- a) *convenience retail and personal service* in accordance with Section 8.13.1 of the Official Plan;
- b) *day care centre* in accordance with Section 8.13.2 of the Official Plan;
- c) *dwelling unit including a home occupation*;
- d) *place of worship* in accordance with Section 8.13.7 of the Official Plan;
- e) *public school*, provided it is approved at a location on an arterial or collector road;
- f) *secondary suite* in accordance with Section 8.13.8 of the Official Plan; and,
- g) *shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised* in accordance with Section 8.13.9 of the Official Plan.

#### **Building Types**

8.2.1.3 To provide for the following building types on lands designated 'Residential Mid Rise':

- a) *townhouse including back to back townhouse*;
- b) *small multiplex buildings containing 3 to 6 units*;
- c) *stacked townhouse*;
- d) *apartment building*; and
- e) *buildings associated with day care centres, places of worship and public schools*.

### **8.2.2 Residential High Rise**

The 'Residential High Rise' designation applies to certain lands on both sides of Markham Road north of Castlemore Avenue as identified on Map SP2 - Detailed Land Use. The designation is intended to accommodate higher density residential development in the Secondary Plan Area that supports existing or planned transit services while providing a transition from more intensive mixed use development on lands south of Castlemore Avenue along Markham Road and within the Mount Joy GO Station PMTSA.

#### **It is the policy of Council:**

#### **General policies**



- 8.2.2.1 That lands within the Secondary Plan Area designated 'Residential High Rise' shall be subject to the relevant provisions of Sections 8.1, 8.2.1 and 8.2.5 of the Official Plan, except as otherwise provided for in Sections 8.2.2.2 and 8.2.2.3 in this Plan.

#### Uses

- 8.2.2.2 In addition to the uses permitted in Section 8.1.7 of this Secondary Plan, the following uses may be permitted on lands designated 'Residential High Rise':

- a) *convenience retail and personal service* uses in accordance with Section 8.13.1 of the Official;
- b) *day care centre* in accordance with Section 8.13.2 of the Official Plan;
- c) dwelling unit including a *home occupation*;
- d) *place of worship* in accordance with Section 8.13.7 of the Official Plan;
- e) *public school*, provided it is approved at a location on an arterial or collector road;
- f) *secondary suite* in accordance with Section 8.13.8 of the Official Plan; and,
- g) *shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised* in accordance with Section 8.13.9 of the Official Plan

#### Building Types

- 8.2.2.3 To provide for the following building types on lands designated 'Residential High Rise':

- a) townhouse including back to back townhouse and stacked townhouse provided these building types are part of a development that integrates one or more apartment buildings;
- b)
- c) apartment building; and
- d) buildings associated with *day care centres, places of worship and public schools*.

### 8.3 Mixed Use Designations

The 'Mixed Use' designations in this Secondary Plan are intended to provide for a full range of uses to meet the needs of the local population. The intent is that new employment, retail, restaurant and service uses in this designation will be integrated with community and residential uses in a mixed-use setting in a manner that is *transit-supportive* and pedestrian-oriented. The availability of community infrastructure will be assessed through the review of a development application to ensure a full range of community services and facilities are available or will be provided to serve residents in these areas.

Mixed use development is provided for in the 'Mixed Use Mid Rise - Retail Priority', 'Mixed Use High Rise', and 'Mixed Use Employment Priority' designations as shown on Map SP2 – Detailed Land Use. Additional specific provisions relating to the development contemplated in each designation is established in this Secondary Plan.

### 8.3.1 Mixed Use Mid Rise - Retail Priority

The 'Mixed Use Mid Rise - Retail Priority' designation applies to lands on both sides of Markham Road generally between 16th Avenue and Edward Jeffreys Avenue as shown on Map SP2 - Detailed Land Use. The intent is to maintain and expand the existing retail and service uses that meet the needs of residents and visitors to the Secondary Plan Area, while integrating residential uses and providing a downward transition in height toward the Markham Village Heritage Conservation District. It is recognized that some or all of the existing retail and population servicing uses on the lands will be maintained in the short- and medium-term.

**It is the policy of Council:**

#### General Policies

8.3.1.1 That lands within the Secondary Plan Area designated 'Mixed Use Mid Rise - Retail Priority' shall:

- a) be subject to the relevant provisions of Sections 8.1, 8.3.1 and 8.3.3 of the Official Plan, except as otherwise provided for in Sections 8.3.1.2 and 8.3.1.3 of this Secondary Plan; and,
- b) prioritize and protect at a minimum the current gross floor area of existing retail and service uses;
- c) encourage fine-grained retail and service uses at grade, particularly fronting onto Markham Road and, where they currently exist, protect for larger format retail and service uses at grade and/or on upper storeys in *redevelopments*, where appropriate; and,
- d) include a range of residential types and tenures that ensure the availability of *affordable housing*.

#### Uses

8.3.1.2 To provide for the following uses on lands designated 'Mixed Use Mid Rise - Retail Priority':

- a) sports and fitness recreation;
- b) commercial school;
- c) *day care centre* in accordance with Section 8.13.2 of the Official Plan;
- d) dwelling unit including a home occupation;
- e) financial institution;
- f) office;
- g) *place of worship* in accordance with Section 8.13.7 of the Official Plan;
- h) *public school* and *private school* provided these are located on an arterial or major collector road;
- i) restaurant;
- j) retail;
- k) *secondary suite* in accordance with Section 8.13.8 of the Official Plan;
- l) service, with the exception of motor vehicle service stations and commercial storage facility;
- m) commercial parking garage;

- n) hotel;
- o) entertainment; and,
- p) *shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised* in accordance with Section 8.13.9 of the Official Plan.

### **Building Types**

8.3.1.3 To provide for the following building types on lands designated 'Mixed Use Mid Rise - Retail Priority':

- a) apartment building;
- b) multi-storey non-residential or mixed-use building; and
- c) town house including back to back town house and stacked townhouse provided these building types are part of a development that integrates one or more of the buildings in 8.3.1.3 a) and b).

### **8.3.2 Mixed Use Mid Rise – Employment Priority**

Lands designated 'Mixed Use Mid Rise – Employment Priority' are located directly north of the Mount Joy GO Station, east of Anderson Avenue between Bur Oak Avenue and Castlemore Avenue, and are intended to accommodate a range of light industrial and manufacturing uses while integrating street-related retail and service uses, as well as commercial, office and residential uses on upper-storeys of vertically integrated mixed use buildings. The intent of the designation is to broaden the light industrial, warehousing, small office and retail and service uses historically permitted on the lands while introducing compatible and complementary non-employment uses to promote transit supportive development adjacent to the Mount Joy GO Station.

**It is the policy of Council:**

#### **General Policies**

8.3.2.1 That lands within the Secondary Plan Area designated 'Mixed Use Mid Rise – Employment Priority' shall:

- a) be subject to the relevant provisions of Sections 8.1, 8.3.1 and 8.3.3 of the Official Plan, except as otherwise provided for in Sections 8.3.2.2 to 8.3.2.5 of this Secondary Plan;
- b) prioritize and protect for employment uses at grade;
- c) require at-grade building designs that contain appropriate industrial ceiling heights to accommodate commercial loading docks, ventilation, power, proper separating and potential mezzanine space to support active productive activities on the ground floor;
- d) provide opportunities for commercial and office uses in upper storeys of new development;

- e) provide opportunities to incorporate residential uses as *discretionary uses* in upper storeys of new development;
- f) incorporate enhanced public realm treatments along the length of Anderson Avenue; and,
- g) prohibit standalone residential uses and residential uses at-grade.

8.3.2.2 That residential uses within the 'Mixed Use Mid Rise – Employment Priority' designation are *discretionary uses* and shall only be approved in upper storeys of new development subject to a review of a site-specific development application for zoning approval. In reviewing the zoning by-law amendment application, the following matters shall be addressed:

- a) the conformity of the proposed built form and scale with the planned function and policies of the land use designation;
- b) the appropriateness of the site for the proposed use from a traffic impact perspective;
- c) the compatibility of the proposed use with other existing uses on the same lot and on adjacent lands;
- d) the completion of a *sensitive land use compatibility study* to the satisfaction of the city; and
- e) the means by which anticipated impacts, if any, are to be measured and mitigated.

8.3.2.3 Development within the 'Mixed Use Mid Rise – Employment Priority' designation shall address the requirements of Section 8.5.1.6 of the Official Plan, as applicable.

#### Uses

8.3.2.4 To provide for the following uses on lands designated 'Mixed Use Mid Rise – Employment Priority':

- a) light manufacturing, processing and warehousing, with no accessory outdoor display or outdoor storage;
- b) sports and fitness recreation;
- c) commercial school;
- d) *trade school*;
- e) financial institution;
- f) office;
- g) banquet hall;
- h) restaurant;
- i) retail and service, with the exception of motor vehicle service station and commercial storage facility;
- j) dwelling unit including a *home occupation*;
- k) secondary suite in accordance with Section 8.13.8 of the Official Plan;
- l) community college or university;
- m) commercial parking garage;
- n) hotel;
- o) entertainment; and
- p) *private club*.

## Building Types

- 8.3.2.5 To provide for only multi-storey non-residential or mixed use buildings with dwelling units located in upper storeys on lands designated 'Mixed Use Mid Rise – Employment Priority'.

### 8.3.3 Mixed Use High Rise

The 'Mixed Use High Rise' designation applies to lands along both sides of Markham Road between Edward Jeffreys Avenue to Castlemore Avenue as identified on Map SP2 – Detailed Land Use. The intent is to deliver high density development to support a mix of uses and range of building types that optimizes opportunities for accessing existing and planned transit facilities and services at the Mount Joy GO Station.

#### It is the policy of Council:

#### General Policies

- 8.3.3.1 That lands within the Secondary Plan Area designated 'Mixed Use High Rise' shall:

- a) be subject to the relevant provisions of Sections 8.1, 8.3.1 and 8.3.4 of the Official Plan, except as otherwise provided for in Sections 8.3.3.2 and 8.3.3.3 of this Secondary Plan;
- b) accommodate retail and service uses at grade, and on upper storeys where appropriate;
- c) protect for future retail and service uses at grade; and
- d) be planned to include a range of residential types and tenures, including *affordable housing*.

#### Uses

- 8.3.3.2 To provide for the following uses on lands designated 'Mixed Use High Rise':

- a) sports and fitness recreation;
- b) commercial school;
- c) *day care centre* in accordance with Section 8.13.2 of the Official Plan;
- d) dwelling unit including a home occupation;
- e) financial institution;
- f) office;
- g) *place of worship* in accordance with Section 8.13.7 of the Official Plan;
- h) *public school* and *private school* provided these are located on an arterial or major collector road;
- i) restaurant;
- j) retail and service, with the exception of motor vehicle service station and commercial storage facility;
- k) secondary suite in accordance with Section 8.13.8 of the Official Plan;
- l) community college or university;

- m) commercial parking garage;
- n) hotel;
- o) entertainment;
- p) *private club*; and
- q) *shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised* in accordance with Section 8.13.9 of the Official Plan.

### **Building Types**

8.3.3.3 To provide for the following building types on lands designated 'Mixed Use High Rise':

- a) apartment building;
- b) multi-storey non-residential or mixed-use building;
- c) townhouse including back to back townhouse and stacked townhouse provided these building types are part of a development that integrates one or more of the building types in 8.3.3.3 a) and b).

## **8.4 Greenway Designation**

The 'Greenway' designation shown on Map SP4 – Detailed Land Use contains the Natural Heritage Network, and Mount Joy Creek, which is a tributary of the Rouge River. These lands are intended to protect *natural heritage* and *hydrologic features* while supporting natural heritage enhancement opportunities, protection of wildlife habitat, passive recreation uses and nature appreciation.

**It is the policy of Council:**

### **General Policies**

8.4.1 That lands within the Secondary Plan Area designated 'Greenway' as shown on Map SP2 – Detailed Land Use and Map SP4 - Greenway System shall be subject to the general provisions of Section 3.1 and 8.6 of the Official Plan except as otherwise provided for in Section 4.1 of the Secondary Plan, and the land use policies of Section 8.4.2 of this Plan.

### **Uses**

8.4.2 To provide for the following uses on lands designated 'Greenway' as shown on Map SP2 - Detailed Land Use:

- a) archaeological activity;
- b) ecological restoration activity;
- c) forest, wildlife habitat and fisheries management and conservation;
- d) watershed management, conservation and flood and erosion control projects;

- e) trails and nature-based public recreational activities including associated recreational infrastructure;
- f) transportation, servicing or utility infrastructure in accordance with Sections 3.1.2.9 and 7.1.1.7 of the Official Plan, which receives environmental approval under provincial or federal authority, subject to the requirements of the Greenbelt Plan where applicable; and
- g) communications/telecommunications infrastructure, subject to the requirements of the Greenbelt Plan where applicable.

## 8.5 Public Park

The 'Public Park' designation shown on Map SP2 – Detailed Land Use comprises lands that contain existing and proposed public parks in the Markham Road - Mount Joy Secondary Plan Area. These lands are intended to provide residents with suitably sized and useable spaces for a diverse range of active and passive recreational and leisure activities.

### It is the policy of Council:

#### General Policies

- 8.5.1 That lands within the Secondary Plan Area designated 'Public Park' as shown on Map SP2 - Detailed Land Use shall be subject to the general provisions of Sections 4.3.2 and 4.3.5 of the Official Plan, except as otherwise provided for in Sections 8.5.2 of this Secondary Plan.

#### Uses

- 8.5.2 To provide for the following uses on lands designated 'Public Park' as shown on Map SP2 - Detailed Land Use:
- a) field sports and recreational amenities;
  - b) playgrounds;
  - c) multifunctional space for social gatherings;
  - d) public art; and,
  - e) passive and public recreational activities.
- 8.5.3 To identify and locate the following neighbourhood parks on lands designated 'Public Park' as shown on Map SP2 – Detailed Land Use and classified in Section 4.3.2.2 of the Official Plan:
- a) An "Active Park", with a minimum size of 2.20 hectares, located west of Markham Road between Castlemore Avenue and Major Mackenzie Drive East;
  - b) An "Active Park", with a minimum size of 2.90 hectares, located west of Markham Road between Bur Oak Avenue and Castlemore Avenue;
  - c) An "Urban Parkette", with a minimum size of 0.33 hectares, located west of Markham Road between Batista Perri Drive and Bur Oak Avenue;

- d) A “Parkette”, with a minimum size of 0.50 hectares, located west of Markham Road between 16<sup>th</sup> Avenue and Edward Jeffreys Avenue;
- e) An “Urban Parkette”, with a minimum size of 0.35 hectares, located east of Markham Road between 16<sup>th</sup> Avenue and Edward Jeffreys Avenue;
- f) An “Urban Parkette”, with a minimum size of 0.20 hectares, located east of Markham Road between Edward Jeffreys Avenue and Batista Perri Drive;
- g) An “Urban Parkette”, with a minimum size of 0.33 hectares, located east of Markham Road between Batista Perri Drive and Bur Oak Avenue;
- h) An “Active Park”, with a minimum size of 1.5 hectares, located north of Castlemore Avenue between Markham Road and Anderson Avenue;
- i) A “Parkette”, with a minimum size of 0.79 hectares, located east of Markham Road between Castlemore Avenue and Major Mackenzie Drive East;
- j) A “Parkette”, with a minimum size of 0.78 hectares, located between Markham Road and Anderson Avenue south of Major Mackenzie Drive East; and
- k) An “Urban Parkette”, with a minimum size of 0.41 hectares, located between Anderson Avenue and the Stouffville GO Railway Corridor south of Major Mackenzie Drive East.

## 8.6 Institutional

The ‘Institutional’ designation applies to lands in the Markham Road - Mount Joy Secondary Plan Area as identified on Map SP2 – Detailed Land Use. The intent is to provide for community facilities and infrastructure that are needed to create a complete Markham Road - Mount Joy Community.

### It is the policy of Council:

#### General Policies

- 8.6.1 That lands within the Markham Road - Mount Joy Secondary Plan Area that are designated ‘Institutional’ shall be subject to the relevant provisions of Sections 5.1.6 of the Official Plan, except as otherwise provided for in Sections 8.6.2 to 8.6.4 in this Plan.
- 8.6.2 That the location of the *public school* sites shown on Map SP2- Detailed Land Use have been selected to reflect the role of school sites within the community and neighbourhood structure, and patterns of land use.

#### Uses

- 8.6.3 To provide for only the following uses on lands designated ‘Institutional’ as shown on Map SP2 - Detailed Land Use:
  - a) *Public schools*;
  - b) *Places of worship*;
  - c) *Community infrastructure facilities*; and



- 8.6.4 Residential uses if the residential uses are integrated with a *public school* in a multi-storey mixed use building.

#### **Building Types**

- 8.6.5 To provide only for buildings associated with *places of worship, public schools, and community infrastructure facilities* on lands designated 'Institutional'.

### **8.7 Height and Density**

Heights and densities are provided to support the achievement of the vision for the Markham Road – Mount Joy Secondary Plan Area as a *transit supportive* and complete community. The tallest buildings and primary peak height peaks are directed to lands within close proximity to GO Rail Stations. Building heights will transition downward along the length of Markham Road, between Major Mackenzie Drive East and Edward Jeffreys Avenue forming a secondary peak in height. Heights will transition further downward towards the residential areas in the North Precinct and the existing Wismer Commons, Greensborough and Markham Village HCD communities. A variety of building heights are encouraged to enhance the character of the Secondary Plan Area. The densities in the Secondary Plan are intended to guide the pattern of development and support a range of built forms.

#### **It is the policy of Council:**

- 8.7.1 To provide for the following height and density on all land use designations, except the 'Greenway', 'Public Parks', and 'Institutional' designations:
- a minimum building height of 3 storeys;
  - a maximum building height in accordance with Map SP3 – Height;
  - a density that has regard for the *floor space index* ("FSI") as shown on Appendix 2 – Density;
- 8.7.2 That densities exceeding the FSIs as shown on Appendix 2 – Density may be considered without an amendment to the Secondary Plan, subject to the following matters being addressed to the satisfaction of the City:
- transportation assessment/study to confirm the additional densities can be supported by the existing and/or planned transportation capacity of the Secondary Plan;
  - servicing study to demonstrate that the additional densities can be supported by existing and/or planned servicing capacity as outlined in Section 7.2 of the Secondary Plan;
  - the community design principles for the Secondary Plan Area as outlined in Section 6.1 of the Secondary Plan; and,
  - housing impact statement to monitor and encourage the implementation of a diverse and affordable housing stock, including provisions for purpose built rental and/or affordable housing.
- 8.7.3 Additional heights up to 5 storeys above the maximum heights shown on Map SP3- Heights may be considered without an amendment to this plan on lands designated "Mixed Use –High Rise"

in the Mount Joy Major Transit Station Area, subject to a zoning by-law amendment, where the following matters are addressed to the satisfaction on the City:

- a) transportation assessment/study to confirm the additional heights can be supported by the existing and/or planned transportation capacity of the Secondary Plan;
  - b) servicing study to demonstrate that the additional heights can be supported by existing and/or planned servicing capacity as outlined in Section 7.2 of the Secondary Plan;
  - c) the community design principles for the Secondary Plan Area as outlined in Section 6.1 of the Secondary Plan; and,
  - d) a housing impact statement to monitor and encourage the implementation of a diverse and affordable housing stock, including provisions for purpose built rental and/or affordable housing.
- 8.7.4 That density as identified in Section 8.7 of the Secondary Plan and as shown on Appendix 2 - Height, will be calculated based on *floor space index*.
- 8.7.5 That where *affordable housing* units, as defined in the 2014 Official Plan, are integrated within a mixed use or residential development the gross floor area of the *affordable housing* units is exempted from the calculation of height as shown on Map SP3 – Height and density as shown on Appendix 2 – Density .

## 9. AREA AND SITE SPECIFIC POLICIES

Area and site specific policies are intended to build on the policy framework of the Secondary Plan, and provide further direction for specific sites.

### It is the policy of Council:

- 9.1 That on the lands in the north precinct with a reference to Policy 9.1 on Map SP2 – Detailed Land Use, heights up to 40 storeys and densities up to 7.5 FSI on the lands fronting Major Mackenzie Drive East and heights up to 25 storeys and densities up to 7.0 FSI on the lands fronting Markham Road may be considered without an amendment to this Plan subject to the following matters being addressed to the satisfaction of the City:
- a) The GO Rail Station subject to further study at Major Mackenzie Drive East is approved by Metrolinx;
  - b) Required technical studies confirming how the proposed development and built form:
    - i) Can be supported by the existing and/or planned transportation capacity of the Secondary Plan Area, and the preparation of a Transportation Demand Strategy in accordance with Section 7.1.6;
    - ii) Can be supported by the existing and/or planned community infrastructure;
  - c) Required servicing studies to address the servicing requirements for development of the lands. The servicing studies shall address the requirements for the following:
    - i) Sanitary sewers;
    - ii) Watermains;

- iii) Stormwater management design;
- d) Housing impact statement, including provisions for purpose built rental and/or *affordable housing*;
- e) Prioritizing and protecting for retail and/or office uses at grade;
- f) Development is phased with the delivery of planned transportation and transit improvements;
- g) Policies outlined in Sections 6.1, 7.1 and 7.2 of this Secondary Plan; and
- h) Any other matters identified through the *development approvals* process.

## **10. IMPLEMENTATION**

### **10.1 General Policies**

#### **It is the policy of Council:**

- 10.1.1 That the Secondary Plan shall be implemented in accordance with the provisions of the Planning Act, and other provincial legislation, the provisions of Chapter 10 of the Official Plan and the provisions of this Plan.
- 10.1.2 That a holding provision may be placed on lands, where appropriate, to identify conditions that must be met before the ultimate use of land is permitted in accordance with Section 36 of the Planning Act and section 10.2.3 of the Official Plan.

### **10.2 Developers' Group Agreement(s)**

Developers' Group Agreements have supported the orderly development of secondary plan areas across the City. As a result, the policies in this Secondary Plan strongly encourage the development of a Developers' Group Agreement(s).

#### **It is the policy of Council:**

- 10.2.1 That the location of proposed public infrastructure such as roads, stormwater management facilities or the provision of other community facilities identified in the Secondary Plan have been incorporated without regard to property ownership. In order to ensure that all affected property owners contribute equitably towards the provision of community and infrastructure facilities to support the development of complete communities such as public parks, open space, modifications to natural features (e.g., realignment of Mount Joy Creek), roads and road improvements, internal and external municipal services, and stormwater management facilities, developers are encouraged to enter into Developers' Group Agreement(s) or other agreements in accordance with Section 10.8.3 of the Official Plan.
- 10.2.2 That Developers' Group Agreement(s) should support the equitable distribution of the costs, including lands, of the aforementioned community and common public facilities and associated studies where such costs are not dealt with under the Development Charges Act, 1997.

### 10.3 Development Phasing Plan

#### It is the policy of Council:

- 10.3.1 That full buildout of the Secondary Plan will be achieved over the long-term and development shall be coordinated with the provision of infrastructure and community facilities to support complete and healthy communities, including:
- a) transit;
  - b) road network capacity;
  - c) pedestrian and cycling facilities;
  - d) water and waste water services;
  - e) stormwater management facilities;
  - f) public schools and other community infrastructure;
  - g) the acquisition of public parkland;
  - h) streetscape improvements; and
  - i) utilities.
- 10.3.2 That development will be coordinated with the delivery of infrastructure in accordance with the York Region 10-year capital plan, Water and Wastewater Master Plan and Transportation Master Plan.
- 10.3.3 That initial development within the Secondary Plan Area shall not preclude the achievement of a complete community, and the community structure as shown on Map SP1 – Community Structure.
- 10.3.4 If a property is proposed to be developed in phases, a development phasing plan shall be submitted prior to any *development approval*. The development phasing plan shall also address:
- a) the planned distribution of housing by height and density;
  - b) timing of delivery of key internal and external water and wastewater distribution systems, and stormwater management facilities; and
  - c) timing of construction and operation of major utility facilities.
- 10.3.5 The development phasing plan shall be prepared by development proponents, in consultation with the City and York Region, in a manner consistent with the required supporting studies, and applicable Provincial, Regional, City and Toronto and Region Conservation Authority policies.
- 10.3.6 That the City shall ensure through plans of subdivision, development agreements, and holding provisions in the zoning by-law, that development occurs sequentially.

### 10.4 Parkland Dedication and Master Parkland Agreement

The location of park sites shown on Map SP2 – Detailed Land Use have been identified to support complete communities and ensure equitable access to public parks for active and passive recreation. For this reason, the City strongly encourages that development proponents

enter into a Master Parkland Agreement with the City prior to any development approvals within the Secondary Plan Area.

**It is the policy of Council:**

- 10.4.1 That developers shall be encouraged to enter into a Master Parkland Agreement with the City prior to any *development approvals* within the Secondary Plan Area. The Master Parkland Agreement shall identify the minimum size and general location of parks that shall be provided in accordance with Map SP2 – Detailed Land Use.
- 10.4.2 That parkland dedication shall be provided in accordance with the Master Parkland Agreement.
- 10.4.3 That as a condition of *development approval* of any lands within the Secondary Plan Area that are subject to a Master Parkland Agreement, the developer shall provide confirmation from the developers' group(s) that the developer has satisfied all of their parkland obligations with respect to the Master Parkland Agreement.

## **11. INTERPRETATION**

### **11.1 General Policies**

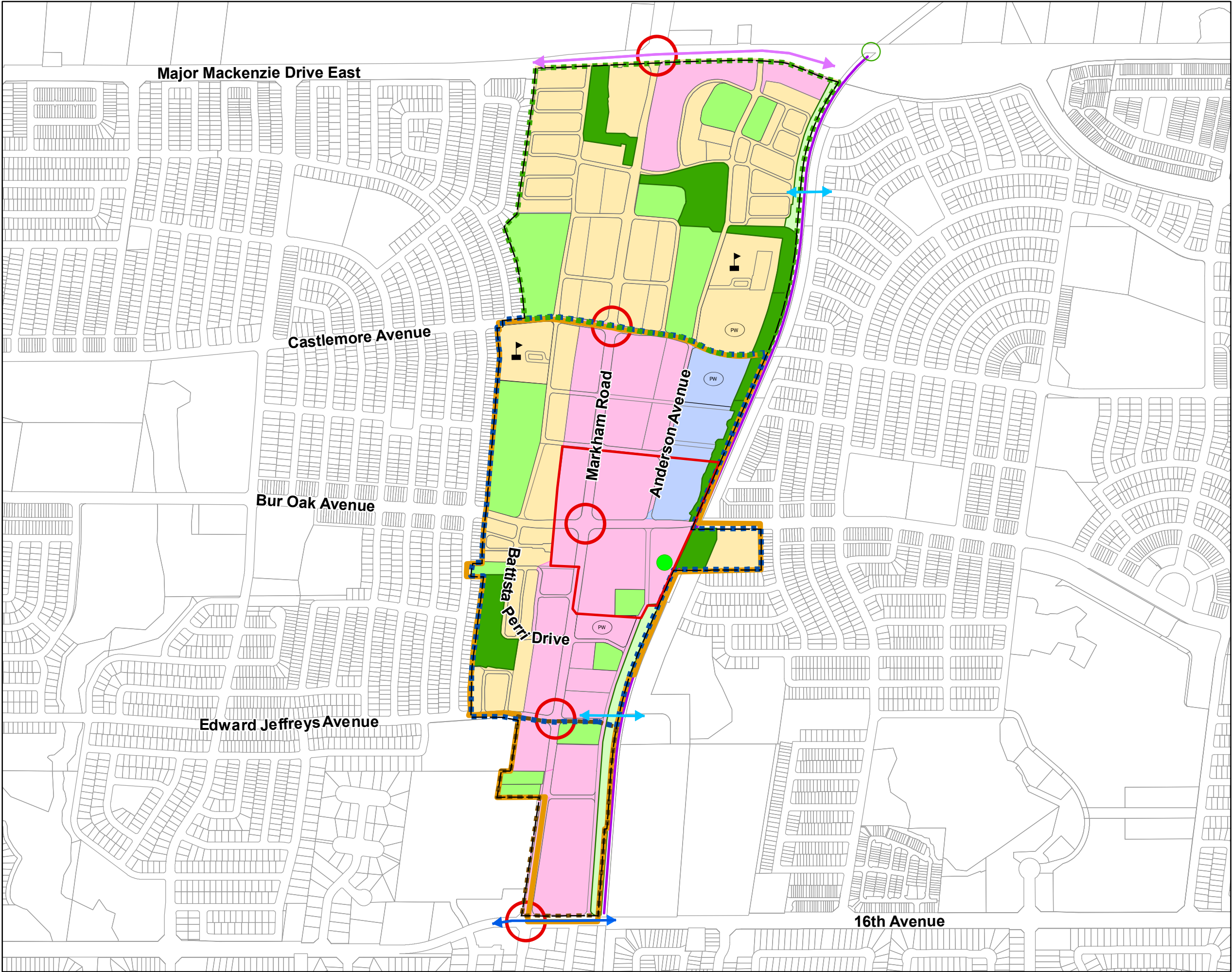
**It is the policy of Council:**






















- 11.1.1 That the provisions of Section 11.1 and any other section of the Official Plan regarding the interpretation of that Plan shall apply in regard to this Secondary Plan, however in the event of a discrepancy between this Plan and the policies and/or designations of Part I of the Official Plan, the policies of this Plan shall prevail.
- 11.1.2 That this Secondary Plan be read in its entirety and all policies must be considered, including the applicable policies of the Official Plan.
- 11.1.3 That this Secondary Plan includes goals, objectives, principles and policies that are intended to guide development within the Secondary Plan Area. Some flexibility in interpretation is permitted, at the discretion of Council, provided that the intent of the goals, objectives, principles and policies are maintained.
- 11.1.4 That the detailed pattern of land use and the transportation network for the Secondary Plan Area as outlined on Maps SP2 – Detailed Land Use, SP6 – Road Network, and SP7 – Transit and Active Transportation Network may be subject to minor adjustments during the plan of subdivision and/or site plan approval processes, taking into account such matters as the preservation of natural vegetation or heritage resources, stormwater management requirements, detailed land use relationships, and street patterns.
- 11.1.5 That references to “acceptance” or “accepted” by the City of required studies undertaken in support of a development application shall mean acceptance to the satisfaction of Markham staff and external agencies, where applicable.

