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**Subject:**                      **Revision to Draft Plan of Subdivision Approval at 11776 Highway 48 (MZO1) [File No. 19T(W)-20.004]**

**Staff Report No.**            **DS-029-25**

**Department/  
Commission:**              **Development Services Commission**

**Date:**                        **June 18, 2025**

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**Recommendation:**

- 1) That Council direct Staff to issue a Notice of Decision to approve Revisions to Draft Plan of Subdivision File No. 19T(W)-20.004, subject to the Conditions as set out in Attachment 3 to Report No. DS-029-25, in accordance with Section 51(31) of the *Planning Act*.

**Report Highlights**

- Application for Revisions to Draft Plan of Subdivision Approval was submitted by Bousfields Inc. (“Authorized Agent”) on behalf of the Kingsmen Group (the “Owner”) on April 24, 2025 for the subject site.
- The Revised Draft Plan, 2025 proposes a Community Centre Block on the eastern portion of the site, in lieu of the previously proposed high density Apartment Block.
- The Revised Draft Plan contemplates a reduction to the total number of dwelling units being proposed on the site. The current Draft Plan (approved in 2021 and extended in 2024) accommodates six hundred and thirty-six (636) dwelling units. The revised draft plan being considered proposes a total of ninety-seven (97) townhouse dwelling units.
- The Revised Draft Plan proposes a temporary pumping station adjacent to the existing townhouse block. Once decommissioned, this area could potentially accommodate three (3) additional townhouse dwelling units.

- The application has been reviewed in consideration of provincial, regional, and town policies, and Staff are of the opinion that the application is generally consistent with and conforms to these policies and represents good planning.

## 1. Purpose:

The purpose of this report is to assess the merits of and make a recommendation respecting Revisions to Draft Plan Approval for a plan of subdivision located on a portion of the lands municipally known as 11776 Highway 48 (the “Subject Lands”).

This report will:

- Provide an overview of the subject property and site **(Section 2.1)**;
- Provide an overview of previous approvals on the subject site **(Section 2.2)**;
- Provide an overview of the requested Revisions to Draft Approval and associated Draft Plan Conditions **(Sections 3.1 and 3.2)**;
- Identify applicable Provincial, Regional, and Town policies **(Section 3.3)**; and
- Provide an overview of Town Department and External Agency comments **(Section 3.4)**.

This report concludes with recommending approval of the request for Revisions to Draft Plan of Subdivision Approval for the subject lands, as the revised proposal is appropriate for the development of the subject lands, and it generally conforms to provincial, regional, and municipal plans and policies.

## 2. Background:

### 2.1 Location and Property Overview

The subject site is approximately 9.4 hectares in lot area, and forms part of a larger property municipally known as 11776 Highway 48. The subject site is located on the west side of Highway 48, south of Sam’s Way, and abuts the Whitchurch-Stouffville / Markham joint municipal boundary to the south.

The subject lands are adjacent to the lands approved through Minister’s Zoning Orders O. Reg 610/20 and O. Reg 770.21.

**Figure 1** below provides a map of the subject site and surrounding property context.

**Attachment 1** to this report is a copy of the location map.

**Figure 1: Subject Site and Surrounding Context**

## 2.2 Previous Approvals

### 2.2.1 Minister's Zoning Order (2020)

On April 24, 2020, the Minister issued Zoning Order O. Reg 172/20 for approximately 11.9 hectares of land, which consisted of:

- 8.53 hectares of land located in the Town of Whitchurch-Stouffville, subject to this application for Revisions to Draft Plan approval (ie. part of 11776 Highway 48); and
- 3.37 hectares of land located directly to the south in the City of Markham (ie. 11621 Highway 48).

