



Report to: Development Services Committee

Meeting Date: April 8, 2025

SUBJECT: RECOMMENDATION REPORT, Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by First Elgin Developments Inc. and First Elgin North Ltd. at 3208 Elgin Mills Road East to facilitate the development of a residential community with approximately 567 townhouse and detached units, a neighborhood park, an elementary school, two stormwater management facilities and the supporting road and lane network (Ward 2), File PLAN 23 129239

PREPARED BY: Daniel Brutto, CPT, MCIP, RPP, Senior Planner, West District, Ext. 2468

REVIEWED BY: Rick Cefaratti, MCIP, RPP, Acting Development Manager, West District, Ext. 3675
Stephen Lue, MCIP, RPP, Senior Development Manager, Ext. 2520

RECOMMENDATIONS:

1. THAT the report titled, "RECOMMENDATION REPORT, Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by First Elgin Developments Inc. and First Elgin North Ltd. at 3208 Elgin Mills Road East to facilitate the development of a residential community with approximately 567 townhouse and detached units, a neighborhood park, an elementary school, two stormwater management facilities, and the supporting road and lane network (Ward 2), File PLAN 23 129239", be received;
2. THAT the Zoning By-law Amendment application submitted by First Elgin Developments Inc. and First Elgin North Ltd. to amend Zoning By-law 304-87, as amended, be endorsed in principle by Council and that the draft Zoning By-law attached hereto as Appendix 'A', be finalized and brought forward to a future Council meeting to be enacted without further notice;
3. THAT the Draft Plan of Subdivision 19TM-23007 be endorsed in principle, subject to the draft conditions attached hereto as Appendix 'B', be brought forward to a future Council meeting once all outstanding matters have been resolved to the satisfaction of the Director, Planning and Urban Design;
4. THAT the Director of Planning and Urban Design, or designate, be delegated authority to issue Draft Plan Approval, subject to the draft conditions set out in Appendix 'B', as may be amended by the Director of Planning and Urban Design, or designate;
5. THAT Draft Plan Approval for Draft Plan of Subdivision 19TM-23007 will lapse after a period of three (3) years from the date of Council approval in the event that a Subdivision Agreement is not executed within that period;

6. THAT servicing allocation for 567 units be assigned to Draft Plan of Subdivision 19TM-23007;
7. THAT the servicing allocation will be revoke or reallocated after a period of three (3) years from the date of Council approval should the development not proceed in a timely manner;
8. AND THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

This report recommends endorsement in principle of the Zoning By-law Amendment and Draft Plan of Subdivision applications (the “Applications”) submitted by First Elgin Developments Inc. and First Elgin North Ltd. (collectively, the “Owner”), at 3208 Elgin Mills Road East (the “Subject Lands”), to permit approximately 567 townhouse and detached units, a neighborhood park, an elementary school, two stormwater management facilities and the supporting road and lane network (the “Proposed Development”).

The Owner revised their original proposal in response to the matters raised at the October 24, 2023 Public Meeting, those outlined in Staff’s September 14, 2020, Preliminary Report, and comments raised by City staff and external agencies. Staff are of the opinion that the Proposed Development represents good planning and is in the public interest.

Staff will continue to work with the Owner to finalize technical matters, including the planning instruments (i.e., the conditions of approval and zoning by-law amendment). Staff do not anticipate any fundamental changes to the Proposed Development and will bring forward the instruments to a future Council meeting once all matters have been resolved to Staff’s satisfaction.

PURPOSE:

This report recommends endorsement of the Applications, in principle, submitted by the Owner to facilitate the Proposed Development on the Subject Lands.

Process to Date

- Staff deemed the Applications complete on July 18, 2023
- The statutory Public Meeting was held on October 24, 2023

The 90-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 September 28, 2023. Accordingly, the Owner can appeal the Applications to the OLT.

If the DSC endorses the Applications, then the next steps will include the following:

- Finalize the draft Zoning By-law Amendment and conditions of Draft Plan of Subdivision approval for consideration at a future Council meeting
- The Owner would be required to clear the conditions of Draft Plan of Subdivision approval, enter into a Subdivision Agreement with the City, and register the Draft Plan of Subdivision
- Approval of future applications for Site Plan and Draft Plan of Condominium, where required.

BACKGROUND:

The 33.66 ha (83.18 ac) Subject Lands are located within the Victoria Glen Secondary Plan Area (the “Secondary Plan Area”), as shown in Figure 1

Figure 2 shows that the Subject Lands contain a single detached dwelling. Figure 3 shows the surrounding land uses.

