

Memorandum to the City of Markham Committee of Adjustment

September 7, 2021

File: B/005/21
Address: 3975 Elgin Mills Road East, Markham
Applicant: Romandale Farms Limited (Helen Roman-Barber)
Agent: RJ Forhan and Associates Inc. (Bart Ryan)
Hearing Date: September 8, 2021

The following comments are provided on behalf of the North Team. The applicant is requesting provisional consent for a mortgage/charge on a portion of the subject property.

BACKGROUND

3975 Elgin Mills Road East is located between Kennedy Road and Warden Avenue, within the area commonly referred to as the Angus Glen Secondary Plan Block (the “Subject Property”) (See Appendix A: Location Map).

The Subject Property has an area of approximately 52 hectares (129 acres) and contains several natural heritage features (i.e. wetlands, woodlands, valleys, streams, etc.), several structures (including three residences) and agricultural lands (See Appendix B: Aerial Photo).

The surrounding area is characterized by rural land uses consisting of golf courses, farms, rural residential estates and greenway.

Proposal

The applicant is requesting provisional consent for a mortgage/charge on a portion of the Subject Property. Part 1 of the Draft R-plan is the area subject to the mortgage/charge consent (the “Subject Land”). The Subject Land is approximately 9 hectares (23 acres) and contains approximately 83 metres of frontage along Elgin Mills Road East (See Appendix C: Draft R-Plan). The remaining lands are approximately 43 hectares (106 acres) with a frontage of approximately 636 metres along Elgin Mills Road East.

Official Plan and Zoning

Official Plan 2014 (partially approved on November 24/17, and updated on April 9/18)

The Subject Land is located within the City’s Future Urban Area (FUA) and is designated “Future Neighbourhood Area” and “Greenway” in the Official Plan 2014 (See Appendix D: Official Plan 2014 Map 3 – Land Use). The FUA is expected to be comprised of pedestrian, cycling, and transit-friendly compact and complete communities.

Section 8.12 of the Official Plan 2014 identifies a comprehensive planning process to be undertaken prior to development occurring within the FUA. A key component of the comprehensive planning process is the development of the Conceptual Master Plan (CMP) over the entirety of the FUA in order to ensure consistent, coordinated planning and development within individual draft secondary plan areas.

In October 2017, Council endorsed the CMP, which established a high level Community Structure Plan and key policy direction as the basis for the preparation and approval of secondary plans for the FUA.

In 2017, the Angus Glen Landowners Group (AGLG) submitted the Angus Glen Secondary Plan (File No. OP 17 130159) which is currently under appeal to Local Planning Appeal Tribunal. The applicant is not a member of the AGLG.

Zoning By-law 304-87

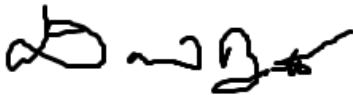
The Subject Property is zoned "Agriculture One Zone (A1) and Open Space One Zone (O1)" under By-law 304-87, as amended (See Appendix E: Zoning By-law Excerpt). Staff note, should a severance be created, the Subject Land (designated A1) would not comply with the minimum lot area and frontage requirement. The minimum lot frontage requirement is 120 metres and the minimum lot area requirements is 10.0 hectares under the A1 zone designation.

COMMENTS

Staff note that no development is proposed at this time. The proposal allows the existing uses to continue with frontage on a public road, while at the same time not restricting future planning considerations contemplated under the 2014 Official Plan. As a condition of approval the Subject Property will be required to comply with the requirements of the zoning by-law.

Planning Staff have reviewed the application with respect to 51(24) of The Planning Act, R.S.O. 1990, c. P.13, as amended and have no objections to the proposed consent, subject to conditions outlined in Appendix 'G' attached to this report.