- 11.1.6 That minor adjustments of land use boundaries and the local street pattern shall not require an amendment to this Secondary Plan, provided the intent of the Plan is maintained.

DRAFT

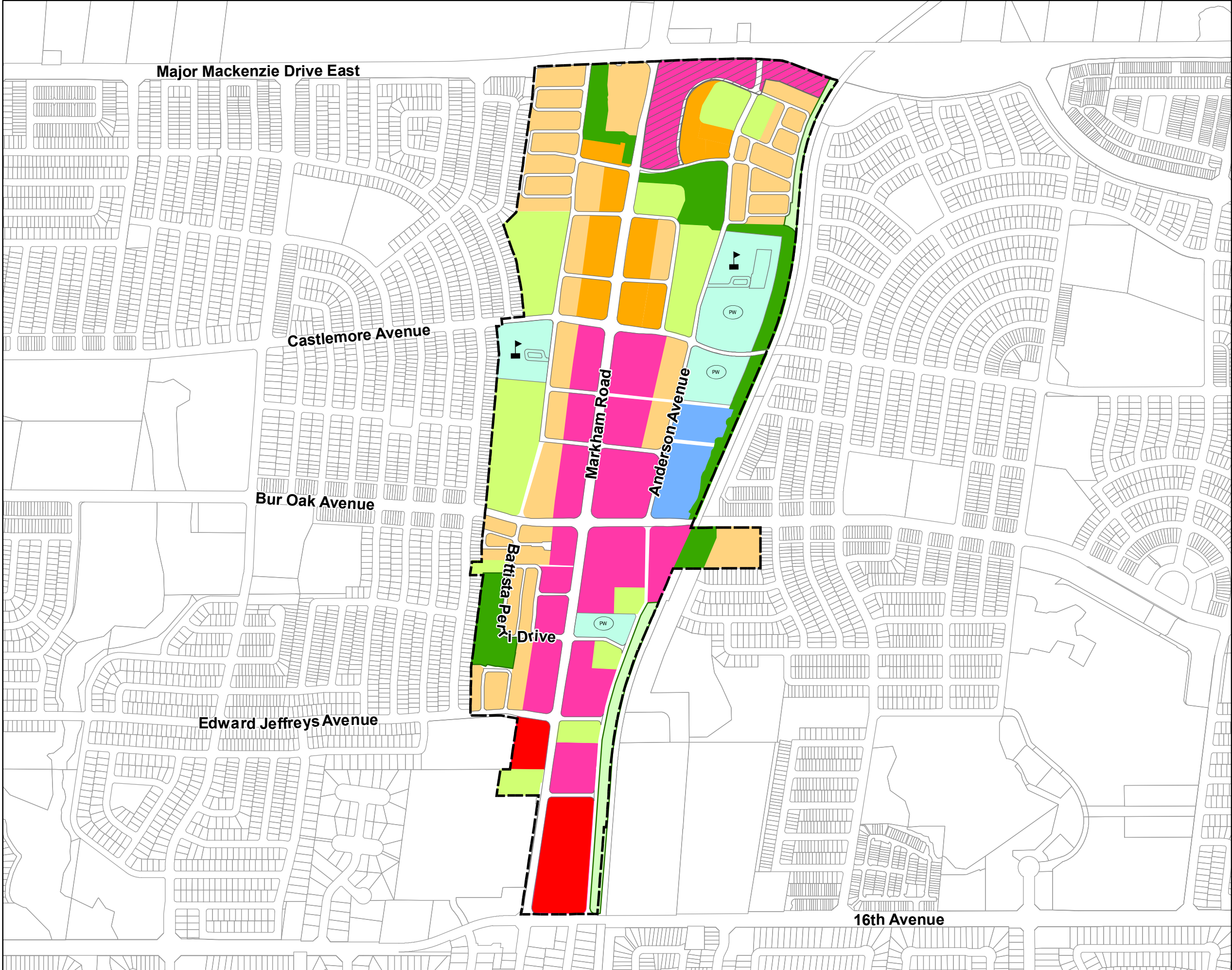
**MAP SP1**  
**COMMUNITY STRUCTURE**  
MARKHAM RD / MOUNT JOY  
SECONDARY PLAN  
(Official Plan Amendment XXX)



-  Boundary of Secondary Plan Area
- PRECINCTS**
-  North
  -  Central
  -  South
- RESIDENTIAL**
-  Residential Neighborhood Area
- MIXED USE**
-  Mixed Use Neighborhood Area
  -  Mixed Use - Employment Priority
- COMMUNITY INFRASTRUCTURE, SERVICE FACILITIES**
-  Public Elementary School
  -  Place of Worship
- GREENWAY SYSTEM**
-  Greenway
- PUBLIC PARKS**
-  Public Park
- OPEN SPACE**
-  Open Space
- PROVINCIAL GO RAIL SERVICE**
-  GO Rail Station
  -  GO Rail Station Subject to Further Study
  -  GO Rail Corridor
- SURFACE RAPID TRANSIT SERVICE**
-  Rapid Transit Corridor
  -  Frequent Transit Network Route
- OTHER**
-  MTSA Boundary
  -  Mount Joy GO Station Mixed Use Node
  -  Key Connections
  -  Gateway Landmark



**MAP SP2**  
**DETAILED LAND USE**  
MARKHAM RD / MOUNT JOY  
SECONDARY PLAN  
(Official Plan Amendment XXX)



Boundary of Secondary Plan Area

**RESIDENTIAL**

- Residential Mid Rise
- Residential High Rise

**MIXED USE**

- Mixed Use Mid Rise - Retail Priority
- Mixed Use High Rise
- Mid Rise - Employment Priority

**INSTITUTIONAL**

- Institutional

**GREENWAY SYSTEM**

- Greenway

**PUBLIC PARKS**

- Public Park

**OPEN SPACE**

- Open Space

**COMMUNITY INFRASTRUCTURE, SERVICE FACILITIES**

- Public Elementary School
- Place of Worship

**AREA AND SITE SPECIFIC POLICIES**

- See site specific policy 9.1





MAP SP3  
HEIGHT

MARKHAM RD / MOUNT JOY  
SECONDARY PLAN  
(Official Plan Amendment XXX)



Boundary of Secondary Plan Area

GREENWAY SYSTEM

Greenway

PUBLIC PARKS

Public Park

OPEN SPACE

Open Space

COMMUNITY INFRASTRUCTURE, SERVICE FACILITIES






Public Elementary School

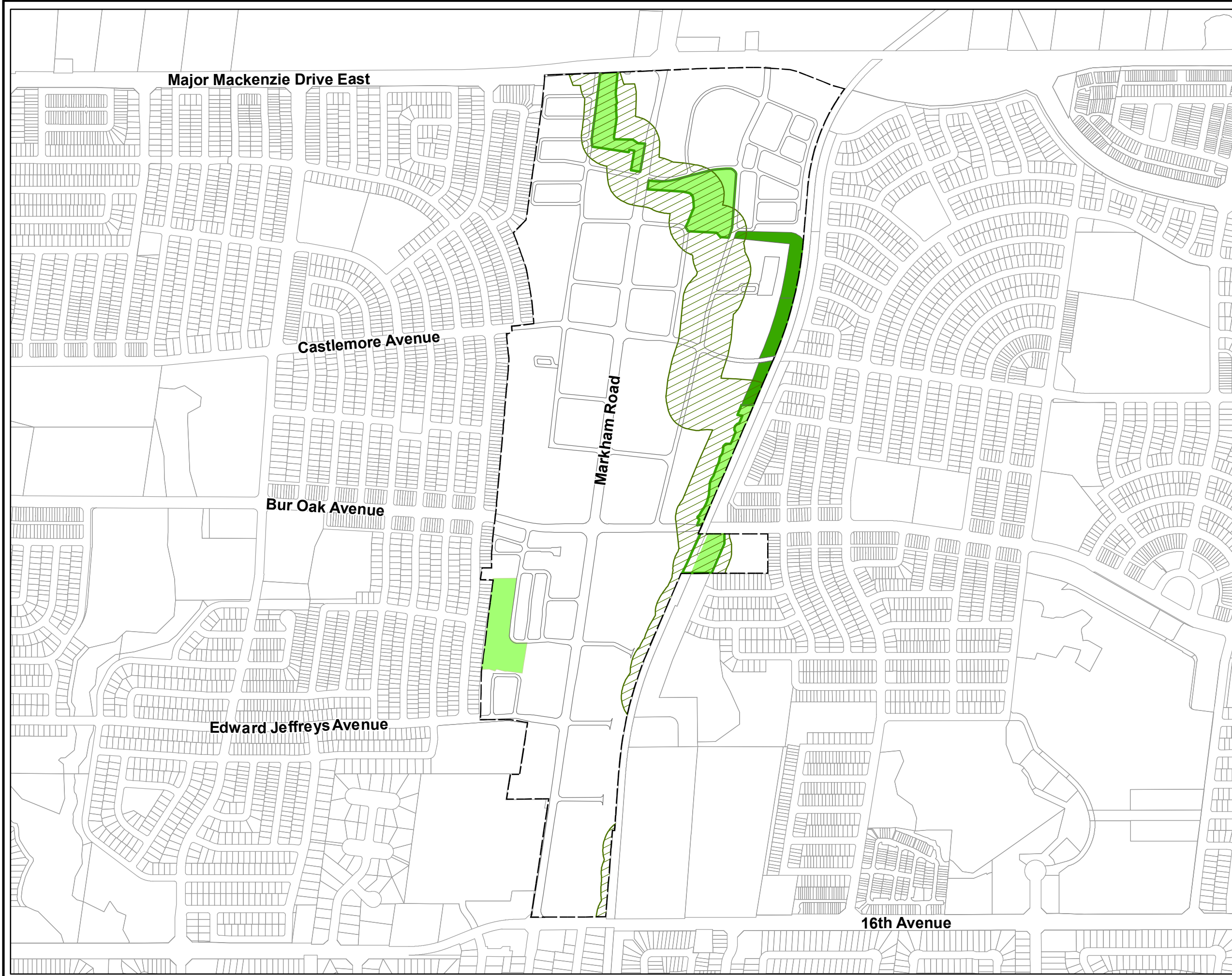
Place of Worship

\*  
Notwithstanding the heights shown on Map SP3 - HEIGHT development of these lands may proceed in accordance with the Ontario Land Tribunal decision, lead Case Number OLT-23-000747.




**MAP SP4**  
**GREENWAY SYSTEM**  
MARKHAM RD / MOUNT JOY  
SECONDARY PLAN  
(Official Plan Amendment XXX)

-  Boundary of Secondary Plan Area
-  Greenway System Boundary
-  Natural Heritage Network
-  Other Greenway System Lands including certain naturalized stormwater management facilities
-  Greenbelt Plan Area - Urban River Valley






**MAP SP5**  
**NATURAL HERITAGE FEATURES**  
MARKHAM RD / MOUNT JOY  
SECONDARY PLAN  
(Official Plan Amendment XXX)


 Boundary of Secondary Plan Area


**GREENWAY SYSTEM**


 Greenway System Boundary

 Woodlands


 Valleylands


 Potential re-alignment of Mount Joy Creek / Valleylands (Subject to Policy 4.3.3)

 Permanent Streams and Intermittent Streams

 Revised Permanent Streams and Intermittent Streams

**TORONTO AND REGION CONSERVATION AUTHORITY REGULATORY FRAMEWORK**

 2022 Ontario Regulation 166/06 (Area subject to review)

 2022 Floodplain (Consult with Toronto and Region Conservation Authority to obtain most current floodplain information)

Major Mackenzie Drive East

Castlemore Avenue

Bur Oak Avenue


Edward Jeffreys Avenue

Markham Road

16th Avenue




**MAP SP6**  
**TRANSPORTATION NETWORK**  
MARKHAM RD / MOUNT JOY  
SECONDARY PLAN  
(Official Plan Amendment XXX)


 Boundary of Secondary Plan Area

**ARTERIAL ROADS**

 Region of York Arterial Road

**COLLECTOR ROADS**

 Major Collector Road  
(Up to 30.5 metre right-of-way  
Up to 36.0 metre right-of-way on  
Markham Road north of Edward  
Jeffreys Avenue)

 Minor Collector Road  
(Up to 23.0 metre right-of-way)

**LOCAL ROADS**

 Local Road  
(18.5 metre right-of-way)

 Private Road

 Provincial Highway

Major Mackenzie Drive East

Castlemore Avenue

Bur Oak Avenue

Edward Jeffreys Avenue

Markham Road

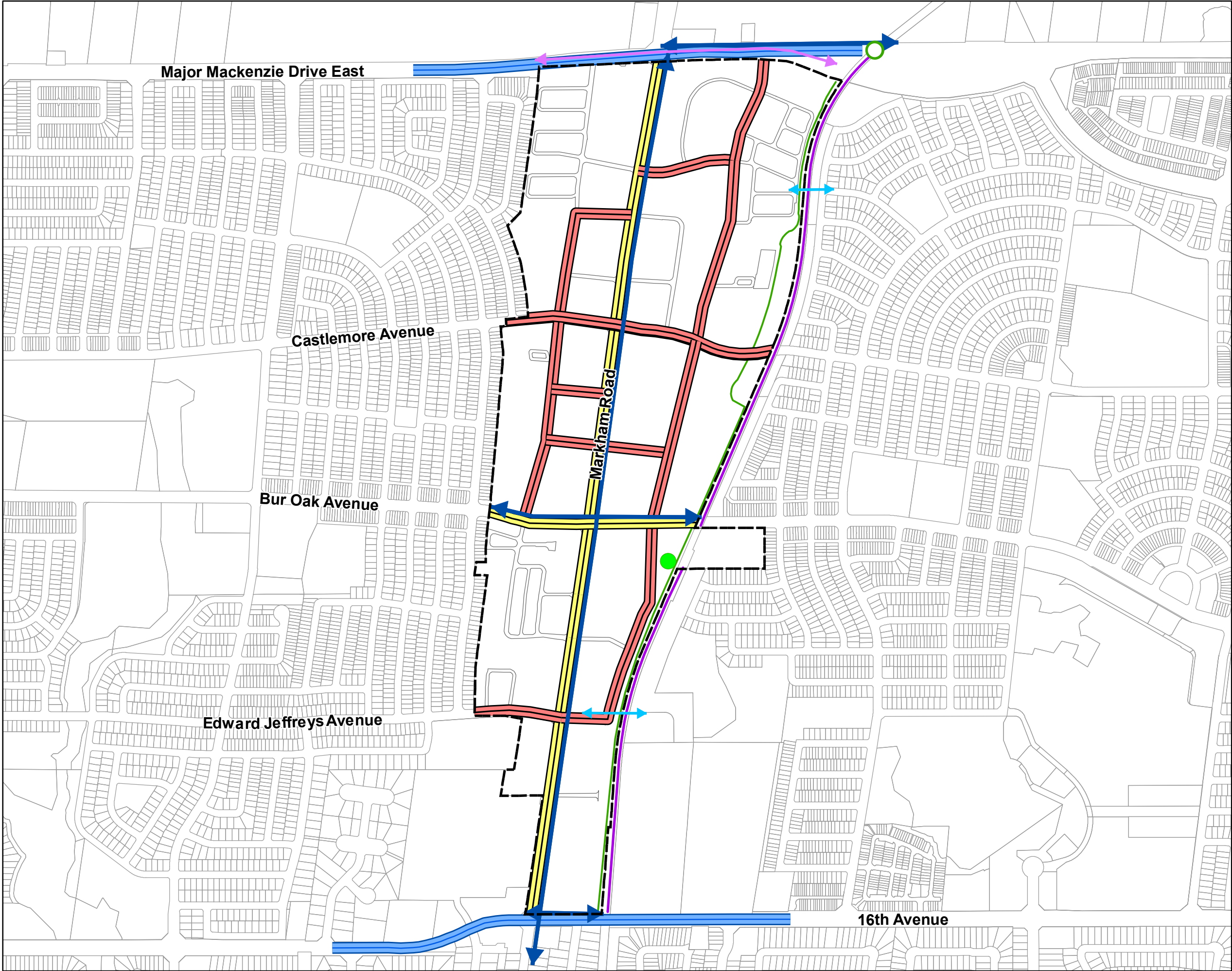
16th Avenue





MAP SP7  
TRANSIT AND ACTIVE TRANSPORTATION NETWORK

MARKHAM RD / MOUNT JOY  
SECONDARY PLAN  
(Official Plan Amendment XXX)



- Boundary of Secondary Plan Area
- Minor Collector Road with Separated cycling facility
- Major Collector Road with Separated cycling facility
- Region of York Arterial Road with Multi-Use Path or Separated cycling facility
- PROVINCIAL GO RAIL SERVICE**
  - GO Rail Station
  - GO Rail Station Subject to Further Study
  - GO Rail Corridor
- SURFACE RAPID TRANSIT SERVICE**
  - Rapid Transit Corridor
  - Frequent Transit Network Route
- ACTIVE TRANSPORTATION NETWORK**
  - Multi-Use Trail
  - Pedestrian Crossings



APPENDIX 1  
CULTURAL HERITAGE  
RESOURCES

MARKHAM RD / MOUNT JOY  
SECONDARY PLAN  
(Official Plan Amendment XXX)



Boundary of Secondary Plan Area

**A** The William Read House, c.  
1840 - 9899 Markham Road (Individually Designated Property)

**B** The Albert Wideman House, c.  
1899 - 226 Edward Jeffreys Avenue (Individually Designated Property)

**C** The Raymer-Wambold House, c.  
1915 - 9404 Markham Road (Individually Designated Property)

Major Mackenzie Drive East

Castlemore Avenue

Bur Oak Avenue

Edward Jeffreys Avenue

Markham Road

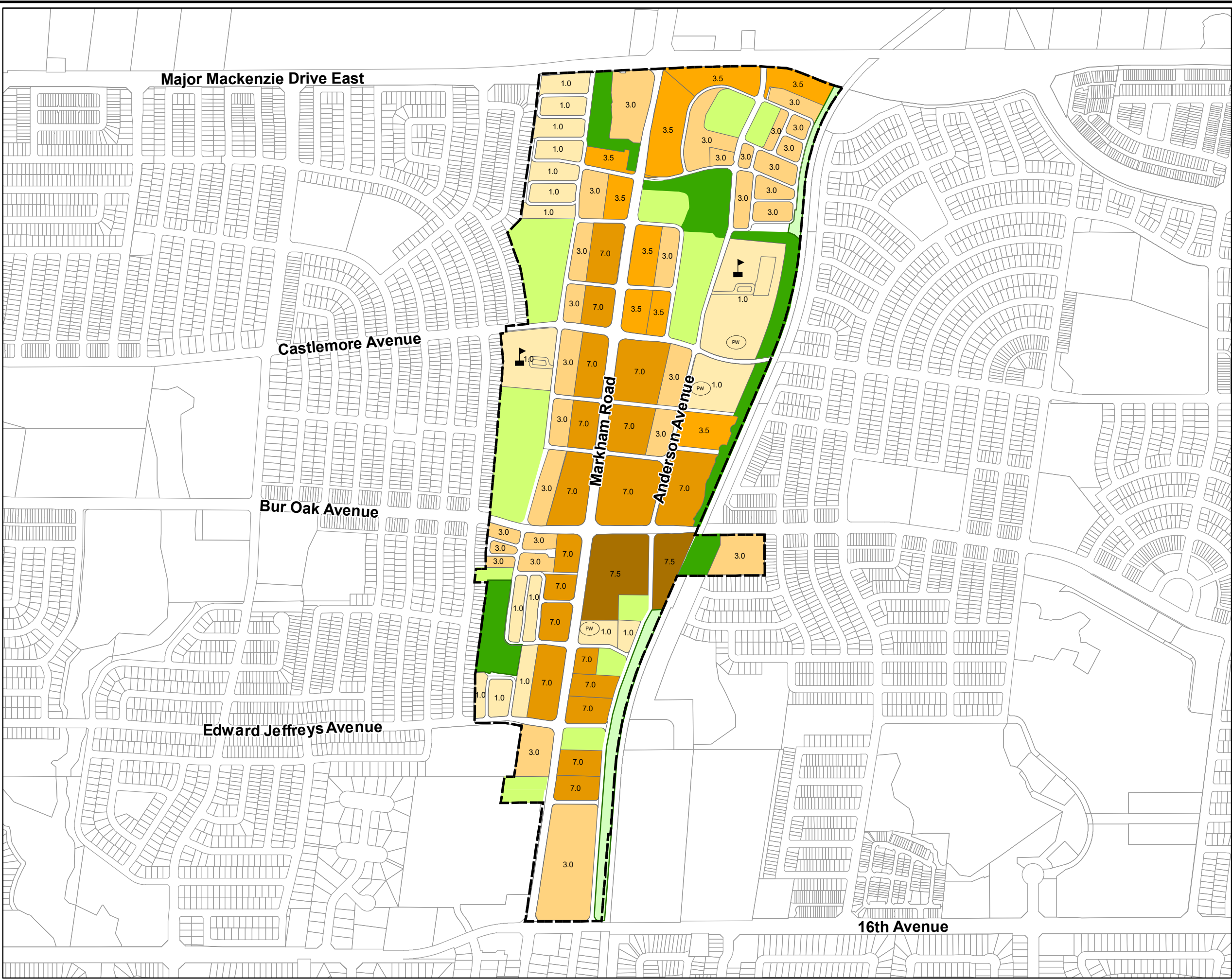
16th Avenue





APPENDIX 2  
DENSITY

MARKHAM RD / MOUNT JOY  
SECONDARY PLAN  
(Official Plan Amendment XXX)



Boundary of Secondary Plan Area

BLOCK DENSITY (FSI)

- 1.0 FSI
- 3.0 FSI
- 3.5 FSI
- 7.0 FSI
- 7.5 FSI

GREENWAY SYSTEM

- Greenway

PUBLIC PARKS

- Public Park

OPEN SPACE

- Open Space

COMMUNITY INFRASTRUCTURE, SERVICE FACILITIES

- Public Elementary School
- Place of Worship





# **City Initiated Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan**

**File Number: PR 20 142832**

**Development Services Committee**

**April 23, 2024**





## Purpose

- Provide an update on the Markham Road - Mount Joy Secondary Plan process since the November 2023 Statutory Public Meeting; and
- Recommend adoption of the City initiated Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan.



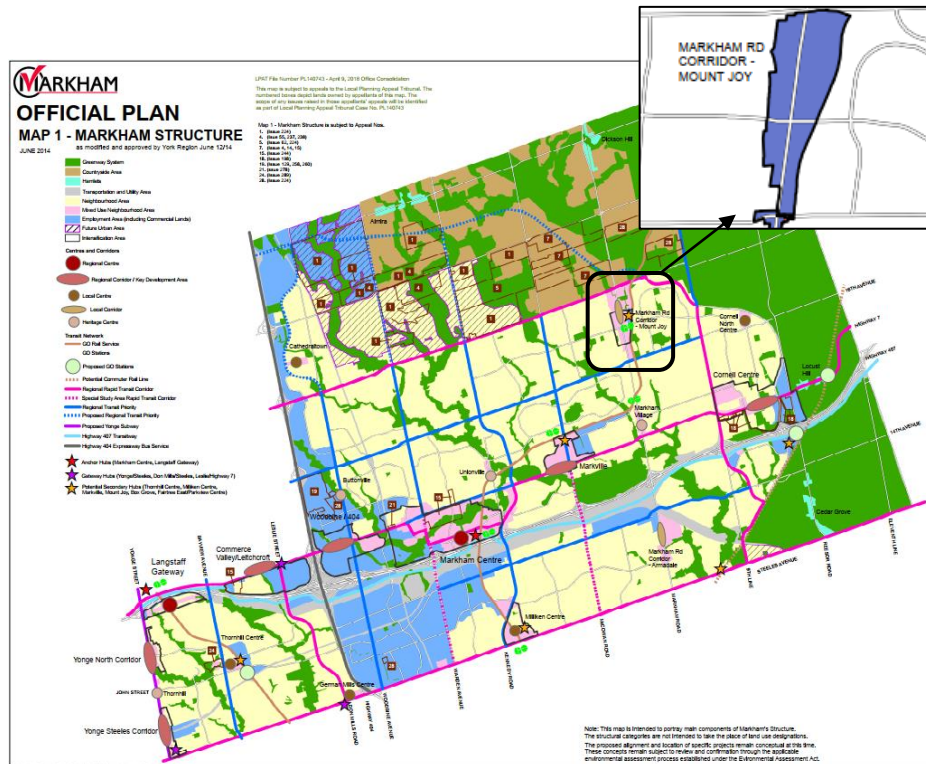
# Secondary Plan Area and Context

## Official Plan, 2014 Policy Direction

- Prepare a new secondary plan for the Markham Road – Mount Joy Local Corridor.
- Accommodate forecasted growth in the Local Corridor through intensification.

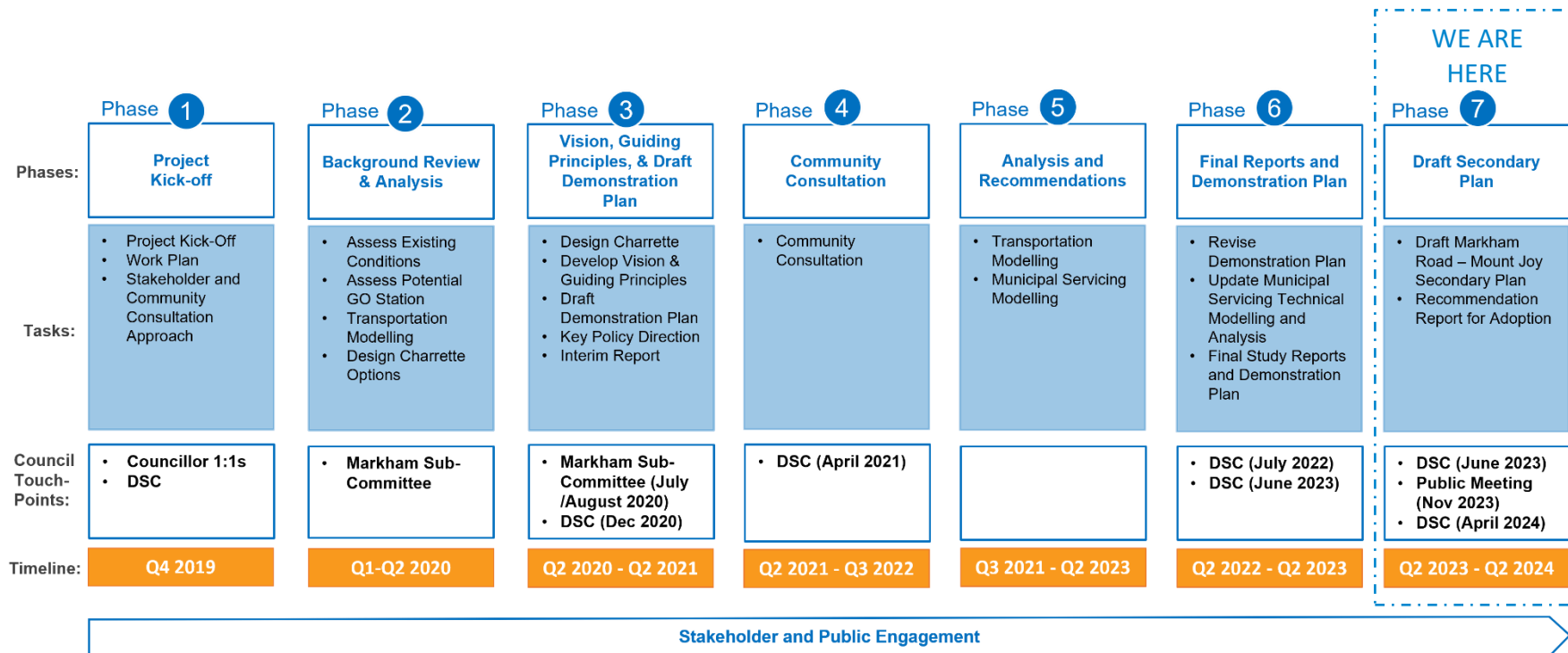
## Secondary Plan Area

- Comprises ~97 hectares of land along Markham Road between 16<sup>th</sup> Avenue and Major Mackenzie Drive East, including the Mount Joy GO Station lands.





