



Development Services Commission
PUBLIC MEETING INFORMATION REPORT

Date:	Tuesday, September 24, 2024		
Application Type:	Official Plan and Zoning By-law Amendment (the "Applications")		
Owner:	2690622 Ontario Inc. (Kingdom Development Inc.) (the "Owner")		
Agent:	Nick Pileggi c/o Macaulay Shiomi Howson Ltd.		
Proposal:	Proposed mixed-use residential buildings ranging from 30 to 42 storeys on the southern portion of 4077 and 4101 Highway 7 (Phases 2 and 3) and a nine-storey apartment building on the northern portion of 4121 Highway 7 (Phase 4) (the "Proposed Development").		
Location:	4077, 4101, and 4121 Highway 7 (the "Subject Lands")		
File Number:	PLAN 23 129656	Ward:	3
Prepared By:	Melissa Leung, RPP, MCIP, ext. 2392 Senior Planner, Central Planning District		
Reviewed By:	Elizabeth Martelluzzi, RPP, MCIP Acting Manager, Central Planning District	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 initial Applications for 4121 Highway 7 (Phase 4) 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 for 4121 Highway 7 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.

The initial Applications were originally heard at the February 13, 2024, Statutory Public Meeting. On September 6, 2024, Staff received revised Applications to include 4077 and 4101 Highway 7 (Phases 2 and 3). The inclusion of additional lands to the scope of the Applications necessitates a new statutory Public Meeting.

NEXT STEPS

- Statutory Public Meeting is scheduled for September 24, 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
- Registration of the associated subdivision (File PLAN 23 111289)
- Continued review of the associated Phase 2 Site Plan Control application (File SPC 20 134065)
- Submission of future applications for Site Plan Control (for Phases 3 and 4) and Draft Plan of Condominium (for all phases).

BACKGROUND

The Subject Lands are comprised of two separate properties: 4077 and 4101 Highway 7, and 4121 Highway 7 (see Figures 1 and 2). The vacant lands located at 4077 and 4101 Highway 7 are 4.32 ha (10.67 ac), of which only the southern 1.50 ha (3.71 ac) portion is subject to the Applications. 4121 Highway 7 is 1.52 ha (3.76 ac), of which only the northern 0.52 ha (1.82 ac) portion is proposed to be developed and is currently occupied by a temporary sales centre. Figure 3 shows the surrounding land uses and Figure 4 shows the breakdown of development phases.

The Proposed Development includes three phases (Phases 2 to 4), with the following details:

Table 1: the Proposed Development (refer also to Figure 4)			
	Phase 2	Phase 3	Phase 4
Retail Space	N/A	847.2 m ² (9,119 ft ²)	N/A
Dwelling Units	621	Total: 1,415 (Tower 1: 489; Tower 2: 398; and Tower 3: 528)	231
Building Height (storeys)	30	Tower 1: 37; Tower 2: 32; Tower 3: 42	9
Gross Floor Area	41,952 m ² (1,181,220 ft ²)	109,739 m ² (1,181,220 ft ²)	15,510 m ² (166,946 ft ²)
Density - Floor Space Index (“FSI”)	5.62	7.42	3.00

Table 1: the Proposed Development (refer also to Figure 4)			
	Phase 2	Phase 3	Phase 4
Parking Spaces	516 (including 13 accessible spaces)	1,131 (including 22 accessible spaces)	211 (including 8 accessible spaces)

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.

In September 2022, Council adopted site-specific Official Plan Amendment, OPA 258, which further amends the 1987 OP to permit tower heights ranging from 25 to 37 storeys, a maximum of 1,749 residential units on the Phase 2 and 3 lands, and as further detailed in Table 2:

Table 2: Official Plan Amendment Information			
	Phase 2	Phase 3	Phase 4
Current Designation:	“Community Amenity Area – Major Urban Place”		“Community Amenity Area – General” (on the northern portion of the lands) and “Open Space” and “Hazard Land” (on the southern portion lands)
Permitted uses:	High concentration and intensity of residential, commercial, employment and supporting uses		<ul style="list-style-type: none"> • Mix of residential, commercial, employment and community uses • Medium and high-density residential use, subject to a specific development proposal and rezoning
Permitted height and density:	Max. height: 25 storeys Max. density: 5.9 FSI Max. units: 465	Max. height: 37 storeys Max. density: 6.95 FSI Max. units: 1,284	Mid-rise buildings, generally not to exceed 6 storeys

Table 2: Official Plan Amendment Information			
	Phase 2	Phase 3	Phase 4
Proposed Amendment to permit:	Max. height: 30 storeys Max. units: 621	Max. height: 42 storeys Max. density: 7.42 FSI Max. units: 1,415	Max. height: 9 storeys

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

The Proposed Development is subject to By-laws 304-87 and 2004-196, as amended, as shown in Figure 3. In June 2023, Council enacted site-specific By-law 2023-97 for the Phase 2 and 3 lands, as detailed further in Table 3 below. The Subject Lands are not subject to the Comprehensive Zoning By-law 2024-19 requirements.