PREPARED BY:



Daniel Brutto, Senior Planner, North District

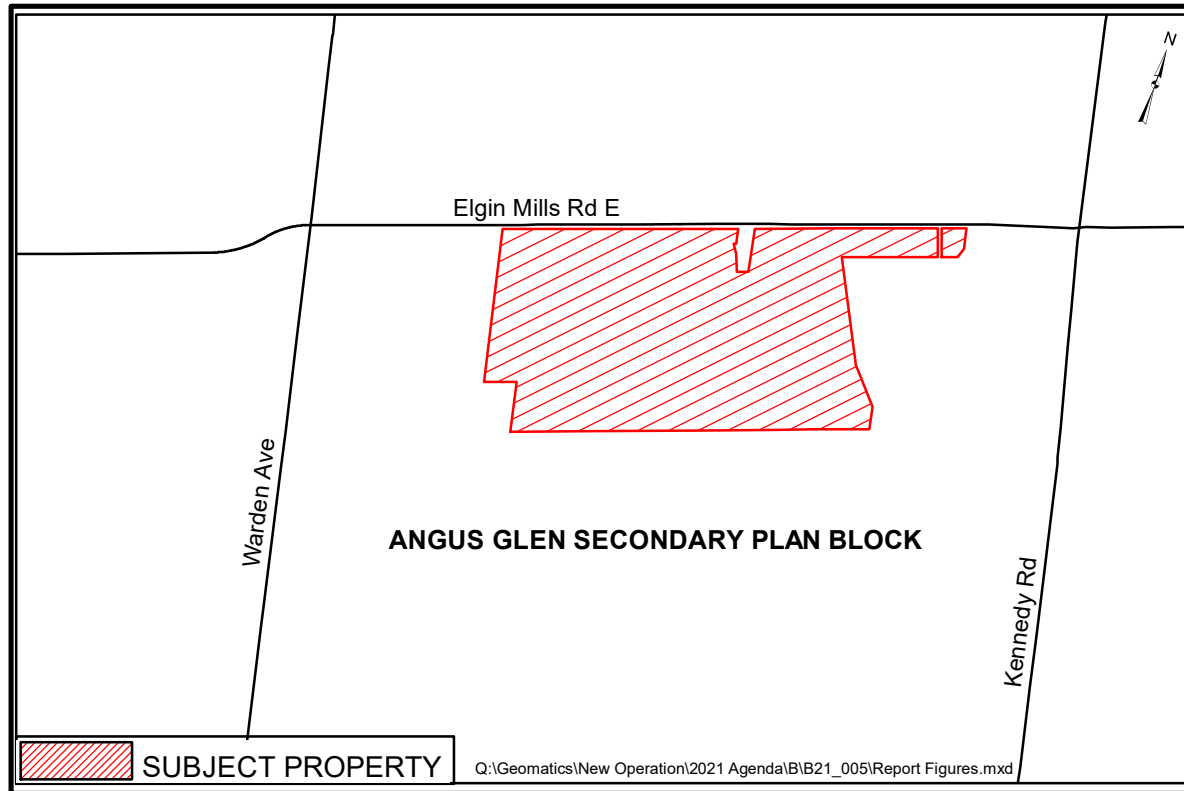