The Owner submitted the Applications to permit the Proposed Development, as shown in Figure 4, with the built form summarized in Table 1 below.

Table 1: the Proposed Development Built Form			
Land Use	Lot/Block Number	Units	Area (ha)
11.6m Single	1-13, 17-77, 81-112, 117-136, 141-160, 165-190, 192-199, 207, 208, 215-224, 234, 241, 247-251, 253-262, 263-270, 273, 277-283, 285-294	235	8.91
13.8m Single	14-16, 78-80, 113-116, 137-140, 161-164, 191, 200-206, 209-214, 225-233, 242-246, 252, 271, 272, 274-276, 284, 295-298	57	2.77
18.3m Single	235-240	6	0.38
8.1m Rear Lane Single	299-338	40	0.90
6.1m Townhouse	339-370	32	0.53
6.7m Back-to-Back Townhouse	371-398	28	0.27
Medium Density Residential	399	~104	1.55
Mixed Use	400	~58	1.40
Future Development	401-405	7	0.55
Total		~567	17.25

Changes made to the Proposed Development during the review process include the following:

- Added Block 421 (Greenway System) with the intention to be conveyed into public ownership
- Increased Block 410 (SWM Facility) size from 0.99 ha to 1.12 ha
- Increased width of Block 416 (Servicing) to 9 m
- Modified layout of Street M/Lane A/Lane B
- Increased back-to-back townhouse unit widths from 6.4 m to 6.7 m
- Increased lane-based townhouse unit widths from 5.8 m to 6.1 m

The statutory Public Meeting was held on October 24, 2023, and matters related to the Applications were identified through written submissions and comments by members of the Development Services Committee (“DSC”) and the public

The following summarizes the matters raised to date. The discussion section of this report outlines how these matters have been considered.

- a) DSC asked if the Proposed Development would include affordable housing units
- b) DSC asked if any retail uses were being contemplated as part of the Proposed Development
- c) DSC noted the need for a Community Centre in this area to serve the rapidly growing community.
- d) Several area residents objected to the Proposed Development citing ongoing construction disturbances in the area and existing traffic congestion on Elgin Mills Road East.

The Proposed Development is consistent with the Provincial Planning Statement, 2024 (the “2024 PPS”)

The 2024 PPS provides direction on matters of Provincial interest related to land use planning and development. These matters, in-part, include building strong healthy communities with an emphasis on efficient development and land use patterns, and wise use and management of resources.

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

The 2022 ROP designates the Subject Lands ‘Urban Area’ on Map 1 – Regional Structure, which permits a wide range of land uses including residential, commercial, employment, and institutional uses, and places of worship. Map 1A designates the Subject Lands ‘Community Area’, which are areas where many residents, personal services, retail, arts, culture, recreational facilities and human services needs would be located. The Proposed Development includes uses that are contemplated under the ‘Community Area’ designation at a scale that is considered compatible with the surrounding area.

The 2014 Markham Official Plan (“2014 OP”) sets out land use policy to guide future development and manage growth, and the Victoria Glen Secondary Plan (the “Secondary Plan”) provides detailed direction for these lands.

The Secondary Plan includes detailed policies to guide future development and growth in the Victoria Glen community to 2031 and beyond, and provides a comprehensive policy framework for Council decisions with respect to the use of land, provision for municipal services and infrastructure, and the implementation and phasing of development.

Map SP1 designates the Subject Lands ‘Residential Low Rise’, ‘Residential Mid Rise’, ‘Mixed Use Low Rise’, and ‘Greenway’. It also identifies symbols denoting the locations of two stormwater management facilities and a neighbourhood park (See Figure 5). The Secondary Plan contains specific development criteria associated with each land use, including minimum and maximum density targets and minimum and maximum building heights. Table 2 below identifies the density analysis for the Proposed Development. Staff have reviewed the Proposal in the context of the Secondary Plan and are of the opinion that the Proposal conforms to the Secondary Plan and 2014 OP.

Table 2: the Proposed Development Density Analysis				
Designation	Area (ha)	Units	Secondary Plan Density Range (UPH*)	Proposed Density (UPH*)
Residential Low Rise	13.8	345	25 - 45	25

Table 2: the Proposed Development Density Analysis				
Residential Mid Rise	2.6	~164	40 - 70	63.1
Mixed Use Low Rise	1.40	~58	40 - 60	41.2
Total		~567	17.25	43.1

*Units Per Hectare calculated based on the requirements of Section 8.1.8 of the Secondary Plan.

