

<b>Date:</b>	Tuesday, April 16, 2024		
<b>Application Types:</b>	Official Plan and Zoning By-law Amendment (the “Applications”)		
<b>Owner:</b>	Ledgemark Homes Inc. (George LeDonne) (the "Owner")		
<b>Agent:</b>	Randal Dickie, Urban Growth Inc.		
<b>Proposal:</b>	A six-storey apartment building comprised of 66 residential units and the relocation of the existing heritage dwelling (the “Proposed Development”)		
<b>Location:</b>	3009 Elgin Mills Road East, and 10731, 10737, 10743, and 10745 Victoria Square Boulevard (the “Subject Lands”)		
<b>File Number:</b>	PLAN 24 160555	<b>Ward:</b>	2
<b>Prepared By:</b>	Nusrat Omer, MCIP, RPP, ext. 2185 Senior Planner, West Planning District		
<b>Reviewed By:</b>	Rick Cefaratti, MCIP, RPP Acting 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 received the Applications on February 16, 2024, and deemed the Applications complete on March 7, 2024. 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 June 15, 2024.

## NEXT STEPS

- Statutory Public Meeting is scheduled for April 16, 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 a future Site Plan Application and Draft Plan of Condominium Application (if the tenure is expected to be condominium)

## BACKGROUND

### Subject Lands and Area Context

The 0.34 ha (0.98 ac) Subject Lands are currently developed with two single detached dwellings and two vacant lots (see Figures 1 and 2). Figure 3 shows the surrounding land uses.

***The Proposed Development includes an apartment building and the relocation and addition to a heritage dwelling on a vacant lot (see Figures 4 to 6), with the following statistics:***

<b>Table 1: the Proposed Development</b>	
Gross Floor Area (“GFA”):	7,652.88 m <sup>2</sup> (82,374.91 ft <sup>2</sup> )
Dwelling Units:	67 (including one relocated heritage detached dwelling) <ul style="list-style-type: none"> <li>• 21 one-bedroom (32%)</li> <li>• 40 two-bedroom (61%)</li> <li>• 5 three-bedroom (7%)</li> </ul>
Density:	2.076 times the area of the Subject Lands / Floor Space Index (“FSI”) net of anticipated road widenings
Building Height:	Tiered 4-6 storeys (up to 23.55 m including rooftop mechanicals)
Vehicular Parking Spaces:	100 (including 17 visitor parking spaces)
Bicycle Parking Spaces:	46 (39 Long-Term; 7 Short-Term)
Indoor Amenity Space:	174.5 m <sup>2</sup> (1,878.3 ft <sup>2</sup> ) – Ground Floor
Outdoor Amenity Space:	160 m <sup>2</sup> (1,722.2 ft <sup>2</sup> ) – 5 <sup>th</sup> Floor

***The Owner proposes to amend the Markham 2014 Official Plan (the “2014 Official Plan”) to permit the Proposed Development***

<b>Table 2: Official Plan Amendment Information</b>	
Current Designation:	<p>“Residential Low Rise”</p> <p>The Subject Lands are within an Area Specific (policy 9.5.9) that aims to protect and preserve the former historic Victoria Square hamlet. Although a Heritage Conservation District (“HCD”) study for the area was once considered (circa 2010), the HCD did not progress, and a designation was never adopted.</p>

<b>Table 2: Official Plan Amendment Information</b>	
	Therefore, to date, the hamlet is not a heritage district and none of the lots are designated or would require approvals under the <i>Heritage Act</i> .
Permitted uses:	A detached dwelling and buildings associated with the existing place of worship/cemeteries. However, the lot addressed as 3009 Elgin Mills Road East may also permit limited non-residential uses, including the following: <ul style="list-style-type: none"> <li>• office, medical office, or clinic (not exceeding 300 m<sup>2</sup> GFA per office), bake shop, retail or personal service uses (not exceeding 300 m<sup>2</sup> floor area per premise), bed and breakfast establishment with a maximum of two units, private school, and institutional uses (not exceeding 300 m<sup>2</sup> floor area)</li> </ul>
Permitted Building Types:	Detached dwelling for the majority of the lands, with the exception of the lot addressed as 3009 Elgin Mills East, which additionally permits non-residential or mixed use buildings with a form and scale appropriate to the historic features and character of the surrounding area.
Proposal:	The Owner proposes to re-designate the Subject Lands from “Residential Low-Rise” to “Residential Mid-Rise” and to permit a maximum density of 2.08 FSI.

