

Date:	Tuesday, September 6, 2022		
Application Type(s):	Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision (the “Applications”)		
Owner:	Robert Fidani c/o 8111 Kennedy Road Markham Inc. (the “Owner”)		
Agent:	David Charezenko c/o Bousfields Inc.		
Proposal:	Applications to permit a multi-building, mixed use development with heights ranging from 3 to 41-storeys and a total of 1,772 residential units (the “Proposed Development”)		
Location:	Northeast corner of Kennedy Road and Helen Avenue, municipally known as 8111 Kennedy Road (the “Subject Lands”)		
File Number:	PLAN 21 145907	Ward:	3
Prepared By:	Dimitri Pagratis, MCIP, RPP, ext. 2960 Senior Planner, Central Planning District		
Reviewed By:	Sabrina Bordone, MCIP, RPP Manager, Central Planning District	Bradley Roberts, MCIP, RPP Acting Senior Manager, Development	

PURPOSE

This preliminary information pertains to the Applications submitted by the Owner and contains general information on the applicable Official Plan policies and the identified issues and should not be taken as Staff’s opinion or recommendation.

PROCESS TO DATE

Staff deemed the Applications complete on March 18, 2022. The 120-day period set out in the *Planning Act* before the Owner can appeal to the Ontario Land Tribunal (“OLT”) for a non-decision ended on July 16, 2022.

NEXT STEPS

- Statutory Public Meeting is tentatively scheduled for September 6, 2022
- Recommendation Report for consideration by the Development Services Committee (“DSC”)
- In the event of an approval, adoption of the site-specific Official Plan Amendment, enactment of the site-specific Zoning By-law Amendment, and approval of a Draft Plan of Subdivision
- Submission of future application(s) for Site Plan Approval and Draft Plan of Condominium

BACKGROUND

Subject Lands and Area Context

The 2.7 ha (6.7 ac) Subject Lands are currently developed with an automotive dealership (BMW Markham) with associated surface parking, as shown on Figures 1 to 3. Figure 3 shows the surrounding land uses.

The applications for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision propose redevelopment of the Subject Lands with a multi-building, mixed use development, as shown on the conceptual Comprehensive Block Plan, see Figure 4. The Block Plan also shows a conceptual future development scenario on the lands to the east of the Subject Lands.

The Proposed Development includes three development blocks (Block A, Block B and Block C) with a total of seven low-rise, mid-rise, and podium-point tower buildings with heights ranging from 3 to 41-storeys. The Proposed Development includes a total of 1,772 residential units as well as podium level retail uses. A new public street (Street 'A') and a public park are also proposed, as shown in Figures 5 to 7.

Table 1: the Proposed Development	
Total Gross Floor Area:	143,395 m ² (1,543,491 ft ²)
Residential Gross Floor Area:	141,362 m ² (1,521,608 ft ²)
Retail Space:	2,032 m ² (21,872.3 ft ²)
Density	5.29 times the area of the Subject Lands (Floor Space Index – “FSI”)
Towers	4
Heights	<u>Block A</u> Tower A1 – 41 storeys Tower A3 – 37 storeys Mid-Rise A2 – 8 storeys <u>Block B</u> Tower B1 – 31 storeys Tower B2 – 23 storeys <u>Block C</u> Mid-Rise C1 – 8 storeys Two Townhouse Blocks C2 – 3 storeys

Table 1: the Proposed Development	
Dwelling Units:	1,772 residential units – consisting of a mix of studio, one-bedroom, two-bedroom, and three-bedroom units
Park	0.268 ha (0.662 ac)
Indoor Amenity Space	1,656.42 m ² (17,829.5 ft ²)
Outdoor Amenity Space	3,877.33 m ² (41,735ft ²)
Parking Spaces:	1,576
Vehicular Access	From the proposed public road (Street ‘A’), which intersects with Kennedy Road and Helen Avenue
Bicycle Parking	1,084

The Owner proposes to amend the Markham 2014 Official Plan (the “2014 Official Plan”) to permit the Proposed Development

Table 2: Official Plan Amendment Information	
Current Designation:	The City’s Official Plan (as partially approved on November 24, 2017 and updated on April 9, 2018) designates the Subject Lands “Mixed Use Mid Rise”.
Permitted uses:	<p>The “Mixed Use Mid Rise” designation supports residential intensification along with a mix of commercial and other uses, as specified within the City’s Official Plan.</p> <p>Unless specified in a secondary plan or site-specific policy, the “Mixed Use Mid Rise” designation permits a maximum building height of eight storeys and maximum density of 2.0 FSI.</p>
Proposal:	The draft Official Plan Amendment (“Draft OPA”) submitted by the Owner for the Subject Lands seeks to establish site-specific built form and land use permissions to implement the Proposed Development. The Draft OPA proposes to redesignate the Subject Lands to “Mixed Use High Rise”, with site-specific height, density, and land use permissions.

