

SUBJECT: RECOMMENDATION REPORT
The Regional Municipality of York
Official Plan and Zoning By-law Amendments and Site Plan Control applications to permit a four and six-storey affordable rental building at the southwest corner of 14th Avenue and Donald Cousens Parkway (Ward 7)
File PLAN 21 120261 and SPC 22 109682

PREPARED BY: Carlson Tsang, Senior Planner, East District ext. 2624

REVIEWED BY: Stacia Muradali, MCIP, RPP, Manager, East District, ext. 2008
Stephen Lue, MCIP, RPP, Senior Development Manager, ext. 2520

RECOMMENDATION:

1. THAT the March 5, 2024, report titled, “RECOMMENDATION REPORT, The Regional Municipality of York, Official Plan and Zoning By-law Amendments and Site Plan Control applications to permit a four and six-storey affordable rental building at the southwest corner of 14th Avenue and Donald Cousens Parkway (Ward 7), File PLAN 21 120261 and SPC 22 109682”, be received;
2. THAT the Official Plan Amendment application submitted by the Regional Municipality of York, be approved and the draft Official Plan Amendment, attached as Appendix ‘A’, be finalized and brought to a future Council meeting for adoption without further notice;
3. THAT the Zoning By-law Amendment application submitted by the Regional Municipality of York be approved and the draft site-specific Zoning By-law Amendment, attached as Appendix ‘B’, be finalized and brought to a future Council meeting for enactment without further notice;
4. THAT the Site Plan application submitted by the Regional Municipality of York be endorsed in principle, and that Site Plan Approval be delegated to the Director of Planning and Urban Design or designate;
5. THAT Council assign servicing allocation for 153 dwelling units for Site Plan Control File SPC 22 109682;
6. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

This report recommends approval of the Official Plan and Zoning By-law Amendment applications and endorsement, in principle, of the Site Plan application (collectively, “the Applications”), submitted by the Regional Municipality of York (“the Applicant”) for a four and six-storey affordable rental housing development at the southwest corner of 14th Avenue and Donald Cousens Parkway. A portion of the Subject Lands on 14th Avenue contains a Regional flood plain that will remain as open space. The Proposed Development includes a new right-in right-out (“RIRO”) access off Donald Cousens Parkway.

The Proposed Development will make efficient use of an underutilized land parcel with direct access to municipal servicing and transit services. Staff opine that the proposed additional height and density is appropriate given the relationship with the surrounding context. No concerns were identified through the review of the Applications with respect to servicing, traffic, parking, site layout, design, and environmental impact. The Proposed Development would contribute to the City’s affordable housing stock and diversify housing options and tenures in which the Official Plan and Housing Choices: Markham’s Affordable and Rental Housing Strategy seek to achieve. Staff support the Proposed Development as it represents good planning.

PURPOSE:

This report recommends approval of the Official Plan and Zoning By-law Amendment applications and endorsement in principle of the Site Plan Control application, submitted by the Applicant for the development of a four and six-storey affordable rental housing building (the “Proposed Development”) on the Subject Lands.

PROCESS TO DATE:

- March 10, 2022: Staff deemed the Official Plan and Zoning By-law Amendment applications complete, and received submission of the Site Plan application
- June 7, 2022: The first statutory [Public Meeting](#) was held on the initial proposal
- December 21, 2023: The Applicant made a resubmission for a revised proposal
- January 23, 2024: A second statutory [Public Meeting](#) was held on the revised proposal

The 120-day period set out in the *Planning Act* before the Applicant can appeal the Applications to the Ontario Land Tribunal for a non-decision ended on July 8, 2022. Staff note that the Applications are not subject to the Bill 109 review timeframe.

If the Development Services Committee (“DSC”) supports the Applications, the planning process will include the following next steps:

- Official Plan Amendment adoption at a future Council meeting
- Zoning By-law Amendment enactment at a future Council meeting
- Approval of the Site Plan Application

BACKGROUND:

Location and Area Context

The vacant 1.3 ha (3.21 ac) subject lands are located at the southwest corner of 14th Avenue and Donald Cousens Parkway, within the Box Grove community (the “Subject Lands”), as shown on Figure 1. The north side of the Subject Lands contains a utility infrastructure. A sanitary trunk sewer easement exists along the 14th Avenue frontage that occupies 0.13 ha of the Subject Lands. An existing ditch on the north side of the Subject Lands conveys stormwater flow to the Little Rouge Creek while the northwest portion is within a flood plain associated with the Rouge River Watershed. Figure 2 shows the surrounding land uses.