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

<b>Table 3: Zoning By-law Amendment Information (see Figures 2 and 3)</b>	
Current Zone:	“Single-Family Rural Residential” (RRH), By-law 83-73, as amended
Permissions:	Single detached dwelling and a home occupation
Proposal:	The Owner proposes to rezone the Subject Lands from a Rural Residential Zone to an appropriate Zone category together with site-specific development standards including, but not limited to, minimum lot frontage, setbacks, landscape open space, density, and height.

***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 and Zoning By-law amendments to allow the Proposed Development.
  - ii) The Applications will be reviewed in conjunction with the area and site-specific policies of the City's Official Plan, which are described in Table 2.
- 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, and paid prior to the first Building Permit.
- 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 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.
  - v) The submission of a future Site Plan Application will examine appropriate landscape, site layout, snow storage areas, building elevations, and amenity areas.

**g) Sustainable Development**

- i) If the Applications are to be approved, the future Site Plan Control application will be reviewed in consideration of the City's Policies and Sustainability Metrics Program.

**h) Heritage Matters**

- i) The Applications will be reviewed to address the cultural heritage resources on the Subject Lands, including the appropriateness of relocating and addition to the existing heritage home identified as the Savage-Schell-Dennie House located on lands municipally known as 10737 Victoria Square Boulevard.

**i) External Agency Review**

- i) The Applications must be reviewed by York Region, the School Boards 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 (if the Owner's chooses rather than rental units, as identified in d) above).

