



Electronic Development Services Committee Meeting

Revised Agenda

Meeting No. 13
July 13, 2020, 9:30 AM
Live streamed

Note: Members of Development Services Committee will be participating in the meeting remotely.

Due to COVID-19, our facilities are closed to the public.
Access is not permitted to the Markham Civic Centre and Council Chamber.

Members of the public may submit written deputations by email to
clerkspublic@markham.ca

Members of the public who wish to make virtual deputations must register by completing an online [***Request to Speak Form***](#) or e-mail clerkspublic@markham.ca providing full name, contact information and item they wish to speak to. Alternatively, you may connect via telephone by contacting the Clerk's office at 905-479-7760 on the day of the meeting.

Development Services Committee meetings are video and audio streamed on the City's website at:

<https://pub-markham.escribemeetings.com/>



Electronic Development Services Committee Meeting

Revised Agenda

Revised Items are Italicized.

Meeting Number 13
July 13, 2020, 9:30 AM - 1:00 PM
Live streamed

Please bring this Development Services Committee Agenda to the Council meeting on July 14, 2020.

	Pages
1. CALL TO ORDER	
2. DISCLOSURE OF PECUNIARY INTEREST	
3. APPROVAL OF PREVIOUS MINUTES	
3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES – JUNE 22, 2020 AND JUNE 29, 2020 (10.0)	12
1. That the minutes of the Development Services Committee meetings held June 22, 2020 and June 29, 2020, be confirmed.	
3.2 DEVELOPMENT SERVICES PUBLIC MEETING MINUTES JUNE 11, 2020 AND JUNE 16, 2020 (10.0)	32
1. That the minutes of the Development Services Public meetings held June 11, 2020 and June 16, 2020, be confirmed.	
4. DEPUTATIONS	
5. COMMUNICATIONS	
6. PETITIONS	
7. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES	
7.1 IMPROVING THE STATE OF INFILL HOUSING: A WORK PLAN (10.13)	51

1. That the Development Services Committee receive this report titled “Improving the State of Infill Housing: A Work Plan” for information;
2. That the Chief Building Official, in consultation with all relevant departments work towards the development of a strategy to minimize the adverse effects of infill construction on existing residential neighbourhoods and that a report recommending such strategy be brought back to a future Development Services Committee meeting;
3. That the Chief Building Official in consultation with the City Solicitor evaluate the need for a new Demolition Control By-law as provided for in s. 33 of the Planning Act and report back to the Development Services Committee.
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution

8. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES

8.1 HERITAGE MARKHAM COMMITTEE MINUTES – JUNE 10, 2020 (16.11)

61

Note: Committee has the option to endorse, amend, refer to staff or receive for information the following recommendation from the June 10, 2020 Heritage Markham Committee meeting:

“That Heritage Markham Committee recommend to Council that the Appointment Committee for Heritage Markham Committee appointments be comprised of the Mayor and Regional Councillor, a minimum of one Heritage Markham Councillor, and a Heritage Planner.”

1. That the minutes of the Heritage Markham Committee meeting held June 10, 2020, be received for information purposes.

8.2 *ADVISORY COMMITTEE ON ACCESSIBILITY MINUTES –JUNE 29, 2020 (16.0)*

73

Note: Committee has the option to endorse, amend, refer to staff or receive for information the following recommendation from the June 29, 2020 Advisory Committee on Accessibility meeting:

“That the Advisory Committee on Accessibility support the City in providing a letter of endorsement to the Markham Fair to receive a grant on making their entrance doors more accessible; and,
That a representative from the Markham Fair come to a future Advisory Committee on Accessibility meeting to speak to the Committee about its other accessibility concerns.”

1. That the minutes of the June 29, 2020 Advisory Committee on Accessibility meeting be received for information purposes.

8.3 TEMPORARY USE ZONING BY-LAW 1938540 ONTARIO LTD., 9286 KENNEDY ROAD FILE NO. PLAN 19 256209 (WARD 6) (10.5) 75

R. Cefaratti, ext. 3675 & H. Miller, ext. 2945

1. That the memorandum entitled “Temporary Use Zoning By-law 1938540 Ontario Ltd., 9286 Kennedy Road File No. PLAN 19 256209 (Ward 6)”, dated July 13, 2020 be received;
2. That the attached Zoning By-law to permit the continued use of an existing portable classroom for a period of three years on the 1938540 Ontario Ltd. lands at 9286 Kennedy Road, be approved; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.4 MONITORING GROWTH IN THE CITY OF MARKHAM - PERFORMANCE INDICATORS (10.0) 81

C. Law, ext.3685

Note: John Yeh, Manager of Strategy and Innovation will provide a presentation on this matter.

1. That the staff report entitled, “Monitoring Growth in the City of Markham - Performance Indicators” dated July 13, 2020, be received; and,
2. And that staff be authorized and directed to do all things necessary to give effect to this resolution.

