

Date:	Tuesday, May 9, 2023		
Application Type(s):	Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision (the “Applications”)		
Owner:	TH (WARDEN) DEVELOPMENTS (BT) INC.(the "Owner")		
Agent:	Emily Grant, Malone Given Parsons Ltd.		
Proposal:	The Applications facilitate the development of a mixed use residential community consisting of townhouses, medium density and high density blocks, a partial school block, a park block, and a dual use park/stormwater management facility block (the “Proposed Development”).		
Location:	West of Warden Avenue and south of Elgin Mills Road East, municipally known as 10506 and 10508 Warden Avenue (the “Subject Lands”)		
File Number:	PLAN 22 265291	Ward:	2
Prepared By:	Hailey Miller, ext. 2945 Planner II, West Planning District		
Reviewed By:	Clement Messere, MCIP, RPP Manager, West Planning District	Stephen Lue, MCIP, RPP 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 January 27, 2023. The 120-day period set out in the *Planning Act* before the Owner can appeal to the Ontario Land Tribunal for a non-decision ends on May 27, 2023.

NEXT STEPS

- Statutory Public Meeting is tentatively scheduled for May 9, 2023
- 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 the Draft Plan of Subdivision
- Submission of future applications for Site Plan Control and Draft Plan of Condominium

BACKGROUND

Subject Lands and Area Context

The 20.22 ha (49.96 ac) Subject Lands contain rural residential uses, including a landscape business, as shown on Figure 2, and the “Trudgeon House”, which is listed under the *Ontario Heritage Act*. Figure 3 shows the surrounding land uses.

Table 1 summarizes the development blocks in the Proposed Development, as shown on Figure 4, which includes a potential long term care campus on Block 37

Table 1: the Proposed Development – Development Blocks	
Building Height	<ul style="list-style-type: none"> • Townhouses (rear-lane and back-to-back): 12.5 m or three storeys • One Medium Density Block (stacked townhouses): up to six storeys • Two High Density Blocks: up to 25 storeys
Total Units	<p>2,026 to 2,426 units</p> <ul style="list-style-type: none"> • 140 rear-lane townhouses • 136 back-to-back townhouses • 200 to 250 stacked townhouses • 850 to 1000 apartment units • 700 to 900 long term care/selective continuing care units
Park	<p>Total: 1.51 ha (3.73 ac)</p> <ul style="list-style-type: none"> • Park: 0.71 ha (1.75 ac) • Dual Use Park and Stormwater Management Facility: 0.80 ha (1.98 ac)
School	3.40 ha (8.4 ac)

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

Table 2: 2014 Official Plan Amendment Information	
Current Designation:	“Residential Low Rise”, “Residential Mid Rise”, and Mixed Use Mid Rise”
Permitted Building Types:	<ul style="list-style-type: none"> • The “Residential Low Rise” designation permits townhouses • The “Residential Mid Rise” designation permits townhouses, including back-to-back and stacked townhouses

Table 2: 2014 Official Plan Amendment Information

	<ul style="list-style-type: none"> The “Mixed Use Mid Rise” designation permits apartment buildings, multi-storey non-residential or mixed-use buildings, stacked townhouses, and townhouses, including back-to-back townhouses
Proposal:	The Owner proposes to amend the 2014 Official Plan to include site-specific policies to implement the Proposed Development and to conform to the recently approved York Region Official Plan.

Table 3: Berczy Glen Secondary Plan Information

Current Designation:	“Residential Low Rise”, “Residential Mid Rise I”, Mixed Use Mid Rise”, and “Mixed Use Mid Rise – Neighbourhood Service Node”
Permitted Building Types:	<ul style="list-style-type: none"> The “Residential Low Rise” designation permits townhouses The “Residential Mid Rise I” designation permits townhouses including back-to-back and stacked townhouses The “Mixed Use Mid Rise” designation permits stacked townhouses, apartment buildings, and multi-storey non-residential or mixed use buildings The “Mixed Use Mid Rise - Neighbourhood Service Node” designation permits apartment buildings and multi-storey non-residential or mixed use buildings. Stacked townhouses are not permitted. Non-residential uses are required on the ground floor of any building fronting Warden Avenue or Street ‘D’
Proposal:	The Owner proposes to amend the Berczy Glen Secondary Plan to include site-specific policies to implement the proposed development and to conform to the recently approved York Region Official Plan.

