

# Memorandum to the City of Markham Committee of Adjustment

February 28, 2024

**File:** B/042/23  
**Addresses:** 5, 9, 17, 19, 25, 27, 29 Ruggles Avenue and 73, 75, 77 and 79 Langstaff Road East, Markham (“Subject Lands”)  
**Applicant:** 5 Ruggles Ave. Development Inc., 9 Ruggles Ave. Development Inc., 17 Ruggles Ave. Developments Inc., 19 Ruggles Ave. Developments Inc., 25 Ruggles Ave. Developments Inc., 27 Ruggles Ave. Developments Inc., 29 - 32 Ruggles Ave. Developments Inc., 29 - 33 Ruggles Ave. Developments Inc., 29 - 34 Ruggles Ave. Developments Inc., 73 Langstaff Rd. E. Developments Inc. and 75 Langstaff Rd. E. Developments Inc. (Alex Beduz)  
**Agent:** WND Associates (Kevin McKrow)  
**Hearing Date:** Wednesday, March 6, 2024

The following comments are provided on behalf of the West Team.

## BACKGROUND

The 5.95 ha. (14.70 ac.) Subject Lands are located south of Langstaff Road East between the CN rail corridor and Ruggles Avenue (Refer to Appendix A: Location Map). Presently, they are occupied by a mix of vacant properties, properties with light-industrial use operations and commercial vehicle storage yards (Refer to Appendix B: Aerial Photo).

The Subject Lands form a part of the Bridge Station Transit Orientated Community (TOC) which is bounded by Holy Cross Cemetery to the south, Yonge Street to the west, Highway 407 to the north and Cedar Avenue to the east (Refer to Appendix C: Bridge Station Master Plan - Master Plan [TOC Zone]).

In 2021, Infrastructure Ontario (IO) identified lands in this area as part of the Province’s TOC program. The TOC program facilitates the development of transit oriented communities around transit stations along the Yonge North Subway Extension (YNSE) and other priority rapid transit lines in the Greater Toronto Area. The Bridge Station TOC is reflective of the decision to relocate the planned subway station from Yonge Street to the CN rail line. At full build out, the program contemplates approximately 20,000 residential units, a minimum of 180,000 m<sup>2</sup> of non-residential uses and a population of approximately 35,000.

## Proposal

The applicant is requesting provisional consent for a partial discharge of a mortgage on portions of the Subject Lands. The purpose of this application is to discharge the mortgage over the severed lands (Parts 1, 2, 3, and 12) and facilitate Metrolinx’s utilization of these lands for construction staging to commence work on the YNSE project (Refer to Appendix D: Draft R-Plan and Appendix E: Consent Sketch).

## Official Plan and Zoning

Official Plan 2014 (partially approved on November 24/17, and updated on April 9/18)  
Section 9.11 contains area specific policies which apply to the Subject Lands. Policy 9.11.4 states that until a revised secondary plan is approved for the Regional Centre –

Langstaff Gateway lands, the provisions of the 1987 Official Plan and Langstaff Gateway Secondary Plan shall apply.

Langstaff Gateway Secondary Plan (PD 44-1)

The Subject Lands are designated “Office”, “Residential”, “Residential – Mixed Use” and “Parks and Open Space” in the Langstaff Gateway Secondary Plan.

Ministers Zoning Order (O Reg. 345/22)

In April 2022, the Minister of Municipal Affairs and Housing issued a Minister’s Zoning Order (MZO) under the Planning Act (Ontario Regulation 345/22) as part of the implementation of the Bridge Station TOC. Where there is a conflict between the MZO and a municipal zoning by-law, subsection 47(3) of the *Planning Act* states that the MZO prevails. There is also no statutory requirement for an MZO to conform with an Official Plan in effect with respect to the lands subject to the Order.

The MZO split zones the Subject Lands under various Community Amenity zones and an Open Space zone (Refer to Appendix F: O.Reg. 345/22 - Map No. 302). The Community Amenity zones generally permit mixed-use high-rise development and the Open Space zone permits, among other uses, a park. The MZO does not prescribe a minimum lot area or frontage as it pertains to the proposal.