The original proposal submitted with the Applications included a two-phased development consisting of two affordable rental housing buildings (the “Initial Proposal”), which the Applicant revised Phase 1 of the Initial Proposal consisted of a four-storey building (48 units) and Phase 2 consisted of a six-storey building (106 units). The Applicant is currently exploring federal/provincial funding sources with a more aggressive construction timeline. Consequently, for better efficiency, the Applicant modified their Initial Proposal to consolidate the development into a single L-shaped building with a maximum height of six-storeys along Donald Cousens Parkway that steps down to four-storeys on Vettese Court (“Revised Proposal”). The total number of unit is reduced from 154 to 153. Table 1 compares the Initial and Revised Proposal (see Figures 4 to 6).

Table 1: The Proposed Development		
	Initial Proposal	Revised Proposal
Number of Buildings:	2	1

Table 1: The Proposed Development		
	Initial Proposal	Revised Proposal
Building Heights:	4 to 6 storeys	4 to 6 storeys
Total Gross Floor Area:	12,875 m ² (138,585 ft ²)	11,366 m ² (122,342 ft ²)
Density (FSI)	1.32	1.17
Dwelling Units:	154	153
Indoor Amenity	264 m ² (2,841 ft ²)	255 m ² (2,744 ft ²)
Parking Spaces:	154 (58 at-grade; 96 underground)	169 (23 at-grade; 148 underground)
Access:	Vettesse Court only	Vettesse Court; Donald Cousens Parkway (RIRO)

The City received two written submissions and 10 deputations at the first Public Meeting on June 7, 2022; and one written submission and nine deputations and at the second Public Meeting on January 23, 2024. DSC heard two deputations in favor of the applications citing the Proposed Development would assist in addressing the housing crisis in the Province. The remaining deputations were in opposition to the applications due to reasons including the following, which are addressed later in this report:

- a) Limited transit services and poor sidewalk connection in the area to support the proposal
- b) Inappropriate location for affordable housing development
- c) Incompatibility with the low-rise character of the neighborhood
- d) Increased traffic
- e) Lack of community consultation

PLANNING POLICY AND REGULATORY CONTEXT:

The Proposed Development is consistent with the Provincial Policy Statement, 2020 (the “2020 PPS”) and conforms to the Growth Plan for the Greater Golden Horseshoe, 2020 (the “Growth Plan”)

The 2020 PPS provides direction on matters of Provincial interest related to land use planning and development. These matters, in-part, include building strong healthy communities with an emphasis on efficient development, wise use and management of resources, and providing for appropriate affordable and market-based range and mix of residential types. The underutilized Subject Lands are located within a defined Settlement Area and hence the Proposed Development would promote the efficient use of existing resources and infrastructures. The Proposed Development would contribute to the City’s affordable housing stocks and help meet the needs of residents of all ages, income levels, and family types.

The Growth Plan provides a framework for implementing the Province’s vision for supporting a diverse range of housing options and transit-oriented communities within the Greater Golden Horseshoe to 2051. It specifies that a minimum of 50 % of all residential development within York Region should occur within Built-up Areas. The Subject Lands are appropriate for intensification as they are located within a Built-up Area with access to municipal water and wastewater system. The proposed mid-rise building would add variety to the local housing options without compromising the character of the surrounding area. The Subject Lands are in close proximity to the transit route which supports reduced car dependence and encourage transit ridership. The Proposed Development includes a new sidewalk along 14th Avenue to encourage an improved micro mobility network.

The Proposed Development conforms to the York Region Official Plan (the “2022 ROP”)

The 2022 ROP designates the northwest portion of the Subject Lands, where the floor plain is located, “Regional Greenway system”, which prohibits any development or site alteration. The balance of the lands, where the majority of the Proposed Development is located, is designated “Urban Area” and permits a wide range of residential, commercial, and institutional uses. The Proposed Development is considered compatible with the built form of the adjacent areas and would help meet the 25% affordable housing target in the 2022 ROP for developments outside of Regional Centres and Major Transit Station Areas. York Region indicates that the Proposed Development conforms to the ROP and does not adversely affect Regional planning policies or interests. In accordance with Policy 7.3.8 of the 2022 ROP, York Region delegated the approval authority of the Official Plan Amendment Application to the City.

