



Report to: Development Services Committee

Meeting Date: May 3<sup>rd</sup>, 2021

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**SUBJECT:** PRELIMINARY REPORT, Flato Developments Inc, Application for Draft Plan of Subdivision to create blocks for a public park, public road and residential development comprised of two (2) 8-storey buildings and townhouses in the south-west quadrant of Highway 48 and the City of Markham/ Town of Whitchurch-Stouffville municipal boundary (north of 19<sup>th</sup> Avenue), Part of Lot 31, Concession 7 (Ward 6), (File No. PLN 20 134853).

**PREPARED BY:** Stacia Muradali, M.C.I.P., R.P.P.  
Manager, East Development District

**REVIEWED BY:** Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager

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**RECOMMENDATION:**

1. That the report titled “PRELIMINARY REPORT, Flato Developments Inc., Application for Draft Plan of Subdivision to create blocks for a public park, public road and residential development comprised of two (2) 8-storey buildings and townhouses in the south-west quadrant of Highway 48 and the City of Markham/ Town of Whitchurch-Stouffville municipal boundary (north of 19<sup>th</sup> Avenue), Part of Lot 31, Concession 7 (Ward 6), (File No. PLN 20 134853)”, be received.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

This report provides preliminary information on a Draft Plan of Subdivision application submitted by Flato Developments Inc. to permit residential development at the south-west corner of Highway 48 and the City of Markham/ Town of Whitchurch-Stouffville municipal boundary (Part of Lot 31, Concession 7) (the “subject land”). This report contains general information in regards to applicable Official Plan or other policies as well as other issues identified by Staff to date. The report should not be taken as Staff’s opinion or recommendation on the application.

**Process to date:**

The application for Draft Plan of Subdivision was deemed complete on January 22<sup>nd</sup>, 2021. A community information meeting was held on April 22, 2021. The 180 day period under the Planning Act for Council to issue a notice of decision expires on July 20<sup>th</sup>, 2021.

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**Next steps:**

- Statutory Public Meeting will be held when appropriate.
- Recommendation Report
- Issuance of Draft Plan Approval, subdivision agreement and registration of the subdivision.
- Site plan application will be required.

**BACKGROUND:****Site and area context**

The subject site is approximately 3.6 hectares (9 acres) and is located in the south-west quadrant of Highway 48 and the City of Markham/Town of Whitchurch-Stouffville municipal boundary (the “municipal boundary”) (Figure 1). The subject land is surrounded by agricultural and rural land uses to the south and west. The Hamlet of Dickson Hill is located east of Highway 48 and there is a cemetery proposed within the hamlet. The cemetery application is currently under LPAT appeal. There is a wide range of uses north of the subject site in the Town of Whitchurch-Stouffville (“Stouffville”), including auto repair, rural and agricultural uses, a shopping centre (Smart Centre) and applications for residential development.

The Town of Whitchurch-Stouffville initiated a Highway 48 Visioning Exercise in 2019 for lands generally bounded by Stouffville Road to the north, McCowan Road to the west, 19<sup>th</sup> Avenue to the south and east of Rougeview Avenue. The study area also includes the Hamlet of Dickson Hill and the subject site. The City of Markham and the Region of York have been consulted as part of the Highway 48 Visioning Exercise. The purpose of the Highway 48 Visioning exercise was to provide a visual plan of what the study area could be in the future. The Town of Whitchurch-Stouffville recently revised the scope of the Highway 48 Visioning Exercise to a Highway 48 Corridor Land Use Study to develop a conceptual land use vision for the study area.

**Proposed development**

An application for Draft Plan of Subdivision has been submitted which proposes creating a public road block, public park block, and development blocks including future development blocks (Figure 4).

The proposed road which runs east/west (Street ‘A’) is located mainly to the north of the subject lands in Stouffville along the municipal boundary, however the most easterly portion of the proposed road (0.32 hectares) dips south into the subject lands to align with an existing access on the east side of Highway 48. Vehicular access for the proposed development will be from Street ‘A’, the proposed east/west road and there are no accesses proposed on Highway 48 for the proposed development.

There are two (2) development blocks proposed which will be comprised of 25 townhouses (Block 1) and two (2) 8-storey apartment buildings with a total of 249 apartment units (Block 2) (Figure 5). A 0.199 hectare (0.5 acre) public park (Block 4) is proposed to be located between the two (2) development blocks in the centre of the

proposed development. The draft plan also identifies Blocks 3, 5 and 6 as future development blocks.

Flato Developments Inc. describes the proposed development as an “age-friendly community”. It is suggested that the units in the proposed mid-rise buildings will be leased to adults over the age of 55. The proposed townhouses will also include purpose built secondary suites.