**DISCUSSION**

The proposal maintains sizeable lot areas and frontage on public roads. No development is proposed at this time and the construction staging is considered a necessary and interim use on the Subject Lands to facilitate the development of the Bridge Station TOC and the YNSE. It is expected over time that the parcel fabric in this area will mirror that identified by the Bridge Station TOC and MZO through future draft plan of subdivision applications.

**PUBLIC INPUT SUMMARY**

No written submissions were received as of February 28, 2024. It is noted that additional information may be received after the writing of the report, and the Secretary-Treasurer will provide information on this at the meeting.

**CONCLUSION**

Planning Staff have reviewed the application with respect to sections 51(24) and 53 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:



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Daniel Brutto, MCIP, RPP, Senior Planner, Planning and Urban Design

REVIEWED BY:



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Rick Cefaratti, MCIP, RPP, Acting-Development Manager, West District

## **APPENDICES**

Appendix A: Location Map

Appendix B: Aerial Photo

Appendix C: Bridge Station Master Plan - Master Plan [TOC Zone]

Appendix D: Draft R-Plan

Appendix E: Consent Sketch

Appendix F: O.Reg. 345/22 - Map No. 302

Appendix G: Conditions of Approval



Hwy 7 E

Hwy 407

Hwy 407

Langstaff Rd E

Ruggles Ave

Cedar Ave

Essex Ave

Yonge St

Thornheights Rd

Shieldmark Cres

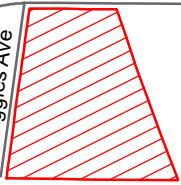
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**SUBJECT LANDS**







# AERIAL PHOTO (2023)



 SUBJECT LANDS

FILE No. CSNT 23 149004

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 DEVELOPMENT SERVICES COMMISSION

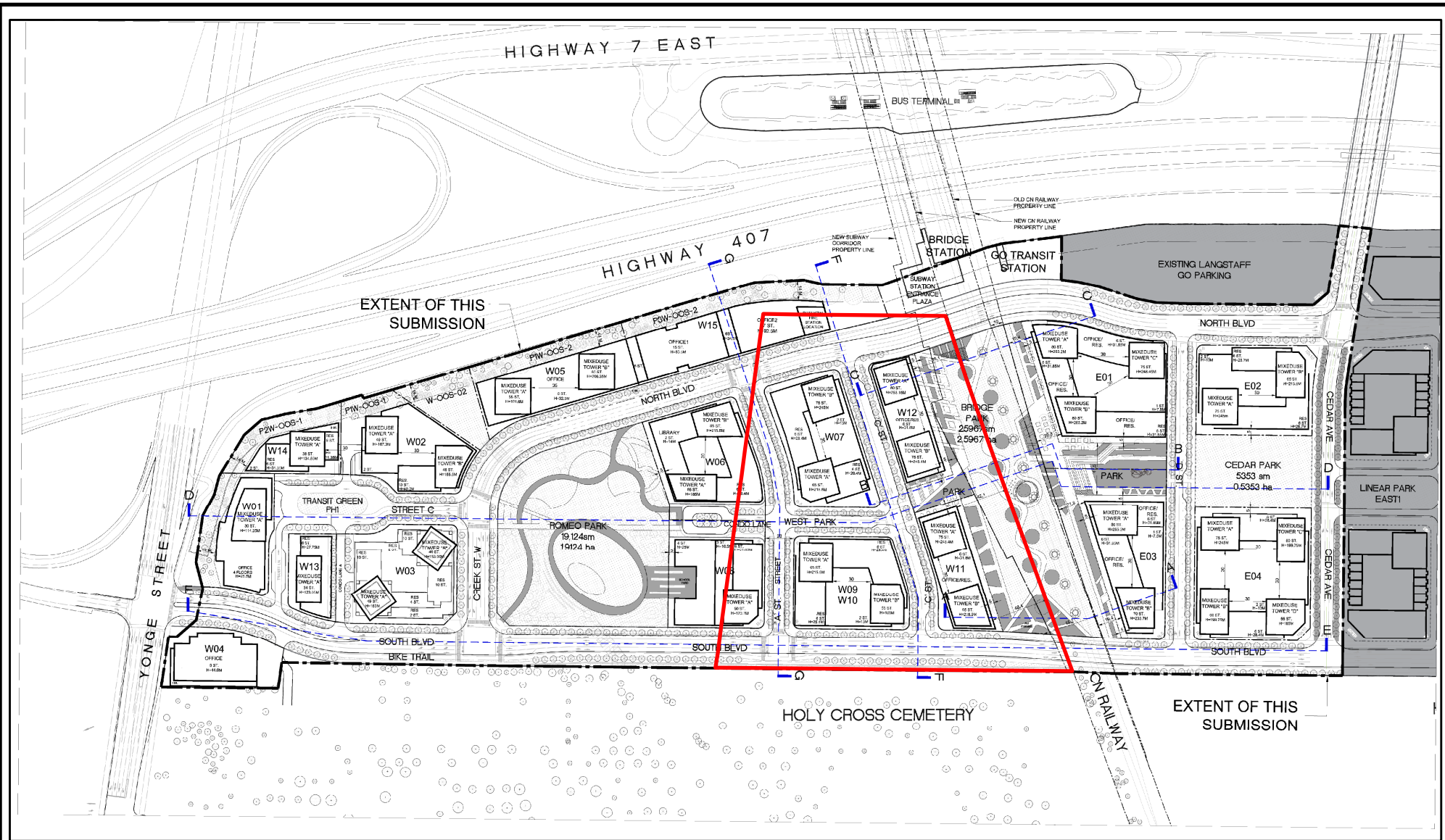
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DATE: 25/01/2024