# Secondary Plan Process and Status

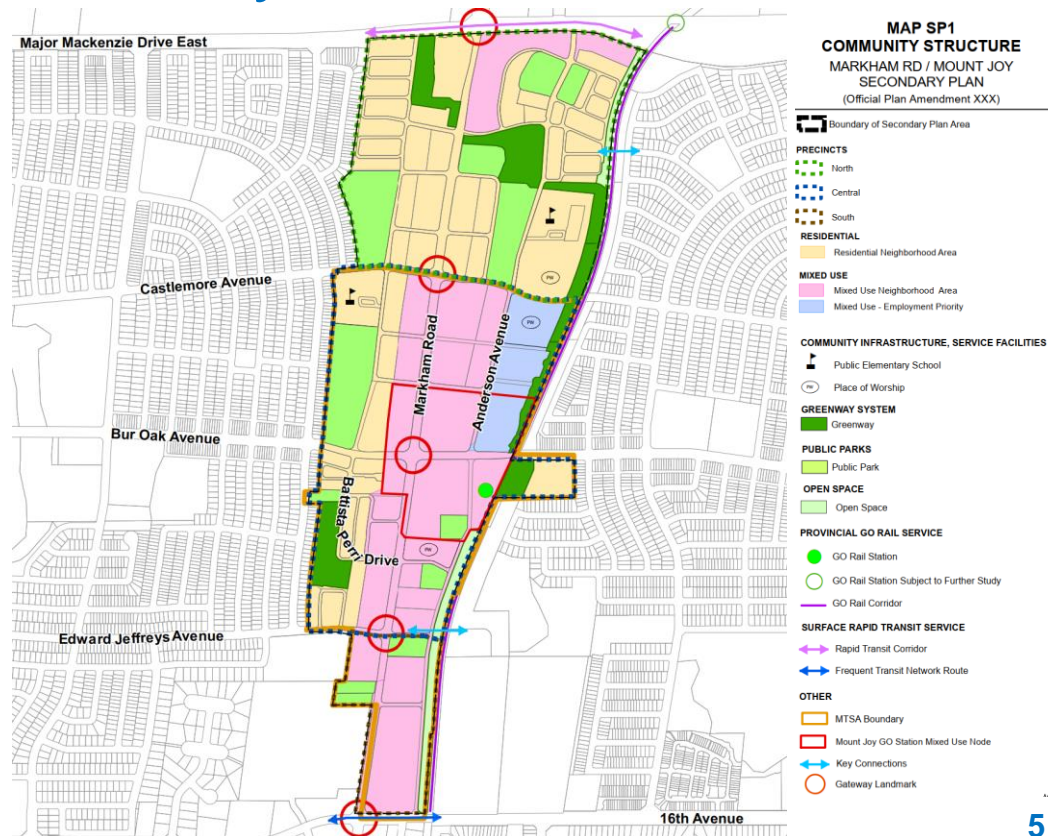




## Draft Secondary Plan

### Establishes a policy framework

- To support the development of a mixed use, transit oriented and complete community.
- On a refined community structure featuring three precinct areas, an enhanced greenway system, residential and mixed use neighbourhood areas, a parks system, open space system and improved transportation system.
- For a minimum of 33,000 residents, 14,500 units and 6,000 jobs.

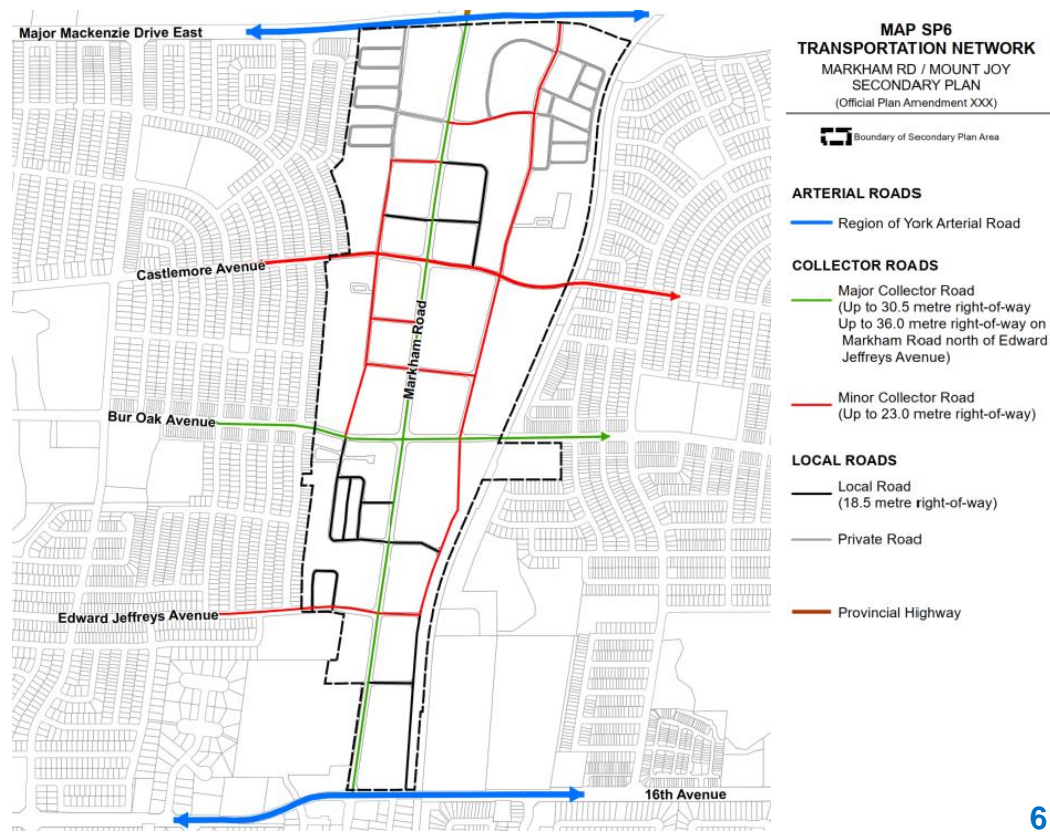




# Statutory Public Meeting Feedback

## Feedback received at the November 21, 2023 statutory public meeting included:

- Concerns about the impact of high density development on existing road capacity and assumptions about planned transit service levels;
- Requests to remove maximum heights and densities in the draft Secondary Plan;
- Requests to revise site specific land use designations and/or increase maximum heights and densities;



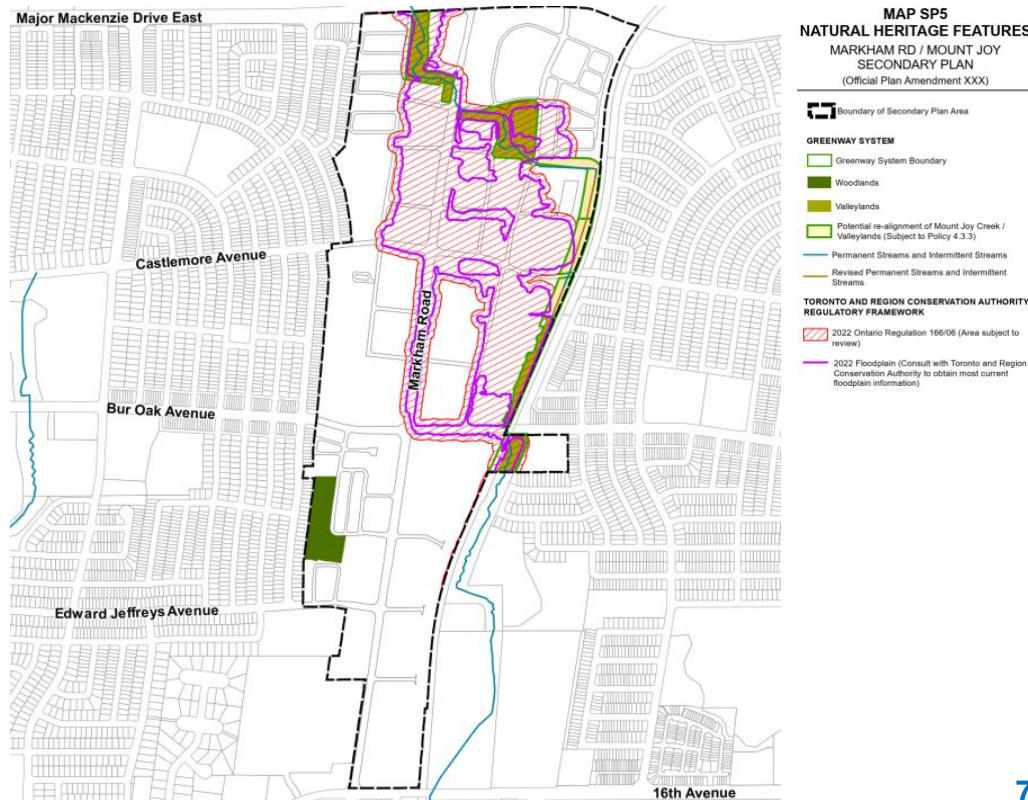




# Statutory Public Meeting Feedback Cont'd

## Feedback received at the November 21, 2023 statutory public meeting included:

- d) Requests to maintain the lands north of Castlemore Avenue as 'Mixed Use Neighbourhood Area';
- e) Concerns about the amount of high density development and the impact on the public realm;
- f) Concerns about the impact of the realignment of Mount Joy Creek on privately owned lands; and
- g) Requests to require the formation of a Developers' Group Agreement.

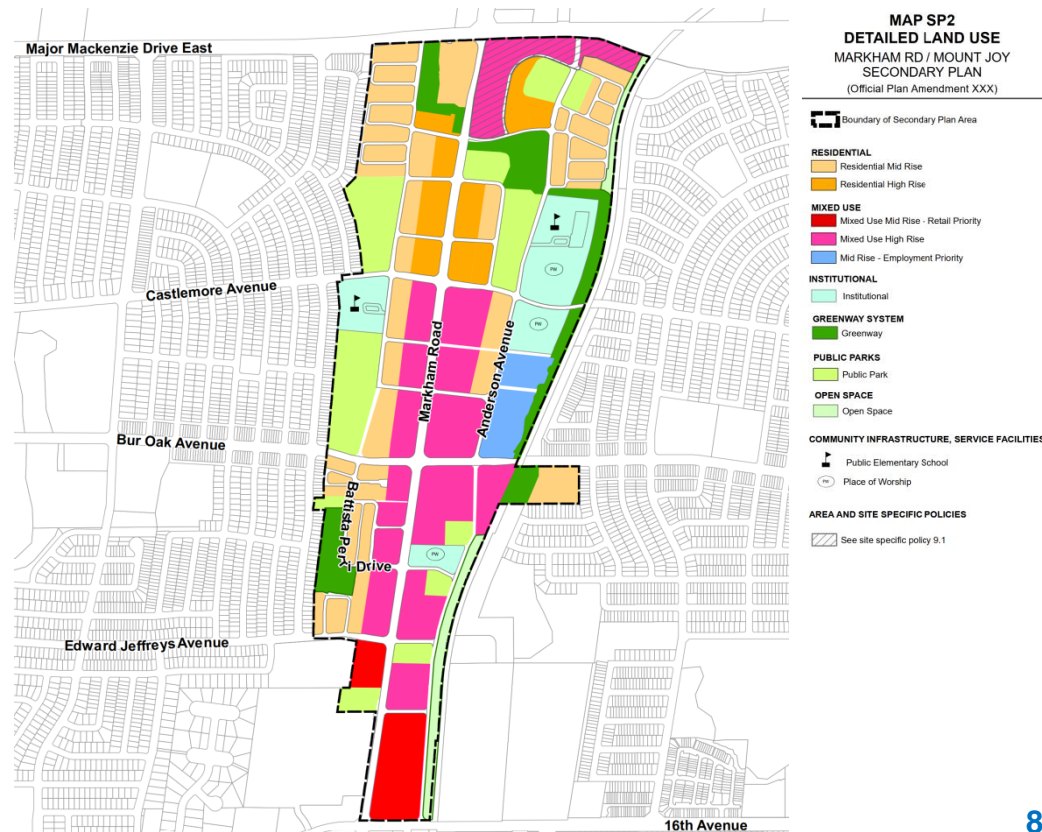




# Staff Modifications to the Draft Secondary Plan

## Feedback Informed Modifications

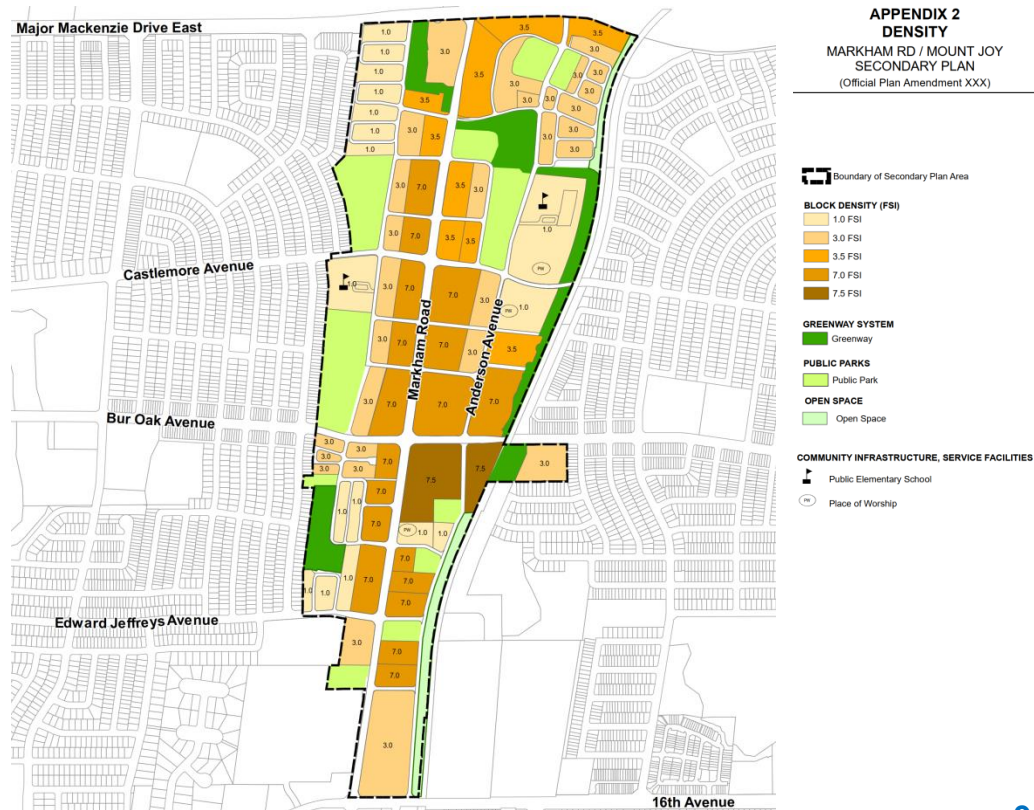
- Feedback received through deputations and written correspondence informed revisions to the draft Secondary Plan. Key modifications include:
  - Removing the area and site specific policy for additional land use permissions at 9900 Markham Road (former Policy 9.1);
  - Updating the area and site specific policy for additional land use permissions at 9999 Markham Road (now Policy 9.1);





# Staff Modifications to the Draft Secondary Plan Cont'd

- Key modifications cont'd:
  - Moving Map SP3B - Density to the appendix as Appendix 2; and
  - Adding a new policy to encourage the development of affordable housing by exempting the units from height and density calculations (Policy 8.7.5).

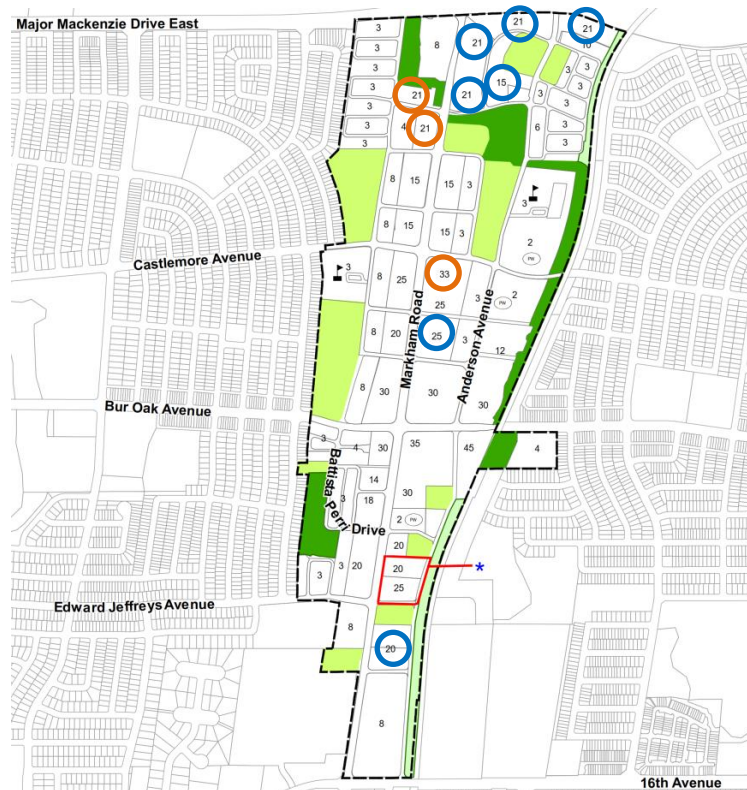






# Staff Modifications to the Draft Secondary Plan Cont'd

- Site Specific Revisions
  - The maximum heights on Map SP2 – Height were increased on specific sites based on a technical review in response to stakeholder comments.
- Note: Lands within the Secondary Plan Area are under appeal, as documented in Appendix “1”, and will be subject to the Ontario Land Tribunal decision.



**MAP SP3  
HEIGHT**  
MARKHAM RD / MOUNT JOY  
SECONDARY PLAN  
(Official Plan Amendment XXX)

Boundary of Secondary Plan Area

**GREENWAY SYSTEM**

Greenway

**PUBLIC PARKS**

Public Park

**OPEN SPACE**

Open Space

**COMMUNITY INFRASTRUCTURE, SERVICE FACILITIES**

Public Elementary School

Place of Worship

★ Notwithstanding the heights shown on Map SP3 – HEIGHT development of these lands may proceed in accordance with the Ontario Land Tribunal decision, lead Case Number OLT-23-000747.

○ Staff Modifications

○ Approved Applications



# Implementation and Phasing

## **Build out of the Secondary Plan Area will occur over the long-term**

- The draft Secondary Plan identifies several tools to support implementation:
  - Development Phasing Plan;
  - Developers' Group Agreements; and
  - Master Parkland Agreement.



# Conformity with the Land Use Planning Framework

## The draft Secondary Plan conforms to the provincial, regional and local land use planning framework

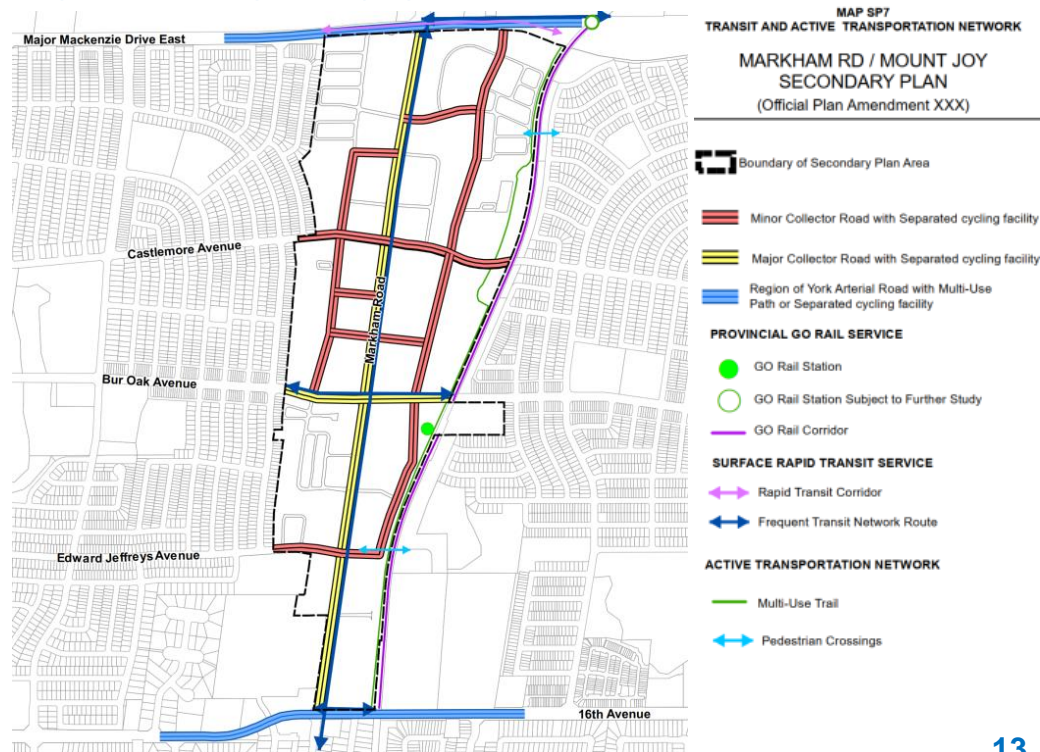
- The draft Secondary Plan provides direction to:
  - Efficiently use land, infrastructure and resources;
  - Remove the existing flood hazard in the Secondary Plan Area, enhance the natural heritage system and protect public safety;
  - Align growth with existing and planned transit infrastructure and services;
  - Accommodate growth through intensification and higher density development within and adjacent to a major transit station area;
  - Incorporate a mix of residential and non-residential uses, services and community facilities; and
  - Achieve the vision of a vibrant, transit supportive, compact and complete community.
- New zoning by-law to be prepared to implement the Secondary Plan.



# GO Rail Station Subject to Further Study at Major Mackenzie Drive East

## Further Analysis Needed

- Secondary Plan Study Recommended:
  - Continuing to protect for the GO Rail Station subject to further study at Major Mackenzie Drive East, and
  - Engaging Metrolinx in further discussions to advance planning for the station.
- Staff to reach out to Metrolinx regarding the necessary analysis for the additional stations at Major Mackenzie Drive East and Denison Street for efficiency and cost-effectiveness.

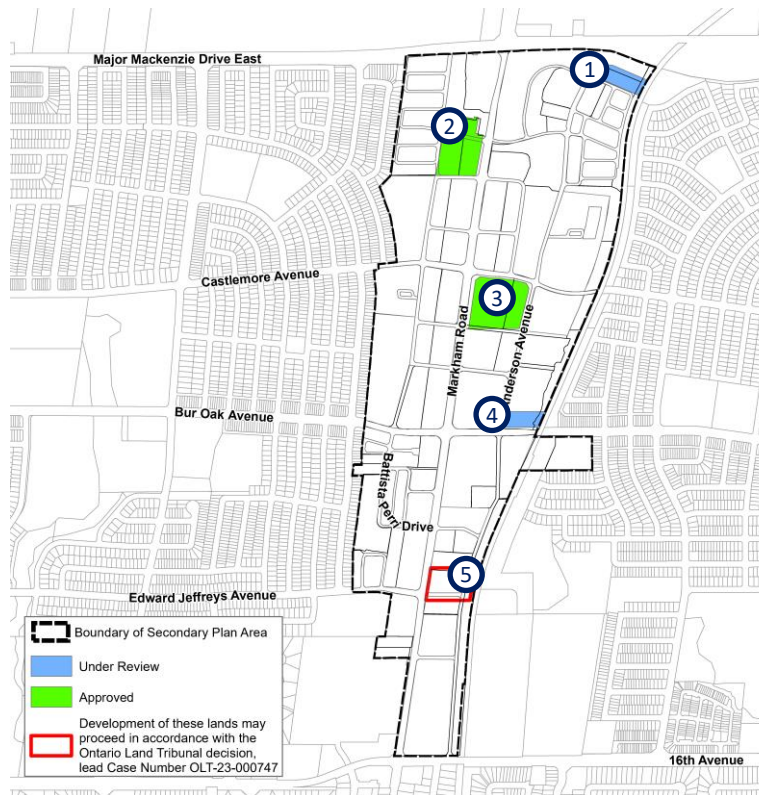




# Development Applications in the Secondary Plan Area

## Status of Applications

- Two development applications in the Secondary Plan Area are currently under review.
- Two development applications were recently approved.
- One application was appealed to the Ontario Land Tribunal.



### 1. 9999 Markham Road

Proposed: One 12-storey building

### 2. 9900 Markham Road

Approved: Two 21-storey buildings, and four blocks of townhomes

### 3. 9781 Markham Road

Approved: Three buildings 22-, 27-, and 33-stores respectively, and two blocks of townhomes

### 4. 77 Anderson Avenue

Proposed: One 45-storey building

### 5. 9331 to 9399 Markham Road

Appealed: One 42-storey building and one 37-storey building



## Next Steps

- Council Adoption of the draft Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan.
- Submission of the adopted Official Plan Amendment for the Markham Road – Mount Joy Secondary Plan to York Region for approval.



Thank You





Report to: Development Services Committee

Report Date: April 23, 2024

**SUBJECT:** RECOMMENDATION REPORT  
 1377402 Ontario Inc., Applications for Zoning By-law Amendment and Site Plan to permit the development of the lands municipally known as 162 Main Street North (Markham Village) for a Business Office with Residential as an additional use (Ward 4)  
 Files ZA 15 147635 and SC 15 147635

**PREPARED BY:** Peter Wokral, Heritage Planner, ext. 7955

**REVIEWED BY:** Regan Hutcheson, Manager, Heritage Planning, ext. 2080  
 Stephen Lue, Senior Development Manager, ext. 2520

### RECOMMENDATION:

- 1) THAT the report dated April 23, 2024 titled “RECOMMENDATION REPORT, 1377402 Ontario Inc., Applications for Zoning By-law Amendment and Site Plan to permit the development of the lands municipally known as 162 Main Street North (Markham Village) for a Business Office with Residential as an additional use (Ward 4), Files ZA 15 147635 and SC 15 147635”, be received;
- 2) THAT the Zoning By-law Amendment application (File ZA 15 147635) submitted by 1377402 Ontario Inc. to amend Zoning By-law 1229, as amended, to permit Business Office and Residential as additional uses at 162 Main Street North, and to amend the development standards to permit the existing parking lot, be approved, and the draft By-law, attached as Appendix ‘C’, be finalized and enacted without further notice;
- 3) THAT the Site Plan application (File SC 15 147635) submitted by 1377402 Ontario Inc. to permit the existing parking lot at 162 Main Street North, be endorsed in principle, subject to the conditions attached as Appendix ‘A’;
- 4) THAT the Site Plan application (File SC 15 147635) be delegated to the Director of Planning and Urban Design, or designate, with the issuance of Site Plan Approval following the execution of a Site Plan Agreement;
- 5) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

### EXECUTIVE SUMMARY:

In 2015, 1377402 Ontario Inc. (the “Owner”) submitted Zoning By-law Amendment and Site Plan Control applications (the “Applications”) to permit residential, business office, retail, personal service shop, restaurant uses, and a new parking lot. At the June 16, 2015, statutory Public Meeting, the Development Services Committee (the “DSC”) commented that approval should only permit the proposed business office and residential uses, in conformity with the uses permitted in the former Main Street Markham Area Secondary Plan (“OPA 108”), as well as a medical office use limited to one practitioner at any given time as recommended by Staff.

The Owner did not support Staff’s recommended draft zoning by-law amendment due to the imposed land use limitations, the limitation on the number of medical practitioners, and because it did not reflect the Owner’s desired development intentions to permit future additions to the existing heritage building.



Consequently, the by-law amendment was not forwarded to Council for consideration. However, the Owner proceeded to install a parking lot without City approvals.

In 2017, to find a mutually satisfactory resolution that would bring the property into compliance, Staff prepared a revised zoning by-law amendment that no longer limited the number of medical practitioners permitted to practice in the building. Instead, Staff recommended a Hold Provision be placed on the property that would permit a Medical Clinic use, subject to site plan approval that would secure the widening of the existing driveway to accommodate two-way traffic and mitigate traffic interruptions on Main Street North. The previous owner continued to not support this approach and at their request, the recommendation report and draft by-law amendment was never brought to Council. The property and building continued to be used as an insurance office.

The current Owner requested reactivation of the Applications to permit the leasing of the property for professional office use, and has indicated that they no longer object to the 2017 approach recommended by Staff.

**PURPOSE:**

This report recommends approval of the Applications submitted by the Owner to permit Business Office and Residential as additional uses (the “Proposed Development”), and a parking lot at 162 Main Street North in Markham Village (the “Subject Lands”).

**BACKGROUND:**

*The 1,906 m<sup>2</sup> (20,516 ft<sup>2</sup>) Subject Lands are located on the west side of Main Street North in Markham Village, between Bullock Drive and Wilson Street*

A 192 m<sup>2</sup> (2,062 ft<sup>2</sup>) two-storey, single-detached heritage building, constructed in 1885, currently occupies the Subject Lands. The former residential building is identified as a Class ‘A’ heritage property in the Markham Village Heritage Conservation District (See Figure 5). Figure 3 shows the surrounding land uses. Neighbouring businesses are conducted in historic former residences that have been converted into commercial or business office uses.

*In 2015, the previous Owner originally proposed a by-law amendment that sought uses that Staff did not support to maximize the marketability of the Subject Lands*

The previous Owner sought permissions for service shops, personal service shops, retail, and restaurant, and townhouses uses that were not supported by the policies of OPA 108, which was in effect at the time. The policies were intended to preserve the residential character of properties north of the historic commercial core and south of Bullock Drive by only permitting low intensity professional office and residential uses that minimized impacts to the appearance and character of former historic residences.

Although OPA 108 is no longer in effect, the policies limiting the use of these former residential properties to professional office and residential uses were integrated as site-specific Official Plan 2014 (the “OP”) policies for Markham Village (Section 9.13.4.4). Staff did not support the requested uses and development standards (e.g., reduced setbacks) as no conceptual site plan accompanied the Zoning application with which staff could assess the potential impacts from the Proposed Development.

