

**SUBJECT:****PRELIMINARY REPORT**

Applications for a Draft Plan of Subdivision and Zoning By-law Amendment by 1212763 Ontario Ltd. to facilitate approximately 417 dwelling units, parkland, two stormwater management ponds, greenway and the supporting road network on the subject lands known legally as Part of Lots 22 and 23, Concession 4 in the Berczy Glen Secondary Plan Area (Ward 2)

File No.: PLAN 19 142694

**PREPARED BY:**

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Senior Planner, North District

**REVIEWED BY:**

Stephen Kitagawa, MCIP, RPP ext. 2531  
Acting Development Manager, North District

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**RECOMMENDATION:**

- 1) THAT the report dated April 21, 2020 titled “PRELIMINARY REPORT, Applications for a Draft Plan of Subdivision and Zoning By-law Amendment by 1212763 Ontario Ltd. to facilitate approximately 417 dwelling units, parkland, two stormwater management ponds, greenway and the supporting road network on the subject lands known legally as Part of Lots 22 and 23, Concession 4 in the Berczy Glen Secondary Plan Area (Ward 2)”, be received.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

This report provides preliminary information on the Draft Plan of Subdivision and Zoning By-law Amendment applications (the “Applications”) submitted by 1212763 Ontario Ltd. (the “Owner”). This report contains general information regarding applicable policies, as well as other issues and should not be viewed as Staff’s opinion or recommendation on the Applications.

**PROCESS TO DATE AND NEXT STEPS:**

- December 2019 - Applications received
- January 2020 - Applications deemed complete
- A Public Meeting will be scheduled at a future date when appropriate.

It should be noted that this application is moving forward during a period when the Province of Ontario has suspended Planning Act timelines for the appeal of an application to the Local Planning Appeal Tribunal. Municipalities have the discretion to continue the processing of applications, so long as the procedural requirements of the *Planning Act* can

be met (e.g. sending of notices, public meetings, etc.). The application will be circulated to commenting departments and agencies. Further, staff will proceed with the normal resolution of issues and case management will be undertaken. At the time of the writing of this report, matters respecting the holding of Public Meetings, finalization of approvals and appeals are still being resolved. The Clerk, Legal Services and Development Services are working together to address the mandatory requirements and any technical issues that arise as a result of the emergency.

## **BACKGROUND:**

### **Subject property and area context**

Part of Lots 22 and 23, Concession 4 (the “Subject Lands”) consist of approximately 37.15 hectares (91.8 acres), situated in the south west quadrant of the Berczy Glen Secondary Plan Area, which is bounded by Elgin Mills Road East to the north, Warden Avenue to the east, existing estate residential subdivisions/Greenway to the south and the hydro corridor to the west (See Figure 1: Location Map).

The Subject Lands are used for agricultural operations and are bisected by the Berczy Creek from north to south (See Figure 2: Aerial Photo). Surrounding land uses include (See Figure 3: Area Context/Zoning):

- North: Agricultural lands subject to Draft Approved Plan of Subdivision 19TM-18004 for 747 residential units (known as Mattamy Rinas);
- East: Agricultural lands, a portion of which are subject to Draft Plan of Subdivision 19TM-18009 for 898 residential units (known as Berczy Warden); and,
- South: Low-rise residential estate subdivision (known as Jennings Gate Estates);
- West: Hydro corridor and further west is a low-rise residential community (known as the East Cathedral Community).

## **PROPOSAL:**

The Owner has submitted the Applications on the Subject Lands to facilitate the creation of approximately 417 dwelling units, parkland, two stormwater management ponds, greenway and the supporting road network (the “Proposal”) (See Figure 4: Draft Plan of Subdivision). Table 1 below summarizes the number and type of units proposed:

**Table 1: Proposed Built Form**

<b>Unit Type</b>	<b>Minimum Frontage (m)</b>	<b>Units</b>
Single Detached (348 units)	13.7	77
	11.6	141
	9.4*	69
	8.1*	61
Townhouse (69 units)	6.0*	69
<b>Total</b>	-	<b>417</b>

\*Lane-based units

Parkland included in the Proposal consists of 2.27 hectares of a community park to be assembled with community park blocks located on the adjoining lands (Block 374), a 1.86 hectare park (Block 375) and a 0.10 hectare parkette (Block 376).

The road network is comprised of local roads, collector roads and laneways all of which are public. Extensions of Vine Cliff Boulevard (labelled as Street 'A' on Figure 4) and Stoney Hill Boulevard (labelled as Street 'B' on Figure 4) are identified in the Proposal, as well as crossings of the Berczy Creek for these respective collector roads.

Table 2 below provides a complete statistical summary of the proposal.