The 2014 Markham Official Plan (“2014 Official Plan”) designates the Subject Lands “Greenway” and “Residential Low Rise”

The 2014 Official Plan designates the northwest corner of the Subject Lands “Greenway”, which does not permit development. The “Greenway” designated area reflects the floodplain along 14th Avenue that is proposed to remain as an open space. The Owner proposes to expand the “Greenway” designation boundary to include the 10 metre buffer associated with the floodplain (see Appendix A). Staff note that a minor portion of the surface parking lot containing six spaces is proposed to encroach into the “Greenway” designation, which Staff have no concern as it meets the criteria in Section 3.4.1.6 regarding site alteration in hazardous lands.

The balance of the lands is designated “Residential Low Rise”, which permits single and semi-detached dwellings, townhouses (excluding back-to-back), and small multiplex buildings containing three to six units, with a maximum height allowance of three storeys. The Applicant proposes to re-designate this portion of the Subject Lands to “Residential Mid Rise” (see Appendix A).

The proposed development is in keeping with the housing objectives in Section 4.1.1 of the Official Plan which seeks to increase opportunities for more affordable housing choices and diversify the City’s housing stock tenure by encouraging the construction of rental and shared housing with a full mix and range of unit types and sizes. This will help create a more complete neighbourhood that meets the needs of residents and workers of all ages, income levels, abilities, culture and family types.

The Proposed Development meets the goals identified in the [Housing Choices: Markham’s Affordable and Rental Housing Strategy](#) (“the Housing Strategy”)

In July 2021, Council endorsed the Housing Strategy to address the housing affordability. The Housing Strategy sets out goals which include increasing the supply of affordable rental housing options and expanding the supply of purpose-built rental market units throughout Markham. The Housing Strategy also identified a number of actions which include supporting affordable housing projects and reducing residential parking requirements for affordable housing projects. The Applicant indicates approximately 70% of the units will be affordable rental units, while 30% will be market rental units. The unit size ranges between approximately 46.45 m² (500 ft²) and 83.61 m² (900 ft²) to accommodate different family composition. The Proposed Development would help achieve the City’s objectives of delivering affordable housing units of varying size to the community. Further, the proposed 153 units would contribute toward Markham’s Housing Pledge for building 44,000 homes by 2031.

By-law 304-87, as amended, zones the Subject Lands “Agriculture One – A1”, which does not permit the apartment building use (see Figure 3) and the Applicant seeks to rezone the Subject Lands

The Owner proposes to rezone the Subject Lands to “R4 – Residential”, under By-law 177-96, as amended, with site-specific development standards including reduced parking standards (from 1.25 to 0.92 space/unit) to facilitate the Proposed Development (see Appendix B). The Owner also proposes to rezone the hazard lands

(flood plain) to “OS1 – Open Space One” and allow the encroachment of a minor portion of the surface parking lot and ramp to the underground parking garage (see Appendix B).

DISCUSSION:

Table 3 identifies how the matters raised throughout the review process, including those raised at the statutory Public Meetings, have been resolved or considered

TABLE 3: Matters Raised and Considered
<p>1. Residents expressed concerns that the proposed mid-rise building is not compatible with the surrounding low-rise dwelling units</p> <p>There are no residential units immediately to the north and east of the Subject Lands. The closest homes from the four-storey component of Proposed Development are the existing townhouses located on Vettese Court, which meets a 45-degree angular plane from those townhouses. The proposed new trees along the south property line would also provide screening. The architectural design of the proposed building is consistent with the character of the surrounding area. Staff note that the Revised Proposal relocates the underground parking ramp and surface parking away from the townhouses to lessen the impact.</p> <p>The six-storey component on Donald Cousens Parkway is appropriately setback from the south property line to minimize any visual impact on the adjacent townhouses. The lands across Donald Cousens Parkway and 14th Avenue are either open spaces or part of the Rouge National Urban Park. As such, the six-storey component would not result in any demonstrable adverse impact on the community.</p> <p>The proposed additional height and density is considered appropriate and compatible with the surrounding areas. Staff opine the Proposed Development represents good planning and is appropriate.</p>
<p>2. Residents expressed concerns that the Subject Land is not an appropriate location for affordable housing development.</p> <p>The Official Plan currently designates the Subject Lands “Residential Low Rise”. Section 8.2.3 of the Official Plan states that affordable housing shall be considered as an integral characteristic of ‘Residential Low Rise’ areas, and hence Staff opine that the Proposed Development is in keeping with development objectives set out in the Official Plan for the neighbourhood. The Proposed Development would increase the Region and the City’s supply of affordable housing and help diversify the local housing stock in which the Provincial, Regional and Municipal planning policies seek to achieve.</p>
<p>3. Residents expressed concerns with the lack of community consultation for the Applications</p> <p>Two statutory Public Meetings were held (June 7, 2023 and January 23, 2024) in accordance with the <i>Planning Act</i> requirements, which includes posting signs with details of the Applications and mailing notices 20-days before the meetings to all properties located within 200 m of the Subject Lands, which exceeds the 120 m <i>Planning Act</i> requirement.</p> <p>In addition to the <i>Planning Act</i> requirements, the Applicant held two public information meetings (February 28, 2022, and November 9, 2023) and established a Community Liaison Committee (“CLC”) consisting of the Applicant’s project team, City Staff, residents, and business owners to address concerns with the Proposed Development. Additionally, the CLCe held three meetings on May 26, 2022, February 23, 2023, and October 26, 2023, to discuss the Applications.</p>
<p>4. Residents expressed concerns with increased traffic generated by the Proposed Development</p> <p>The Traffic Operation Study, prepared by the Applicant, concluded that the Proposed Development would generate approximately 43 and 53 auto trips during the weekday morning and afternoon peak hours,</p>