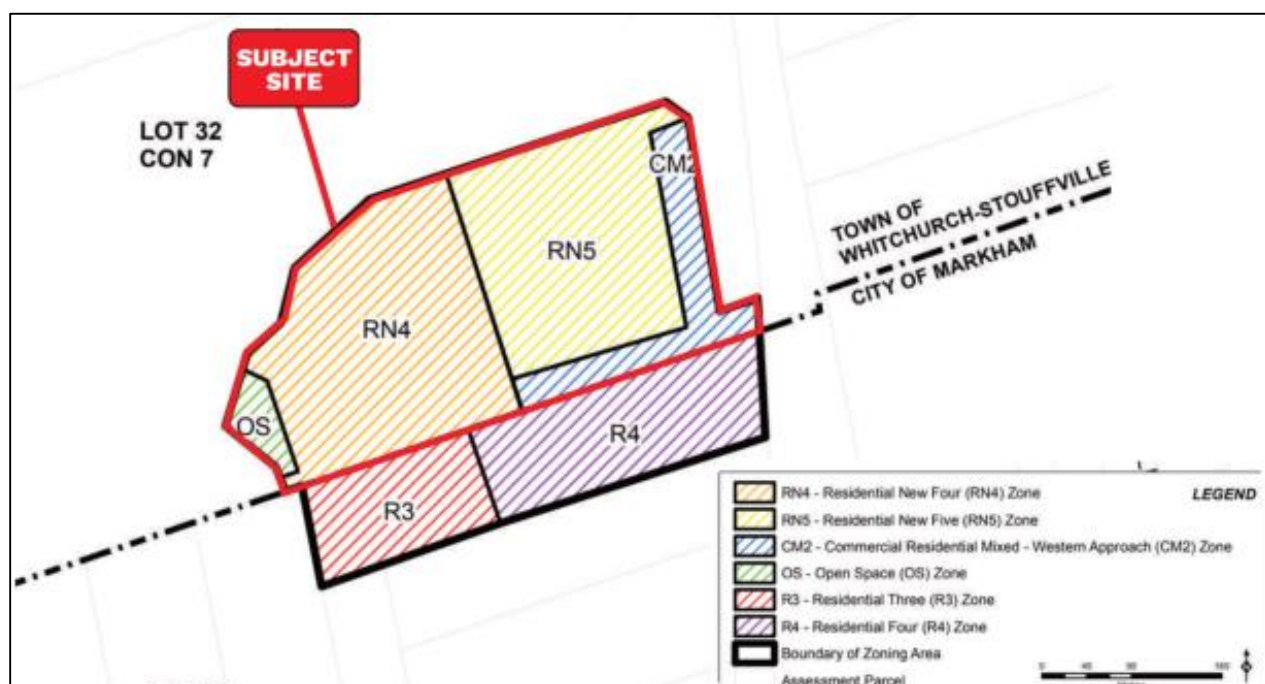
As it relates to the subject site in the Town of Whitchurch-Stouffville, the Zoning Order had the effect of applying the following Zones, as amended:

- Residential New Five (RN5) and Commercial Residential Mixed – Western Approach (CM2) Zones 1;

- Residential New Four (RN4) Zone;
- Open Space (OS) Zone.

**Figure 2** below is a copy of Minister's Zoning Order O. Reg 172/20 map, which visualizes the locations of the various zones on the subject property.

**Figure 2: O. Reg 172/20 Map**



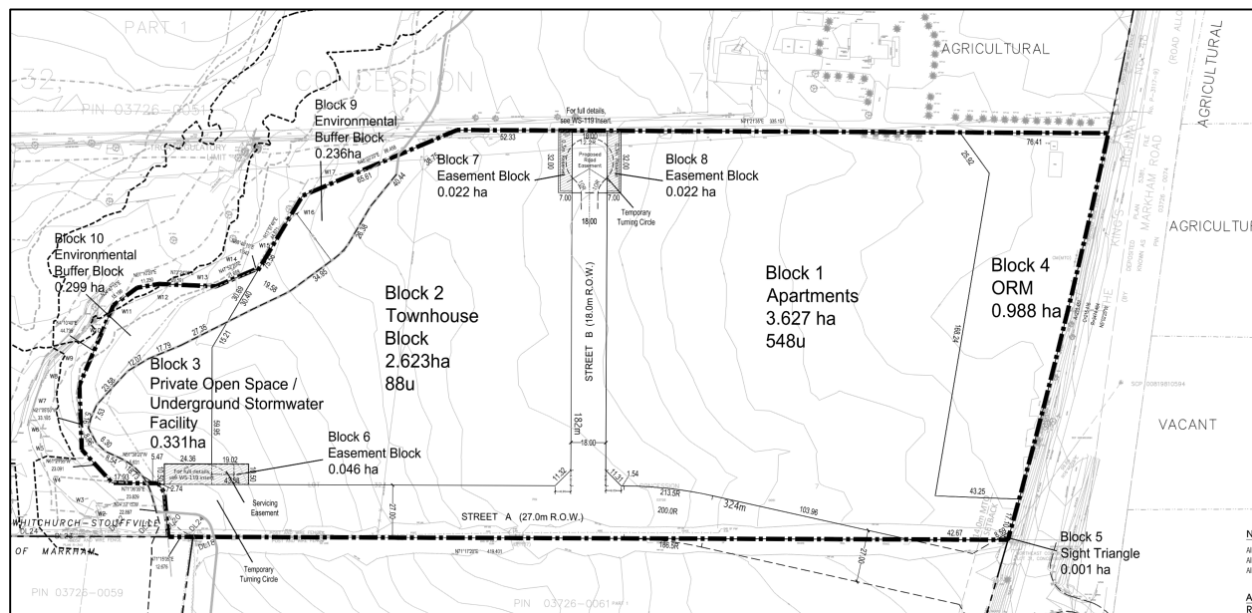
### 2.2.2 Draft Approval (2021)