APPENDIX 'B'





# BRIDGE STATION MASTER PLAN – MASTER PLAN [TOC Zone]



SUBJECT LANDS

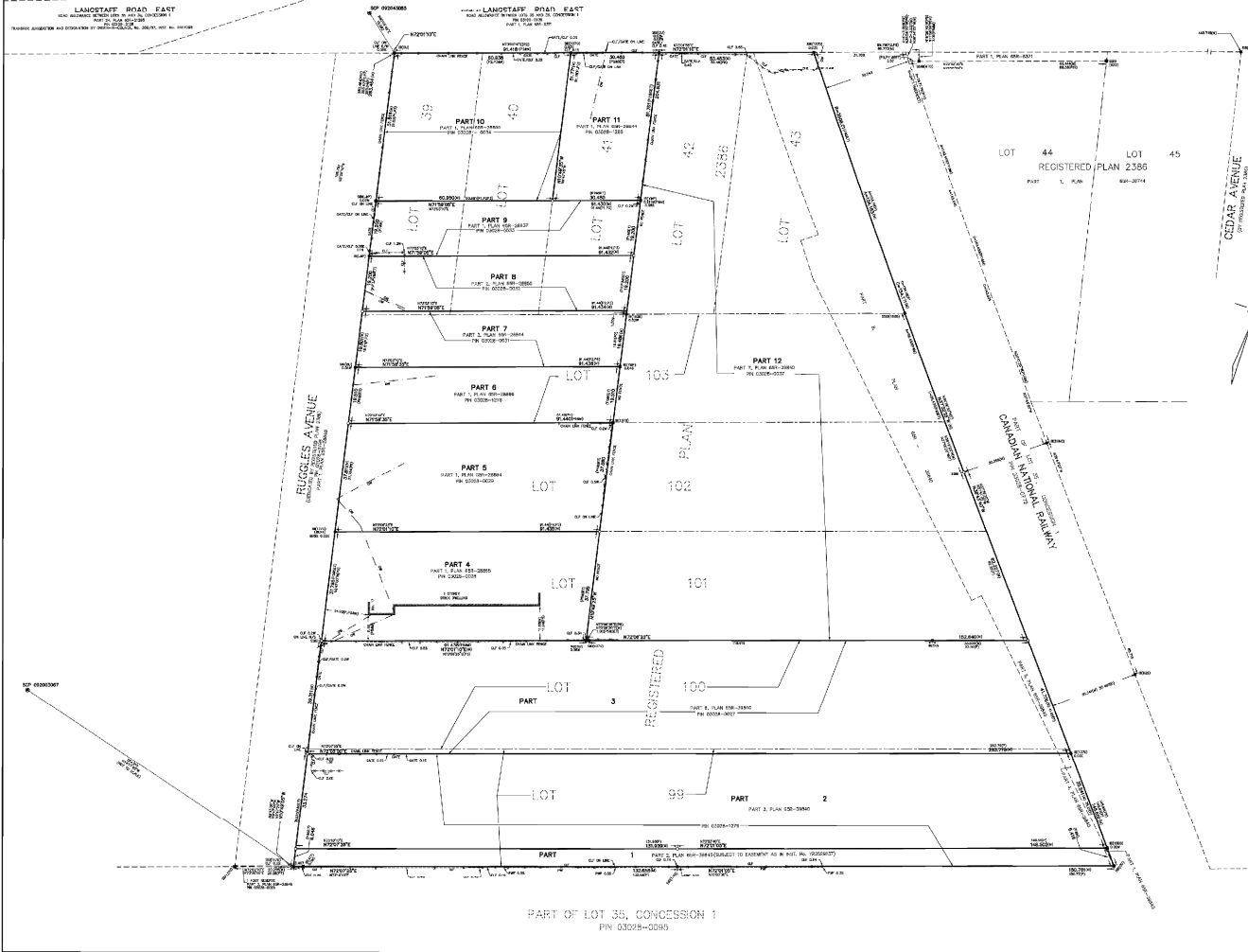
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METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVING BY 0.3048.

LANCASTER ROAD EAST  
 (SEE SUBDIVISION PLAN 100/0010504/1)  
 PART 2, PLAN 100/0010504

LANCASTER ROAD EAST  
 (SEE SUBDIVISION PLAN 100/0010504/1)  
 PART 2, PLAN 100/0010504



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TILES ACT:			
DATE:	RECEIVED AND DEPOSITED:	PLAN 65R-	
DATE:	JAN		
DATE: _____, 2023.		DATE: _____, 2023.	
OWNER: O. DZALDOV ONARIO LAND SURVEYOR		REPRESENTATIVE FOR LAND RESOURCES FOR THE LAND TILES DIVISION OF YORK REGION:	
SCHEDULE			
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PLAN OF SURVEY OF ALL OF LOTS 39 TO 43, BOTH INCLUSIVE AND ALL OF LOTS 99 TO 103, BOTH INCLUSIVE REGISTERED PLAN 2386 CITY OF MARKHAM REGIONAL MUNICIPALITY OF YORK (GEOGRAPHIC TOWNSHIP OF MARKHAM, COUNTY OF YORK) SCALE 1 : 500

- NOTES
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SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE ACT AND THE REGULATIONS AND UNDER THE SUPERVISION OF THE REGISTRAR.
2. THE SURVEY WAS COMPLETED ON THE DAY OF \_\_\_\_\_, 2023.