The Subject Lands are zoned 'Agriculture One Zone (A1)' and 'Open Space (O1)' under By-law 304-87, as amended (See Figure 3)

To facilitate implementation of the Draft Plan of Subdivision, the Zoning By-law Amendment (see Appendix 'A') proposes to re-zone the Subject Lands from 'Agricultural One (A1)' under By-law 304-87, as amended, to the appropriate zone categories under By-law 2024-19, including any special provisions.

DISCUSSION:

The following section identifies how the matters raised through the review process for the Proposed Development, including those raised at the statutory Public Meeting, have been resolved or considered, are divided into two parts: Part A – Matters Raised by the Public and the DSC; Part B – Matters Raise by City Staff and External Agencies.

Part A: Matters Raised by the Public and DSC

1. DSC questioned if the Proposed Development would include affordable housing units and asked how the houses are being made more affordable

The Proposed Development does not include affordable housing as the Secondary Plan does not require it. To help with affordability, the Owner commits to provide 5% of the low-rise product with a "built in" secondary suite. This translates to 17 purpose-built secondary suites and has been captured as a condition of Draft Plan of Subdivision approval.

2. DSC questioned if any retail uses were being contemplated as part of the Proposed Development

Currently, the Owner has not committed to provide retail uses. However, Block 404 is designated for mixed use low rise in the Secondary Plan and permits, but does not require, several non-residential uses in addition to residential uses.

3. DSC noted the need for a Community Centre in this area to serve the rapidly growing community

In 2019, Council approved the City's Integrated Leisure Master Plan (ILMP). The ILMP (2019 - 2031) is a long-term community master planning document that addresses Markham's requirements related to parks, recreation, arts and culture, and library facilities and services. It is designed with provision standards to guide the City in determining community amenity requirements, rather than identifying specific development sites. In the case of the Future Urban Area (FUA), the ILMP prioritizes the need for a major community centre to serve this area and that the major community centre is intended to accommodate approximately 45,000 residents.

The ILMP recommends that the City seek opportunities on lands shared with future schools and/or leverage sites that are already City-owned. While the Victoria Square Community

Centre was originally considered as a potential site, it was ultimately not preferred due to site constraints. The existing location may not have the necessary land mass to accommodate a major community centre, which typically exceeds 100,000 sq. ft. Additionally, redeveloping the site would require displacing existing amenities, such as the baseball diamond, which is an important community asset. As a result, an alternative site within the FUA is being explored as a more suitable location—one that better aligns with the demand and projected growth of the FUA community.

Despite this shift in direction, the City has taken steps to support the existing Victoria Square Community Centre by working with its independent board to facilitate its dissolution. As a result, the facility is now fully operated by the City, ensuring its continued service to the community, while long-term planning efforts are in place that focuses on identifying the most strategic location for a future major community centre.

Since the ILMP and its provision standards have already confirmed the need for a major community centre and the type of amenities required to serve the FUA, the next step for staff is to determine the best approach for selecting a location. This could involve seeking funding for a consultant to assess potential sites or formulating an internal staff group (Incl., Planning, Recreation, Library, Finance, Real Property) to refine location recommendations. Once complete, a report will be presented to Mayor and Council with recommendations on the most appropriate site based on these evaluations.

4. *Area Residents objected to the Proposed Development citing construction concerns*

Construction activity in the immediate area is primarily related to the build out of the Berczy Glen Secondary Plan Area to the south that began in 2020. For the foreseeable future, this construction activity is expected to shift east towards Kennedy Road. As with any development approval, existing residents will be protected from potential erosion and sedimentation during construction of the subdivision through draft plan conditions requiring the preparation of an erosion and sediment control plan (the “Plan”) in accordance with the City’s design criteria and the “Erosion and Sediment Control Guideline for Urban Construction (2006)”. The Plan will identify erosion and sediment control practices including, but not limited to, staged earthworks, track walking, stabilization, fencing, mud mats, and catch basin sediment control devices.

In addition to these practices during construction, the City has by-laws in place to protect residents during construction activity. Specifically, the City’s Noise By-law 2017-74 prohibits the operation of any equipment in connection with construction: all day on Sundays and Statutory Holidays; from 7:00 pm one day to 7:00 am the next day; Fridays from 7:00 pm to 9:00 am Saturday; and after 5:00 pm on Saturday.