8.5 CITY OF MARKHAM COMMENTS ON PROPOSED AMENDMENT 1 TO A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019 AND PROPOSED LAND NEEDS ASSESSMENT METHODOLOGY (10.0) 115

L. da Silva, ext. 3115

1. That the report entitled, “City of Markham Comments on Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, and Proposed Land Needs Assessment Methodology”, dated July 13, 2020, be received; and,
2. That this report be forwarded to the Ministry of Municipal Affairs and Housing, and York Region, as the City of Markham’s comments on proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 and proposed Land Needs Assessment Methodology; and,
3. That the Province reconsider the extension of the Growth Plan forecasts to 2051 or provide municipalities with the ability to carefully

phase urban boundary expansions to ensure that development happens in a comprehensive, logical manner; and,

4. That the Province be advised that in order to maintain the integrity of the Growth Plan as a comprehensive framework for sustainable growth management, the City does not support the proposed changes to policies 2.2.1 and 5.1.4 which would allow the use of higher growth forecasts than those contained in Growth Plan Schedule 3; and,
5. That the Province be advised that the City does not support the proposed changes to policy 2.2.5.10 c) that would allow the conversion of employment lands in a Provincially Significant Employment Zone located within a Major Transit Station Area until the next Municipal Comprehensive Review; and,
6. That the Province clarify that employment area conversions that can be undertaken “until the next Municipal Comprehensive Review” includes a Municipal Comprehensive Review (MCR) that is in-process (e.g. York Region’s 2041 MCR). An alternate solution is to include a specific date for when the policy is no longer operative such as the date of conformity for upper- and single-tier municipalities (July 1, 2022); and,
7. That the Province provide specific guidance and support to municipalities regarding required engagement with indigenous communities; and,
8. That the City work with the Province and the Region to improve coordination of development approvals and identify tools and strategies to support the provision of affordable housing, through measures such as:
 - a. expand inclusionary zoning to apply more broadly throughout the municipality; and
 - b. clarify or revise the Community Benefit Charge framework so it that it does not apply to ‘affordable units’ but continues to apply to ‘market units’ within a proposed development that is subject to inclusionary zoning; and further,
9. That staff be authorized and directed to do all things necessary to give effect to the resolution.

**RESIDENTIAL MIXED-USE BUILDING WITH A TOTAL OF 362 UNITS
ON THE PHASE 1 (WESTERLY) PARCEL OF 28 MAIN STREET (WARD
3) FILE NOS: PLAN 19 142690 AND SC 15 119946 (10.3, 10.5 and 10.7)**

S. Bordone, ext. 8230

Note: On May 11th Development Services Committee meeting referred consideration of this matter to the Mayor, Deputy Mayor, local Ward Councillor, and Chair and Vice-Chair of Development Services Committee for further discussion with the applicant. The discussions have taken place.

The recommendation from the May 11th, 2020 Development Services meeting is being placed on this agenda for your consideration.

1. That the report dated May 11, 2020 titled “RECOMMENDATION REPORT, OnePiece Ideal (MS) Developments Inc., Applications for Official Plan Amendment, Zoning By-law Amendment, and Site Plan Approval to permit a 47-storey, residential mixed-use building with a total of 362 units on the Phase 1 (westerly) parcel of 28 Main Street (Ward 3)”, be received; and,
2. That the Official Plan Amendment application (PLAN 19 142690) submitted by OnePiece Ideal (MS) Developments Inc., be approved and the draft Official Plan Amendment, attached as Appendix ‘A’, be finalized and brought forward to a future Council meeting to be adopted without further notice; and,
3. That the Zoning By-law Amendment application (PLAN 19 142690) submitted by OnePiece Ideal (MS) Developments Inc., be approved and the draft Zoning By-law Amendment, attached as Appendix ‘B’, be finalized and brought forward to a future Council meeting to be enacted without further notice; and,
4. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, as amended, the Owner shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance, if necessary, from the provisions of the accompanying Zoning By-law, except for building height increase, before the second anniversary of the day on which the by-law was approved by Council; and,
5. That the application for Site Plan Approval (SC 15 119946) submitted by OnePiece Ideal (MS) Developments Inc. be endorsed, in principle, subject to the conditions attached in Appendix ‘C’; and,
6. That site plan approval be delegated to the Director of Planning and Urban Design or his designate and not to be issued prior to execution of a Site Plan Agreement; and,

7. That Council grant servicing allocation for the 362 units on the Phase 1 (westerly) parcel; and,
8. That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and,
9. That this endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that a Site Plan Agreement is not executed within that period; and further,
10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

8.7 CITY OF MARKHAM COMMENTS ON YORK REGION'S DRAFT MTSAS FOR INCLUSION IN THE REGIONAL OFFICIAL PLAN – SUPPLEMENTARY INFORMATION (10.0)

183

D. Lyons, ext. 2459

Note: On June 22, 2020 Development Services Committee requested that staff bring forward further information on the matters raised to the meeting this date.

1. That the memorandum entitled "City of Markham Comments on York Region's Draft MTSAs for Inclusion in the Regional Official Plan – Supplementary Information" be received.

