



Development Services Committee Meeting Agenda

Meeting No. 20 | October 1, 2024 | 9:30 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.

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 providing full name, contact information and item they wish to speak on.

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

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

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

Alternate formats for this document are available upon request.

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

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

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 Agenda

Meeting Number: 20
October 1, 2024, 9:30 AM - 3:00 PM
Live streamed

Please bring this Development Services Committee Agenda to the Council meeting on October 9, 2024.

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**

4. **DEPUTATIONS**

5. **COMMUNICATIONS**

6. **PETITIONS**

7. **REGULAR REPORTS - DEVELOPMENT AND POLICY MATTERS**

7.1 **RECOMMENDATION REPORT, GREENCAPITAL LIMITED
PARTNERSHIP INC., APPLICATIONS FOR OFFICIAL PLAN AND
ZONING BY-LAW AMENDMENT TO PERMIT A MIXED-USE HIGH-RISE
DEVELOPMENT**

5

AT 10 ROYAL ORCHARD BOULEVARD AND 8051 YONGE STREET,

(WARD 1), FILE NO. PLAN 19 137814 (10.3, 10.5)

R. Cefaratti, ext. 3675

1. That the October 1, 2024, report titled, "RECOMMENDATION REPORT, Greencapital Limited Partnership Inc., Applications for Official Plan and Zoning By-law Amendment to permit a mixed-use high-rise development at 10 Royal Orchard Boulevard and 8051 Yonge Street, (Ward 1), File No. PLAN 19 137814", be received; and,
2. That the Official Plan Amendment application submitted by Greencapital Limited Partnership Inc., be approved and that the draft Official Plan Amendment, attached hereto as Appendix 'A', be finalized and brought forward to a future Council meeting to be adopted without further notice; and,
3. That the Zoning By-law Amendment application submitted by Greencapital Limited Partnership Inc., be approved and that the draft Zoning By-law Amendment, attached hereto 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 1955 residential units be assigned to the proposed development; and,
5. That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed within a period of three (3) years from the date that Council assigned servicing allocation; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.2 PROVINCIAL PLANNING STATEMENT, 2024 AND ONTARIO LAND TRIBUNAL RULES OF PRACTICE AND PROCEDURES REVIEW (10.0, 13.2)

38

D. Wedderburn, ext. 2109

1. That the report dated October 1, 2024, titled " Provincial Planning Statement, 2024 and Ontario Land Tribunal Land Rules of Practice and Procedures Review " be received; and,
2. That the Province include Employment Areas as a matter of transition to facilitate implementation of the Provincial Planning Statement, 2024 by maintaining the PPS, 2020 definition of Employment Area and not enabling privately initiated employment conversion applications, until such time as the next municipal official plan review is complete; and,

3. That this report be forwarded to the Ministry of Municipal Affairs and Housing as the City of Markham's comments on transition matters to facilitate the introduction of the PPS, 2024 (ERO-019-9065); and,
4. That Staff be directed to host a special meeting of Council in accordance with Section 26(3)(b) of the Planning Act to discuss the revisions that may be required to the official plans; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

7.3 RECOMMENDATION REPORT, 648321 ONTARIO INC. (C/O GATZIOS PLANNING CONSULTANTS) APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

49

TO PERMIT A 13-STOREY MIXED-USE BUILDING AT 5871 HIGHWAY 7 (WARD 4) FILE PLAN 22 244910 (10.3, 10.5)

B. Manoharan, ext. 2190

1. That the report dated July 16, 2024, titled, "RECOMMENDATION REPORT, 648321 Ontario Inc. (c/o Gatzios Planning Consultants), Applications for Official Plan and Zoning By-law Amendment Applications to permit a 13-storey mixed-use building at 5871 Highway 7 (Ward 4) File PLAN 22 244910", be received; and,
2. That the Official Plan Amendment application (PLAN 22 244910) be approved and that the draft Official Plan Amendment, attached hereto as Appendix 'A', be finalized and brought to a future Council meeting for adoption without further notice; and,
3. That the Zoning By-law Amendment application (PLAN 22 244910) be approved and the draft site-specific implementing Zoning By-law, attached hereto as Appendix 'B' be finalized and brought to a future Council meeting for enactment without further notice; and,
4. That servicing allocation for 137 residential units be assigned to the proposed 13-storey development; and,
5. That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed within a period of three (3) years from the date that Council assigned servicing allocation; and further,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8. MOTIONS

9. NOTICES OF MOTION

10. 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".*

11. ANNOUNCEMENTS

12. ADJOURNMENT



Report to: Development Services Committee

Meeting Date: October 1, 2024

SUBJECT: RECOMMENDATION REPORT, Greencapital Limited Partnership Inc., Applications for Official Plan and Zoning By-law Amendment to permit a mixed-use high-rise development at 10 Royal Orchard Boulevard and 8051 Yonge Street, (Ward 1), File No. PLAN 19 137814

PREPARED BY: Rick Cefaratti, MCIP, RPP, Acting Development Manager, West District, ext. 3675

REVIEWED BY: Stephen Lue, MCIP, RPP, Senior Development Manager, ext. 2520

RECOMMENDATION:

1. THAT the October 1, 2024, report titled, “RECOMMENDATION REPORT, Greencapital Limited Partnership Inc., Applications for Official Plan and Zoning By-law Amendment to permit a mixed-use high-rise development at 10 Royal Orchard Boulevard and 8051 Yonge Street, (Ward 1), File No. PLAN 19 137814”, be received;
2. THAT the Official Plan Amendment application submitted by Greencapital Limited Partnership Inc., be approved and that the draft Official Plan Amendment, attached hereto as Appendix ‘A’, be finalized and brought forward to a future Council meeting to be adopted without further notice;
3. THAT the Zoning By-law Amendment application submitted by Greencapital Limited Partnership Inc., be approved and that the draft Zoning By-law Amendment, attached hereto as Appendix ‘B’, be finalized, and brought forward to a future Council meeting to be enacted without further notice;
4. THAT servicing allocation for 1955 residential units be assigned to the proposed development; and,
5. THAT the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed within a period of three (3) years from the date that Council assigned servicing allocation; and further,
6. THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

This report recommends approval of the Official Plan and Zoning By-law Amendment applications (the “Applications”) submitted by Greencapital Limited Partnership Inc., (the “Owner”) for the lands located on the north side of Royal Orchard Boulevard between Yonge Street and Inverlochy Boulevard (the “Subject Lands”). The Owner proposes 1,955 units, 4,051 m² of non-residential spaces, and a 0.19 ha public park (the “Proposed Development”). The Subject Lands are an appropriate location for intensification given it is within a Key Development Area and Major Transit Station Area (future Royal Orchard Station). Staff recommend approval of the draft Official Plan and Zoning By-law Amendments (see Appendix ‘A’ and Appendix ‘B’). The amending Zoning By-law will contain a Hold provision to be removed when the Owner enters into any necessary agreement (s) relating to the construction, financing, and implementation of off-site infrastructure improvements required for the development of the subject lands, including appropriate water supply and sewage capacity.

PURPOSE:

This report recommends approval of the Applications submitted by the Owner to permit the Proposed Development (see Figures 4 to 8).

PROCESS TO DATE:

- November 4, 2019: Staff deemed the Applications complete
- November 9, 2020: The Development Services Committee (“DSC”) received a Preliminary Report
- May 31, 2022: A Thornhill Sub-Committee meeting was held to provide an overview of a revised proposal
- July 5, 2022: The DSC held the statutory Public Meeting

The 120-day period set out in the *Planning Act* before the Owner can appeal the Official Plan Amendment to the Ontario Land Tribunal (“OLT”) for a non-decision ended on March 3, 2020. The 90-day period set out in the *Planning Act* before the Owner can appeal the Zoning By-law Amendment application to the OLT for a non-decision ended on February 2, 2020.

If the DSC supports the Applications, the planning process would include the next steps:

- Approval of the Official Plan and Zoning By-law Amendments, both of which will require further discussion with the applicant and potential revisions before being brought back to DSC for approval
- Submission of Site Plan Application(s)

BACKGROUND:**Subject Lands and Area Context**

Figures 1 to 3 show the Subject Lands that are currently occupied by two, single-storey commercial buildings with existing pharmacy, food store, and real estate office uses. Figure 3 shows the surrounding land uses.

The Owner revised the Proposed Development as described in Table 1

| Table 1: The Proposed Development | | |
|---|---|---|
| | Original Development Concept | Revised Development Concept |
| Site Area | 1.56 ha (3.85 ac) | 1.73 ha (4.27 ac) |
| Number of Buildings (and Storeys) | 4 (25, 31, 39 and 59 storeys and 4 storey podium) | 4 (25, 40, 45 and 55 storeys and 2, 4, 6 and 8 storey podium) |
| Residential Units | 1,560 | 1,955 |
| Residential Gross Floor Area (“GFA”) | 129,501 m ² (1,393,943 ft ²) | 151,952 m ² (1,635,597 ft ²) |
| Commercial GFA | 3,742 m ² (40,278 ft ²) | 4,051 m ² (43,605 ft ²) |
| Total GFA | 132,793 m ² (1,434,221 ft ²) | 156,003 m ² (1,679,202 ft ²) |
| Density (FSI) | 9.4 | 10.12 |
| Parking (Spaces) | 1,866 | 1,899 |
| Public Park Area | 0.14 ha (0.35 ac) | 0.19 ha (0.46 ac) |

The purpose of the OPA is to amend certain policies of the existing “Mixed Use High Rise” designation under the Markham 2014 Official Plan, as amended, to permit the Proposed Development, specifically to permit a

maximum density of 10.2 FSI and maximum building height of 55 storeys on the Subject Lands. The ZBA application would rezone the Subject Lands from ‘CC – Community Commercial Zone’ to ‘CA2 – Community Amenity Area Two Zone’, with site-specific exceptions to permit the Proposed Development, and to an ‘OS1 Zone’, under By-law 177-96, to permit the proposed park blocks. In addition, the ZBA proposes a ‘Hold’ provision relating to servicing.

DISCUSSION:

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, providing for all housing options, and wise use and management of resources. The Proposed Development facilitates a compact urban form through intensification. The Growth Plan provides a framework for implementing the Province’s vision for supporting a diverse range of housing options and transit-oriented communities within the Greater Golden Horseshoe to 2051. The Subject Lands are within a Protected Major Transit Station Area (“PMTSA”). The Proposed Development includes an appropriate mix of uses and provides access to active transportation options, consistent with the Growth Plan. Staff are of the opinion that the Proposed Development will optimize transit investment.

The Proposed Development conforms to the York Region Official Plan (the “2022 ROP”)

The 2022 ROP designates the Subject Lands ‘Urban Area’ and permits a wide range of residential, commercial, and industrial uses. The Subject Lands are also located within an PMTSA, and the proposed mixed-use buildings support planned transit-supportive intensification.

The Subject Lands are located on the Yonge North Subway Extension (the “YNSE”) route, immediately adjacent to the planned Royal Orchard Subway Station

The Royal Orchard Station will have the capacity to provide walking distance access (800 metres or a 10-minute walk) for approximately 7,300 people. The Development Concept Plan proposes to integrate a subway entrance connection into the proposed building at the northeast corner of Yonge Street and Royal Orchard.

Table 2 identifies how the matters raised throughout the review process, including those raised at the Thornhill sub-committee meeting and statutory Public Meeting, have been resolved or considered

| Table 2: Matters Raised and Considered | |
|---|---|
| a) Residents expressed a desire to keep the existing grocery store open during construction | The Owner confirmed that the first phase of development is proposed at the east end of the Subject Lands adjacent to Royal Orchard Boulevard and Inverlochy Boulevard, which is generally the location of the existing grocery store. As a result, it would not be feasible to keep the existing grocery store open during construction. The Owner indicated the willingness to facilitate a shuttle service for area residents to the nearest grocery store at the Thornhill Shopping Centre (300 John Street) in the interim. |
| b) Concerns expressed if the school system can handle the proposed density | The School Boards identified no issues or concerns with the Proposed Development. |
| c) Concerns expressed regarding the alignment of the subway construction and development phasing | |

The Owner is proposing a phased approach of the Proposed Development to align with the availability of transportation improvements including the construction of the Royal Orchard Station. The proposed zoning by-law will include a Hold provision to address this concern. Staff further note that the construction technique proposed for the Royal Orchard Station is the Sequential Excavation Method (“SEM”). This method will be used due to the depth of the excavation and will provide minimal disruption in this location.

d) The DSC requested the inclusion of purpose-built rental or affordable housing

Staff recommend that the Proposed Development include at least 2% (40 units) of the total proposed residential units (1,955) which meet the Affordable Housing Threshold for Markham (\$538,377), as defined in the Affordable Housing in York Region - Measuring and Monitoring Report. In addition, the latest site statistics for the Development Concept Plan indicate that an appropriate unit mix of one-, two-, and three-bedroom units will be provided. Staff opine that the proposed mix of unit types will also make it more viable for a range of households to live adjacent to higher order transit (Royal Orchard Station).

No commitments have been provided to date to include affordable housing or purpose-built rental units as part of the Proposed Development. However, Staff will work with the Owner to explore opportunities for affordable housing and/or rental options during the future site plan process.

e) Residents expressed concerns with increased traffic generated by the Proposed Development

The Proposed Development will implement the Transportation Demand Management (“TDM”) measures and incentives to support active transportation and transit and to reduce the numbers of single-occupant-vehicle trips to and from the Proposed Development. Staff opine that the first phase of development at the eastern limit of the Subject Lands can be built and occupied prior to the Yonge North Subway Extension (“YNSE”) being operational. Prior to lifting of the Hold Provision in the zoning by-law for the first phase, Staff recommend implementing the following TDM measures, to the satisfaction of the City:

- i) Provision of appropriate pedestrian connections within and external to the Subject Lands with pedestrian and cycling amenities including dedicated bicycle parking and shared parking options.
- ii) That the signal timing at the intersection of Yonge Street and Royal Orchard is further optimized to address critical movements during peak traffic conditions.
- iii) Prior lifting of the Hold Provision in the zoning by-law for phase two, the Owner will be required to enter into agreement (s) between the City and York Region relating to the construction, financing, and implementation of off-site infrastructure improvements required to accommodate additional phases of the Proposed Development.

f) Tower separation, massing, and transition are appropriate

Staff opine that these matters are appropriate based on the Owner’s Development Concept Plan, subject to the following design consideration:

- i) a minimum tower separation distance of 30 m above the podiums with a maximum floor plate of 800 m² to provide adequate levels of light, views, and privacy.
- ii) Building heights would transition from maximum 55-storeys at the intersection of Yonge Street and Royal Orchard Boulevard to 25-storeys adjacent to Inverlochy Boulevard.
- iii) The north building adjacent to Yonge Street (Tower 3) will be setback 15 m from the north lot line and approximately 47 m from the south wall of the existing apartment building to the north.

g) Upgrades To Existing Municipal Services Required

To ensure all site servicing issues are identified and resolved, Staff recommend that Hold Provisions be included in the zoning by-law, which shall only be removed when the Owner executes an agreement with the City and York Region securing the provision of sanitary service infrastructure upgrades and any improvements that may be required to support the development of the Subject Lands.

h) The Owner proposes a phased development in coordination with Metrolinx

Phase 1A development focuses on the northwest corner of Inverlochy Boulevard and Royal Orchard Boulevard and the main north-south driveway. Phase 1B would consist of the tower and podium on the west side of the main north-south driveway. The final phase, Phase 2, would consist of the two buildings and associated podiums adjacent to Yonge Street with direct access to the Royal Orchard Subway Station.

The Owner continues to coordinate with Metrolinx that includes knockout panels at locations that provide direct below-ground access to the Royal Orchard subway station from the Phase 2 retail podium. Metrolinx commented that there will be a permanent subsurface acquisition on the most western portion of the Subject Lands needed for the construction of the subway tunnel that starts at a depth of 46 metres below grade. Further details regarding the phasing will be reviewed at the site plan approval stage.

i) The Owner proposes a new Public Park and Privately-Owned Publicly Accessible Spaces (“POPS”)

The Owner proposes to convey a new 0.19 ha (0.46 ac) public park at the northwest corner of Inverlochy Boulevard and Royal Orchard Boulevard. Staff are satisfied with the park block's location. The parkland dedication requirement for the Proposed Development is 0.154 ha (10% of the site area of 1.54 ha), which the 0.19 ha proposed park would exceed. In addition, the Owner proposes two POPS with a combined area of 0.11 ha (0.27 ac) immediately west of the proposed public park, which would not qualify for parkland credit.

Following the submission of an application for Site Plan approval, the Owner will be required to enter into a Parks and Open Space Agreement to determine the details of the proposed public park.

j) Community Benefit Charge (“CBC”)

The Proposed Development is subject to “CBC” that will be collected for each phase prior to issuance of the respective Building Permit(s).

k) Official Plan and Zoning By-law Amendment Instruments (the “Instruments”)

Prior to bringing forward the instruments to Council for approval, the Applications will continue to be reviewed, and further discussions will be had with the Owner and Staff regarding matters, including provisions for affordable housing, servicing, and transportation.

CONCLUSION:

Staff is of the opinion that the Proposed Development is appropriate and represents good planning. The Subject Lands have been identified provincially, regionally, and locally for intensification with a mix of uses. The Proposed Development provides for desired intensification adjacent to future planned high order transit routes in a manner that is generally consistent with the anticipated pattern of development along the Yonge Corridor area and will integrate a direct access to the future Royal Orchard Station in coordination with Metrolinx. The

proposed building heights and density are consistent with the expected levels of intensification adjacent to a PMTSA. Therefore, Staff recommend approval of the draft Official Plan and Zoning By-law Amendments attached as Appendix 'A' and 'B'.

FINANCIAL CONSIDERATIONS:

Not applicable

HUMAN RESOURCES CONSIDERATIONS:

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Applications align with the City's strategic priorities in the context of growth management and municipal services to ensure safe and sustainable communities.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Applications were circulated to various departments and external agencies and the City and external agency requirements are reflected in the implementing OPA and ZBA (refer to Appendices 'A' and 'B').

