

**Subject:** Proposed Zoning By-law Amendment at 12762 Tenth Line (ZBA20.013)

**Staff Report No.** DS-003-25

**Department:** Development Services Commission

**Date:** March 5, 2025

**Recommendation:**

- 1) That Council refer all public and agency comments pertaining to this subject to staff for inclusion in a future report regarding the disposition of this matter.

**Report Highlights**

- This report provides an overview of the proposed development and the Zoning By-law Amendment (ZBA20.013) for the subject site located in the Community of Stouffville’s Old Elm GO Major Transit Station Area (MTSA) designation.
- The proposed Zoning Amendment proposes to rezone the lands and establish site specific exceptions to the Residential New Four (RN4) and Residential New Five (RN5) zones, to facilitate the development of a condominium subdivision comprising of 509 residential units comprised in five (5) blocks of stacked townhouses and one (1) apartment building fronting Tenth Line.
- Report provides the applicable policy and regulatory framework for the proposed development.
- Report provides an overview of comments received to date, considerations and next steps for Staff review.

**1. Purpose**

The purpose of this report is to fulfill the statutory public meeting obligation under the authority of the Planning Act to introduce the application for Zoning By-law Amendment. The objective of the public meeting is to solicit comments from interested members of the community and public agencies on this application.

## 2. Executive Summary

Applications for Zoning By-law Amendments and Plan of Subdivision have been submitted by McNaughton Hermsen Britton Clarkson Planning Limited (MHBC) on behalf of Ambria (Lincolnville) Limited. The first submission of application and materials were deemed complete by the Town on February 2, 2021. The Town has since, received four (4) submissions of the applications to date, that reflected changes to the development proposal by the applicant. All submissions have been circulated and reviewed by the Town departments and external agencies.

This report will:

- Provide an overview of the subject property, its location in relation to existing development and other adjacent land uses (Sections 3.1 & 3.2)
- Provide an overview of the development proposal (Section 4.1); the proposed Zoning Amendment (Section 4.4); and the proposed Plan of Subdivision (Section 4.5)
- Identify applicable Provincial, Regional and Town policies (Section 4.2 to 4.4);
- Provide considerations for the proposed site design and land use (Section 4.6)
- Identify the documents that have been submitted in support of the proposed applications (Section 4.7);
- Provide an overview of the submitted public agency/Town comments received to date (Section 5) as well as any public comments received to date; and
- Identify any known key planning issues with respect to the application (Section 6).

Comments on the latest (fourth) submission, from the public and other departments and agencies will be received for further review and consideration. A subsequent report assessing the merits of the planning applications will be presented to Council at a later date following receipt and evaluation of agency and public comments obtained through the public meeting process and afterwards.

## 3. Background

### 3.1 Location

The subject lands are municipally known as 12762 Tenth Line in the Town of Whitchurch-Stouffville, located within the north-east corner of the Community of Stouffville's Old Elm GO Major Transit Station Area (MTSA). The legal description is Part Lot 4, Concession 9, Whitchurch, Designated as Part 1, 65R-38830 Town of Whitchurch-Stouffville.

**Figure 1** below shows the location of the subject lands.

Figure 1



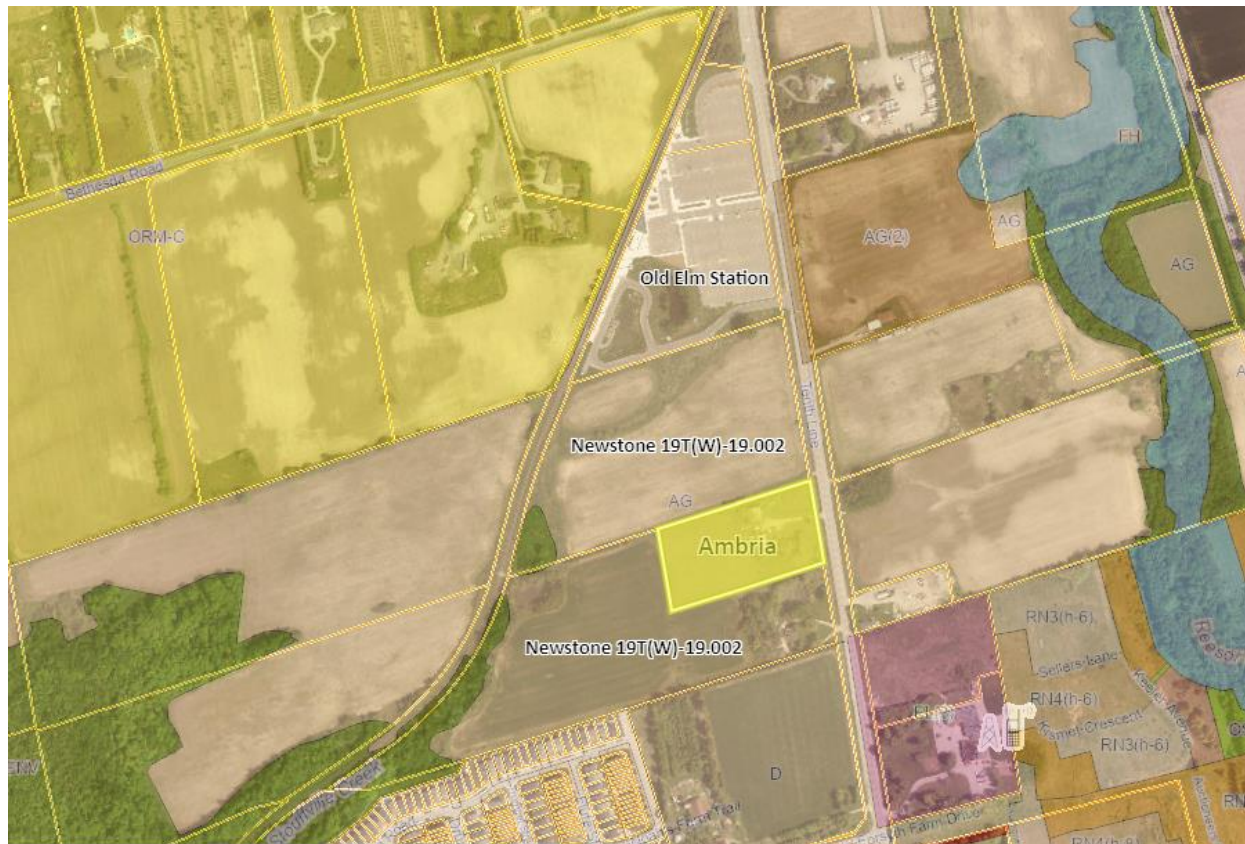
### 3.2 Surrounding Land Uses

Below is a description of the adjacent land uses:

**North and South** – 12822 and 12724 Tenth Line (abutting properties on north and south), subject to a Council approved draft plan of subdivision comprising of stacked back-to-back townhouses and mixed-use buildings fronting Tenth Line. Further north is the Old Elm (formerly Lincolnville) GO Station.