**Table 2: Draft Plan of Subdivision Schedule of Land Use**

Land Use		Length (m)	Units	Area (ha.)
Single Detached		-	348	11.57
Townhouses		-	69	0.97
Future Development		-	-	0.30
Community Park		-	-	2.27
Park		-	-	1.86
Parkette		-	-	0.10
Vista		-	-	0.07
SWM Ponds		-	-	2.85
Open Space		-	-	8.19
Servicing Block		-	-	0.04
Streets 'A-B' @ 24.5m ROW		780	-	8.93
Street 'C' @ 21.8m ROW		335	-	
Streets 'D-O'	@ 18.5m -15.5m ROW	2,455	-	
	@ 16.5m ROW	295	-	
	@ 15.5m ROW	115	-	
Laneways 'A-E' @ 10m-8.5m ROW		700	-	37.15
<b>Total</b>		<b>4680</b>	<b>417</b>	
<b>Proposed Units Per Net Residential Hectare</b>				<b>33.3</b>

To facilitate implementation of the Proposal, the Zoning By-law Amendment application proposes to re-zone the subject lands from 'Agricultural One (A1)' and 'Open Space One (O1)' under By-law 304-87, as amended, to the appropriate zone categories under By-law 177-96, as amended, including special provisions.

#### **PLANNING POLICY CONTEXT:**

The Proposal is subject to a planning policy framework established by the Province, York Region and the City of Markham under the *Planning Act*. The following section identifies the policy framework, which will be used to evaluate the Proposal.

#### **Provincial Policy Framework**

Provincial Policy Statement, 2014 (the "PPS")

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The PPS provides direction on matters of Provincial interest related to land use planning and development. The PPS provides the direction for the efficient use of land and development patterns, which support sustainability by promoting strong, livable, healthy and resilient communities, while protecting the environment and public health and encouraging safety and economic growth. Staff will evaluate the Proposal to determine if it is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe, 2019 (the “Growth Plan”)

The Growth Plan provides a framework for implementing the Province’s vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protection and wise use of natural resources and optimizing the use of existing and new infrastructure to support growth in a compact, efficient form. Staff will evaluate the Proposal to determine if it conforms to the Growth Plan.

Greenbelt Plan, 2017 (the “Greenbelt Plan”)

The Greenbelt Plan provides specific land use policies on where urban growth will not occur in order to provide for the permanent protection of agriculture and the natural environment. Staff will evaluate the Proposal to determine if it conforms to the Greenbelt Plan.

Section 51(24) of the *Planning Act*

Section 51 (24) of the *Planning Act* sets out the criteria which a draft plan of subdivision must have regard for, which includes: the suitability of the land for the purpose proposed, dimensions and shape of the proposed lots, conservation of natural resources and flood control, adequacy of school sites, highways and the extent to which the plan’s design optimizes the available supply, means of supplying, efficient use and conservation of energy. Staff will evaluate the Proposal to determine if it has regard for Section 51 (24) of the *Planning Act*.

**Regional Policy Framework**

York Region Official Plan 2010 (the “Regional Official Plan”)

The Regional Official Plan includes policies to guide land-use planning consistent with the requirements of the Growth Plan to encourage high quality urban design, attractive buildings, landscaping and public streetscapes. Staff will evaluate the Proposal to determine if it conforms to the Regional Official Plan.

**City of Markham Policy Framework**

Markham Official Plan, 2014 (the “City’s Official Plan”)

The City’s Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018) sets out land use policy to guide future development and manage growth.

Map 3 - Land Use designates the Subject Lands ‘Residential Low Rise’ and ‘Greenway’ (See Figure 5: 2014 Official Plan Map 3 Extract - Land Use). It provides direction for the development of a Conceptual Master Plan for the entire Future Urban Area (FUA) as the

basis for the development of Secondary Plans. Staff will evaluate the Proposal to determine conformity to the City's Official Plan.

Berczy Glen Secondary Plan (the "Secondary Plan")

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

Map SP1 - Detailed Land Use designates the Subject Lands 'Residential Low Rise', 'Greenway' and identifies two symbols denoting stormwater management facilities and one symbol denoting a portion of the community park (See Figure 6: Berczy Glen Secondary Plan Extract - Detailed Land Use). In addition, the south portion of the Subject Lands are subject to a site-specific policy, the intent of which is to provide an appropriate transition between the Proposal and the Jennings Gate Estates to the south.

The Secondary Plan also contains minimum density targets, minimum building heights and specific development criteria associated with each land use. Staff will evaluate the Proposal to determine if it conforms to the Secondary Plan.

Berczy Glen Community Design Plan (the "Design Guidelines")

The Design Guidelines sets out to achieve a coordinated approach to urban design throughout the community. Among other things, it provides direction related to streetscape, parks and open space, building typology and mix, lotting pattern, sustainability features, gateways, special community and landmark features, etc. Staff will evaluate the Proposal to determine if it has regard for the Design Guidelines.