RECOMMENDED BY:

Darryl Lyons, MCIP, RPP
Deputy Director, Planning and Urban Design

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

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

FIGURES AND APPENDIX:

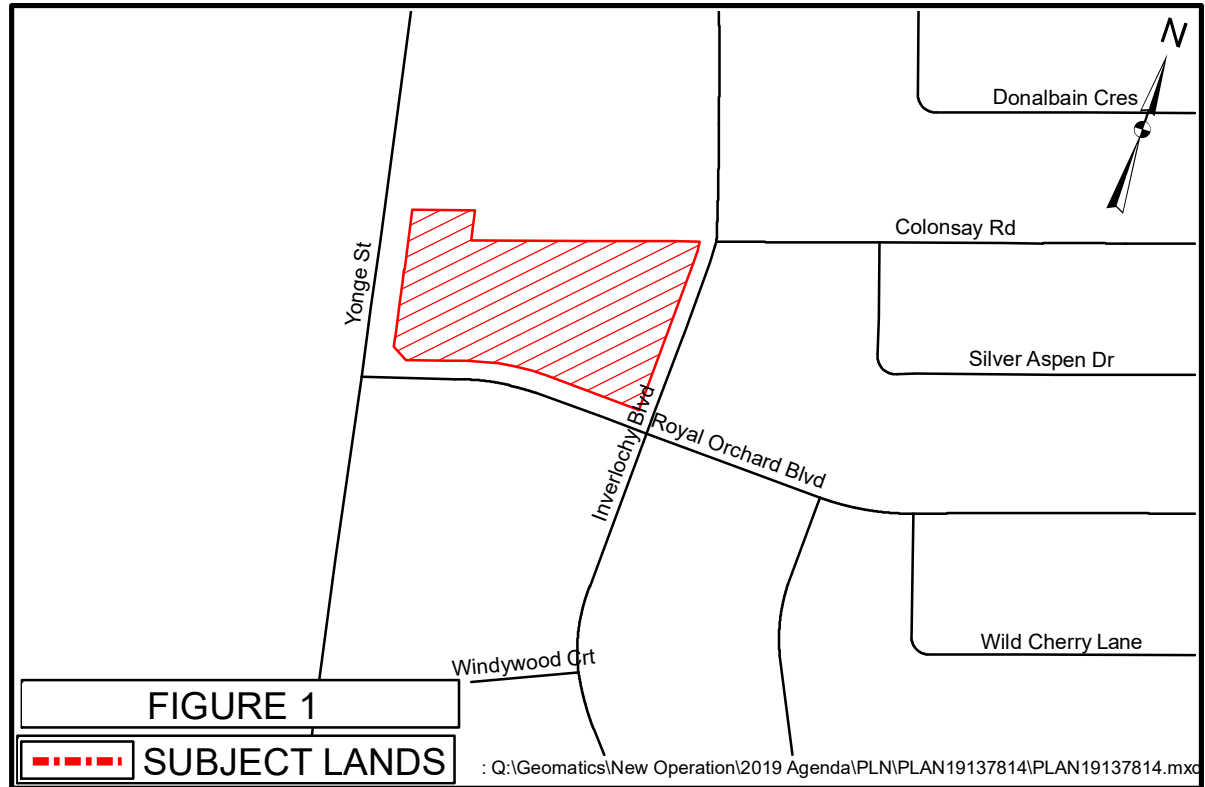
Figure 1: Location Map
Figure 2: Area Context and Zoning
Figure 3: Aerial Photo
Figure 4: Development Concept Plan
Figure 5: West Parcel – West and South Elevations
Figure 6: North Elevation
Figure 7: East Parcel – West and South Elevations
Figure 8: East Parcel – East and North Elevations
Appendix 'A': Draft Official Plan Amendment
Appendix 'B': Draft Zoning By-law Amendment

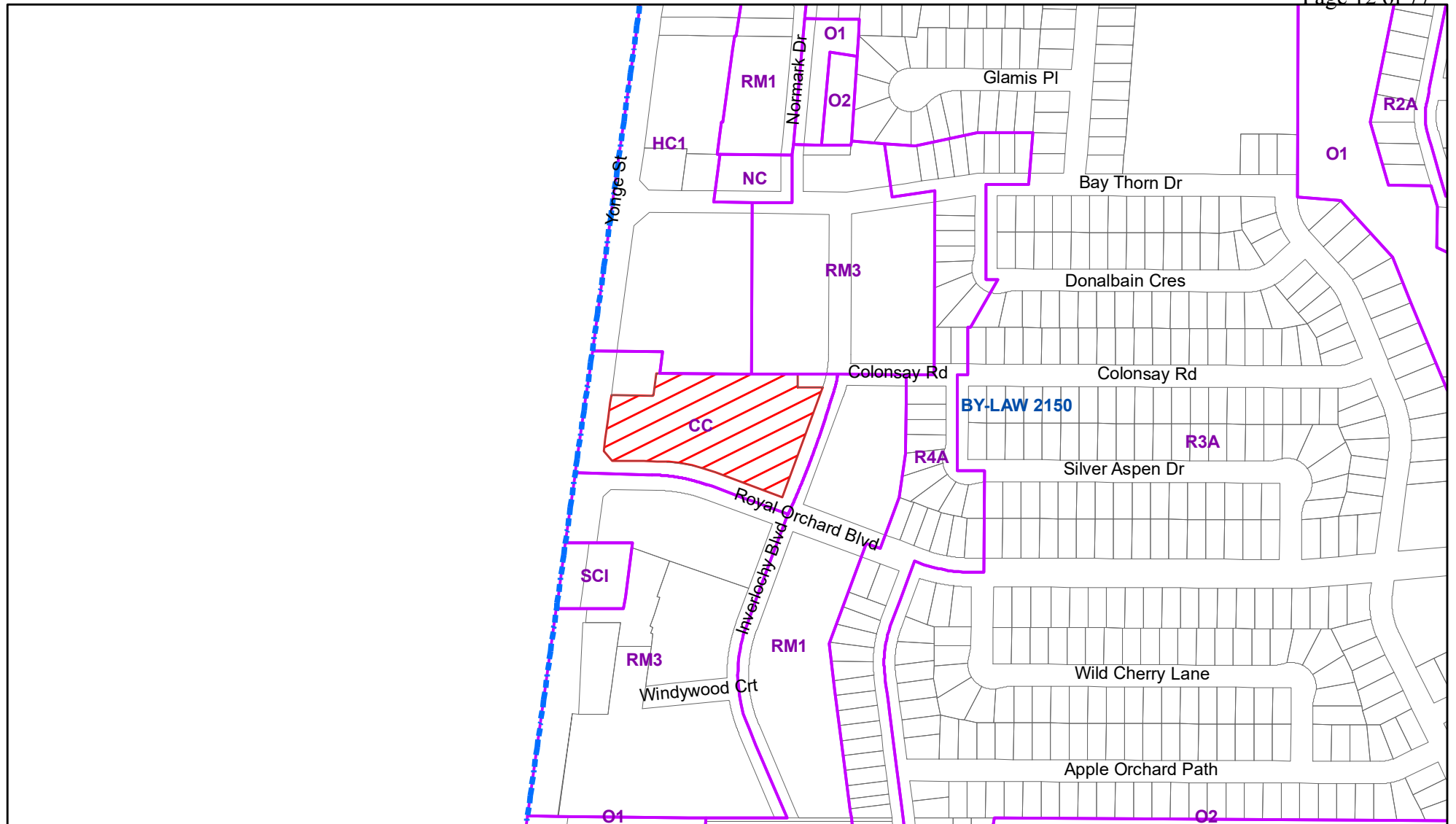
OWNER:

Greencapital Partnership Limited
C/O Lino Pellicano
8700 Dufferin Street
Concord, ON L4K 4S6
Email: lpellicano@greenpark.com

APPLICANT/AGENT:

Gatzios Planning + Development Consultants Inc.
C/O Maria Gatzios
701 Mount Pleasant Road Floor 3
Toronto, ON M4S 2N4
Email: maria@gatziosplanning.com





AREA CONTEXT / ZONING

APPLICANT: Greencapital Limited Partnership c/o Gatzios Planning & Development Consultants Inc.
10 Royal Orchard Boulevard

 SUBJECT LANDS

FILE No: PLAN 19-137814

Q:\Geomatics\New Operation\2019 Agenda\PLN\PLAN19137814\PLAN19137814.mxd

DATE: 03/26/2020






AERIAL PHOTO (2023)

APPLICANT: Greencapital Limited Partnership
10 Royal Orchard Boulevard & 8051 Yonge Street

FILE No. PLAN 19 137814

 SUBJECT LANDS



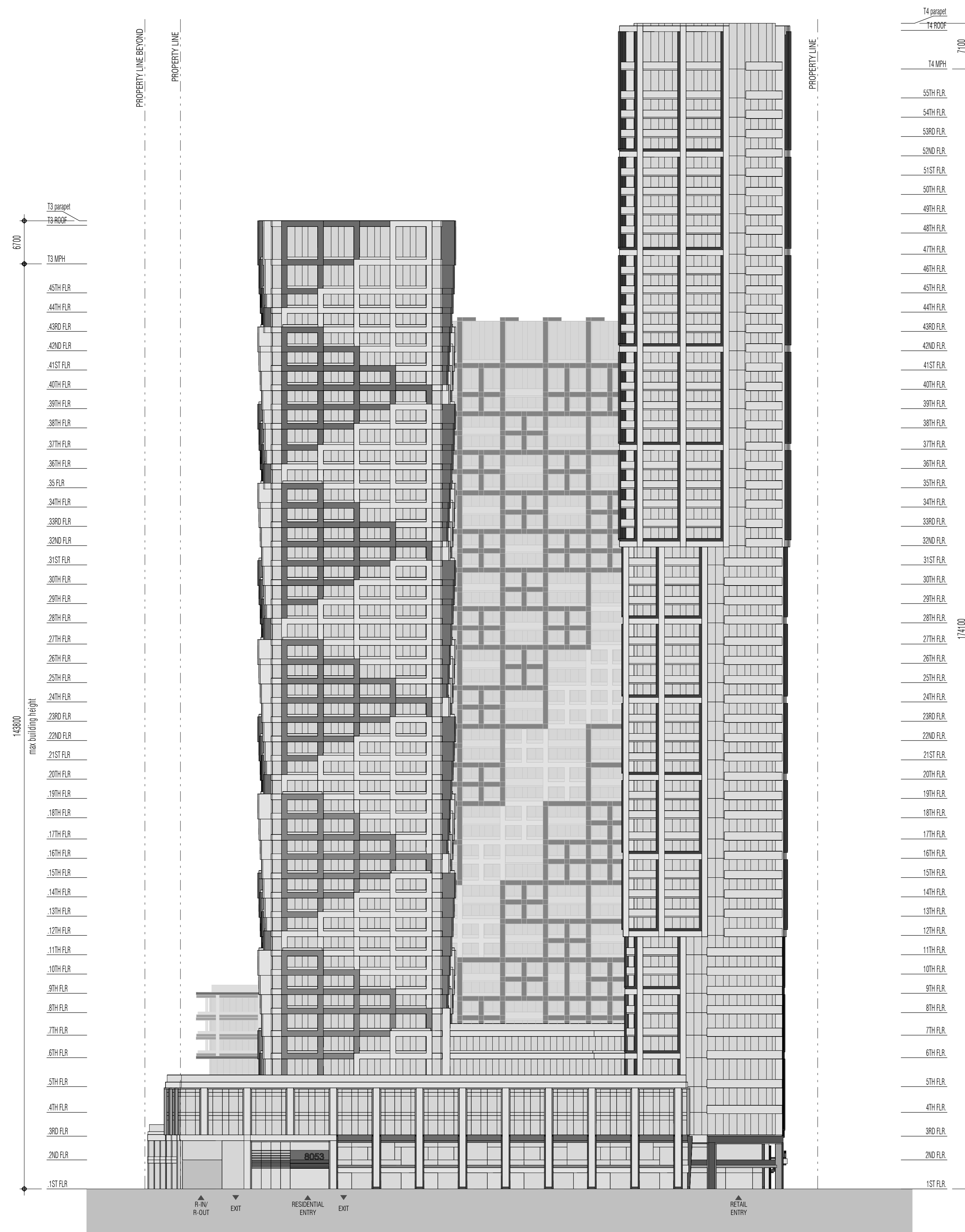


DEVELOPMENT CONCEPT PLAN

APPLICANT: Grencapital Limited Partnership
10 Royal Orchard Boulevard & 8051 Yonge Street

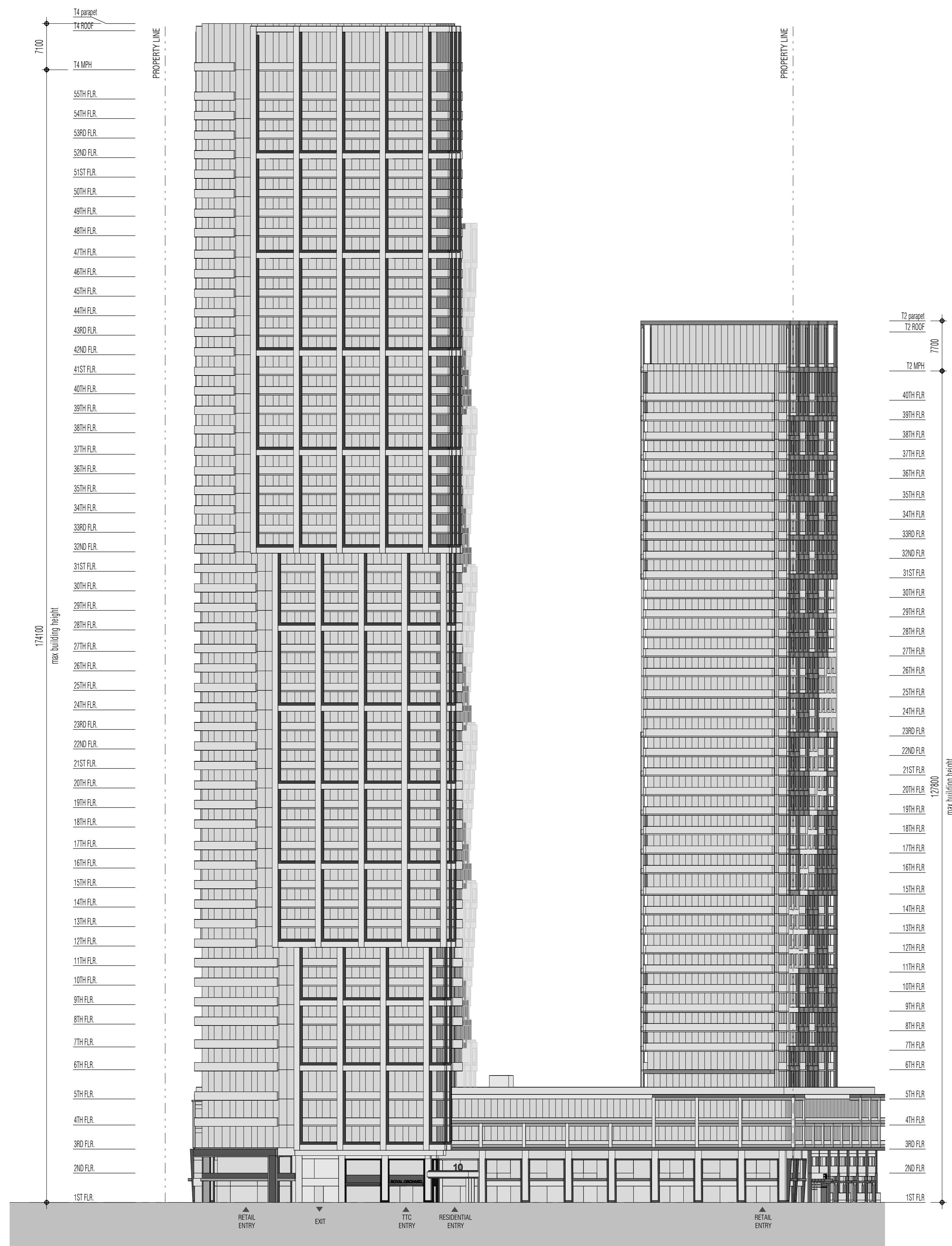
FILE No. PLAN 19 137814

Y:\Geomatics\New Operation\2024 Agenda\PLAN\PLAN19_137814\Report Figures.mxd



WEST PARCEL - WEST ELEVATION
SCALE - 1:400

1
A.403



WEST PARCEL - SOUTH ELEVATION
SCALE - 1:400

2
A.403

THIS DRAWING, AS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF GRAZIANI + CORAZZA ARCHITECTS INC. THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY GRAZIANI + CORAZZA ARCHITECTS INC. OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. GRAZIANI + CORAZZA ARCHITECTS INC. IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, ETC. ENGINEERING INFORMATION SHOWN ON THIS DRAWING. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS BEFORE PROCEEDING WITH THE WORK. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF THE AUTHORITIES HAVING JURISDICTION. UNLESS OTHERWISE NOTED, NO INVESTIGATION HAS BEEN UNDERTAKEN OR REPORTED ON BY THIS OFFICE IN REGARDS TO THE ENVIRONMENTAL CONDITION OF THIS SITE.

THIS DRAWING IS NOT TO BE SCALED. ALL ARCHITECTURAL SYMBOLS INDICATED ON THIS DRAWING ARE GRAPHIC REPRESENTATIONS ONLY. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNTIL COUNTERSIGNED BY THE ARCHITECT.

CONDITIONS FOR ELECTRONIC INFORMATION TRANSFER:

ELECTRONIC INFORMATION IS SUPPLIED TO THE OTHER ASSOCIATED FIRMS TO ASSIST THEM IN THE EXECUTION OF THEIR WORK. REVIEW THE RECIPIENT FIRMS MUST DETERMINE THE COMPLETENESS, APPROPRIATENESS, RELEVANCE OF THE INFORMATION IN RESPECT TO THEIR PARTICULAR RESPONSIBILITY.

GRAZIANI + CORAZZA ARCHITECTS INC. SHALL NOT BE RESPONSIBLE FOR:
1. ERRORS, OMISSIONS, INCOMPLETENESS DUE TO LOSS OF INFORMATION IN WHOLE OR PART WHEN INFORMATION IS TRANSFERRED.
2. TRANSMISSION OF ANY VIRUS OR DAMAGE TO THE RECEIVING ELECTRONIC SYSTEM WHEN INFORMATION IS TRANSFERRED.