A Zoning By-law Amendment application is required to permit the Proposed Development

The Proposed Development is subject to By-law 122-72 as amended, as shown in Figure 2.

Table 3: Zoning By-law Amendment Information	
Current Zone:	"Community Amenity" (CA) under By-law 122-72, as amended.
Proposal:	The draft Zoning By-law Amendment ("Draft ZBLA") submitted by the Owner proposes to delete the lands from the designated area of By-law 122-72, as amended, and incorporate them into By-law 177-96, as amended. The Draft ZBLA further proposes to rezone the Subject Lands to "Community Amenity One (CA1) Zone" and "Open Space Two (OS2) Zone" and incorporate site-specific development standards including, but not limited to, height, maximum floor areas, separation distances, and maximum number of residential units, as well as to facilitate the development of a public park.

A Draft Plan of Subdivision application facilitates the proposed development blocks and a public road as follows and shown in Figure 7

Table 4: Proposed Draft Plan of Subdivision		
Land Use	Block Number(s)	Area
Development Blocks	Blocks 1 – 3	2.189 ha (5.41 ac)
Park	Block 4	0.268 ha (0.66 ac)
Road Widening	Blocks 5 & 6	0.015 ha (0.0371 ac)
Public Road ROW	Street 'A'	0.258 ha (0.64 ac)
Total		2.73 ha (6.75 ac)

Staff identified the following preliminary list of matters that will be assessed through the review of the Applications, including other matters and issues, and addressed in a future Recommendation Report to the DSC

- a) Conformity and Consistency with Provincial, and York Region and City Official Plan**
- i) The Subject Lands and Proposed Development are within a proposed Major Transit Station Area (MTSA), and will be reviewed for its appropriateness in this regard.
 - ii) Review of the Proposed Development in the context of the existing policy framework and with regard to the Markham Centre Secondary Plan (MSCP) Update Study

process, as the Subject Lands were included in the MSCP Update Study boundary in May 2020.

b) Kennedy Road Environmental Assessment (EA)

- i) The Subject Lands are also within the Kennedy Road Environmental Assessment (EA) area. Any policy and/or regulatory requirements as a result of the ongoing EA review will be considered for this Proposed Development.

c) Section 37 of the *Planning Act*

- i) Following the passing of the City's Community Benefits Charges By-law in May of 2022, the former Section 37 of the Planning Act is no longer applied to any new development application. The subject Applications will instead be subject to the new Community Benefits Charges By-law.

d) Parkland Dedication

- i) The Applications will be reviewed in consideration of the appropriate amount of parkland dedication and/or cash-in-lieu of parkland.

e) Affordable Housing

- i) The Applications will be reviewed in consideration of Provincial, Regional, and City policies to ensure that the Proposed Development provides an appropriate level, range, and mix of unit sizes and types to meet the City's affordable housing goals.
- ii) Incorporating appropriate affordable housing, purpose built rental, seniors housing, and family friendly units.

f) Allocation and Servicing

- i) The availability of water and sanitary servicing capacity for the Proposed Development must be identified and allocated by Council, if the Applications are approved. If servicing allocation is unavailable, the Subject Lands will be zoned with a Holding Symbol, which will be removed once servicing capacity is identified and allocated by Council.

g) Review of the Proposed Development will include, but not limited to, the following:

- i) Compatibility with existing and planned surrounding land uses
- ii) The appropriateness of the proposed density and building heights
- iii) Built form and massing, building location/orientation and transitions, and angular plane analysis
- iv) Sun and shadow analysis and wind analysis
- v) Amenity and open space areas

- vi) The quantity and need to incorporate and replace non-residential lands uses including but not limited to commercial/office, retail, and community amenity uses such as daycares
- vii) Traffic impacts, road network, access arrangements, parking and transportation demand management and pedestrian connections.
- viii) Confirmation of any outstanding financial obligations including, but not limited to, tree replacement/compensation, and community benefit contributions under the City's recently passed Community Benefits Charges By-law Act.
- ix) Development phasing and land consolidation opportunities with adjacent landowners (i.e. the Nissan dealership located to the east of the Subject Lands)

h) External Agency Review

- i) The Applications must be reviewed by external agencies including, but not limited to, York Region and any applicable requirements must be incorporated into the Proposed Development.