***A statutory Public Meeting was held on June 16, 2015***

An oral submission was received from a local resident suggesting that the Applications be reviewed by the Markham Main Street Committee. The resident also raised site-specific area parking and access issues. Staff

opine that the proposed office use in the existing building would not have any significant impacts from a parking perspective, but acknowledge that the existing one-way driveway would be problematic from a traffic and vehicular access perspective should the building be used as a Medical Clinic without widening the existing driveway to 6 m to permit two-way traffic.

At the statutory Public Meeting, members of the DSC commented on their support to only permit the business office and residential uses, consistent with OPA 108, and limit the medical clinic use to only one practitioner at any given time, as recommended by Staff. The Owner opposed the limitation on uses and requested that the draft by-law not be brought forward for Council consideration in the autumn of 2015.

***The previous Owner installed a paved parking lot, ground signage, and commenced operation of a business office use (insurance broker) without City approval, but discussions continued with City Staff***

In October 2015, the previous Owner began using the building as an insurance broker's office despite not having the required zoning and City approval. The City's By-law Enforcement Staff issued an "Order to Comply" that directed the previous Owner obtain the necessary City approvals. Meanwhile, the previous Owner requested the City to reconsider limiting the number of medical practitioners to one at any given time. Following discussions, Staff determined that the Medical Clinic parking rate in the City's Parking By-law, along with the site constraints, would effectively limit the number of practitioners should the entire building be converted to a Medical Clinic.

As a result, Staff revised their recommendation to only include a Hold Provision in the draft by-law amendment to secure a wider two-way driveway to avoid traffic interruptions on Main Street North should a Medical Clinic be proposed. This was reflected in the October 16, 2016, staff report and draft by-law amendment prepared for the DSC. However, the previous Owner continued to not support Staff's approach. Again, at the request of the previous Owner, the draft by-law amendment was not advanced to Council and the business office use continued operations on the Subject Lands.

***The current Owner now seeks to proceed with the draft by-law amendment supported by Staff in 2016 to legalize the existing Business Office use with the Hold Provision (see Appendix B)***

The draft by-law amendment recommends the expansion of permitted uses to those that conform to the site-specific OP policies, which includes business offices, dwelling units located over business premises, a detached dwelling, a semi-detached dwelling, a duplex, triplex, and fourplex dwellings. The draft by-law amendment also permits the existing paved parking lot, with the Hold Provision related to the introduction of a Medical Clinic. The current Owner indicated no plans to alter the existing building or property and requests to legalize the existing business office use.

***The OP designates the Subject Lands "Residential Low Rise", subject to Area and Site-Specific Policies (Section 9.1.13.4.4) and the existing Zoning By-law permits a variety of residential uses***

The OP permits offices uses not exceeding 45 percent of the total gross floor area and at least one dwelling unit where an office use is proposed within an existing residential building, except for a building, which by virtue of its size or configuration is not suitable for mixed use, where Council may permit one use only provided it is within the existing building.

Townhouses may be permitted through a Zoning By-law amendment subject to the protection of any on-site existing heritage buildings, restricted vehicular access points to public streets, adequate off-street parking, and the number of linked townhouse units not exceeding eight, except where permitted by Council in

consideration of special or significant design features, however the applicant has not provided any conceptual site plan to in support of an amendment to permit townhouses.

Figure 2 identifies that the Subject Lands are currently zoned “One-Family Residential” (R3) and permits the Detached, Semi-detached, Duplex, Triplex, and Fourplex dwellings residential uses.

### **OPTIONS/ DISCUSSION:**

***Staff support the business office and residential uses, including single detached, semi-detached, duplex, triplex, and fourplex use.***

The current Owner is in support of changing the zoning of the Subject Lands from R3 under By-law 1229, as amended, to Holding Office/Residential [(H)C4] Zone, to permit detached, semi-detached, duplex, triplex and four plex dwellings as well as site-specific development standards related to the existing driveway, heritage building, and parking spaces. The proposed uses at this location are compatible with surrounding uses and will not adversely affect the historic character of the village. The Subject Lands have the capacity for additional uses, associated parking, and can be adequately serviced. Appendix ‘B’ includes the draft zoning by-law amendment.

***A 2014 City-wide By-law amendment deleted “Business and Professional Office” and replaced it with “Business Office”, which now includes “Medical Office” use in its definition***

The definition of “Medical Office” was also revised to include “clinics operated by a number and/or variety of medical professionals but does not include a public or private hospital”. So throughout the City, where “Business Office” is permitted, Medical Office is also permitted, subject to the availability of on-site parking. Therefore, Staff no longer require the limitation on Medical Office on the Subject Lands. The Owner currently plans to continue the existing Business Office use on the Subject Lands, but also seeks to permit residential uses.

The Zoning By-law requires one parking space per 30 m<sup>2</sup> of net floor area for Business Office. If both floors of the existing building were used as office, only five spaces would be required, as shown in Figure 4. However, if the current Owner proposes to convert the entire building to Medical Office, the Zoning By-law would require one parking space per 20 m<sup>2</sup> of net floor area, which results in eight required on-site spaces. A ‘Change of Use’ permit application and site plan approval to expand the existing parking area would be required by the City’s Building Department prior to any possible future conversion to a Medical Office.

***Specific development standards have been included in the Draft By-law Amendment (see Appendix B)***

The draft by-law amendment addresses existing site conditions, including the following:

- a) Minimum lot frontage 18.3m
- b) Minimum lot area 2,067m<sup>2</sup>
- c) Minimum front yard setback: 7.2m
- d) Minimum north side yard setback: 0m
- e) Minimum required driveway width (for two-way access to a parking area): 2.9m
- f) To permit access ramps, driveways, and parking areas to be constructed without being defined by a curb, rolled asphalt, or a fence.

Appendix B reflects the development standards of the parent zoning by-law where they do not conflict with the existing site conditions. If further minor modifications to the Site Plan are required, a minor variance application to the Committee of Adjustment would be required.

***Staff raised a number of design-related issues on the Applications and through modifications to the Site Plan submission and the recommended draft Zoning By-law, these issues have been addressed***

- a) On Site Parking: Zoning staff confirmed that the number and location of parking spaces shown on the submitted plans are satisfactory for the Business Office use.
- b) Screening of Parking Area: Staff recommend the screening of the new parking spaces with medium-height shrubs.
- c) Relocation of Historic Garden Trellis (the “Trellis”): Heritage Markham recommended that the side yard Trellis be moved to screen the parking area. The Owner did not want to move this structure indicating that it would appear out of place in the front yard and was too fragile to be moved. Staff are satisfied that the parking area can be screened by plantings alone, without relocating this structure.
- d) Driveway Access: Engineering Staff do not require the existing 2.9 m driveway to be widened to accommodate two-way traffic while the existing building is occupied with the current use. Permitting the existing driveway width allows for the preservation of a maple tree on the Subject Lands. However, should the Owner convert the Subject Lands to Medical Office, a Site Plan application must be submitted to facilitate the driveway widening (two-way traffic) and tree replacements. The widening would require modification of the bump-out in front of the Subject Lands as part of the improvements to Main Street North. Though a ten-year moratorium is in place for alterations to these improvements, the Director of Engineering may permit minor modifications to features in the right-of-way.
- e) Grading and Servicing: Engineering Staff require a certificate from the Owner’s Engineer confirming that the recently installed parking lot conforms with the City’s standards for storm water management and site grading and good engineering practice.

***Staff support the Proposed Development on the Subject Lands***

Although not located in the rear yard, the parking lot, as constructed, generally complies with the criteria for new development outlined in the OP (Section 9.13.4.4). The heritage building is preserved and remains the prominent feature of the Subject Lands. The Proposed Development reflects the area’s residential character in terms of appearance and size.

**CONCLUSION**

Staff support the draft Zoning By-law amendment (Appendix ‘B’) to add office and a variety of residential uses. Staff also support the Owner’s request to permit Medical Offices without limiting them to one medical practitioner at any one given time as the scale can be limited by the City’s Parking By-law and the number of available on-site parking spaces. However, Staff recommend that a Hold Provision be placed in the draft Zoning By-law amendment for Medical Office uses, subject to the condition of removal for the widening of the existing driveway to permit two-way traffic in order to mitigate overflow congestion on Main Street North. Staff also recommend the endorsement of the Site Plan, in principle, subject to the conditions in Appendix ‘A’.

**FINANCIAL CONSIDERATIONS:**

Not applicable

**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The Proposed development aligns with the City's strategic priorities for responsible growth management.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The Applications were circulated to various City departments and external agencies, as well as the Heritage Markham Committee, and their requirements have been incorporated, where appropriate, into this report.

**RECOMMENDED BY:**

---

Giulio Cescato, MCIP, RPP  
Director of Planning and Urban Design

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Arvin Prasad, MCIP, RPP  
Commissioner of Development Services

**ATTACHMENTS:**

Figure 1:	Location Map
Figure 2:	Area Context/Zoning
Figure 3:	Aerial Photo
Figure 4:	Proposed Site Plan
Figure 5:	Photograph of the Existing Heritage Dwelling
Appendix 'A':	Site Plan Conditions
Appendix 'B':	Draft Zoning By-law Amendment

Figure 1- Location Map



Figure 2- Area Context/Zoning

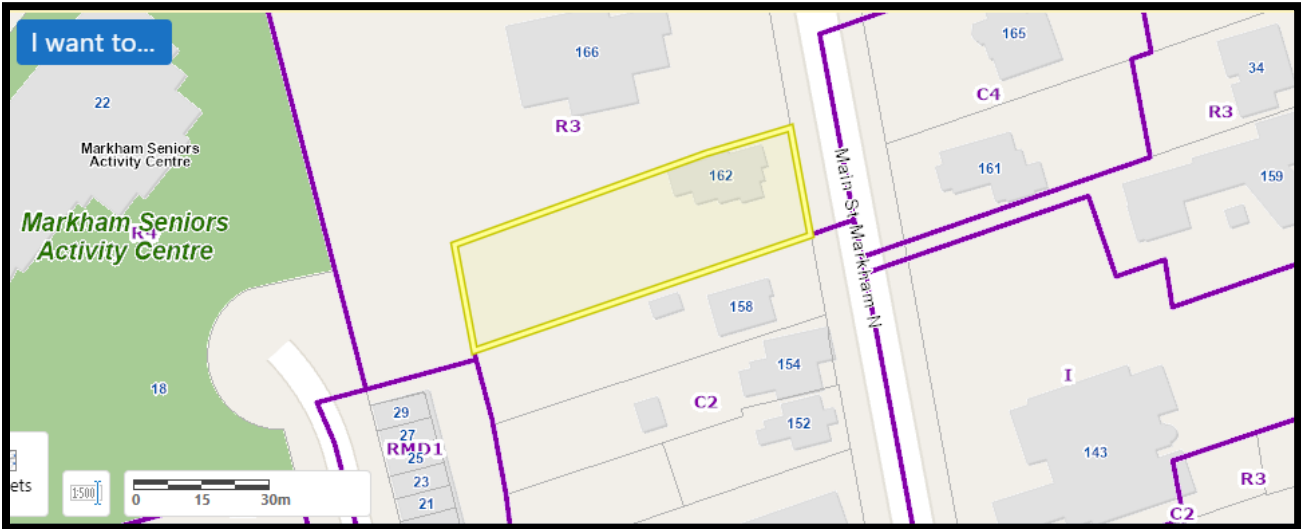


Figure 3- Aerial Photo



Figure 4- Proposed Site Plan

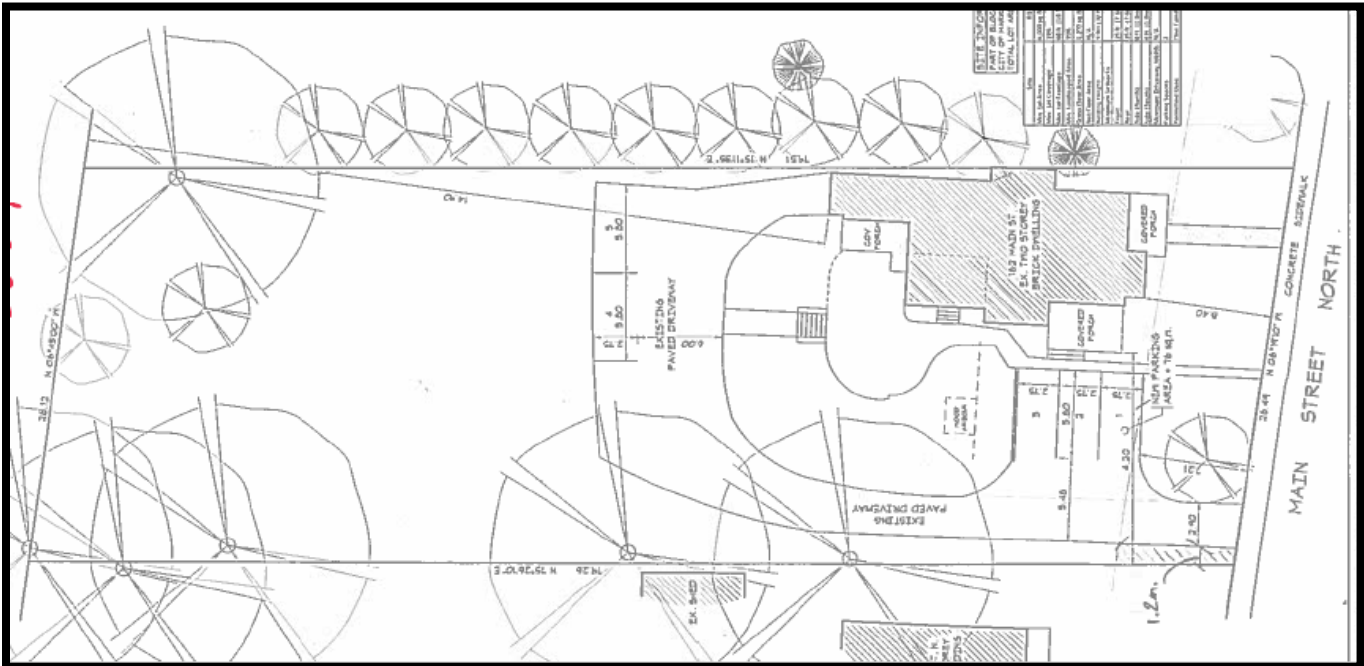


Figure 5- Photograph of the Existing House





APPENDIX ‘A’



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**SITE PLAN CONDITIONS  
1377402 ONTARIO INC.  
162 MAIN STREET NORTH, MARKHAM**

1. The Owner shall enter into a Site Plan Agreement with the City, containing all standards and special provisions and requirements of the City and other external agencies including, but not limited to, the following:
  - a) Provision for the payment by the Owner of all applicable fees, recoveries, and development charges.
  - b) Provision for the payment by the Owner of any other identified financial obligation including a letter of credit to ensure construction as per approved plans.
2. Prior to the execution of a Site Plan Agreement, the Owner shall:
  - a) Submit a final site plan, and additional details including but not limited to information on paving materials and other design details required by Heritage Section Staff, to the satisfaction of the Director of Planning and Urban Design or designate.
  - b) Submit a certificate from a qualified engineer stating that the recently constructed parking lot complies with the City of Markham's standards for Stormwater Management and site grading and good engineering practice.
  - c) Submit, and revise as necessary, landscape plans and a tree inventory and preservation plan along with any other studies and reports which are required to comply with the requirements of the City and external agencies, to the satisfaction of the Director of Planning and Urban Design or designate.

That the Site Plan Approval shall lapse after a period of three (3) years commencing April 23, 2027, if the Owner does not enter into a Site Plan Agreement with the City during that period.

---

**APPENDIX 'B'**  
**DRAFT ZONING BY-LAW AMENDMENT**



**BY-LAW 2024-\_\_\_\_\_**

**A By-law to amend By-law 1229, as amended  
and to amend By-law 28-97, as amended**

---

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

1. By-law 1229, as amended, is hereby further amended as follows:
  - 1.1 By rezoning the lands outlined on Schedule 'A' attached hereto from One Family Residential (R3) to Holding Office/Residential [(H)C4] Zone.
  - 1.2 By adding the following subsection to Section 12 – EXCEPTIONS:

**“12.38 162 Main Street Markham North**

Notwithstanding any other provisions of By-law 1229, as amended and By-law 28-97, as amended, the provisions in this Section shall apply to those lands subject to By-law 2016-\_\_\_\_\_ as shown on Schedule 'A' attached thereto. All other provisions of By-law 1229, as amended, and By-law 28-97, as amended, unless specifically modified or amended by this Section, continue to apply to the lands subject to this Section.

**12.38.1 Only Permitted Uses**

The following are the only uses permitted:

- a) BUSINESS OFFICE;
- b) DWELLING UNITS OVER BUSINESS PREMISES;
- c) DETACHED DWELLING;
- d) SEMI-DETACHED DWELLING;
- e) DUPLEX DWELLING;
- f) TRIPLEX DWELLING; and
- g) FOURPLEX DWELLING.

**12.38.2 Specific Zone Standards**

The following specific zone standards apply:

- a) Minimum LOT FRONTAGE – 18.3 metres;
- b) Minimum LOT AREA – 2,067 square metres;
- c) Minimum FRONT YARD setback – 7.2 metres;
- d) Minimum North SIDE YARD setback for the existing heritage dwelling – 0 metres;
- e) Minimum required width for a *driveway* providing two-way access to a *parking area* – 2.9 metres; and
- f) *Access ramps, driveways, and parking areas* are not required to be defined by a curb, rolled asphalt, or a fence; and

2. **Holding Provision**

For the purposes of this By-law, a Holding (H) Provision is hereby established and is identified on Schedule ‘A’ attached hereto by the letter (H) in parenthesis preceding the zoning symbol.

No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H) provision for the purpose of a *medical office* as defined in By-law 1229, as amended, until amendment(s) to this By-law to remove the letter (H) have come into effect pursuant to the provisions of Section 36 of the *Planning Act*.

Prior to removing the Holding (H) Provision the following condition must be met to the satisfaction of the City of Markham:

- 1. The *driveway* providing two-way access to a *parking area* has been widened to 6.0 m, in accordance with approval of an amendment to the existing site plan, in accordance with Section 41 of the *Planning Act*, as amended.

Read a first, second and third time and passed on \_\_\_\_\_, 2024.

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk

\_\_\_\_\_  
Frank Scarpitti  
Mayor



## **Explanatory Note**

**By-law 2023-\_\_\_\_**

**A By-law to amend By-law 1229, as amended, and By-law 28-97, as amended**

**1377402 Ontario Ltd.**

**162 Main Street Markham North**

### **Lands Affected**

The proposed by-law amendment applies to a 1,906 m<sup>2</sup> parcel of land located on the west side of Main Street Markham North, between Bullock Street to the north, and Wilson Street to the south.

### **Existing Zoning**

The subject property is currently zoned One Family Residential (R3) by By-law 1229, as amended.

### **Purpose and Effect**

The purpose and effect of the proposed By-law amendment is to rezone the lands to Office Residential (C4) and to recognize existing site conditions of the building and lot, in order to permit the existing heritage dwelling to be used for business office uses, as well as a range of residential uses.

The Holding Provision is intended to ensure that the existing driveway be widened to permit two-way traffic if the property is converted to a Medical Clinic.



Report to: Development Services Committee

Meeting Date: April 23, 2024

**SUBJECT:** RECOMMENDATION REPORT Official Plan and Zoning By-law Amendment applications submitted by 1628740 and 1628741 Ontario Inc. to permit a 32-unit residential subdivision at 2716-2730 Elgin Mills Road East (Ward 2)

File PLAN 23 150145

**PREPARED BY:** Hailey Miller, Planner II, West District, Ext. 2945

**REVIEWED BY:** Rick Cefaratti, MCIP, RPP, Senior Planner, West District, Ext. 3675  
Stephen Lue, MCIP, RPP, Senior Development Manager, Ext. 2520

### **RECOMMENDATION:**

1. THAT the report titled, “RECOMMENDATION REPORT Official Plan and Zoning By-law Amendment applications submitted by 1628740 and 1628741 Ontario Inc. to permit a 32-unit residential subdivision at 2716-2730 Elgin Mills Road East (Ward 2), File PLAN 23 150145”, be received;
2. THAT the Official Plan Amendment application be approved and that the draft Official Plan Amendment, attached as Appendix ‘A’, be finalized and brought forward to a future Council meeting to be enacted without further notice;
3. THAT the Zoning By-law Amendment application be approved and that the draft site-specific Zoning By-law, attached as Appendix ‘B’, be finalized and brought forward to a future Council meeting to be enacted without further notice;
4. THAT servicing allocation for 32 units be assigned to the development and that the servicing allocation will be revoked or reallocated after a period of three (3) years from the date of Council approval should the development not proceed in a timely manner;
5. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **PURPOSE:**

This report recommends approval of the Official Plan and Zoning By-law Amendment applications (the “Applications”) submitted by 1628740 and 1628741 Ontario Inc. (the “Owner”) to facilitate the development of a 32-unit residential subdivision (the “Proposed Development”) on the lands municipally known as 2716 and 2730 Elgin Mills Road East (the “Subject Lands”).

### **Process to Date**

- Staff deemed the Application complete on January 4, 2024
- The statutory Public Meeting was held on February 27, 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 May 3, 2024.

*If the Development Services Committee (“DSC”) supports the Applications, then the planning process will include the following next steps*

- The draft Official Plan and Zoning By-law Amendments will be finalized and brought forward to a future Council meeting
- The Draft Plan of Subdivision recommendation report and conditions will be finalized and brought forward to future DSC and Council meetings
- The Owner would be required to clear the conditions of Draft Plan of Subdivision, enter into a Subdivision Agreement with the City, and register the Draft Plan of Subdivision
- Review and approval of the delegated Site Plan application

## BACKGROUND:

### Location and Area Context

The 1.074 ha (2.65 ac) Subject Lands are located north of Elgin Mills Road East and west of Woodbine Avenue (see Figures 1 to 3). Figure 2 shows the surrounding land uses. The Subject Lands contain two existing single detached dwellings, which are both designated under Part IV of the *Ontario Heritage Act*.

*The Owner submitted Applications to permit the Proposed Development, which includes the retention and relocation of two heritage dwellings (see Table 1)*

Table 1: The Proposed Development	
<b>Total Units:</b>	32 (28 townhouse, two semi-detached, and two single detached heritage dwellings)
<b>Unit Width:</b>	5.5 m townhouse and 7.6 m semi-detached units
<b>Building Height:</b>	13 m (three-storey) townhouse units, 11 m (two-storey) semi-detached units
<b>Parking:</b>	64 spaces (two spaces per unit)
<b>Access:</b>	Two access points are proposed onto Concetta Conte Avenue

## PLANNING POLICY AND REGULATORY CONTEXT:

The Applications are subject to a planning policy framework established by the Province, York Region, and City under the Planning Act, R.S.O. 1990. The following sections describe how the Applications meet the respective policies and legislation.

*The Proposed Development is consistent with the Provincial Policy Statement, 2020 (the “2020 PPS”) and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019 (the “Growth Plan”)*

The 2020 PPS provides direction on matters of Provincial interest related to land use planning and development. These matters, in-part, include building strong healthy communities with an emphasis on efficient development and land use patterns, and wise use and management of resources. Among other reasons, the Proposed Development is located within a settlement area where development is focused to meet the current and projected needs of the City and it is compatible with the existing uses and planned function of the surrounding area.

The Growth Plan provides, in-part, a framework for implementing the Province’s vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2051, with building compact, vibrant and complete communities, and optimizing the use of existing and new infrastructure to support growth. The Subject Lands are located within a Designated Greenfield Area (“DGA”) of the Growth Plan. DGA lands

are planned for development and are required to accommodate forecasted growth to the horizon of the Growth Plan. Staff are of the opinion that the Applications conform to the Growth Plan, as it is located within a DGA, provides a range and mix of housing types, and supports the achievement of a compact complete community.

***The Proposed Development conforms to the 2022 York Region Official Plan (the “2022 ROP”)***

The 2022 ROP designates the Subject Lands ‘Urban Area’ on Map 1 - Regional Structure, which permits a wide range of land uses including residential, commercial, employment, and institutional uses. Map 1A – Land Use Designations designates the Subject Lands ‘Community Area’, which are areas where the majority of residents, personal services, retail, arts, culture, recreational facilities and human-services needs would be located. The Owner proposes uses that are contemplated under the ‘Community Area’ designation and are considered compatible with the surrounding area.

***The proposed amendment to the 2014 Markham Official Plan (the “2014 OP”) would place it into conformity with the 2022 ROP***

The 2014 OP designates the Subject Lands ‘Service Employment’, which is intended to accommodate uses that serve and support other business uses and employees, and may also serve the general public. The designation permits service, office, financial institution, and manufacturing, processing, and warehousing, accessory retail, commercial school, and other related uses.

This Amendment seeks to redesignate the Subject Lands from ‘Service Employment’ to ‘Residential Low Rise’ to facilitate the proposed residential subdivision. The lands were subject to a site-specific employment area conversion request to York Region under the 2041 Regional Municipal Comprehensive Review in 2020. In October of 2020, York Region Council deferred the site-specific employment conversion request for later consideration by Local Municipal Council. In 2021, Markham Council, supported the request to convert the Subject Lands from employment to non-employment area uses, which was subsequently approved by the Minister in the 2022 ROP.

***The Zoning By-law Amendment seeks to rezone the Subject Lands with site-specific standards***

By-law 304-87, as amended, zones the Subject Lands ‘Agriculture One Zone (A1)’ and ‘Rural Residential One Zone (RR1)’, as shown on Figure 2. The Owner proposes to rezone the Subject Lands to ‘Residential Two (R2)’ Zone under By-law 177-96, as amended, with site-specific development standards including, but not limited to, lot frontage, building setbacks, and building height.

Comprehensive Zoning By-law 2024-19 (“By-law 2024-19”) was passed by Council on January 31, 2024. The Proposed Development was received and deemed complete prior to the passing of By-law 2024-19. As the proposal was designed to be consistent with other developments under By-law 177-96, Staff are proposing the Subject Lands be removed from 2024-19, and zoned within By-law 177-96.

***Heritage Markham Committee (“Heritage Markham”) reviewed the Applications at their meeting on March 13, 2024, with recommended changes, as agreed to by the Owner***

Heritage Markham indicated ‘no objection’ to the Proposed Development and recommended the Site Plan is revised, as follows:

- Illustrating the retention of the verandas of both the Levi Heise and Christian Heise Houses as part of the relocation, and the re-opening of the rear veranda of the Levi Heise House
- Moving the Levi Heise House approximately 1 metre north on Lot 1 to provide additional separation from the public right-of-way

- Reducing the proposed building on Block 7 to a two-storey, semi-detached building form.

### DISCUSSION:

*The following identifies how the matters raised, including those raised at the statutory Public Meeting by the public and the DSC members, have been resolved or considered*

Concerns were raised by members of the DSC with respect to the proposed location, siting, and amenity space of the heritage dwellings. In response to concerns raised by both DSC and City Staff, the Owner revised the location of the proposed heritage dwellings to be further back from the existing Highway 404 ramp and maintain their original orientation and relationship to each other. In addition, the lots now provide sufficient amenity space. Heritage Staff reviewed the revised location of the heritage dwellings and are satisfied with the changes.

*The following identifies how the matters raised by City Staff and the public agencies have been resolved or considered*

a) Compatibility with the surrounding area

The surrounding area consists of vacant employment land to the west and an existing townhouse subdivision to the north. The Proposed Development includes a variety of dwelling types including single-detached, semi-detached, and townhouse units. The proposed height, density, massing, and location of the subject townhouses will be compatible with the existing townhouses to the north. Appropriate buffers have been provided between the proposed residential units and the vacant employment land to the west. This is consistent with what is provided for the existing townhouse subdivision. Staff opine the Proposed Development represents good planning and is appropriate.

b) The Official Plan Amendment Application was exempted from York Region approval

In York Region's correspondence, dated February 14, 2024, the exemption allows the Official Plan Amendment to come into effect following adoption by the City and the expiration of the required appeal period.

c) A Draft Plan of Subdivision was submitted by the Owner in January of 2024

The Draft Plan of Subdivision is currently under review and a recommendation report will be brought forward to a future DSC meeting.

d) A Site Plan application will be required, in which approval is delegated to staff

The Proposed Development is subject to site plan approval, which is delegated to Staff, per Delegation By-law 2023-19, as amended.

### CONCLUSION:

Staff opine that the Applications are appropriate and represent good planning. The Proposed Development is compatible with the surrounding area and context, provides for increased housing supply, and preserves the significant cultural heritage resources located on the Subject lands. Therefore, Staff recommend that the Applications be approved.

### FINANCIAL CONSIDERATIONS:

Not applicable

### HUMAN RESOURCES CONSIDERATIONS:

Not applicable



**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The 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 Applications were circulated to internal City departments and external agencies. Any requirements have been reflected in the draft Official Plan amendment and draft Zoning By-law amendment.