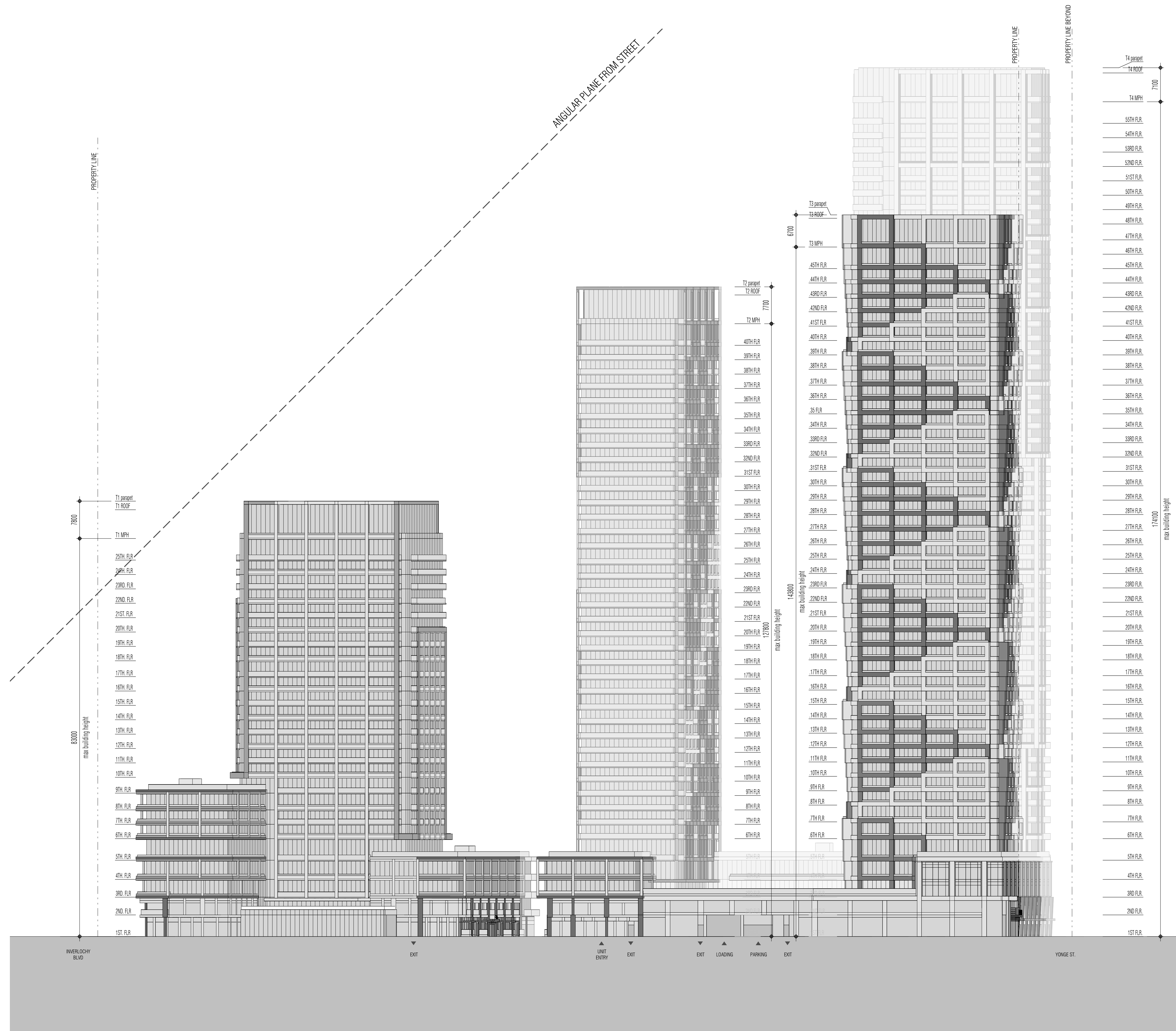
Issues

| No. | Date | Description | Issued by |
|-----|-------------|------------------------------------|-----------|
| 01. | OCT.15.2019 | ISSUED FOR REZONING SUBMISSION | B.G. |
| 02. | MAR.22.2021 | RE-ISSUED FOR REZONING APPLICATION | E.C. |
| 03. | NOV.29.2021 | RE-ISSUED FOR REZONING APPLICATION | E.C. |
| 04. | DEC.20.2023 | RE-ISSUED FOR REZONING APPLICATION | E.C. |

| No. | Date | Description | Issued by |
|--|------|-------------|-----------|
| Issued for revisions | | | |
| | | | |
| GRAZIANI + CORAZZA ARCHITECTS <small>8400 JANE STREET, BUILDING D SUITE 300, CONCORD, ONTARIO L4K 4L8 PHONE: 905.795.2801 FAX: 905.795.2844 WWW.GC-ARCHITECTS.COM</small> | | | |

PROPOSED MIXED USE DEVELOPMENT
YONGE & ROYAL ORCHARD
Greenpark. MARKHAM ONTARIO
Project Architect : E. CORAZZA
Assistant Designer : L. WONG
Drawn By : L. WONG / J.LEUNG / W. CHIU
Checked By : D.BIASE
Plot Date : December.20.2023
Job # : 1382.16

WEST PARCEL - WEST & SOUTH ELEVATIONS



THIS DRAWING, AS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF GRAZIANI + CORAZZA ARCHITECTS INC. THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY GRAZIANI + CORAZZA ARCHITECTS INC. OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. GRAZIANI + CORAZZA ARCHITECTS INC. IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, ETC., ENGINEERING INFORMATION SHOWN ON THIS DRAWING. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS BEFORE PROCEEDING WITH THE WORK. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF THE AUTHORITIES HAVING JURISDICTION, UNLESS OTHERWISE NOTED. NO INVESTIGATION HAS BEEN UNDERTAKEN OR REPORTED ON BY THIS OFFICE IN REGARDS TO THE ENVIRONMENTAL CONDITION OF THIS SITE.

THIS DRAWING IS NOT TO BE SCALED. ALL ARCHITECTURAL SYMBOLS INDICATED ON THIS DRAWING ARE GRAPHIC REPRESENTATIONS ONLY. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNTIL COUNTERSIGNED BY THE ARCHITECT.

CONDITIONS FOR ELECTRONIC INFORMATION TRANSFER:

ELECTRONIC INFORMATION IS SUPPLIED TO THE OTHER ASSOCIATED FIRMS TO ASSIST THEM IN THE EXECUTION OF THEIR WORK. REVIEW THE RECIPIENT FIRMS MUST DETERMINE THE COMPLETENESS, APPROPRIATENESS, RELIANCE OF THE INFORMATION IN RESPECT TO THEIR PARTICULAR RESPONSIBILITY.

GRAZIANI + CORAZZA ARCHITECTS INC. SHALL NOT BE RESPONSIBLE FOR:
 1. ERRORS, OMISSIONS, INCOMPLETENESS DUE TO LOSS OF INFORMATION IN WHOLE OR PART WHEN INFORMATION IS TRANSFERRED.
 2. TRANSMISSION OF ANY VIRUS OR DAMAGE TO THE RECEIVING ELECTRONIC SYSTEM WHEN INFORMATION IS TRANSFERRED.

Issues

| No. | Date | Description | Issued by |
|-----|-------------|------------------------------------|-----------|
| 01. | OCT.15.2019 | ISSUED FOR REZONING SUBMISSION | B.G. |
| 02. | MAR.22.2021 | RE-ISSUED FOR REZONING APPLICATION | E.C. |
| 03. | NOV.29.2021 | RE-ISSUED FOR REZONING APPLICATION | E.C. |
| 04. | DEC.20.2023 | RE-ISSUED FOR REZONING APPLICATION | E.C. |

| No. | Date | Description | Issued by |
|---|------|-------------|-----------|
| Issued for revisions | | | |
| | | | |
| GRAZIANI + CORAZZA ARCHITECTS ENZO M. CORAZZA LICENCE 47012 | | | |
| 8400 JANE STREET, BUILDING D SUITE 300, CONCORD, ONTARIO L4K 4L8 PHONE: 905.795.2801 FAX: 905.795.2844 WWW.GC-ARCHITECTS.COM | | | |

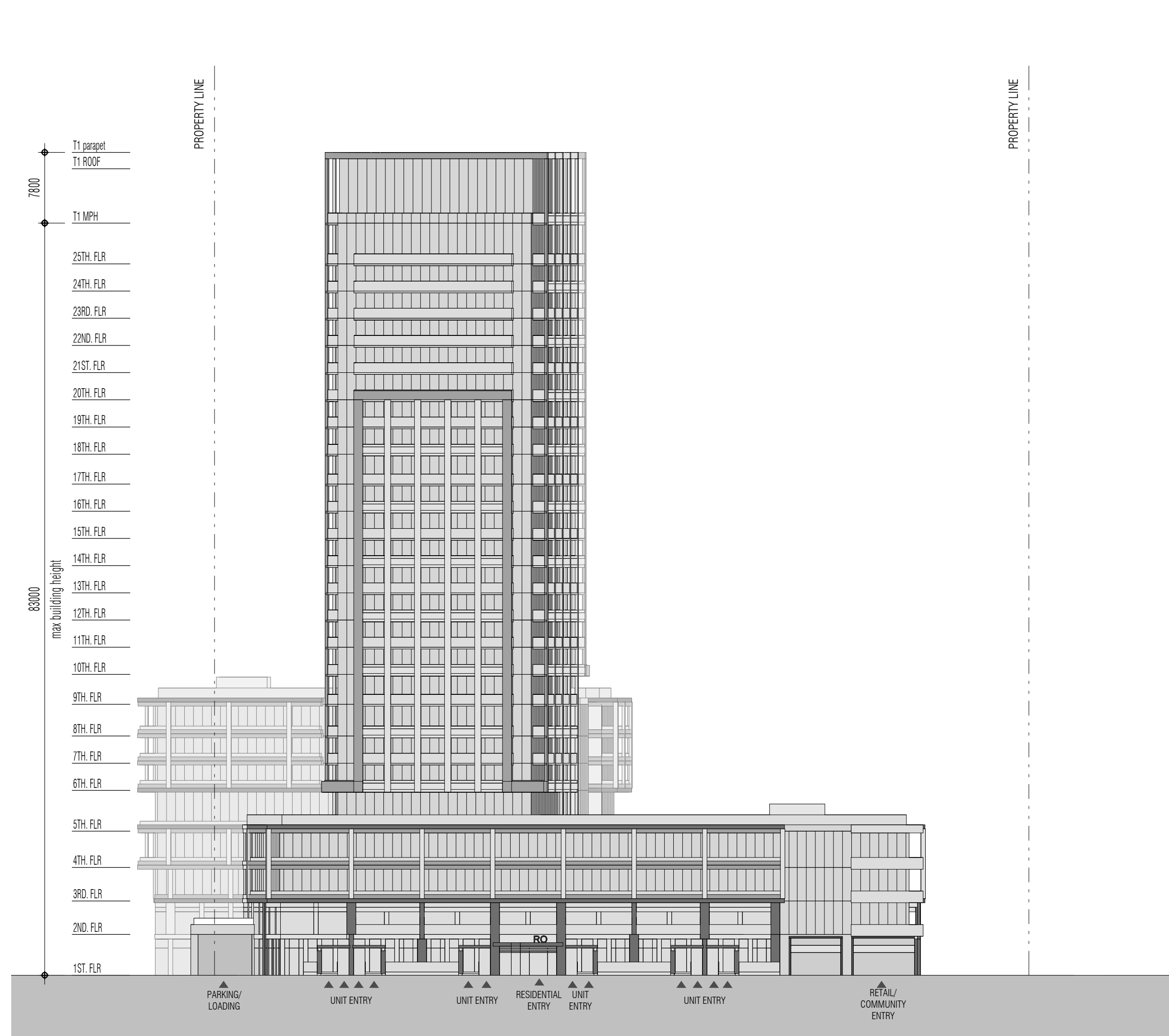
PROPOSED MIXED USE DEVELOPMENT

YONGE & ROYAL ORCHARD

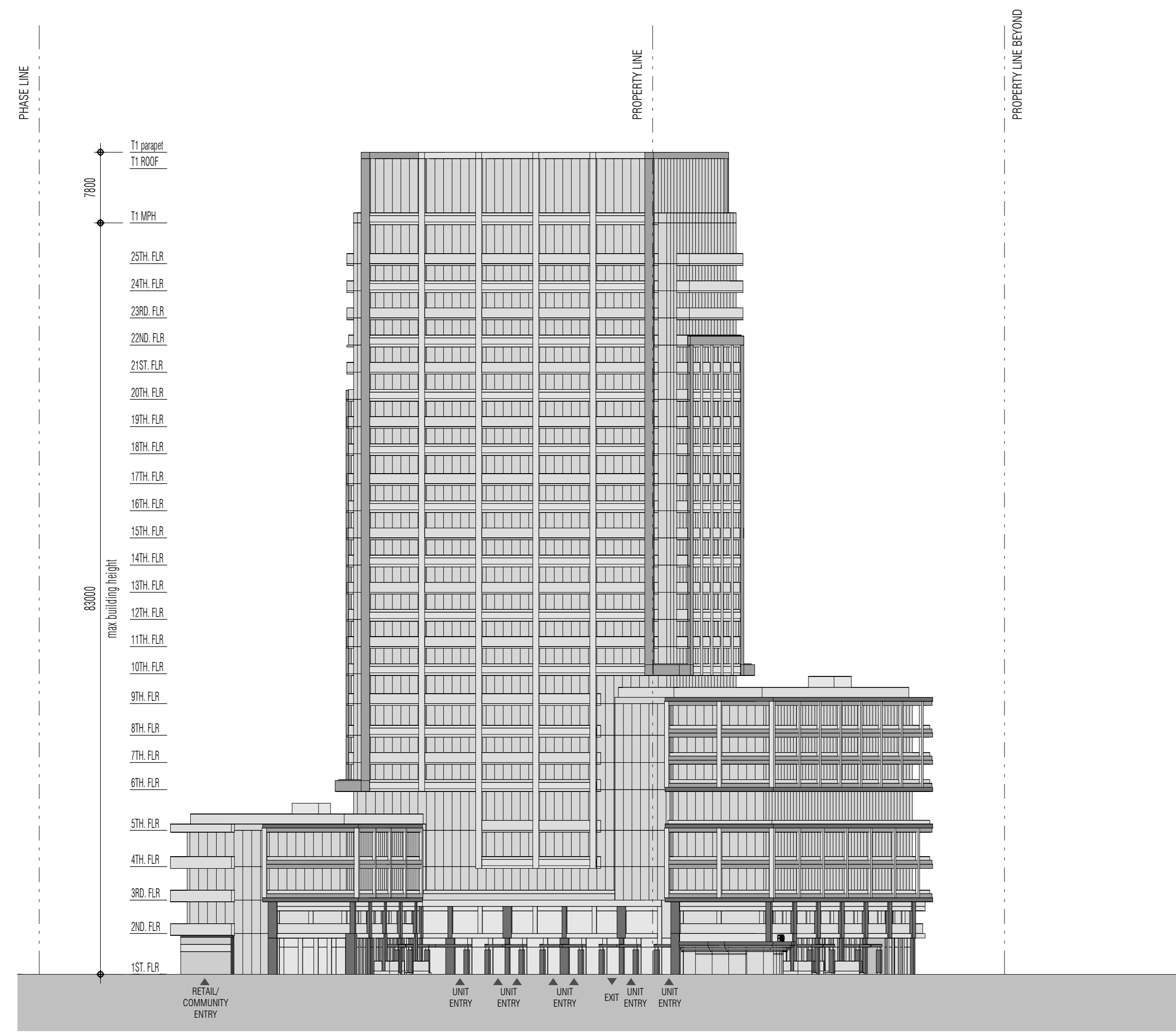
Greenpark.
 MARKHAM ONTARIO

Project Architect : E. CORAZZA
 Assistant Designer : L. WONG
 Drawn By : L. WONG / J.LEUNG / W. CHIU
 Checked By : D.BIASE
 Plot Date : December.20.2023
 Job # : 1382.16

NORTH ELEVATION



EAST PARCEL - WEST ELEVATION
SCALE - 1:400
2
A.405



EAST PARCEL - SOUTH ELEVATION
SCALE - 1:400
1
A.405

THIS DRAWING, AS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF GRAZIANI + CORAZZA ARCHITECTS INC. THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY GRAZIANI + CORAZZA ARCHITECTS INC. OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. GRAZIANI + CORAZZA ARCHITECTS INC. IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, ETC., ENGINEERING INFORMATION SHOWN ON THIS DRAWING. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS BEFORE PROCEEDING WITH THE WORK. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF THE AUTHORITIES HAVING JURISDICTION, UNLESS OTHERWISE NOTED. NO INVESTIGATION HAS BEEN UNDERTAKEN OR REPORTED ON BY THIS OFFICE IN REGARD TO THE ENVIRONMENTAL CONDITION OF THIS SITE.

THIS DRAWING IS NOT TO BE SCALED. ALL ARCHITECTURAL SYMBOLS INDICATED ON THIS DRAWING ARE GRAPHIC REPRESENTATIONS ONLY. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNTIL COUNTERSIGNED BY THE ARCHITECT.

CONDITIONS FOR ELECTRONIC INFORMATION TRANSFER:

ELECTRONIC INFORMATION IS SUPPLIED TO THE OTHER ASSOCIATED FIRMS TO ASSIST THEM IN THE EXECUTION OF THEIR WORK/REVIEW. THE RECIPIENT FIRMS MUST DETERMINE THE COMPLETENESS, APPROPRIATENESS, RELEVANCE OF THE INFORMATION IN RESPECT TO THEIR PARTICULAR RESPONSIBILITY.

GRAZIANI + CORAZZA ARCHITECTS INC. SHALL NOT BE RESPONSIBLE FOR:
1. ERRORS, OMISSIONS, INCOMPLETENESS DUE TO LOSS OF INFORMATION IN WHOLE OR PART WHEN INFORMATION IS TRANSFERRED.
2. TRANSMISSION OF ANY VIRUS OR DAMAGE TO THE RECEIVING ELECTRONIC SYSTEM WHEN INFORMATION IS TRANSFERRED.

Issues

| No. | Date | Description | Issued by |
|-----|-------------|------------------------------------|-----------|
| 01. | OCT.15.2019 | ISSUED FOR REZONING SUBMISSION | B.G. |
| 02. | MAR.22.2021 | RE-ISSUED FOR REZONING APPLICATION | E.C. |
| 03. | NOV.29.2021 | RE-ISSUED FOR REZONING APPLICATION | E.C. |
| 04. | DEC.20.2023 | RE-ISSUED FOR REZONING APPLICATION | E.C. |

| No. | Date | Description | Issued by |
|-----|------|-------------|-----------|
|-----|------|-------------|-----------|

Issued for revisions

GRAZIANI + CORAZZA ARCHITECTS
8400 JANE STREET, BUILDING D SUITE 300, CONCORD, ONTARIO L4K 4L8
PHONE: 905.795.2801 FAX: 905.795.2844 WWW.GC-ARCHITECTS.COM

PROPOSED MIXED USE DEVELOPMENT

YONGE & ROYAL ORCHARD
MARKHAM ONTARIO

Project Architect : E. CORAZZA
Assistant Designer : L. WONG
Drawn By : L. WONG/ J. LEUNG/ W. CHIU
Checked By : D. BIASE
Plot Date : December.20.2023
Job # : 1382.16

EAST PARCEL - WEST & SOUTH ELEVATIONS

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

Greencapital Limited Partnership Inc.

