



SUBJECT: RECOMMENDATION REPORT
Regency Property Inc., formerly Stateview Homes (Nao Towns) Inc.
Applications for Official Plan Amendment and Zoning By-law Amendment to permit a townhouse development with 133 units, a common outdoor amenity area, and a public park at 7810, 7822, 7834, and 7846 McCowan Road (Ward 8)
Files PLAN 22 247284 and PLAN 21 129900

PREPARED BY: Melissa Leung, MCIP, RPP, Senior Planner, Central District, ext. 2392

REVIEWED BY: Sabrina Bordone, MCIP, RPP, Manager, Central District, ext. 8230
Stephen Lue, MCIP, RPP, Senior Development Manager, ext. 2520

RECOMMENDATION:

- 1) THAT the July 16, 2024, report titled, “RECOMMENDATION REPORT, Regency Property Inc., formerly Stateview Homes (Nao Towns) Inc., Applications for Official Plan Amendment and Zoning By-law Amendment to permit a townhouse development with 133 units, a common outdoor amenity area, and a public park at 7810, 7822, 7834, and 7846 McCowan Road (Ward 8), Files PLAN 22 247284 and PLAN 21 129900”, be received;
- 2) THAT the Official Plan Amendment application submitted by Regency Property Inc. be approved and that the draft Official Plan Amendment, attached hereto as Appendix ‘A’, be finalized and brought forward to a future Council meeting to be adopted without further notice;
- 3) THAT the Zoning By-law Amendment application submitted by Regency Property Inc. be approved and the draft Zoning By-law Amendment, attached as Appendix ‘B’, be finalized and brought forward to a future Council meeting to be enacted without further notice;
- 4) THAT Council assign servicing allocation for a maximum of 133 residential units;
- 5) THAT the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in 3 years;
- 6) THAT York Region be advised that servicing allocation for 133 residential units has been granted;
- 7) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

The 2.13 ha (5.27 ac) subject lands are located in the northwest quadrant of McCowan Road and 14th Avenue, municipally known as 7810, 7822, 7834, and 7846 McCowan Road (the “Subject Lands”). This report recommends the approval of the Official Plan and Zoning By-law Amendment applications (the “Applications”) that seek to permit a four-storey townhouse development. The Applications facilitates the proposed development of 133 condominium townhouse units, which includes 30 rear lane townhouse units, 19 traditional townhouse units, 78 back-to-back townhouse units, and 6 stacked townhouse units to be conveyed at nominal to the City, and a partial public park block (the “Proposed Development”).

The Proposed Development is consistent with the Provincial Policy Statement, 2020, as it supports increased residential densities on underutilized lots and takes advantage of existing infrastructure and public service facilities. The Proposed Development conforms to the Provincial Growth Plan and the York Region Official Plan as it provides a compact and pedestrian oriented development that represents an intensification opportunity within the built-up area that is located within the 'Built Boundary' as defined by the Province and contributes to the City's intensification targets. For these reasons, Staff opine that the proposed Official Plan and Zoning By-law Amendment applications are appropriate and represent good planning.

PURPOSE:

The report recommends approval of the Official Plan and Zoning By-law Amendment applications submitted by Bousfields Inc. (the "Agent"), on behalf of Regency Property Inc. (the current "Owner") to permit the Proposed Development, as shown in Figure 4.

PROCESS TO DATE:

- October 6, 2021: Staff deemed the Zoning By-law Amendment and associated Draft Plan of Subdivision applications (PLAN 21 129900) complete.
- February 3, 2022: The 120-day period set out in the *Planning Act* before the owner can appeal the Zoning By-law Amendment and associated Draft Plan of Subdivision applications to the Ontario Land Tribunal (the "OLT") for a non-decision ended; however, Stateview Homes (Nao Towns) Inc. (the "Previous Owner") had been working with Staff to address the various matters related to the overall development.
- February 7, 2022: The Development Services Committee ("DSC") received the [Preliminary Report](#) for the Zoning By-law Amendment and Draft Plan of Subdivision applications.
- October 19, 2022: Staff deemed the Official Plan Application (File PLAN 22 247284) complete.
- January 23, 2023: the [Statutory Public Meeting](#) was held.
- February 16, 2023: The 120-day period set out in the *Planning Act* before the owner can appeal the Official Plan Amendment application to the OLT for a non-decision ended.
- May 2, 2023: The Previous Owner went into receivership, thereby putting the Applications on hold.
- February 28, 2024: the current Owner acquired the Subject Lands.
- May 30, 2024: City Staff received revised conceptual plans for a 133-unit townhouse development.