See **Figure 2** below that shows the location of the subject property.

Figure 2



**West** – Metrolinx/GO rail line and other agricultural zoned lands

**East** – Tenth Line and agricultural zoned lands (Lands designated Major Transit Station Area)

## 4. Analysis

### 4.1 Development Proposal

The Applicant is proposing to rezone the lands to permit medium to high density development through a condominium plan of subdivision comprising of townhouse blocks and a mid-rise apartment building. The proposed development includes a total of 509 dwelling units (148 stacked townhouse units and 361 apartment units) – equivalent to a gross density of +/- 309 units per hectare and +/- 311 units per hectare.

The following **Table 1** provides the background information concerning the subject applications.

**Table 1**

Item	Existing	Requested/Proposed
Official Plan Designation	Community of Stouffville Secondary Plan – Old Elm GO Station Area (OPA 155 / OLT-23-000758): <ul style="list-style-type: none"> <li>- Old Elm Medium-High Density Mixed Use</li> <li>- Old Elm Medium-High Density Residential</li> <li>- Major Transit Station Area</li> </ul>	No proposed changes
Zoning By-law	Agricultural (AG) Permits limited residential uses, such as one single detached dwelling.	For the Stacked Townhouse blocks: <ul style="list-style-type: none"> <li>- Residential New Four – Exception X [RN4(X)];</li> </ul> For the Apartment Building: <ul style="list-style-type: none"> <li>- Residential New Five – Exception X [RN5(X)]</li> </ul>
Use	Residential and Agricultural	Residential

The Town recently received the Order from the Ontario Land Tribunal (OLT) regarding OLT-23-000758 (OPA 155), for the Old Elm (formerly Lincolnville) GO Station Area.

The Old Elm land use plan is shown in **Figure 3** of Section 4.3.1 of this report which also provides additional information on OPA 155. The Town's Official Plan, Community of Stouffville Secondary Plan, will be updated to include a new Schedule (Schedule F) to reflect the new land use plan for the Old Elm GO Station Area.

The following **Table 2** provides the proposed development details for the subject site:

Table 2

Site Item	Statistic	Proposed Statistics	
Maximum units and Density		<b>509 Residential units total</b>	
		<b>Stacked townhouse [RN4(X) zone]</b>	<b>Apartment Building fronting Tenth Line [RN5(X) zone]</b>
		148 stacked townhouse units (proposed in the Old-Elm Medium-High Density Residential Designation: <ul style="list-style-type: none"> <li>• Net Density +/- 164.4 Units per Hectare</li> </ul>	361 apartment units (proposed in the Old-Elm Medium-High Density Mixed-Use Designation): <ul style="list-style-type: none"> <li>• Net Density +/- 481.3 Units per Hectare</li> </ul>
Lot Area (minimum)		Not applicable	0.3 hectares (3,000 square metres)
Lot Frontage (minimum)		5.5 metres per townhouse dwelling unit	Not applicable
Proposed Building Height		+/- 14.5 m	+/- 31.8 m (36.8 m with Mechanical Penthouse)
Front Yard Setback		3 metres (minimum) 7.5 metres (maximum)	3 metres (minimum)
Interior Side Yard Setback		0 metres	Not applicable
Exterior Side Yard Setback		3 metres (minimum) 7.5 metres (maximum)	2.5 metres (minimum)
Rear Yard Setback (minimum)		3 metres	6 metres
Minimum Yard between buildings		3 metres	Not applicable
Minimum Indoor Amenity Area		Not required for the RN4 Zone	RN5(X): 2 square metres per dwelling unit
Maximum Lot Coverage		Not required for the RN4 Zone	RN5(X): 45 percent
Minimum Landscape Area		Not required for the RN4 Zone	RN5(X): 35 percent
Minimum number of parking spaces		<b>586 - Total Parking Spaces for both Townhouses and Apartment Building</b>  148 residential spaces for Townhouses at 1 space per unit 361 residential spaces for Apartment Building at 1 space per unit 77 Visitor parking spaces for both townhouses and apartment at 0.15 spaces per unit	

A detailed review of the proposed zoning regulations will be completed through further review of the applications.

## **4.2 Applicable Provincial and Regional Policies**

This section will establish the current and relevant policy environment that forms part of the review of the planning applications. The overview will include Provincial Plans and policies and the York Region Official Plan.

### **4.2.1 Provincial Planning Statement 2024 (PPS 2024)**

The PPS 2024 came into effect on October 20, 2024, and replaces the Provincial Policy Statement, 2020 and the Growth Plan 2019. The new PPS 2024 is a consolidated statement of provincial land use policies. The PPS 2024 focuses on land-use policy changes to enable municipalities to plan for and support development by increasing housing supply – encouraging intensification, better infrastructure, while fostering the long-term viability of rural area, and balancing the protection of agricultural lands, the environment, public health and safety. For this purpose, decisions and comments made by the Town are to maintain consistency with the new PPS 2024.

The new PPS 2024 largely focuses on large and fast-growing municipalities, in which the Town of Whitchurch-Stouffville is not identified as. However, the policies continue to be effective to all municipalities. Within the PPS 2024, the following policy sections are relevant to the proposed applications:

Section 2.2 (Housing) speaks to Planning authorities providing for an appropriate range and mix of housing options and densities to meet the projected needs of current and future residents, by promoting densities for new housing that efficiently uses land, resources, infrastructure, and public service facilities.

Section 2.3 (Settlement Areas) focuses on the growth and development of settlement areas that are to efficiently use land and resources, optimize existing and planned infrastructure and public service facilities, support transit, and overall density through intensification and redevelopment to support the achievement of complete communities.

Subsection 2.4.2 (Major Transit Station Areas) identifies minimum density targets within and in proximity to major transit station areas.

