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**Subject:** Recommendation Report 5262, 5270, 5286 and 5318 Main Street and 12371 Highway 48 – File nos. 19T(W)16.003, OPA16.003 and ZBA16.016

**Staff Report No.** DS-047-24

**Department/ Commission:** Development Services Commission

**Date:** October 2, 2024

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**Recommendation:**

- 1) That Council direct staff to issue a Notice of Decision to draft approve Subdivision File No. 19T(W)16.003, OPA16.003 and ZBA16.016 subject to the conditions of draft approval as set out in Attachment 2 to Report No. DS-047-24, in accordance with section 51(31), 17(23) and 34(18) of the *Planning Act*,
- 2) That staff bring forward a By-law to amend the Town of Whitchurch-Stouffville’s Official Plan by applying a new site-specific policy within the Gateway Western Approach Area (OPA 167),
- 3) That staff bring forward a By-law to amend the Town of Whitchurch-Stouffville’s Comprehensive Zoning By-law 2010-001-ZO by applying site-Specific zones, and
- 4) That Council confirm that notwithstanding that the proposed Zoning By-law amendment as attached to this report is different than the Zoning By-law amendment as proposed at the November 22, 2023, Public Meeting, the revisions are minor in nature and that no further Statutory Public meeting is required.

**Report Highlights**

- The Draft Plan of Subdivision (19T(W)16.003), Official Plan Amendment (OPA16.003) and Zoning By-law Amendment (ZBA16.016), applications for the lands located at the northeast corner of Highway 48 and Main Street Stouffville, propose a three phased development for mid to high-rise residential buildings and mixed-use building, comprising of eight hundred (800) residential units in five (5) apartment buildings that range from twelve (12) storeys to twenty (20) storeys in height.

- The plan of subdivision will be subject to conditions of draft approval if Council grants approval to the proposed plan.
- All development blocks would be subject to Site Plan Control in the future to allow for the detailed design review for each of the proposed phases of development.
- Staff recommend approval of the subject applications as the proposed development represents good planning.

## 1. Purpose:

The purpose of this Report is to assess the merits of and make a recommendation respecting applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment for the lands municipally known as 5262, 5270, 5286, and 5318 Main Street and 12371 Highway 48 (the “Subject Lands”), which if approved would permit the development of the Subject Lands with four (4) residential apartment buildings and one (1) mixed use building for a total of 800 residential dwelling units.

## 2. Background:

Applications for Official Plan Amendment (OPA16.005), Zoning By-law Amendment (ZBA16.016) and Draft Plan of Subdivision [19T(W)16.003] have been submitted by Goldberg Group (Authorized Agent/Applicant) on behalf of 2440332 Ontario Inc., the owner of 5262, 5270, 5286, 5318 Main Street and 12371 Highway 48 in the Community of Stouffville. The applications have been submitted to facilitate the development of a Draft Plan of Subdivision with development blocks to facilitate phased development of the site. The current proposal contemplates five (5) high rise buildings (four residential and one mixed use) with a total of 800 residential dwelling units.

The proposed block plan aligns with the submitted Draft Plan of Subdivision. This will create five (5) development blocks, 2 blocks for conveyance to the Town for public roads, a block for an underground storm water management system, and a block to convey to the Conservation Authority for the preservation of the existing Natural Heritage System which exists on the eastern portion of the site.

In March 2018, the applications were deemed complete by the Town.

On March 26, 2019 a statutory public meeting was held. The first submission that was presented at the public meeting included 510 residential apartment units comprised within four (4) residential apartment buildings ranging from six (6) to nine (9) storeys in height, and eighty-four (84) stacked townhouse units comprised within four (4) townhouse blocks.

On May 15, 2018, OPA 145 for the Gateway Mixed Use Area/Western Approach” was approved by Council.

In October 2020, a second revised submission was received by the Town. The revised submission reflected the density permissions under OPA 145 and included eight hundred

(800) units comprised within five (5) apartment buildings ranging from ten (10) to twelve (12) storeys. Townhouse blocks were removed from the proposal.

In June 2022, a third submission was received by the Town. The revised proposal reflected the proposed policies in the Town's Draft Official Plan as well as direction on housing and growth provided by the province over the last few years. The proposal continues to include a total of eight hundred (800) residential units in five (5) apartment buildings that range from twelve (12) storeys to twenty (20) storeys in height. The submission was circulated to all commenting agencies and departments.

Given the extent of the revisions to the applications, the Town held a second Statutory Public Meeting on November 22, 2023, to solicit feedback and comments from members of Council and the Public. Following this Public Meeting, a final submission was received and circulated by Town Staff. Departments and Agencies did not have concerns with recommending approval of the OPA and ZBA applications, and Draft Plan Approval subject to the Conditions, attached as Attachment 2 to this report. The attached Draft Plan Conditions have been circulated and reviewed by the relevant agencies and departments as well as the applicant.

## **2.1 Location**

The subject lands are municipally known as 5262, 5270, 5286, 5318 Main Street and 12371 Highway 48, they are legally described as Part Lot 1 Concession 8, Whitchurch-Stouffville. The properties are generally located at the northeast corner of Main Street and Fockler Lane, adjacent to Highway 48, extending north to the stormwater management pond on the south side of Millard Street.

The total lot area of the combined parcels is approximately seven (7) hectares with frontage at 12371 Highway 48 as well as along Main Street. The properties include several currently vacant single detached dwellings (Main Street addresses) and a former commercial saddlery (12371 Highway 48).

**Attachment 1** includes the Location Map for the subject properties.

## **2.2 Surrounding Land Uses**

Below is a description of the adjacent land uses:

**North** – An established Employment/Commercial area designated as an “Auto Mall” that include automotive related businesses.

**East** – A watercourse (Highway 48 Tributary) and vacant parcel which are encumbered by an associated flood plain. On the east side of the watercourse there are two residential apartment buildings fronting onto Baker Hill Blvd. as well as a commercial plaza at 5402 Main Street.

**South** – Vacant lands primarily zoned Development Reserve (D) and Flood Hazard.

**West** – An existing row of single detached dwellings which front onto Highway 48 and Fockler Lane.

**Figure 1** below shows the surrounding land use context for the property

**Figure 1**



Purple – Subject properties  
 Red – Commercial Development ■  
 Blue - Employment Lands ■

**2.3 Statutory Public Meetings**

There have been two statutory public meetings held for the proposed development, one in March 2019 and another in November 2023. Through the review and processing of the applications and in accordance with the Official Plan policies, the applications have been revised and refined to meet the height and density requirements on the site, that are better aligned with Provincial direction as well as the Town’s Official Plan Policies for the Gateway area.

Members of the Community attended public meetings, to seek additional information and offer feedback on the proposed development. During the meeting, Council and members of the public raised questions regarding various aspects of the proposed plan. Staff

responses to these questions and concerns are addressed in the subsequent sections of this report.