8.8 DESIGN AND FINANCING OF PRELIMINARY FILL IMPORT AND GRADING WORKS AT BLODWEN DAVIES PARK (6.3 & 7.0)

193

R. Fournier, ext. 2120

1. That the report dated July 13, 2020 to Development Services Committee, titled 'Design and Financing of Preliminary Fill Import and Grading Works at Blodwen Davies Park' be received; and,
2. That Council approve the request by Humboldt Properties to finance and be reimbursed for the cost of design and construction of this park identified as Parts 2, 3, 4, 5 Plan 65R-32345 (1.79 ha/ 4.428 ac) up to the total amount of \$435,990.72, inclusive of HST subject to the following conditions:
 - A. The cost of the fill and grading works in the amount of \$396,355.20, inclusive of HST;
 - B. A 10% contingency in the amount of \$39,635.52, inclusive of HST, to cover any additional construction costs and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy;

- C. Be reimbursed based on invoices paid for costs approved by the Manager, Parks and Open Space Development associated with the design and construction for the base park development. No interest on such invoices shall be payable by the City.
- D. Reimbursement terms are as follows:
 - a. Humboldt Properties may invoice the City for 100% of approved costs provided that:
 - i. At least 60 days from the date of publication of Substantial Performance has expired;
 - ii. Proof of publication has been submitted with the invoice;
 - iii. No liens have been registered in regard to this contract;
 - iv. The constructed work has reached Total Completion to the City's satisfaction;
 - v. The Engineering Consultant has issued to the City a Total Completion Certificate; and
- 3. That internal capital administration fee in the amount of \$39,239.16 be approved for the administration of this project; and,
- 4. That a new 2020 Design project be established for the design, construction and internal contract administration of the preliminary fill import and grading works at Blodwen Davies Park for \$475,229.88 (\$396,355.20 + \$39,635.52 + \$39,239.16), funded \$427,706.89 (90%) from Development Charges Reserve and \$47,522.99 (10%) from the Parks Cash-in-Lieu Account; and,
- 5. That Humboldt Properties not receive any credit towards the parks component of development charges for future development phases of subdivisions within the Upper Greensborough community; and,
- 6. That Council authorize the execution of an agreement by the Mayor and Clerk for the construction and reimbursement of the cost of design, construction, and contract administration of this project in a form satisfactory to the Commissioner of Development Services and City Solicitor, or their respective designates; and further,
- 7. That staff be authorized and directed to do all things necessary to give effect to this resolution.

R. Fournier, ext. 2120

1. That the report titled “Results of the Public Consultation Survey Regarding the Play Structure in Wismer Percy Reesor Parkette” be received; and,
2. That the play structure in the Wismer Percy Reesor Parkette be retained at its current location based on the results of the public consultation survey; and,
3. That buffering measures such as a wood privacy fence and/or buffer planting be installed, where feasible, in consultation with the adjacent residents and the Ward Councillor, at a maximum cost of \$15,000 from funding available in Design project 17227 - Wismer Percy Reesor St. Parkette – Design and Construction; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

9. REGULAR REPORTS - TRANSPORTATION AND INFRASTRUCTURE ISSUES

9.1 ROUGE VALLEY TRAIL PHASE 4A (MARKHAM ROAD TO TUCLOR LANE) – CHANGE OF SCOPE (WARD 4) (5.0)

228

D. Tafesse, ext. 2034

1. That the Staff report entitled “Rouge Valley Trail Phase 4A (Markham Road to Tuclor Lane – Change of Scope (Ward 4))”, be received; and
2. That the change of paving materials be approved to increase long term durability of the trail as outlined in this report; and
3. That Purchase Order PD 18232 issued to Orin Contractors Corporation, for the construction of Rouge Valley Trail Phase 4A (Markham Road to Tuclor Lane & 14th Avenue to Treeline Crt) be increased by \$154,522.56, inclusive of HST, to cover the change of scope for the project; and
4. That a contingency in the amount of \$15,452.26, inclusive of HST be established to cover any additional construction requirements and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and
5. That the additional Engineering Department Contract Administration Fee in the amount of \$10,198.49, be approved to cover the additional effort from Staff to administer the project; and
6. That the 2018 Engineering Department Capital Account 18049 (Rouge Valley Trail Multi-Use Pathway Phase 4 of 5) be increased by \$180,173.31 (\$154,522.56 + \$15,452.26 + \$10,198.49), inclusive of HST, from \$1,615,757.00 to \$1,795,930.31, and funded from the

following sources;

- a. Development Charges (DC) Reserve Fund (65%): \$117,112.65
- b. Non-DC Growth Reserve Fund (35%): \$63,060.66; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution;