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. _____ - ____ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the __day of _____, 2024.

Kimberley Kitteringham
CITY CLERK

Frank Scarpitti
MAYOR

DRAFT

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 *date* DAY OF December 2024.

Kimberley Kitteringham
CITY CLERK

Frank Scarpitti
MAYOR

CONTENTS

PART I – INTRODUCTION

1. GENERAL.....6
2. LOCATION.....6
3. PURPOSE.....6
4. BASIS6

PART II – THE OFFICIAL PLAN AMENDMENT

1. THE OFFICIAL PLAN AMENDMENT.....8
2. IMPLEMENTATION AND INTERPRETATION.....9

DRAFT

DRAFT

PART I – INTRODUCTION

(This is not an operative part of 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, 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

This Amendment applies to the 1.73 hectare (4.27 acre) subject lands municipally known as 10 Royal Orchard Boulevard and 8051 Yonge Street as shown on Figure 9.18.1. The property is located on the north side of Royal Orchard Boulevard, between Yonge Street and Inverlochy Boulevard. The subject lands are located within the Thornhill District.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to permit a mixed-use high-rise development with a maximum density and maximum height. The level of intensification includes a maximum density of 10.2 FSI and a maximum height of 55 storeys.

The development plan consists of buildings with podium heights of 4 to 8 storeys and residential towers ranging in height between 25 – 55 storeys. Included are non-residential, commercial and/or retail uses within the podiums of the buildings and a public park block at the intersection of Royal Orchard Boulevard and Inverlochy Boulevard.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

This amendment will provide for a mixed-use high-rise development on the subject lands that is compatible with adjacent development and provides appropriate intensification based on the provision of transit along the Yonge Street corridor. This amendment will facilitate the redevelopment of the subject lands with residential towers ranging in height from 25-55 storeys (including the podiums).

Non-residential, commercial and/or retail uses are proposed within the podiums of the mixed-use buildings at the corner of Yonge Street and Royal Orchard Boulevard and along Royal Orchard Boulevard which will provide a strong urban edge. The public park block proposed at the intersection of Royal Orchard Boulevard and Inverlochy Boulevard will serve residents of the proposed development and the immediately surrounding community.

The proposed development, with a maximum site density of 10.2 FSI and maximum height of 55 storeys is appropriate in this location situated at the proposed Royal Orchard subway station location. The increased site density and building height represents good planning as the subject lands are located upon the potential future Royal Orchard subway station as identified by Metrolinx part of the Yonge North Subway Extension, being the centre of the Royal Orchard PMTSA. The proposed development will include integrated access to the Royal Orchard Station. The property is sufficient in size to accommodate the proposed development.

The proposed development is consistent with the Provincial Policy Statement, 2020, conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, and the 2022 York Region Official Plan.

An associated Zoning By-law Amendment is also required to implement the new Official Plan Amendment, including height permission and site density.

DRAFT

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. XXX)

DRAFT

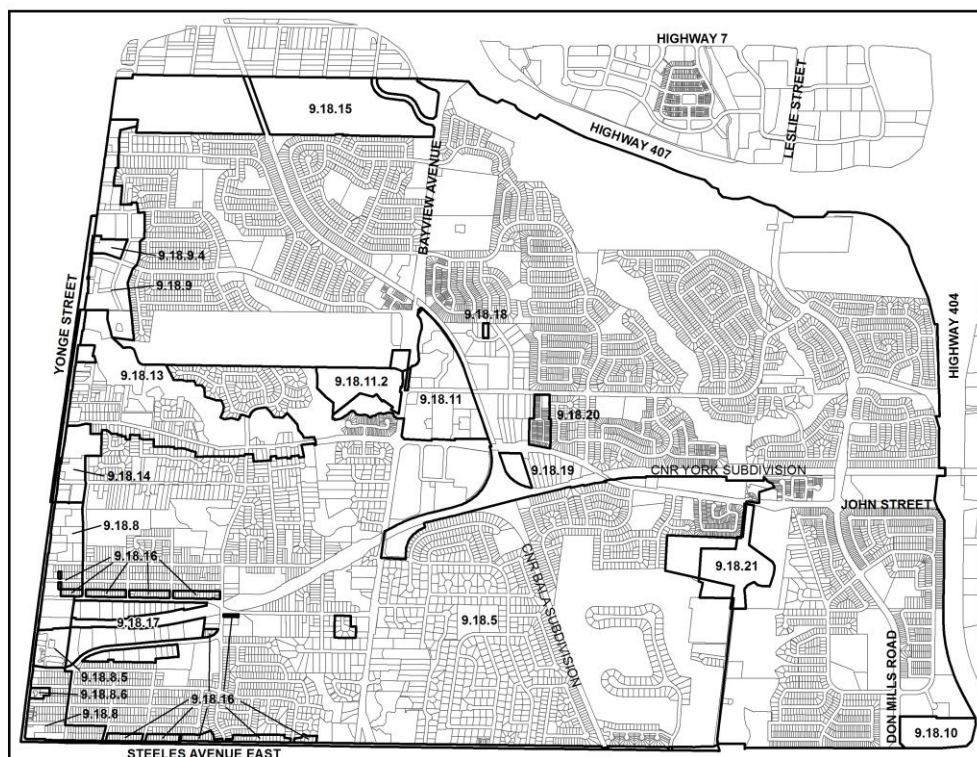
PART II – THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

1.1 Map 14 - Public School, Place of Worship and Park Sites is amended by adding a park site and identifying a modified location for a Park as shown on Schedule 'A' attached hereto.

1.2 Section 9.18 of the Official Plan 2014, as amended, is hereby amended by:

- a) Amending Section 9.18.1 to add a reference to a new Section 9.18.9.4 in Figure 9.18.1 as follows:



- b) Adding a new Section 9.18.9 and a new Figure 9.18.9 as follows:

8051 Yonge Street and 10 Royal Orchard Boulevard

“9.18.9.4 On the Mixed Use High Rise lands shown in Figure 9.18.9.4, the following shall apply:

- a. The total *floor space index* for all buildings shall not exceed 10.2 FSI.
- b. The maximum height for all buildings shall not exceed 55 storeys.
- c. The implementing zoning by-law amendment will include a Holding (H) provision with conditions of removal with respect to the provision of sanitary service infrastructure upgrades and any improvements, including transportation, that might be required for the development of the Subject Lands.
- d. the following matters shall be secured through a site plan control agreement or other agreement(s) as appropriate:
 - i. the applicable development criteria for ‘Mixed Use’ lands as outlined in Section 8.3.1.4 and 8.3.4.5 of this Plan, and the applicable urban design and sustainable development policies of Section 6.1 and 6.2 of this Plan and, in particular, the following:
 - high density residential, office and retail and service uses will generally be located along the Yonge Street and Royal Orchard Boulevard frontage as follows:
 - retail and service uses shall generally be located within the lower storeys of the street-related podium;
 - no dwelling units will be permitted on the first floor of the street-related podium;
 - the floor plate of the tower portion of residential buildings shall not exceed 800 square metres;
 - the conveyance of a public park adjacent to the Royal Orchard Boulevard and Inverlochy Boulevard frontages of the lands east of the high-density development fronting on Yonge Street;
 - the dedication of land for a potential road widening along Yonge Street to the satisfaction of York Region;

- all requirements related to Metrolinx’ technical review of the application(s);
 - implementation of transportation demand management strategy initiatives; and
 - financial contributions, if required, to off-site infrastructure.
- e. Holding provisions shall be applied to the lands and lifted by the City upon confirmation by City that the following condition has been met:
- i. that regional servicing capacity has been allocated to the residential component of the proposed development;
 - ii. that a Transportation Demand Management plan is submitted to the satisfaction of the City;

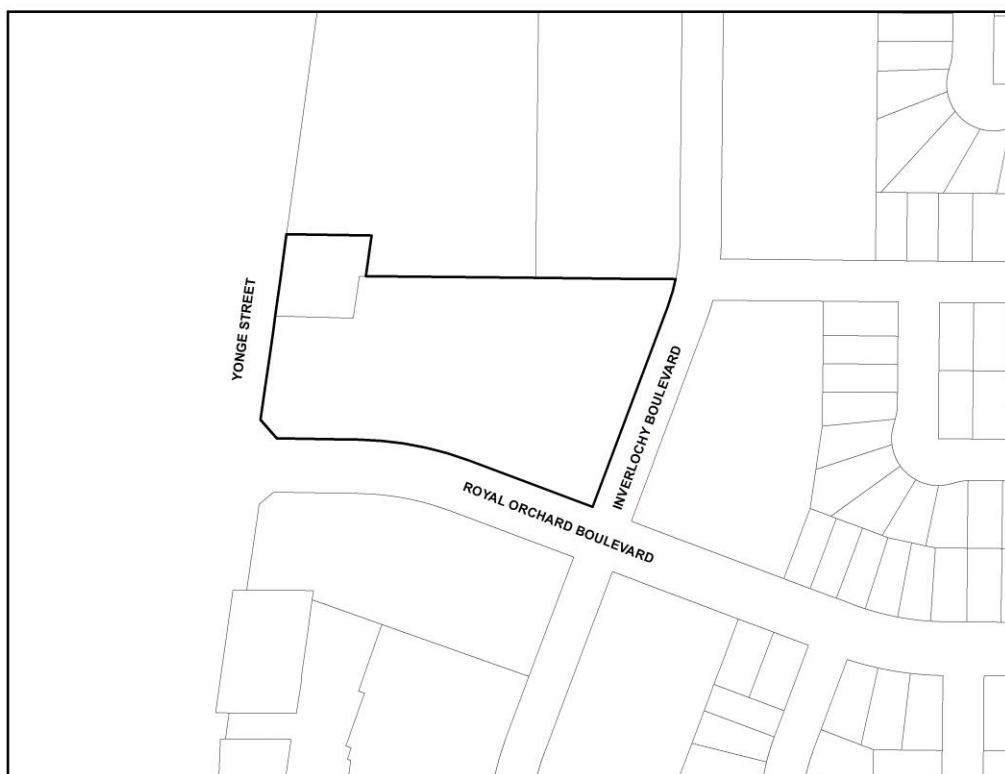


Figure 9.18.9.4”

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan, 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.

This Amendment shall be implemented by an amendment to the Zoning By-law and Site Plan approval and other Planning Act approvals, in conformity with the provisions of this Amendment.

This Amendment to the City of Markham's Official Plan 2014, as amended, is exempt from approval by the Region of York. Following adoption of the Amendment, 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 associated figure(s) 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.

Bay Thorn Dr


Yonge St

ADD 'PARK SITE'
AS SHOWN

Inverlochy Blvd

Royal Orchard Blvd

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

ADD:
 Park Site

DRAFT





BY-LAW 2024-_____

A By-law to amend By-law 2150, as amended
(to delete lands from the designated area of By-law 2150)
and to amend By-law 177-96, as amended
(to incorporate lands into the designated area of By-law 177-96)

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

1. That By-law 2150 as amended, is hereby further amended as follows:
 - 1.1 By deleting the lands shown on Schedule 'A' attached hereto from the designated area of By-law 2150, as amended.

2. 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 the lands as shown on Schedule "A" attached hereto.
 - 2.2 By rezoning the lands outlined on Schedule 'A' attached hereto from:

from:
Community Commercial Zone (CC)
under By-law 2150

to:
Community Amenity Two*XXX Hold [CA2*XXX(H1)(H2)] Zone
&
Open Space One (OS1) Zone
under By-law 177-96
 - 2.3 By adding the following subsection to Section 7 – EXCEPTIONS

| | | |
|--|--|----------------------------|
| Exception 7.AAA | Greencapital Limited Partnership 10 Royal Orchard Boulevard | Parent Zone CA2 |
| File PLAN 19 137814 | | Amending By-law 2024-### |
| Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the land shown on Schedule "A" attached to this By-law 2024###. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section. | | |
| 7.AAA.1 Permitted Uses | | |

| | |
|---|---|
| In addition to those uses permitted in the CA2 Zone, the following uses shall be permitted on the subject property: | |
| a) | <i>Hotels</i> |
| b) | <i>Museums</i> |
| c) | <i>Places of Amusement</i> |
| d) | <i>Recreational Establishments</i> |
| e) | <i>Supermarkets</i> |
| f) | <i>Theatres</i> |
| g) | <i>Veterinary Clinics</i> |
| 7.AAA.2 Special Zone Standards | |
| The following specific Zone Standards shall apply: | |
| a) | For the purposes of this By-law the Special Provisions of Table A2 shall not apply. |
| b) | For the purposes of this By-law the Special Provisions of Table B7 shall not apply. |
| c) | Notwithstanding any further division or partition of the land subject to this Section, all lands zoned with Exception *AAA shall be deemed one lot for the purposes of this By-law. |
| d) | For the purposes of this By-law, the <i>lot line</i> abutting Yonge Street shall be deemed to be the <i>front lot line</i> . |
| e) | Minimum <i>lot frontage</i> – 90 metres |
| f) | Minimum <i>front yard setback</i> – 3.0 metres |
| g) | Minimum setback to daylight triangle – 1.5m |
| h) | <i>Minimum rear yard</i> – 6.0 metres |
| i) | Minimum north <i>interior side yard</i> – 0.0 metres |
| j) | Minimum south <i>exterior side yard</i> – 2.0 metres |
| k) | Minimum setback of any podium to the lot line – 0.0 metres |
| l) | Minimum setback of any tower to the lot line – 1.5 metres |
| m) | Minimum separation distance between towers – 30 metres |
| n) | Maximum <i>floor space index</i> (FSI) –10.2; |
| o) | <i>Non-residential uses are permitted within 5 storeys of the ground floor of any buildings.</i> |
| p) | <i>Maximum building height</i> – 176 metres; |
| q) | Notwithstanding the maximum building height as per Provision 7.XXX.2 p) mechanical penthouse structures (including architectural screening and features) may project up to a maximum of 8.0 metres above the maximum building height. |
| r) | <i>Minimum landscaped open space</i> – 20% |
| s) | No <i>setbacks</i> or <i>yards</i> shall be required for any portion of a <i>parking garage</i> if it is constructed below the <i>established grade</i> . This exemption shall also apply to ventilation shafts and housings, stairways, portions of the <i>parking garage</i> projecting above <i>established grade</i> , and other similar facilities above <i>established grade</i> associated with below grade <i>parking garages</i> . |
| t) | Notwithstanding f), g), h), i) and j) above, <i>outdoor amenity space</i> or terraces, retaining walls, building cornices, parapets, eaves, guardrails, balustrades, green roof elements, wind mitigation, porches, ornamental elements, architectural cladding, window sills, wheel chair ramps, railings, |

| | |
|----|--|
| | balconies, canopies, awnings, vents, window washing equipment, light fixtures, stairs, stair enclosures and privacy screens may encroach into the required front, rear, north interior, or south exterior <i>yard setbacks</i> up to the lot line. |
| u) | Notwithstanding Section 6.18 Parking Standards and the provisions of By-law 28-97 the following parking requirements shall apply to the lands shown on Schedule "A" attached to this By-law 2024-###: <ul style="list-style-type: none"> i. Parking for residential uses shall be provided at the rate of: <ul style="list-style-type: none"> a. 0.75 parking spaces per dwelling unit for residents b. 0.15 parking spaces per dwelling unit for visitors ii. Parking for non-residential uses shall be provided at the rate of 3.2 spaces per 100 square metres of non-residential floor area. |

3. Holding Provision

No person shall hereafter erect or alter any building or structure on the lands subject to the Holding (H) provision for the purpose permitted under this By-law 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.

For the purposes of this By-law, Holding (H1) provision, as identified on Schedule 'A', attached hereto, shall only be lifted when the following conditions have been met to the satisfaction of the City of Markham:

1. For the first phase of development totaling 870 units:
 - a) That the Owner executes agreement (s) between the City, York Region relating to the construction, financing, and implementation of off-site infrastructure improvements required for the development of the subject lands;
 - b) Appropriate water supplies and sewage capacity are available, and have been allocated by Council to support the development; and,
 - c) A traffic impact study and a TDM (Travel Demand Management) plan have been approved by the City;

Driveways and underground parking garages are permitted to be constructed prior to the removal of Holding provision H.

For the purposes of this By-law, Holding (H2) provision, as identified on Schedule 'A', attached hereto, shall only be lifted when the following conditions have been met to the satisfaction of the City of Markham

1. For the second phase of development totaling 1085 units:
 - a) That the Owner executes agreement (s) between the City, York Region relating to the construction, financing, and implementation of off-site infrastructure improvements required for the development of the subject lands

- b) Appropriate water supplies and sewage capacity are available, and have been allocated by Council to support the development; and,
- c) all required transit improvements for the Yonge Corridor Area, including the commencement of construction YNSE project to the satisfaction of the City.

Read a first, second and third time and passed on _____, 2024.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

DRAFT



EXPLANATORY NOTE

BY-LAW 2024-_____

A By-law to amend By-laws 2150 and 177-96, as amended

**10 Royal Orchard Boulevard and 8051 Yonge Street
Block A, Registered Plan 7686
Part of Lot 32, Concession 1 and
Part of Lots 32 and 33, Concession 1
(Mixed Used High-Rise Development)
PLAN 19 137814**

Lands Affected

The proposed by-law amendment applies to 1.73 hectares (4.27 acres) of land on the east side of Yonge Street north of Royal Orchard Boulevard, and municipally known as 10 Royal Orchard Boulevard and 8051 Yonge Street.