**RECOMMENDED BY:**

---

Giulio Cescato, MCIP, RPP  
Director, Planning and Urban Design

---

Arvin Prasad, MCIP, RPP  
Commissioner of Development Services

**ATTACHMENTS:**

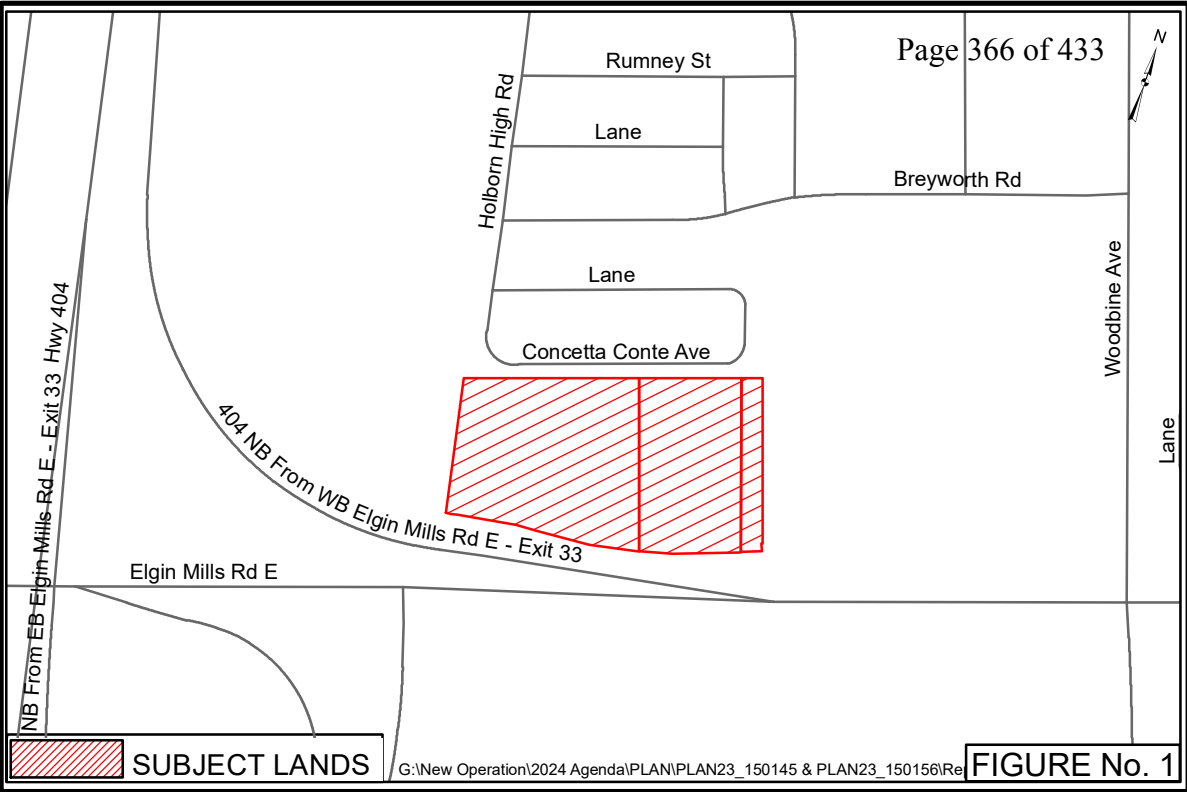
Figure 1: Location Map  
Figure 2: Area Context and Zoning  
Figure 3: Aerial Photo (2023)  
Figure 4: Conceptual Site Plan  
Figure 5: Conceptual Elevations – Front and Rear  
Figure 6: Conceptual Elevations – End and Corner  
Appendix A: Draft Official Plan Amendment  
Appendix B: Draft Zoning By-law Amendment

**OWNER:**

1628740 and 1628741 Ontario Inc. C/O Bruno Tucciarone  
55 Doncaster Avenue, Markham, Ontario, L3T 1L7

**APPLICANT/AGENT:**

KLM Planning Partners Inc. C/O Billy Tung  
64 Jardin Drive, Unit 1B, Concord, Ontario, L4K 3P3  
Email: [btung@klmplanning.com](mailto:btung@klmplanning.com)

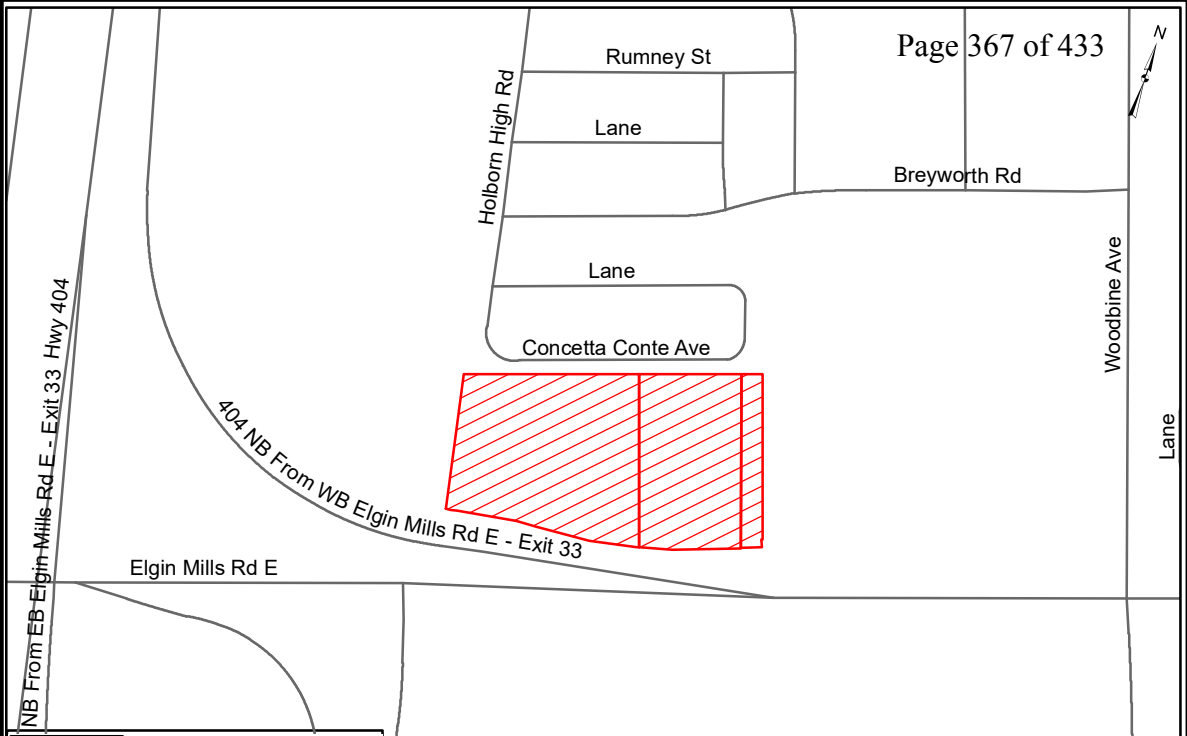


NB From EB Elgin Mills Rd E - Exit 33 Hwy 404

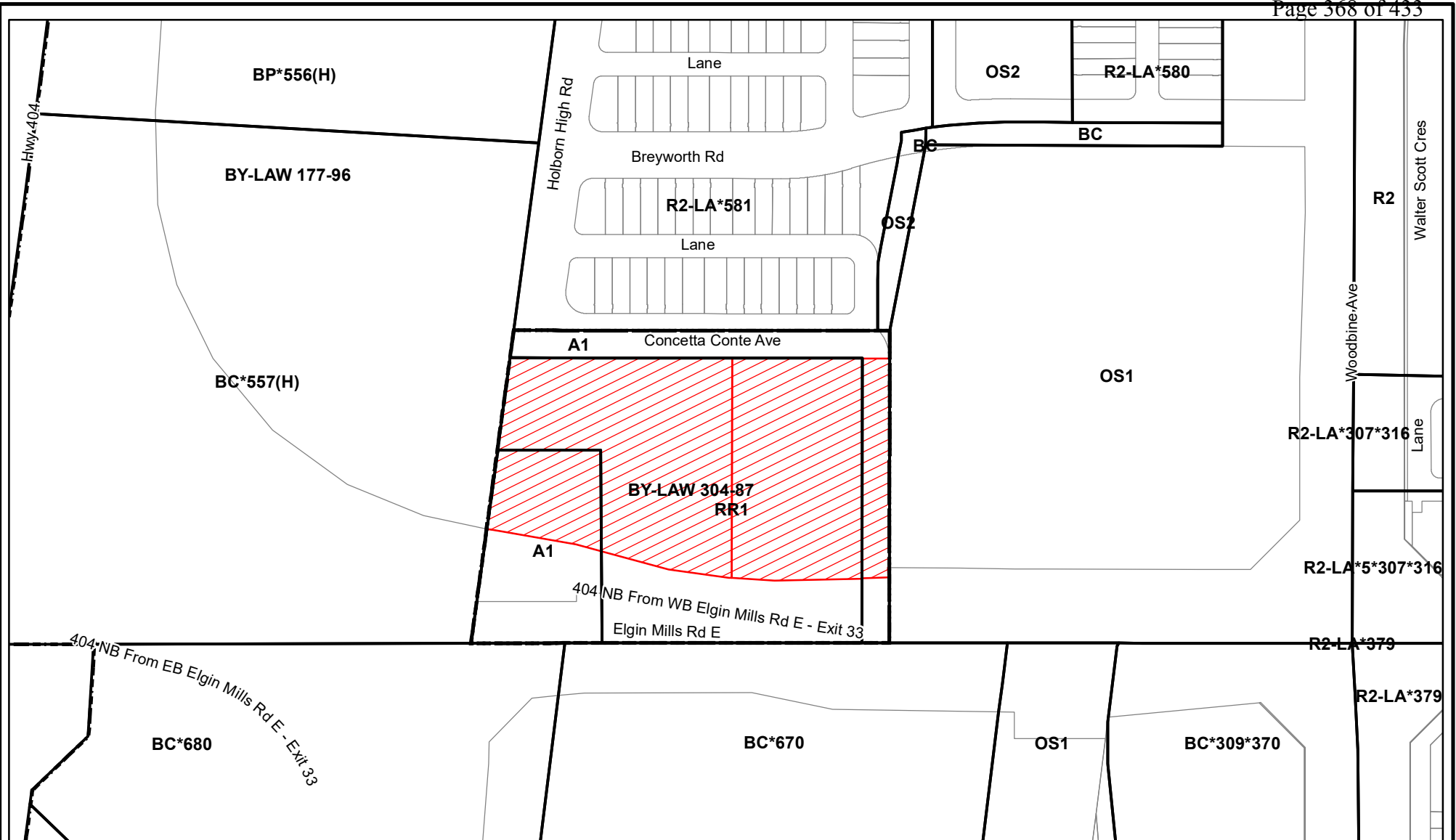
404 NB From WB Elgin Mills Rd E - Exit 33



SUBJECT LANDS



**SUBJECT LANDS**



# AREA CONTEXT / ZONING

APPLICANT: KLM Planning Partners Inc.  
2716-2730 Elgin Mills Road East

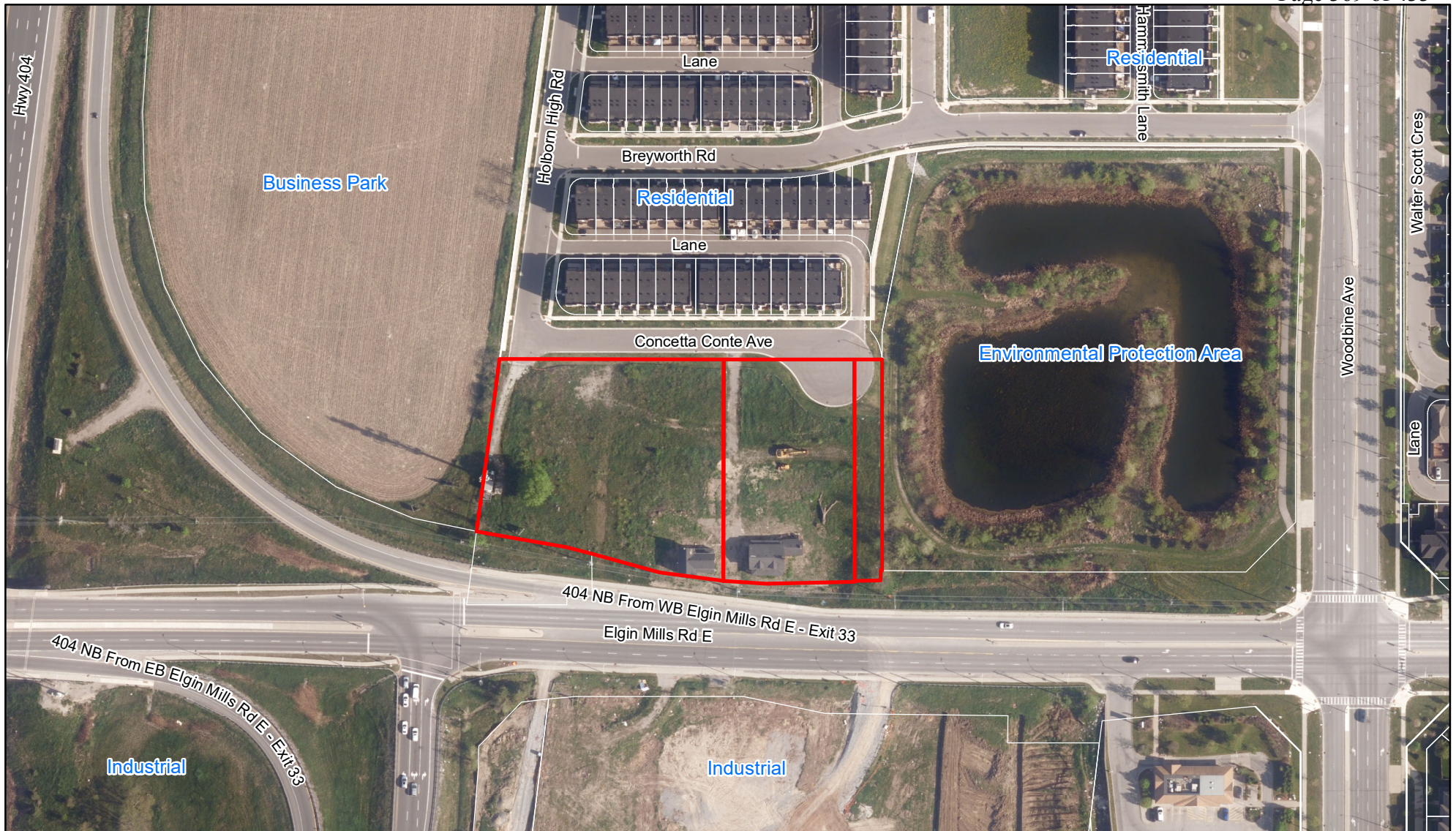
FILE No. PLAN 23 150145 & PLAN 23 150156

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 **SUBJECT LANDS**







# AERIAL PHOTO (2023)

APPLICANT: KLM Planning Partners Inc.  
2716-2730 Elgin Mills Road East

FILE No. PLAN 23 150145 & PLAN 23 150156

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 **SUBJECT LANDS**



FIGURE No. 4



TYPICAL FRONT ELEVATION



TYPICAL REAR ELEVATION

# CONCEPTUAL ELEVATIONS - FRONT AND REAR

APPLICANT: KLM Planning Partners Inc.  
2716-2730 Elgin Mills Road East

FILE No. PLAN 23 150145 & PLAN 23 150156

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TYPICAL CORNER ELEVATION



TYPICAL INTERIOR SIDE ELEVATION

# CONCEPTUAL ELEVATIONS - END AND CORNER

APPLICANT: KLM Planning Partners Inc.  
2716-2730 Elgin Mills Road East

FILE No. PLAN 23 150145 & PLAN 23 150156

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**CITY OF MARKHAM**

**OFFICIAL PLAN AMENDMENT NO. XXX**

To amend the City of Markham Official Plan 2014, as amended.

***(1628740 and 1628741 Ontario Inc., 2716-2730 Elgin Mills Road East)***

DRAFT

**May 2024**

**CITY OF MARKHAM**

**OFFICIAL PLAN AMENDMENT NO. XXX**

To amend the City of Markham Official Plan 2014, as amended.

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. 2024-XX in accordance with the *Planning Act*, R.S.O., 1990 c. P.13, as amended, on the 1<sup>st</sup> day of May 2024.

---

Kimberley Kitteringham  
City Clerk  
(Signed)

---

Frank Scarpitti  
Mayor



## By-law 2024-XX

Being a by-law to adopt Amendment No. XXX  
to the City of Markham Official Plan 2014, as amended.

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THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF THE *PLANNING ACT*, R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX to the City of Markham Official Plan 2014, as amended, attached hereto, is hereby adopted.
2. THAT this By-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 1<sup>st</sup> DAY OF MAY 2024.

---

Kimberley Kitteringham  
City Clerk  
(Signed)

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Frank Scarpitti  
Mayor

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3.0 PURPOSE ..... 6

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2.0 IMPLEMENTATION AND INTERPRETATION..... 9

SCHEDULES “A” and “B”

DRAFT

**PART I – INTRODUCTION**

(This is not an operative part of the Official Plan Amendment No. XXX)

## **PART I – INTRODUCTION**

### **1.0 GENERAL**

- 1.1. PART I – INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.
- 1.2. PART II – THE OFFICIAL PLAN AMENDMENT, including Schedules “A” and “B”, attached thereto, constitutes Official Plan Amendment No. XXX to the City of Markham Official Plan, 2014, as amended. Part II is an operative part of this Official Plan Amendment.

### **2.0 LOCATION**

The Amendment applies to 1.074 hectares (2.654 acres) of land municipally known as 2716 and 2730 Elgin Mills Road East (the “Subject Lands”). The Subject Lands are located north of Elgin Mills Road East, between Highway 404 and Woodbine Avenue.

### **3.0 PURPOSE**

The purpose of this Official Plan Amendment is to re-designate the Subject Lands from ‘Service Employment’ to ‘Residential Low Rise’ to provide for a residential development comprised of townhouse dwellings and the relocation and conservation of two (2) existing single detached heritage dwellings.

### **4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT**

The Subject Lands are designated ‘Service Employment’ in the City of Markham Official Plan, 2014, as amended. The ‘Service Employment’ designation is intended to accommodate uses that serve and support other business uses and employees, and may also serve the general public. The designation permits a range of uses that include but are not limited to service, office, financial institution, manufacturing, processing, warehousing, accessory retail, and commercial school uses.

This Amendment seeks to re-designate the Subject Lands from ‘Service Employment’ to ‘Residential Low Rise’ to facilitate the development of a residential subdivision (“Proposed Development”). The Subject Lands were the subject of a site-specific employment area conversion request to the Region of York under the 2041 Regional Municipal Comprehensive Review (“MCR”) in 2020. In October of 2020, Region of York Council deferred the site-specific employment conversion request for later consideration by Local Municipal Council. In 2021, Markham Council, at the recommendation of Development Services Committee, supported the request to convert the Subject Lands from employment area to non-employment area uses.

The Proposed Development is consistent with the Provincial Policy Statement, 2020 (the “2020 PPS”) as it promotes the efficient uses of land, resources, and infrastructure by providing a mix of uses, while supporting active transportation and transit.

The Proposed Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2019 (the “Growth Plan”) as it contributes to a broader range and mix of housing types, and supports the achievement of a compact complete community.

The Proposed Development also conforms to the York Region Official Plan, 2022 (“York Region Official Plan”). The Subject Lands are designated ‘Community Area’ in the YROP which is intended to accommodate the majority of housing, personal services, retail, institutional, cultural and recreational services. The Proposed Development provides for an appropriate range and mix of housing types.

The Proposed Development is appropriate and represents good planning as it supports Provincial, Regional, and Local planning policy by contributing a range and mix of housing types and promoting the use of active transportation and transit.

DRAFT

**PART II – THE OFFICIAL PLAN AMENDMENT**  
(This is an operative part of Official Plan Amendment No. XXX)



## **PART II – THE OFFICIAL PLAN AMENDMENT**

### **1.0 THE OFFICIAL PLAN AMENDMENT**

**1.1** The following maps of Part I of the City of Markham Official Plan, 2014, as amended, are hereby amended as follows:

- a) Map 1 – Markham Structure is amended by modifying the boundaries of the ‘Neighbourhood Area’ and ‘Employment Area (including Commercial Lands)’ designations as shown on Schedule “A” attached hereto.
- b) Map 3 – Land Use is amended by re-designating the ‘Service Employment’ lands to ‘Residential Low Rise’ as shown on Schedule “B” attached hereto.

### **2.0 IMPLEMENTATION AND INTERPRETATION**

The provisions of the City of Markham Official Plan, 2014, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

The Official Plan Amendment shall be implemented by amendment to the Zoning By-law, Draft Plan of Subdivision, Site Plan Approval and other Planning Act approvals, in conformity with the provisions of this Amendment.

This Amendment to the City of Markham Official Plan, 2014, as amended, is exempt from approval by the Region of York. Following adoption, notice of Council’s decision will be given in accordance with the Planning Act, and the decision of Council is final if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council’s decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. The notice provisions of Section 10.7.5 of the 2014 Markham Official Plan, as amended, shall apply.



**BY-LAW 2024-\_\_\_\_\_**  
**A By-law to amend By-law 177-96, as amended**

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

- 1. That By-law 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 lands outlines on Schedule “A” attached hereto:

From:  
**Agriculture One (A1) Zone**  
**Rural Residential One (RR1) Zone**

To:  
**Residential Two\*753 (R2\*753) Zone**  
**Residential Two\*754 (R2\*754) Zone**  
**Residential Two\*755 (R2\*755) Zone**  
**Residential Two\*755 (R2\*756) Zone**

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

Exception 7.753	1628740 and 1628741 Ontario Inc. 2716-2730 Elgin Mills Road East LOT 1	Parent Zone R2
File PLAN 23 150145		Amending By-law 2024-____
Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the lands shown on ‘Schedule “A” attached to By-law 2024-000 and denoted by the symbol *753		
7.753.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Single Detached Dwellings	
b)	Home Occupations	
c)	Home Childcare	
7.753.2 Special Zone Standards		
The following specific zone standards shall apply:		
a)	The provisions of Table B2 (Part 1 of 3) shall apply to all lots	
b)	Minimum required Front Yard – 3.0 metres	
c)	Minimum required Exterior Side Yard – 1.0 metre	
d)	Section 6.2.2 shall not apply	

Exception 7.754	1628740 and 1628741 Ontario Inc. 2716-2730 Elgin Mills Road East Lot 2	Parent Zone R2
File PLAN 23 150145		Amending By-law 2024-____
Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the lands shown on ‘Schedule “A” attached to By-law 2024-000 and denoted by the symbol *754.		
7.754.1 Only Permitted Uses		
The following are the only permitted uses:		

a)	<i>Single Detached Dwellings</i>
b)	<i>Home Occupations</i>
c)	<i>Home Childcare</i>
<b>7.754.2 Special Zone Standards</b>	
The following specific zone standards shall apply:	
a)	The provisions of Table B2 (Part 1 of 3) shall apply to all lots
b)	Minimum required <i>Front Yard</i> – 1.0 metre
c)	Minimum required <i>Rear Yard</i> – 7.0 metres
d)	Section 6.2.2 shall not apply

Exception 7.755	1628740 and 1628741 Ontario Inc. 2716-2730 Elgin Mills Road East	Parent Zone R2
File PLAN 23 150145		Amending By-law 2024-____
Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the lands shown on ‘Schedule “A” attached to By-law 2024-000 and denoted by the symbol *755.		
7.755.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Semi-Detached Dwellings	
b)	Home Occupations	
c)	Home Childcare	
7.755.2 Special Zone Standards		
The following specific zone standards shall apply:		
a)	The provisions of Table B2 (Part 1 of 3) shall apply to all lots	
b)	Minimum required Rear Yard – 5.0 metres	
c)	Notwithstanding Section 6.2 b): i. The floor of a deck is permitted to be located above the first storey.	

<b>Exception</b> 7.756	1628740 and 1628741 Ontario Inc. <b>2716-2730 Elgin Mills Road East</b>	<b>Parent Zone</b> R2
File PLAN 23 150145		Amending By-law 2024-____
Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the lands shown on ‘Schedule “A” attached to By-law 2024-000 and denoted by the symbol *XXX.		
<b>7.756.1 Only Permitted Uses</b>		
The following are the only permitted uses:		
a)	<i>Townhouse Dwellings</i>	
b)	<i>Home Occupations</i>	
c)	<i>Home Childcare</i>	
<b>7.756.2 Special Zone Standards</b>		
The following specific zone standards shall apply:		
a)	The provisions of Table B2 (Part 1 of 3) shall apply to all lots	
b)	Minimum required <i>Lot Frontage</i> : i. 7.5 metres on a <i>corner lot</i> ii. 6.7 metres per end unit on an <i>interior lot</i> iii. 5.5 metres per unit on an <i>interior lot</i>	
c)	Minimum required <i>Rear Yard</i> – 5.0 metres	
d)	Maximum <i>height</i> – 13.0 metres	
e)	Notwithstanding Section 6.2 b): i. The floor of the <i>deck</i> is permitted to be located above the <i>first storey</i> .	

By-law 2024-\_\_\_\_  
Page 3

Read and first, second and third time and passed on \_\_\_\_\_, 2024.

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk

\_\_\_\_\_  
Frank Scarpitti  
Mayor

Amanda File No. PLAN 23 150145



**EXPLANATORY NOTE**

**BY-LAW 2024-\_\_\_\_**  
**A By-law to amend By-law 177-96, as amended**

**1628740 and 1628741 Ontario Inc.**  
**2716-2730 Elgin Mills Road East**  
**PLAN 23 150145**

**Lands Affected**

The proposed By-law amendment applies to a parcel of land with an approximate area of 1.074 hectares (2.65 acres), which is located north of Elgin Mills Road East and west of Woodbine Avenue.

**Existing Zoning**

The subject lands are zoned Agriculture One (A1) Zone and Rural Residential One (RR1) Zone under By-law 177-96, 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:
  - Agriculture One (A1) Zone**
  - Rural Residential One (RR1) Zone**
- to:
  - Residential Two\*753 (R2\*753) Zone**
  - Residential Two\*754 (R2\*754) Zone**
  - Residential Two\*755 (R2\*755) Zone**
  - Residential Two\*755 (R2\*756) Zone**

in order to permit a residential development on the lands.



Report to: Development Services Committee

Meeting Date: April 23, 2024

**SUBJECT:** RECOMMENDATION REPORT, Application for Draft Plan of Subdivision by TH (Warden) Developments (BT) Inc. to facilitate the development of 137 lane-based townhouses, 136 back-to-back townhouses, mixed use blocks, a 2 ha dual use park/stormwater management block, a secondary school block, and the supporting road/lane network at 10506 and 10508 Warden Avenue (Ward 2)  
File PLAN 22 265291

**PREPARED BY:** Hailey Miller, Planner II, West District, Ext. 2945

**REVIEWED BY:** Daniel Brutto, MCIP, RPP, Acting Manager, West District, Ext. 2468  
Stephen Lue, MCIP, RPP, Senior Development Manager, Ext. 2520

#### **RECOMMENDATION:**

1. THAT the report titled, “RECOMMENDATION REPORT, Application for Draft Plan of Subdivision by TH (Warden) Developments (BT) Inc. to facilitate the development of 137 lane-based townhouses, 136 back-to-back townhouses, mixed use blocks, a 2 ha dual use park/stormwater management block, a secondary school block, and the supporting road/lane network at 10506 and 10508 Warden Avenue (Ward 2), File PLAN 22 265291”, be received;
2. THAT the Draft Plan of Subdivision 19TM-22021 be approved in principle, subject to the conditions set out in Appendix ‘A’ of this report and be brought forward to a future Council meeting once all outstanding matters have been resolved to the satisfaction of the Director, Planning and Urban Design;
3. THAT the Director of Planning and Urban Design, or designate, be delegated authority to issue Draft Plan Approval, subject to the conditions set out in Appendix ‘A’, as may be amended by the Director of Planning and Urban Design, or designate;
4. THAT Draft Plan Approval for Draft Plan of Subdivision 19TM-22021 will lapse after a period of three (3) years from the date of Council approval in the event that a Subdivision Agreement is not executed within that period;
5. THAT servicing allocation for 1,443 units be assigned to Draft Plan of Subdivision 19TM-22021;
6. THAT the servicing allocation will be revoked or reallocated after a period of three (3) years from the date of Council approval should the development not proceed in a timely manner;
7. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

#### **EXECUTIVE SUMMARY:**

The Draft Plan of Subdivision application (the “Application”) facilitates the creation of approximately 273 back-to-back and lane-based townhouse units; blocks for future mixed use multi-storey development (1,170 units estimated), a 2 ha dual use park/stormwater management (“SWM”) block, a secondary school block, and the supporting road/lane network (the “Proposed Development”) at 10506 and 10508 Warden Avenue (the “Subject Lands”).

In November 2022, the 2022 York Region Official Plan (“2022 ROP”) was approved by the Minister of Municipal Affairs and Housing. It included a site-specific policy for the Subject Lands that permitted additional uses, height, and density beyond what the Berczy Glen Secondary Plan contemplated (the “Site-Specific Policy”). Following approval of the 2022 ROP, the City received applications for Official Plan and Zoning By-law Amendment, with a concurrent Draft Plan of Subdivision, on the Subject Lands that sought to implement the Site-Specific Policy.

During the Application review process, the Ministry of Municipal Affairs and Housing (“MMAH”) announced its intention to reverse recent official plan decisions for various municipalities through the introduction of Bill 150, which among other matters, proposed to delete the Site-Specific Policy. The Minister requested comments from the City on Bill 150. On December 5, 2023, the City provided comments that requested the Site-Specific Policy be maintained with reduced density and height permissions. As a result, on December 13, 2023, Council endorsed, in principle, the associated Official Plan and Zoning By-law amendment applications, subject to bringing the final instruments forward to a future Council Meeting. Among other matters, land use, density, and building height permissions were endorsed on the Subject Lands, consistent with the City’s comments on Bill 150. Once the implementing instruments are approved by Council, Staff will bring forward the draft plan conditions to a future Council Meeting, provided all outstanding matters have been resolved to Staff’s satisfaction.