On July 20, 2021, Council granted approval, subject to conditions, for a Draft Plan of Subdivision consisting of various blocks for the following uses:

- Five hundred and forty-eight (548) dwelling units in five (5) mid-rise apartment buildings, with some associated commercial and office space;
- Eighty-eight (88) townhouse dwelling units;
- Private open spaces and an underground stormwater management facility; and
- Other blocks for the purposes of sight triangles, easements, and environmental buffers.

In granting Draft Plan Approval in 2021, the Town included a three-year lapsing provision with a Draft Plan lapsing date of July 20, 2024.

A copy of the previously approved Draft Plan is provided in **Figure 3** below.

**Figure 3: Draft Plan of Subdivision, 2021 (File No. 19T[W]-20.004)**

For further details on this approval, please refer to the associated Council Report (**Item 1 under Section 10 to this report**).

### 2.2.3 Revisions to Conditions of Draft Approval (2023)

On September 13, 2023, Council amended Conditions of Draft Approval that were associated with the original 2021 Draft Plan of Subdivision Approval for the subject site.

For further details on this amendment and approval, please refer to the associated Council Report (**Item 2 under Section 10 to this report**).

Staff note that one of the changes approved in 2023 was the addition of Condition 1.11, which provided authorization to the Commissioner of Development Services to approve any minor revisions to the Draft Plan of Conditions as a result of errors, omissions, or required revisions based on the detailed engineering design. Furthermore, on January 11, 2024, the Commissioner of Development Services approved minor revisions to Conditions of Draft Approval related to the site's proposed water system and sewer.

### 2.2.4 Extension to Draft Approval (2024)

On June 19, 2024, Council approved a three-year extension to Draft Plan Approval for the subject site, which provided a revised lapsing date of July 20, 2027 which was set to expire in July 2024. This extension was granted in order to provide additional time for the Owner to continue working towards the registration of the plan.

For further details on this approval, please refer to the associated Council Report (**Item 3 under Section 10 to this report**).



A Site Plan Control Application (File No. SPA22.019) is currently under review for the lands located on the western portion of the subject site. The proposal consists of ninety-seven (97) townhouse dwelling units, a private amenity space, and a temporary pumping station. Three (3) additional townhouse dwelling units are proposed following the removal of the temporary pumping station ("Building 1" as shown on the site plan below).

To date, four (4) submissions associated with the Site Plan Control application have been reviewed by Town Staff and External Agencies, with comments most recently provided to the Applicant in April 2025. Staff expect that the Site Plan Agreement will be drafted in Summer 2025.

**Figure 4: Proposed Site Plan (File No. SPA22.019)**



## 2.4 Discussions with Town Staff Regarding Revisions to Draft Plan (2024)

In November 2024, the Owner/Applicant of the subject lands met with Town Staff to discuss revisions to the existing Draft Plan of Subdivision (File No. 19T[W]-20.004), that would see a future Community Centre being accommodated on the subject site.