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

The Proposed Development is subject to Zoning By-law 304-87, as amended, as shown in Figure 2.

Table 4: Zoning By-law Amendment Information

Current Zone:	Agriculture One Zone (A1)
Permissions:	Agricultural uses, storage of agricultural produce, seasonal vegetable and fruit stand, one single detached dwelling, private home day care, and public conservation projects

Table 4: Zoning By-law Amendment Information	
Proposal:	The Owner proposes to rezone the Subject lands to “CA2 – Community Amenity Two”, “CA4 – Community Amenity Four”, “OS1 – Open Space One”, “OS2 – Open Space Two”, “R2-S – Residential Two - Special, and “R2-LA – Residential Two Lane Access”, under By-law 177-96, as amended, with site-specific development standards, as shown on Figure 5.

A Draft Plan of Subdivision application facilitates the proposed development blocks and public roads as follows and shown in Figure 4

Table 5: Proposed Draft Plan of Subdivision		
Land Use	Block Number(s)	Area
Residential including the long term care (“LTC”)	1-31, 35, 36, (37 - LTC)	9.29 ha (22.96 ac)
School	32	3.40 ha (8.40 ac)
Park	33	0.71 ha (1.75 ac)
Park/Stormwater Management	34	0.80 ha (1.97 ac)
Future Development	38	0.03 ha (0.07 ac)
Road Widening	39	0.54 ha (1.33 ac)
Streets	Streets 1 to 9	5.42 ha (13.39 ac)
Reserves	40 to 46	0.02 ha (0.05 ac)
Walkway	47	0.01 ha (0.02 ac)
Total		20.22 ha (49.96 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, York Region, and City Official Plan**
 - i) The appropriateness of the proposed Official Plan and Zoning By-law Amendment to allow the Proposed Development.

- ii) Review of the Proposed Development in the context of the existing policy framework.
 - iii) Confirmation from York Region if the Official Plan Amendment application is exempt from Regional Approval based on section 7.3.8 of the 2022 Regional Official Plan.
- b) Community Benefits Charges (“CBC”) By-law and Other Financial Obligations**
- i) The Applications will be subject to the City’s CBC By-law and contribution will be identified as part of any future amending Zoning By-law, where applicable.
 - ii) The Applications will be reviewed subject to the Owner’s proportionate share in the Berczy Glen Landowners Group Agreement.
- c) Parkland Dedication**
- i) The Applications will be reviewed in consideration of the appropriate amount of parkland dedication and/or cash-in-lieu of parkland, and other financial contributions.
- d) Affordable Housing**
- i) The Applications will be reviewed in consideration of Provincial, Regional, and City polices 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, secondary suites, seniors housing, and family friendly units.
- e) 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 lands will be zoned with a Holding Symbol, which will be removed once servicing capacity is identified and allocated to the Subject Lands by Council.
- f) Review of the Proposed Development will include, but not limited to, the following:**
- i) Examination of whether the height, density, built form, and mix of land uses proposed are appropriate, including the proposed dual use park/stormwater management facility.
 - ii) Requirement for non-residential uses to be located at grade within the proposed block 36, as per section 8.3.1.6 of the Berczy Glen Secondary Plan.
 - iii) Evaluation of the compatibility with existing and planned development within the surrounding area.

- iv) Review of the proposed subdivision with respect to block size, block configuration, and the transportation network.
- v) Traffic impact and ensuring the adequate supply of parking spaces for the commercial and residential uses.
- g) Sustainable Development**
 - i) The Applications will be reviewed in consideration of the City's Policies and emerging Sustainability Metrics Program.
- h) Heritage Matters**
 - i) On March 8, 2023, Heritage Markham Committee considered the demolition permit application for 10508 Warden Avenue and determined that 10508 Warden Avenue is not a significant cultural resource and has no objection to the demolition of the on-site buildings, subject to the advertising of the existing buildings on site for relocation or salvage by others. The request for demolition was supported by the DSC on the April 4, 2023.
- i) External Agency Review**
 - i) The Applications must be reviewed by external agencies including York Region and any applicable requirements must be incorporated into the Proposed Development.
- j) Required Future Applications**
 - i) The Owner must submit applications for Site Plan Control, Part Lot Control, and Draft Plan of Condominium, should the Applications be approved, to permit the Proposed Development.