**Zoning**

The subject property is zoned 'Agricultural One (A1)' and 'Open Space One (O1)' under By-law 304-87, as amended (See Figure 3: Area Context/Zoning). A zoning by-law amendment is required to permit urban development on the Subject Lands.

**OPTIONS/ DISCUSSION:**

The following is a brief summary of issues raised to date. These matters, and others identified at the Public Meeting and through the circulation and detailed review of the proposal, will be addressed in detail, if necessary, in a recommendation report:

1. Greenway interface
  - a. A reduction in the overall percentage of units back-lotting onto the Greenway in accordance with the Design Guidelines.
  - b. Enhanced opportunities for pedestrian connections to the planned trail system within the Greenway.
  - c. Opportunities for restoration of the Greenway.
2. Jennings Gate Estates interface
  - a. Review of the interface between the proposed lots, which abut the existing estate residential subdivision to the south is ongoing, based on the site-

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- specific policies in the Secondary Plan and the Design Guidelines, including tree preservation where appropriate.
3. Lane lengths and snow storage
    - a. Staff, including fire, operations and urban design, are reviewing the proposed laneway system to determine the appropriate lane lengths and areas for snow storage notches and walkways.
  4. Parkland
    - a. Appropriateness of the location and size of parks based on the Secondary Plan and the Design Guidelines, including locating a park in the southern quadrant of the Proposal.
    - b. Staff do not support the portion of parkland block 375 located within the City's Greenway and Greenbelt Plan given, among other reasons, the Design Plan does not identify the need, the steep topography would make it difficult to program and the lands are identified for restoration.
  5. Purpose built secondary suites, seniors housing and affordable housing
    - a. The Owner is asked to provide opportunities for purchasers to implement secondary suites in the future (i.e. rough in service, flexible floor plans, etc.) and opportunities for aging in place friendly units (i.e. master bedrooms on the ground floor, elevator retrofit opportunities, etc.).
  6. Hydro One - Extensions of Stoney Hill Boulevard and Vine Cliff Boulevard
    - a. The Secondary Plan identifies road connections to Stoney Hill Boulevard and Vine Cliff Boulevard in the neighbouring residential community to the west known as the East Cathedral Community. The Owner and staff will continue to work with Hydro One to transfer the lands for the right-of-way (ROW) directly from Ontario Infrastructure and Lands Corporation to the City of Markham.
  7. Review the appropriateness of the proposed zoning by-law amendment
    - a. Staff are reviewing the proposed site-specific development standards (i.e. reduced rear yard setback and increased maximum building height) in the context of the existing and planned uses, among other considerations.
  8. Community Energy Plan
    - a. A Community Energy Plan (the "CEP") for the FUA has been completed. The CEP identified and advances strategies to reduce energy use, to support renewable energy generation and to reduce overall greenhouse gas emissions in the FUA. The Owner is expected to adhere to the CEP.
  9. Public art contribution
    - a. Section 37 contribution for the provision of public art needs to be finalized for implementation through the amending zoning by-law.
  10. Outstanding comments
    - a. Comments from various internal departments and external agencies are outstanding and may result in changes to the plan, including the Toronto and Region Conservation Authority.
  11. Outstanding Secondary Plan studies
    - a. Several Berczy Glen Secondary Plan studies have yet to be finalized which may impact the Proposal. Such studies include the Master Environmental Servicing Plan, Berczy Glen Phasing Plan and the Collector Road

Environmental Assessment Study. It is anticipated completion of these studies will be conditions of Draft Plan of Subdivision approval.

12. Technical studies/reports currently under review

- a. Staff are in the process of reviewing the following studies/reports submitted in support of the proposal: Functional Servicing and Stormwater Management Report, Planning Opinion Report, Transportation Mobility Study, Tree Inventory and Preservation Plan, Environmental Impact Study, Archeological Assessment, Environmental Noise Feasibility Study, Hydrogeological Assessment, Geomorphic Study, Geotechnical Investigation Report and Phase 1 Environmental Site Assessment.

**FINANCIAL CONSIDERATIONS**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The Proposal is being considered within the context of the City's strategic priorities of safe, sustainable and complete communities.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The Proposal has been circulated to various departments and external agencies and is currently under review. Requirements of the city and external agencies will be reflected in the Draft Plan of Subdivision conditions and Zoning By-law Amendment.

**RECOMMENDED BY:**

Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager

Arvin Prasad, M.C.I.P., R.P.P.  
Commissioner, Development Services

**ATTACHMENTS:**

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context/Zoning

Figure 4: Draft Plan of Subdivision

Figure 5: 2014 Official Plan Map 3 Extract - Land Use

Figure 6: Berczy Glen Secondary Plan - Land Use Map