9.2 DEVELOPMENT CHARGE REIMBURSEMENT APPLICATION (DENISON STREET STRUCTURE) & CULVERT INFRASTRUCTURE WORKS (7.11 & 5.0)

235

A. Cachola, ext. 2711 & K. Ross, ext. 2126

1. That the report entitled “Development Charge Reimbursement Application (Denison Street Structure) & Culvert Infrastructure Works – Village of Fairtree by Forest Bay Homes Ltd. (Ward 7)” be received; and,
2. That Council authorize City Wide Hard Development Charge DC reimbursement not exceeding \$2,278,117, to Forest Bay Homes Ltd. for the construction of the Denison Street Structure and associated infrastructure, external to the plan
of subdivision, as set out in this report, and all in accordance with the City’s Development Charge Credit and Reimbursement Policy; and,
3. That Council authorize the Development Charge reimbursement of any completed works to date, subject to the approval of the Director of Engineering and the Treasurer; and,
4. That the Mayor and Clerk be authorized to execute a Development Charge Reimbursement Agreement, if necessary, in accordance with the City’s Development Charge Credit and Reimbursement Policy, with Forest Bay Homes Ltd., or their successors in title, to the satisfaction of the Treasurer and City Solicitor; and,
5. That Council authorize a payment not exceeding \$1,205,560, to Forest Bay Homes Ltd. for the change in scope associated with the culvert infrastructure work on Denison Street; and,
6. That the payment for the culvert infrastructure work be funded from the Development Charges Citywide Hard Reserve; and,
7. That the Mayor and Clerk be authorized to execute an Agreement, with Forest Bay Homes Ltd., or their successors in title, in respect of the City’s payment of the cost of the culvert infrastructure work on Denison Street to the satisfaction of the Treasurer and City Solicitor; and further,
8. That staff be directed to do all things necessary to give effect to this report.

10. MOTIONS

11. NOTICES OF MOTION

12. NEW/OTHER BUSINESS

*As per Section 2 of the Council Procedural By-Law, "New/Other Business would generally apply to an item that is to be added to the **Agenda** due to an urgent statutory time requirement, or an emergency, or time sensitivity".*

13. ANNOUNCEMENTS

14. CONFIDENTIAL ITEMS

14.1 DEVELOPMENT AND POLICY ISSUES

14.1.1 DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL
MINUTES - JUNE 29,2020 (10.0) [Section 239 (2) (f)]

14.2 TRANSPORTATION AND INFRASTRUCTURE ISSUES

14.2.1 INFORMATION EXPLICITLY SUPPLIED IN CONFIDENCE TO
THE MUNICIPALITY OR LOCAL BOARD BY CANADA, A
PROVINCE OR TERRITORY OR A CROWN AGENCY OF ANY
OF THEM; [SECTION 239 (2) (h)] - YONGE NORTH SUBWAY
UPDATE (WARD 1) (5.0)

15. ADJOURNMENT

Information Page

Development Services Committee Members: **All Members of Council**

Development and Policy Issues

Chair: Regional Councillor Jim Jones

Vice-Chair: Councillor Keith Irish

Transportation and Infrastructure Issues

Chair: Deputy Mayor Don Hamilton

Vice-Chair: Councillor Reid McAlpine

Culture and Economic Development Issues

Chair: Councillor Alan Ho

Vice-Chair: Councillor Khalid Usman

Development Services meetings are live video and audio streamed on the City's website.

Alternate formats for this document are available upon request.

Consent Items: All matters listed under the consent agenda are considered to be routine and are recommended for approval by the department. They may be enacted on one motion, or any item may be discussed if a member so requests.

Please Note: The times listed on this agenda are approximate and may vary; Council may, at its discretion, alter the order of the agenda items.

**Note: As per the Council Procedural By-Law, Section 7.1 (h)
Development Services Committee will take a 10 minute recess after
two hours have passed since the last break.**



Electronic Development Services Committee Meeting Minutes

Meeting Number 11
June 22, 2020, 9:30 AM - 1:00 PM
Live streamed

Roll Call	<p>Mayor Frank Scarpitti Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish Councillor Alan Ho</p>	<p>Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Amanda Collucci Councillor Khalid Usman Councillor Isa Lee</p>
Staff	<p>Andy Taylor, Chief Administrative Officer Arvin Prasad, Commissioner, Development Services Brenda Librecz, Commissioner, Community & Fire Services Claudia Storto, City Solicitor and Director of Human Resources Brian Lee, Director, Engineering Biju Karumanchery, Director, Planning & Urban Design Ron Blake, Senior Development Manager, Planning & Urban Design</p>	<p>Loy Cheah, Senior Manager, Transportation Bryan Frois, Chief of Staff Regan Hutcheson, Manager, Heritage Darryl Lyons, Manager, Policy Francesco Santaguida, Assistant City Solicitor Marg Wouters, Senior Manager, Policy & Research Scott Chapman, Election & Council/Committee Coordinator Hristina Giantsopoulos, Election & Council/Committee Coordinator</p>

Alternate formats for this document are available upon request

1. CALL TO ORDER

In consideration of the ongoing state of emergency surrounding the 2019 Novel Coronavirus (COVID-19) and the emergency public health orders issued by the Government of Ontario, this meeting was conducted electronically to maintain physical distancing among participants.

The Development Services Committee meeting convened at the hour of 9:30 AM with Regional Councillor Jim Jones presiding as Chair.

Development Services Committee recessed at 11:24 AM and reconvened at 11:40 AM
Development Services Committee recessed at 1:05 PM and reconvened at 1:45 PM.

Mayor Frank Scarpitti arrived at 9:55 AM.

Mayor Frank Scarpitti left the meeting at 1:45 PM and returned at 2:27 PM.