5. *Nearby residents objected to the Proposed Development citing existing traffic congestion on Elgin Mills Road East*

To accommodate the projected population growth associated with the anticipated development in the area, a number of regional and municipal roads and intersections are required to be built or widened. For instance, Elgin Mills Road East from Victoria Square Boulevard to McCowan Road is expected to be widened from a two-lane road to a four-lane road, with construction tentatively commencing in 2027/2028, pending utility relocation and property acquisition(s).

Part B: Matters Raised by City Staff and External Agencies**1. *Proposed parkland meets the objectives of the Community Design Plan and conforms to the Secondary Plan***

The Victoria Glen Community Design Plan and Secondary Plan identify the locations and sizes of parks in the Victoria Glen community, irrespective of property ownership. Together, these plans ensure that an integrated and comprehensive approach is taken to parks planning and development that considers linkages and connectivity, facility requirements, and interface conditions.

The Proposed Development includes one neighbourhood park (Block 407) based on the requirements of the Secondary Plan (See Figures 4 and 5). Based on a 5% dedication cap in the *Planning Act*, the maximum parkland dedication required by the City is 1.683 ha (5% of total area of 33.66 ha). There is an estimated parkland over dedication of 0.317 ha. In the context of large greenfield communities like the Secondary Plan Area, it is common for some landowners to under-dedicate parkland while others over-dedicate parkland on a property-specific basis. Typically, Staff require these discrepancies be reconciled by way of agreement(s) between the Owner and/or the Landowners Group and the City. Staff have incorporated a draft plan condition (see Appendix B) to this effect, to be addressed prior to release of the lands for registration.

2. *The York Region District School Board (“YRDSB”) confirmed the size and location of the school site provided is acceptable*

The Proposed Development includes one public elementary school site (Block 406) based on the requirements of the Secondary Plan (See Figures 4 and 5). The YRDSB board has confirmed that the size and location is appropriate. Included in the Draft Plan of Subdivision conditions attached as Appendix B are the YRDSB conditions.

3. *Blocks 399 and 400 are subject to site plan approval*

The Proposed Development includes a residential mid-rise block (Block 399) and mixed use low-rise residential block (Block 400), which based on the concept plans submitted, would be subject to site plan approval (See Figures 6 and 7). The Secondary Plan use permissions for Block 399 include townhouses, small multiplex buildings containing 3 to 6 units, apartment buildings, coach houses located above a garage on a laneway, and buildings associated with day care centres, places of worship and public schools. The Secondary Plan use permissions for Block 400 include townhouses excluding back-to-back townhouse, stacked townhouses (where a development block has frontage on an arterial road) and several non-residential uses including, but not limited to, financial institutions, office, restaurant, retail, daycare, commercial school, and sports and fitness recreation.

The site plan approval process will include, but are not limited to, a review of built form transitions to adjacent uses, landscape, massing, parking supply, vehicular and pedestrian circulation, and waste management.

4. Senior friendly housing options will be provided to purchasers at the time of sale

The Owner developed a list of options that will be offered to future purchasers with the aim of facilitating aging in place and improved accessibility. Staff incorporated a draft plan condition to this effect, to be addressed prior to the release of the lands for registration (See Appendix B). Options such as, but not limited to, the following will be made available to purchasers:

- primary bedroom on the main floor on select models
- elevators or the potential to accommodate a future elevator on select models
- secondary entrances to facilitate secondary suites
- main bathroom with reinforcing wood built into the walls of the bathtub and over the toilet for future installation of grab bars
- main floor stair widths and appropriate railings to accommodate future chair lifts
- primary ensuite shower sizes that can accommodate shower seats

5. Stage 4 Archeological Assessment required

A Stage 3 Site-Specific Archeological Assessment was completed and due to the recovery of artifacts of special interest (i.e., Indigenous ceramics) and a Stage 4 mitigation strategy is required for the respective Indigenous site where such artifacts were discovered. A Stage 4 mitigation of impacts will also be required at the site where Euro-Canadian artifacts were recovered, and potential cultural features were uncovered.

As a condition of Draft Plan of Subdivision approval, the Owner must provide a clearance letter from the Ministry of Tourism, Culture and Sport indicating that work has been completed and accepted into the provincial data base and the Subject Lands are cleared, in accordance with Section 4.6.2.2 of the Official Plan.