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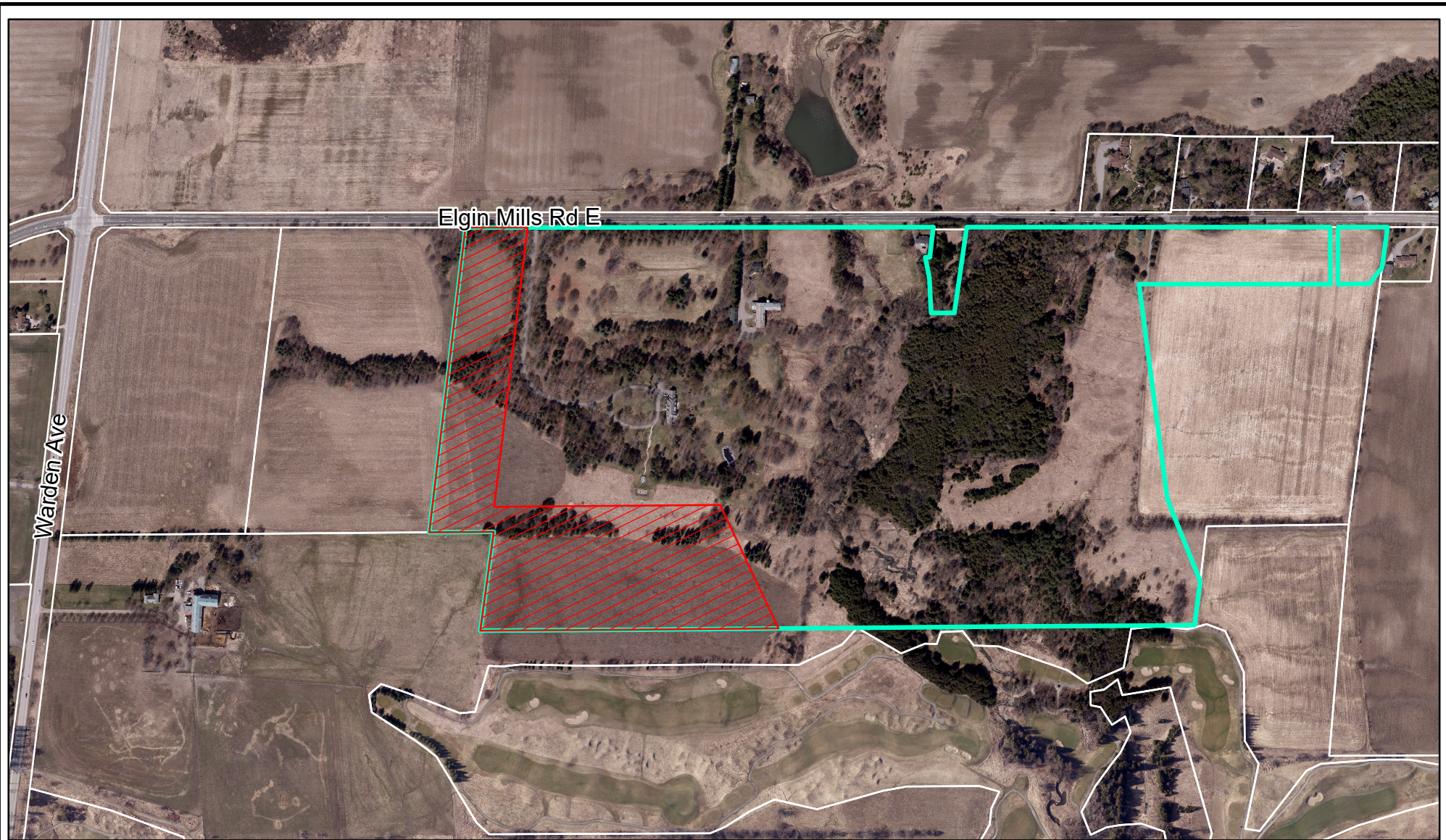
Stephen Kitagawa, Acting Development Manager, North District