Development Services Committee observed a moment of silence for Safet Tairoski, Markham resident, who was killed in a fatal collision the previous week.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. APPROVAL OF PREVIOUS MINUTES

**3.1 DEVELOPMENT SERVICES COMMITTEE MINUTES – JUNE 8, 2020
(10.0)**

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Andrew Keyes

1. That the minutes of the Development Services Committee meeting held June 8, 2020, be confirmed.

Carried

4. DEPUTATIONS

There were no deputations.

5. COMMUNICATIONS

There were no communications.

6. PETITIONS

There were no petitions.

7. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES

**7.1 DEVELOPMENT SERVICES PUBLIC MEETING MINUTES – JUNE 2,
2020 (10.0)**

Moved by Regional Councillor Joe Li

Seconded by Councillor Isa Lee

1. That the minutes of the Development Services Public meeting held June 2, 2020, be confirmed.

Carried

**7.2 HERITAGE MARKHAM COMMITTEE MINUTES – MAY 13, 2020
(16.11)**

Moved by Regional Councillor Joe Li

Seconded by Councillor Isa Lee

1. That the minutes of the Heritage Markham Committee meeting held May 13, 2020, be received for information purposes.

Carried

**7.3 INFORMATION REPORT 2020 SECOND QUARTER UPDATE OF THE
STREET AND PARK NAME RESERVE LIST (10.14, 6.3)**

Moved by Regional Councillor Joe Li

Seconded by Councillor Isa Lee

1. That the report titled 'Information Report 2020 Second Quarter Update of the Street and Park Name Reserve List', be received;
2. That Council approve the revised Street and Park Name Reserve List set out in Appendix 'A' attached to this report; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**7.4 PRELIMINARY REPORT – 349-351 JOHN STREET INC.,
APPLICATION FOR ZONING BY-LAW AMENDMENT TO ADD
COMMERCIAL USES INCLUDING MOTOR VEHICLE SALES AND
STORAGE, A RESTAURANT AND A RECREATIONAL
ESTABLISHMENT AT 349 TO 355 JOHN STREET FILE NO. PLAN 19
128732 (WARD 1) (10.5)**

Moved by Councillor Keith Irish
 Seconded by Deputy Mayor Don Hamilton

1. That the report dated June 22, 2020, entitled “PRELIMINARY REPORT – 349-351 John Street Inc., Application for Zoning By-law Amendment to add commercial uses including motor vehicle sales and storage, a restaurant, and a recreational establishment at 349 to 355 John Street File No. PLAN 19 128732 (Ward 1)”, be received.

Carried

7.5 INTENTION TO DESIGNATE A PROPERTY UNDER PART IV OF THE ONTARIO HERITAGE ACT JOSEPH & LEAH PIPHER FARMHOUSE AND SMOKEHOUSE 33 DICKSON HILL ROAD (16.11.3)

There was discussion regarding staff's recommended approach to address concerns identified by the owner as opposed to addressing these matters during the review of a future development application or heritage permit application, including the potential impact of Committee's endorsement of the approach on the protection of heritage attributes associated with the property.

Staff advised that alterations to existing heritage attributes proposed by the owner will be considered as part of a building permit application review process and involve consultation with the Heritage Markham Committee.

Moved by Councillor Keith Irish
 Seconded by Councillor Karen Rea

That the following clause be deleted from the resolution:

"That the recommended approach to address concerns identified by the owner in Appendix 'B' of this report be endorsed by Markham Council."

Lost

Moved by Councillor Andrew Keyes
 Seconded by Councillor Amanda Collucci

1. That the staff report titled “Intention to Designate a Property under Part IV of the Ontario Heritage Act, Joseph & Lean Pipher Farmhouse and Smokehouse, 33 Dickson Hill Road”, dated June 22, 2020, be received; and,

2. That as recommended by Heritage Markham, the Joseph & Leah Pipher Farmhouse and Smokehouse-33 Dickson Hill Road be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest; and,
3. That the recommended approach to address concerns identified by the owner in Appendix 'B' of this report be endorsed by Markham Council; and,
4. That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,
5. That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption; and,
6. That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board; and,
7. That if the designation is referred to the Conservation Review Board, Council authorize the City Solicitor and appropriate staff to attend any hearing held by the Board in support of Council's decision to designate the property; and further,
8. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES

8.1 CITY OF MARKHAM COMMENTS ON YORK REGION'S DRAFT MTSAS FOR INCLUSION IN THE REGIONAL OFFICIAL PLAN (10.3)

Arvin Prasad, Commissioner, Development Services, introduced the item and provided members of Development Services Committee with an overview of the staff report.

Darryl Lyons, Manager, Policy, delivered a presentation on the draft MTSAs identified in Markham as well as staff's recommended revisions to the proposed mapping and minimum density targets provided by York Region. Key objectives and Council priorities reflected in staff's comments to York Region were noted.