**Accompanying Figures:**

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Conceptual Plan

Figure 5: Conceptual Building Elevations

Figure 6: Conceptual Building Massing Model Views

Figure 7: Owner's Proposed Draft Official Plan Amendment

Figure 8: Owner's Proposed Draft Zoning By-law Amendment

# Figure 1

## Location Map



# Figure 2

## Aerial Photo




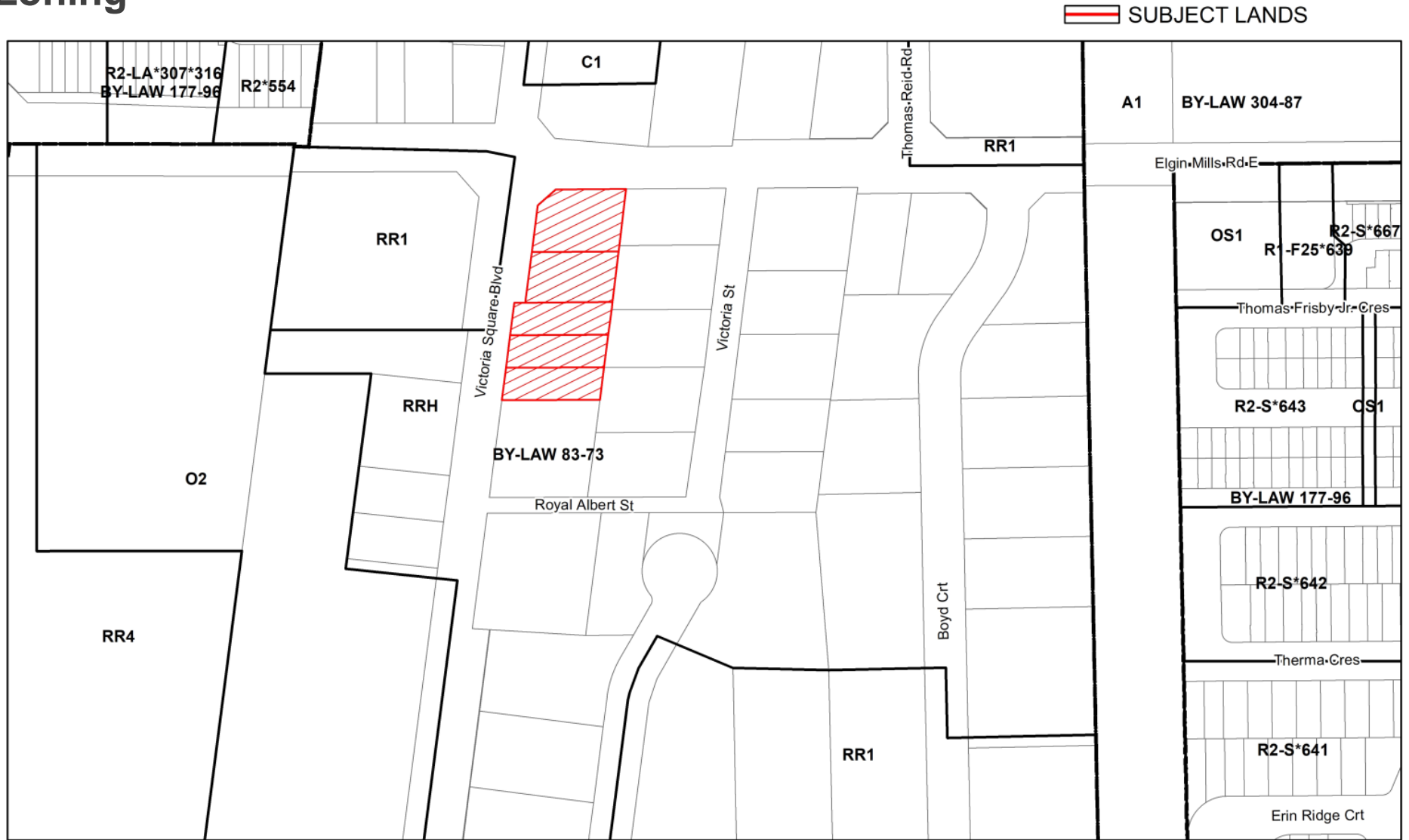
 SUBJECT LANDS



Figure 3


# Area Context and Zoning

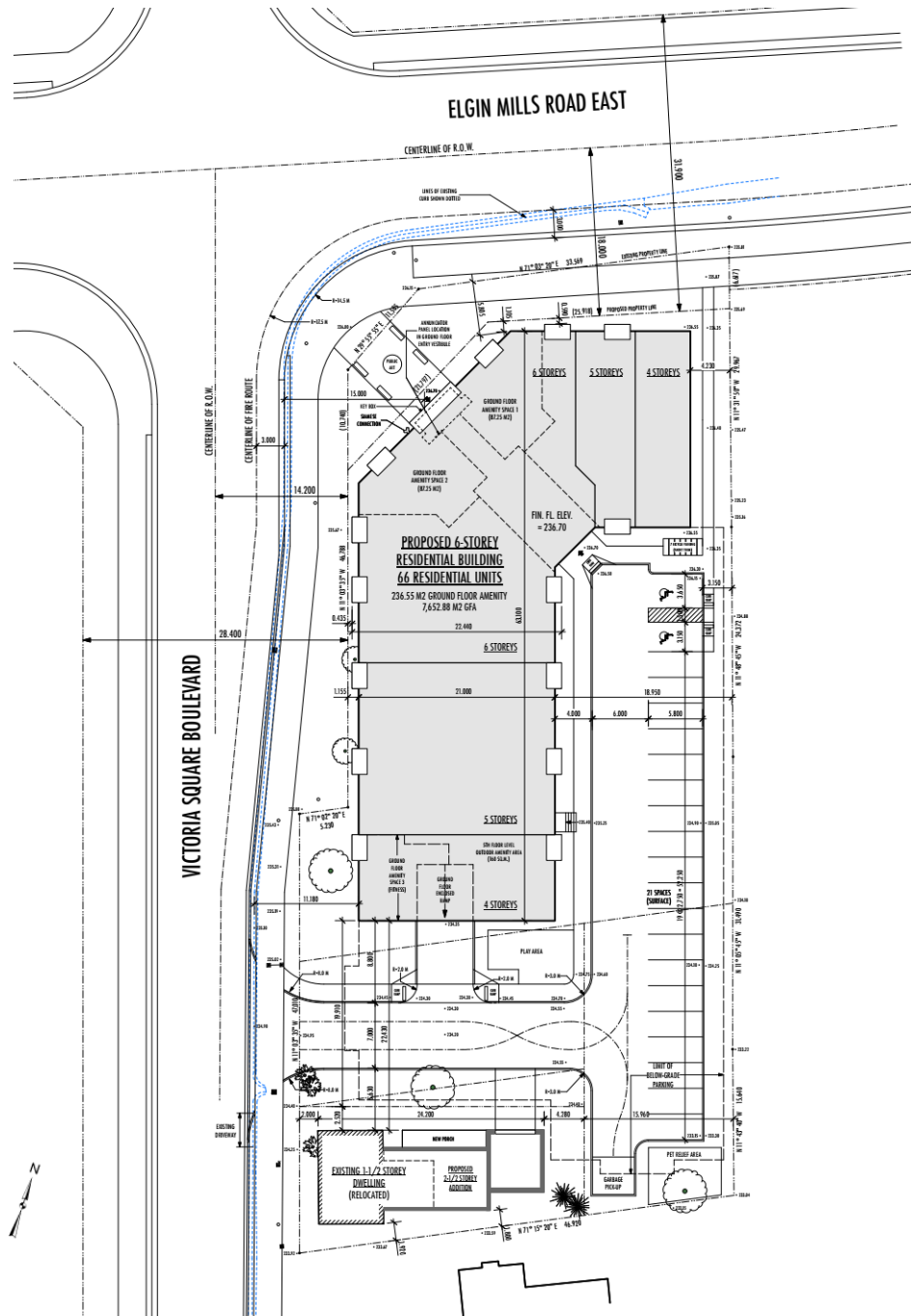




# Figure 4

## Conceptual Plan

 SUBJECT LANDS



NOTE:  
 INFORMATION ON THIS SITE PLAN  
 TAKEN FROM:  
 TOPOGRAPHIC PLAN OF SURVEY OF  
 PART OF LOT 1 AND ALL OF LOTS 2 AND 3  
 REGISTERED PLAN 184  
 CITY OF MARKHAM  
 REGIONAL MUNICIPALITY OF YORK  
 BY: SCHAEFFER DZALDOV BENNETT LTD.  
 NOVEMBER 05, 2019  
 AND  
 TOPOGRAPHIC PLAN OF SURVEY OF  
 LOTS 22, 23, AND 24  
 REGISTERED PLAN 184  
 CITY OF MARKHAM  
 REGIONAL MUNICIPALITY OF YORK  
 BY: SCHAEFFER DZALDOV BENNETT LTD.  
 MAY 25, 2015

### SITE STATISTICS:

ZONING:	TBD
ORIGINAL SITE AREA :	3,973.53 M2
DEDICATED LANDS :	287.28 M2
NET SITE AREA :	3,686.25 M2
BUILDING COVERAGE:	1,538.60 M2 (41.7%)
LANDSCAPED AREA:	1,162.95 M2 (31.6%)
PAVED AREA:	984.70 M2 (26.7%)
GROSS FLOOR AREA:	7,652.88 M2