Accompanying Figures:

Figure 1: Location Map

Figure 2: Area Context and Zoning

Figure 3: Aerial Photo

Figure 4: Conceptual Comprehensive Block Plan

Figure 5: Conceptual Site Plan

Figure 6: Conceptual Renderings

Figure 7: Proposed Draft Plan of Subdivision

Figure 1

Location Map

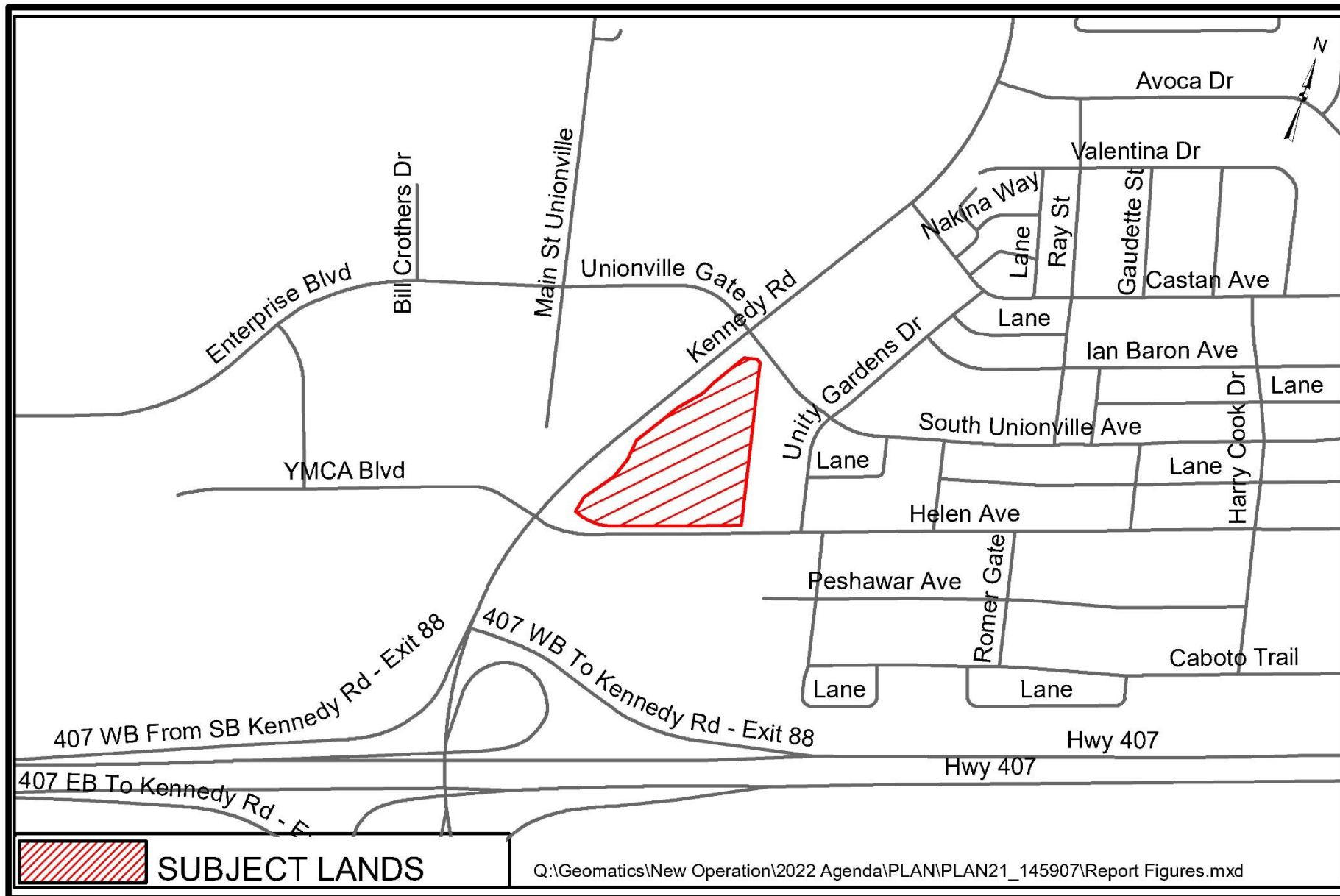


Figure 3

Aerial Photo



AERIAL PHOTO (2020)