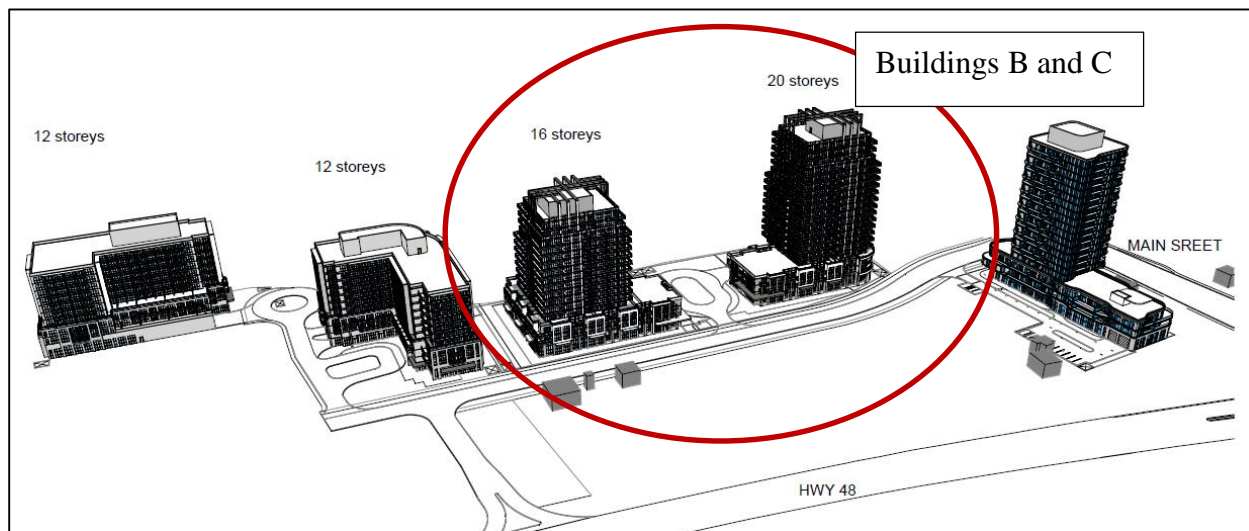
### 3. Analysis:

#### 3.1 Development Proposal

The applicant has proposed the development of eight hundred (800) residential apartment units comprised within five buildings to be constructed in 3 (three) phases. The buildings are proposed to range from ten (10) to twenty (20) storeys in height, with the tallest structures proposed to be located on the more southerly portion of the property near the intersection of Highway 48 and Main Street. Building A is proposed to incorporate commercial uses at grade, Buildings B and C include Live/Work units on the first and second floors with the remaining portions of the property being envisioned as strictly residential.

**Figure 2** shows the location of the proposed buildings.

**Figure 2**



The development includes an internal road network with proposed access provided from both Main Street and Highway 48, which will be dedicated to the Town. Three development blocks for the construction of the proposed mixed use and residential apartment buildings which include provisions for programed, outdoor amenity space. There is also a 2.9-hectare environmental protection block to be conveyed to the Toronto Region Conservation Authority for protection of the Highway 48 Tributary and the continuation of the Town and Conservation Authorities Active Transportation Network. **Figure 3** below provides a conceptual sightline from the Main Street entrance to the development.



**Figure 3**



**Table 1** below shows the current designations, zoning and uses on the subject properties.

**Table 1**

<b>Item</b>	<b>Existing</b>	<b>Requested/Proposed</b>
Official Plan Designation	Gateway Mixed Use Area and Urban Medium and High Density Residential	Site Specific provisions to the Gateway Mixed Use Area and Urban Medium and High Density Residential
Zoning By-law	Development Reserve, Environmental and Flood Hazard (D, ENV and FH)	Site Specific Commercial Residential Mixed – Western Approach, Open Space and Environmental
Use	Vacant buildings which have been boarded.	Mixed use buildings and residential apartment buildings

**Table 2** below provides the proposed development statistics for the entirety of the site inclusive of all phases of development.

**Table 2 (Proposed Site Statistics)**

Site Statistic Item	Proposed Detail
Lot Area -Total	7.15 hectares
Environmental Lands – to be dedicated to the TRCA	2.9 hectares
Public Roadways	0.88 hectares
Open Space/Storm Water Management	0.25 hectares
Net Development Area	3.97 hectares
Floor Space Index	2.39
Units per hectare	201.5
Total Unit Count	800 units within 5 buildings
Maximum Height	20 Storeys (buildings range from 12 to 20 storeys) (45 to 77 metres)
Parking Rate – Residential	1.00 spaces per unit ( <i>Proposed</i> )
Parking Rate – Visitor	0.20 spaces per unit ( <i>Proposed</i> )
Barrier Free Parking	41 of spaces provided
Indoor Amenity Areas	4221.8 square metres (5.23 square metres per unit)
Outdoor Amenity Areas	2686.9 square metres (3.3 square metres per unit)
Loading Spaces	5 Loading Spaces (1 per building)

Table 3 provides the breakdown of statistics per proposed phase of development.

**Table 3 (Phasing)**

Site Statistic	Phase I (Building B & C)	Phase II (Building A)	Phase III (Building D & E)
Lot Area	1.11 hectares	0.5 hectares	1.17 hectares
Unit Count	340	150	310
Units Per Hectare	306.3	264.4	264.5
Floor Space Index	3.52	3.46	3.05
Parking Spaces	494	217	485
Maximum Height	Building B – 77 m (20 storeys) Building C – 58.58m (16 storeys)	77 metres (20 storeys)	Building D – 45 m (12 storeys) Building E – 45 m (12 storeys)
Commercial GFA	n/a	450 square metres	n/a
Live/Work Units	Included	Included	No Live/Work Units
Indoor Amenity Area	1347.51 m <sup>2</sup>	1212.7 m <sup>2</sup>	1233.9 m <sup>2</sup>
Outdoor Amenity Area	1537.04 m <sup>2</sup>	1149.9 m <sup>2</sup>	0 m <sup>2</sup>

Figure 4 below and Attachment 3 provide the proposed site plan for the subject properties. Figure 5 illustrates Phase I lands, that include Buildings B and C.