Section 3.6 (Sewage, Water and Stormwater) speaks to accommodating forecasted growth in a timely manner that promotes efficient use and optimization of existing services. These services are to be sustained, feasible, financially viable, ensure the protection of human health and safety, the environment (with respect to quality and quantity of water), and align with comprehensive municipal planning. Servicing is to be considered at all stages of the planning process.

Section 3.9 (Public Spaces and Open Space) speaks to the promotion of healthy, active and inclusive communities through the provision of publicly accessible, built and natural settings for recreation, including open space areas and linkages, to foster social interaction and facilitate active transportation and community connectivity. while minimizing negative impacts on existing natural areas.

A complete review of all the applicable policies in the PPS 2024 will be undertaken in the course of reviewing the applications.

#### **4.2.2 York Region Official Plan (2022)**

The York Region Official Plan (YROP) was approved as modified by the Province on November 4, 2022 and on July 1, 2024, the Region was deemed an upper-tier without planning responsibilities (Bill 185). Per Section 70.13(2) of the Planning Act, an official plan of an upper-tier municipality without planning responsibilities that is in effect, which applies to any area of a lower-tier municipality, is deemed to be an official plan of the lower-tier municipality until the lower-tier municipality revokes or amends it.

Therefore, the YROP policies continue to apply as administered by the Town.

The subject lands fall within the Town's and Villages Area of the YROP and is designated as Community Area. It is also located within the Protected Major Transit Station Area and is designated Greenfield Area within the Region's Urban System. The Old Elm GO Station has been identified as a Major Transit Station Area in the YROP. Development should include:

- Transit supportive solutions promoted and designed to achieve multi-modal access to the GO station through the provision of bus transit connections, active transportation connections, and pedestrian-friendly design considerations;
- A diverse mix of uses along with a variety of housing options including affordable housing; at least 35% of the housing units development in a MTSA will satisfy the criteria for the provision of affordable housing; and
- Opportunities for focused intensification and high density residential, commercial, office and employment uses that will contribute to the viability of transit services, and the creation of complete communities.

A complete review of all the applicable policies of this plan will be undertaken while reviewing the applications.

#### **4.3 Town Official Plan (2004 and 2024) and Official Plan Amendment No. 155**

The new Town Official Plan (2024) supersedes the current Town Official Plan (2004), by the enactment of By-law 2024-057-OP which was adopted by Council on May 15, 2024, to Adopt the Town's New Official Plan (Re-Imagine Stouffville: Town of Whitchurch-Stouffville Official Plan, May 2024). The Adopted New Official Plan, May 2024 is available on the project webpage: [www.cometogetherws.ca/opr](http://www.cometogetherws.ca/opr). The Town's New Official Plan



requires final approval from the Ministry of Municipal Affairs and Housing and is not yet in force and effect.

As such, the Town's Official Plan (2004) continues to apply to formal planning applications that have been deemed complete, prior to the approval of the Town's New Official Plan.

The comments expressed herein, are based on the current Official Plan policies in force and effect at this time. Notwithstanding, depending on the timing of approval of the Town's New Official Plan, the application may be subject to the Town's New Official Plan, once approved.

Furthermore, consideration should still be given to the policy directions of the Adopted New Official Plan as it has been endorsed by Council. The following highlights the key policy directions which may have a bearing on the proposed development application.

The subject property is located within the current Community of Stouffville Secondary Plan Area.

#### **4.3.1 Official Plan Amendment No. 155 – Old Elm GO Station Area & Urban Design Guidelines**

##### **4.3.1.1 Official Plan Amendment No. 155**

Report [DS-002-023](#) was brought forward to Council on February 1, 2023. On this day Council adopted Official Plan Amendment No. 155 (OPA 155) to establish a policy framework to guide development in proximity to the Old Elm (formerly Lincolnville) GO Station. OPA 155 redesignated the lands within the MTSA, including the subject property. Council also endorsed the Land Use Study Report and Urban Design Guidelines for the Lincolnville (now Old Elm) GO Station.

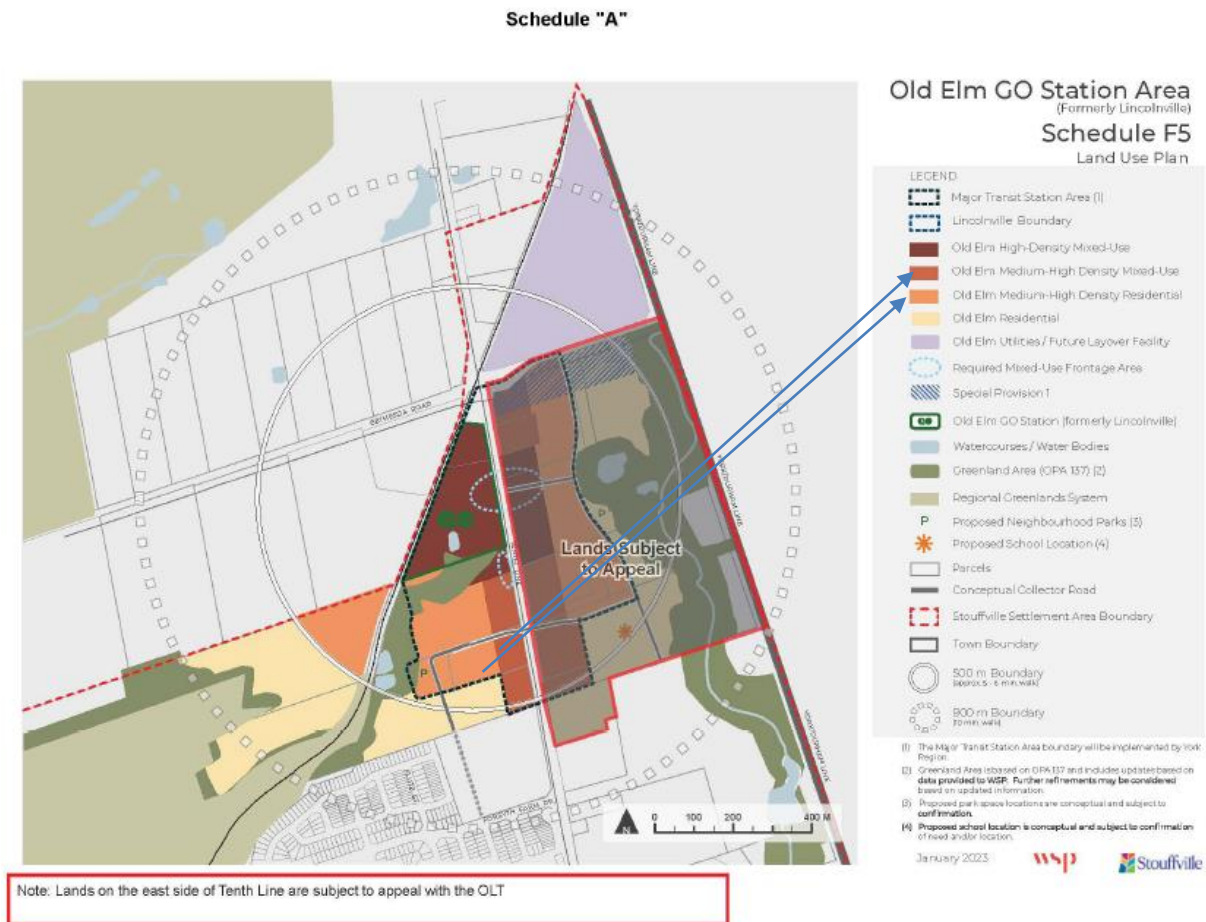
The Old Elm OPA was also approved by York Region on July 4, 2023.