In December 2023, Bill 150 was enacted and became known as the *Official Plan Adjustments Act*. It failed to reflect the City’s proposed modifications to the Site-Specific Policy. In February 2024, the Province introduced Bill 162, the *Get It Done Act*, which among other matters, proposed amendments to the *Official Plan Adjustments Act*. The City reaffirmed its position on the Site-Specific Policy at the March 19, 2024, General Committee when a staff report was brought forward on Bill 162. While Bill 162 is currently at second reading and has not yet received Royal Assent, the City’s requested modification to the 2022 ROP’s site specific policy is not required for the Proposed Development to conform to the 2022 ROP.

Staff recommend that the Draft Plan of Subdivision be approved in principle, subject to the conditions set out in Appendix ‘A’ of this report and be brought forward to a future Council meeting once all outstanding matters have been resolved to Staff’s satisfaction.

**PURPOSE:**

This report recommends approval of the Draft Plan of Subdivision application, submitted by TH (Warden) Developments (BT) Inc. (the “Owner”) to facilitate the Proposed Development on the Subject Lands.

**Process to Date**

- Staff deemed the Application complete on January 27, 2023
- Heritage Markham Committee reviewed the Application on March 8, 2023
- The statutory Public Meeting was held on May 9, 2023
- The associated Official Plan and Zoning By-law Amendment applications were endorsed in principle by Council on December 13, 2023

The 120-day period set out in the *Planning Act* before the Owner can appeal the Application to the Ontario Land Tribunal (the “OLT”) for a non-decision ended on May 27, 2023. Accordingly, the Owner is able to appeal the Application to the OLT.

***If the Development Services Committee (“DSC”) approves the Application, then the planning process will include the following next steps***

- The Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision conditions will be finalized and brought forward to a future Council meeting
- The Owner would be required to clear the finalized conditions of Draft Plan of Subdivision, enter into a Subdivision Agreement with the City, and register the Draft Plan of Subdivision
- The review of future applications for Site Plan and Draft Plan of Condominium, where required

**BACKGROUND:**

***The 20.22 ha (49.96 ac) Subject Lands are located within the Berczy Glen Secondary Plan Area***

Figure 1 shows the Subject Lands located in the Berczy Glen Secondary Plan Area (the “Secondary Plan Area”). The Subject Lands contain rural residential uses and the “Trudgeon House”, which is listed under the *Ontario Heritage Act*, as shown on Figure 2. Figure 3 shows the surrounding land uses, which is predominantly under construction.

***The Owner submitted the Application to facilitate the Proposed Development as shown in Table 1***

**Table 1: Original and Current Proposal - Development Blocks**

	<b>Original Proposal (see Figure 4)</b>	<b>Current Proposal (see Figure 5)</b>
<b>Building Heights</b>	<ul style="list-style-type: none"> <li>• Townhouses (rear-lane and back-to-back): 12.5 m or three-storeys</li> <li>• Medium Density Block (Block 35): up to six-storeys</li> <li>• High Density Blocks (Block 36 and 37): up to 25-storeys</li> </ul>	<ul style="list-style-type: none"> <li>• Townhouses (rear-lane and back-to-back): 13.5 m or three-storeys</li> <li>• Medium Density Block (Block 36): up to six-storeys</li> <li>• High Density Block (Block 37): up to 19-storeys</li> <li>• Medium Density Block (Block 38): up to eight-storeys</li> </ul>
<b>Units</b>	<ul style="list-style-type: none"> <li>• <b>Total: 2,026 to 2,426 units</b></li> <li>• 140 rear-lane townhouses</li> <li>• 136 back-to-back townhouses</li> <li>• 200 to 250 units (Block 35)</li> <li>• 850 to 1000 units (Block 36)</li> <li>• 700 to 900 units (Block 37)</li> </ul>	<b>Total: 1,443</b> <ul style="list-style-type: none"> <li>• 137 rear-lane townhouses</li> <li>• 136 back-to-back townhouses</li> <li>• 210 estimated units (Block 36)</li> <li>• 800 estimated units (Block 37)</li> <li>• 160 estimated units (Block 38)</li> </ul>
<b>Park</b>	<b>Total: 1.51 ha (3.73 ac)</b> <ul style="list-style-type: none"> <li>• Park: 0.71 ha (1.75 ac)</li> <li>• Dual Use Park/ SWM Facility: 0.80 ha (1.98 ac)</li> </ul>	<b>Total: 2 ha (4.94 ac)</b> <ul style="list-style-type: none"> <li>• Park: 1.13 ha (2.79 ac)</li> <li>• Dual Use Park/SWM Facility: 0.87 ha (2.15 ac)</li> </ul>
<b>Public Secondary School*</b>	3.4 ha (8.4 ac) * Block 32 represents a portion of a public secondary school site that is anticipated to be combined with the abutting block to the west on draft approved Plan of Subdivision 19TM-18004 (Mattamy) to form a complete school site.	3.4 ha (8.4 ac) <ul style="list-style-type: none"> <li>• Block 33</li> </ul>



Key changes made to the Proposed Development during the review process include the following:

- Reduced overall site density from a minimum of 100 units per ha (“UPH”) to a maximum of 71 UPH that resulted in a decrease of 983 units from 2,426 to 1,443 units
- Block 37 maximum building height has been reduced from 25 storeys to 19-storeys
- Block 38 maximum building height on Block 38 has been reduced from 25-storeys to eight-storeys
- Block 34 (Park) has increased in size from 0.71 ha (1.75 ac) to 1.13 ha (2.79 ac)
- Block 35 (Park/SWM Facility) has increased in size from 0.8 ha (1.97 ac) to 0.87 ha (2.15 ac)

***The City and Owner requested the Minister maintain and amend the Site-Specific Policy in the 2022 ROP to reflect the revised development, as shown in Figure 5***

The 2022 ROP includes policies that guide land-use planning consistent with the requirements of the Growth Plan 2020 to encourage high quality urban design, attractive buildings, landscape, and public streetscapes. It designates the Subject Lands ‘Urban Area’ on Map 1 - Regional Structure, which permits a wide range of land uses including residential, commercial, employment, and institutional. Map 1A – Land Use Designations designates the Subject Lands ‘Community Area’ where the majority of residents, personal services, retail, arts, culture, recreational facilities and human-services needs would be located.

On November 4, 2022, the Minister of MMAH amended the 2022 ROP as part of its approval to include the following Site-Specific Policy respecting the Subject Lands:

*“4.2.31 Special provisions for lands within the property known municipally as 10506 Warden Avenue and 10508 Warden Avenue in the City of Markham (PIN 030531745). Notwithstanding any other policies in this Plan to the contrary, the minimum density target to be achieved is 100 units per hectare across the whole of the lands and building heights up to 25 storeys for any high density residential built form on the site. Permitted uses shall include, but not be limited to, long-term care facility, retirement and senior’s residence together with healthcare clinics, low, medium, and high density housing in a variety of built-forms, schools and a dual-use parkland/stormwater management facility.”*

The following summarizes the events that occurred since the inclusion of the Site-Specific Policy:

- **October 23, 2023:** the MMAH announced its intention to reverse recent official plan decisions for various municipalities through legislation
- **November 2, 2023:** the Minister requested comments from the City on the provincial modifications to the 2022 ROP
- **November 16, 2023:** the Province introduced Bill 150, the *Get It Done Act*, which, among other matters, proposed to delete the 2022 ROP Site-Specific Policy applicable to the Subject Lands
- **December 5, 2023:** the City provided comments on the Bill 150 proposed changes and requested that the provincial site-specific modification be maintained, but amended to reduce the density from “a minimum of 100 units per hectare” to “a maximum of 71 units per hectare” and height from “25-storeys” to “19-storeys” on the high density block, consistent with the Proposed Development
- **December 2023:** Bill 150, the *Official Plan Adjustments Act*, was enacted, but failed to reflect the City’s proposed modifications to the Site-Specific Policy
- **February 2024:** the Province introduced Bill 162, the *Get It Done Act*, which among other matters, proposed amendments to the *Official Plan Adjustments Act*.

- **March 19, 2024:** the City reaffirmed its position on the Site-Specific Policy at General Committee on when a staff report was brought forward on Bill 162. While Bill 162 is currently at second reading and has not yet received Royal Assent, the City's requested modification to the 2022 ROP's site specific policy is not required for the Proposed Development to conform to the 2022 ROP.

***On December 13, 2023, Council endorsed, in principle, the associated Official Plan Amendment and Zoning By-law Amendment applications***

Among other matters, land use, overall density and maximum building height permissions were endorsed by Council based on the comments the City provided the MMAH regarding Bill 150. Since this time, Staff have been working with the Owner to finalize the implementing instruments (i.e., Official Plan Amendment and Zoning By-law Amendment). Once the implementing instruments are approved by Council, Staff will bring forward the draft plan conditions to a future Council Meeting, provided all outstanding matters have been resolved to Staff's satisfaction.

**DISCUSSION:**

All the matters raised by the Public and the DSC members have been addressed through Staff's Recommendation Report on the associated Official Plan and Zoning By-law Amendment applications presented to the DSC on December 12, 2023. The following matters discussed are those directly related to the Draft Plan of Subdivision.

***A: The Secondary School block is acceptable to the York Region District School Board ("YRDSB")***

Block 33 represents a portion of a public secondary school site that is to be combined with the abutting block to the west on draft approved Plan of Subdivision 19TM-18004 (Mattamy) to form a complete school site. The YRDSB requested the City consider an increase in the building height permissions on the school block from three to four storeys. Staff have no concerns about the request and the requisite permissions will be included in the Official Plan Amendment and Zoning By-law Amendment.

***B: The cultural heritage resource has been appropriately addressed***

Heritage Markham Committee considered the demolition permit application for the Trudgeon House and its associated structures on March 8, 2023, which the Committee recommended is not a significant cultural resource and, therefore, had no objections to the demolition subject to the existing buildings on site being advertised for relocation or salvage by others. Council supported this position on April 5, 2023.

***D: The Community Energy Plan (the "CEP"), and its sustainability initiatives, is a living document and will be updated as needed over time***

The CEP will identify and advance sustainable development practices as they relate to energy use and generation within the Secondary Plan Area. Staff incorporated a draft plan condition requiring the Owner to agree to the mandatory measures of the CEP, such as high energy efficiency building design. The Owner is expected to conduct a demonstration pilot of new energy conservation and low carbon emissions technologies that may inform decisions to be adopted in new buildings. Additionally, the Owner must implement the mandatory requirements of the CEP, which include the following:

- a) High energy efficiency building design, including:
- b) A minimum of R60 in the attic/roof insulation
- c) R10 underslab insulation
- d) Triple pane windows or equivalent high performance double pane (U-value 1.4 or lower)
- e) Electric Vehicle wiring in all garages
- f) Implementation of the Solar Strategy outlined in the CEP

g) Smart thermostats and in-home energy displays

***E. Berczy Glen Developers Group (the “Developers Group”) obligations must be met***

The Secondary Plan integrates the locations of public infrastructure (roads, stormwater management facilities) and the provisions of other community facilities (parks, schools, roads, road improvements, servicing), regardless of property boundaries. To ensure all affected property owners contribute equitably towards the public infrastructure and provisions of other community facilities, a draft plan condition requiring all Owners in the Secondary Plan Area to enter into the Developers Group Agreement has been incorporated into the conditions (See Appendix A).

**CONCLUSION:**

Council endorsed, in principle, the associated Official Plan and Zoning By-law amendment applications on December 13, 2023. Among other matters, land use, overall density and building height permissions were endorsed by Council based on the comments the City provided to the MMAH regarding Bill 150. Although Bill 150 (*Official Plan Adjustments Act*) failed to reflect the City’s proposed modifications to the Site-Specific Policy in the 2022 ROP, in February 2024, the Province introduced Bill 162 (*Get it Done Act*), which among other matters, proposed amendments to Bill 150. The City reaffirmed its position on the Site-Specific Policy at General Committee on March 19, 2024, when a staff report was brought forward on Bill 162. While Bill 162 is currently at second reading and has not yet received Royal Assent, the City’s requested modification to the 2022 ROP’s site specific policy is not required for the Proposed Development to conform to the 2022 ROP.

Based on the matters discussed above, Staff recommend that the Draft Plan of Subdivision be approved in principle, subject to the conditions set out in Appendix ‘A’ of this report and be brought forward to a future Council meeting once all outstanding matters have been resolved to Staff’s satisfaction.

**FINANCIAL CONSIDERATIONS:**

Not applicable

**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The Application has been reviewed in the context of the City’s Strategic Priorities of Safe Sustainable and Complete Community.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The Application was circulated to internal City department and external agencies. Requirements of the City and external agencies have been reflected in the conditions of Draft Plan of Subdivision approval (See Appendix A: Conditions of Draft Plan of Subdivision Approval).

**RECOMMENDED BY:**

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Darryl Lyons, MCIP, RPP  
Deputy Director, Planning and Urban Design

---

Giulio Cescato, MCIP, RPP  
Director, Planning and Urban Design

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Arvin Prasad, MCIP, RPP  
Commissioner of Development Services

**FIGURES AND APPENDIX:**

Figure 1: Location Map

Figure 2: Area Context and Zoning

Figure 3: Aerial Photo (2023)

Figure 4: Original Draft Plan of Subdivision

Figure 5: Draft Plan of Subdivision

Figure 6: Berczy Glen Secondary Plan Extract - Detailed Land Use

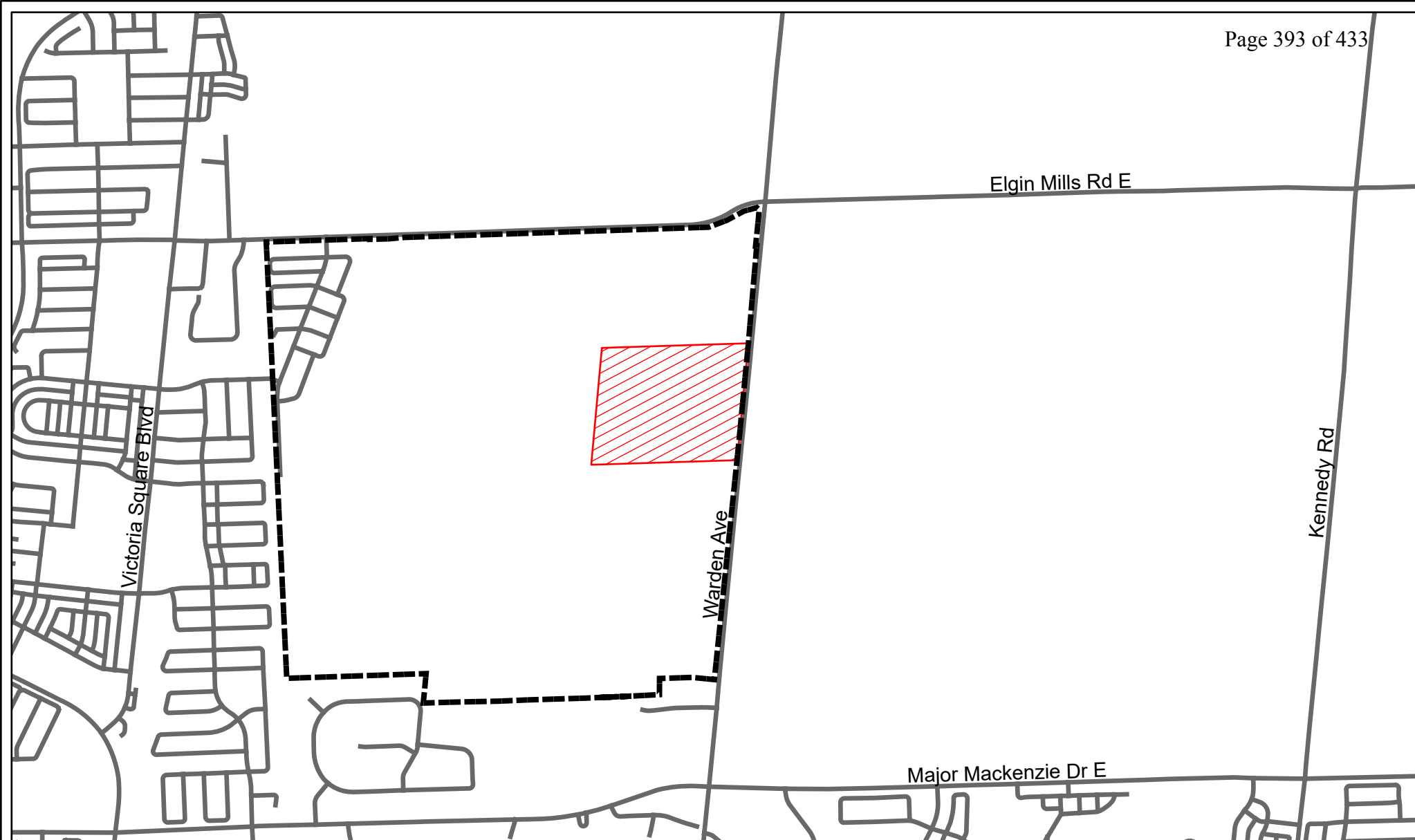
Appendix A: Conditions of Draft Plan of Subdivision Approval

**OWNER:**

TH (Warden) Developments (BT) Inc. C/O Matthew Creador  
1681 Langstaff Road, Vaughan, ON, L4K 5T3 | T: 416-987-5500

**APPLICANT/AGENT:**

Malone Given Parsons C/O Emily Grant,  
140 Renfrew Drive Suite 201, Markham, ON, L3R 6B3 | Email: [egrant@mgp.ca](mailto:egrant@mgp.ca) | T: 905-513-0170 ext. 145

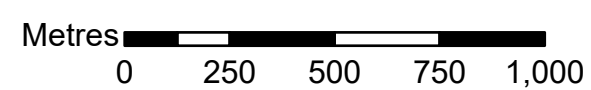


# Location Map


APPLICANT: TH (Warden) Developments (BT) Inc.  
 10506 & 10508 Warden Avenue, Markham  
 FILE No. PLAN 22 265291

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Drawn By: AM      Checked By: HM



 Subject Lands

 Boundary of Berczy Glen  
 Secondary Plan Area

Date: 12/7/2023



APPLICANT: TH (Warden) Developments (BT) Inc.  
10506 & 10508 Warden Avenue FILE No. PLAN 22 265291

**MARKHAM** DEVELOPMENT SERVICES COMMISSION

Checked By: HM

FIGURE No. 3

 SUBJECT LANDS





# AERIAL PHOTO (2023)

APPLICANT: TH (Warden) Developments (BT) Inc.  
10506 & 10508 Warden Avenue FILE No. PLAN 22 265291

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 SUBJECT LANDS





Part of Lot 24,  
Concession 4  
City of Markham  
Regional Municipality of York

#### KEY PLAN



SUBJECT PROPERTY

#### SCHEDULE OF LAND USE

LOT/BLOCK/LANDUSE	UNITS	AREA (ha)
1-12 Min. 1.7m x 14.5m Back to Back Townhouses B	136	1.54
13-31 Min. 1.5m x 23.5m Rear Lane Townhouses D	140	1.68
32 Secondary School	0	3.40
33 Park		0.71
34 Park / Storm Water Management Facility		0.80
35 Medium Density Residential	200-250	2.10
36 High Density Residential	850-1000	1.82
37 Pot. L.C. High Dens. / C. Reservoir Services/ Clinic	700-800	2.08
38 Future Development		0.63
39 Flood Mitigation		0.54
40-49 0.3m Reserves		0.62
47 Walkway		0.31
Street 1 (D) 10.5m Right of Way - 480m		1.48
Street 2 (C) 24.5m Right of Way - 275m		0.64
Street 3 (A) 16.5m Right of Way - 1,418m		2.65
Lane A-D 8.5m Right of Way - 396m		0.35
<b>TOTAL</b>	<b>2,004-2,428</b>	<b>26.22</b>

#### OWNER'S AUTHORIZATION

I hereby authorize Malone Given Parsons Ltd. to prepare and submit this Draft Plan of Subdivision to the City of Markham.

TH (WARDEN) DEVELOPMENTS (BT) INC.  
Date

November 30, 2022

#### SURVEYOR'S CERTIFICATE

I hereby certify that the boundaries of the lands to be subdivided as shown on this Plan and their relationship to the adjacent lands are accurately and correctly shown.

S. GOONWARDENA, O.L.S.  
R.P.E. SURVEYING LTD.  
Date

November 30, 2022

#### ADDITIONAL INFORMATION

AS REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT, CHAPTER P.13 (R.S.O. 1990).

- (a), (e), (f), (g), (j), (l) - As shown on the Draft Plan.
- (b), (c) - As shown on the Draft and Key Plan.
- (d) - Land to be used in accordance with the Schedule of Land Use.
- (i) - Soil is silt and clay loam.
- (h), (k) - Full municipal services to be provided.

#### Prepared For:

TH (WARDEN) DEVELOPMENTS (BT) INC.

MGP File No: 21-3079  
Date: November 30, 2022



Date	Revised	By

Date: 11/29/2023

FIGURE No. 4

# ORIGINAL DRAFT PLAN OF SUBDIVISION

APPLICANT: TH (Warden) Developments (BT) Inc.

10506 & 10508 Warden Avenue, Markham

FILE No. PLAN 22 265291

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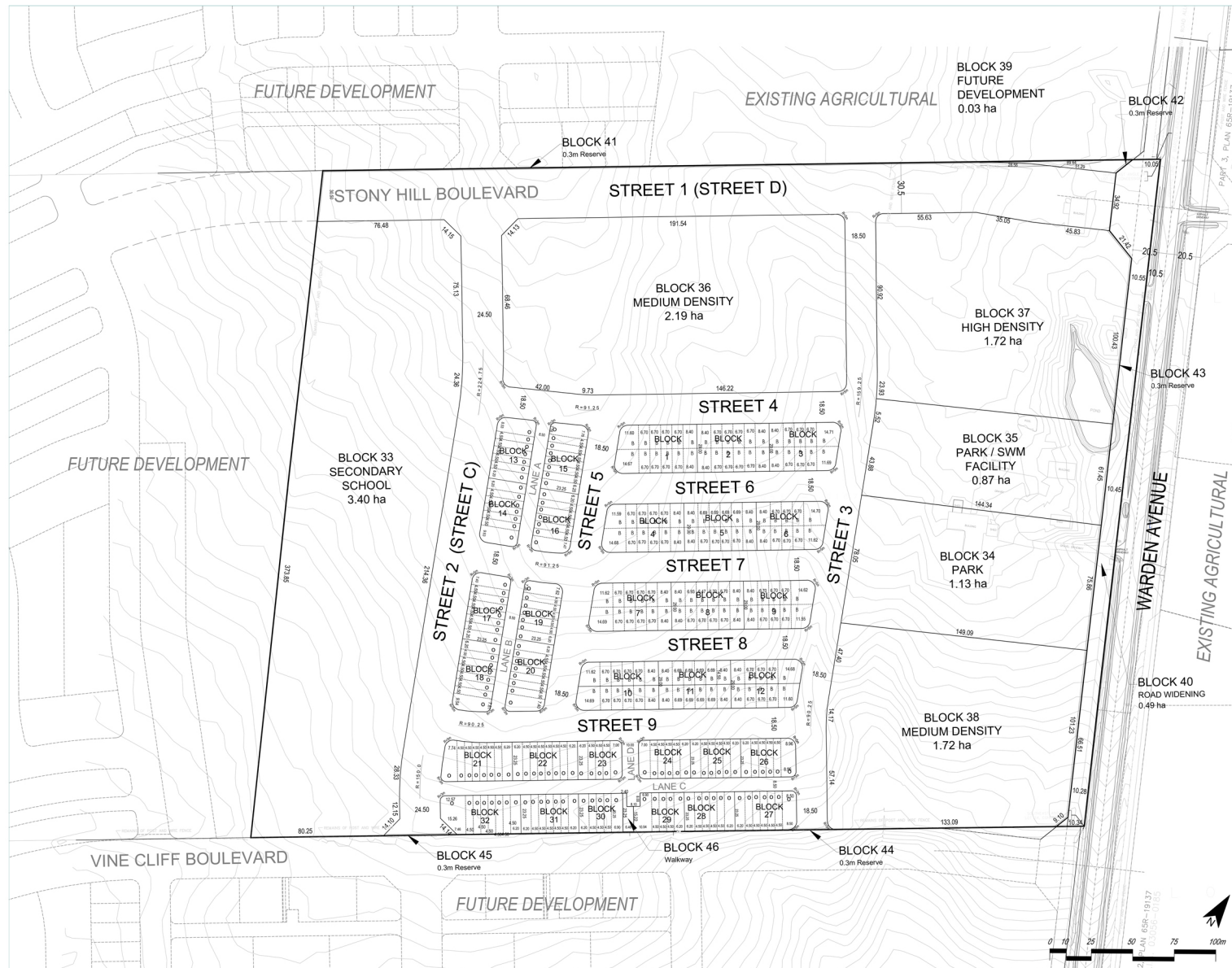
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Checked By: HM



DEVELOPMENT SERVICES COMMISSION





# DRAFT PLAN OF SUBDIVISION

APPLICANT: TH (Warden) Developments (BT) Inc.  
10506 & 10508 Warden Avenue, Markham  
FILE No. PLAN 22 265291

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Checked By: HM

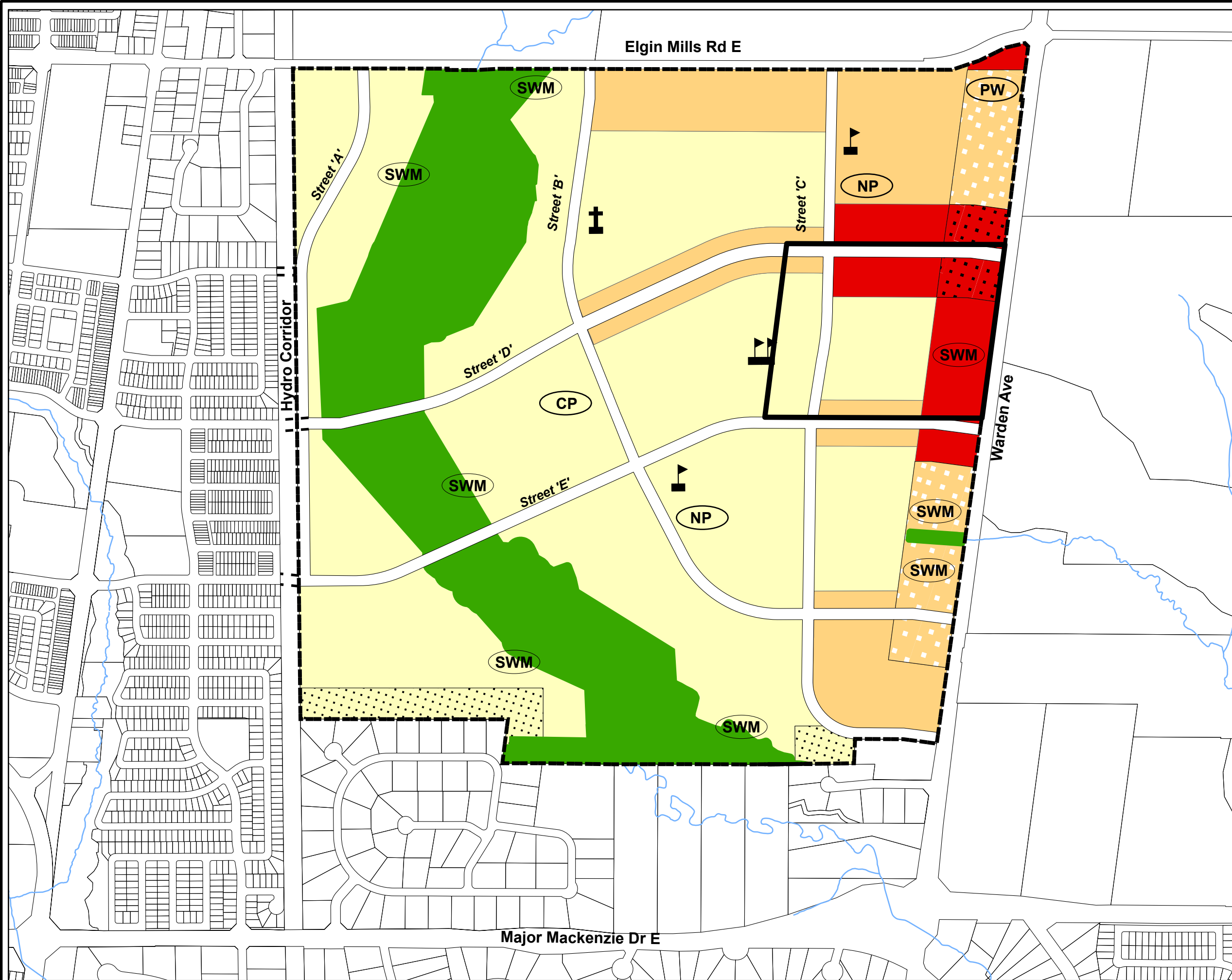


DEVELOPMENT SERVICES COMMISSION

DATE: 4/10/2024

FIGURE No. 5

**FIGURE 6:**  
**BERCZY GLEN SECONDARY**  
**PLAN EXTRACT - DETAILED**  
**LAND USE**



Boundary of Secondary Plan Area  
 Subject Lands

**RESIDENTIAL**

- Residential Low Rise
- See Section 8.2.1.6
- Residential Mid Rise I
- Residential Mid Rise II

**MIXED USE**

- Mixed Use Mid Rise
- See Section 8.3.1.6

**GREENWAY SYSTEM**

- Greenway

**PARKS AND OPEN SPACE**

- Community Park / Neighbourhood Park
- Stormwater Management Facility

**COMMUNITY INFRASTRUCTURE, SERVICE FACILITIES**

- Public Elementary School
- Public Secondary School
- Catholic Elementary School

**OTHER**

- Place of Worship

## **Appendix B: Conditions of Draft Plan of Subdivision Approval**

### **THE CONDITIONS OF THE CITY OF MARKHAM TO BE SATISFIED PRIOR TO RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19TM-22021 TH (WARDEN) DEVELOPMENTS (BT) INC. ARE AS FOLLOWS:**

#### **1.0 General**

- 1.1 Approval shall relate to a draft plan of subdivision prepared by Malone Given Parsons identified as MGP Project No. 21-3176, dated November 30, 2022, Last Revised February 8, 2024 subject to outstanding City comments being addressed. The draft plan may be further redlined revised, if necessary, in order to meet the City's requirements.
- 1.2 This draft approval shall apply for a maximum period of five (5) years from date of issuance by the City, and shall accordingly lapse on XXX, 2029 unless extended by the City upon application by the Owner.
- 1.3 The Owner acknowledges and understands that prior to final approval of this Plan of Subdivision, an amendment to the city's zoning by-laws to implement the plan shall have come into effect in accordance with the provisions of the Planning Act.
- 1.4 The Owner shall enter into a Subdivision Agreement with the City with terms and conditions satisfactory to the City of Markham.
- 1.5 The Owner agrees to obtain required approvals from York Region and any other applicable public agencies to the satisfaction of the Director of Engineering.
- 1.6 Prior to the earlier of the execution of a pre-servicing or subdivision agreement within 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 and infrastructure phasing plan, 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.
- 1.7 The Owner agrees to design the watermain system to service the development will have a minimum of two independent water supply points to provide for adequate system redundancy and looping for domestic and fire protection purposes, to the satisfaction of the Director of Engineering.
- 1.8 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.