Figure 4

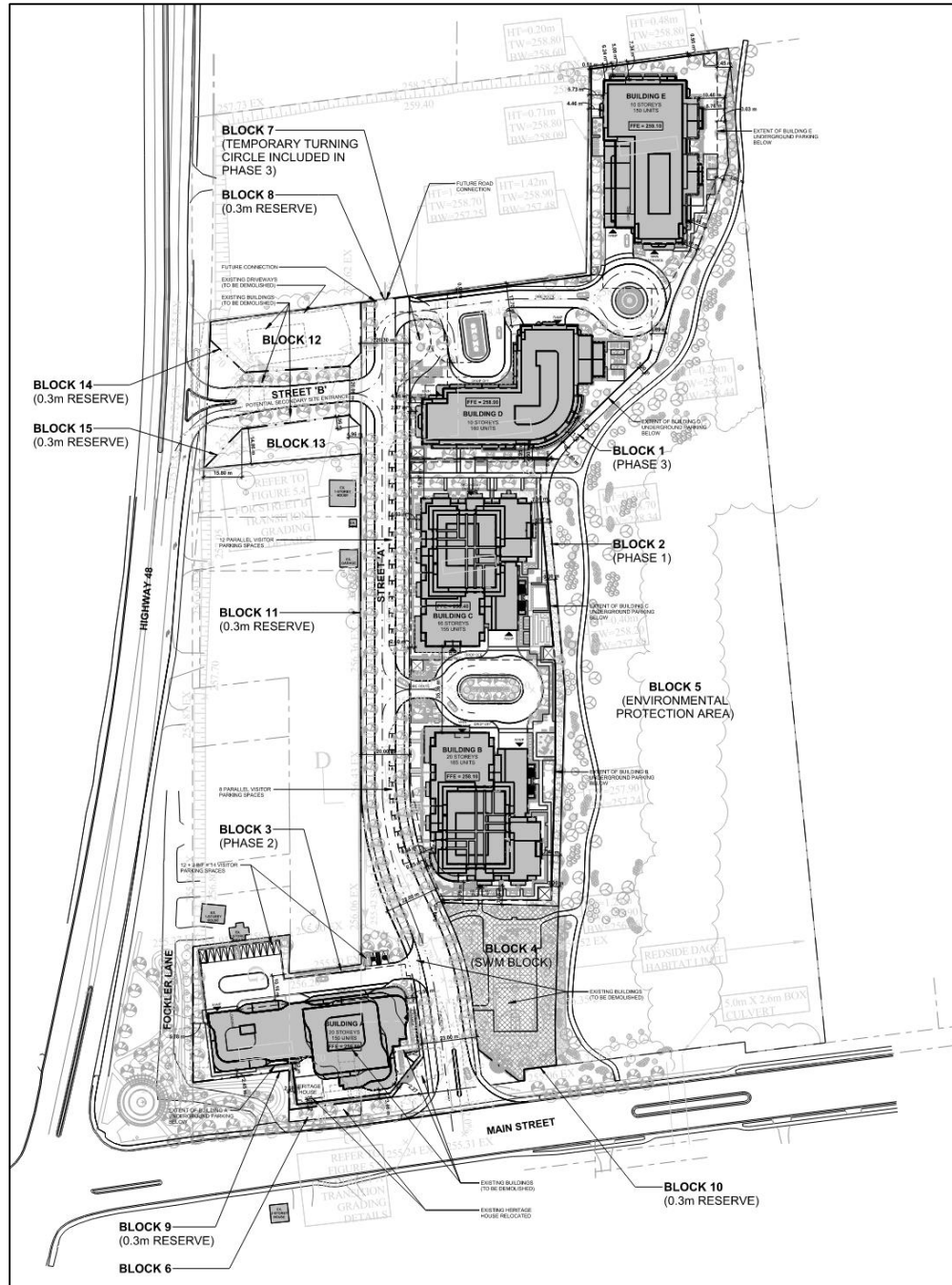
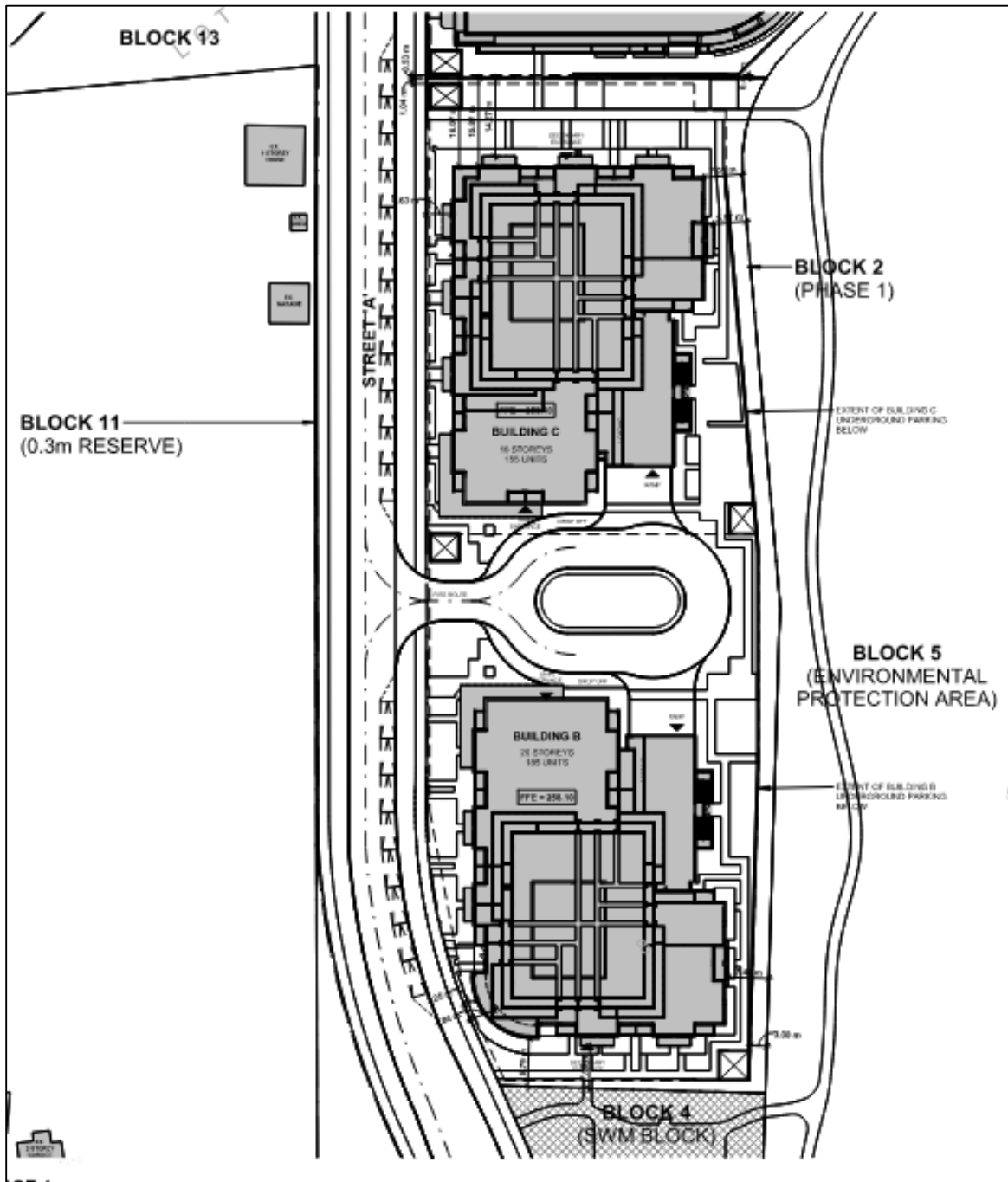




Figure 5



### 3.2 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, York Region Official Plan, and the Town’s current Official Plan and Community of Stouffville Secondary Plan as well as the Town of Whitchurch-Stouffville new Official Plan which was adopted by Council in May 2024.

### **3.2.1 Provincial Planning Statement 2024 and Provincial Policy Statement 2020**

On August 20, 2024, the Minister of Municipal Affairs and Housing issued the Provincial Planning Statement 2024, taking effect on October 20, 2024, to provide a streamlined province-wide land use planning policy framework. The PPS 2024 replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019.

