

<b>Date:</b>	Tuesday, February 13, 2024		
<b>Application Types:</b>	Official Plan and Zoning By-law Amendment (the “Applications”)		
<b>Owner:</b>	2690622 Ontario Inc. (Kingdom Development Inc.) (the "Owner")		
<b>Agent:</b>	Nick Pileggi c/o Macaulay Shiomi Howson Ltd.		
<b>Proposal:</b>	Proposed nine-storey apartment building fronting Highway 7 with five integrated at-grade two-storey condominium townhouses (the “Proposed Development”)		
<b>Location:</b>	4121 Highway 7 East (the “Subject Lands”)		
<b>File Number:</b>	PLAN 23 129656	<b>Ward:</b>	3
<b>Prepared By:</b>	Melissa Leung, RPP, MCIP Senior Planner, Central Planning District		
<b>Reviewed By:</b>	Sabrina Bordone, RPP, MCIP Manager, Central	Stephen Lue, RPP, MCIP 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 received the Applications on June 27, 2023, in which fees were received on August 17, 2023 and remaining outstanding documents were submitted on September 19, 2023. Staff deemed the Applications complete on October 10, 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 ended on January 17, 2024.

**NEXT STEPS**

- Statutory Public Meeting is scheduled for February 13, 2024
- Recommendation Report for consideration by the Development Services Committee (“DSC”)
- In the event of an approval, adoption of the site-specific Official Plan Amendment and enactment of the site-specific Zoning By-law Amendment
- Submission of future applications for Site Plan Control and Draft Plan of Condominium.

## BACKGROUND

### Subject Lands and Area Context

The 1.52 ha (3.76 ac) Subject Lands, of which only the northern 0.52 ha (1.82 ac) portion is proposed to be developed, are occupied by a proposed temporary sales centre that is currently under construction, as shown on Figures 1 to 2. Figure 3 shows the surrounding land uses.

#### **Table 1 summarizes the Owner’s Proposed Development**

<b>Table 1: the Proposed Development (refer also to Figure 4)</b>	
Gross Floor Area:	15,602 m <sup>2</sup> (167,933 ft <sup>2</sup> )
Density:	3.5 times the area of the Subject Lands (Floor Space Index - “FSI”)
Dwelling Units:	233 units, including five, two-storey at-grade townhouse units integrated into the proposed development
Building Height (storeys):	9
Parking Spaces:	263 (including 8 accessible) at-grade and 3 underground levels

#### **Table 2 summarizes the Owner’s proposal to amend the 1987 Official Plan (the “1987 OP”) and the Markham Centre Secondary Plan (“MCSP”) to permit the Proposed Development**

The policies of the 2014 Official Plan state that until an approval of an updated secondary plan for the Regional Centre-Markham Centre lands, the provisions of the 1987 OP, as amended by the Markham Centre Secondary Plan (“OPA 21”), shall apply to the Subject Lands.

<b>Table 2: Official Plan Amendment Information</b>		
	<b>OPA 21</b>	<b>MCSP Update Recommended Concept (July 5, 2023)</b>
Current Designation:	“Community Amenity Area – General” (on the northern portion of the Subject Lands) and “Open Space” and “Hazard Land” (on the southern portion of the Subject Lands)	“Mixed Use Mid Rise” (on the northern portion of the Subject Lands) and “Greenway” (on the southern portion of the Subject Lands)
Permitted uses:	<ul style="list-style-type: none"> <li>Mix of residential, commercial, employment and community uses</li> </ul>	<ul style="list-style-type: none"> <li>Specific uses to be determined</li> </ul>

**Table 2: Official Plan Amendment Information**

	<b>OPA 21</b>	<b>MCSP Update Recommended Concept (July 5, 2023)</b>
	<ul style="list-style-type: none"><li>• Medium and high-density residential use, subject to a specific development proposal and rezoning</li></ul>	
Permitted Height and Density:	Mid-rise buildings, generally not to exceed 6 storeys	<ul style="list-style-type: none"><li>• Maximum height of 6 to 8 storeys</li><li>• Maximum 3 FSI</li></ul>
Proposal:	The Owner proposes to amend the Secondary Plan to: <ul style="list-style-type: none"><li>• increase the maximum building height to 9 storeys</li><li>• increase the density to 3.5 FSI</li></ul>	

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

The Proposed Development is subject to By-law 304-87 and By-law 2004-196, as amended, as shown in Figure 3.

**Table 3: Zoning By-law Amendment Information**

Current Zone Categories:	By-law 304-87, as amended: “Rural Residential One – RR1”, “Agriculture One – A1” and “Open Space One – O1”  By-law 2004-196, as amended: “Markham Centre Downtown Two Exception 31 (Hold One) – MC-D2*31(H1)”
Permissions:	The Proposed Development falls primarily within the RR1 zone, which restricts the permitted uses to a single detached dwelling.
Proposal:	The Owner proposes to amend the Zoning By-law to permit an apartment dwelling and incorporate site-specific development standards including, but not limited to, setbacks, parking rates, density, height, and maximum number of residential units.