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APPENDICES

Appendix A: Location Map
Appendix B: Aerial Photo
Appendix C: Draft R-Plan
Appendix D: Official Plan 2014 Map 3 – Land Use
Appendix E: Zoning By-law Excerpt
Appendix F: TRCA Conditions
Appendix G: Conditions of Approval





AERIAL PHOTO (2020)

APPLICANT: Romandale Farms Ltd

FILE No. CSNT 21 123353

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DEVELOPMENT SERVICES COMMISSION

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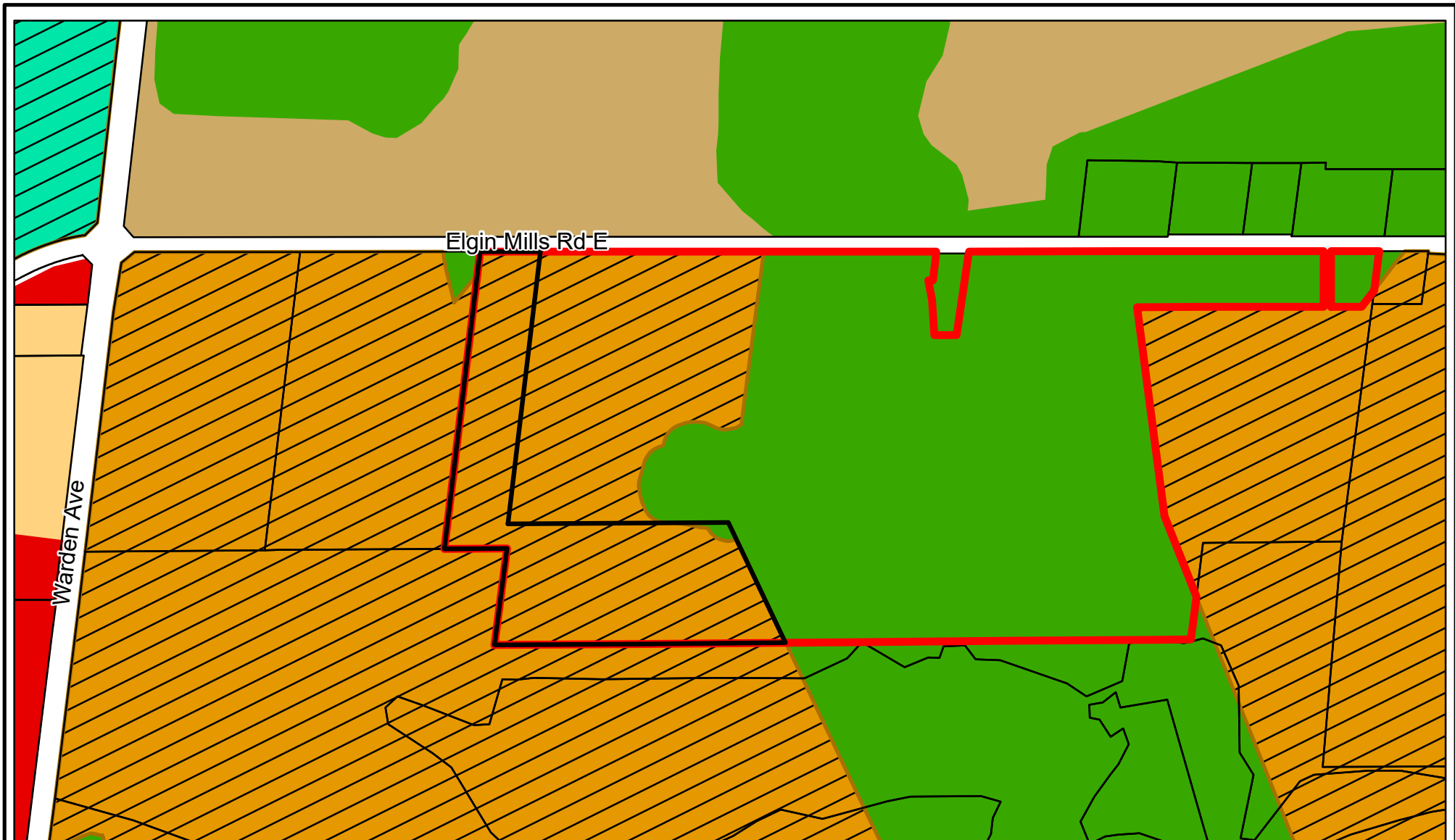
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DATE: 31/08/2021