The Committee reviewed the proposed mapping for each of the draft MTSA's in detail and discussed the following relative to the staff report:

- Ensuring appropriate transitioning and mitigating potential impacts of intensification in MTSA's on adjacent stable residential neighbourhoods and road networks, including those surrounding McCowan BRT Station and Mount Joy GO Station;
- Seeking information and clarification from York Region on plans for the extension of transit infrastructure along the Highway 7 Rapidway corridor from Town Centre Boulevard to Cornell;
- Continued consideration of appropriate development and transportation planning for MTSA's located within or adjacent to Markham Centre through the Markham Centre Secondary Plan Update;
- Ensuring appropriate planning in areas adjacent to designated MTSA's;
- Establishing appropriate pedestrian and cycling connections throughout Markham Centre with the Unionville GO Station;
- Ensuring an appropriate location for the Enterprise BRT Station relative to community facilities and amenities;
- Potential timelines for implementation of transit initiatives in Cornell; and,
- Continuing to explore opportunities to secure an MTSA at Denison Street.

In addition, the Committee discussed and requested that staff report back to Development Services Committee with a memo providing further information on the following matters:

- Potential impact of the Province's recently announced Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe on the draft MTSA mapping;
- Status and potential impact of Metrolinx's proposed changes to the Yonge North Subway Extension alignment on the proposed Longbridge / Langstaff Subway Station MTSA;
- Implications of applying an expanded radius of 800 metres on certain draft MTSA boundaries;
- Exploring the feasibility and appropriateness of additional MTSA's such as John Street and Centennial GO Station;

- Potential relocation and / or expansion of the proposed centre point for the Milliken GO Station MTSA north of Steeles Avenue; and,
- Potential relocation and / or expansion of the proposed centre point for the Unionville GO Station MTSA further south to capture lands abutting the future Highway 407 Transitway.

It was also requested that staff provide Development Services Committee with an update on the existing road conditions and future road network in Markham Centre at a future meeting.

Moved by Councillor Khalid Usman

Seconded by Regional Councillor Jack Heath

1. That the staff report entitled “City of Markham Comments on York Region’s Draft MTSAs for Inclusion in the Regional Official Plan” dated June 22, 2020 be received; and,
2. That Council support the comments and recommendations regarding the draft major transit stations areas (MTSAs), provided in Appendix ‘B’ and Appendix ‘C’ to this report; and,
3. That Council request York Region to bring forward a Regional Official Plan Amendment to implement MTSAs and include inclusionary zoning policies in advance of completion of the Municipal Comprehensive Review and adoption of a new Regional Official Plan to enable local municipalities to require the provision of affordable housing in MTSAs as soon as possible; and,
4. That the report entitled “City of Markham Comments on York Region’s Draft MTSAs for Inclusion in the Regional Official Plan” dated June 22, 2020, be forwarded to York Region as Markham Council’s input on the Region’s draft MTSAs; and,
5. **That Council request a detailed plan from York Region for the proposed extension of the Highway 7 Rapidway from Town Centre Boulevard BRT Station to Cornell Terminal; and,**
6. **That staff be directed to report back to Development Services Committee at its July 13, 2020 meeting with further information on the identified matters; and further,**
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

8.2 RECOMMENDATION REPORT DESIGN, CONSTRUCTION AND FINANCING OF PARKS IN THE YORKTON DEVELOPMENT PHASE 2 BY KYLEMORE COMMUNITIES

Arvin Prasad, Commissioner, Development Services, and Biju Karumanchery, Director, Planning & Urban Design, introduced the item and provided members of Committee with an overview of the staff report.

Moved by Councillor Amanda Collucci

Seconded by Mayor Frank Scarpitti

1. That the report dated June 22, 2020 to Development Services Committee, titled 'Design, Construction and Financing of the Yorkton Community Phase 2 Parks by Kylemore Communities (Yorkton) Ltd' be received; and,
2. That Council approve the request by Kylemore Communities (Yorkton) Ltd to finance the cost of design, construction, and contract administration of these parks identified as Plan 65M-4613, Block 2 (0.37ha/0.9ac) and Block 5 (0.07ha/0.16ac) in draft plan of subdivision 19TM-04009, subject to the conditions identified in Attachment A; and,
3. That Council authorize the reimbursement of the cost of design, construction, and contract administration of these parks up to a maximum of \$614,272.93; and,
4. That Council authorize the execution of an agreement by the Mayor and Clerk for the construction and reimbursement the cost of design, construction, and contract administration of these parks in a form satisfactory to the Commissioner of Development Services and City Solicitor, or their respective designates; and further,
5. That staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. MOTIONS

There were no motions.

10. NOTICES OF MOTION

There were no notices of motion.

11. NEW/OTHER BUSINESS

11.1 ELECTRONIC COMMITTEE OF ADJUSTMENT MEETINGS (16.0)

Councillor Karen Rea addressed the Committee and inquired as to the logistical and resource arrangements for the upcoming electronic Committee of Adjustment meetings being held this week. Staff provided an update on this matter.

11.2 UPDATE ON ROAD SAFETY STRATEGY (16.34, 5.10)

Deputy Mayor Don Hamilton addressed the Committee and requested that the City's Cycling and Pedestrian Advisory Committee (CPAC) be permitted to hold electronic meetings during the ongoing emergency period to discuss urgent matters related to road safety.