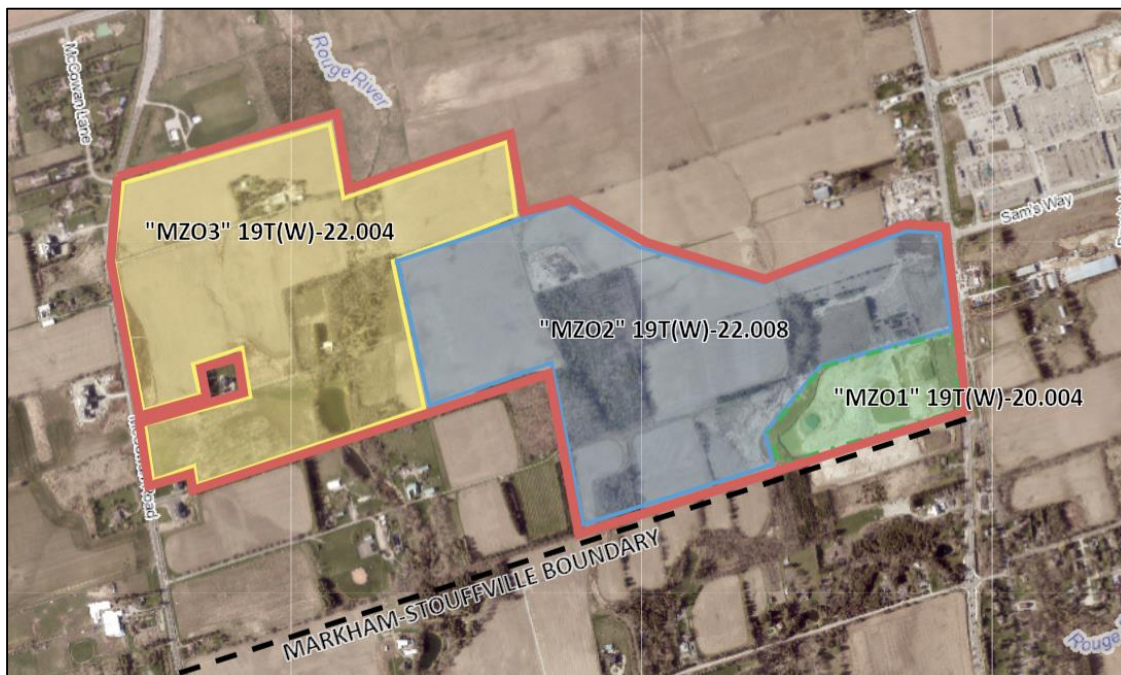
A Community Centre Block was originally secured on the lands municipally known as 11861 & 12045 McCowan Road (“MZO3 Lands” – File No. 19T[W]-22.004), which was approximately 4.97 hectares in area. Relevant Conditions of Draft Approval were also included at this time that required the Applicant to Convey several “ORM Blocks” to the Town that were approximately 13 hectares in area for the purposes of parks and sports field associated with the Community Centre. This conveyance was contingent upon confirmation that an alternative Community Centre / Park Block could be accommodated on adjacent lands.

At the time of approval, staff noted that a Community Centre/Park Block with a minimum size of 10 hectares would be required in order to appropriately serve the Highway 48 development area, however, would accept this smaller Block, along with the ORM Blocks, in the interim as “placeholders”, until an alternative location was proposed. Further, relevant Conditions of Draft Approval were included at the time of File No. 19T(W)-22.004 being approved, that required the Applicant to assemble the necessary lands for a minimum 10-hectare Community Centre/Park Block in the Highway 48 development area.

Since November 2024, the Applicant has submitted an application for Revisions to Draft Plan Approval for the subject site (i.e. “MZO1 Lands”) to partially accommodate these changes. Further details on the revisions being contemplated can be found in **Section 3.1** of this report.

An application for Revisions to Draft Plan Approval is also being considered for the “MZO3 Lands”, at this time, which similarly, requests changes to accommodate the relocation of the proposed Community Centre Block from the property. Further details regarding this request and proposed changes can be found in **Staff Report No. DS-030-25**.

**Figure 5** below provides a map of the “MZO Lands” in the Highway 48 development area.

**Figure 5: Location of “MZO Lands”**

### 3. Analysis:

#### 3.1 Proposed Revisions to Draft Plan

On April 24, 2025, the Applicant submitted a Revised Draft Plan consisting of the following Blocks:

- Townhouse Block – 97 dwelling units (2.5 hectares)
- Community Centre / Park Block (3.5 hectares)
- Open Space/Underground Stormwater Management Facility Block (0.3 hectares)
- Oak Ridges Moraine Block (0.9 hectares)
- Pumping Station Block (0.06 hectares)
- Additional blocks for sight triangles, easements, and environmental buffers are also proposed.