APPENDIX B

-  SUBJECT LANDS
-  SUBJECT PROPERTY





OFFICIAL PLAN 2014 MAP 3 - LAND USE

APPLICANT: Romandale Farms Ltd

FILE No. CSNT 21 123353



Greenway

Countryside

Residential Mid Rise



Mixed Use Mid Rise

Future Neighbourhood Area

Future Employment Area



SUBJECT LANDS

SUBJECT PROPERTY

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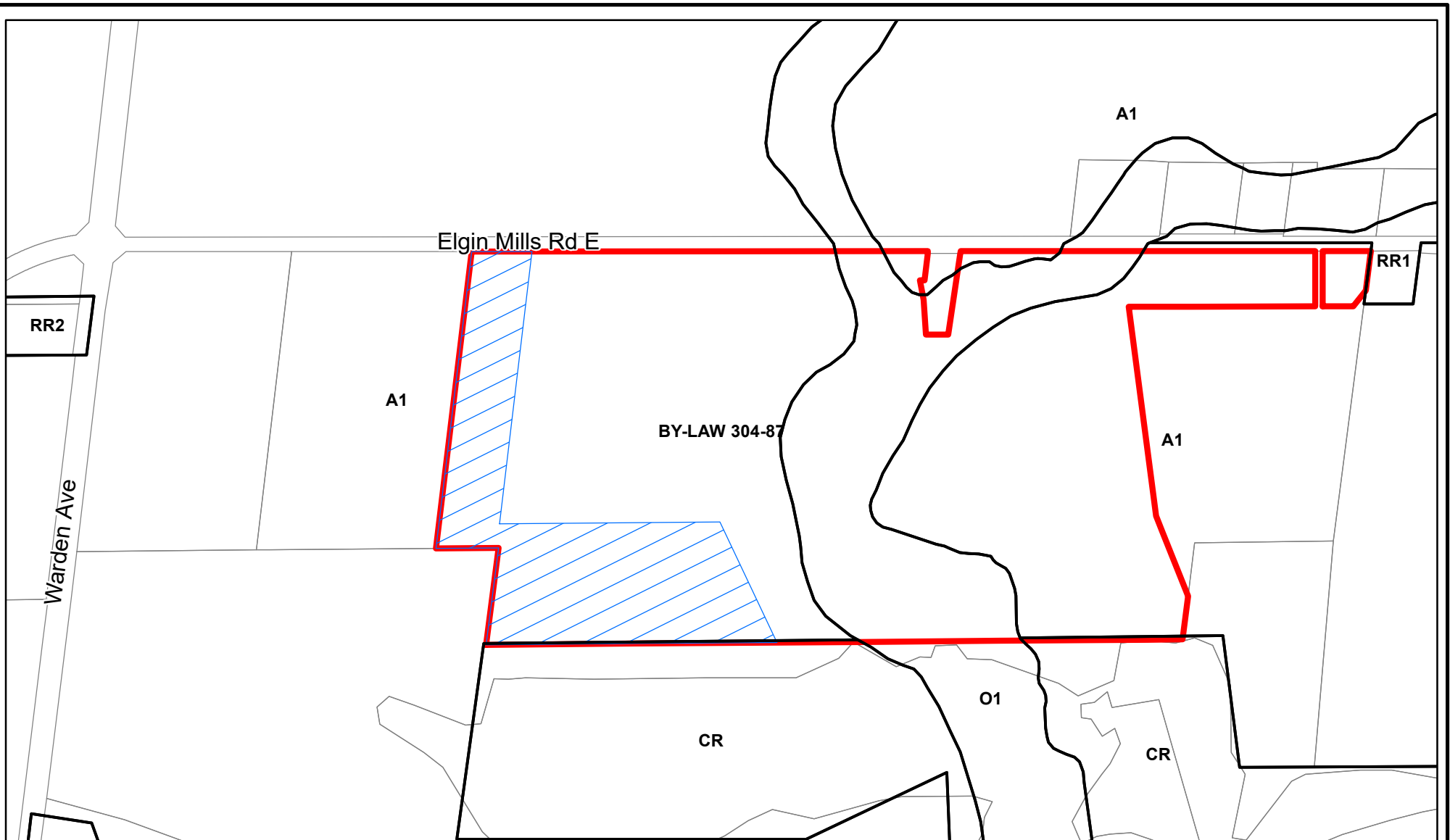
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DATE: 31/08/2021

APPENDIX D



ZONING BY-LAW EXCERPT

APPLICANT: Romandale Farms Ltd

FILE No. CSNT 21 123353

 SUBJECT LANDS
 SUBJECT PROPERTY

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MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: DB