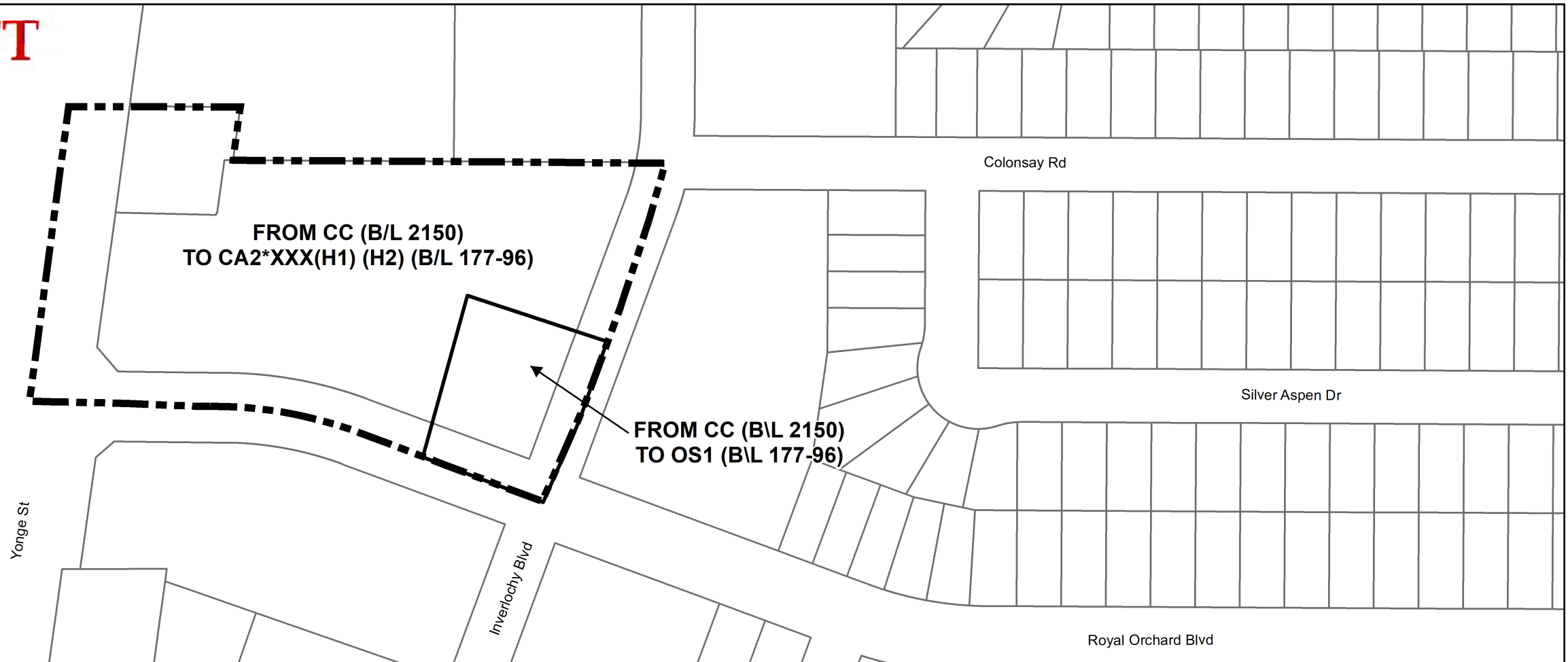
Existing Zoning

By-law 2150, as amended, currently zones the subject lands as Community Commercial Zone (CC).

Purpose and Effect

The purpose and effect of this By-law is to delete the property from the designated area of By-law 2150, amend By-law 177-96 to incorporate lands into the designated area of By-law 177-96, and to rezone the subject property to permit the redevelopment of subject lands for four high-rise residential buildings, ranging in height between 25-55 storeys with non-residential, commercial and/or retail uses proposed in the podiums of the buildings, and a public park block.


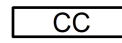
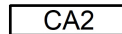
DRAFT

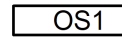
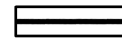


SCHEDULE 'A' TO BY-LAW

AMENDING BY-LAWS 2150 AND 177-96



-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  COMMUNITY COMMERCIAL
-  COMMUNITY AMENITY AREA TWO*AAA

-  OPEN SPACE ONE
-  BOUNDARY OF ZONE DESIGNATION

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.



Report to: Development Services Committee

Meeting Date: October 1, 2024

SUBJECT: Provincial Planning Statement, 2024 and Ontario Land Tribunal Rules of Practice and Procedures Review

PREPARED BY: Duran Wedderburn MCIP, RPP, Manager, Policy (ext. 2109)

RECOMMENDATION:

- 1) That the report dated October 1, 2024, titled " Provincial Planning Statement, 2024 and Ontario Land Tribunal Land Rules of Practice and Procedures Review " be received;
- 2) That the Province include Employment Areas as a matter of transition to facilitate implementation of the Provincial Planning Statement, 2024 by maintaining the PPS, 2020 definition of Employment Area and not enabling privately initiated employment conversion applications, until such time as the next municipal official plan review is complete;
- 3) That this report be forwarded to the Ministry of Municipal Affairs and Housing as the City of Markham's comments on transition matters to facilitate the introduction of the PPS, 2024 (ERO-019-9065);
- 4) That Staff be directed to host a special meeting of Council in accordance with Section 26(3)(b) of the *Planning Act* to discuss the revisions that may be required to the official plans; and
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution

PURPOSE:

This report is to provide an overview of the new Provincial Planning Statement, 2024, the Ontario Land Tribunal Rules of Practice and Procedure consultation and provide comments on ERO post [019-9065](#) to address matters of transition to facilitate implementation on the PPS, 2024.

BACKGROUND:

On August 20, 2024 the Province of Ontario announced the release of the [Provincial Planning Statement 2024](#).

According to the Province, the release of the 2024 PPS is the culmination of two years of consultation on the development of a new land use planning framework that would streamline the land use planning system in Ontario by replacing the Growth Plan for the Greater Golden Horseshoe, 2019 and the Provincial Policy Statement, 2020 with a single province-wide planning document. The City provided comments to the Province

throughout the various consultations undertaken on the development of the new land use planning framework including:

- [Review of A Place to Grow and Provincial Policy Statement \(2022\) - Markham Comments](#)
- [Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument \(2023\) - Markham Comments](#)
- [Review of proposed policies for a new provincial planning policy instrument \(2024\) - Markham Comments](#)

The PPS 2024 will come into effect on October 20, 2024, and subject to transition regulations, all planning decisions made after the effective date will be required to be consistent with the new PPS.

The Province is also consulting on matters of transition to facilitate implementation of the PPS, 2024 through the Environmental Registry of Ontario (ERO) post [019-9065](#). The consultation period is 45 days ending October 4th, 2024 and the Province is seeking specific feedback on matters such as in-process development applications and planning matters under appeal.

In addition, on August 20th the Province also announced that it is reviewing [The Ontario Land Tribunal Rules of Practice and Procedures](#) (OLT Rules) with the stated intent to enhance the way land appeals are managed. The deadline for comments on the OLT Rules is September 27, 2024.

OPTIONS/ DISCUSSION:

The following section provides an overview of Provincial Planning Statement 2024 and Ontario Land Tribunal Rules consultation.

Provincial Planning Statement, 2024

The PPS 2024 released on October 20, 2024 is similar to the proposed Provincial Planning Statement that was reviewed by staff in the Spring of 2024. The majority of the City's comments have not been addressed, Appendix 1 to this report provides a summary of comments from Markham and if they have been addressed in the new PPS, 2024.

The new land use planning document represents a foundational change to the land use planning framework that has been in place in Ontario since the early 2000's. The PPS, 2024 establishes a new vision for land use planning which links to the provincial government's commitment for 1.5 million homes to be built by 2031 and further states an intended outcome of increasing the supply and mix of housing options in Ontario to support a growing population and workforce.

Staff maintain the opinion that the new land use planning framework places too much emphasis on housing and not enough emphasis on community services and employment thus it will negatively impact the ability of the municipality to undertake comprehensive planning and economic development to support complete and sustainable communities. In particular, Staff are concerned with policy direction that enables privately initiated Settlement Area Boundary Expansions, Employment Conversions, and the restriction of uses in defined Employment Areas.

Notable changes to the land use planning framework include:

Municipal Comprehensive Review

Municipalities are no longer required to undertake comprehensive reviews (MCR) to inform growth management. Under the previous land use planning framework, comprehensive reviews undertaken by a municipality were required to inform land use planning matters related to growth and land supply such as Settlement Area Boundary Expansions (SABE) and Employment Conversions and privately initiated development applications were not permitted outside of an MCR. Further, Council decisions to refuse privately initiated SABE and Employment Conversions applications were restricted from appeals.

Under the new PPS, 2024, conversion of lands within employment areas and SABE can be undertaken at any time through privately initiated development applications and Council decisions on privately initiated SABE applications are no longer restricted from appeal via amendments to the *Planning Act* through Cutting Red Tape to Build More Homes Act, 2024 (Bill 185).

Employment Areas

The PPS, 2024 introduces a new definition for 'Employment Area' that is consistent with the definition of 'Area of Employment' introduced in the Helping Homebuyers, Protecting Tenants Act, 2023 (Bill 97). The new definition excludes institutional and commercial uses, including retail and office uses from Employment Areas. As a result, lands with an institutional or commercial use within an Employment Area will be permitted to be converted to non-employment use without the need to address employment conversion criteria in PPS, 2024 and decision of Council would be subject to appeal. The definition of 'Area of Employment' in the *Planning Act* will also come into effect on October 20, 2024.

It should be noted that the *Planning Act* does allow the City to bring forward an Official Plan Amendment that would allow institutional and commercial uses to be maintained as a part of the definition of Employment Areas if the use was existing prior to the in-effect date of the legislation.

The new PPS, 2024 further provides policy direction for planning authorities to assess and update employment area lands within official plans to ensure the designation meets the new definition.

Staff Recommendation

Given the scope of the changes to the Employment Area policies in the PPS, 2024. Staff recommend that as a matter of transition to implement the PPS 2024, lands identified as Employment Area in municipal official plans be maintained under the PPS, 2020 definition and privately initiated amendments for employment conversions not be enabled until completion of the next official plan review. This transitional period would provide municipalities with an opportunity to respond to policy 2.8.2.4 in the PPS, 2024 and undertake the necessary work to appropriately assess and determine the employment lands to be protected over the long-term to support a range and mix of employment uses.

Employment Area Conversions

Privately initiated applications to remove land from employment areas are now permitted at any time, subject to tests being met including a need for the removal and the land not being required for employment uses over the long term. However, Section 22 (7.3) of the *Planning Act* still prohibits landowners from appealing decisions of Council to refuse applications to remove lands from Areas of Employment.

Protecting Employment Uses

A new policy has been introduced that states all development within 300 metres of Employment Areas shall avoid, or mitigate, potential impacts on the “long term economic viability” of employment uses. This new provision is intended to preserve and protect Employment Areas in lieu of the new definition of Employment Areas and policies that make it easier to re-designate certain lands in Employment Areas.

Growth Forecasting

The PPS, 2024 requires municipalities to have enough land designated to meet the projected needs for a time horizon of at least 20 years, but not more than 30 years. The new forecasts are to be based on the Ministry of Finances population projections for Ontario and further informed by provincial guidance.

Under the previous planning regime, the planning horizon and minimum population and employment forecasts were provided to upper- and single-tier municipalities to guide growth. The PPS, 2024 now requires municipalities to determine their own planning horizon between 20-30 years and population and employment projections will be informed by the provincial guidance and the Ministry of Finance population projections.

Affordable Housing

The definition of Affordable Housing for low- and moderate-income individuals from the PPS, 2020 has been maintained, with a slight modification to recognize the market area for the ‘municipality’ instead of ‘regional market area’.

The new approach is intended to support the use of local data to inform the affordable housing threshold, which should result in figures that reflect local needs.

Settlement Area Boundary Expansion

Settlement Area Boundary Expansions can now be considered at any time through a municipal or privately initiated development application that addresses technical criteria including but not limited to capacity in infrastructure and public service facilities, phasing, avoidance of prime agricultural areas, and consideration of the minimum distance separation formulae.

Consideration of settlement area boundary expansion requests through private applications may impact the ability of the City to comprehensively plan for boundary expansion to support complete and sustainable communities including undertaken technical studies that support a systems-based approach to planning. It should also be noted that Council decisions to refuse settlement area boundary expansions can now be appealed to the Ontario Land Tribunal.

Growth Targets and Intensification

The 2024 PPS introduces the concept of “large and fast-growing municipalities”, which are identified on Schedule 1 of the 2024 PPS. These municipalities are encouraged to plan for a target of 50 residents and jobs per gross hectare in designated growth areas. The City of Markham is identified as one of the 29 large and fast-growing municipalities in Ontario and policies in the 2022 York Region Official Plan and 2014 Markham Official Plan include minimum density targets for new communities/designated greenfield areas above 50 residents and jobs per gross hectare.

The PPS 2024 also supports intensification in general with new references to underutilized shopping malls and plazas and lands adjacent to existing and planned frequent transit corridors. Planning authorities are required to establish and maintain minimum targets for intensification and redevelopment within built-up areas, based on the local context. Municipalities are also encouraged to plan for strategic growth areas as the focal point to population and employment growth, including Major Transit Station Areas.

Watershed Planning

The PPS 2024 requires large and fast-growing municipalities to undertake watershed planning in collaboration with conservation authorities to inform planning for sewage, water services, and stormwater management when planning for growth. This includes consideration for the improvement or restoration of the quality and quantity of water.

Agriculture

Updates to the agricultural policies in the PPS 2024 now requires planning authorities to take an agricultural systems approach with provincial guidance to maintain and enhance a continuous agri-food network.

Implementation

The PPS, 2024 comes into effect on October 20, 2024 and all planning decisions will be required to be consistent with the document, subject to transition. During the period before the document comes into effect, staff will continue to review and evaluate the new policies with its stakeholders to ensure we are in a position to begin implementing the new land use planning framework on the in-effect date. Staff are recommending as a next step that the City host the statutory special meeting of Council that is required for the Official Plan Review.

Matters of Transition related to the PPS 2024

The Province is seeking comments on land use planning matters of transition to facilitate the implementation of the PPS, 2024 under the *Planning Act*. Matters identified as transitional would allow them to be exempt from specific policies in the PPS 2024 or allow decision making to be made consistent with the PPS, 2020. Staff have reviewed active and appealed development applications and there are no matters that require a transition provision, outside of the matter related to Employment Areas noted above in the report.

Ontario Land Tribunal Rules Consultation

There are proposed changes to the OLT Rules posted for consultation until September 27th. Legal Staff have reviewed the proposed changes and revisions and are of the view that most changes are administrative in nature. As such, Staff is not recommending any comments to the changes. However, it is worth noting the following proposed revisions:

- Parties - Those granted party status are required to participate fully in a proceeding (Rule 8.1). The Tribunal's power to add or substitute a Party requires the consideration of 'reasonable grounds' (Rule 8.2). Participation from Non-Appellant Parties, those who may not raise new issues, have been expanded to appeals related to Community Benefits Charge By-laws (s.37(17)), Parkland By-laws (s.42(4.9)), and Development Charge By-laws under the Development Charges Act. Lastly, the Rule limiting the ability for non-appellant parties to continue any appeals which have been withdrawn by an appellant party has been removed (Rule 8.3).

Dismissal of Proceeding - The Tribunal may, on its own initiative or by motion of a party, dismiss an appeal if the Tribunal is of the opinion that the proceeding has no reasonable prospect of success, among other reasons (Rule 15.4). Currently, the ability to

dismiss a proceeding is limited to vexatious and frivolous appeals or appeals where the Tribunal does not have jurisdiction. The proposed Rule is similar to summary judgement motions in civil proceedings before the Court.

- Communications with presiding Tribunal Member - There is an explicit prohibition against communicating with any presiding Tribunal member (Rule 22.10).
- There are also a number of new Rules regarding expropriation proceedings, specifically to the manner in which costs may be determined.

Next Steps

In May 2024, staff advised that due to the changes proposed in the Cutting Red tape to Build More Homes Act (Bill 185) and the Proposed Provincial Planning Statement, 2024, the scope of the Official Plan Review would have to be re-evaluated.

With the enactment of Bill 185, the 2022 York Region Official Plan became part of Markham's official plan on July 1, 2024 and now the Provincial Planning Statement, 2024 has been released and comes into effect on October 20, 2024. Staff are requesting direction to host a special meeting of Council in accordance with Section 26(3) of the *Planning Act* to discuss revisions required to the City's official plans and get input from the public and stakeholders to inform the Official Plan Review. Staff is targeting Q4 2024 to host the special meeting of Council.

Further, staff comments will be submitted to the Ministry of Municipal Affairs and Housing on matters on transition to implement the PPS, 2024 prior to Council adopting the resolution and forwarding the report to ensure the commenting deadline of October 4th is met.

FINANCIAL CONSIDERATIONS

This report has no anticipated financial impact to the Operating Budget or Life Cycle Reserve Study.

HUMAN RESOURCES CONSIDERATIONS

There are no direct human resource implications related to this report.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Provincial Planning Statement, 2024 supports some of the objectives of Goal 3.2 of Building Markham's Future Together, 2023-2023 (BMFT): Build complete communities that offer a range of housing and employment opportunities, transportation options and community amenities. However, it is anticipated that some of the policies may negatively impact the ability of the City to undertake comprehensive planning to support complete communities.

BUSINESS UNITS CONSULTED AND AFFECTED:

All impacted City departments including Legal, Finance, and Economic Development were consulted on this report.

RECOMMENDED BY:

Darryl Lyons, MCIP, RPP
Deputy Director Planning & Urban Design

Giulio Cescato, MCIP, RPP
Director, Planning & Urban Design

Arvin Prasad, MCIP, RPP
Commissioner, Development Services

ATTACHMENTS:

Appendix 1 - Overview of Markham Comment on Proposed Provincial Planning Statement, 2024 and Status in the New Provincial Planning Statement, 2024

Appendix 1 – Overview of Markham Comment on Proposed Provincial Planning Statement, 2024 and Status in the New Provincial Planning Statement, 2024

| Recc # | Markham Comment on Proposed Provincial Planning Statement, 2024 | Status of Comment in New PPS, 2024 |
|--------|---|------------------------------------|
| 13 | That Council support the re-introduction of a definition for Affordable Housing and Low to Moderate Income and Affordable Housing policies | Addressed |
| 14 | That the province provide clarification on how the Ministry of Finance projections would inform population and employment forecasting for lower tier municipalities | Not Addressed |
| 15 | That the province include policies requiring municipalities to meet minimum intensification targets and minimum density targets in designated greenfield areas to support the development of compact and complete communities and the efficient use of infrastructure | Partially Addressed |
| 16 | That the province include policies for the creation of new settlement areas or settlement area boundary expansions to only occur as part of a comprehensive process through a municipally initiated official plan amendment | Not Addressed |
| 17 | That the province maintain the existing definition of employment area, including the discretionary consideration of institutional and commercial uses (retail and office) to support economic growth. Should the proposed definition be proclaimed, policies should be included permitting the protection and continuation of existing employment areas | Partially Addressed |
| 18 | That the province include policies to restrict employment conversions to those initiated by a municipality | Not Addressed |
| 19 | That the province include policies that allow for the incorporation of development approved through a Minister's Zoning Order as a part of the current planning horizon, and not in excess | Not Addressed |
| 20 | That the province provide additional policies that would allow for the protection of the commercial function of re-developing malls and commercial plazas while supporting more compact built forms, where appropriate | Not Addressed |
| 21 | That the province develop clear guidelines to support policy directions for the delivery of urban format and vertical schools in a compact built form, including a process to advance the construction of schools to align with the phasing of growth and community needs | Not Addressed |
| 22 | That the Province revise the policies and definitions applying to ARUs and lot creation in prime agricultural areas to ensure that ARUs are considered accessory uses so that it does not lead to unintended severances that could negatively affect the protection of agricultural resources | Addressed |
| 23 | That the province re-introduce policies on Strategic Growth Areas that would require planning authorities to identify and plan for Strategic Growth Areas as a focal point for growth and development based on the appropriate scale and built form | Partially Addressed |

Appendix 1 – Overview of Markham Comment on Proposed Provincial Planning Statement, 2024 and Status in the New Provincial Planning Statement, 2024

| | | |
|----|--|-----------|
| 24 | That Council support the change to require watershed planning and recommend the province finalize watershed planning guidance for municipalities to support the implementation of water resource policies in the PPS | Addressed |
| 25 | That the province provide training to municipalities prior to the Proposed Provincial Planning Statement coming into effect as the changes represent a significant shift in the land use planning framework in Ontario | N/A |

From Mike Everard

Sent: Tuesday, September 24, 2024 10:48 AM

To: Clerks Public; Giantsopoulos, Hristina

Cc: Ron Hendrix; Prasad, Arvin

Subject: September 23, 2024, from Mike Everard re: October 1, 2024, DSC Meeting, Item 7.20, Provincial Planning Statement

Ms. Hristina Giantsopoulos,
Corporate Services Commission,
City Clerk Department,
City of Markham.