The Applications are also related to a Redline Draft Plan of Subdivision Application (PLAN 23 111289) that facilitates the alignment of Rougeside Promenade eastwardly extension.

***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 appropriateness of the proposed Official Plan amendment to increase the height and density.
  - ii) Review of the Proposed Development in the context of the existing policy framework, with regard to the emerging MCSP Update.
- b) Community Benefits Charges (“CBC”) By-law**
  - i) The Applications will be subject to and reviewed in consideration of the City’s CBC By-law and contributions will be identified as part of any future amending Zoning By-law.
- c) Parkland Dedication and Other Financial Contributions**
  - i) The Applications will be reviewed in consideration of the appropriate amount of parkland dedication and/or cash-in-lieu of parkland, public art, 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 Council allocates servicing capacity to the Subject Lands.
- 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.
  - ii) Evaluation of the compatibility with existing and planned development within the surrounding area.
  - iii) Sun shadow analysis and angular plane study and the impacts to the immediate surrounding areas.

- iv) Traffic impact and ensuring the adequate supply of parking spaces for residential uses.
- v) The submission of a future Site Plan Application will examine appropriate landscape, site layout, snow storage areas, age-friendly guidelines, accessibility, and amenity areas.

**g) Sustainable Development**

- i) The Applications will be reviewed in consideration of the City's Policies and Sustainability Metrics Program.

**i) External Agency Review**

- i) The Applications must be reviewed by York Region and the Toronto and Region Conservation Authority, and any applicable requirements must be incorporated into the Proposed Development.

**j) Required Future Applications**

- i) The Owner must submit applications for Site Plan and Draft Plan of Condominium, should the Applications be approved, to permit the Proposed Development and facilitate the standard condominium tenure of the building.