DATE: 31/08/2021

APPENDIX E

September 3, 2021

CFN: 65850

Uploaded to ePlan

Mr. Justin Leung
Secretary-Treasurer
Committee of Adjustment
City of Markham
101 Town Centre Boulevard
Markham, ON L3R 9W3

Dear Mr. Leung:

**Re: Your file: 21.123353 (Mortgage / Charge Consent Application)
Romandale Farms
3975 Elgin Mills Road East, City of Markham**

This letter acknowledges receipt of the above-noted consent application. Toronto and Region Conservation Authority (TRCA) has reviewed the materials circulated digitally on August 24, 2021, as part of this application, and provide our comments below.

Purpose

This consent application is a consent for mortgage purposes. It is understood that the consent will create a separate parcel but under common ownership. The intent is to allow for a mortgage to be registered on only a portion of the property.

TRCA Comment

The consent appears to sever portions of a woodland feature on the property. This feature was identified through the Markham Future Urban Area (FUA) Subwatershed Study and Conceptual Master Plan for protection. While TRCA has no concerns with the intent of the proposed consent application, all applicable requirements in terms of protection of the feature and potential future conveyance of any portions of the feature (as may be deemed appropriate by the City and TRCA) will continue to apply.

The subject property is located within an area that is regulated by the TRCA under Ontario Regulation 166/06, as amended. Any new development or site alteration (as defined under the *Conservation Authorities Act*) within TRCA's Regulated Area of the property will require a permit from our office.

Application Review Fee

As per TRCA's role as a commenting agency for *Planning Act* applications circulated by member municipalities to assess whether a proposed development may be impacted by TRCA, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services.

This application is subject to a \$1,470 review fee (2021 TRCA Planning Fees Schedule – Consent — Minor).

Recommendation

Based on the information submitted to date, TRCA has no objection to this Consent Application, subject to the following conditions:

1. that the applicant remits the outstanding TRCA Planning Services review fee for this application (\$1,470) to TRCA.
2. that the applicable requirements in terms of protection of the feature and potential future conveyance of any portions of the feature, as may be deemed appropriate by the City and TRCA, will continue to apply

Should you have any questions, please do not hesitate to contact me at jackie.burkart@trca.ca.

Sincerely,



Jackie Burkart
Senior Planner
Development Planning & Permits | Development and Engineering Services
647-273-6013

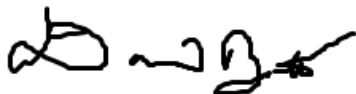
Copy: Quentin Hanchard – TRCA

APPENDIX "G"

CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/005/21

1. Payment of all outstanding realty taxes and local improvements charges owing to date against both the subject and retained parcels, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled.
2. Submission to the Secretary-Treasurer of seven white prints of a deposited reference plan showing the Subject Land, which conforms substantially to the application as submitted.
3. Submission to the Secretary-Treasurer of the required transfer, in duplicate, mortgaging the subject lands, and issuance by the Secretary Treasurer of the certificate required under subsection 53(42) of the Planning Act.
4. That the Owner obtain any necessary approvals to resolve any outstanding zoning deficiencies for the Subject Property, to the satisfaction of the Director of Planning and Urban Design or their designate.
5. That the applicant satisfies the requirements of the *Toronto and Region Conservation Authority*, financial or otherwise, as indicated in their letter to the Secretary-Treasurer attached as Appendix F to this Staff Report, to the satisfaction of the *Toronto and Region Conservation Authority*, and that the Secretary-Treasurer receive written confirmation that this condition has been fulfilled to the satisfaction of *Toronto and Region Conservation Authority*.
6. Fulfillment of all of the above conditions within one (1) year of the date that notice of the decision was given under Section 50(17) or 50(24) of the Planning Act, R.S.O. 1990, c.P.13.

CONDITONS PREPARED BY:



Daniel Brutto, Senior Planner, North Markham