#### **Community Centre / Park Block**

If approved by Council, the Revisions to Draft Plan being proposed would accommodate a 3.5-hectare Community Centre / Park Block on the eastern portion of the subject site. The proposed Community Centre / Park Block, along with Block 4 (ORM Block) would be conveyed to the Town upon subdivision registration for recreational purposes. In order to accommodate the proposed Community Centre / Park Block, the existing “Apartment Block” would be removed.



As referenced in **Section 2.4** of this report, Staff previously requested that a Community Centre / Park Block with a minimum size of 10 hectares be provided for the Highway 48 development area. While the requested Revisions to Draft Approval for the “MZO1 Lands” only provide a 3.5-hectare Community Centre / Park Block and a 0.9 hectare Oak Ridges Moraine Block, Staff note that additional park land is being proposed on adjacent lands municipally known as “11776, 11822 and 11882 Highway 48” (“MZO2 Lands” – File No. 19T[W]-22.008).

Furthermore, File No. 19T(W)-22.008 (“MZO2 Lands”), which is still under review, proposes an Oak Ridges Moraine Block with an approximate size of 20.3 hectares. If approved by Council, this Block would be conveyed to the Town at time of Subdivision registration and would accommodate the remaining park land being requested by the Town for the Highway 48 development area. Staff note that the conveyance of Oak Ridges Moraine (ORM) Lands to the Town to satisfy parkland dedication purposes is contingent on Provincial approval to allow outdoor recreational amenities, and associated uses, in the Oak Ridges Moraine.

In summary, between the requested Revisions to Draft Plan Approval for the “MZO1 Lands” (File No. 19T[W]-20.004), and the park land being proposed through the future “MZO2 Lands” Subdivision (File No. 19T[W]-22.008, still under review), **approximately 24.7 hectares of land could be conveyed to the Town in the Highway 48 development area for recreational purposes (subject to Council approval).**

### **Unit Count Changes**

A reduction to the total number of dwelling units is being contemplated through this redline revision application.

The current Draft Plan (as approved in 2021 and extended in 2024) accommodates a total of six hundred and thirty-six (636) dwelling units, consisting of five hundred and forty-eight (548) apartment units and eighty-eight (88) townhouse dwelling units.

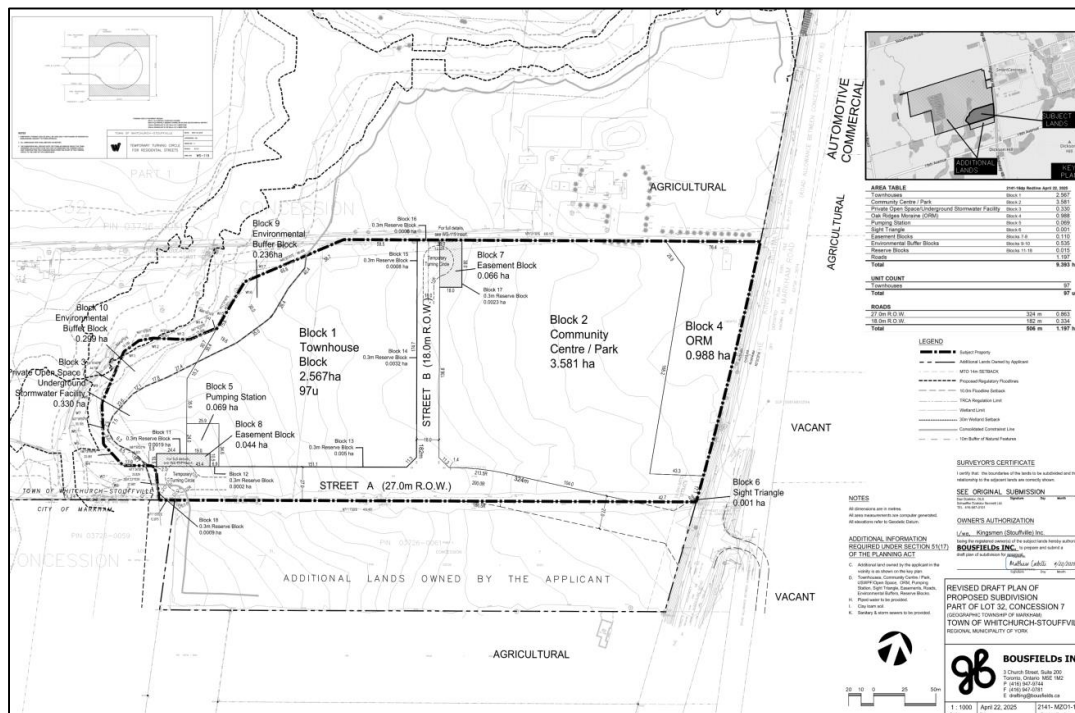
The revised Draft Plan proposes a total of ninety-seven (97) dwelling units, all of which are townhouse units. Staff note that an additional three (3) townhouse dwelling units could be accommodated on this site in the future once the temporary pumping station is removed. Once again, this overall unit count reduction is a result of the “Apartment Block” being proposed to be removed in order to facilitate the Community Centre / Park Block on the subject site.