OPA 155 was appealed. The Town on February 5, 2025 received the partially approved Tribunal "Order" [OLT-23-00758, "Acorn NE Stouffville Inc. v. Whitchurch-Stouffville (Town)"] from the Ontario Land Tribunal. Although OPA 155 is still subject to ongoing appeals, the subject lands are no longer affected by the ongoing appeals.

The Order is now fully in effect and will form part of the current, in effect Town Official Plan (2004).

An excerpt of 'Schedule A' of OLT-23-00758 Order is shown in **Figure 3** below. The property is located within the MTSA boundary as shown in Figure 3 below. The Schedule confirms the land use designations of the subject property as Old Elm Medium-High Density Mixed Use (eastern portion fronting Tenth Line) and Old Elm Medium-High Density Residential (western portion).

Figure 3



#### 4.3.1.2 Lincolnville (Old Elm) Urban Design Guidelines (UDG)

Associated with the new land use plan for the Old Elm MTSA is the Lincolnville (Old Elm) Urban Design Guidelines (UDG) approved by Council in January 2023. The Old Elm UDGs provide urban design direction and guidance for proposed development at the planning application stage to assess, promote and fulfill the intent of the Town’s Official Plan policies, the Stouffville Secondary Plan and the Town’s Zoning By-law in relation to the Lincolnville (Old Elm) Major Transit Station Area (LMTSA). Design standards and best practices for various dwelling typologies, architectural choices, streetscape and open space design are outlined in the UDG to ensure the public and private realm uphold high quality objectives.

The proposal includes a total of 509 dwelling units (148 stacked townhouse units and 361 apartment units) – equivalent to a density of 320 units per hectare, which exceeds the Old Elm MTSA requirement of a minimum density of 150 persons per hectare.

**Stacked Townhouses:**

Proposed on the rear portion of the subject lands are 148 stacked townhouse dwellings, up to 3.5 storeys in height (approximately 10.72 metres). Section 3.2 of the UDG advises that the siting, massing and façade design shall be coordinated on a block-by-block basis, to ensure the overall streetscape provides variety but continuity with adjacent development. Front entrances, porches, and window openings are advised to face the higher order street; particularly for corner units to ensure public areas have visibility and highly articulated architectural features and treatments (e.g. facades, roof styles, etc.). Parking dedicated to the townhouse dwellings are entirely proposed underground, in accordance with the standards of Section 3.2.3 of the UDG.

**Apartment Building:**

Proposed on the portion fronting Tenth Line is the apartment building containing 361 dwelling units, being up to 10 storeys in height (approximately 31.8 metres). The proposed apartment building is partially within the Primary Gateway of the Old Elm MTSA (Section 3.5 of the UDG). It is advised that buildings in gateway locations have added architectural features, a coordinated colour palette, as well as high quality landscape design and public art, to emphasize their importance. Section 3.6 speaks to buildings within the MTSA and the standards for sensitive transition of mid-rise built form and massing that abuts townhouse blocks, utilizing the 45-degree angular plane, as necessary.

Section 3.3.1 of the UDG advises that buildings exceeding 4 storeys, are encouraged to have a consistent step back of 3 metre intervals. A minimum ground floor height of 4.5 metre should be incorporated in apartment buildings to allow conversion of potential commercial uses. The building façade facing public roads and flanking facades shall also be of high-quality design – using variations in material, colour, windows and other treatments to articulate the public realm. Rooftop mechanical equipment shall also be screened. Primary entrances shall be oriented towards public roads and ensure safe, convenient and visible access to interior lobbies. Landscaping shall be native and low maintenance, with permeable pavers wherever possible. It is encouraged that Crime Prevention Through Environmental Design (CPTED) principles shall guide landscape design.

While the building is proposed to be solely residential, Section 3.6 of the UDG includes the criteria for multi-unit residential uses along Tenth Line within the MTSA. The side and rear elevations abutting low density residential shall be stepped down to a height that maintains an appropriate scale and transition in relation to adjacent residential uses. Balconies are not to protrude into the public realm. Articulation on the facades is encouraged to ensure visual interest along the streetscape and in gateway areas. Ground floor uses shall incorporate transparent windows on the majority of the building facing public areas to promote active façade and pedestrian surveillance. Main entrances are to have direct sidewalk access. The base of the building should be masonry of 1-2 storeys.

Signage shall not obscure architectural elements on the façade, and awnings or canopies are encouraged to provide weather protection.

Parking of the apartment building is proposed at the rear and underground, in accordance with the criteria of the UDG. The proposed apartment building is fronting Tenth Line, an arterial road which the Guidelines advise building entrances to be oriented towards the public boulevard, acting as an interface between private and public realms. The UDG also provide guidance on the design of proposed collector, local and private roads, which speak to high quality landscaping and tree planting, the provision of sidewalks and street furniture, as well as pedestrian scaled street lighting. The width of the proposed roads (drive lanes only) are 6.9 metres, which meets the minimum drive aisle standards for collector (6.5 metres, two-way) and private (6 metres, two-way) roads.