APPLICANT: 8111 Kennedy Markham Inc. (Robert Fidani) c/o Bousfields Inc.
8111 Kennedy Road

FILE No. PLAN 21 145907

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Drawn By: RT

Checked By: DP

DATE: 27/07/2022

FIGURE No. 3

 SUBJECT LANDS

Figure 4

Conceptual Comprehensive Block Plan

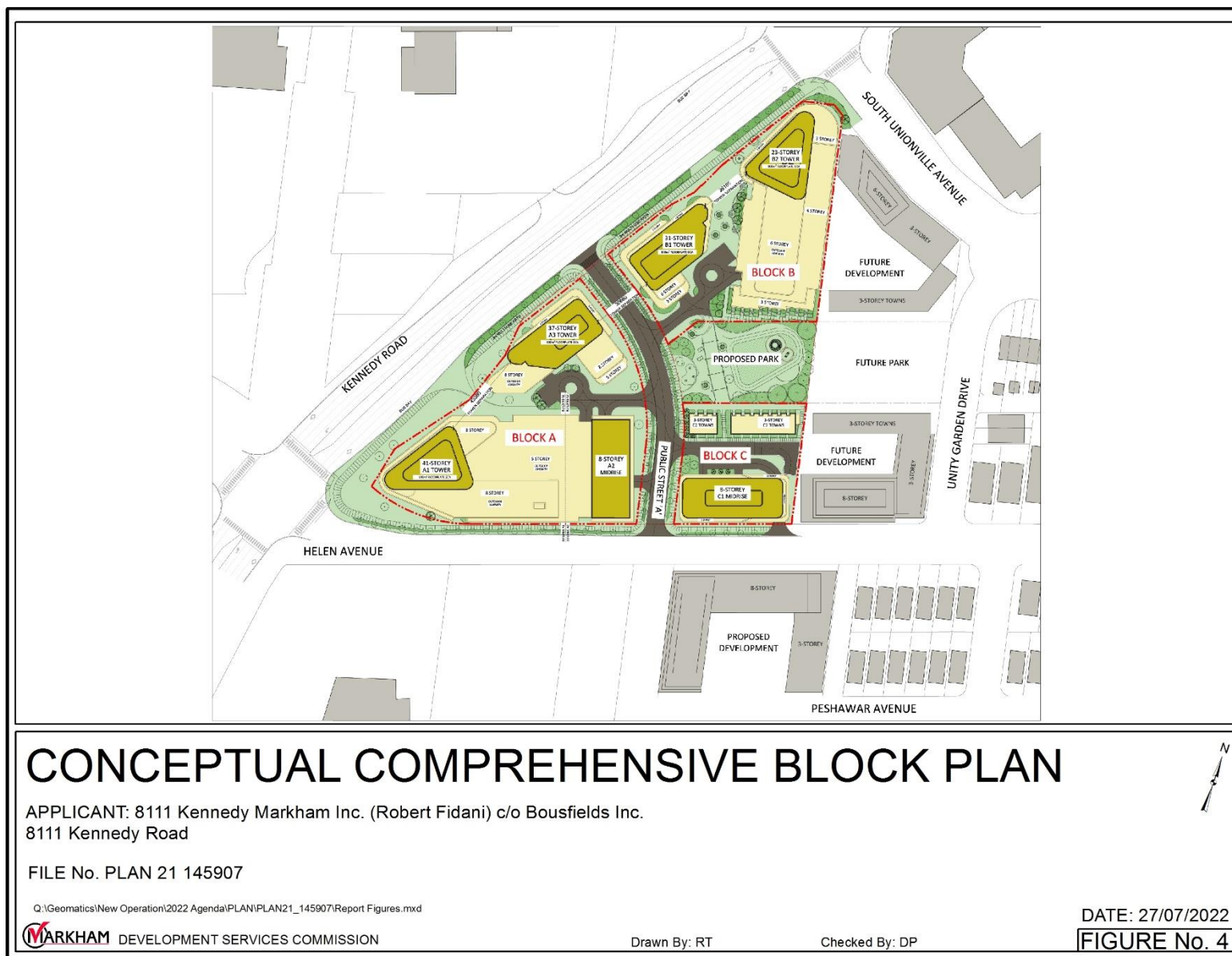


Figure 5

Conceptual Site Plan

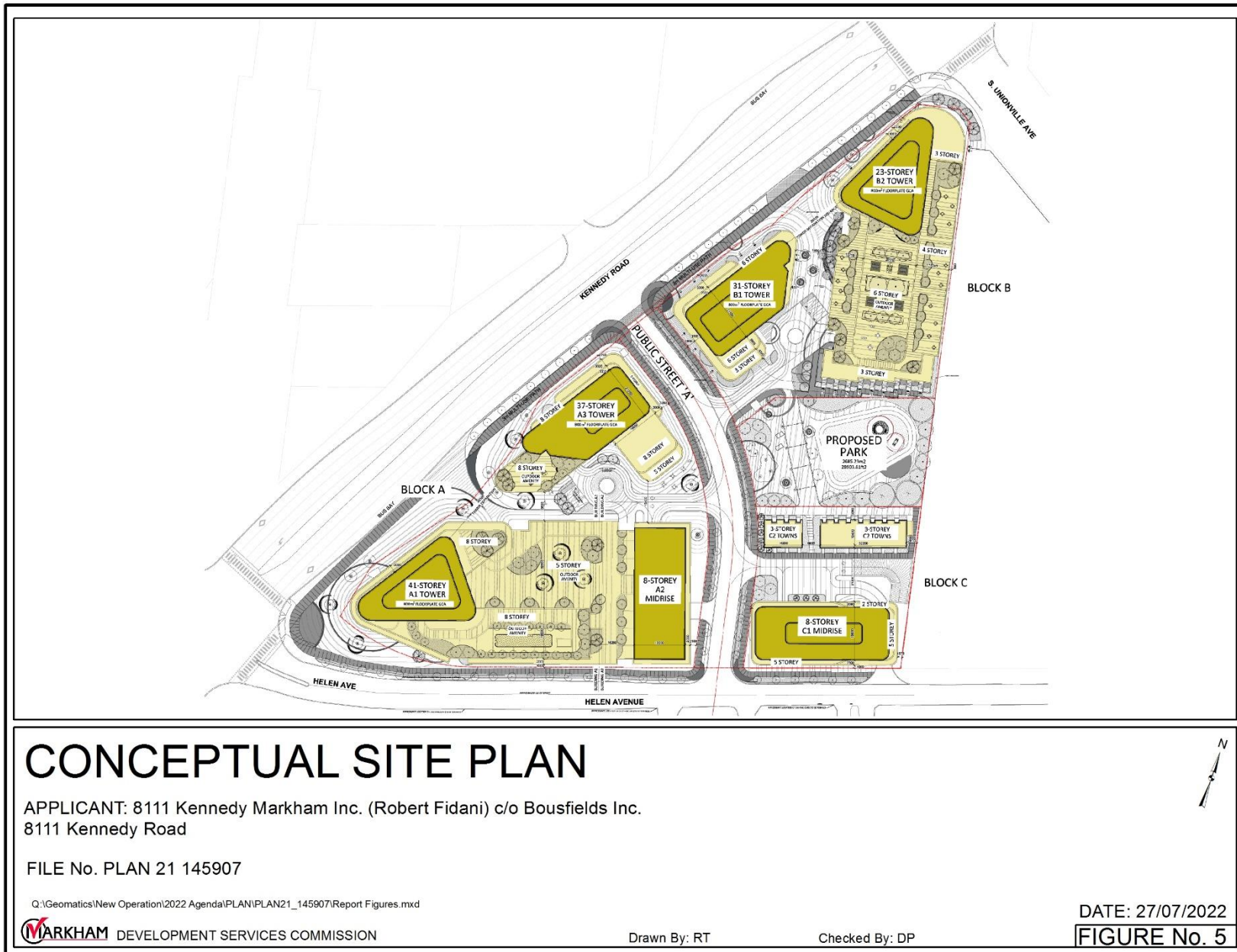


Figure 6

Conceptual Renderings



LOOKING EAST



LOOKING WEST

CONCEPTUAL RENDERINGS

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Figure 7

Proposed Draft Plan of Subdivision