Until the PPS 2024 is in effect, the current PPS 2020 and the Growth Plan 2020 remains in effect. However, an overview of applicable policies in the new PPS 2024 that are applicable to the subject amendments are being provided for consideration.

#### **PPS 2024**

The Province has recently released the new 2024 Provincial Planning Statement which will take effect on October 20, 2024 and provides updated direction to guide growth within the Province of Ontario.

Section 2.2.1 b) of the PPS 2024 includes direction on the permitting and facilitating of all housing options required to meet the social, health, economic and well-being requirements of current and future residents.

Section 2.2.1. c) of the PPS 2024 requires Municipalities to promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities as well as supporting the use of active transportation in our communities.

Staff are of the opinion that the proposed development which is set to provide a range of unit sizes as well as adequate outdoor amenity facilities and will contribute to the Town's Active Transportation network through the dedication of the Natural Heritage System Block, achieves the intent of the policies within the new PPS 2024.

#### **PPS 2020**

The Provincial Policy Statement (PPS 2020) establishes policies that set out how municipalities should manage, and direct land uses to achieve efficient development and land use patterns. In April 2023, the Province of Ontario announced proposed changes to the Provincial Policy Statement (PPS) that would consolidate the PPS with the "A Place to Grow" policy plan, into a new policy document to guide housing and complete communities.

On August 20, 2024, the Province released the finalized Provincial Planning Statement which is set to take effect on October 20, 2024. At this time the Provincial Policy Statement and A Place to Grow Act are still in effect.

Section 1.1.1 of the PPS includes policy direction for achieving strong and healthy communities. The policy directions include, promoting efficient development and land use patterns; accommodating a range of affordable and market-based mix of residential types and units as well as employment and commercial uses; and optimizing transit supportive development.

Section 1.1.3 of the PPS indicates that existing settlement areas should be the focus for growth with a range of uses and densities. Development should be transit supportive and located on existing or planned transit corridors.

Section 1.4 importantly includes policies regarding the importance of providing an appropriate range of housing options and densities to meet both current and future needs of the community.

The proposed development incorporates, open spaces, commercial uses outdoor amenity areas in addition to a range of unit types and sizes. The provided range of unit sizes and types are appropriate to accommodate residents from a variety of age and socio-economic groups. The proposed unit types include multi storey live-work units along with a range of single floor units ranging from 1 to 3 bedrooms. The inclusion of ample indoor and outdoor amenity areas is designed to provide for comfortable living arrangements for younger adults, families and retirees.

The property is within the Community of Stouffville Settlement Area and has access to existing servicing infrastructure along Main Street. There is access to public transportation being both GO Transit which provides a Bus service along Main Street to Markham and Toronto, as well as York Region Transit's Route 9 Which has a stop at Bakerhill Blvd. and Main Street to the east of the subject properties.

On this basis staff is of the opinion that the proposed development represents good planning and a form of development appropriate for the subject properties.

### **3.2.2 A Place to Grow: Growth Plan for the Greater Golden Horseshow, 2020 (Growth Plan)**

As noted above, the new PPS 2024 replaces the "A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("**Growth Plan**")". Until the PPS 2024 is in effect, the current Growth Plan 2020 remains in effect

The Growth Plan (2020) directs the vast majority of growth to be provided within settlement areas and establishes policies that would support the achievement of complete communities with access to transit, protection of employment zones, while increasing the amount and variety of housing available.

Section 2.2.1 of the Growth Plan directs the majority of growth to be established in settlement areas and prioritizes establishing growth through intensification of areas with existing or planned transportation networks. It also requires that Municipalities provide for a diverse range and mix of housing options to accommodate people at all stages of life, as well as varying household sizes and incomes.

Section 2.2.2. of the Growth Plan reinforces the need to focus on more efficient use of land and resources, with at least 50% of growth occurring through intensification of the delineated built boundary.

Section 4.2 of the Growth Plan provides policies to protect the existing Natural Heritage Systems and Agricultural Network within the Greater Toronto and Hamilton Area (GTHA). This highlights the importance of utilizing lands within established settlement areas effectively to accommodate the required population and employment growth as established by the Province and the Region of York.

The proposed development provides efficient use of land and infrastructure by providing for infill development on existing oversized parcels. The proposed mix of unit type and size accomplishes the goal of supporting a range and mix of housing types. The current development proposes multiple high rise apartment buildings; however, the requested zoning amendments protect for the ability to provide town house dwelling units on portions of the property to further increase the range of unit types.

In staff's opinion, the proposed development conforms to the objectives of the Growth Plan and represents good planning and appropriate development for the subject site.

### **3.2.3 The Greenbelt Plan and Oak Ridges Moraine Conservation Plan (2017)**

Both the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan (2017) provide direction for protecting the natural heritage and agricultural systems in Ontario. On September 6, 2023, the Minister of Municipal Affairs announced that the Ministry will commence the review process for the Greenbelt Plan, however the overall protection of lands outside of settlement areas within the Greenbelt Boundary continues to be prioritised by the province.

Section 3.4.1 of the Greenbelt Plan establish policies and direction for existing Settlement Areas within the plan boundaries. The policy speaks to the achievement of complete communities through the development of community hubs that co-locate private and public uses on both vehicular and active transportation corridors.

Section 18 of the Oak Ridges Moraine Conservation Plan (ORMCP) provides objectives for settlement areas within the Plan. These objectives include;

- the development of communities that provide residents with convenient access to a mix of employment and transportation options as well as a full range of housing and public services.
- Minimizing the impact of development on the ecological and hydrological functions of the plan area
- Promoting efficient use of land with transit-supportive densities through the intensification and redevelopment within existing built-up areas.

The proposed development accommodates the existing natural heritage features and proposes to convey them into public ownership with the intent of preserving them for future generations. It represents infill development within an existing settlement area which complies with the policies of both the Oak Ridges Moraine and Green Belt Plans. Encouraging active transportation by providing pedestrian connections to both existing

sidewalk networks as well as the active transportation network within the stream corridor to the east of the site.

In staff’s opinion, the proposed development is consistent with the policies of both the Green Belt Plan and the Oak Ridges Moraine Conservation Plan. The proposed development represents good planning and is an appropriate re-development of the lands.