### **Official Plan and Minister’s Zoning Order**

#### *Official Plan*

The subject lands are designated “Countryside” in the City’s 2014 Official Plan (as partially approved on November 24<sup>th</sup>, 2017 and further updated on April 9<sup>th</sup>, 2018) ( the “2014 Official Plan”) which protects for agricultural uses and supports farming activities. As noted below, these lands are subject to a recently approved Minister’s Zoning Order. The provisions of the Minister’s Zoning Order take precedence over the 2014 Official Plan, therefore an Official Plan Amendment is not required to allow the proposed development.

#### *Zoning- Minister’s Zoning Order*

A Minister’s Zoning Order (MZO) was approved on April 24<sup>th</sup>, 2020 for the subject lands and land to the north in Whitchurch-Stouffville. The MZO permits townhouses and apartment buildings as well as accessory dwellings in each townhouse on the subject lands. The MZO permits a maximum of 500 apartment units and 34 townhouses. Retail uses and personal service shops however are specifically not permitted by the MZO.

### **Stouffville draft plan of subdivision**

The aforementioned MZO also implements land use and other zoning permissions for approximately 9.4 hectares (23 acres) of land in Stouffville, directly north of the subject lands. In Stouffville, five (5) - 6 storey apartment buildings with a total of 548 units and 98 townhouses are proposed. There is also approximately 2,040 square metres (22,000 square feet) of commercial uses proposed at grade level fronting onto the proposed east/west road (Figure 5). A draft plan of subdivision application was submitted to accommodate the development noted above and is currently under review by the Town of Whitchurch-Stouffville.

### **OPTIONS/ DISCUSSION:**

The following is a brief summary of matters raised to date. These matters, and others identified through the circulation, public consultation and detailed review of the proposal, will be addressed in a final staff recommendation report and conditions of approval:

1. Highway 48 is under the jurisdiction of the Ministry of Transportation (MTO) and the proposed access and road alignment requires approval from MTO. To date MTO has not provided formal comments for either of the subdivision applications in Stouffville or Markham, however there are on-going discussions between City staff, Stouffville staff and MTO

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2. Discussions are on-going with Stouffville staff respecting jurisdictional matters over the portion of the proposed east/west road located in Markham (including maintenance) and any required agreements to secure necessary arrangements.
  3. Discussions are on-going with the Region and Stouffville staff because servicing for the proposed development will cross municipal boundaries and be serviced from Stouffville. Inter-municipal agreements will be required to permit any inter-municipal servicing.
  4. Coordination between Markham and Stouffville staff will be required respecting conditions of draft plan approval for the two (2) separate subdivision applications.
  5. The Toronto and Region Conservation Authority has provided comments on the application which includes a request for a Master Environmental Servicing Plan (MESP), an updated Environmental Impact Study (EIS), confirmation of the flood plain and limit of development, and analysis of the impact of the future road crossings on adjacent natural features.
  6. Blocks 5 and 6 which are identified on the draft plan as future development blocks require further analysis to see if it is appropriate to identify them as public open space or greenway blocks and conveyed to the City.
  7. Consideration should be given to the appropriate use of Block 3.
  8. The proposed public park block (approximately 0.199 hectares) is undersized for the proposed development which requires approximately 0.668 hectares of parkland. The location of the proposed public park is also being examined as it may be more appropriately located in closer proximity to the greenway system. Staff will work with the applicant to ensure that appropriate parkland is provided.
  9. Low Impact Development (LID) measures should be incorporated throughout the development.
  10. An appropriate public art contribution through a Section 37 agreement may be required for the proposed development.
  11. Given the complexity of the servicing for the proposed development, engineering comments are still to be finalized and require further discussions with the Region of York and Stouffville.

**FINANCIAL CONSIDERATIONS**

Not applicable

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposal will be reviewed in the context of Growth Management, Municipal Services and Environment strategic priorities.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various departments and external agencies and are currently under review. Requirements of the City and external agencies will be reflected in a future recommendation report and/or as conditions of approval.

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**RECOMMENDED BY:**

Biju Karumanchery, M.C.I.P., R.P.P.  
Director of Planning and Urban Design

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

**ATTACHMENTS:**

- Figure 1: Location Map
- Figure 2: Area Context and Zoning
- Figure 3: Air Photo
- Figure 4: Proposed Draft Plan of Subdivision
- Figure 5: Conceptual Site Plan for the proposed developments in City of Markham and Town of Whitchurch-Stouffville covered in the MZO approved April 24<sup>th</sup>, 2020