If the DSC supports the Applications, then the planning process will include the following next steps:

- a) Council adoption of site-specific Official Plan Amendment
- b) Finalization and Council enactment of the associated site-specific Zoning By-law Amendments
- c) Advancement of a Recommendation Report to a future DSC meeting for the associated Draft Plan of Subdivision application (File PLAN 21 129900), followed by issuance of Draft Plan Approval by Staff, execution of the Subdivision Agreement and subdivision registration.
- d) Continued review and processing of the associated Site Plan Control application (File SPC 21 144679)
- e) Submission of a future Draft Plan of Condominium application

BACKGROUND:

Location and Area Context

The Subject Lands have approximately 163 m (535 ft) frontage along McCowan Road (see Figures 1 and 2) and Phase 2 of an overall townhouse development. Figure 3 shows the surrounding uses.

The Subject Lands are associated with the proposed development located to the South

Immediately south of the Subject Lands are contiguous properties, municipally known as 7768, 7778, 7788, and 7798 McCowan Road, and 5112, 5122, and 5248 14th Avenue, which make up the remaining developable lands at the northwest quadrant of McCowan Road and 14th Avenue, as illustrated in Figure 2 (the “Phase 1 Lands”). The Phase 1 Lands are subject to a 2018 settlement hearing at the Local Planning Appeal Tribunal (now the OLT) that permitted a 96-unit residential townhouse development and a portion of a future public park block (see Figure 2). Staff endorsed the Site Plan application for the Phase 1 Lands in November 2021 (File SPC 20 122127).

In 2021, the Previous Owner submitted Draft Plan of Subdivision and Zoning By-law Amendment applications

These applications sought permission for 76, three-storey townhouse units, and a partial public park block (refer to the [February 7, 2022 Preliminary Report](#)) on the Subject Lands. In 2022, the Previous Owner revised the Proposed Development with the introduction of stacked back-to-back townhouse units in the centre of the Subject Lands, which necessitated the submission of the Official Plan Amendment application to permit the use. In 2024, the Owner further revised the Proposed Development with the introduction of stacked and back-to-back townhouses with a height of four-storeys.

The Proposed Development is accessed from McCowan Road, via a public cul-de-sac and internal private laneways (see Figure 4 and summarized in Table 1)

TABLE 1: 2021, 2022, and Proposed Development Comparison (Condominium Townhouse)			
	2021 Proposal (Submitted Sept 2021)	2022 Proposal (Submitted Sept 2022)	Proposed Development (Submitted May 2024)
Blocks	14	12	14
Units	76 <u>Rear lane:</u> 57 <u>Traditional:</u> 19 <u>Stacked Back-to-Back:</u> 0 <u>Stacked:</u> 0 <u>Back-to-Back:</u> 0	84 <u>Rear lane:</u> 27 <u>Traditional:</u> 17 <u>Stacked Back-to-Back:</u> 40 <u>Stacked:</u> 0 <u>Back-to-Back:</u> 0	133 <u>Rear lane:</u> 30 <u>Traditional:</u> 19 <u>Stacked Back-to-Back:</u> 0 <u>Stacked:</u> 6 <u>Back-to-Back:</u> 78
Unit Sizes	193.80 m ² (2,086.05 ft ²) to 207.92 m ² (2,238.03 ft ²)	157.28 m ² (1,692.95 ft ²) to 207.92 m ² (2,238.03 ft ²)	130 m ² (1,399.31 ft ²) to 190 m ² (2,045.14 ft ²)
Building Heights	10.7 m (35.1 ft) to 12.57 m (41.24 ft)	10.78 m (35.37 ft) to 13.45 m (44.13 ft)	12 m (39.37 ft)
Parking Spaces	243 <u>Residential:</u> 223 <u>Visitor:</u> 20 (including 2 accessible spaces)	218 <u>Residential:</u> 195 <u>Visitor:</u> 23 (including 2 accessible spaces)	293 <u>Residential:</u> 260 <u>Visitor:</u> 33 (including 2 accessible spaces)
Partial Park Block	0.195 ha (0.482 ac) ^{Note 1}	0.238 ha (0.588 ac) ^{Note 1}	0.217 ha (0.536 ac) ^{Note 1}
Units Conveyed to the City:	0	0	6 (stacked) ^{Note 2}

Note 1: The total public park, when combined with the Phase 1 Lands, will be 0.497 ha (1.228 ac), 0.540 ha (1.334 ac), and 0.519 ha (1.282 ac), respectively.