- 1.9 The Owner agrees 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 as required by the City's By-law 2005-104, as amended.
- 1.10 The Owner shall agree in the Subdivision Agreement to pay to the City, all required fees, in accordance with the City's Fee By-Law 211-83, as amended by Council from time to time.
- 1.11 The Owner shall agree in the Subdivision Agreement or Pre-Servicing Agreement, whichever comes first, to submit financial security for 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.
- 1.12 The Owner shall agree in the Subdivision Agreement to enter into a construction agreement and/or an encroachment agreement and/or any other agreement deemed necessary to permit the construction of municipal services, roads, stormwater management facilities or any other services external to the draft Plan of Subdivision and that are required to service the proposed subdivision phase to the satisfaction of the Director of Engineering and the City Solicitor (the "External Works").
- 1.13 The Owner agrees to obtain a road occupancy permit if required and/or permission or license to enter, from the external landowners prior to commencing the External Works to the satisfaction of the Director of Engineering, Director of Operations and City Solicitor. The Owner shall further agree in the Subdivision Agreement to pay all costs associated with the construction of the External Works to the satisfaction of the Director of Engineering.

## **2.1 Transportation Engineering - Roads**

- 2.1 The road allowances within the Plan of Subdivision shall be named to the satisfaction of the City and Regional Municipality of York ("Region").
- 2.2 The Owner agrees to design and construct all municipal roads and services in accordance with City standards and specifications.
- 2.3 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. The Owner further agrees that dead end streets without temporary turning circles shall be barricaded to the satisfaction of the Director of Engineering and, conditions respecting the maintenance of such streets by the Owner until acceptance and assumption by the City will be included in the subdivision agreement.

- 2.4 Prior to registration of any phase that contains Street 2 (Street C), the Owner acknowledges and agrees to revise the Street 2 (Street C) right-of-way to accommodate the intersection widening at the Street 2 (Street C)/Street 1 (Street D) intersection, if required, to the satisfaction of the Director of Engineering.
- 2.5 Prior to registration of any phase that contains Street 1 (Street D), the Owner acknowledges and agrees to revise the Street 1 (Street D) right-of-way to accommodate the intersection widening at the Street 3/Street 1 (Street D) intersection, if required, to the satisfaction of the Director of Engineering.
- 2.6 Prior to registration, the Owner acknowledges and agrees that as part of the Transportation Mobility Plan, to identify locations where pedestrian crossovers are appropriate to support and maintain continuity of active transportation network to the satisfaction of the Director of Engineering. Furthermore, the Owner agrees to design and secure pedestrian crossovers, where required, to the satisfaction of the Director of Engineering. The pedestrian crossovers shall be constructed at the Owner's sole cost.
- 2.7 Prior to the registration of any phase of the subdivision that contains Street 1 (Street D), the Owner agrees to update the cross-section for Street 1 (Street D), to include 4.0 m multi-use pathways within the north and the south boulevards, to the satisfaction of the Director of Engineering.
- 2.8 Prior to the registration of any phase of the subdivision that contains the connection of Street 3 to Vine Cliff Boulevard, the Owner agrees to modify the lay-by parking bay within the north boulevard along Vine Cliff Boulevard, if required, in coordination with Berczy Warden Holdings Inc., to the satisfaction of the Director of Engineering.
- 2.9 Prior to the registration, the Owner agrees to review and demonstrate that the residential driveways along the public laneways are operationally feasible, to the satisfaction of the Director of Engineering.
- 2.10 Prior to the registration of any phase of the subdivision, the Owner agrees to provide a demonstration plan for site plan Blocks 36, 37 and 38 to further inform and/or provide recommendations for probable internal configuration and driveway locations to the to the satisfaction of the Director of Engineering.
- 2.11 The Owner agrees to implement the TDM Plan recommendations and provisions to be outlined in the Transportation Mobility Plan to the satisfaction of the Director of Engineering. The Owner further acknowledges and agrees to provide a TDM Letter of Credit in the amount reflective of the recommendations in the transportation Study.

### **3.0 Development Engineering – Municipal Services**

- 3.1 The Owner shall covenant and agree to design and construct all municipal services in accordance with City standards and specifications.

- 3.2 Prior to the release for registration of the Draft Plan of Subdivision, the Owner shall demonstrate to the satisfaction of the City of Markham that two independent water supply points for adequate redundancy and looping for domestic and fire protection purposes will be provided.
- 3.3 The Owner agrees 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 as required by the City's By-law 2005-104, as amended.
- 3.4 The Owner acknowledges and agrees to construct the proposed watermain required to feed the booster pump station, located north of the subdivision within the DG Berczy Elgin Holdings Inc. lands in accordance with the Functional Servicing Report. Alternatively, the owner must make necessary arrangements with the adjacent landowner to ensure that adequate watermain is constructed to feed the booster pump station.
- 3.5 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 management strategies recommended in the previously accepted functional servicing and stormwater management reports.
- 3.6 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, multi-use 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.

- 3.7 The Owner agrees that major overland flows from the subdivision will traverse through external lands not owned by the Owner. The Owner agrees to make the necessary arrangements with the adjacent property owner to construct the overland flow route(s) on the external lands to the downstream receiving stormwater management pond, and convey

lands or easement required for the conveyance of overland flows to the satisfaction of the Director of Engineering.

#### **4.0 Development Engineering - Lands to be Conveyed to the City / Easements**

- 4.1 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 watermain, storm and sanitary sewers to outfall trunks and stormwater management facilities to the satisfaction of the City.
- 4.2 The Owner shall convey Blocks 35 to the City, for stormwater management purposes, free of all costs and encumbrances, to the satisfaction of the City, upon registration of the plan of subdivision.

#### **5.0 Development Engineering – Utilities**

- 5.1 The Owner shall agree in the Subdivision Agreement that hydro-electric, telephone, gas and television cable services, and any other form of telecommunication services shall be constructed at no cost to the City as underground facilities within the public road allowances or within other appropriate easements, as approved on the Composite Utility Plan, to the satisfaction of the City of Markham and authorized agencies.
- 5.2 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.
- 5.3 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.
- 5.4 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.
- 5.5 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.



- 5.6 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.
- 5.7 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.

## **6.0 Environmental Engineering - Environmental Clearance**

- 6.1 The Owner shall agree in the Subdivision Agreement to retain a “Qualified Person” to prepare all necessary Environmental Site Assessments (ESA) and file Record(s) of Site Condition with the Provincial Environmental Site Registry for all lands to be conveyed to the City. The “Qualified Person” shall be defined as the person who meets the qualifications prescribed by the *Environmental Protection Act* and O. Reg. 153/04, as amended. The lands to be conveyed to the City shall be defined as any land or easement to be conveyed to the City, in accordance with the City’s Environmental Policy and Procedures for Conveyance of Land to the City Pursuant to the Planning Act.
- 6.2 Prior to the earlier of 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.
- 6.3 Prior to the earlier of 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.
- 6.4 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.

- 6.5 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.
- 6.6 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.

#### **7.0 Storm Water Management**

- 7.1 Prior to final approval of the draft plan, the Owner shall submit a stormwater management study, prepared by a qualified engineer, detailing the provision of water quality and quantity management facilities, hydraulic gradelines, overland flow routes, and erosion and siltation controls for the draft plan for approval by the City and the Toronto and Region Conservation Authority. The Owner acknowledges and agrees that they will be required to construct the proposed stormwater management facilities and overland routes, provide any easements or lands for stormwater and overland flow purposes, and to revise the draft plan accordingly, as may ultimately be required.
- 7.2 Prior to final approval of the draft plan, the Owner shall submit a detailed design plan for Block 35 prepared by a qualified consultant, if and as required by the City.
- 7.3 The Owner acknowledges and agrees that, pending the confirmation of the proposed underground stormwater management facility design by the City, if there are any future changes to the propose SWM facility type (e.g. wet pond) and/or treatment options, the SWM block size will be subject to adjustment, where necessary.

#### **8.0 Development Charge (DC) Credits**

- 8.1 The City acknowledges and agrees that the portion of collector road right-of-way exceeding 23.5 m width in the draft plan of subdivision are eligible for City Wide Development Charge Credits and agrees to reimburse the Owner for their portion of the design, construction and property costs associated with roads identified as follows:

- Street 1 (Street D), from Warden Avenue to west limit of the subdivision

- Street 2 (Street C), from Street 1 (Street D) to Vine Cliff Boulevard

8.2 Prior to registration of any development phase the Owner acknowledges and agrees to design and construct the traffic control signals at the Street 2 (Street C) / Street 1 (Street D) intersection to the satisfaction of the Director of Engineering.

Further, the City acknowledges and agrees that the traffic controls signals at the Street 2 (Street C) / Street 1 (Street D) intersection are eligible for City Wide Development Charge Credits and agrees to reimburse the Owner for their portion of the design and construction costs associated with the traffic signal.

8.3 The City acknowledges that the construction of the proposed PD6 watermain on Street 1 (Street D) and Warden Avenue in this subdivision is eligible for City Wide Development Charge Credits and agrees to reimburse the Owner for their portion of the design and construction costs associated with the watermain.

8.4 The Owner acknowledges and agrees that the Development Charge Credits and/or Reimbursement available to the Owner as described under clause 8.1, 8.2 and 8.3 shall be the lesser of: (i) the Actual Capital Cost of the above works and (ii) the cost as set out in the most updated Development Charges Background Study. The credit and/or reimbursement shall be completed through a DC Credit/Reimbursement Agreement and be consistent with the City's Development Charges Credit and Reimbursement Policy. The Owner and the City acknowledge and agree that the cost to be credit/reimbursed, shall be based on the cost included in the most updated Development Charges Background Study, at the time of the DC credit / reimbursement request.

8.5 The Owner agrees to enter into a separate Development Charge Credit and/or Reimbursement Agreement with the City on terms and conditions acceptable to the City's Solicitor and Treasurer if required by the City.

## **9.0 Streetlight Types – Municipal Engineering**

9.1 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.

## **10.0 Services within Regional Road – Development Engineering**

10.1 The Owner acknowledges that the proposed watermain on Warden Avenue is subject to the approval from York Region. Prior to execution of the pre-servicing agreement or subdivision agreement, whichever is earlier, the Owner shall obtain approval from York Region for works within the Region right-of-way. In the event, York Region does not permit the installation of the proposed watermain within Warden Avenue right-of-way, the Owner shall revise the draft plan if required to provide alternate locations for the

proposed watermain including providing servicing blocks if required to the City, to the satisfaction of the Director of Engineering.

## **11.0 Fire**

- 11.1 Firebreak lots/blocks shall be designated within a subdivision plan agreement, to the satisfaction of the Fire Services.
- 11.2 The adequacy and reliability of water supplies, fire hydrant and fire department connection locations shall be subject to the review and approval of the Fire Services.
- 11.3 Fire hydrants for all developments shall be spaced at intervals not exceeding 90m. Fire hydrants shall be located at the beginning/end of each lane.
- 11.4 The Owner shall acknowledge and agree that building permits will not be issued for lands in any stage of development until the Director of Building Standards has been advised by the Fire Services that there is an adequate water supply for firefighting operations and two separate, remote and unobstructed accesses is available.
- 11.5 To ensure reliability of access for Fire Services vehicles under all conditions, two full moves and unobstructed means of street access, independent of one another shall be provided into the development. If less than two full moves accesses are provided, each dwelling within the development shall be fully equipped with an automatic sprinkler system, designed in accordance with NFPA 13.
- 11.6 The Fire Services has identified the following accesses into the development:
  - FD Access #1 – Warden Avenue to Street 1 (Street D)
  - FD Access #2 - Warden Avenue to Block 43 (via easement created)
- 11.7 These two accesses shall remain unobstructed at all times during construction including afterhours, weekends and holidays. No gates, fencing or other types of obstructions are permitted. It shall be the owner's responsibility to secure the site by other means and shall be approved by the Fire Services.
- 11.8 A townhouse block shall not exceed a distance of 45m in length.
- 11.9 Lanes that service townhouse blocks with detached garages shall not exceed 90m.
- 11.10 If the required secondary Fire Services access can't be installed, than the applicant shall provide a paved temporary access that runs from Warden Avenue through blocks 34, 35, 37 or 38. The temporary access shall be designed in accordance with the minimum fire access route specifications indicated in the Ontario Building Code and be at least a minimum of 100m away from Fire Services access #1.

## **12.0 Waste**

- 12.1 The Owner acknowledges that all garbage, recyclables and organic materials shall be collected by the City once weekly in accordance with the City's collection schedule, as it may be amended from time to time. Effective January 1, 2026, in accordance with Ontario Regulation 391/21: BLUE BOX, collection of recyclables shall be the obligation of product producers. The Owner is responsible for contacting the Resource Productivity and Recovery Authority, requesting information regarding the organization responsible for providing the site with recycling collection, and establishing recycling collection services.
- 12.2 The Owner agrees to purchase from the City two (2) recycling containers, one (1) green bin and one (1) kitchen collector per dwelling unit, so that each resident may participate in the City's waste management program. Furthermore, the Owner shall ensure that the recycling containers, green bins, kitchen collectors and educational materials provided by the City are deposited in each dwelling unit on or before the date of closing or new occupancy, whichever occurs first.
- 12.3 The Owner shall ensure that upon dwelling occupancy, unobstructed roadway access, in accordance with the City's design requirements, will be provided for the safe passage of municipal waste collection vehicles on the designated collection day.
- 12.4 The Owner acknowledges, that at times when the required access can not be provided, the Owner shall be responsible for moving all residential waste from the occupied dwellings to an alternate location, approved by the City Official, at the Owner's expense, for collection by the City.

### **13.0 Urban Design**

#### Tree Inventory and Tree Preservation Plan

- 13.1 The Owner shall submit for approval a Tree Inventory and Tree Preservation Plan to the satisfaction of the City's Director of Planning and Urban Design in accordance with the City Streetscape Manual dated 2009, as amended from time to time.
- 13.2 The Owner shall submit a site grading plan showing the trees to be preserved based on the approved Tree Preservation Plan prior to the issuance of a Top Soil Stripping Permit, Site Alteration Permit or Pre-Servicing Agreement, to the satisfaction of the City's Director of Planning and Urban Design.
- 13.3 The Owner shall obtain written approval from the City's 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.
- 13.4 The Owner shall submit for approval from the City's Director of Planning and Urban Design, as part of the Tree Inventory and Tree Preservation Plan, and in accordance with the City 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 require cash in lieu for tree replacement based on valuation of section b).
  - d) The requirement for the replacement or equivalent economic value following unauthorized tree removal or damage shall be determined by the City.
- 13.5 The Owner acknowledges and agrees to implement the tree compensation schedule on a phase by phase basis, including submission of an updated Tree Inventory and Preservation Plan and Landscape Plans for each phase of development.
- Community Design
- 13.6 The Owner shall implement and incorporate all requirements of the approved Berczy Glen Community Design Plan into all landscape plans, architectural control guidelines, engineering plans and any other required design documents.
- 13.7 The Owner shall retain a design consultant to prepare Architectural Control Guidelines to be submitted to the City's Director of Planning and Urban Design for approval prior to execution of the Subdivision Agreement.
- 13.8 The Architectural Control Guidelines shall include provisions requiring buildings to comply with the City's Bird Friendly Guidelines.
- 13.9 The Architectural Control Guidelines shall include provisions requiring a minimum of 5% of the low-rise product be limited to having 2 risers or less at the front entrance.
- 13.10 The Owner shall retain a design consultant acceptable to the City's Director of Planning and Urban Design to implement the Architectural Control Guidelines.
- 13.11 Plans submitted for model home permits for any building within the Draft Plan of Subdivision shall bear an approval stamp identifying the architectural company retained for architectural control and the signature of the control architect. The approval stamp shall certify that the floor plans, building elevations and site plans are designed in accordance with the approved architectural control guidelines.
- 13.12 The Owner shall ensure that the design architect for any buildings within this Draft Plan of Subdivision shall not also assume the role of control architect for this Draft Plan of Subdivision.
- 13.13 The Owner acknowledges and agrees to submit townhouse siting applications for all townhouse blocks in accordance with Section 4. (j) of the City Site Plan Control By-Law 262-94, as amended, to the satisfaction of the City's Director of Planning and Urban Design.

Landscape Works

- 13.14 Prior to the release for registration of each phase within this Draft Plan of Subdivision and execution of Subdivision Agreement, the Owner shall submit landscape plans prepared by a qualified landscape architect based upon: the North Markham Urban Design Guidelines, the approved Architectural Control Guidelines, the approved Natural Heritage Restoration Plan, and the approved Berczy Glen Community Design Plan, to the satisfaction of the City's Director of Planning and Urban Design, and including the following:
- a) For all public streets, streetscape plan and street tree planting in accordance with the City Streetscape Manual dated June 2009;
  - b) A specialized depth of topsoil (200mm) in the entire municipal boulevard to appropriately plant boulevard trees in accordance with the City Streetscape Manual dated June 2009;
  - c) For all corner lots provide privacy wood screen corner lot fencing, as required;
  - d) Noise attenuation fencing as required;
  - e) For all lots backing or flanking onto an Open Space Block, Greenway Block, Park Block, or SWM Block, a 1.5m high galvanized steel chain-link fence (footing and fencing) shall be placed on the public property, as determined appropriate by the City's Director Planning and Urban Design;
  - f) For areas where a galvanized steel chain link fence meets a privacy or acoustic fence, the galvanized steel chain link fence shall overlap the abutting privacy or acoustic fence by 0.5 m and provide a separate footing to deter entrance to the Open Space Block, Greenway Block, Park Block, or SWM Block and minimize conflicts with the privacy or acoustic fence foundation, as determined appropriate by the City's Director Planning and Urban Design;
  - g) For all lots flanking onto mid-block walkway connection blocks and servicing blocks, a 1.2 m high decorative metal fence (footing and fencing) shall be placed on the private property and be aligned with the privacy or acoustic fence. The building shall be setback at a minimum of 2.4 m from the property line, as determined appropriate by the City's Director Planning and Urban Design;
  - h) For all lots flanking onto a snow storage area or utility notch, a 1.2 m high decorative metal fence (footing and fencing) shall be placed on the private property. The building shall be setback at a minimum of 2.4 m from the property line, as determined appropriate by the City's Director Planning and Urban Design;
  - i) For all lots backing or flanking onto hydro corridors, a 1.5 m high black vinyl chain link fence (footing and fencing) shall be placed on the private property and be aligned with the privacy or acoustic fence, as determined appropriate by the City's Director Planning and Urban Design;
  - j) For all lots backing or flanking onto school blocks, a 1.8m high black vinyl chain link fence (footing and fencing) shall be placed on the school property and be aligned with the privacy or acoustic fence, as determined appropriate by the City's Director Planning and Urban Design;
  - k) For all Open Space, Stormwater Management Pond, and Walkway Blocks provide landscaping;

- l) A trail network plan in the Draft Plan of Subdivision within Greenway, Open Space, and Stowmwater Management Ponds Blocks;
  - m) Restoration works identified in the Landscape Restoration Plans and Natural Heritage Restoration Plans;
  - n) The proposed townhouse blocks shall not exceed 8 contiguous units or 45 meters in length, and a min. 3.0 m wide break with a 1.5 m paved walkway shall be proposed between each townhouse block;
  - o) For all lane-based townhouse, corner lots, and gateway lots as identified in the Architectural Control Guidelines, provide a front yard landscaping plan with low maintenance planting species in order to reduce need for front yard lawn mowing and achieve the minimum landscape coverage for each lot; and
  - p) Any other landscaping as determined in the Community Design Plan, Architectural Control Guidelines and the Tree Inventory and Compensation Schedule;
  - q) For all yards adjacent to minor and major collector roads, provide front yard tree planting in soil trenches;
  - r) For all rear yards adjacent to surrounding existing residential lots, provide rear yard tree planting in soil trenches;
  - s) For all traffic islands and roundabouts, provide low maintenance landscaping; and
  - t) Walkway Block 47 shall be aligned with Lane D.
- 13.15 The Owner shall construct all landscape works including trail related works referred to in Condition 13.14 in accordance with the approved plans at no cost to the City.
- 13.16 The Owner shall not permit their builders to charge home purchasers for the items listed in Condition 13.17.
- 13.17 The Owner shall include in all agreements of purchase and sale the following clause:  
 “PURCHASERS ARE ADVISED THAT AS A CONDITION OF APPROVAL OF THE SUBDIVISION WITHIN WHICH THIS LOT IS LOCATED, THE CITY HAS REQUIRED THE DEVELOPER TO UNDERTAKE AND BEAR THE COST OF THE FOLLOWING ITEMS:
- STREET TREES (TREES PLANTED IN THE CITY BOULEVARD OR IN ADJACENT PUBLIC LANDS OR PRIVATE LOTS to meet 13.14. p).
- FENCING AS REQUIRED BY THE CITY.
- FENCING AT LANES (IF SPECIFICALLY REQUIRED BY THE CITY).
- TREE PLANTING IN REAR YARDS ADJOINING THE LANES (IF SPECIFICALLY REQUIRED BY THE CITY).
- NOISE ATTENUATION FENCING AS IDENTIFIED IN THE NOISE IMPACT STUDY.

FENCING OF SCHOOLS, PARKS, WALKWAYS AND STORMWATER MANAGEMENT POND BLOCKS.

BUFFER PLANTING AND LANDSCAPING FOR OPEN SPACE, WALKWAY AND STORMWATER MANAGEMENT POND BLOCKS AND SINGLE LOADED STREET ALLOWANCES.

SUBDIVISION ENTRY FEATURE AND DECORATIVE FENCING AS IDENTIFIED ON LANDSCAPE PLANS APPROVED BY THE CITY.

FRONT YARD LANDSCAPING FOR CERTAIN LANE BASED TOWNHOUSE UNITS.

THE DEVELOPER HAS BORNE THE COST OF THESE ITEMS AND THE HOMEPURCHASER IS NOT REQUIRED TO REIMBURSE THIS EXPENSE.”

#### Trail System

- 13.18 The Owner acknowledges and agrees to implement a trail system in the Greenway, Open Space, Stormwater Management Pond Blocks as per the requirements of the Community Design Plan, to the satisfaction of the City’s Director of Planning and Urban Design and the City’s Director of Engineering. The trail system shall be implemented corresponding to the time before the conveyance of the Greenway, Open Space, Stormwater Management Pond Blocks containing sections of the associated restoration works, and the time of construction of restoration works, to the City’s Director of Planning and Urban Design’s satisfaction. The owner agrees that the trail system shall be implemented and constructed through an agreement between the owners of this Draft Plan of Subdivision, the other land owners within Berczy Glen Secondary Plan area, and the City.

#### Financial

- 13.19 Prior to execution of the Subdivision Agreement, the Owner shall provide a Letter of Credit, in an amount to be determined by the City’s Director of Planning and Urban Design, to ensure compliance with applicable tree preservation, tree compensation, fencing, streetscape, buffer, ecological restoration landscape works, the under-dedicated portion of the parkland dedication requirement, and other landscaping requirements applicable to the subject phase.

#### Parks and Open Space

- 13.20 The Owner covenants and agrees that the parkland dedication requirement for the Draft Plan of Subdivision is 2.407 hectares (the “Total Parkland Requirement”), calculated at a rate of 1 hectare per 600 units, in accordance with Bill 23, and calculated as follows:

$$(1 \text{ hectare} / 600 \text{ units}) \times 1,444 \text{ units} = 2.407 \text{ hectares}$$

- 13.21 The Owner acknowledges and agrees that the parkland dedication within this Draft Plan of Subdivision shall be a minimum of 2.407 hectares, and that this satisfies the



parkland dedication requirements for a total of up to but not exceeding 1,444 units. The Owner acknowledges and agrees that any increase in the number of units within this Draft Plan of Subdivision beyond the approved 1,444 units may trigger additional parkland dedication requirements, to the satisfaction of the City's Director of Planning and Urban Design.

- 13.22 The Owner covenants and agrees to convey Park Blocks 34 and 35 inclusive to the City, free of all costs and encumbrances, to the satisfaction of the City's Director of Planning and Urban Design, upon registration of the phase of the plan of subdivision containing the area surrounding the park block.

<b>Block Number</b>	<b>Park Type</b>	<b>Area</b>
Block 34	Parkette	1.13 hectares
Block 35	Park / SWM Facility	0.435 hectares (50% parkland dedication of 0.87 ha)
<b>Total</b>	<b>2</b>	<b>1.565 hectares</b>

- 13.23 The Owner acknowledge and agrees that the parkland dedication through conveyance of Park Blocks 34 and 35 is partially satisfied through the dedication of 1.565 hectares of parkland. The parkland dedication shortfall of 0.842 hectares shall be reconciled through Berczy Glen Landowners Group Cost Sharing Agreement and the City, and calculated as follows:

Total Parkland Requirement – Parkland Provided = Draft Plan Subdivision  
Parkland Shortfall

2.407 hectares – 1.565 hectares = **0.842 hectares**

- 13.24 A letter of credit shall be held for the parkland dedication until the parkland dedication reconciled through Berczy Glen Landowners Group Cost Sharing Agreement and the City.
- 13.25 Prior to the release for registration of each phase within this Draft Plan of Subdivision, the Owner shall provide the City's Director of Planning and Urban Design with a letter from the Berczy Glen Landowners Group Trustee indicating the total parkland dedication to date for this Draft Plan of Subdivision and the adjacent Draft Plan of Subdivisions, as of the date of the subject phase's Subdivision Agreement execution.
- 13.26 The Owner shall post approved copies of the Natural Heritage Restoration Plans for the Greenway and Open Space Blocks and Conceptual Park Development Master Plans for the parks in all sales offices for dwelling units within the draft plan of subdivision.