Accompanying Figures:

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Proposed Draft Plan of Subdivision

Figure 5: Proposed Zoning By-law

Figure 1

Location Map

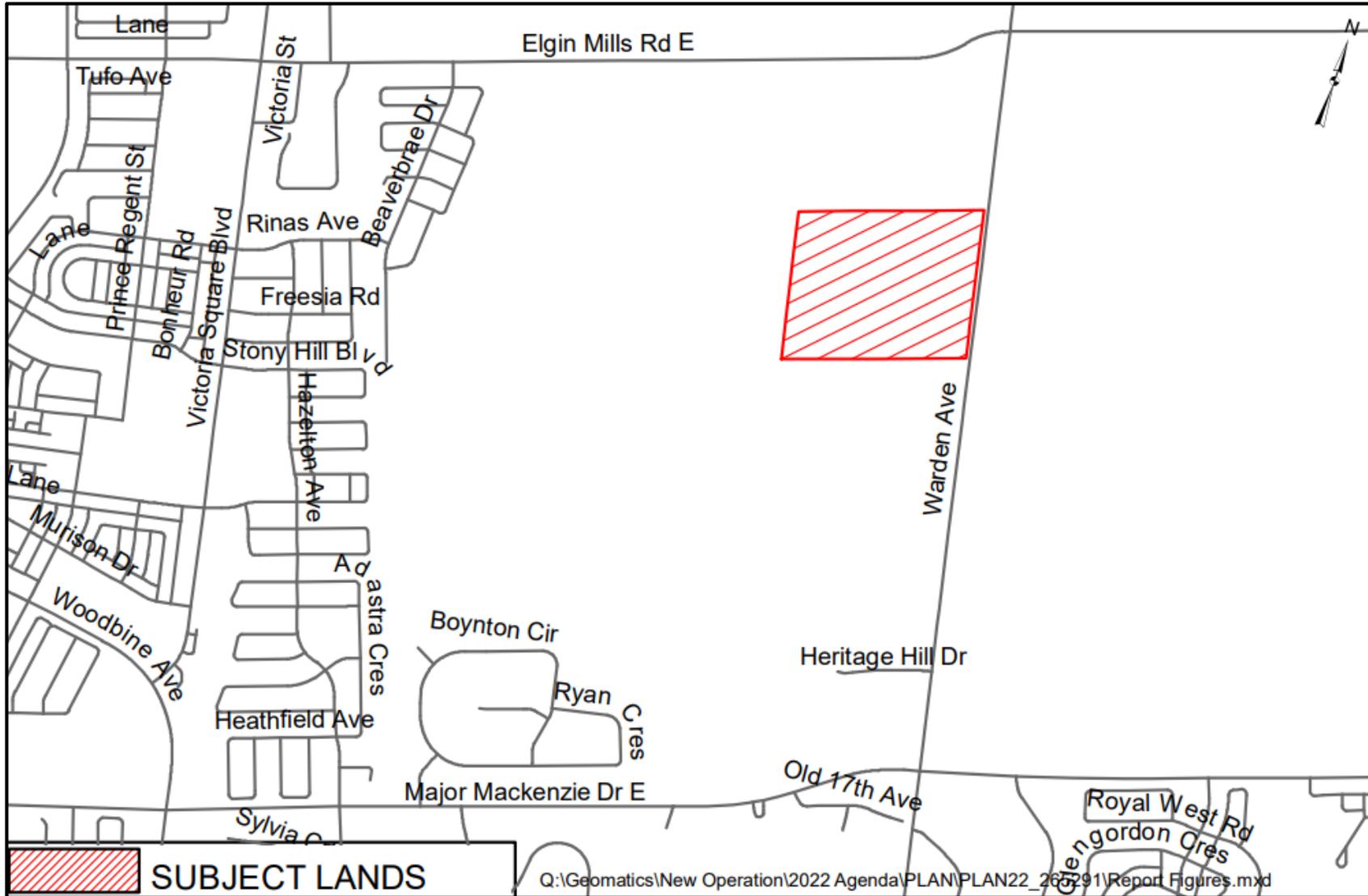