FLOOR SPACE INDEX:	2.08
TOTAL RESIDENTIAL UNITS:	66
DENSITY (UNITS/HA.):	179
BUILDING HEIGHT:	6 STOREYS (22.40 M)
INDOOR AMENITY SPACE:	174.50 M2 (GND. FL.)
OUTDOOR AMENITY SPACE:	160.00 M2 (5TH FL.)
PARKING REQUIRED:	
66 UNITS @ 1.5/UNIT:	99 SPACES
PARKING PROVIDED:	100 SPACES
AT GRADE:	21 SPACES
BASEMENT:	79 SPACES
BICYCLE PARKING REQUIRED:	
66 UNITS @ 0.5/UNIT:	33 SPACES (LONG TERM)
66 UNITS @ 0.1/UNIT:	7 SPACES (SHORT TERM)
BICYCLE PARKING PROVIDED:	
BELOW GRADE:	39 SPACES (LONG TERM)
AT GRADE:	7 SPACES (SHORT TERM)

# Figure 5

## Conceptual Building Elevations



## Figure 6

### Conceptual Building Massing Model Views



VIEW FROM NORTH-WEST



VIEW FROM SOUTH-WEST



VIEW FROM SOUTH-EAST



VIEW FROM NORTH-EAST

# Figure 7

Owner's Proposed Draft Official Plan Amendment

## OFFICIAL PLAN

of the

## CITY OF MARKHAM PLANNING AREA

## AMENDMENT NO. XXX

to amend the 2014 Official Plan (Updated April 2018), as amended  
to incorporate Amendment No. XXX

## LEDGEMARK HOMES (LIVGREEN CONDOMINIUMS)

3009 Elgin Mills Road East and 10731 Victoria Square Boulevard

(\_\_\_\_\_, 2024)

**OFFICIAL PLAN**  
**of the**  
**THE CITY OF MARKHAM PLANNING AREA**  
**AMENDMENT NO. XXX**

To amend the Official Plan (Updated 2018), as amended to incorporate Amendment No. XXX.