Base Park Development

- 13.27 The Owner shall provide and/or install the following in support of the base park construction for Blocks 34 and 35:
- a) a 50mm diameter water line be installed to service the park blocks 33 and 34. The water services will have a shutoff valve at the park property line with the service extending one metre into the park block and shall be plugged;
  - b) A 120/240 volt, single-phase, three-wire power supply to be made available to the park blocks 34 and 35. The provision of this power supply will consist of a 3-conductor #3/0 aluminum underground cable drop located inside of the park property, three metres from the street line and one metre from the adjacent property line. The cable supply will originate from the closest single-phase pad mounted transformer and will be left coiled and attached to a 2"x4" wood stake, visible above grade;
  - c) storm water catch basin/manhole at the low end of each Park Block for each drainage area;
  - d) 200mm diameter sanitary line and terminating in a manhole at an elevation flush with surrounding adjacent grades at the low end of the park block;
  - e) rough grade using clean structural -fill to minus 300mm (+50mm tolerance) below finished grade from the approved engineered grading plans or 12" below (+2" tolerance) and certified by the Engineer, in accordance with City standards. Grade to be inspected and certified by the Engineer as engineered, structural, debris free, non-organic, compacted to 95% SPD and shall be accompanied by the Engineer's seal which has been signed and dated by them along with an electronic CAD drawing file containing as-built information which supports the certification of grades minus 300mm (+50mm tolerance) below engineered grading plans. Plans shall show spot elevations on a 10m x 10m grid, contours at 0.25m contour intervals, as well as perimeter grades which match approved grading plans. Should any issues arise during park construction with regards to the structural capacity of the sub-soil or presence of topsoil fill, debris, etc., and additional works are required to ensure that the Park can be built to City standards, the Owner shall, at the direction of the City's Director of Planning and Urban Design, undertake such as additional work as required;
  - f) upon the completion of rough grading and topsoiling of the park block, provide geotechnical report completed by a qualified professional confirming suitable parkland soil requirements, bearing capacity of subsoil, textural class, and chemical analysis identifying no contaminants with a bore hole log report including a minimum of four (4) boreholes per acre. Should the results of the existing sub soils not meet suitable park land soil requirements or should any issues arise during above base park construction by the City with regards to the structural capacity of the sub-soil or presence of topsoil fill, debris, etc., and additional works are required to ensure that the park can be built to City standards, the Owner shall, at the direction of the City's Director of Planning and Urban Design undertake such additional work as required to excavate and remove soils to an appropriate depths and supply and install suitable soils at the Owners expense;

- g) prior to spreading topsoil, provide results of topsoil fertility testing, confirming that the topsoil to be installed in the Park meets the City's requirement for levels of nitrogen, phosphorus, potassium, micro nutrients and its textural class and organic content etc. The Owner agrees to amend topsoil according to the City's current specifications for 'Topsoil and Finish Grading', to the satisfaction of the Director of Planning and Urban Design;
- h) provide and install topsoil to a depth of 300 mm spread over the entire park including removal of all boulders and non-organic debris larger than 100mm from topsoil, and seed the park with a City approved seed mix to the satisfaction of the Director of Planning and Urban Design;
- i) install temporary fence around entire Park at the property line, complete with construction gate, in accordance with OPSD 971.101 and maintain the fencing until for the two-year maintenance period, or until final acceptance of the Park by the City;
- j) grade, topsoil and sod all adjacent boulevards and maintain turf debris free;
- k) protect all park monuments and re-monument monuments at the time of park construction or at Assumption of Subdivision, whichever occurs first;
- l) base parkland as-built survey (AutoCAD format) completed by an Ontario Land Surveyor that is to the satisfaction of Director of Planning and Urban Design;
- m) any other landscaping required by the approved Community Design Plan; and
- n) maintenance of the Park, including cutting the grass a minimum of six times per year, between the dates of May 1 and October 30th, for the two-year maintenance period and removal of all refuse, junk, stones, dumping, debris or other material deposited on the Park, at the expense of the Owner until final acceptance of the Park by the City, to the satisfaction of the Director of Planning and Urban Design.
- o) The Owner acknowledges and agrees that the foregoing park components set out in clauses 13.27a) to n) are not eligible for credit against development charges.

13.28 Stockpiles, shoring/staging works, or storage of construction equipment or materials, other than the materials, equipment, and stockpiles required for the base park work, are not permitted on lands conveyed or to be conveyed to the City for park purposes unless approved in writing by the Director of Planning and Urban Design.

#### Above Base Park Development

13.29 The Owner shall be responsible for the above base parkland development of Block 35, subject to availability of development charges funding and budget approval.

### **14.0 Other City Requirements**

14.1 Prior to final approval of the draft Plan of Subdivision or any phase thereof, the Owner shall enter into a Developers Group Agreement(s) to ensure the provision of community and common facilities such as school sites, municipal services, parks and public roads in the Berczy Glen Secondary Plan area, to the satisfaction of the City (Commissioner of

Development Services and City Solicitor), and a certificate confirming completion of such agreement(s) shall be provided to the City by the Developers Group Trustee to the satisfaction of the City Solicitor.

14.2 That the Owner covenants and agrees to provide written clearance from the Trustee of the Berczy Glen Landowners Group, prior to registration of any phase of the draft Plan of Subdivision, to the satisfaction of the Director of Planning and Urban Design.

14.3 The Owner shall provide and post display plans in all sales offices which clearly indicate the location of the following facilities in relation to the lot being purchased, prior to any Agreements of Purchase and Sale being executed by the Owner, a builder, or their real estate agents:

Parks by type, including Park and Open Space Concept Plans and Streetscape Plans; stormwater management ponds and related facilities; schools by type; place of worship sites; other institutional sites by type; hydro corridor(s); commercial sites by type; other surrounding land uses and facilities as specified by the City; existing or future: rail facilities, provincial highways, arterial and collector roads, transit routes and stops; City approved sidewalk, walkway and bike route locations; City approved postal box and utility furniture locations or possible locations if prior to approval; City lot grading standards.

All display plans shall be reviewed and approved at the sales office by City staff, prior to the opening of the sales office.

14.4 The Owner shall covenant and agree in the Subdivision Agreement to include warning clauses in agreements of purchase and sale for all units with single car garages advising purchasers of the following:

- a) the City's parking by-law requires a minimum of two parking spaces, one in the driveway and one in the garage;
- b) the City's zoning by-law restricts the width of the driveway, this width does not allow two cars to park side by side; and,
- c) overnight street parking will not be permitted unless an overnight street parking permit system is implemented by the City.

14.5 The Owner covenant and agrees in the Subdivision Agreement to implement the strategy and actions of the Community Energy Plan in support of the City's net zero emissions by 2050 objective, to the satisfaction of the Director of Sustainability and Asset Management and the Director of Planning and Urban Design.

14.6 The Owner covenants and agrees in the Subdivision Agreement to provide a minimum of 12 of the low-rise units with built-in secondary suites, to the satisfaction of the Director of Planning and Urban Design.

## 15.0 Canada Post

- 15.1 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.
- 15.2 The Owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any unit sale.
- 15.3 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.
- 15.4 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.
- 15.5 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.
- 15.6 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.

## **16.0 York Region**

### Clauses to be Included in the Subdivision Agreement

- 16.1 The Owner shall save harmless the City of Markham and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
- 16.2 The Owner shall agree that prior to the development approval of Block 34, 35, 37 and 38, that access to Blocks 34, 35, 37, and 38 shall be via the internal road network and direct access to Warden Avenue will not be permitted.
- 16.3 The Owner shall agree to provide the following clause in all subsequent Site Plan Agreements, Purchase Agreements, Lease and Tenant Agreements and any related Condominium Agreements and Declaration of Condominium Agreements, of the future vehicular interconnection(s) and the potential increase in traffic.

“THE OWNER COVENANTS AND AGREES TO ADVISE POTENTIAL PURCHASERS, IN ALL AGREEMENTS OF PURCHASE AND SALE,

CONDOMINIUM AGREEMENTS AND DECLARATION OF CONDOMINIUM AGREEMENTS, THAT NO VEHICULAR DRIVEWAY ACCESSES OR ROAD(S) WILL BE PERMITTED FROM BLOCKS 34, 35, 37, AND 38 TO/FROM WARDEN AVENUE.”

16.4 The Owner shall agree to implement the recommendations of the revised Transportation Study, including TDM measures and incentives, as approved by the Region.

16.5 The Owner shall agree to reserve an unobstructed location for the future construction of passenger standing areas/shelter pads identified below:

On Street: Street C

At Street: Street 7

Location: Northbound on Street C, south of Street 7, on Block 17

Standard Specifications: 1.01

On Street: Street C

At Street: Street D

Location: Northbound on Street C, south of Street D, on Block 36 Medium Density

Standard Specifications: 1.01

On Street: Street C

At Street: Street E (aka Vine Cliff Blvd)

Location: Southbound on Street C, north of Street E, on Block 33 Secondary School

Standard Specifications: 1.01

On Street: Street D

At Street: Street C

Location: Eastbound on Street D, west of Street C, on Block 33 Secondary School

Standard Specifications: 1.01

On Street: Street D

At Street: Street 3

Location: Eastbound on Street D, west of Street 3, on Block 36 Medium Density

Standard Specifications: 1.01

On Street: Street D

At Street: Warden Avenue

Location: Eastbound on Street D, west of Warden Avenue, on Block 37 High Density Standard Specifications: 1.01

16.6 The Owner shall agree that landscaping should not interfere with the identified bus stop[s], passenger standing area[s], shelter[s] or corner sightlines in accordance with Appendix A (Location of YRT Bus Stops / Shelter Pads). Bus stop[s] located in front of the employment areas shall be incorporated into the landscape design.

- 16.7 The Owner shall agree to advise all potential purchasers of the existing and future introduction of transit services. The Owner/consultant is to contact YRT Contact Centre (tel.1-866-668-3978) for route maps and the future plan maps.
- 16.8 The Owner shall agree, in wording satisfactory to Development Engineering, that an Engineering Approval or Site Plan Application approval from Region is required to be in place before the commencement of any site alteration or construction works for Blocks 34, 35, 37, and 38 abutting Warden Avenue.
- 16.9 The Owner shall agree where enhanced landscape features beyond street tree planting, sod and concrete walkways are proposed in the York Region Right-Of-Way by the Owner or the area municipality, these features must be approved by Development Engineering and shall be maintained by the area municipality. Failure to maintain these landscape features to York Region's satisfaction will result in the area municipality incurring the cost of maintenance and/or removal undertaken by the Region.
- 16.10 The Owner shall agree to implement the noise attenuation features as recommended by the noise study and to the satisfaction of Development Engineering.
- 16.11 The Owner shall agree 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.
- 16.12 The following warning clause shall be included 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".
- 16.13 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's shall not be the responsibility of York Region.

- 16.14 The Owner shall agree to 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.

**Conditions to be Satisfied Prior to Final Approval**

- 16.15 The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Markham and York Region.
- 16.16 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 of subdivision; and
  - b) A copy of an email confirmation by a City of Markham staff member stating that the allocation to the subject development remains valid at the time of the request for Regional clearance of this condition.
- 16.17 The Owner shall provide an electronic set of the final engineering drawings showing the water and wastewater infrastructure for the proposed development to Development Services and Infrastructure Asset Management for record.
- 16.18 The Owner shall demonstrate that intersection of Street 1 (Street D) and Warden Avenue is designed to the satisfaction of the Region.
- 16.19 Should the proposed major development include bulk fuel ( $\geq 2500\text{L}$ ) or bulk chemicals ( $\geq 500\text{L}$ ) within the Highly Vulnerable Aquifer (HVA), a Contaminant Management Plan (CMP) will be required prior to draft plan of subdivision 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.

- 16.20 Prior to and 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;
  - l) 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 (water, sanitary and storm services);
  - o) Water supply and distribution report;
  - p) Engineering drawings showing plan and profile views of proposed sewers and watermains and appurtenances, including manholes, watermains, valves, hydrants, etc. proposed within the subdivision.
- 16.21 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.
- 16.22 The Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality.
- 16.23 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.
- 16.24 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.
- 16.25 The Owner shall demonstrate, to the satisfaction of Development Engineering that elevations along the streetline shall be 0.2 metres above the centreline elevations of the York Region roadway, unless otherwise specified by Development Engineering.
- 16.26 The Owner shall have prepared, by a qualified Tree Professional, a Tree Inventory and Preservation / Removals Plan and Arborist Report identifying all existing

woody vegetation within the York Region Right-Of-Way to be removed, preserved or relocated. The report /plan, submitted to Development Engineering for review and approval, shall adhere to the requirements outlined in the York Region Street Tree and Forest Preservation Guidelines and shall be to the satisfaction of York Region Natural Heritage and Forestry Staff.

- 16.27 The Owner shall have prepared, by a qualified professional Landscape Architect, landscape design plans detailing landscape works and street tree planting in the York Region Right-Of Way as required by any and/or all of the following, York Region's Streetscaping Policy, York Region's Street Tree Preservation and Planting Design Guidelines, any prevailing Streetscape Masterplan or Secondary Plan or as required by Urban and Architectural Design Guidelines.
- 16.28 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.
- 16.29 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.

- 16.30 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 Warden Avenue of sufficient width to provide a minimum of 20.5 metres from the centreline of construction of Warden Avenue and any lands required for additional turn lanes at the intersections;
  - b) A 15 metre by 15 metre daylight trapezoid at the Street 1 (Street D) and Warden Avenue intersection;
  - c) A portion of the southeast corner of Block 38 to provide a 15 metre by 15 metre daylight triangle at the northwest corners of adjacent development Street and Warden Avenue intersection; and
  - d) 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 Warden Avenue and adjacent to the above noted widening(s).
- 16.31 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.
- 16.32 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.
- 16.33 The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required road improvements for this subdivision. The report/plan, submitted to Development Engineering for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
- 16.34 The Owner shall provide an executed copy of the subdivision agreement with the local municipality to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.

- 16.35 For any applications (Site Plan or Zoning By-law Amendment) deemed complete after January 1, 2020, the Owner shall enter into a Development Charge Rate Freezing Agreement with York Region to freeze/lock in the Development Charge rate at the time the site plan application or Zoning By-law Amendment is deemed complete submission, satisfy all conditions, financial and otherwise, and confirm the date at which Regional development charge rates are frozen; 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. Please contact Fabrizio Filippazzo, Manager, Development Financing Administration to initiate a Development Charge Agreement with York Region.
- 16.36 The Regional Corporate Services Department shall advise that Conditions 16.1 to 16.35 inclusive, have been satisfied.

**17.0 Ministry of the Environment Conservation and Parks (MECP)**

- 17.1 The Owner shall agree in the subdivision agreement to satisfy all requirements of the MECP with respect to the endangered species and any potential impacts on the draft plan of subdivision, and to provide written confirmation that it has consulted with MECP in this respect, to the satisfaction of the Commissioner of Development Services.

**18.0 Heritage**

- 18.1 Prior to final approval of the draft plan of subdivision or any phase thereof, the Owners shall undertake an archaeological assessment for any lands within the draft plan identified as possessing known archaeological resources or areas of archaeological potential (as defined in Section 4.6.1 of the Markham Official Plan, 2014) as per the requirements of the Ontario Heritage Act and any associated regulations. No demolition, grading, filling or any form of soil disturbances shall take place on the lands within the draft plan prior to confirmation from Provincial officials indicating that all matters relating to archaeological resources have been addressed in accordance with licensing and resource conservation requirements.
- 18.2 The Owner shall covenant and agree in the Subdivision Agreement to implement any measures recommended by archaeological assessment, to the satisfaction of the Province.
- 18.3 The Owner covenants and agrees to advertise the availability of the existing single detached dwelling and accessory buildings at 10508 Warden Avenue for relocation or salvage by others, to the satisfaction of the Manager, Heritage Planning

**19.0 York Region District School Board (YRDSB)**

- 19.1 That prior to final approval, the owner shall have made Agreement satisfactory to the York Region District School Board for the transfer of a partial public secondary school site. The partial secondary school site, Block “33”, shall contain not less than 3.40 hectares and be free and clear of all encumbrances including but not limited to natural features.
- 19.2 That the underlying zoning for the school block shall permit a building height of no less than 20m.
- 19.3 That the owner shall agree in the Subdivision Agreement in wording satisfactory to the York Region District School Board:
- a) to grade the school site and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
  - b) to remove any buildings on the school site;
  - c) to remove trees, as required to accommodate school layout;
  - d) to provide a letter of credit pertaining to stockpiling and removal of topsoil, by taking the volume of topsoil to be stored upon the school site and multiplying such volume by 200% of the current market prices for waste material disposal, as set forth in the latest version of Hanscomb's Yardsticks for Costing, Cost Data for the Canadian Construction Industry, to the satisfaction of the York Region District School Board;
  - e) to remove stockpiled topsoil within 30 days of written notice by the Board and in doing so compact, fill with clean material, replace any topsoil disturbed in the grading process and at the same time sod/seed the same lands to specifications determined by the Board;
  - f) to construct a black vinyl coated chain link fence, Type II 1 ½ “ mesh, 1.8 m high along all boundaries of the school blocks, including road frontage(s) at the discretion of the Board;
  - g) to construct the fences prior to the issuance of building permits for Phase 1 of the subdivision;
  - h) to erect and maintain a sign on the public school site at such time as the relevant access roads are constructed, indicating that the date has not been set for the construction of the school;
  - i) to provide a geotechnical investigation and Phase 1 and Phase 2 environmental site assessment conducted by a qualified engineer. For an elementary school site a minimum of eight boreholes shall be required and for a secondary school site a minimum of sixteen boreholes shall be required
  - j) to provide the foregoing at no cost to the board.
  - k) To assume any upstream and downstream charges for hydro, natural gas, sanitary and storm drainage, and water supply.
- 19.4 That the owner shall submit to the York Region District School Board, at no cost to the Board, a letter from a qualified consultant concerning:
- a) the suitability of the school site for school construction purposes, relating to soil bearing factors, surface drainage, topography and environmental contaminants;

- b) the availability of natural gas, electrical, cable, water, storm sewer and sanitary sewer services.
- 19.5 That the owner shall agree in the Subdivision Agreement, in wording acceptable to the York Region District School Board that the services referred to in Condition 19.3 shall be installed to the mid-point of the frontage of the elementary school site and positioned as designated by the Board, at no cost to the Board.
- 19.6 That prior to final approval, the owner shall submit to the School Board an Environmental Impact Study for the school block, an initial set of engineering plans for review and approval, and subsequently, a copy of the final engineering plans as approved by the *City of Markham* which indicate the storm drainage system, utilities, and the overall grading plans for the complete subdivision area.
- 19.7 That prior to final approval, the local hydro authority shall have confirmed in writing to the Board that adequate electrical capacity will be supplied to the school site frontage by the developer at no cost to the Board.
- 19.8 That prior to final approval, the local hydro authority shall have confirmed in writing to the Board that they are satisfied that payment for any upstream and downstream charges will be made by the original developer.
- 19.9 That the subdivision agreement includes warning clauses advising the *City of Markham*, property owners and purchasers of lots within the draft plan that unless the provincial funding model provides sufficient funds to construct new schools, there can be no assurance as to the timing of new school construction nor a guarantee that public school accommodation will be provided within the subject plan notwithstanding the designation of the school site.
- 19.10 That the York Region District School Board shall advise that conditions 19.1 to 19.9 inclusive, have been met to its satisfaction. The clearance letter shall include a brief statement detailing how each condition has been satisfied or carried out.

## **20.0 Rogers**

- 20.1 The Owner shall agree in the Subdivision Agreement to (a) permit all CRTC-licensed telecommunications companies intending to serve the Communications Service Providers facilities within the Subdivision, and (b) provide joint trenches for such purpose.
- 20.2 The Owner shall agree in the Subdivision Agreement to grant, at its own cost, all easements required by the Communications Service Providers to serve the Subdivision, and will cause the registration of all such easements on title to the property.

20.3 The Owner shall agree in the Subdivision Agreement to coordinate construction activities with the Communications Service Providers and other utilities, and prepare an overall composite utility plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

20.4 The Owner shall agree in the Subdivision Agreement that, if the Owner requires any existing Rogers facilities to be relocated, the Owner shall be responsible for the relocation of such facilities and provide where applicable, an easement to Rogers to accommodate the relocated facilities.

#### **21.0 External Clearances**

21.1 Prior to final approval of the draft plan of subdivision, clearance letters, containing a brief statement detailing how conditions have been met, will be required from authorized agencies as follows:

- a) Canada Post shall advise that Conditions 15.1 to 15.6 have been satisfied.
- b) The Regional Municipality of York Planning Department shall advise that Conditions 16.1 to 16.36 have been satisfied.
- c) The York Region District School Board shall advise that Conditions 19.1 to 19.10 have been satisfied.
- d) Rogers shall advise that Conditions 20.1 to 20.4 have been satisfied.

Dated: April XX, 2024  
Stephen Lue, Senior Development Manager

Report to: Development Services Committee

Meeting Date: April 23, 2024

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<b>SUBJECT:</b>	2024 Updated Terms of Reference – Flato Markham Theatre Advisory Board
<b>PREPARED BY:</b>	Chris Rickett, Director, Economic Growth, Culture and Entrepreneurship

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**RECOMMENDATION:**

1. THAT the report titled “2024 Updated Terms of Reference - Flato Markham Theatre Advisory Board” be received; and,
2. THAT Council approve the updated Flato Markham Theatre Advisory Board Terms of Reference; and further,
3. THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

This report updates the Flato Markham Theatre Advisory Board Terms of Reference to ensure that it is current and transparent and that the roles and functions of members align with Flato Markham Theatre’s goals, strategies, and community engagement.

**BACKGROUND:**

Since its opening over 38 years ago, the Flato Markham Theatre has established itself as a major performing arts facility in the Greater Toronto Area (GTA). Its programming and utilization have expanded and adapted to the growing and changing needs of the area's demographics. This year, the theatre’s attendance is projected to return to pre-pandemic levels, using 2019 results as the benchmark, while taking the rising rental rates into consideration.

The Flato Markham Theatre Advisory Board was established on June 23, 1998 to provide advice and support to the Theatre. Its terms of reference were last updated in 2017. The terms of reference require updating to ensure that the document is current, transparent, and aligns with the Theatre’s goals and strategies. The need to update the terms of reference was discussed with and agreed upon by the Flato Markham Theatre Advisory Board.

The recommended changes to the terms of reference include reducing the number of community members, changing the terms of office, omitting and adding to members' functions and roles, decreasing the frequency of meetings, and changing the reporting/governance structure. See “Appendix A” to view the updated Flato Markham Theatre Advisory Board Terms of Reference.

**OPTIONS/ DISCUSSION:**

The Flato Markham Theatre Advisory Board Terms of Reference are being updated to increase the members' engagement and change their roles and functions so that their focus is on strategy, capacity building, and advocacy.



The chart below outlines the recommended changes to the Flato Markham Theatre Advisory Board Terms of Reference:

CURRENT	RECOMMENDED	CHANGE
<b>Proposed Change #1 - Composition</b>		
<ul style="list-style-type: none"> <li>The Board shall be comprised of nineteen (19) voting members: sixteen (16) of which shall be from the community; up to two (2) members of Markham Council; and one (1) representative from the York Region District School Board - the Principal of Unionville High School. In addition, the Board will also have various ex-officio members. They will have a vote when in attendance at meetings and will include: The Mayor, the Deputy Mayor and School Board Trustee.</li> </ul>	<ul style="list-style-type: none"> <li>The Board shall be composed of up to eleven (11) voting members: nine (9) shall be from the community, one (1) member of Markham Council, and one (1) representative from the York Region District School Board - the Principal of Unionville High School. In addition, the Board will also have various ex-officio members. They will have a vote when in attendance at meetings and will include: The Mayor, the Deputy Mayor and School Board Trustee.</li> </ul>	<ul style="list-style-type: none"> <li>Total members has been reduced from 19 to 11.</li> <li>Community members have been reduced from 16 to 9 Members.</li> <li>Councillor membership has been reduced from two (2) members to (1) one member.</li> </ul>
<b>Proposed Change #2 - Term of Office</b>		
<ul style="list-style-type: none"> <li>Members will serve a two (2) or four (4) year term. Community members are able to serve for additional term(s), but must reapply through the normal appointment process.</li> </ul>	<ul style="list-style-type: none"> <li>Members may serve up to a four (4) year term. Community members are able to serve for additional term(s), maximum of two (2) consecutive terms, but must reapply through the normal appointment process.</li> <li>New members will go through an orientation process at time of onboarding, and be requested to sign code of conduct document.</li> <li>Members of the Theatre Advisory Board do not have any legal nor fiduciary responsibilities.</li> </ul>	<ul style="list-style-type: none"> <li>Terms can now be 1, 2, 3 or 4 years.</li> <li>The requirement of an orientation and the signing of the Code of Conduct.</li> <li>Note that Member do not have any legal or fiduciary responsibilities.</li> </ul>
<b>Proposed Change #3 - Role of Advisory Board/Functions</b>		
<ul style="list-style-type: none"> <li>To advise and engage in the development and implementation of the Theatre Strategic Plan and the annual business plan.</li> </ul>	<ul style="list-style-type: none"> <li>To advise and engage in the development of the Theatre Strategic Plan and the annual business plan.</li> </ul>	<ul style="list-style-type: none"> <li>Removed the role of raising funds for the Flato Markham Theatre.</li> </ul>

<ul style="list-style-type: none"> <li>To participate in raising funds for the Theatre through sponsorship, fundraising and special events.</li> <li>To assist staff in increasing awareness and the profile of the Theatre in the community.</li> <li>To make recommendations and update Markham City Council on any matters concerning the Markham Theatre and its operations.</li> </ul>	<ul style="list-style-type: none"> <li>To assist staff in increasing awareness and the profile of the Theatre in the community.</li> <li>To participate in at least one opportunity to support the Theatre, including subscriptions, donor programs, annual Gala, and/or sponsorships.</li> <li>To serve as advocates and ambassadors of the Theatre by assisting staff in increasing awareness and the profile of the Theatre in the community.</li> <li>To make recommendations and update Markham City Council on any matters concerning the Theatre and its operations.</li> <li>To participate in a minimum of one (1) sub-committee or task force of the Advisory Board;</li> <li>To abide by the City of Markham's protocols for citizen Advisory Board members.</li> </ul>	<ul style="list-style-type: none"> <li>Added the requirement to participate in a least one opportunity to support the Theatre.</li> <li>Added the role of serving as advocates and ambassadors of the Theatre.</li> <li>Added the requirement to participate in sub-committee or task force.</li> <li>Added the requirement to abide by the City of Markham's protocols for Citizen Advisory Board Members.</li> </ul>
Proposed Change #4 - Remuneration		
<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>No member is entitled to receive, either directly or indirectly, any salary, wages, fees, commissions or other amount for services rendered to the Theatre in their capacity as an Advisory Board Member.</li> </ul>	<ul style="list-style-type: none"> <li>Added specifics regarding there being no remuneration for members.</li> </ul>
Proposed Change #5 - Frequency of Meetings		
<ul style="list-style-type: none"> <li>Must meet a minimum of six times a year, usually on the fourth Monday of each month at 5:30 p.m.</li> </ul>	<ul style="list-style-type: none"> <li>The Board will meet a minimum of <u>five (5) times</u> per year, usually the fourth Monday of every other month at 5:30 p.m.</li> <li>All Board members must attend at least four (4) meetings.</li> </ul>	<ul style="list-style-type: none"> <li>Meetings have been reduced from a minimum of six times per year to a minimum of five times per year.</li> <li>Members are now required to attend a least four meetings.</li> </ul>
Proposed Change #6 - Reporting (New)		

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	<ul style="list-style-type: none"><li>• Proper minutes of Board meetings, and a record of policies must be kept;</li><li>• Governance terms and philosophy will be reviewed from time to time, at a minimum of every four (4) years, aligned with term of City Council.</li></ul>	<ul style="list-style-type: none"><li>• Added that meeting minutes must be taken, and records of the Advisory Board’s policies must be kept.</li><li>• Added a minimum timeframe for reviewing governance related documents and processes.</li></ul>
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**FINANCIAL CONSIDERATIONS**

Not applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The updated Flato Markham Theatre Advisory Board Terms of Reference aligns with Markham’s new Economic Development and Culture Strategy, and with the City’s strategy and goals in regards to community engagement.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Flato Markham Theatre

**RECOMMENDED BY:**

**ATTACHMENTS:**

- 1) Flato Markham Theatre Advisory Board 2024 Proposed Terms of Reference

## **FLATO MARKHAM THEATRE ADVISORY BOARD** **2024 PROPOSED TERMS OF REFERENCE**

### **Composition:**

The Board shall be composed of up to eleven (11) voting members: nine (9) shall be from the community, one (1) member of Markham Council, and one (1) representative from the York Region District School Board - the Principal of Unionville High School.

In addition, the Board will also have various ex-officio members. They will have a vote when in attendance at meetings and will include: The Mayor, the Deputy Mayor and School Board Trustee.

### **Term of Office:**

Members may serve up to a four (4) year term. Community members are able to serve for additional term(s), maximum of two (2) consecutive terms, but must reapply through the normal appointment process.

New members will go through an orientation process at time of onboarding, and be requested to sign code of conduct document.

Members of the Theatre Advisory Board do not have any legal nor fiduciary responsibilities.

### **Role of the Advisory Board/Functions:**

- To advise and engage in the development of the Theatre Strategic Plan and the annual business plan;
- To assist staff in increasing awareness and the profile of the Theatre in community;
- To participate in at least one (1) opportunity to support the Theatre, including subscriptions, donor programs, annual Gala, and/or sponsorships;
- To serve as advocates and Ambassadors of the Theatre by assisting staff in increasing awareness and the profile of the Theatre in the community;
- To make recommendations and update Markham City Council on any matters with regard to the Theatre and its operations;
- To participate in a minimum of one (1) sub-committee or task force of the Advisory Board;
- To abide by the City of Markham's protocol for citizen Advisory Board members

### **Remuneration:**

No member is entitled to receive, either directly or indirectly, any salary, wages, fees, commissions or other amount for services rendered to the Theatre in their capacity as an Advisory Board member.

**Frequency of Meetings:**

The Board will meet a minimum of five (5) times per year, usually the fourth Monday of every other month at 5:30 pm. All Board members must attend at least four (4) of these meetings.

**Reporting:**

Proper minutes of Board meetings, and record of policies must be kept. Governance terms and philosophy will be reviewed from time to time, at a minimum of every four (4) years, aligned with term of City Council.

**Previous Amendments:**

- *As per Council resolution of February 12, 2008 (from 11 to 12 in total)*
- *As per Council resolution of December 1, 2009 (from 2 to “up to 2”)*
- *December 15, 2009- Terms amended on an interim basis to include 10 members of the public until November 30, 2010*
- *December 13, 2011 – Terms amended on an interim basis to include 11 members of the Public*
- *Terms of Reference revised at the January 29, 2013 Council Meeting*
- *Terms of Reference was revised at the January 26, 2015 Terms of Reference to increase the number of Councillors on the Committee from two (2) to three (3)*
- *Terms of Reference was revised June 13, 2017 – Councillor was reduced from (3) to (2). Citizen Member was increased from 14 to 16*