**Re: October 1, 2024, Development Services Committee
Item #7.20, Provincial Planning Statement 2024.**

Please be advised, that the urban planning consulting firm, Augusta National Inc., is retained by Catholic Cemeteries & Funeral Services-Archdiocese of Toronto, registered owners of Holy Rosary Cemetery, 98.83 acres, generally located at the northeast corner of Woodbine Avenue/19'th Avenue and the subject of current Official Plan Amendment No. OPA/13/116842.

On December 10, 2013, Markham City Council approved the below-noted resolution and modification to the adopted the 'new' Official Plan.

"That consideration of the 'Employment' land redesignation application by Catholic Cemeteries be "Deferred" and that Staff be directed to work with the Applicant to find a mutually agreeable solution to the Catholic Cemeteries requirements on/or before two (2) years from December 10, 2013. In the event that Staff and Catholic Cemeteries do not arrive at a mutually agreeable solid within said time frame, Staff is directed to process the current application OPA/13/116842".

On June 12, 2014, York Regional Council approved the City's Official Plan including the above-noted 'deferral' Modification #85 (modify Section 9.9) and 'deferral' Modification #127 (modify Map 3.

We are requesting that City Staff be directed to host a special meeting of City Council, in accordance with Section 26(3)(b) of the Planning Act, to discuss the revisions that may be required to the Official Plan regarding the proposed PPS 2024, **as well as specific reference to approved Modifications #85 and #127.**

As soon as possible, We look forward to meeting City Staff on this matter

Regards:

Mike Everard, M.Sc., R.P.P.

Principal,

AUGUSTA NATIONAL INC.

Queens 400 Executive Offices,

178 Main Street, Unionville, ON. L3R 2G9

Copy: Arvin Prasad, Commissioner, Development Services, Markham.



Report to: Development Services Committee

Meeting Date: July 16, 2024

SUBJECT: RECOMMENDATION REPORT
 648321 Ontario Inc. (c/o Gatzios Planning Consultants)
 Applications for Official Plan and Zoning By-law Amendment to permit a 13-storey mixed-use building at 5871 Highway 7 (Ward 4)
 File PLAN 22 244910

PREPARED BY: Brashanthe Manoharan, BES, Planner II, East District, Ext. 2190

REVIEWED BY: Stacia Muradali, MCIP, RPP, Development Manager, East District, Ext. 2008
 Stephen Lue, MCIP, RPP, Senior Development Manager, Ext. 2520

RECOMMENDATION:

1. THAT the report dated July 16, 2024, titled, “RECOMMENDATION REPORT, 648321 Ontario Inc. (c/o Gatzios Planning Consultants), Applications for Official Plan and Zoning By-law Amendment Applications to permit a 13-storey mixed-use building at 5871 Highway 7 (Ward 4) File PLAN 22 244910”, be received;
2. THAT the Official Plan Amendment application (PLAN 22 244910) be approved and that the draft Official Plan Amendment, attached hereto as Appendix ‘A’, be finalized and brought to a future Council meeting for adoption without further notice;
3. THAT the Zoning By-law Amendment application (PLAN 22 244910) be approved and the draft site-specific implementing Zoning By-law, attached hereto as Appendix ‘B’ be finalized and brought to a future Council meeting for enactment without further notice;
4. THAT servicing allocation for 137 residential units be assigned to the proposed 13-storey development;
5. THAT the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed within a period of three (3) years from the date that Council assigned servicing allocation;
6. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

This report recommends approval of the Official Plan and Zoning By-law Amendment applications (the “Application”) submitted by 648321 Ontario Inc. (the “Owner”) to permit a 13-storey mixed use building consisting of 137 residential units, 165 m² (1,776.05 ft²) ground floor non-residential uses, and 174 parking spaces (the “Proposed Development”) at 5871 Highway 7 (the “Subject Lands”). Since application submission, the Owner revised the Proposed Development to reduce the rear-step down from eight to five storeys, move the building closer to Highway 7, reduce the residential units from 146 to 137,

and increase the proposed parking from 150 to 174 spaces. The Proposed Development also provides 403.3 m² (4,341.09 ft²) or 2.9 m² (31.22 ft²)/unit mix of indoor and outdoor amenity areas, which are located on the ground floor and sixth floor.

The proposed Official Plan Amendment would redesignate the Subject Lands with site-specific provisions to permit the increased height and density on the Subject Lands. The proposed Zoning By-law Amendment would rezone the Lands to Community Area 2* XXX (CA2*XXX) Zone under By-law 177-96, as amended, which would permit the apartment building, and site-specific development standards for the proposed height, density, built form, and parking.

The Proposed Development provides intensification and a mix of uses to make efficient use of land and infrastructure while supporting existing transit routes, existing community amenities, and retail services. Staff opine that the Proposed Development is compatible and provides an appropriate interface to the existing residential neighbourhood that supports an active frontage along Highway 7.

PURPOSE:

This report recommends approval of the Applications submitted by the Owner to permit the Proposed Development on the Subject Lands.

Process to Date:

- Staff deemed the Applications complete on June 15, 2022
- A Community Information Meeting (“CIM”) was held on January 24, 2023
- The Development Services Committee (“DSC”) received the Public Meeting Information Report on February 17, 2023
- The statutory Public Meeting was held on February 27, 2023

The 120-day period set out in the *Planning Act* before the Owner can appeal the Applications to the Ontario Land Tribunal (the “OLT”) for a non-decision ended on October 13, 2022. Accordingly, the Owner is able to appeal the Application to the OLT.

If the DSC supports the Applications, the planning process will include the following steps:

- Approval of the Official Plan and Zoning By-law Amendments at a future Council meeting
- Submission and approval of a future Site Plan application
- Submission of a Draft Plan of Condominium application, if required

BACKGROUND:

Location and Area Context

Figures 1 and 2 show the 0.29 ha (0.73 ac) Subject Lands adjacent to an unopened road allowance owned by York Region along the Highway 7 frontage that results in a significant front yard setback from Highway 7. The Subject Lands are currently developed with three commercial buildings accessed by a full movement driveway off Highway 7 and from Wignall Crescent at the east side of the Subject Lands. Figure 3 shows the surrounding land uses.

The Owner proposes to demolish the three existing commercial buildings to facilitate the construction of the Proposed Development, as conceptually shown in Figures 4 and 5, and summarized in Table 1. Figures 4 and 5 show the proposed conceptual site and elevation plans, respectively.

| Table 1: Proposed Development | |
|--------------------------------------|--|
| Total Gross Floor Area: | 13,100 m ² (141,007.22 ft ²) |
| Non-Residential GFA: | 165 m ² (1,776.05 ft ²) |
| Floor Space Index (FSI): | 4.46 |
| Maximum Building Height: | 13 storeys |
| Dwelling Units: | 137 units |
| Parking Spaces: | 174 (including 16 residential visitor and 5 commercial spaces) |
| Access: | Vehicle and pedestrian access to both Highway 7 and Wignall Crescent |

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, the wise use and management of resources, and protecting public health and safety. The Subject Lands are located within a defined Settlement Area. The Proposed Development promotes the efficient use of land, resources, and infrastructure, supports alternative modes of transportation including active transportation and transit. The Proposed Development further contributes to the mix of residential and employment needs to meet long-term needs.

The Growth Plan provides a framework for implementing the Province’s vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2051. The premise of the Growth Plan is building compact, vibrant, and complete communities and prioritizing intensification and higher densities to make efficient use of land and infrastructure to support transit viability and a range of housing options. The Subject Lands are located within a delineated ‘Built-Up Area’. Staff opine that the Proposed Development contributes to a range of housing types and non-residential uses, supports transit options, and provides convenient access to public parks.

The Proposed Development conforms to the 2022 York Region Official Plan (“ROP”)

The ROP designates the Subject Lands “Urban Area”, which permits a wide range of residential, commercial, industrial, and institutional uses. The lands are also identified within a “Regional Corridor”, and Highway 7 is recognized as a “Regional Rapid Transit Corridor”. Regional corridors are planned to function as main streets that have mixed-use transit supportive developments. Staff note that the proposed development will assist in building complete communities and will help ensure that a minimum of 40% of all residential development in York Region occurs within the built-up areas as defined by the Province’s Built Boundary in the Growth Plan. Staff opine that the Proposed Development generally conforms to the ROP, is compact, street-oriented, and transit supportive.

In March 2023, the Council made a Housing Pledge to the Province with a goal of achieving 44,000 homes by 2031. The Proposed Development, when constructed, will contribute 137 units towards Markham’s Housing Pledge.

The Proposed Official Plan Amendment (“OPA”) would redesignate the Subject Lands in the 2014 Markham Official Plan (“2014 Official Plan”) to permit the Proposed Development

The 2014 Official Plan designates the Subject Lands “Mixed use Mid Rise”, which permits mid-rise intensification opportunities adjacent to public transit routes with a maximum building height of 8-storeys and density of 2 FSI, while ensuring a mix of uses that address the community needs. Further, the designation provides for apartment buildings, multi-storey non-residential or mixed-use buildings, and stacked and back-to-back townhouses. The Subject Lands are located along the “Highway 7 Regional Rapid Transit Corridor” on Map 1- Markham Structure and Map 2 – Centres and Corridors and Transit.

The proposed OPA would redesignate the Subject Lands from “Mixed-Use Mid Rise” to “Residential High Rise” with site specific policies to permit a maximum building height of 13-storeys and density of 4.6 FSI (see Appendix ‘A’).

The proposed Zoning By-law Amendment (“ZBLA”) would rezone the Subject Lands to permit the Proposed Development

Zoning By-law 1229, as amended, zones the Subject Lands “C3 – Service Commercial” (see Figure 2), which permits a range of commercial uses. The ZBLA proposes to rezone the Subject Lands to Community Area 2* XXX (CA2*XXX) Zone, under By-law 177-96, as amended, to permit the Proposed Development and include site-specific exceptions to development standards including, but not limited to height, setbacks, density, and reduced parking (see Appendix ‘B’).

DISCUSSION:

This section identifies how the matters raised through the review process for the Proposed Development, including those raised at the statutory Public Meeting and CIM, have been resolved and considered.

The Local Ward Councillor held a CIM on January 24, 2023, and the statutory Public Meeting was held on February 27, 2023

The City received 3 written submissions and 7 deputations at the statutory Public Meeting. The following is a summary of the key concerns raised at both meetings:

- Concern with the proposed height and density and potential impacts on the existing area
- Potential traffic infiltration and congestion into surrounding residential area and at Markham Road/Highway 7 intersection and concern with the reduced visitor parking rate
- Concern with only residential units and absence of commercial opportunities

a) Height and Massing Impacts

In response to concerns raised by the DSC and the public, the Owner reduced the rear step down from 8 to 5-storeys, thereby reducing the visual prominence while providing a gradual downwards transition to alleviate impacts to the existing residents to the south. The intent of the built form in the revised concept is to shift the height and massing away from the residential neighbourhood to the south, and re-orient the building closer to Highway 7. The 45-degree angular plane is generally met when measured from Wignall Crescent, with minor protrusions of design elements (i.e., balconies) that would not impact the existing residents. Additionally, the design eliminates balconies on the east building elevation to minimize privacy concerns to the residential area on the east. Furthermore, the building orientation and placement is restricted to the northwest area of the Subject Lands to shift the building massing away from the existing residential areas.

The Owner submitted revised Shadow Studies that demonstrate that the Proposed Development would have minimal impacts on the surrounding areas.

The DSC and public expressed concerns regarding the appropriateness of the proposed density. Staff opine that the proposed density introduces appropriate intensification and sustainable growth in a built-up area to support existing transit services, retail and service uses, and community amenities.

b) Inclusion of Non-Residential Uses

Members of public had expressed that the absence of non-residential uses in the Proposed Development takes away from a resident's ability to have convenient access to retail services. The Owner responded by providing 165 m² (1,776.05 ft²) of ground floor non-residential space. This has the potential to provide a range of uses including, but not limited to, retail, personal services, and office uses to service the residents in the area. Staff also note that Subject lands are within vicinity of existing commercial and service amenities to the northwest, across Highway 7 East.

c) Traffic Congestion and Infiltration into existing residential areas

Concerns related to increased traffic flow and congestion resulting from the Proposed Development were expressed at the Public Meeting and the CIM. Transportation Staff noted that the Proposed Development is not expected to significantly affect the existing traffic pattern in the area, given the minimal net increase in traffic from the proposal. There is no indication of capacity issues at the proposed site driveways that will result in site traffic using alternative routes.

d) Parking Reductions

Concerns related to the proposed parking reduction were expressed at the meetings. The following table provides a breakdown of the required and proposed parking rates:

| Use | By-law Rate | Required Parking | Proposed Rate | Proposed Parking |
|-----------------|------------------------------|------------------|-----------------------------|------------------|
| Residential | 1.25 spaces/unit | 171 | 1.01 spaces/unit | 138* |
| Visitor | 0.25 spaces/unit | 34 | 0.15 spaces/unit | 21 |
| Non-Residential | 1 space per 30m ² | 5 | shared with visitor parking | |
| TOTAL | | 210 | | 159 |

*Four (4) residential spaces are proposed to have substandard dimensions

The Owner increased the residential parking rates from 0.99 space/unit to 1.01 spaces/unit, and revised the visitor parking rate from 0.04 spaces/unit to 0.15 spaces/unit, thereby increasing the total proposed parking spaces from 150 to 159. Transportation Staff reviewed the Transportation Impact Study, prepared by LEA Consulting, and support the proposed residential parking rate of 1.01 spaces/unit subject to the implementation of an enhanced Transportation Demand Management ("TDM") program. Transportation Staff have also accepted the visitor parking requirement from 0.25 spaces/unit to 0.15 spaces/unit.

As part of the TDM program to support the parking reduction, the City requested long and short-term bicycle parking at 0.50 spaces/unit and 0.10 spaces/unit, respectively, e-bike vouchers and pre-loaded Presto cards in the amount of \$200 to be available to all units, post development parking surveys, and TDM cost summary. Consequently, to ensure that the TDM measures are appropriately provided, a Holding Provision is included draft Zoning By-law (Appendix 'A').

e) Provision of Affordable Housing

In July 2021, Council approved 'Housing Choices: Markham's Affordable and Rental Housing Strategy'. At this time, the Owner has not committed to providing any affordable and/or rental housing.

The future Site Plan Application would address the following matters:

- Parkland Obligations: Cash-in-lieu of Parkland will be required at a rate calculated prior to the issuance of any Building Permit.
 - Community Benefit Charges ("CBC"): The Proposed Development is subject to CBC, pursuant to the City's CBC By-law, prior to the issuance of a Building Permit.
 - Age-Friendly Features: Age-friendly features for building, site, and unit design to meet the needs of a variety of residents for all ages overtime.
 - Sustainability Measures: The Proposed Development is required to achieve a minimum Bronze performance level with the City's Sustainability Metrics program.

CONCLUSION:

Staff reviewed the Applications in accordance with the provisions of the Provincial, Regional, City's policies and are satisfied that the proposed OPA and ZBLA are appropriate and represent good planning with respect to the proposed increase in height and density. Therefore, Staff recommend that the proposed OPA and ZBLA (see Appendices 'A' and 'B') be approved and brought forward to a future Council meeting for adoption and enactment.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Applications align with the City's strategic priorities in the context of growth management and municipal services to ensure safe and sustainable communities.

BUSINESS UNITS CONSULTED AND AFFECTED:

This Applications were circulated to various departments and external agencies and their requirements are reflected in the implementing draft OPA and ZBA (see Appendices 'A' and 'B').