DATE: \_\_\_\_\_

OWNER: O. DZALDOV  
ONARIO LAND SURVEYOR

SCHAEFFER DZALDOV PURCELL LTD.  
 140 GERRARD STREET EAST, SUITE 1000, TORONTO, ONTARIO M5C 1H6  
 TEL: (416) 923-1111 FAX: (416) 923-1112  
 WWW.SDP.LTD.CA

# DRAFT R-PLAN

FILE No. CSNT 23 149004

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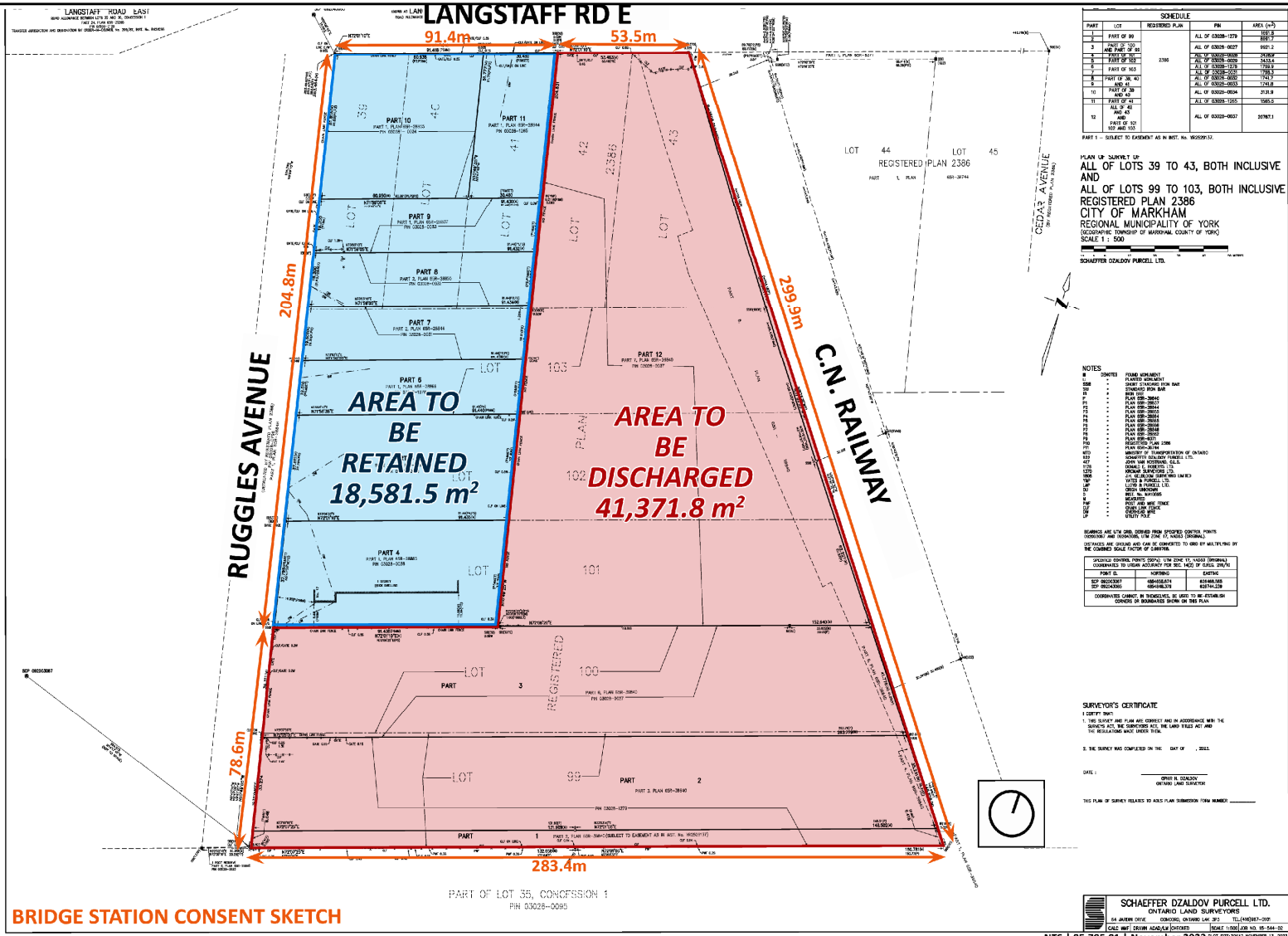


Drawn By: RT

Checked By: DB

DATE: 25/01/2024

APPENDIX 'D'