#### 4.4 Comprehensive Zoning By-law 2010-001-ZO and Proposed Zoning By-law Amendment

The Comprehensive Zoning By-law 2010-001-ZO was passed by Council on March 2, 2010, and approved by the Ontario Municipal Board on January 13, 2011. The last consolidation was in August 2024. The subject property, 12762 Tenth Line, is currently zoned “Agricultural (AG)” in the Town’s Zoning By-law. The AG Zone permits one single detached dwelling. See **Figure 4** below, that shows the zoning for the subject lands.

**Figure 4 – Zoning Aerial Map**



**Table 3** outlines the development standards for the current “AG” Zone and the proposed RN4 and RN5 parent zone regulations.

**Table 3 – Existing Zone Provisions for AG, RN4 and RN5 (parent zones)**

<b>Regulation</b>	<b>Agricultural (AG) <i>Single detached dwelling</i></b>	<b>Residential New Four (RN4) <i>Stacked townhouse dwelling</i></b>	<b>Residential New Five (RN5) <i>Apartment building</i></b>
Minimum Lot Area	10 hectares	145 square metres per dwelling unit	0.3 hectares
Minimum Lot Frontage	100 metres	6 metres per dwelling unit	20 metres
Minimum Front Yard	15 metres	3 metres (min.); 7.5 metres (max.)	6 metres
Minimum Exterior Side Yard	15 metres; or 4.5 metres for lot less than 2 hectares	3 metres (min.); 7.5 metres (max.)	6 metres
Minimum Interior Side Yard	15 metres; or 4.5 metres for lot less than 2 hectares	0 metres	6 metres
Minimum Yard between Buildings	Not applicable.	3 metres	Not applicable
Minimum Rear Yard	15 metres	6 metres	6 metres
Maximum Lot Coverage	2 ha or less -10% more than 2 ha - 5%	Not applicable.	35 percent
Maximum Building Height	12 metres; or 11 metres for lots less than 2 hectares	12 metres	20 metres
Minimum Landscaped Area	None.	None.	35 percent
Minimum Outdoor Amenity Area	None.	None.	Minimum Indoor Amenity Area - for 18 units of more, 2 square metres per dwelling unit
Density	None.	None.	65 units per net hectares (max.)

The Applicant proposes to rezone the subject lands to two zones: Residential New Four (RN4) and Residential New Five (RN5) with site specific provisions and qualifying notes, as outlined in Section 4.1 of this Report. The proposed zoning by-law regulations are summarized in **Tables 4 and 5** below.

**Table 4 – Proposed Zoning By-law Amendment (RN4 – Exception)**

Applicable Regulations	Required for the RN4 Parent Zone	Proposed Amendments	Comply with RN4 Parent Zone
Minimum Lot Area	145 square metres per dwelling unit	None.	Yes
Minimum Lot Frontage	6 metres per dwelling unit	5.5 metres per townhouse dwelling unit	<b>No</b>
Minimum Front Yard	3 metres (min.); 7.5 metres (max.)	3 metres (min.); 7.5 metres (max.)	Yes
Minimum Exterior Side Yard	3 metres (min.); 7.5 metres (max.)	3 metres (min.); 7.5 metres (max.)	Yes
Minimum Interior Side Yard	0 metres	0 metres	Yes
Minimum Yard between Buildings	3 metres	3 metres	Yes
Minimum Rear Yard	6 metres	3 metres	<b>No</b>
Maximum Building Height	12 metres	14.5 metres	<b>No</b>

**Table 5 – Proposed Zoning By-law Amendment (RN5 – Exception)**

Applicable Regulations	Required for the RN5 Parent Zone	Proposed Amendments	Comply with RN5 Parent Zone
Minimum Lot Area	0.3 hectares	0.3 hectares	Yes
Minimum Lot Frontage	20 metres	None.	Yes
Minimum Front Yard	6 metres	3 metres	<b>No</b>
Minimum Exterior Side Yard	6 metres	2.5 metres	<b>No</b>
Minimum Interior Side Yard	6 metres	None.	Yes
Minimum Rear Yard	6 metres	6 metres	Yes
Maximum Lot Coverage	35 percent	45 percent	<b>No</b>
Maximum Building Height	20 metres	33 metres	<b>No</b>

Minimum Landscaped Area	35 percent	35 percent	Yes
Minimum Outdoor Amenity Area	Minimum Indoor Amenity Area = for 18 units of more, 2 square metres per dwelling unit	Minimum Indoor Amenity Area = 2 square metres per dwelling unit	Yes
Maximum Density	65 units per net hectares	435 units per hectare	<b>No</b>

Where the proposed development does not comply with the proposed zone standard, the applicant proposes an exception. Additional Qualifying Notes are proposed for each proposed zone, as outlined below:

**RN4(X) – Proposed Qualifying Notes:**

- (1) For the purposes of this By-law, Stacked Townhouse Dwelling is defined as a building containing a minimum of four dwelling units that are stacked vertically and horizontally and divided by common walls. Each dwelling unit has an independent direct entrance to grade.
- (2) For the purpose of this zone, the boundary limits of the zone will be considered as a single lot and the front lot line will be the eastern zone boundary.
- (3) Notwithstanding Section 3.11, the minimum required setback from a lot line adjacent to a sight triangle shall be 2.5 m to the main building and 0.6 m to a porch.
- (4) Notwithstanding Section 3.22, porches are permitted to encroach into any yard provided that a minimum setback of 0.3 m is provided from a property line.
- (5) Notwithstanding Section 3.22, all entrance stairs are permitted to encroach into any yard provided that a minimum setback of 0.3 m is provided from a property line.

**RN5(X) – Proposed Qualifying Notes:**

- (1) For the purpose of this zone, the boundary limits of the zone will be considered as a single lot and the front lot line will be Tenth Line.
- (2) Notwithstanding Section 3.40(xii), the height requirements of this By-law shall not apply to elevator or stair enclosures and rooftop mechanical equipment and enclosures, provided it does not exceed 5.0 m in height.
- (3) Notwithstanding Section 5A.2.1(14), an angular plane, as defined by Zoning By-law 2010-001-ZO, is required from the rear only.

A detailed review of the proposed zoning amendments will be completed by staff.