RECOMMENDED BY:

Darryl Lyons, MCIP, RPP
Deputy Director, Planning and Urban
Design

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

ATTACHMENTS AND APPENDICES:

Figure 1: Location Map

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

Figure 2: Area Context and Zoning

Figure 3: Aerial Photo (2020)

Figure 4: Conceptual Site Plan

Figure 5: Conceptual Rendering

Appendix 'A': Draft Official Plan Amendment

Appendix 'B': Draft Zoning By-law Amendment

APPLICANT:

Gatzios Planning + Development Consultants Inc.
7270 Woodbine Avenue, Markham ON, L3R 4B9



Jonquill Cres

Windridge Dr

Hawkridge Ave

Hwy 7E

Old Wellington St

Erlane Ave

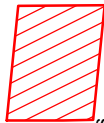
Milne Lane

McPhillips Ave

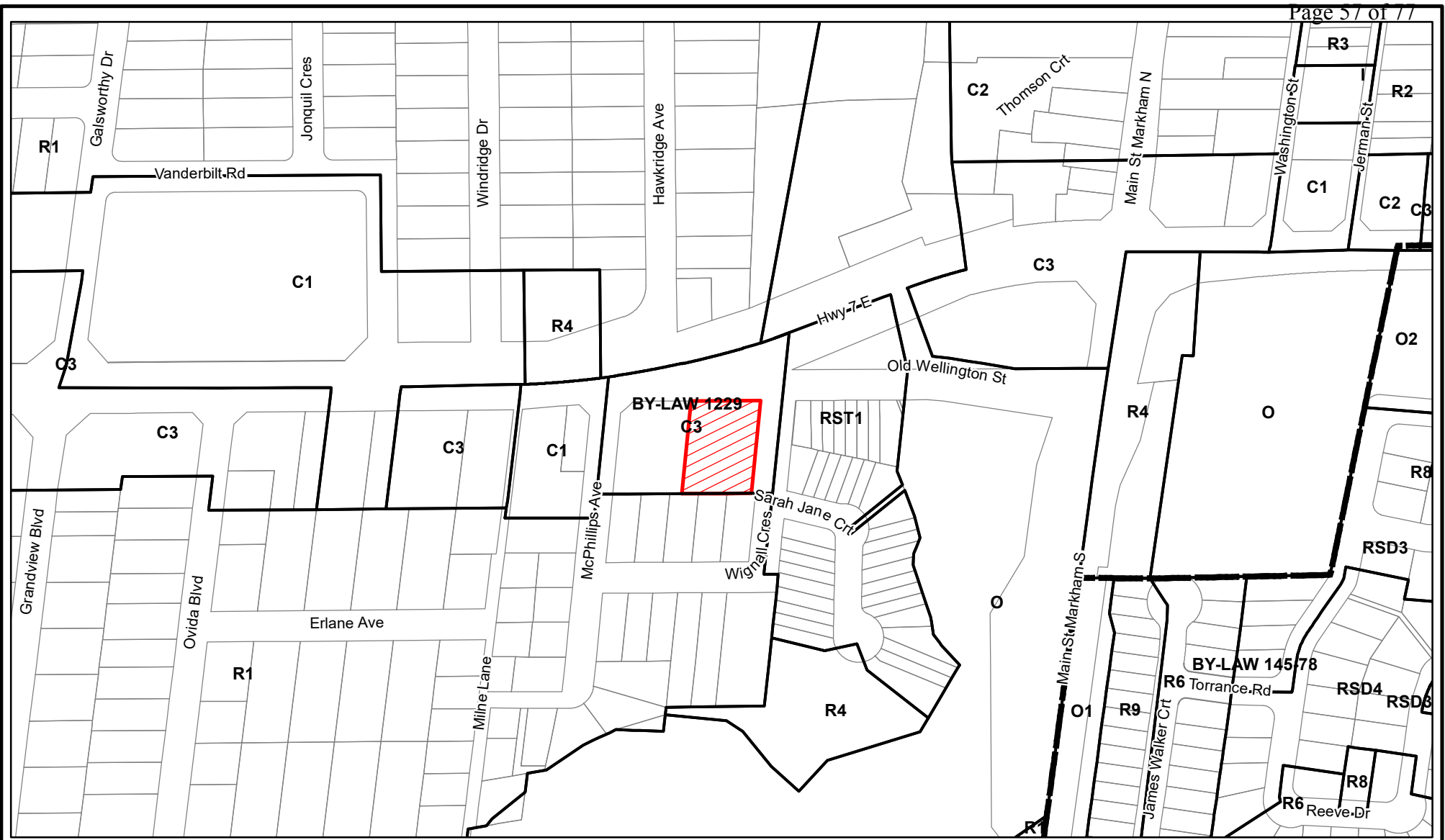
Wignall Cres

Main St Markham S

James Walker Crt



SUBJECT LANDS



AREA CONTEXT / ZONING

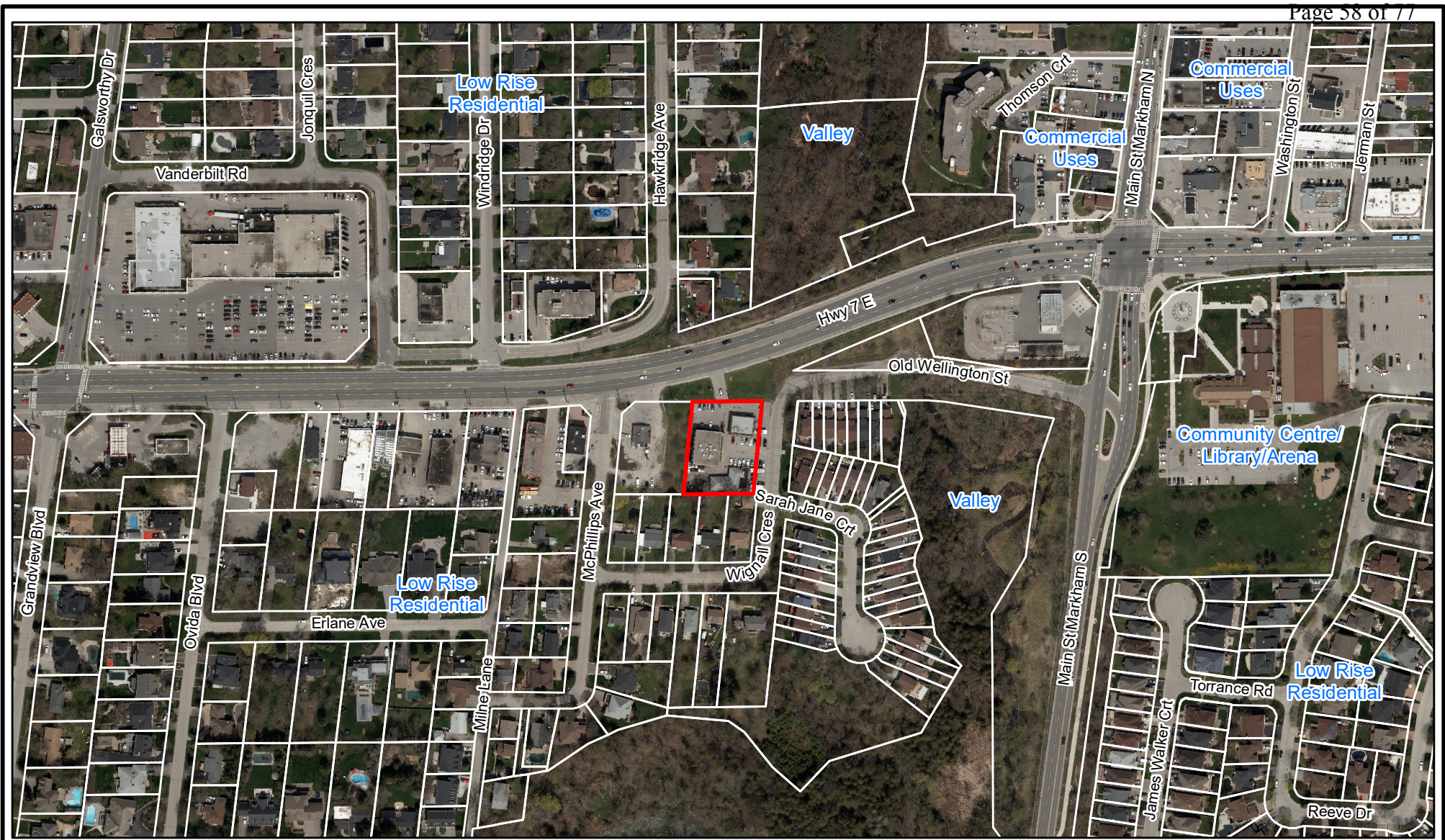
APPLICANT: 648321 Ontario Inc. (Matthew Stein)
5871 Highway 7 East

FILE No. PLAN 22 244910

 SUBJECT LANDS



Q:\Geomatics\New Operation\2022 Agenda\PLAN\PLAN22_244910\Report Figures.mxd



AERIAL PHOTO (2022)

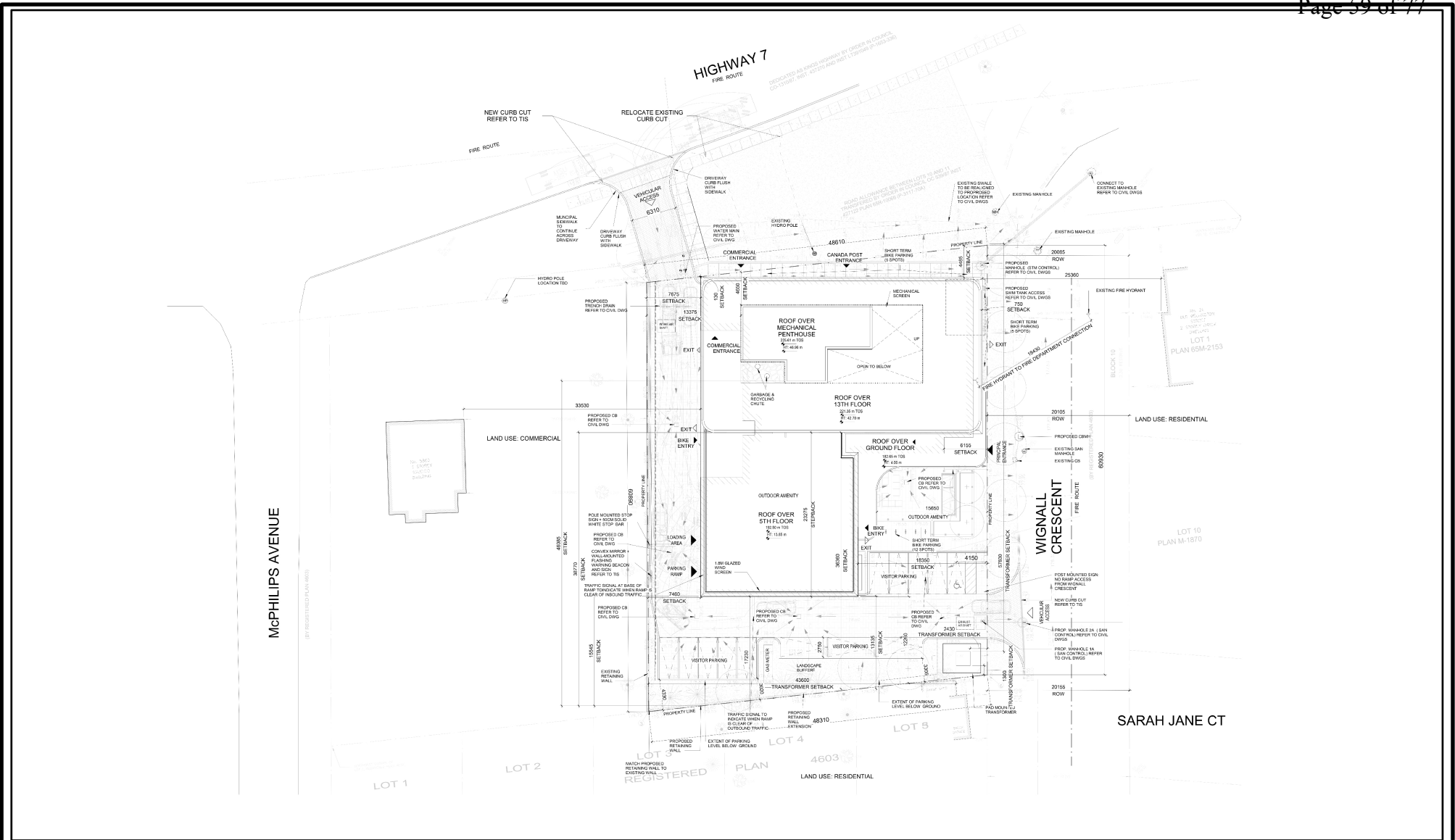
APPLICANT: 648321 Ontario Inc. (Matthew Stein)
5871 Highway 7 East

FILE No. PLAN 22 244910

Q:\Geomatics\New Operation\2022 Agenda\PLAN\PLAN22_244910\Report Figures.mxd

SUBJECT LANDS





CONCEPTUAL SITE PLAN

APPLICANT: 648321 Ontario Inc. (Matthew Stein) c/o Gatzios Planning
 5871 Highway 7 East

FILE No. PLAN 22 244910

Y:\Geomatics\New Operation\2024 Agenda\PLAN\PLAN22_ 244910\Report Figures.mxd



PERSPECTIVE VIEW LOOKING NORTHWEST INTO OUTDOOR AMENITY SPACE



PERSPECTIVE VIEW LOOKING SOUTH-WEST



AERIAL VIEW LOOKING SOUTH-EAST



PERSPECTIVE VIEW LOOKING NORTH-WEST

CONCEPTUAL RENDERINGS

APPLICANT: 648321 Ontario Inc. (Matthew Stein) c/o Gatzios Planning
5871 Highway 7 East

FILE No. PLAN 22 244910

Y:\Geomatics\New Operation\2024 Agenda\PLAN\PLAN22_ 244910\Report Figures.mxd

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

(648321 Ontario Inc., 5871 highway 7 East)

DRAFT

July, 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. 20XX-XX in accordance with the *Planning Act*, R.S.O., 1990 c. P.13, as amended, on the XX day of Month Year.

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

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 XX DAY OF MONTH YEAR.

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor

CONTENTS

PART I – INTRODUCTION..... 6

 1.0 GENERAL 6

 2.0 LOCATION..... 6

 3.0 PURPOSE 6

 4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT..... 6

PART II – THE OFFICIAL PLAN AMENDMENT..... 9

 1.0 THE OFFICIAL PLAN AMENDMENT 9

 2.0 IMPLEMENTATION AND INTERPRETATION..... 10

 3.0 SCHEDULE "A"

DRAFT

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, 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

This Amendment applies to a 0.294 hectare (0.725 acres) parcel of land municipally known as 5871 Highway 7, located south of Highway 7 and west of Markham Road (Highway 48) (the “Subject Lands”).

3.0 PURPOSE

The purpose of this Amendment is to redesignate the Subject Lands from 'Mixed Use Mid Rise' to 'Mixed Use High Rise', and to add a site specific policy to permit a mixed use development with a maximum height of 13-storeys and a maximum density of 4.6 FSI.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The City of Markham Official Plan, 2014, as amended, designates the Subject Lands 'Mixed Use Mid Rise'. This designation provides for midrise intensification opportunities adjacent to public transit routes with a maximum building height of 8-storeys and a maximum density of 2.0 FSI.

This Amendment will facilitate the development of the Subject Lands with a 13-storey mixed use building (the “Proposed Development”) by redesignating the Subject Lands from 'Mixed-Use Mid Rise' to 'Mixed-Use High Rise' and adding a site specific policy to permit the Proposed Development's height and density.

The Proposed Development is consistent with the policies of the Provincial Policy Statement, 2020 (the “PPS”) as the Subject Lands are located within a defined Settlement Area and the Proposed Development would promote the efficient use of land and infrastructure, support alternative modes of transportation including active transportation and transit, and would further contribute to the mix of residential and employment needs to meet long-term needs.

The Proposed Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2019 (the “Growth Plan”) as it contributes to a range of housing types and non-residential uses, supports transit options, and provides convenient access to public parks.

The Proposed Development also conforms to the York Region Official Plan, 2022 (the “YROP”). The Subject Lands are designated “Urban Area”, which provides for a wide range of residential, commercial, industrial, and institutional uses. The Proposed Development also conforms with the YROP’s intensification policies as it is compact, street-oriented, and transit supportive.

The Proposed Development also represents good planning as it provides for appropriate intensification and a mix of uses to make efficient use of land and infrastructure while supporting existing transit routes, existing community amenities, and retail services. The Proposed Development is compatible and provides an appropriate interface to the existing residential neighbourhood that supports an active frontage along Highway 7.

DRAFT

DRAFT

PART II – THE OFFICIAL PLAN AMENDMENT
(This is an operative part of Official Plan Amendment No. XXX)

PART II – THE OFFICIAL PLAN AMENDMENT

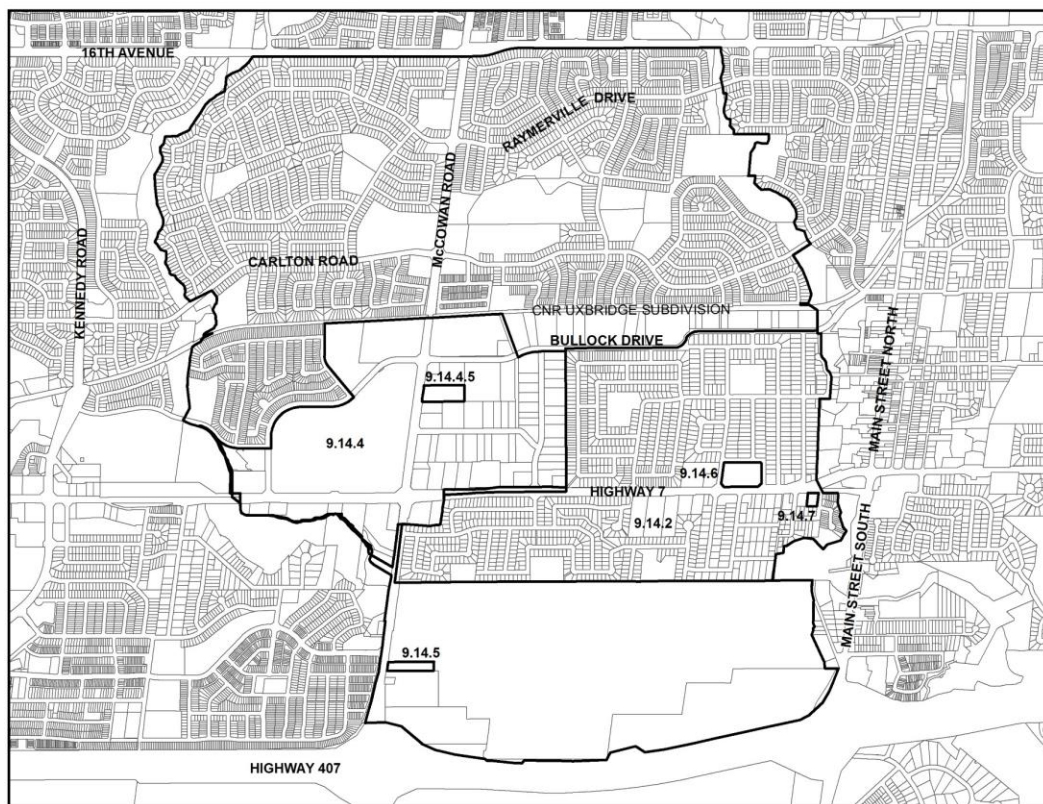
1.0 THE OFFICIAL PLAN AMENDMENT

1.1 The following map of Part I of the City of Markham Official Plan, 2014, as amended, is hereby amended as follows:

- a) Map 3 – Land Use is amended by redesignating the Subject Lands from 'Mixed Use Mid Rise' to 'Mixed Use High Rise' as shown on Schedule “A” attached hereto.