PART	LOT	REGISTERED PLAN	PIR	AREA (M <sup>2</sup> )
1	PART OF 89		ALL OF 0308-232	2307.1
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4	PART OF 92		ALL OF 0308-232	2307.1
5	PART OF 93	2386	ALL OF 0308-232	2307.1
6	PART OF 94		ALL OF 0308-232	2307.1
7	PART OF 95		ALL OF 0308-232	2307.1
8	PART OF 96		ALL OF 0308-232	2307.1
9	ALL OF 97		ALL OF 0308-232	2307.1
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13	ALL OF 101		ALL OF 0308-232	2307.1
14	ALL OF 102		ALL OF 0308-232	2307.1
15	ALL OF 103		ALL OF 0308-232	2307.1

PLAN OF SURVEY OF  
 ALL OF LOTS 39 TO 43, BOTH INCLUSIVE  
 AND  
 ALL OF LOTS 99 TO 103, BOTH INCLUSIVE  
 REGISTERED PLAN 2386  
 CITY OF MARKHAM  
 REGIONAL MUNICIPALITY OF YORK  
 (DISSEMINATED TOWNSHIP OF MARKHAM COUNTY OF YORK)  
 SCALE 1 : 500

- NOTES
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UNIT	CONVERSION FACTOR
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YD	0.9144
AC	4046.86
HA	10117.14
MI	1609.34
MI <sup>2</sup>	2598761
KM	1000
KM <sup>2</sup>	1000000

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT

1. THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE CONVEYANCE ACT, THE LAND TRANSFER ACT AND THE REGULATIONS MADE THEREUNDER.
2. THE SURVEY WAS COMPLETED ON THE DAY OF \_\_\_\_\_, 2024.

DATE: \_\_\_\_\_

GREG G. SCHAEFER  
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO THIS PLAN SUBMISSION (FORM NUMBER) \_\_\_\_\_

**SCHAEFER DZALDOV PURCELL LTD.**  
 ONTARIO LAND SURVEYORS

34 AVENUE DRIVE • MISSISSAUGA, ONT. L4W 1B1 • TEL: (905) 875-3100  
 300 WEST BRIMM ROAD, L4R 0A2 • MISSISSAUGA, ONT. L4W 1B1 • TEL: (905) 875-3100