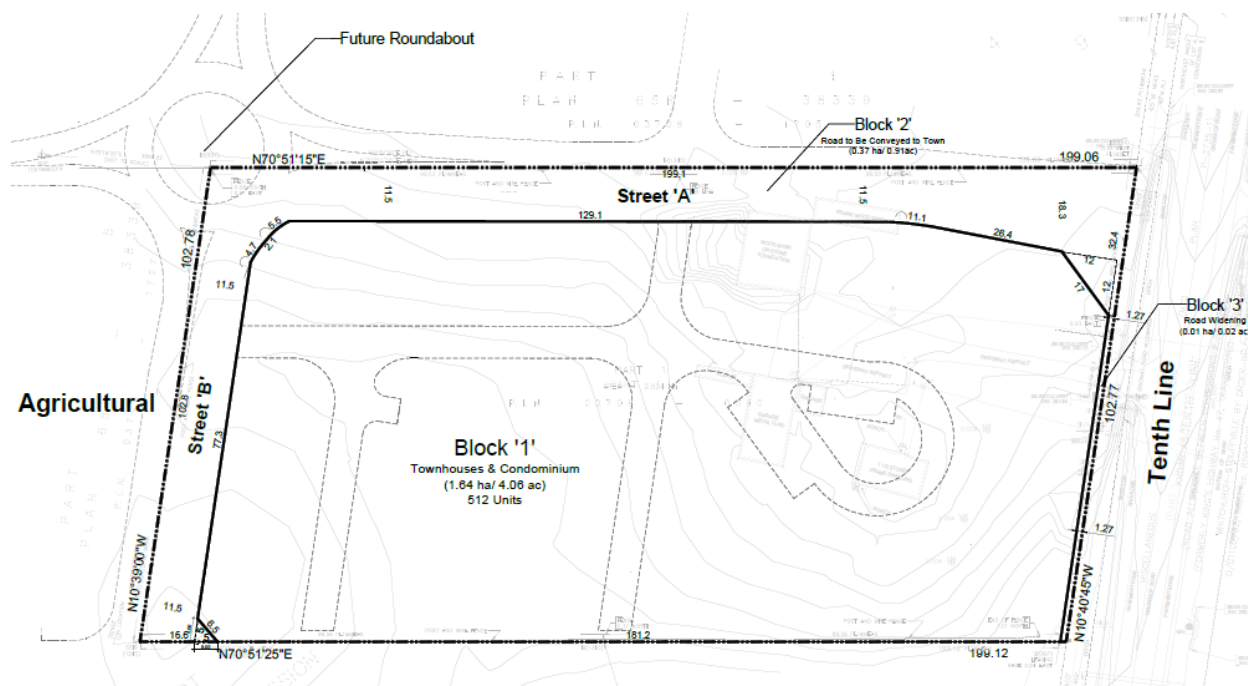
#### 4.5 Proposed Draft Plan of Subdivision (Town File No. 19T(W)-20.007)

The proposed draft plan of subdivision proposes one development block comprising of:

- Five (5) stacked townhouse buildings on the rear portion of the site (west). This is planned to be Phase 1 of the proposed development.
- Apartment building fronting Tenth Line (east). This is planned to be the Phase 2 of the proposed development.

The Plan of Subdivision Application (Town File No. 19T(W)-20.007) is being processed concurrently with this subject Zoning By-law Amendment Application (ZBA20.013). **Figure 5** below shows the proposed plan of subdivision.

**Figure 5 – Proposed Plan of Subdivision**



The proposed subdivision includes local or condominium roads that would connect with an internal collector street, and the proposed municipal roads being planned immediately surrounding the subject site, and part of the proposed adjacent subdivision development at 12724 and 12822 Tenth Line (Town File Nos. 19T(W)-19.002 and ZBA19.012). See the proposed site plan and subdivision plan included in **Attachments 2 and 3**.

#### 4.6 Site Design and Land Use considerations

The applicant proposes a subdivision with stacked townhouses and an apartment building fronting Tenth Line. **Figures 6 and 7** below, are excerpts from the Urban Design Brief prepared by the Applicant illustrating the proposed heights and densities, green spaces and building typologies. **Attachment 3** includes the proposed site plan.



Figure 6 – Proposed Concept Plan

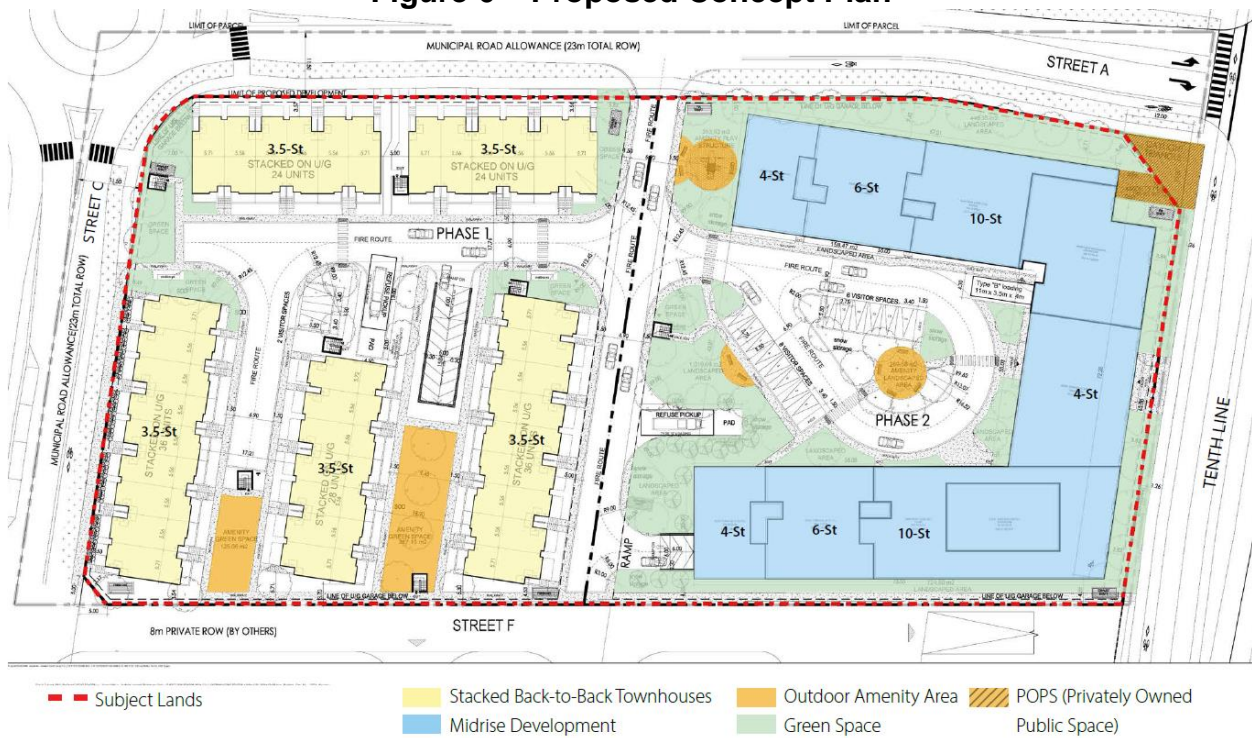


Figure 7 – Proposed Massing of lands and cladding materials



Section 4.3.1.2 of this Report describes the proposed development in relation to the applicable Lincolnville (Old Elm) Urban Design Guidelines. Some of the site design and land use specific matters this Department will be reviewing during the further processing of the subject applications include:

- a) Appropriate north-south transition between the 10-storey apartment building and the southern adjacent development of stacked and back-to-back townhouses on 12724 Tenth Line. Section 3.1 (General Built Form Guidelines) of the UDG is applicable. Section 3.1.3 notes that where there is a difference of 2 storeys between buildings, a 3-metre step back at each storey above at a 45-degree angular plane shall be provided.
- b) Proposed architectural styles shall be sensitive and complement its surroundings (Section 3.1.1 of UDG)
- c) Incorporation of at-grade active uses such as retail or other commercial uses to contribute to the public realm and animate the Tenth Line streetscape (Section 3.1.1 of UDG).
- d) Additional site furniture on proposed private amenity spaces (Section 3.1.2 of UDG)
- e) Locate service areas including loading and garbage in low visibility locations at the rear of buildings and provide screening that is complementary in materials/colours to the building style (Section 3.1.4 of UDG).
- f) Complementary architectural details and sensitive articulation on the building facades.
- g) Phasing of the development in the future, through the processing of Site Plan Control Applications.

#### **4.7 Supporting Documents**

The following drawings and reports have been submitted as part of the previous submissions and formal 4<sup>th</sup> Submission, in support of the proposed applications:

1. Architectural Plans
2. Comment Response Matrix
3. Draft Plan of Subdivision
4. Draft Zoning By-law Amendment
5. Engineering Plans
6. Functional Servicing SWM Report
7. Hydrogeological Assessment
8. Landscape Cost Estimate
9. Landscape Plans
10. Planning Addendum Letter
11. Transportation Brief Update
12. Urban Design Brief
13. Cultural Heritage Impact Assessment and Salvage Brief
14. Environmental Impact Study and Arborist Report
15. Fire Route Plan
16. Geotechnical Investigation Report
17. Phase One and Two Environmental Site Assessment Reports

- 18. Scoped Environmental Study
- 19. Traffic Impact Brief and Noise Brief

## 5. Public Agency Comments

This section provides a summary of the public agency comments and correspondence received as of the date of submitting this report for inclusion in the March 5, 2025, public meeting agenda.

The following departments have indicated no objection or comments on the application:

- **Town Fire & Emergency Services** – No objection to the proposed ZBA. Requires details in the future submission of a Site Plan Application to ensure conformity with the O.B.C and O.F.C. Draft Plan of Subdivision comments include:
  - Technical comments on private hydrants on the drawings
  - Principal entrance locations from walkways, not roadways
  - Addressing of proposed Condo Stacked Townhouses to be considered upon further processing.
  - Location of has and electrical switches to be accessible and labelled.
  - Underground parking to have emergency power for sump pump operations.
- **Town Heritage Planning** – This file has fulfilled all heritage and archaeological requirements. The property has been removed from the Town's BHI.

The following agencies have indicated no objection or comments on the application:

- **Toronto Region Conservation Authority (TRCA)** – The TRCA has no objection to the proposed Zoning By-law Amendment or Draft Plan of Subdivision, provided that conditions of approval be addressed regarding coordinated stormwater management between the subject proposal and the adjacent proposal (Newstone), and that the recommendations of the technical studies be carried out to the satisfaction of the TRCA.
- **Metrolinx** – Advised previous comments from the 2<sup>nd</sup> and 3<sup>rd</sup> Submission are still applicable. Comments are regarding safety barriers and noise impacts. Conditions and warning clauses are to be included in subsequent agreements regarding Metrolinx Right-of-Way, and environmental easements.
- **Southlake Health** – No direct comments or concerns. Understands that residential development is not unexpected and requests Council's support in meeting the needs of our growing population.
- **City of Pickering** – The City of Pickering advised that they have no comments.
- **Indigenous Consultation Groups** – Staff have circulated the respective Indigenous groups to consult on the proposed applications. The MCFN (Mississauga's of the Credit First Nation) advised that they have no comments as the property is outside of MCFN territory. The Nation Huronne-Wendat requested to participate in the archaeological assessments for the project. Our Heritage Planning Staff advised that the archaeological assessments for this property have been completed in 2020 and

formally registered at the Province in May 2021. Heritage Planning Staff shared additional information and background regarding the studies and the cultural heritage.

- **Canada Post** – No objection but comments advise of the type of mail service will be provided for the proposed development. Canada Post request the Owner/Developer comply with conditions of approval to ensure Canada Post can conduct their service.
- **Enbridge Gas Inc.** – No objection to the proposed application(s), though Enbridge reserves the right to amend or remove development conditions. The Owner agrees to provide Enbridge the necessary easements at no cost and/or agreements for the provision of local gas services, to the satisfaction of Enbridge.
- **Rogers Communications** – No objection but conditions of approval were provided regarding easements and maintenance to serve the condominium. A utility distribution plan is to be provided.
- **York Catholic District School Board** – Upon the issuance of the OLT Order confirming the OPA (155) for the lands subject to this application are in force and effect, the Board has no comments or objection to the approval.
- **York Region District School Board** – No objection however, the Board advises that due to over enrolment in the local area and uncertainty of timing of development, students from the subject development may be directed to attend a school outside their community until local accommodations become available. The Board acknowledges that if the increased number of units proposed exceeds the targets of the MCR and Preliminary Growth Management Strategy (2023), there will be insufficient long-term student accommodation to serve the proposed developments.