Table 3: Zoning By-law Amendment Information		
	Phase 2 and 3	Phase 4
Current Zone Categories:	By-law 2024-196, as further amended by Site-Specific By-law 2023-97: “Markham Centre Downtown Two Exception 31 (Hold) – MC-D2*31(H1)”	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:	Mixed-use high rise development with max. height of 25 storeys and max. 485 residential units for Phase 2 and max. height of 37 storeys and 1,300 residential units for Phase 3.	The Proposed Development falls primarily within the RR1 zone, which restricts the permitted uses to a single detached dwelling.
Proposal to amend the By-law to permit:	Site-specific development standards for increased height, density, and maximum number of units	An apartment dwelling and incorporate site-specific development standards including, but not limited to, setbacks, height, density, and maximum number of units

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 Markham Centre Secondary Plan 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 contribution, 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 an adequate supply of parking spaces for the commercial and residential uses.
- v) The review of the concurrent Site Plan Application for Phase 2 and the submission of future Site Plan Applications for Phases 3 and 4 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.

h) External Agency Review

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

i) Required Future Applications

- i) The Owner must submit applications for Site Plan Control (for Phases 3 and 4) and Draft Plan of Condominium (for all Phases), should the Applications be approved, to permit the Proposed Development and facilitate the standard condominium tenure of the building.

ACCOMPANYING FIGURES

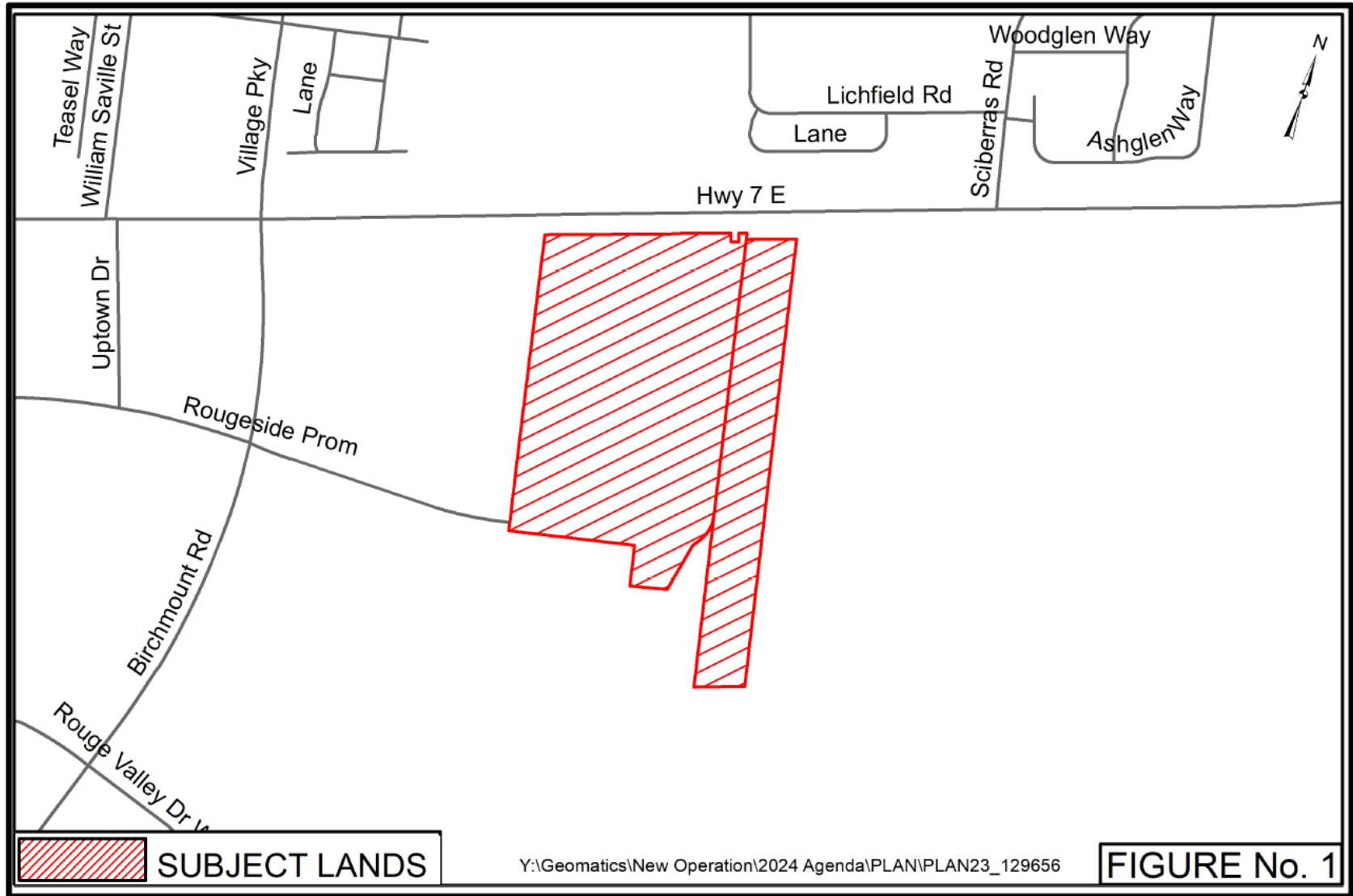
Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Conceptual Site Plan