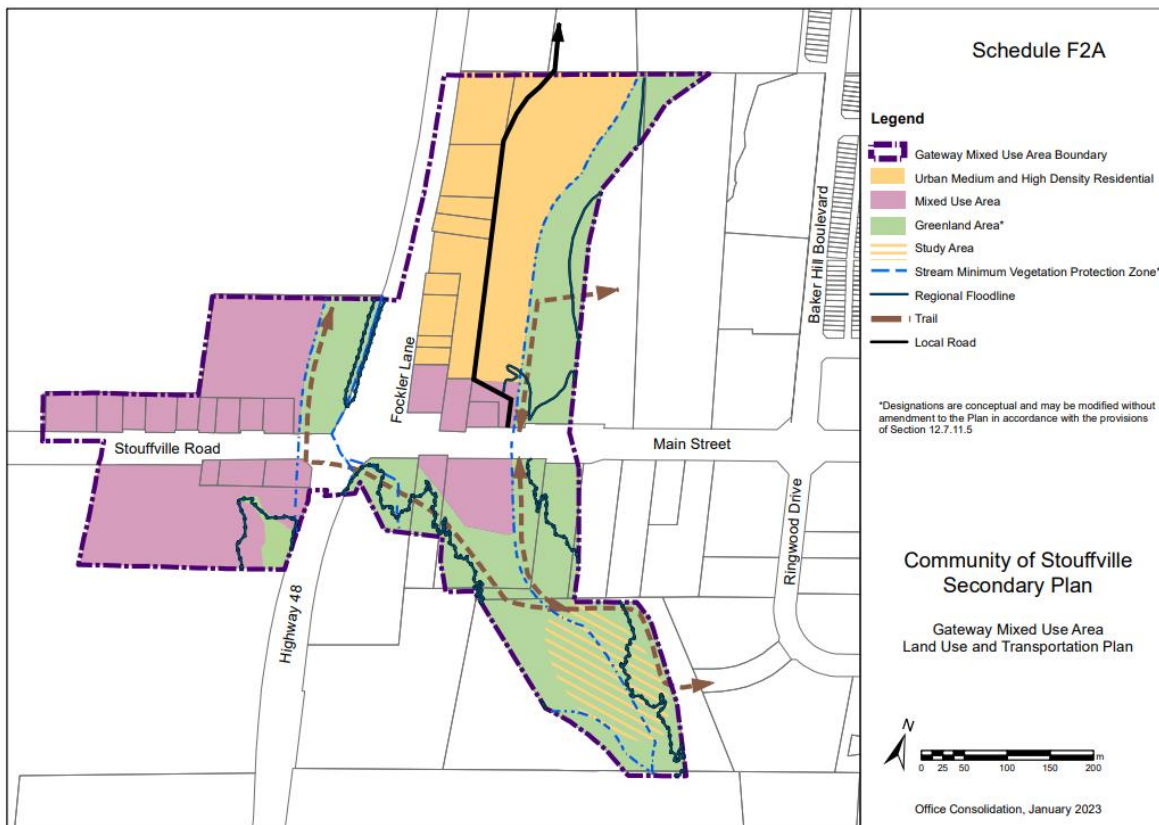
### 3.3 Town of Whitchurch-Stouffville Official Plan

Section 1.2 of the Town of Whitchurch-Stouffville Official Plan establishes that the policies identified within the various Secondary Plans prevail over the provisions of the overall Official Plan in the case of a conflict. The Community of Stouffville Secondary Plan is contained within Section 12 of the Town of Whitchurch-Stouffville’s Official Plan.

#### 3.3.1 Community of Stouffville Secondary Plan

The property is designated Gateway Mixed Use Area and Urban Medium and High-Density Residential Area under the Community of Stouffville Secondary Plan. **Figure 6** below provides the Land Use Designation in the Gateway Area.

**Figure 6**



Section 12.4 of the Secondary Plan lays out the Community Character Strategy for the area. This strategy includes preserving the unique character of the community as well



as outlining principles for the development of a healthy active community. The Western Approach Area specifically is to contain a high quality of design that reflects the character of our community, contribute to the Town’s intensification targets, strengthen a mix of land uses, and encourage at-grade public/commercial uses.

Section 12.7.11 of the Secondary Plan outlines the purpose and permitted uses of the Gateway Mixed Use Area. The objective of the designation is to establish a unique district with some mixed-use development fronting onto Main Street and a mix of medium and high-density residential development on the remainder of the lands.

Section 12.7.11.4 outlines that the range of densities within the Urban Medium and High-Density Residential designation shall be a minimum of 35 units per hectare and a maximum in the order of 260 units per hectare.

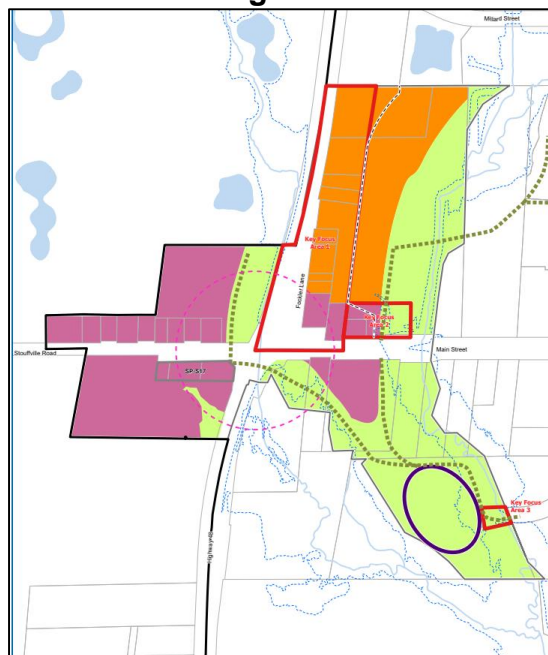
Section 12.7.18 highlights the objective to create a diverse, thriving commercial district in the Western Approach that includes employment, commercial, institutional, cultural, entertainment and residential uses. The Town is to ensure that the built form is of varying architectural styles and massing and that new structures maintain a strong orientation to the public realm.

**3.3.2 Town Official Plan, 2024 – Adopted by Council May 2024**

The designation for the subject lands in the Town’s new Official Plan are Gateway - Mixed Use Area, Urban High Density Residential Area and Significant Environmental Area. As the Gateway Mixed Use area forms a more recent update to the in effect Official Plan, the Schedule D-3 is very similar to the in-effect land use schedule for the area.

**Figure 7** below provides the Council Adopted schedule for the Gateway Mixed Use area.

**Figure 7**



A notable addition to the new policies in the Council adopted Official Plan includes new “Key Focus Area’s”. These are areas which require specific attention in relation to flood plain and hazard mapping which should be completed prior to development of the lands.

The applicant and property owner have been working with the TRCA closely over the last number of years to delineate the extent of the flood plain and areas which may be impacted by the watercourses that exists on the eastern portion of the property. The finalization of these studies form part of the Conditions of Draft Approval as provided by the TRCA.

The proposed development generally conforms with the policies of the Town’s new Draft Official Plan designations, as it relates to the proposed heights and the densities as well as environmental areas. Given the Draft Official Plan has not received Provincial approval at this time, the proposed amendments below are to the currently in effect Official Plan 2000.