Figure 2

Aerial Photo

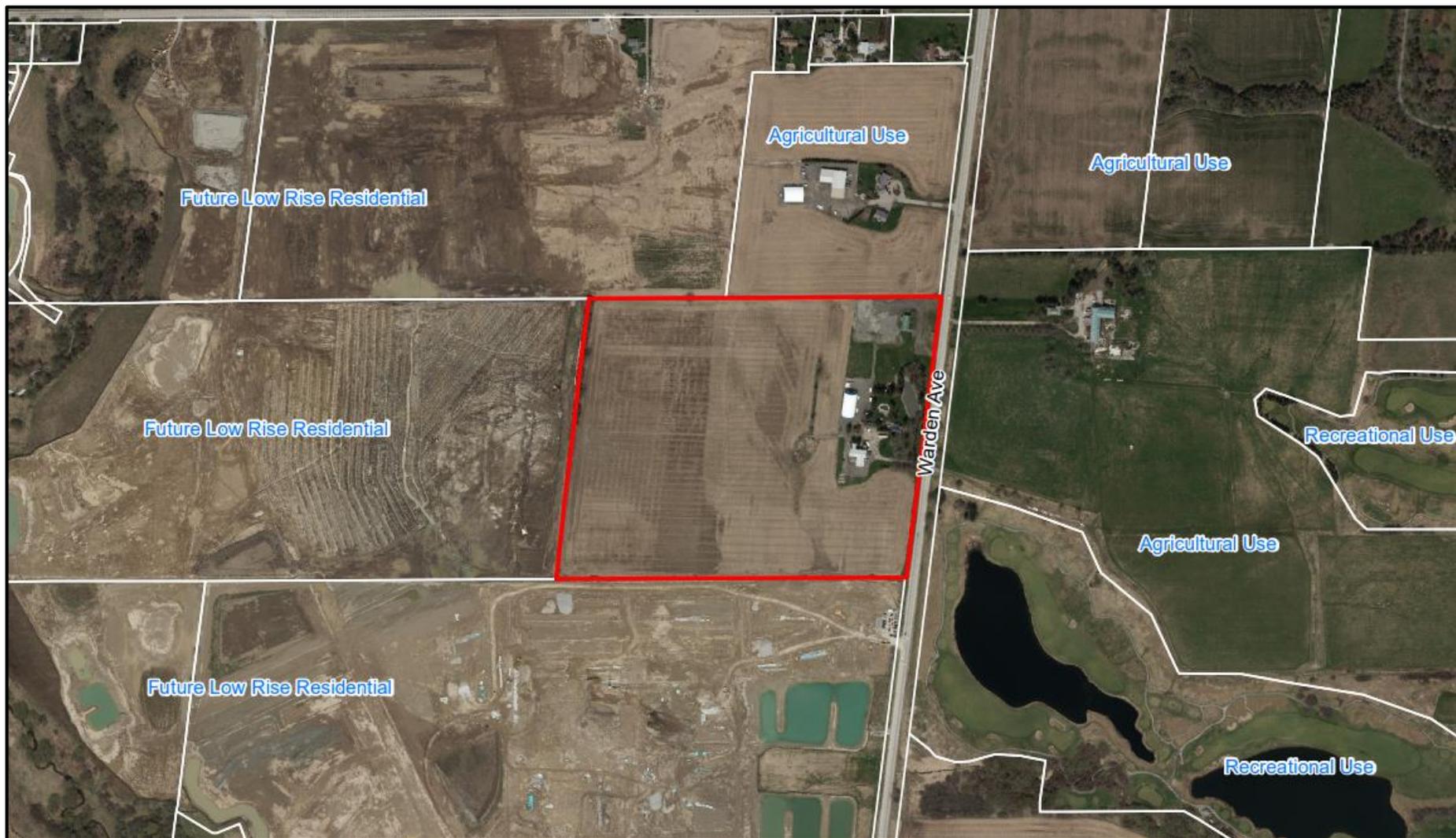


Figure 4

Proposed Draft Plan of Subdivision

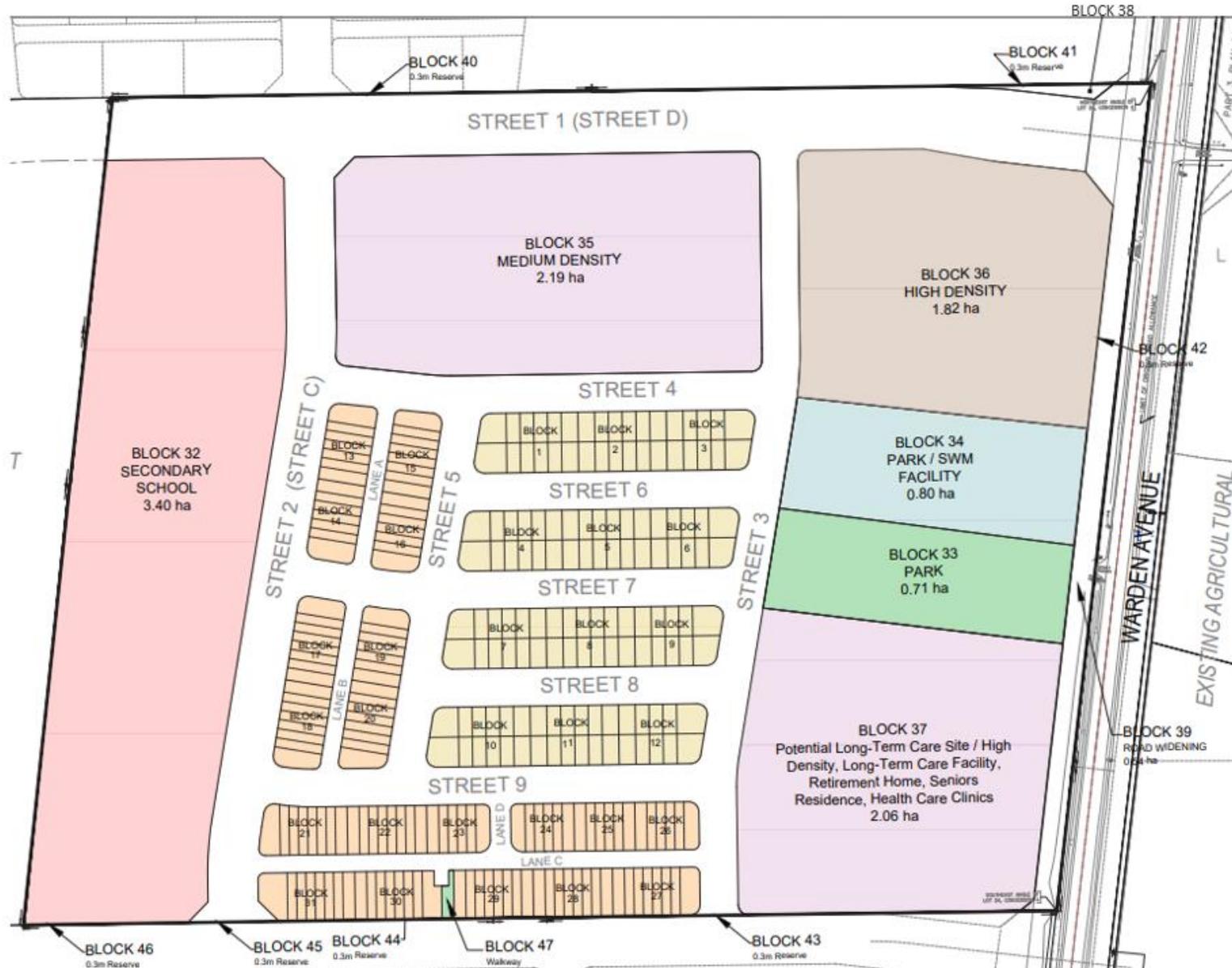
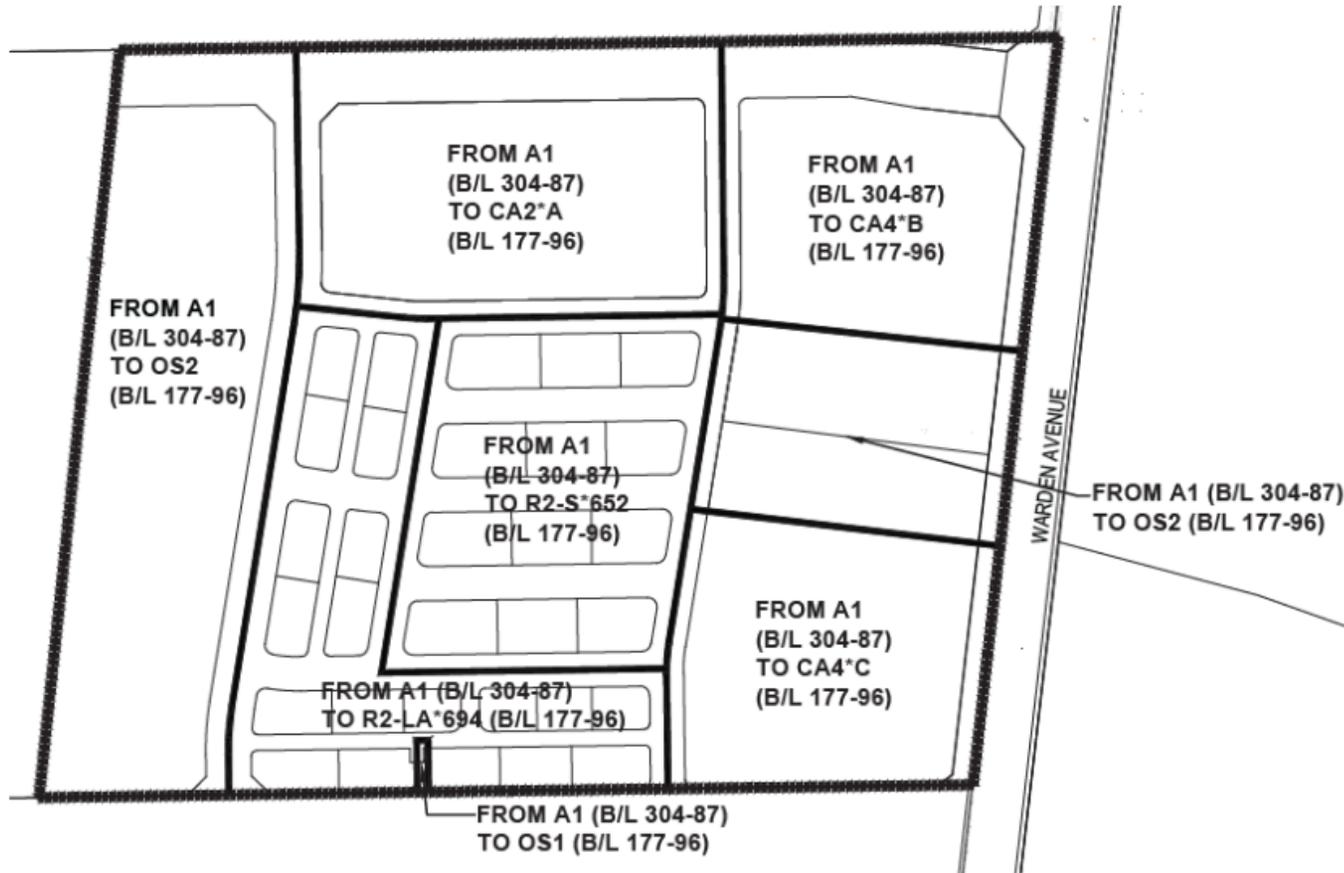


Figure 5

Proposed Draft Zoning By-law



SCHEDULE "A" TO BY-LAW 2022-XXX AMENDING BY-LAWS 304-87 AND 177-96 DATED

■■■■■ BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

R2-LA RESIDENTIAL TWO - LANE ACCESS

CA2 COMMUNITY AMENITY TWO

OS1 OPEN SPACE ONE

***(No.)** EXCEPTION NUMBER

R2-S RESIDENTIAL TWO - SPECIAL

CA4 COMMUNITY AMENITY FOUR

OS2 OPEN SPACE TWO