This Official Plan Amendment was adopted by the City of Markham, By-law No. \_\_\_\_\_ - \_\_\_\_\_ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended on the \_\_\_\_\_ day \_\_\_\_\_ 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Town Clerk

**THE CITY OF MARKHAM**

**BY-LAW No. \_\_\_\_\_**

Being a by-law to adopt Amendment No. XXX to the Markham 2014 Official Plan (updated 2018), as amended.

THE COUNCIL OF THE CITY OF MARKHAM IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT, R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX to the City of Markham 2014 Official Plan (Updated 2018), as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof:

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
**TOWN CLERK**

\_\_\_\_\_  
**MAYOR**

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**PART I – INTRODUCTION**

(This is not an operative part of Official Plan Amendment No. XXX)



## **PART I INTRODUCTION**

### **1.0 GENERAL**

- 1.1 PART I - INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.
- 1.2 PART II - THE OFFICIAL PLAN AMENDMENT, constitutes Amendment No. XXX to the Official Plan (Updated 2018), as amended. Part II is an operative part of this Official Plan Amendment.

### **2.0 LOCATION**

The Amendment to the Official Plan applies to the lands located 3009 Elgin Mills Road East and 10731 Victoria Square Boulevard

### **3.0 PURPOSE**

The purpose of this Amendment is to demolish the existing residential building at 3009 Elgin Mills Road East in order to construct a 6-storey residential apartment building with 66 residential units. The proposal also includes one renovated and relocated existing dwelling situated the south end of the parcel.

### **4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT**

The Amendment recognizes the growing demand in the City of Markham and the eastern GTA, for residential infill development, which has been anticipated by the Province, Region and City. The Amendment also recognizes that the new development must respect the existing character of the area, but will also assist in meeting the intensification targets set out in the Official Plan.

This proposal will attract investment and new residents to Markham. Permitting the proposed FSI and density will contribute to the City achieving its projected population and job growth over the next several years. The proposal will also achieve several other objectives outlined in the Official Plan, such as making better use of transit and other infrastructure, intensifying a Built Up area, and providing safe and efficient living environments.

DRAFT

**PART II – THE OFFICIAL PLAN AMENDMENT**

(This is an operative part of Official Plan Amendment No. XXX)

## **PART II – THE OFFICIAL PLAN AMENDMENT**

### **1.0 THE OFFICIAL PLAN AMENDMENT**

**The Official Plan (updated 2018) is hereby amended as follows:**

1. Amend Map 3 – Land Use, from Residential Low Rise to Residential Mid Rise, for the lands known municipally as:
  - 10731 Victoria Square Boulevard
  - 10737 Victoria Square Boulevard
  - 10743 Victoria Square Boulevard
  - 10745 Victoria Square Boulevard
  - 3009 Elgin Mills Road East
2. Residential Mid Rise shall permit uses building to a maximum height of 6 storeys, and a maximum FSI of 2.08;
3. Amend Policy 9.5.9., by adding the following site specific Policy 9.5.9.XX
  - a. Notwithstanding any Policies contained within Section 9.5.9 of the Official Plan, a Residential Mid Rise apartment building shall be permitted to a maximum height of 6-storeys,
  - b. Policy 9.5.9.4 shall not apply.