### **Visualization of Changes**

**Figure 6** below is a copy of the Revised Draft Plan of Subdivision, and **Figure 7** is a copy of the Redline Revisions being proposed displayed against the previously approved Draft Plan.

The location of the active Site Plan Control application (File No. SPA22.019) previously discussed in **Section 2.3** of this report is on the western portion of the subject site, comprising of Blocks 1, 5 and 6.

**Figure 6: Revised Draft Plan of Subdivision, 2025**

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### 3.2 Requested Changes to Draft Plan Conditions

As part of this application, the Applicant has requested that several of the associated Draft Plan Conditions be removed or amended in order to reflect the changes being proposed.

Staff have reviewed and discussed the requests made by the Applicant and have updated the Draft Plan Conditions accordingly. Revisions and omissions to Draft Plan Conditions include, but are not limited to the following:

- Phasing of the development;
- Garage storage for the proposed townhouse dwelling units;
- Street widths;
- Water system phasing; and
- Architectural design.

For further details on updates to Draft Plan Conditions, please refer to **Attachment 3**.

### 3.3 Applicable 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, York Region Official Plan, and the Town's current Official Plan and Zoning By-law.

#### 3.3.1 Provincial Planning Statement (PPS), 2024

The Provincial Planning Statement (PPS) is a consolidated statement of the Provincial Government's policies on how municipalities shall manage, and direct land uses to achieve efficient development and land use patterns. Section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Section 2.1 (Planning for People and Homes) of the PPS states, in part, that "planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public services facilities, institutional uses, recreation, parks and open space, and other uses to meet long term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity deserving groups".

Section 2.2 (Housing) of the PPS states, in part, that “planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households...; and
- b) promoting densities for new housing which efficiently use land, resources, infrastructure and public services facilities, and support the use of active transportation”.

Section 2.3 (Settlement Areas and Settlement Area Boundary Expansions) of the PPS states that “land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation;
- d) are transit-supportive, as appropriate; and
- e) are freight supportive”.

Section 2.3 also states that “planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities”.

Finally, Section 3.9 (Public Spaces, Recreation, Parks, Trails and Open Space) of the PPS states that “healthy, active, and inclusive communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;
- b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas”.

In Staff’s opinion, the proposed Revisions to Draft Plan of Subdivision continue to be consistent with the Provincial Planning Statement.

### **3.3.2 Oak Ridges Moraine Conservation Plan (ORMCP), 2017**

The Oak Ridges Moraine Plan (ORMCP) is an ecologically based Plan that provides land use and resource management direction for the 190,000 hectares of land and water that are located within the Moraine area.

Block 4 the Subject Lands is located within the Oak Ridges Moraine – Countryside Area designation. The purpose of the Countryside Area designation to encourage agricultural and other rural uses, and to maintain, and where possible, improve or restore the ecological integrity of the plan area. Permitted uses in the Countryside Area are generally limited to agricultural-related uses, however, can include infrastructure uses such as public highways, water service systems, stormwater management systems, and unserviced parks.

As per the Revised Draft Plan, no development is being proposed within the ORM Block. In Staff's opinion, the proposed Revisions to Draft Plan continue to be in conformity with the ORMCP.