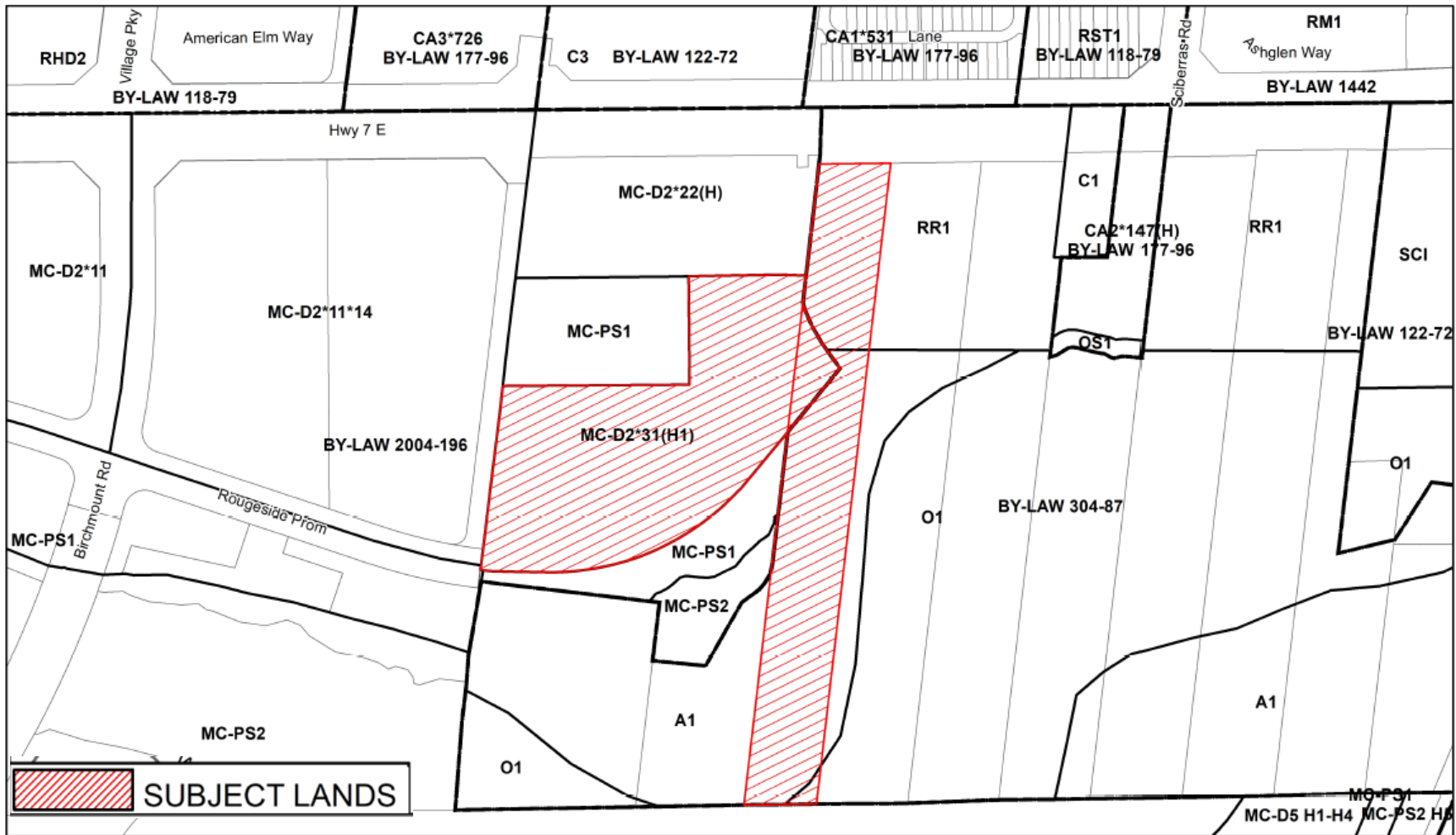
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