Note 2: While an interior garage is not currently proposed, each unit will have access to one surface parking space.

Public Consultation: The statutory Public Meeting was held on January 23, 2023

This meeting provided the public and interested persons and agencies an opportunity to comment on the Applications. There were no written or oral submissions from the public at the Statutory Public Meeting nor written submissions received during the processing of the Applications to date.

Staff are satisfied that the Proposed Development is consistent with the Provincial Policy Statement, 2020 (the “2020 PPS”)

The 2020 PPS provides direction on matters of Provincial interest related to land use planning and development that include building strong healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety. The 2020 PPS policies require the provision of an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents through, among other policies, “promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed”.

The Subject Lands are located within a defined settlement area and designated for development in both the York Region and City of Markham Official Plans. Consistent with the policies of the 2020 PPS, the Proposed Development promotes infill intensification, which efficiently uses land, resources and infrastructure and supports alternative modes of transportation, including active transportation and transit. The Proposed Development contributes to the mix of housing types in the area with the addition of the stacked and back-to-back townhouse units.

Staff opine that the Proposed Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (the “Growth Plan”)

The Growth Plan provides a framework for implementing the Province’s vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2051, with the premise to build compact, vibrant, and complete communities, develop a strong competitive economy, protect and wisely use natural resources, and optimize the use of existing and new infrastructure to support growth in a compact, efficient form.

The Subject Lands are located within the ‘Built-Up Area’ as defined by the Province in the Growth Plan, which specifies minimum intensification targets to be accommodated in the delineated built-up area, with the objective of achieving complete communities that feature a mix of land uses and housing options, providing convenient access to a range of transportation options, and fostering a compact built form and an attractive and vibrant public realm. The Proposed Development has convenient access to existing municipal infrastructure, near public transit and major arterial roads, and represents an intensification opportunity within the built-up area that is located within the 'Built Boundary' and contributes to the City’s intensification targets.

Staff opine that the Proposed Development conforms to the York Region Official Plan 2022 (“2022 ROP”)

The 2022 ROP designates the Subject Lands as “Community Area” on Map 1A within the “Urban Area” shown on Map 1 and requires that intensification utilizes land efficiently and sustainably that is commensurate with available hard and soft services and existing infrastructure, while having regard for the local context. It sets out a minimum of 50% of all residential development in York Region to occur within the built-up area, as defined by the Province’s Built Boundary in the Growth Plan. The Proposed Development provides for residential intensification within the built-up area in a manner that is consistent with the existing area context.

The Owner seeks to amend the City’s 2014 Official Plan (“2014 Official Plan”) to permit four-storey townhouses and stacked townhouses, and back-to-back townhouses as an additional use

The 2014 Official Plan designates the Subject Lands “Residential Low Rise”, which permits detached, semi-detached, and townhouse dwellings (excluding stacked and back-to-back townhouses), and small multiplex buildings containing 3 to 6 units at a maximum height of 3-storeys. The Owner seeks to add a new site-specific policy (Official Plan Amendment, “OPA”) to permit the additional use of stacked and back-to-back townhouse units and townhouses with a maximum height of four-storeys on the Subject Lands (see Appendix ‘A’). Refer to the Discussion section of this report for additional information on the merits of the proposed stacked and back-to-back townhouse use (maximum four-storeys).

The Owner submitted a Zoning By-Law Amendment (“ZBA”) application to permit the Proposed Development, which remains in draft form

By-law 90-81, as amended, zones the Subject Lands “Residential Development” (RD), which permits one single-family detached dwelling per lot. The Owner submitted a ZBA to delete the Subject Lands from Zoning By-law 90-81, as amended, and incorporate them in Zoning By-law 177-96, as amended, to facilitate the rezoning to “Open Space” (OS1) and “Residential Two” (R2) and incorporate site-specific development standards to facilitate the Proposed Development.