There was discussion regarding the status of the road safety audit commissioned by the City and its relationship to the City's overall road safety program. Staff advised of the anticipated timetable for the preliminary results and subsequent recommendations from the road safety audit. Members of Committee also inquired as to potential opportunities to expedite road safety initiatives in light of recent increases in pedestrian and cycling traffic.

It was requested that staff develop additional communication materials for the public on road safety education and awareness over the summer months.

12. ANNOUNCEMENTS

There were no announcements.

13. ADJOURNMENT

Moved by Councillor Isa Lee
Seconded by Mayor Frank Scarpitti

That the Development Services Committee meeting adjourn at 3:30 PM.

Carried



Electronic Development Services Committee Meeting

Minutes

Meeting Number 12
June 29, 2020, 9:30 AM - 1:00 PM
Live streamed

Roll Call	<p>Mayor Frank Scarpitti</p> <p>Deputy Mayor Don Hamilton</p> <p>Regional Councillor Jack Heath</p> <p>Regional Councillor Joe Li</p> <p>Regional Councillor Jim Jones</p> <p>Councillor Keith Irish</p> <p>Councillor Alan Ho</p>	<p>Councillor Reid McAlpine</p> <p>Councillor Karen Rea</p> <p>Councillor Andrew Keyes</p> <p>Councillor Amanda Collucci</p> <p>Councillor Khalid Usman</p> <p>Councillor Isa Lee</p>
Staff	<p>Andy Taylor, Chief Administrative Officer</p> <p>Arvin Prasad, Commissioner, Development Services</p> <p>Claudia Storto, City Solicitor and Director of Human Resources</p> <p>Chris Bird, Director, Building Standards</p> <p>Biju Karumanchery, Director, Planning & Urban Design</p> <p>Brian Lee, Director, Engineering</p> <p>Ron Blake, Senior Development Manager, Planning & Urban Design</p>	<p>Stephen Corr, Senior Planner, East District</p> <p>Stephanie Di Perna, Manager, Plans Review</p> <p>Bryan Frois, Chief of Staff</p> <p>Regan Hutcheson, Manager, Heritage</p> <p>Stacia Muradali, Acting Manager, East District</p> <p>Francesco Santaguida, Assistant City Solicitor</p> <p>Peter Wokral, Senior Planner, Heritage</p> <p>Scott Chapman, Election & Council/Committee Coordinator</p> <p>Hristina Giantsopoulos, Election & Council/Committee Coordinator</p>

Alternate formats for this document are available upon request

1. CALL TO ORDER

In consideration of the ongoing state of emergency surrounding the 2019 Novel Coronavirus (COVID-19) and emergency public health orders issued by the Government of Ontario, this meeting was conducted electronically to maintain physical distancing among participants.

The Development Services Committee meeting convened at the hour of 9:31 AM with Regional Councillor Jim Jones presiding as Chair.

Development Services Committee recessed at 12:13 PM and reconvened at 1:03 PM.

Mayor Frank Scarpitti left at 1:03 PM and returned at 2:49 PM

Councillor Keith Irish left at 2:20 PM and returned at 2:49 PM

Councillor Khalid Usman left at 2:37 PM.

Councillor Amanda Collucci left at 3:02 PM.

Regional Councillor Jack Heath left at 3:20 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. DEPUTATIONS

Deputations were made for the following items:

7.1 - ePLAN Overview

8.1 - Garden Homes (Markham) Inc. (73 Main Street South)

Refer to the individual item for the deputation details.

4. COMMUNICATIONS

Communications were submitted for the following item:

8.1 - Garden Homes (Markham) Inc. (73 Main Street South)

5. PETITIONS

There were no petitions.

6. CONSENT REPORTS - DEVELOPMENT AND POLICY ISSUES

6.1 DOORS OPEN ORGANIZING COMMITTEE MINUTES – MARCH 5, 2020 (16.11)

Moved by Councillor Alan Ho

Seconded by Councillor Isa Lee

1. That the minutes of the Doors Open Organizing Committee meeting held March 5, 2020, be received for information purposes.

Carried

6.2 REPORT ON INCOMING PLANNING APPLICATIONS FOR THE PERIOD MARCH 16, 2020 - MAY 15, 2020 (10.0)

Moved by Councillor Alan Ho
 Seconded by Councillor Isa Lee

1. That the report entitled “Report of Incoming Planning Applications for the period of February 16, 2020 to May 15, 2020, be received and staff be directed to process the applications in accordance with the approval route outlined in the report.

Carried

6.3 ONTARIO HERITAGE CONFERENCE 2020 - CANCELLATION OF EVENT (16.11)

Moved by Councillor Alan Ho
 Seconded by Councillor Isa Lee

1. That the staff report titled “Ontario Heritage Conference 2020, Cancellation of the Event”, dated June 29, 2019, be received; and,
2. That the Markham Local Organizing Committee be disbanded and the Committee members noted in Appendix A be thanked for their commitment and involvement in the planning and organization of the three day conference: and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. PRESENTATIONS - DEVELOPMENT AND POLICY ISSUES

7.1 ePLAN OVERVIEW (10.0)

Arvin Prasad, Commissioner, Development Services, introduced the item.

