



MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, Commissioner, Development Services

Prepared by: Rick Cefaratti, Planner II, Planning and Urban Design Department

Date: June 24, 2019

Re: Nascent/Sher (9704 McCowan) Inc., Official Plan and Zoning By-law Amendment Applications to permit an 8 storey mixed use apartment building and three 5 storey apartment buildings at 9704 McCowan Road File Nos. OP/ZA 17 174837 (Ward 6)

RECOMMENDATION:

1. THAT the memorandum dated June 24, 2019 and titled “Nascent/Sher (9704 McCowan) Inc., Official Plan and Zoning By-law Amendment Applications to permit an 8 storey mixed use apartment building and three 5 storey apartment buildings at 9704 McCowan Road File Nos. OP/ ZA 17 174837 (Ward 6)” be received;
2. THAT the communications of Shakeel Walji on behalf of Nascent/Sher (9704 McCowan) Inc. attached as Appendix ‘A’, be received;
3. THAT the proposed amendment to the 2014 Markham Official Plan, attached as Appendix ‘B’, be approved;
4. THAT the amendments to Zoning By-laws 304-87 and 177-96, as amended be approved and the draft implementing Zoning By-law, attached as Appendix ‘C’, be finalized and enacted without further notice;
5. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

BACKGROUND:

Development Services Committee (DSC) received a Recommendation Report on April 29, 2019, recommending approval of a proposed mixed use residential development consisting of an 8 storey mixed use apartment building fronting on to McCowan Road and three 5 storey apartments at the rear of the subject property. At the meeting, Ben Quan of QX4 Investments spoke on behalf of the property owner of the adjacent daycare (Radiant Way Montessori School) to the north. Mr. Quan indicated that his client was concerned with the impacts of the construction of the proposed development on his daycare. He requested that the Official Plan and Zoning By-law Amendment

applications not be referred to Council for approval until such time that the applicant and owner of Radiant Way Montessori School had reached a mutually satisfactory resolution to outstanding concerns.

On April 29, 2019, DSC recommended that Council approve the Official Plan and Zoning Amendment applications, conditional on an agreement between the applicant and the neighbouring property owner to the north being reached that would mitigate the potential impacts to Radiant Way Montessori during the construction period of the proposed development. The applicant has now provided confirmation that the two property owners have reached an agreement on this issue, and on matters relating to providing municipal service connections to the Montessori school property (see Appendix 'A'). The applicant is concerned that any further delays to the proposed amendments to the Official Plan and Zoning By-law (see Appendix 'B' and Appendix 'C') will jeopardize the viability of the proposal. Consequently, the applicant has requested that all the implementing documents be referred to the Council meeting on June 25, 2019, for approval.

CONCLUSION

Planning staff recommend that the Official Plan and the Zoning By-law amendment documents be referred to the next Council meeting for approval.