On January 31, 2024, Council enacted Comprehensive Zoning By-law 2024-19 (“CZBL 2024-19”), which zones the Subject Lands “Future Development” (FD) and permits a detached dwelling. Staff note that CZBL 2024-19 is under appeal, which the Proposed Development will be subject to once the OLT approves it. As such, the Proposed Development is subject to a dual Zoning By-law Amendment to both By-law 90-81, as amended, and the CZBL 2024-19. The proposed ZBAs remain in draft form, which the Owner and Staff will continue to work towards finalization (see Appendices ‘B’ and ‘C’).

DISCUSSION:

This section identifies how the matters raised through the review process have been resolved or considered.

Staff support the proposed stacked and back-to-back townhouse units as an appropriate built form that is compatible with the surrounding established neighbourhood

The proposed stacked and back-to-back townhouse units serves to increase the range of dwelling types available within the community to meet the needs of current and future residents. The proposed stacked and back-to-back townhouse units are an integrated compact form that facilitates the development of a currently underutilized property, which is an efficient and effective use of land resources and municipal services. The urban form is efficient and cost effective for servicing, storm water, transportation, and public transit.

The Proposed Development represents a gentle intensification opportunity, as it is situated at the edge of an established neighbourhood. The location of the back-to-back townhouse blocks at the centre of the Subject Lands and are not located adjacent to the existing low rise residential neighbourhood, as they are buffered by the traditional townhouse units of the Proposed Development. Furthermore, the proposed six stacked townhouse units are located on the northeast corner of the Subject Lands, furthest away from the existing low rise residential neighbourhood to the west.

The proposed four-storey units are consistent in height with other traditional three-storey townhouses units across the City. Staff note that the main floor of the townhouse units consists of the garage that result in three storeys of living space that generally meets the intent of the “Residential Low Rise” designation. Staff

further note that the Proposed Development is adjacent two Regional Roads (McCowan Road and 14th Avenue) with access to transit facilities.

Markham Council adopted Housing Choices: Markham's Affordable and Rental Housing Strategy in July 2021, which should be considered as part of the Proposed Development

The Owner indicated that they are providing a range of built forms, which will contribute to a range of housing in the municipality. Additionally, the Owner agreed to convey six stacked townhouse units at nominal to the City, which will be secured through the Subdivision Agreement.

Toronto and Region Conservation Authority ("TRCA") has no objection with the Proposed Development

The TRCA have indicated no objection to the recommended approval of the OPA and ZBAs.

York Region has no objections with the Proposed Development

York Region Staff have indicated no objection to the recommended approval of the OPA and ZBAs. Furthermore, York Region has exempted the Proposed Development from approval by Regional Planning Committee and Council.

Staff note that certain matters will be further reviewed and addressed during the processing of other related applications

As noted, the Owner submitted other related applications, including a Draft Plan of Subdivision (File PLAN 21 129900) and a Site Plan Control (File SPC 21 144679), that are currently under review and includes matters including, but not limited to, serving, grading, stormwater management, noise and vibration matters, site plan design, building articulation, landscape, and park design.

CONCLUSION:

Staff are satisfied that the Proposed Development provides for appropriate range of housing and infill residential intensification that is compatible with its surrounding area context and efficiently utilizes land, resources, infrastructure, and public service facilities. For these reasons, Staff opine that the Applications are appropriate and represents good planning. As such, Staff recommend that the proposed OPA (Appendix 'A') and ZBAs (Appendices 'B' and 'C') be approved.

FINANCIAL CONSIDERATIONS:

Not Applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Application aligns 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 their requirements have been reflected in the draft OPA and ZBAs (see Appendices 'A', 'B', and 'C').

RECOMMENDED BY:

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

Giulio Cescato, MCIP, RPP
Director of Planning and Urban Design

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS:

- Figure 1: Location Map
- Figure 2: Aerial Photo and Context
- Figure 3: Area Context and Zoning
- Figure 4: Conceptual Site Plan
- Appendix 'A': Draft Official Plan Amendment
- Appendix 'B': Draft Zoning By-law Amendment (177-96)
- Appendix 'C': Draft Zoning By-law Amendment (2024-19)

AGENT:

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