### **3.3.3 Proposed Official Plan Amendment**

The applicant is proposing a site-specific amendment to Section 12.7.11.6 of the Town’s Official Plan to permit the following for the subject properties:

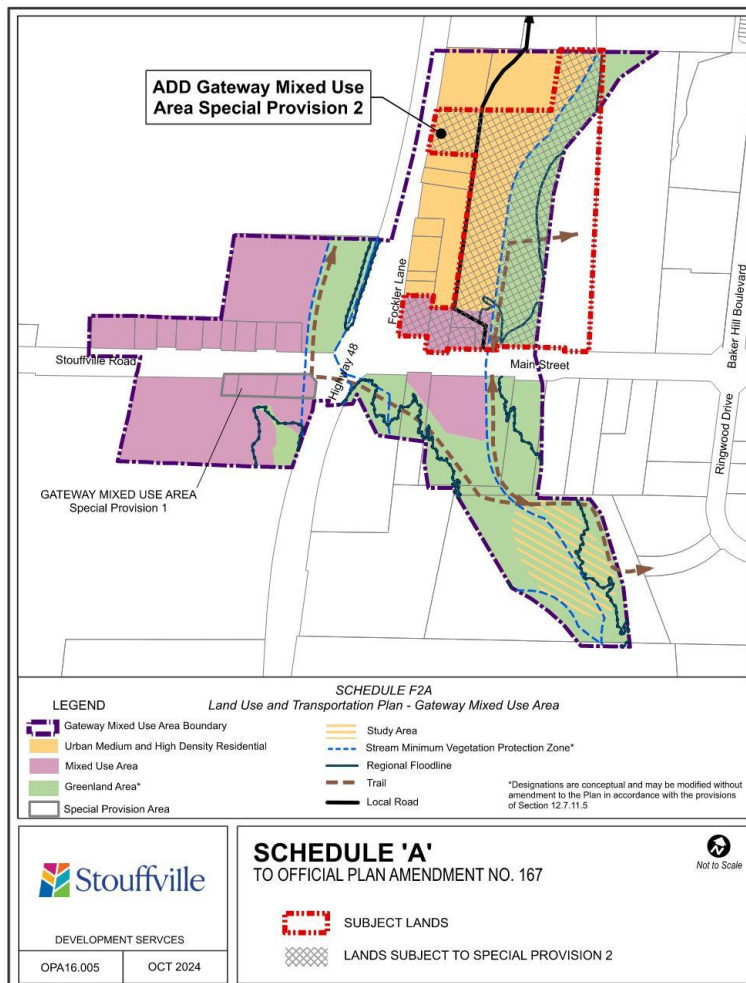
- i. The permitted uses include mixed-use and apartment buildings, and all forms of townhouse or stacked townhouse dwellings.
- ii. The maximum permitted building heights shall be as shown on Schedule ‘B’ to this Amendment. The maximum height does not include mechanical penthouses, elevator overruns, or other areas devoted to the functional operation of a building, or access to a rooftop area.
- iii. The maximum permitted FSI for individual development blocks shall be 3.6.
- iv. For the purposes of this amendment, floor space index (FSI) shall mean the ratio resulting from dividing the total gross floor area of all buildings by the area of the ‘lot’. The area of the ‘lot’ shall mean the development blocks as created by the associated draft plan of subdivisions (File. No 19T(W)16.003)
- v. The provisions of Section 12.7.11.5(i) shall not apply with respect to redevelopment of the lands subject to this Special Provision.
- vi. A minimum of 450 square meters of non-residential space shall be required in any building adjacent to Main Street.

The list above represents what has been requested by the applicant to be included in their site-specific Official Plan Policies. Given the policies within the New Official Plan, which was adopted by Council in the spring, Staff are recommending that the amendments be more in line with the policies of the Gateway Mixed Use Area, which would impose a prohibition on the development of Townhouse Dwelling Units abutting Highway 48, Fockler Lane or Stouffville Main Street. Staff have negotiated and discussed with the applicant to include polices that limit the development of

Townhouses dwelling units fronting major streets. The Applicant has agreed to the proposed policy, see proposed amendments below.

**Figure 8** below provides the proposed changes to the schedule for the Gateway Area.

**Figure 8**



The additional hatching adjacent to Main Street, Highway 48 and Fockler Lane indicates the areas where staff are proposing that Townhouse Dwelling Units be prohibited.

Staff are recommending that the Official Plan Amendment be read as follows:

**“12.7.11.6.2 Special Provision 2 - 5262, 5270, 5286, 5318 Main Street and 12371 Highway 48**

Notwithstanding any other provisions of this Plan to the contrary, the following site-specific policies apply:

- i. The permitted uses include mixed-use and apartment buildings, combined live-work units, and all forms of townhouse or stacked townhouse dwellings;

- ii. Notwithstanding 12.7.11.6.2 i. Townhouse Dwellings other than those that may be integrated into an apartment building, shall be prohibited abutting Highway 48, Fockler Lane or Stouffville Main Streets as established by the Zoning By-law;
- iii. Building heights ranging from 3 Storeys (Town House Dwellings/Stacked Town House Dwellings/ Back-to-Back Town House Dwellings) to 20 Storeys (Apartment Buildings) Shall be permitted. permitted, range from 10 to 20 storeys, as established in the Zoning By-law;
- iv. There shall be no minimum FSI for any development block that includes any townhouse unit typology.
- v. An FSI between 2.0 and 3.6 shall be permitted for any individual development block within the subject lands where apartment or mixed-use buildings are proposed.
- vi. The provisions of Section 12.7.11.5 shall not apply with respect to development of the subject properties;
- vii. A minimum of 450 square meters of ground floor non-residential gross floor area shall be required in any new mixed use building adjacent to Main Street;
- viii. Well defined and articulated street edges shall be provided through minimum and maximum setbacks for buildings and structures from the road allowance right-of-way, as required in the Zoning By-law; and
- ix. All loading and service areas, including garbage/recycling facilities shall be sited within wholly enclosed buildings, or appropriately screened and located away from the public realm as determined through site plan control.

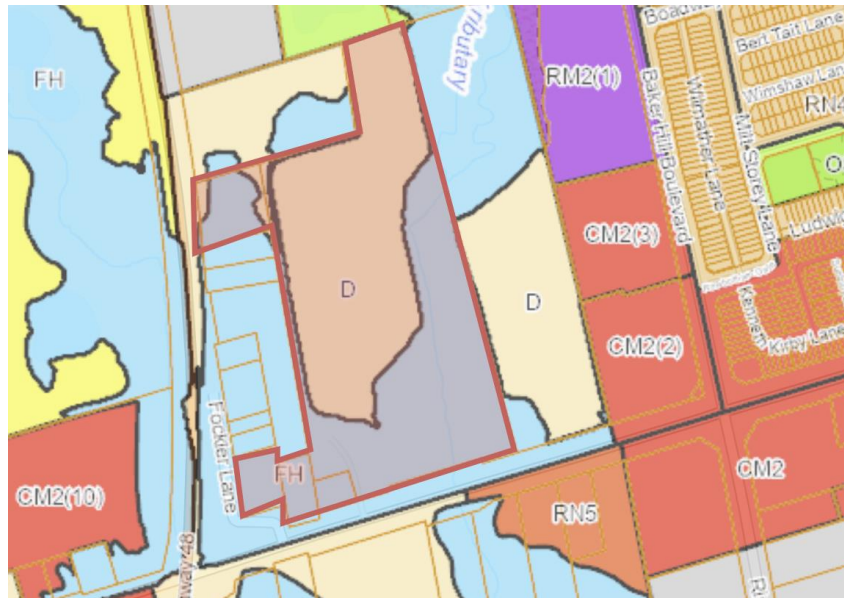
The addition of the new section “ii.” stipulates that Town House Dwelling Units shall be prohibited abutting Highway 48, Fockler Lane, or Stouffville Main Street which will help to protect the vision for the Gateway to Stouffville and provide direction into the future regarding the suitability of this area for higher densities and heights.