1.2 Section 9.14 of Part I of the City of Markham Official Plan, 2014, as amended, is hereby amended by:

- a) Amending Section 9.14.1 to add a reference in Figure 9.14.1 to a new Section 9.14.7 as follows:



- b) Adding a new subsection 9.14.7 and a new Figure 9.14.7 as follows:

“9.14.7 . 5871 Highway 7 East

The following height and density provisions shall apply to the 'Mixed Use High Rise' lands located at 5871 Highway 7 East as shown in Figure 9.14.7:

- a) The maximum building height shall be 13 storeys; and
- b) The maximum floor space index is 4.6.



Figure 9.14.7"

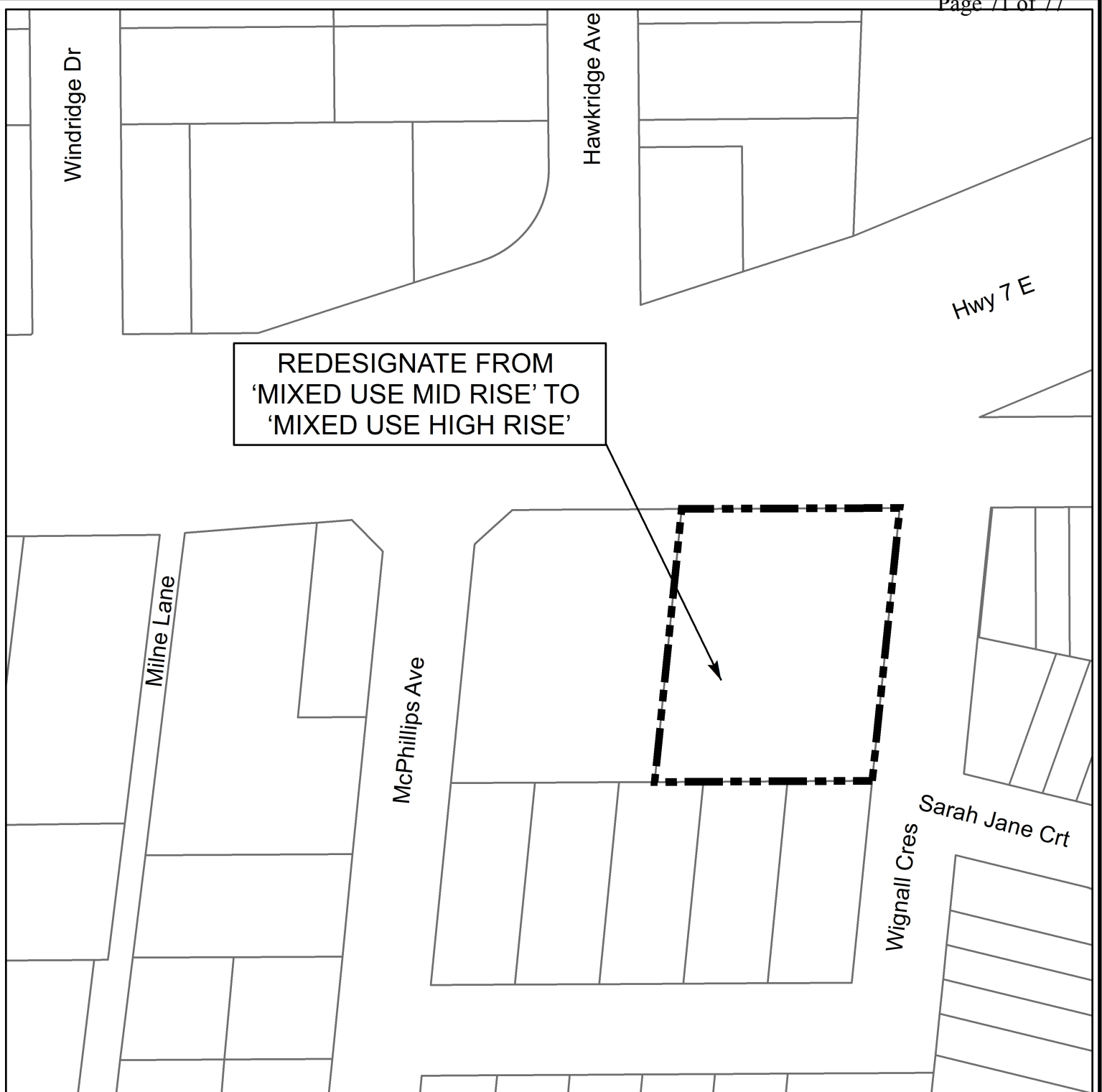
2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the City of Markham 2014 Official Plan, 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.

This Amendment shall be implemented by an amendment to the Zoning By-law and Site Plan approval and other Planning Act approvals, in conformity with the provisions of this Amendment.

Following adoption of the Amendment, 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 associated figure(s) 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.



REDESIGNATE FROM
 'MIXED USE MID RISE' TO
 'MIXED USE HIGH RISE'

AMENDMENT TO MAP 3 – LAND USE CITY OF MARKHAM OFFICIAL PLAN 2014, AS AMENDED

BOUNDARY OF AREA COVERED BY THIS AMENDMENT



BY-LAW 2024-_____

A By-law to amend By-law _____, as amended
(to delete lands from the designated areas of By-laws _____)
and to amend By-law 177-96, as amended
(to incorporate lands into the designated area of By-law 177-96)

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

1. That By-law 1229, as amended, are hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated areas of By-law 1229, as amended.

2. That By-law 177-96, as amended, is hereby further amended as follows:
 - 2.1 By expanding the designated area of By-law 177-96, as amended, to include additional lands as shown on Schedule 'A' attached hereto.

 - 2.2 By zoning the lands outlined on Schedule 'A' attached hereto:

from:
Service Commercial Zone (C3) under By-law 1229

to:
Community Amenity Area Two Hold* 772 (CA2*772) (H) Zone under By-law 177-96

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

| Exception 7.772 | Name of Applicant Address of property subject to zoning by-law amendment | Parent Zone CA2 |
|---|--|------------------------------|
| File PLAN 22.244910 | | Amending By-law 2024-____ |
| Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *772 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section. | | |
| 7.772.1 Additional Permitted Uses | | |
| The following additional use are permitted: | | |
| a) | <i>Recreational Establishment</i> | |
| b) | <i>Veterinary Clinic</i> | |
| 7.000.2 Special Zone Standards | | |
| The following special zone standards shall apply: | | |
| a) | The provisions of Table B7 shall not apply | |
| b) | For the purposes of this By-law the following definitions apply: | |
| | Bicycle Parking Space means an area that is provided and maintained for the purpose of temporary storage of a bicycle or motor assisted bicycle as defined under the Highway Traffic Act. | |
| | Bicycle Parking Space, Long-term means a bicycle parking space within a building or structure designed for the storage of bicycles equipped with a rack or stand designed to lock the wheel and frame of a bicycle, or within a locked room for the exclusive use of parking bicycles. | |
| | Bicycle Parking Space, Short-term means a bicycle parking space that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle, that is available for use by the general public. | |

| | |
|----|--|
| | Indoor Amenity Space means an indoor space on a lot that is designed for and available for use by the occupants of a building on the lot for recreational or social activities. |
| c) | For the purposes of this By-law, the lot line abutting Highway 7 shall be deemed to be the front lot line. |
| d) | Minimum setbacks to a <i>main building</i> : i) <i>Front yard</i> – 0.3 metres ii) <i>Exterior side yard</i> – 0.3 metres iii) <i>Interior side yard</i> – 7.0 metres iv) <i>Rear yard</i> – 12.0 metres |
| e) | Maximum <i>height</i> – 44.5 metres |
| f) | For the purposes of measuring the maximum <i>height</i> of a <i>building</i> , <i>established grade</i> is 178.65 metres. |
| g) | Notwithstanding special provision d), the above, the maximum <i>height</i> of a <i>building</i> within 35 metres of the <i>rear lot line</i> is 20.0 metres. |
| h) | Mechanical features, such as structures containing the equipment necessary to control an elevator, equipment used for the functional operation of a <i>building</i> , such as electrical, utility, and ventilation equipment are permitted to project a maximum of 6.0 metres above the highest point of the roof surface, regardless of the <i>height</i> of a <i>building</i> . |
| i) | Minimum non-residential <i>gross floor area</i> - 200 square metres |
| j) | Minimum <i>landscaped open space</i> – 22 percent |
| k) | Minimum width of <i>landscaping</i> adjacent to the <i>rear lot line</i> – 3.0 metres |
| l) | Minimum required <i>indoor amenity space</i> – 380 square metres. |
| m) | Minimum required <i>outdoor amenity space</i> – 500 square metres. |
| n) | The area of a <i>balcony</i> associated with a <i>dwelling unit</i> may be used in calculating required <i>outdoor amenity space</i> . |
| o) | Maximum <i>gross floor area</i> of all <i>buildings</i> – 13,100 square metres. |
| p) | Minimum setback for a <i>parking garage</i> located completely below <i>established grade</i> , including ventilation shafts and housings, stairways, portions of the <i>parking garage</i> projecting above <i>established grade</i> and access ramps or <i>driveways</i> leading to an underground <i>parking garage</i> : 0.1 metres |
| q) | Notwithstanding special provision d), architectural features, including terraces, cornices, sills, canopies, awnings, stair enclosures, guardrails, green roof elements, wind mitigation, windowsills, building maintenance equipment, <i>porches</i> , <i>decks</i> , <i>patios</i> , architectural wing walls, <i>balconies</i> , underground cellars, stairs and landings shall be set back a minimum of 0.15 metres from any <i>lot line</i> . |
| r) | Minimum parking space requirements for apartment dwellings - 1.01 space per <i>dwelling unit</i> plus 0.15 spaces per <i>dwelling unit</i> for visitors. |
| s) | Required visitor <i>parking spaces</i> for residential uses shall be shared with non-residential uses. |
| t) | Minimum <i>bicycle parking space</i> requirements: a. Residential Uses: i) A minimum of 0.50 spaces per <i>dwelling unit</i> identified as designated <i>long-term bicycle parking spaces</i> . ii) A minimum of 0.10 spaces per <i>dwelling unit</i> identified as designated <i>short-term bicycle parking spaces</i> . b. Non-Residential Uses: i) <i>Gross floor area</i> less than 1,200 square metres: 0.0 spaces identified as designated <i>long-term bicycle parking spaces</i> . ii) <i>Gross floor area</i> greater than or equal to 1,200 square metres: 0.08 spaces per 100 square metres identified as designated <i>long-term bicycle parking spaces</i> . A minimum of 0.10 spaces per 100 square metres of <i>gross floor area</i> or 3 spaces identified as designated <i>short-term bicycle parking spaces</i> , whichever is greater. |
| u) | The minimum dimensions of a horizontal <i>bicycle parking space</i> shall be: i) Minimum length of 1.8 metres; ii) Minimum width of 0.6 metres; and, iii) Minimum vertical clearance of 1.2 metres |
| v) | The minimum dimensions of a vertical bicycle parking space shall be: i) Minimum vertical clearance of 1.8 metres; ii) Minimum width of 0.6 metres; and; iii) Minimum horizontal clearance from the wall of 1.2 metres. |

| | |
|-----|---|
| w) | Stacked <i>bicycle parking spaces</i> may be provided in accordance with the minimum dimensions of u) and v) for each <i>bicycle parking space</i> . |
| x) | Minimum required accessible <i>parking spaces</i> : 3 percent of the required number of <i>parking spaces</i> plus 1 space. |
| y) | Special provision z), is subject to the following standards: i) 50 percent of the required accessible <i>parking spaces</i> shall be comprised of Type A <i>parking spaces</i> having a width of not less than 3.4 metres and a length of not less than 5.8 metres; and, ii) 50 percent of the required <i>parking spaces</i> shall be comprised of Type B <i>parking spaces</i> having a width of not less than 2.4 metres and a length of not less than 5.8 metres. |
| z) | Type A and Type B accessible <i>parking space</i> shall have a 1.5-metre-wide access aisle adjacent to the accessible <i>parking space</i> . The 1.5-metre-wide access aisle adjacent to an accessible <i>parking space</i> may be shared between two adjacent accessible <i>parking spaces</i> . |
| aa) | Where the minimum number of required accessible <i>parking spaces</i> identified in special provision z), results in an odd number of accessible <i>parking spaces</i> being required, the additional space may be a Type B accessible <i>parking space</i> . |
| bb) | A care-share <i>parking space</i> is permitted to occupy a require <i>parking space</i> , but is not permitted to occupy an <i>accessible parking space</i> |

4. HOLDING PROVISION

4.1 For the purpose of this By-law, a Holding (H) provision is hereby established on lands zoned CA2*772 as identified on Schedule 'A' attached hereto by the letter (H) in parenthesis following the zoning symbols.

4.2 No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H) provision for the purpose permitted under this By-law 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.

4.3 A Zoning By-law Amendment to remove the Holding (H) symbol from the lands shown on Schedule "A" shall not be passed until the following conditions have been met:

a) Transportation Demand Management

That the Owner shall execute an agreement with the City to submit and implement a Transportation Demand Management Plan, to the satisfaction of the City, to provide the following:

- i) Unbundled parking;
- ii) A minimum of 1 bike repair stations;
- iii) Post development parking surveys;
- iv) Pre and post occupancy travel surveys;
- v) Work with York Region to deliver the Transit Incentive Program and New Resident Information Packages for all residential unit purchasers, such as through a minimum of 2 information sessions;
- vi) PRESTO transit cards with a minimum pre-loaded amount of \$200 per unit;
- viii) Car share programs with a minimum of 1 car share space, a minimum of 3-year car share membership for each unit, and provision of unmet revenue guarantee to car share service provider for a minimum of 3 years; and
- ix) E-bike vouchers in the amount of \$300 per unit.

Read and first, second and third time and passed on _____, 2024.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

DRAFT



EXPLANATORY NOTE

BY-LAW 2024-XX

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

648321 Ontario Inc.
5871 Highway 7
PLAN 22 244910

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 0.294 hectares (0.725 acres) of land on the south side of Highway 7, east of Markham Road, municipally known as 5871 Highway 7.

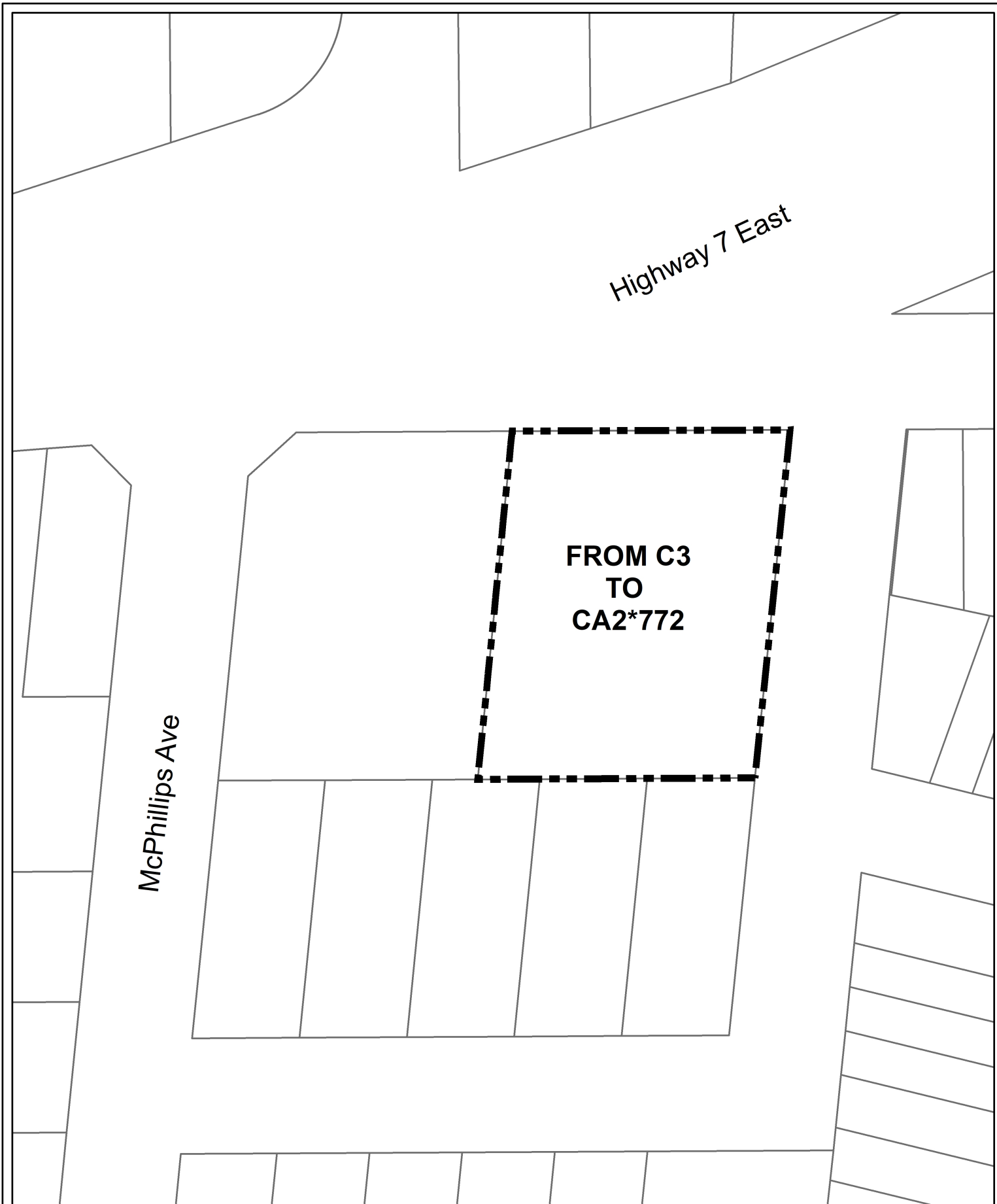
Existing Zoning

The subject lands are zoned Service/Highway Commercial Zone (C3) under By-law 1229, as amended.

Purpose and Effect


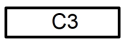
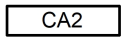
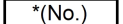
The purpose and effect of this By-law is to delete the property from the designated area of By-law 1229, as amended, and zone them Community Amenity Area Two*772(H) (CA2*772(H)) under By-law 177-96, as amended, to permit the redevelopment of subject lands for a 13-storey mixed use building.

DRAFT



SCHEDULE 'A' TO BY-LAW 2022-XX

AMENDING BY-LAWS 1229 AND 177-96

-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  C3 SERVICE/HIGHWAY COMMERCIAL
-  CA2 COMMUNITY AMENITY AREA TWO
-  *(No.) EXCEPTION NUMBER



THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

Y:\Geomatics\New Operation\2024 Agenda\PLAN\PLAN22 244910\Schedule_A.mxd

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office