### **3.3.3 York Region Official Plan (YROP), 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 are designated "Urban Area" under the YROP, with the exception of the ORM Block (Block 4), which is designated "Agricultural System".

In Staff's opinion, the proposed Revisions to Draft Plan continue to be in conformity with the YROP.

### **3.3.4 Town of Whitchurch-Stouffville Official Plan, 2004**

The subject lands are designated "Agricultural Area" (Schedule B) and are identified in the Rouge River Watershed Area (Schedule A1) according to the Town's Official Plan. Additionally, the ORM Block (Block 4) is designated "ORM Countryside Area".

### **3.3.5 Town's Comprehensive Zoning By-law 2010-001-ZO**

Staff note that the Zoning of the subject lands is superseded by the Minister's Zoning Order O. Reg 172/20 as described in **Section 2.2.1** above.

## **3.4 Town Department & External Agency Comments and Conditions**

The request for Revisions to Draft Plan of Subdivision was circulated to relevant Town Departments and applicable External Agencies for comment in April 2024.

The following departments and agencies had no further comments or conditions:

- **R.J. Burnside (Town's Peer Review Engineering Consultant)** – No objections to the proposal.



- **Heritage Planning** – No objections to the proposal.
- **Toronto & Region Conservation Authority** – No objections to the proposal.
- **Fire & Emergency Services** - No objections to the proposal.

The following departments and agencies provided updated comments and/or conditions:

- **Development Planning** – No objections to the proposal. Minor updates to Conditions provided to reflect proposed revisions.
- **Engineering & Public Works** – No objections to the proposal. Minor updates to Conditions provided to reflect proposed revisions.
- **Region of York** – No objections to the proposal. No Condition updates requested. Comments provided.
- **Park Development & Operations** – Updated Conditions provided (Section 12 of Attachment 3)
- **Ministry of Transportation** – No objections to the proposal. Minor updates to Conditions provided to maintain consistency amongst various Draft Plans in surrounding area.

#### 4. Conclusions & Options:

Staff have reviewed the proposed revisions to the previously approved Draft Plan of Subdivision and note that the proposal is generally in conformity with provincial, regional, and municipal plans and policies. The application has been reviewed against the criteria in Section 51(24) of the *Planning Act*, with those criteria being satisfied.

Staff note that departments and agencies are generally satisfied, and conditions of approval have been added, revised, and/or omitted in response to the revised plan. Many of the outstanding issues are technical in nature and can be addressed through future planning applications that will follow the Revised Draft Plan Approval.

##### 4.1 Option A (Recommended)

Staff recommend that Council approve the request for Revisions to Draft Plan of Subdivision Approval for the subject lands, as the revised proposal is appropriate for the development of the subject lands, and that it generally conforms to provincial, regional, and municipal plans and policies.

##### 4.2 Option B

That Council does not approve the request for Revisions to Draft Plan of Subdivision Approval for the Subject Lands. This option is not recommended as the revised application represents good planning and generally conforms to provincial, regional, and municipal plans and policies.

## **5. Financial Implications:**

None.

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

Refer to **Section 3.3** of the report above.

## **7. Communication:**

Notice of Decision will be communicated as per the requirements of the Planning Act.

## **8. Alignment with Strategic Plan:**

1. A Town that Grows  
A Town that grows in support of complete communities
2. Good Governance  
Provide Good Governance

## **9. Attachments:**

1. Location Map
2. Revised Draft Plan, dated April 22, 2025
3. Conditions of Draft Approval, dated June 18, 2025
4. Composite Plan of MZO Lands
5. Redline Draft Plan of Subdivision, dated April 22, 2025

## **10. Related Reports:**

1. [July 20, 2021 – Council Report – Application for Draft Plan of Subdivision – 11776 Highway 48 \(File No. 19T\[W\]-20.004\)](#)
2. [September 13, 2024 – Council Report – Proposed Amendments to Conditions of Approval for Draft Plan of Subdivision – 11776 Highway 48 \(File No. 19T\[W\]-20.004\)](#)
3. [June 19, 2024 – Council Report – Proposed Extension to Draft Approval for Draft Plan of Subdivision – 1776 Highway 48 \(File No. 19T\[W\]-20.004\)](#)

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