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

#### **3.4.1 Current Zoning**

The subject property is currently zoned Development Reserve, Flood Hazard and Environmental under the Town’s Zoning By-law. The intent is to establish site specific provisions through the zoning by-law amendment that reflect the policies of the Gateway Area in the Official Plan as well as the development principles contained in the Town’s Draft Official Plan. **Figure 9** below provides the existing zone categories for the subject properties.

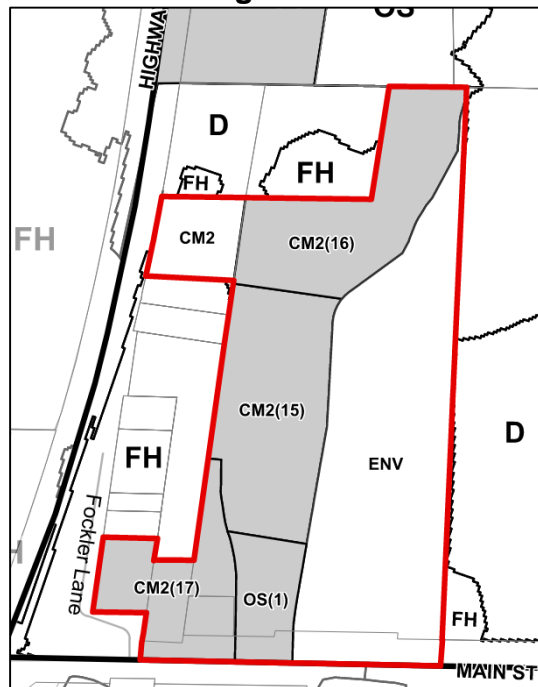
**Figure 9**



**3.4.2 Proposed Zoning By-law Amendment**

The applicant is proposing to amend the zoning for the subject properties from Development Reserve and Flood Hazard (D and FH) to implement multiple exceptions to the Commercial Residential Mixed – Western Approach Zone (CM2). See figure 10 for the proposed zones.

**Figure 10**





The applicant has proposed a total of three (3) different site-specific exceptions to the CM2 Zone which in addition to permitting all uses permitted in the parent CM2 zone, also permits more specifically live/work units to be provided within a multi storey building that can be accessed either directly from the outside or through the shared common corridor and include site specific regulations that are generally in accordance with **Table 4** below.

**Table 4 – proposed zoning regulations**

Regulation	CM2 Zone (Parent Zone)	CM2(15) (Proposed)	CM2(16) (Proposed)	CM2(17) (Proposed)
Minimum Front Yard	3.0 metres	2.0 metres (1)	2.0 metres (1)	1.0 metres (1)(2)(3)
Maximum Front Yard	3.0 metres	n/a	n/a	n/a
Minimum Exterior Side Yard	0 metres	n/a	n/a	2.0 metres (3)
Maximum Exterior Side Yard (3)	3 metres	n/a	n/a	n/a
Minimum Floor Space Index	1.0	n/a Townhouse Dwelling Units	n/a Townhouse Dwelling Units	n/a Townhouse Dwelling Units
Maximum Floor Space Index	0.5	n/a	n/a	n/a
Maximum Number of Dwelling Units	65 Units per hectare	340 (3)	310 (3)	150 units (5)(6)
Maximum Building Height	20 metres	77 metres (4)	45 metres (4)	77 metres (7)
Minimum number of Residential Parking Spaces	1.25 spaces/ apartment unit	1.0 spaces/ apartment unit	1.0 spaces/ apartment unit	1.0 spaces/ apartment unit
Minimum Number of Visitor Parking Spaces	0.25 spaces per unit	0.20 spaces per unit	0.20 spaces per unit	0.20 spaces per unit

The applicant has also requested qualifying notes related to the requested zone regulations above. The proposed amendment to the zoning by-law forms **Attachment 3** of this report to provide the full extent of the requested amendments.

In addition to the proposed CM2 zones outlined above, the applicant has also proposed a site-specific Open Space (OS) zone and requests the following permitted uses:

- i. Notwithstanding the permitted uses of the OS Zone listed in section 8.1, a structure used for stormwater management purposes shall also be a permitted use.

The requested amendments to the Zoning By-law will allow for the subject properties to be developed with multiple medium and high rise residential and mixed-use buildings with a total of 800 residential units as currently proposed. The applicant has proposed site

specific Commercial-Mixed Use Western Approach Zoning (CM2X) that reflects site specific zoning regulations to ensure appropriate massing and setbacks for the site.

The applicant has also requested that all forms of Townhouse Dwelling units be permitted across the entirety of the developable area of the properties. Planning Staff are supportive of maintaining permissions (as permitted in the CM2 Zone) for Townhouse Dwellings on most the site, however Staff believe that to maintain the intent of the Town's Official Plan, it is important to reserve the intersection of Highway 48 and Main Street as a higher density mixed use block. As such, the attached by-law reflects the restriction on the development of Block 3 as to prohibit Townhouse Dwelling Units.

The proposed increase in maximum building height from the current 20 metres to between 45 metres and 77 metres is consistent with the policies that have been adopted by Council in the new Official Plan 2022. The gateway area has been identified as an appropriate location for the increase in height as there is minimal impact to existing low rise residential neighbourhoods, easy access to the common commuter routes into and out of town, convenient access to the Town's primary commercial areas and access to the Public Transportation methods available in Stouffville.

The proposed increase in density for the CM2 zone is more reflective of the policies within the Council newly adopted Official Plan in 2024. Once the new Official Plan has been approved by the Ministry of Municipal Affairs and Housing, the Town will commence the project to develop a new Comprehensive Zoning By-law to reflect the updated policies for the Town. The request for density increase is required as there has not been a zoning category yet established in the Town's Comprehensive zoning by-law which would reflect the higher density development proposed for specific areas of the Town.

Staff are of the opinion that the requested site-specific Zoning By-law amendment, as amended by Staff, represents good planning and will facilitate an appropriate form of development for the subject properties.

### **3.4.3 Changes since the Public Meeting on November 22, 2023**

Since the Public Meeting, Town Planning Staff have refined their recommendations for approval to more closely align with the Town's newly adopted Official Plan whilst still allowing the property owner flexibility to adjust the proposed development through future Site Plan Control and Draft Plan of Condominium Applications as required.

#### **3.4.3.1 Unit Type Permissions**

As discussed in the sections above, the applicant has requested to rezone the lands from Development Reserve (D) to site specific CM2 for the site, this includes a request to maintain the permissions of the Town's CM2 zone which allows for Townhouse Dwelling units to be constructed. The existing CM2 Zone was designed under the policies of the Town's Official Plan and does not consider the updated policies from the Gateway Study OPA that was completed nor the policies of the Council Adopted Official Plan 2022.

Staff are recommending that for the portion of the property closest to the intersection of Highway 48 and Main Street, the following be included in the site specific CM2 zone.

*“Notwithstanding Section 6.1 “Permitted Uses in Commercial Zones” Townhouse Dwelling Units shall not be permitted abutting Fockler Lane, Highway 48 or Main Street Stouffville within the CM2(17) Zone except where integrated into an apartment or mixed use building”.*

This will allow the requested flexibility for the property owner, developer or future owners to respond to the changing needs of the community while still ensuring that the vision for the gateway, of a strong and attractive built form with a vibrant mix of uses is what greets visitors to the Town as they enter through this important gateway area.