6. The Greenway System will be protected

The conditions of Draft Plan Approval require that the Owner covenants and agrees to convey all Greenway and Open Space blocks to the City of Markham in a physical condition to the satisfaction of the City (See Appendix B). A small, isolated wetland is proposed for removal and will be compensated in accordance with the requirements of the Secondary Plan. Staff are satisfied that wetland compensation is appropriate and provides for no net loss of wetland area and function.

7. The Community Energy Plan's (the "CEP") recommendations will be implemented

The CEP for this area identifies advanced sustainable development practices as they relate to energy use and generation within the Secondary Plan Area. A condition of Draft Plan of Subdivision approval will require the Owner to implement the recommendations of the CEP, including the following sustainability initiatives:

- Low-Impact Development (LIDs) features, such as rear yard infiltration trenches and/or permeable paver driveways
- High energy efficiency building design, including:
 - A minimum of R60 in the attic/roof insulation
 - R10 underslab insulation
 - Triple pane windows or equivalent high performance double pane (U-value 1.4 or lower)

- Electric Vehicle recharge wiring in all garages
- Implementation of the Solar Strategy outlined in the CEP
- Smart thermostats and in-home energy displays

8. *The Master Environmental Servicing Plan (the “MESP”) for the Victoria Glen Secondary Plan has been advanced*

The landowners prepared the MESP in support of the Secondary Plan, which assesses a range of environmental and engineering matters associated with the development of lands in the Secondary Plan Area. It outlines existing conditions relating to surface water, groundwater, terrestrial and aquatic resources. It defines the Glen Greenway System, assesses and recommends stormwater management (SWM), site grading, transportation, water and wastewater servicing requirements. The MESP also identifies potential impacts and mitigation measures, including conceptual design requirements for SWM ponds, Low Impact Development (LID) measures, site grading, management of headwater drainage features (HDFs), wetland water balance and restoration/enhancement recommendations.

As the MESP comments recommended that the sanitary capacity constraint at James Joyce Drive be addressed as Draft Plan of Subdivision conditions for the individual subdivisions within Victoria Glen, the Engineering Department has incorporated a draft condition requiring requiring long term sanitary flow monitoring and analysis to determine whether sanitary sewer upgrades are required (See Appendix B).

9. *Victoria Glen Developers Group obligations (the “Developers Group”)*

The Secondary Plan integrates the locations of public infrastructure (roads, stormwater management facilities) and the provisions of other community facilities (parks, schools, roads, road improvements, servicing), regardless of property boundaries. To ensure all affected property owners contribute equitably towards the public infrastructure and provisions of other community facilities, a draft plan condition requiring all Owners in the Secondary Plan Area to enter into the Victoria Glen Developers Group Agreement has been incorporated into the conditions (See Appendix B).

CONCLUSION:

This report recommends endorsement in principle of the Applications submitted by First Elgin Developments Inc. and First Elgin North Ltd. on the Subject Lands to facilitate the development of a residential community with approximately 567 townhouse and detached units, a neighborhood park, an elementary school, two stormwater management facilities and the supporting road and lane network. Staff are of the opinion that the Proposed Development represents good planning and is in the public interest. Staff will continue to work with the Owner to finalize the technical matters including the conditions of approval and zoning by-law amendment. Staff do not anticipate any fundamental changes to the Proposed Development and will advance the instruments to a future Council meeting upon resolution of all matters to Staff's satisfaction.

FINANCIAL CONSIDERATIONS:

Not applicable

HUMAN RESOURCES CONSIDERATIONS:

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Applications have been reviewed in the context of the City's Strategic Priorities of Safe Sustainable and Complete Community.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Applications were circulated to internal City department and external agencies. Requirements of the City and external agencies will be reflected in the finalized planning instruments.

RECOMMENDED BY:

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

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

FIGURES:

Figure 1: Location Map
Figure 2: Area Context and Zoning
Figure 3: Aerial Photo
Figure 4: Draft Plan of Subdivision
Figure 5: Victoria Glen Secondary Plan - Detailed Land Use
Figure 6: Block 399 Concept Plan
Figure 7: Block 400 Concept Plan
Appendix A: Draft Zoning By-law Amendment
Appendix B: Conditions of Draft Plan of Subdivision Approval

OWNER:

First Elgin Developments Inc. and First Elgin North Ltd. C/O Joanne Barnett

APPLICANT/AGENT:

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