respectively. The future total assessment indicates the site-generated auto trips can be readily accommodated by Vettese Court and the proposed driveway with minimal impact. To assist in alleviating the traffic impact, the Applicant proposes a new RIRO access off Donald Cousens Parkway to disperse traffic. The Applicant will also provide a new sidewalk connection along 14th Avenue, between Vettese Court and Donald Cousens Parkway, which would improve the local active transportation network and reduce car dependency. Staff support the findings of the Traffic Operation Study and have no traffic concern with the Applications.

5. Staff support the request to reduce the parking rate from 1.25 spaces/unit to 0.92 spaces/unit, and visitor parking rate from 0.25 spaces/unit to 0.15 spaces/unit

Staff reviewed the information provided by the Applicant that indicates approximately 20% of the people currently on the wait list for affordable housing in Markham would not need a parking space. For the majority of Housing York Inc. developments, vehicular parking is offered at the rate consistent to what is proposed. Staff consider the rationale acceptable and support the proposed parking rate subject to the provision of the following Transportation Demand Management measures that will be secured through the Site Plan Agreement:

- Long-term bicycle parking supply at a rate of 0.50 spaces/unit and short-term bicycle parking supply at a rate of 0.15 spaces/unit, including e-bike charging stations
- On-site Bike Share program, including provisions for e-bikes, and bike repair station
- Unbundled Parking
- On-site Car share service

As noted above, the Housing Strategy identified an action to consider approving reduction to residential parking requirements for affordable, supportive and purpose-built rental housing projects where the proponent can demonstrate that the demand for parking will be less than what is currently required in the Zoning By-law.

6. Residents expressed concern with poor walkability in the area to support the Proposed Development

The proposed sidewalk on 14th Avenue will enhance walkability in the area by improving pedestrian connection between Vettese Court and Donald Cousens Parkway. The Subject Lands are currently supported by a network of nearby active transportation amenities including a multi-use pathway on Donald Cousens Parkway and a trail at the George Couperwaite Park that provides connection to Box Grove By-Pass through the adjacent subdivision.

There are currently no sidewalks on a section of 14th Avenue, west of the Subject Lands. Staff note that this stretch of 14th Avenue is not included as part of the City’s Sidewalk Completion Program nor the 2022 York Region 10-year Roads and Transit Capital Construction Program (2022-2031). However, staff note that the [2022 York Region Transportation Master Plan](#) includes a proposed road network that identifies road improvements for 14th Avenue between 9th Line and Donald Cousens Parkway. The [2022 York Region Development Charges Background Study](#) also identifies 14th Avenue, between Markham Road and Donald Cousens Parkway, is planned for road widening in the future. It is anticipated that active transportation facilities, such as new sidewalks or multi-use pathways, will be introduced as part of the road improvement and widening work. However, the specific timing is currently unknown.

7. Residents expressed concern with the proximity of the garbage storage area to the adjacent townhouses on Vettese Court

The garbage storage area proposed at its current location where the four-storey and six-storey wings meet would accommodate the chutes from all floors of the building. The garbage room would be fully ventilated, and fully enclosed within the building behind the loading area, away from public view. The Applicant proposes additional tree plantings along the south property line to assist in alleviating any visual impact. Garbage pickup would occur once weekly and managed entirely enclosed in the loading area.