**Accompanying Figures:**

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Conceptual Site Plan

# Figure 1

## Location Map

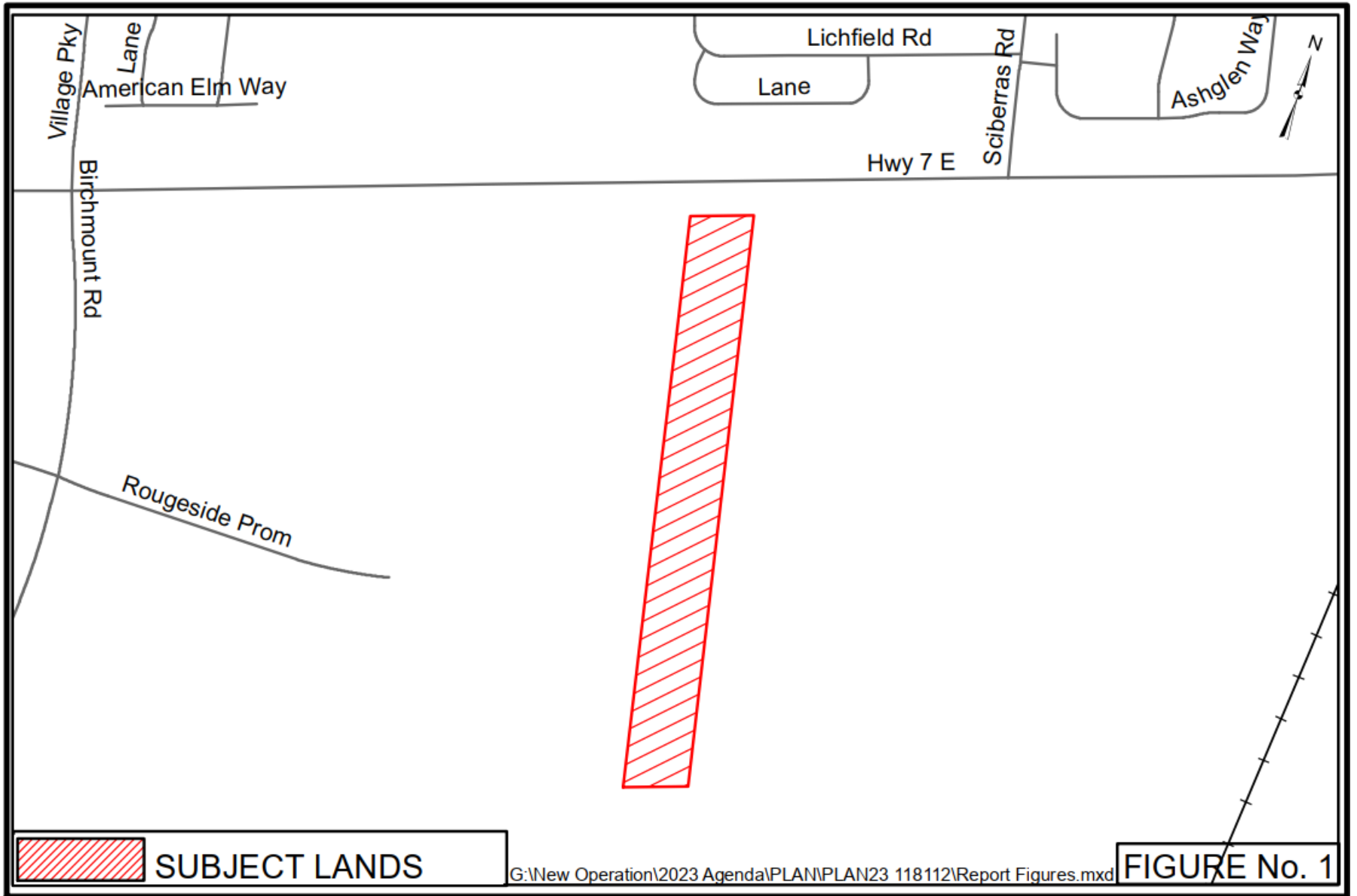


Figure 2

Aerial Photo



# AERIAL PHOTO (2023)

APPLICANT: 2690622 Ontario Inc.  
4121 Highway 7 E

FILE No. PLAN 23 129656

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**MARKHAM** DEVELOPMENT SERVICES COMMISSION

Drawn By: JC

Checked By: ML

DATE: 1/23/2024

FIGURE No. 2


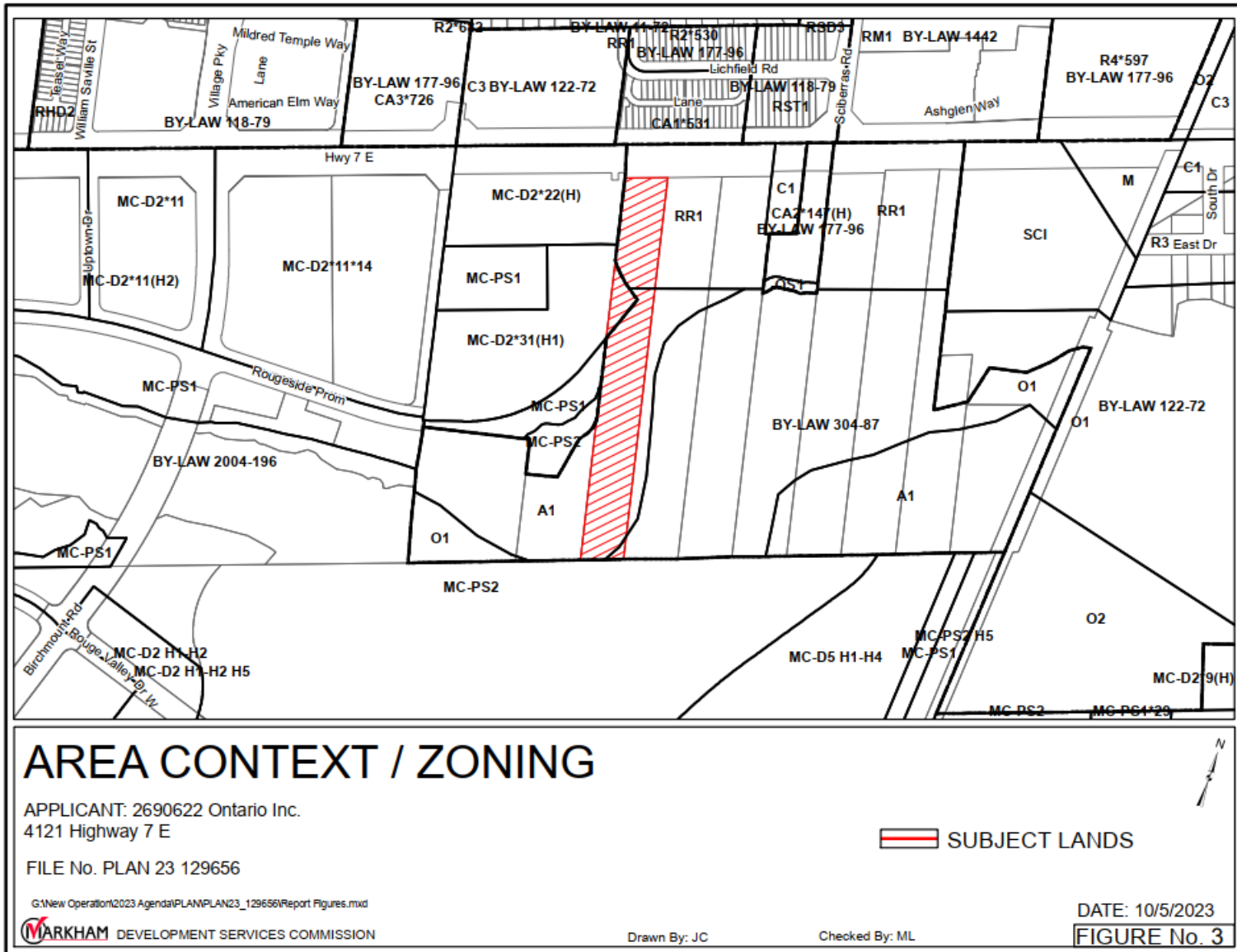
 SUBJECT LANDS



Figure 3

# Area Context and Zoning





# Figure 4

## Conceptual Site Plan