The following Town departments, agencies and contracted consultants provided technical comments on the applications. High-level comments from agencies and departments have been provided as follows:

- **Town Engineering & R.J. Burnside** – Red-line comments provided on the Servicing Plan. Minor adjustments required to the proposed roads on all plans. Additional revisions required to the TIS to ensure alignment with MTSA Study. Additional information requested for the SWM Report, regarding coordination between adjacent development (Newstone). Outstanding comments on landscape materials need to be addressed. Other comments offered for possible draft plan conditions.
- **Town Policy Planning** – The subject land is within the Community Stouffville Secondary Plan, and subject to the Old Elm (OPA 155) policies. An overview has been provided in Section 4.2, with a summary of the applicable local policy documents. Per OPA 155, the property is designated Old Elm Medium High-Density Mixed Use and Old Elm Medium-High Density Residential. The proposed townhouses appear to satisfy the density requirements of OPA 155. The 10-storey apartment building is a permitted use but is encouraged to consider commercial and office uses at grade and address the transition towards the southern development
  - Per OPA 155 policies and the UDG, technical comments are below:
    - A park is located 200 metres to the west of the site. The proposed outdoor amenity areas provide approximately 2 square metres of outdoor amenity space per unit.
    - The proposed ROW widths appear to comply with the UDG.

- A 45-degree angular plane would apply to the building components that are greater than 6 storeys, to address the transition from adjacent development less than 6 storeys. Variation in the transition of height should be a one-storey height to allow for progressive height changes to adjacent uses.
- The proposal is also subject to the following:
  - Community Benefits Charge By-law (2024-086-FI)
  - Private Tree Preservation and Protection By-law (2023-060-RE)
- Per the summary of YROP policies of Section 4.2 of this Report, the proposal is required to demonstrate how it would contribute at least 35% of affordable units within the MTSA.
- The Town's Policy Planning team is also undertaking the following studies that relate to the proposed development and its uses:
  - Inclusionary Zoning Feasibility Assessment (for MTSA's in Town)
  - Housing Strategy (in support of the Official Plan Review, to help develop affordable housing objectives and new policies)
  - Commercial Policy Study (in support of the Official Plan Review, to identify land needs and accommodate the planned growth to 2051).
- **Town Parks & Forestry (Community Services) –**
  - General comments:
    - Small sized private amenity spaces. Suggest a consolidated area to ensure opportunities for recreation.
    - The amenity play structure is located beside a snow storage area, impacting all season access from the cross walk.
    - Private Tree By-law is applicable; thus tree compensation or cash-in-lieu is required. Further clarification required on Arborist Report.
  - Requirements prior to Draft Plan Approval:
    - Tree Evaluation Report
    - Tree protection, compensation, and/or preservation as determined by Town Arborist (per Public Tree By-law 2020-086-RE)
    - Street Entry Feature Blocks to be identified and shall comply with the Town's Community/Urban Design Guidelines
    - Parkland Dedication in the form of Cash-in-Lieu of Parkland
    - Detailed working drawings for public lands, streetscapes, and landscaping.
    - Condition within the Purchase & Sale Agreement regarding the provision of street trees.
  - Conditions regarding the following are to be included in the Agreement(s) and fulfilled by the Owner:
    - Development of all dedicated landscape buffer blocks
    - Implementation of boulevard and buffer planting and entry features
    - Hazard removal
- **Region of York –** Several comments must be addressed prior to the issuance of conditions. Coordination with adjacent landowner regarding the water servicing strategy is required and shall be demonstrated on the reports and plans. More information is required to ensure the infiltration galleries won't impact water quality.

The following department and agency comments are outstanding:

- **Ontario Power Generation**
- School Boards:
  - **Conseil Scolaire Catholique MonAvenir**
  - **Conseil Scholaire Viamonde (Viamonde School Board)**

### **Public Comments**

No public comments have been received at the time of writing this report.

## **6. Key Planning Issues**

The following is an initial list of issues that will need to be considered in the future processing of the applications:

1. Architectural design of the proposed buildings (townhouses and apartment) that are complementary to adjacent developments and the MTSA Area and meet the UDGs.
2. Built form and massing considerations on the southern face of the apartment building to address appropriate transition to the townhouses of the adjacent development.
3. Consideration of including commercial and office uses along the Tenth Line ground floor frontage.
4. Adequate traffic and bicycle circulation to the satisfaction of our technical reviewers.
5. Alignment and consistency with Right-of-Way widths of proposed north-south road connections with surrounding adjacent development (Newstone).
6. Satisfactory stormwater management solutions on site and between the surrounding adjacent development (Newstone).
7. Safety and noise impacts from the western GO Rail line (to the satisfaction of Metrolinx and technical reviewers)
8. Conformity with recently approved OLT Order for OPA 155 (Old Elm GO MTSA).
9. Provision of adequate landscaping and open/private amenity space.
10. Conformity and satisfaction to the criteria set out in the Old Elm UDG.

## **7. Financial Implications**

None.

## **8. Broader Intergovernmental Impacts and/or Considerations:**

See Section 4.2 of this Report.

## 9. Communication:

Notice for Complete Application and Public meeting were completed in accordance with the requirements of the Planning Act. Notice for the Public Meeting was provided via email to departments and agencies on February 6, 2025 and mail-outs were issued the following day on February 7, 2025 to properties in the 120 metre vicinity. The Notice was also posted digitally on the Town's Notice webpage on February 11, 2025. The Applicant was advised of the Public Meeting date ahead of time and posted the notice sign on the property on February 12, 2025. There were no identified interested parties to be informed of project updates.

Any decision made following this public meeting will be issued formally under the statutory requirements of the Planning Act through a Notice of Passing, which will be sent via email or physical mail, to the Applicant, Owner, departments, agencies, and interested parties.

## 10. Alignment with Strategic Plan

1. A Town that Grows  
A Town that grows in support of complete communities
2. A Town that Moves  
Improve the condition and efficiency of the local road network while addressing connectivity and advancing active transportation facilities
3. A Healthy and Greener Town  
Increase Offerings and Opportunities for Active Living
4. Good Governance  
Provide Good Governance

## 11. Attachments

1. Location Map
2. Proposed Plan of Subdivision
3. Proposed Concept Site Plan

## 12. Related Reports

None

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**For further information on this report, please contact the Department Head:** Dwayne Tapp, Commissioner of Development Services at 905-640-1900 or 1-855-642-8697 ext. 2431 or via email at [dwayne.tapp@townofws.ca](mailto:dwayne.tapp@townofws.ca)