The applicant and property owner have been informed of the recommendation and are in agreement with the revised wording for the lands abutting Highway 48, Fockler Land and Stouffville Main Street.

#### **3.4.3.2 Requested reduction in residential parking ratio for apartment buildings**

With the most recent submission, the included draft Zoning By-law amendment included a request to reduce the parking rate for apartment dwelling units to 1.0 spaces per unit from the required 1.25 spaces per unit. The applicant has also maintained their previous request to allow for a reduction in the visitor parking ratio of 0.20 spaces per unit whereas the by-law required 0.25 visitor parking spaces per unit. This would bring the over all ratio to 1.20 spaces per unit where the by-law requires 1.50 spaces per unit as of right. Although there is public transit available near the subject properties, staff are of the opinion that the Town’s Zoning By-law requirement for the Apartment Dwelling Unit be maintained at 1.25 spaces per until. As such the by-law as included and attached to this recommendation report has recommended approval of the requested reduction in visitor parking only. This would bring the overall parking ratios to 1.45 spaces per apartment dwelling unit from the required 1.50 spaces per apartment dwelling unit.

Further, the drawings that have been prepared and provided to the Town to date, do not reflect a need for a reduction in parking ratio, each phase of the development is currently able to provide the required number of parking spaces per unit. If the Town were to receive a revised application through the future Site Plan Control or Draft Plan of Condominium applications, then any deficiency could be addressed that is specific to the detailed design phase of the project. The applicant and property owner have been informed about this recommendation and are in agreement on removing the requested reduction.

#### **3.5 Proposed Draft Plan of Subdivision**

The application for Draft Plan of Subdivision is to facilitate the creation of blocks for future development, the construction of a roadway to be dedicated to public ownership, a storm water management block as well as a block containing the environmentally sensitive lands on the eastern portion of the site, which will be conveyed to the TRCA or the Town through the subdivision agreement process.

The breakdown of block numbers (total of 9) and their respective sizes can be seen in **Table 5** below.

**Table 5**

<b>Block</b>	<b>Development Description</b>	<b>Area (hectare)</b>	<b>Prop. Density Units/hectare</b>	<b>Units Proposed</b>
<b>1</b>	<b>Development Block (Phase 3 – two apartment buildings)</b>	<b>1.13</b>	<b>264.51</b>	<b>310</b>
<b>2</b>	<b>Development Block 2 (Phase 1 – two mixed use buildings)</b>	<b>1.12</b>	<b>304.06</b>	<b>340</b>
<b>3</b>	<b>Development Block 3 (Phase 2 – one mixed use building)</b>	<b>0.57</b>	<b>264.41</b>	<b>150</b>
<b>4</b>	<b>Storm Water Management Tank</b>	<b>0.25</b>	<b>-</b>	<b>-</b>
<b>5</b>	<b>Environmental Protected Lands</b>	<b>2.92</b>	<b>-</b>	<b>-</b>
<b>6</b>	<b>Road Widening</b>	<b>0.02</b>	<b>-</b>	<b>-</b>
<b>7</b>	<b>Temporary Turning Circle</b>	<b>0.04</b>	<b>-</b>	<b>-</b>
<b>8-9</b>	<b>Future Development</b>		<b>-</b>	<b>-</b>
	<b>Streets A &amp; B</b>	<b>0.88</b>	<b>-</b>	<b>-</b>
<b>Total</b>		<b>7.16</b>		

### 3.5.1 Conditions of Draft Approval

The final submission materials have been circulated to all statutory and commenting agencies and departments. Many of our agency partners have provided conditions of approval for the Draft Plan of Subdivision.

The following agencies had conditions to be included in the Conditions of Draft Approval which form **Attachment 2** to this report.

- RJ Burnside – Town’s Peer Review Consultant
- Toronto Region Conservation Authority
- The Region of York
- Enbridge Gas
- Telecommunications Companies (Bell and Rogers).

### **3.6 Future applications for Site Plan Control and Plan of Condominium**

Each of the proposed development blocks will require further applications for Site Plan Control and Plans of Condominium. Including but not limited to, the following items will receive further review through these future applications:

- Detailed urban design and landscape design review for each block
- Final review and approval of access to the development blocks from Street A
- Landscaping design for the entire development inclusive of the outdoor amenity area programming
- Review of shadow studies for impact on adjacent properties
- Review and approval of lighting design
- Details of pedestrian connections to the active transportation network within the Environmental block to be dedicated to the TRCA
- Details of pedestrian connections to existing sidewalks along Main Street and the continuation of the same through Street's A and B
- Grading and stormwater management of the individual development blocks
- Connections to the Water, Wastewater and Storm Water services which will be construction through the detailed design of the subdivision
- Servicing allocation

## **4. Options:**

### **Option A (Recommended)**

That Council enact Official Plan Amendment 167 for the subject properties and pass the associated by-law (2024-114-OP) as well as the site specific zoning by-law amendment (2024-115-ZO) for the subject properties, and that Council Approve Draft Plan of Subdivision, File No. 19T(W)16.003 subject to the conditions of draft approval as set out in Attachment 4 of this report, as all Town Departments and commenting Agencies have indicated no objection to draft approval subject to conditions at this time.

Staff are of the opinion and have outlined above, that the planning act applications as proposed and amended by staff represent good planning and if approved will result in an appropriate infill development that will aid the Town in achieving the objective of providing more dwellings and dwelling types within the Town.

### **Option B**

That Council does not enact Official Plan Amendment 167 for the subject property, pass by-law (2024-114-OP) or site-specific zoning by-law amendment (2024-115-ZO), or approve the Draft Plan of Subdivision for the subject properties.

Staff do not recommend this option as; the proposed development represents good planning, The applicant has worked with approval agencies (the Town, TRCA and the MTO) to identify appropriate limits of the development as well as identify safe access to the site. At this point, the required Site Plan Control applications, and the fulfillment of the



Draft Plan Conditions are sufficient to ensure that the development is carried out in a way that is appropriate for the area and will achieve the creation of a complete community.

### **3 Financial Implications:**

None

### **4 Alignment with Strategic Plan:**

1. A Town that Grows  
A Town that grows in support of complete communities
2. A Healthy and Greener Town  
Increase Offerings and Opportunities for Active Living
3. A Safe Town  
Make our community safer
4. Good Governance  
Provide Good Governance

### **5. Attachments:**

Attachment No. 1 – Location Map of Subject Properties

Attachment No. 2 – Conditions of Draft Approval

Attachment No. 3 – Proposed Development Plan

### **6. Related Reports:**

November 22, 2023 – DS-060-23- Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision – 5262, 5270, 5286, 5318 Main Street and 12371 Highway 48, File Numbers: OPA16.006 and ZBA16.016

March 26, 2019 – Report No. DS-014-19 – Applications for Zoning By-law Amendment and Draft Plan of Subdivision - 5262, 5270, 5286 and 5318 Main Street, File Numbers: ZBA16.016 and 19T(W)16.003(D14 and D12)

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