<p>8. The DSC requested staff to include a broader range of permitted housing types in the Zoning By-law to provide greater flexibility for the project</p>
<p>At the request of DSC, staff included detached dwelling, semi-detached dwelling, and townhouses in the list of permitted uses in the draft Zoning By-law (see Appendix B), all of which are considered by Staff as appropriate housing types within the context of the surrounding neighborhood.</p>
<p>9. The Toronto and Region Conservation Authority (“TRCA”) will not accept encroachment of the Proposed Development into the flood plain area, except for the sidewalk connection and a minor portion of the surface parking lot, subject to further technical review, which can be addressed as conditions of Site Plan approval</p>
<p>The northwest portion of the Subject Lands is located within TRCA’s Regulated Area as it partially falls within a Regional floodplain associated with the Rouge River Watershed. At the second statutory Public Meeting, DSC requested staff to confirm the boundary of the floodplain and explore opportunities relocate the proposed building closer into the floodplain area for a greater separation from the adjacent townhouses.</p> <p>The boundary of the floodplain, including the buffer area as shown on the site plan, was established in consultation with TRCA through a staking exercise. TRCA indicates that they will not accept encroachment of the proposed building into the floodplain area. However, TRCA would accept the encroachment of the proposed sidewalk connection as the 14th Avenue right-of-way is already located within the floodplain. Further, TRCA would accept the encroachment of a minor portion of the proposed surface parking lot, subject to further technical review to ensure it provides adequate vertical freeboard from the floodplain elevation, which can be addressed as conditions of Site Plan approval.</p> <p>Staff initially requested the hazardous lands be conveyed into public ownership for its long-term protection. However, the Applicant indicates that they must retain ownership of the hazardous lands as it contains a Region-owned subsurface infrastructure. Given the hazard lands will be zoned “Open Space One”, which would prevent any future development, Staff accept having the lands remain under regional ownership. Additional trees will be planted along the floodplain line as approved by TRCA and Natural Heritage Staff. Other technical comments can be addressed as conditions of Site Plan approval.</p>
<p>10. York Region requires a road widening on Donald Cousens Parkway and delegates approval authority of the OPA to the City</p>
<p>The Applicant is required to convey a portion of the Subject Lands along the east frontage for the future road widening of Donald Cousens Parkway. The new property line must be set back 18 m (59 ft) from the centerline of the road. The new property line is reflected on the site plan drawing and accepted by York Region. As noted above, York Region has no concern with the Proposed Development and delegated the approval authority of the Official Plan Amendment application to the City.</p>
<p>11. Residents expressed concern with the lack of schools in the area to support the Proposed Development</p>
<p>None of the School Boards circulated on the Applications identified any issues or concerns with the Proposed Development.</p>

CONCLUSION:

Staff consider the Proposed Development appropriate and compatible with surrounding lands. The Applicant has demonstrated that the Proposed Development will result in minimal impact on the adjacent homes and staff concur with this conclusion. The Proposed Development would contribute to the City’s affordable housing stock and add variety to housing options and tenure for the community. The Regional flood plain along 14th Avenue will be appropriately zoned to ensure its long-term protection. Staff opine that the Proposed Development represents good planning and support the approval of the Official Plan Amendment, Zoning By-law Amendment, and Site Plan applications.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable

HUMAN RESOURCES CONSIDERATIONS:

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Applications align with the City’s strategic priorities in the context of growth management and municipal services to ensure safe and sustainable communities.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Applications were circulated to various departments and external agencies and the City and external agency requirements are reflected in the implementing OPA and ZBA (refer to Appendices ‘A’ and ‘B’).

RECOMMENDED BY:

Darryl Lyons, MCIP, RPP
Deputy Director, Planning and Urban Design

Giulio Cescato MCIP, RPP
Director of Planning and Urban Design

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS AND APPENDICES:

- Figure 1: Location Map
- Figure 2: Aerial Photo (2020)
- Figure 3: Area Context/Zoning
- Figure 4: Site Plan
- Figure 5: North and South Elevations
- Figure 6: East and West Elevations
- Appendix ‘A’: Draft Official Plan Amendment
- Appendix ‘B’: Draft Zoning By-law Amendment