NTS | 05.705.01 | November 2023 | PLAN 2386-232-2023

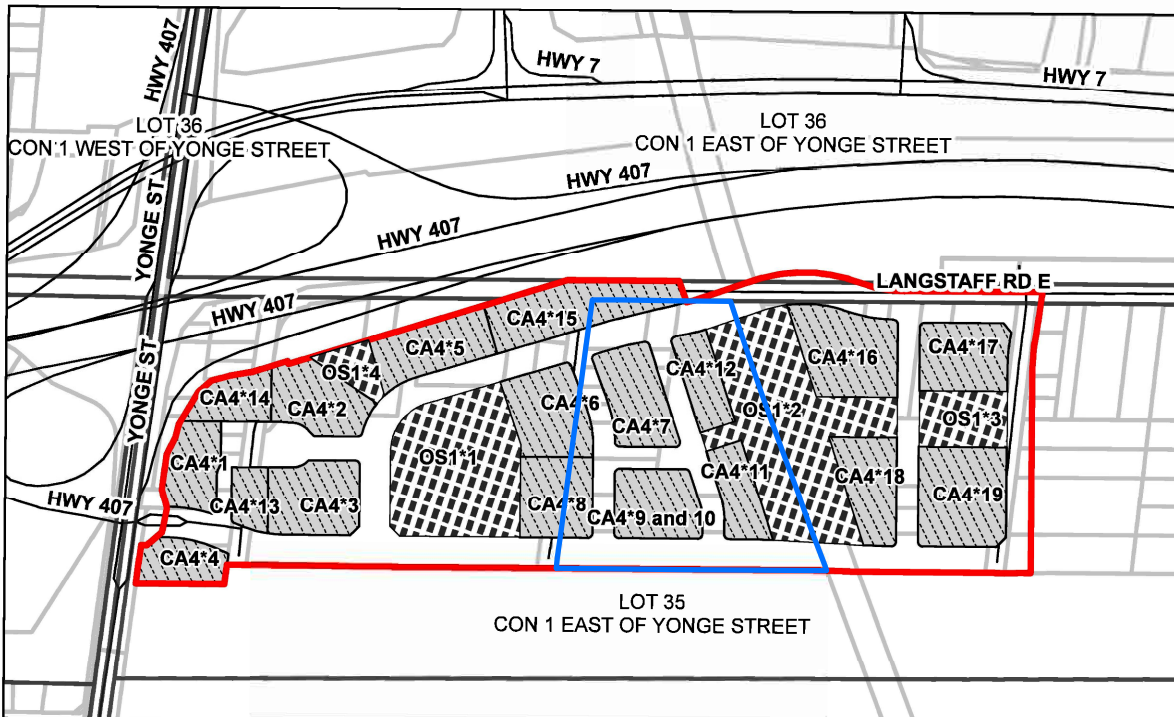
# CONSENT SKETCH

FILE No. CSNT 23 149004

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Part of Lots 35 and 36, Concession 1 (Markham); Lots 20, 27, 45, 48, 49, 98, 100, 104-107; Benson Ave, Ruggles Ave, and Cedar Ave; Part of Lots 8-16, 21, 28, 33-37, 39, 40, 41, 44, 46, 93, 94, 96, 97, 99, 101-103, Part of Church Street on Registered Plan 2386,  
City of Markham, Regional Municipality of York



**MAP No. 302**

Map filed at the office of the Ontario Ministry of Municipal Affairs and Housing, 777 Bay St., Toronto, Ontario, Planning Act

Ontario Regulation: 345/22

Date: April 14, 2022

Original Signed By: Minister of Municipal Affairs and Housing

**LEGEND**

- Lands Subject to Zoning Order
- Community Amenity 4 Exception
- Open Space 1 Exception
- Lot & Concession
- Roads
- Parcels

0 45 90 180  
Metres  
1 cm equals 60 metres



Map North (Degrees): 18° E

**THIS IS NOT A PLAN OF SURVEY**  
Information provided by the Ministry of Municipal Affairs and Housing, under licence with the Ministry of Natural Resources.  
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**Map Description:**

This is map no. 302 referred to in a Minister's Zoning Order. It shows lands which are located in Part of Lots 35 and 36, Concession 1 (Markham); Lots 20, 27, 45, 48, 49, 98, 100, 104-107; Benson Ave, Ruggles Ave, and Cedar Ave; Part of Lots 8-16, 21, 28, 33-37, 39, 40, 41, 44, 46, 93, 94, 96, 97, 99, 101-103, Part of Church Street on Registered Plan 2386, City of Markham, Regional Municipality of York. We are committed to providing accessible customer service (<https://www.ontario.ca/page/accessible-customer-service-policy>).

On request, we can arrange for accessible formats and communications supports.

Please contact MMAH by email ([mininfo@ontario.ca](mailto:mininfo@ontario.ca)) for regulation details.

**O. REG. 345/22 - MAP NO. 302**

SUBJECT LANDS

FILE No. CSNT 23 149004

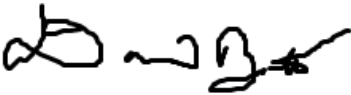
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DATE: 25/01/2024

**APPENDIX "G"**  
**CONDITIONS TO BE ATTACHED TO ANY APPROVAL OF B/042/23**

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 a deposited reference plan showing the the subject lands which conforms substantially to the application as submitted in Appendix 'D'.
3. Confirm that there are no existing easements registered on title that will be impacted by the proposed severance to the satisfaction of the Director of Engineering or their designate.
4. Fulfillment of all of the above conditions within two (2) years 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:



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Daniel Brutto, Senior Planner, West District