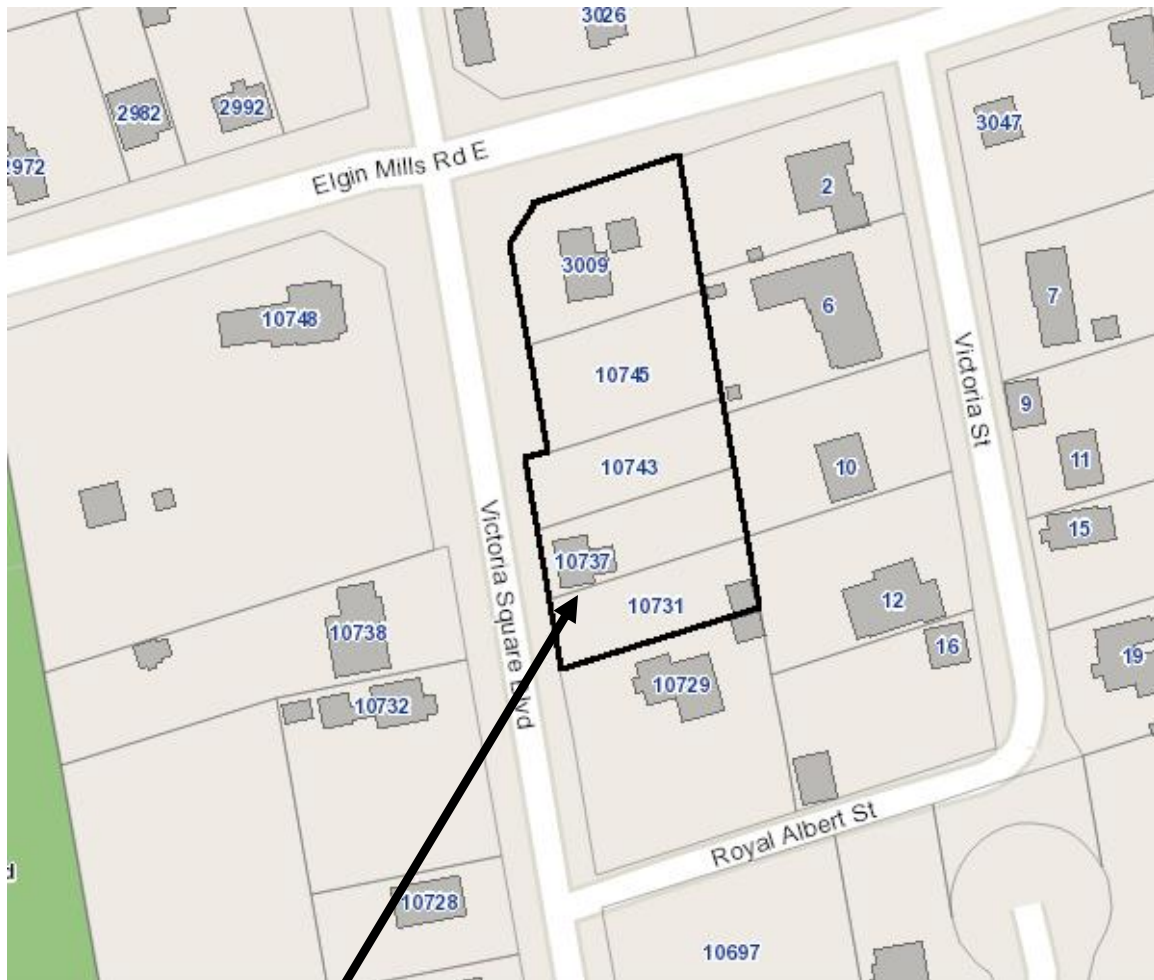
### **2.0 IMPLEMENTATION AND INTERPRETATION**

The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Updated 2018), is exempt from the approval by the Region of York. Following adoption, notice of Council's decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment.



**Subject Site**

**OFFICIAL PLAN AMENDMENT No. XXX**

**CITY OF MARKHAM OFFICIAL PLAN (UPDATED 2018)  
AS AMENDED**

## Figure 8

Owner's Proposed Draft Zoning By-law Amendment



**THE CITY OF MARKHAM**

**BY-LAW NUMBER 2024 - XX**

**A BY-LAW to amend By-law 83-73 of the City of Markham**

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The Council of the Corporation of the City of Markham hereby enacts as follows:

1. THAT By-law 83-730, as amended, is hereby amended as it applies to the lands outlined on Schedule "A" attached hereto by repealing the Single-Family Rural Residential RRH Zoning, and replacing it with Residential R4 Zoning.
2. By adding the following subsection to Section x – Exception:
  - a) R4 Zone
  - b) Minimum Lot Frontage 25.9m
  - c) Minimum Front Yard Setback 1.0m
  - d) Minimum Exterior Front yard Setback 1.0m
  - e) Minimum Interior Front Yard Setback 4.0m
  - f) Minimum Rear Yard Setback 19.0m
  - g) Minimum Landscape Open Space 30 %
  - h) Maximum Units per Hectare 180 uph
  - i) Maximum Building Height 25.0m



**SCHEDULE "A" TO BY-LAW 2024-XXX**  
AMENDING BY-LAW 83-73

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