Chris Bird, Director, Building Standards, delivered a presentation on ePLAN, the City of Markham's electronic end-to-end development and building permit application management solution. Benefits and notable performance results achieved through ePLAN as well as other online resources available to applicants and members of the public were identified.

Shane Gregory, Gregory Design Group, addressed the Committee and provided staff with user feedback on ePLAN, including suggestions related to applicant

invoicing and technical and formatting requirements for the submission of smaller-scale planning applications.

Graham Dewar addressed the Committee and provided staff with user feedback on ePLAN, including suggestions related to technical and formatting requirements for the submission of smaller-scale planning applications.

Nathan Proctor, Master Edge Homes, addressed the Committee and provided staff with user feedback on ePLAN, including suggestions related to technical and formatting requirements for the submission of planning applications and provisions for providing applicants with technical support.

There was discussion regarding the process for obtaining information related to planning applications submitted for a property in Markham. There was also discussion regarding the efficiencies and potential cost savings afforded through ePLAN in the processing of planning applications. Staff advised that a report containing performance metrics on ePLAN will be provided to Development Services Committee at a future date.

It was requested that staff continue to work with the development industry and stakeholders to identify potential opportunities to improve access and user experience for all users of ePLAN.

Moved by Mayor Frank Scarpitti

Seconded by Deputy Mayor Don Hamilton

1. That the presentation provided by Chris Bird, Director, Building Standards entitled "ePlan Overview" be received; and,
2. **That the deputations made by Shane Gregory, Graham Dewar, and Nathan Proctor be received.**

Carried

8. REGULAR REPORTS - DEVELOPMENT AND POLICY ISSUES

8.1 INFORMATION REPORT GARDEN HOMES (MARKHAM) INC. 73 MAIN STREET SOUTH, MARKHAM VILLAGE APPEALS OF APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT, DRAFT PLAN OF SUBDIVISION AND SITE PLAN CONTROL TO PERMIT A TOWNHOUSE DEVELOPMENT WARD 4 FILE NOS. OP/ZA 15 108135, SU/SC 17 157341 (10.7, 10.7)

Ron Blake, Senior Development Manager, introduced the staff report and provided members of Development Services Committee with an overview of the development application, outlining the area context, application history, and key issues addressed as part of the applicant's revised proposal following public consultation and staff review.

Rebecca Shaw, resident, addressed the Committee and expressed concerns with the development proposal, including potential impacts resulting from the proposed increases in residential density in relation to the surrounding heritage community. Ms. Shaw expressed concerns regarding the extensive regrading and use of high retaining walls required on the subject property, and its impact on neighbouring properties and environmental assets. Reference was also made to the petition submitted by 71 area residents at the statutory public meeting on May 21, 2019 expressing opposition to the proposal.

The Committee discussed the following relative to the development application:

- Potential impacts resulting from the proposed regrading and retaining walls required to facilitate the proposal;
- Need for additional traffic control and safety improvements on Markham Road South at the intersections with Mill Street and Rouge Street, including a potential restricted right-in/right-out movement at Mill Street;
- Potential implications associated with ongoing maintenance requirements for the proposed retaining walls;
- Capacity of the existing road network to support potential increases in local traffic resulting from the proposed increases in residential density; and,
- Relationship between the proposed on-site visitor parking and snow storage area, including potential parking infiltration on neighbouring streets.

Development Services Committee consented to table discussion on this matter and returned following confidential session.

Moved by Deputy Mayor Don Hamilton
Seconded by Councillor Isa Lee

1. That the report titled "INFORMATION REPORT Garden Homes (Markham) Inc., 73 Main Street South, Markham Village, Appeals of applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Site Plan Control to permit a Townhouse Development,

Ward 4, Files Nos. OP/ZA 15 108135, SU/SC 17 157341”, dated June 29, 2020, be received; and,

2. **That the deputation made by Rebecca Shaw be received; and further,**
3. **That the communications submitted by Frank Ding; Rebecca Shaw; and Peter Ross on behalf of the Vinegar Hill Ratepayers Association be received.**

Carried

8.2 RECOMMENDATION REPORT LINDWIDE DEVELOPMENTS (CORNELL) LIMITED PROPOSED DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT APPLICATIONS TO PERMIT 79 SINGLE DETACHED DWELLINGS, 270 TOWNHOUSE DWELLINGS, 162 STACKED TOWNHOUSE DWELLINGS, HIGH RISE RESIDENTIAL AND EMPLOYMENT USES, ON THE SOUTH SIDE OF HIGHWAY 7 AND WEST SIDE OF DONALD COUSEN’S PARKWAY, (WARD 5) FILES SU/ZA 18 154617 (10.7, 10.5)

Arvin Prasad, Commissioner, Development Services, introduced the staff report.

Ron Blake, Senior Development Manager, provided members of Development Services Committee with an overview of the development application, outlining the area context, revisions made to the initial proposed draft plan of subdivision, and outstanding matters to be addressed through draft plan conditions.

Lindsay Dale-Harris, Bousfields, consultant to the applicant, addressed the Committee and delivered a presentation on the development proposal, including an overview of the area context, applicable policy and zoning context, proposed draft plan of subdivision, phasing plan, connections and open spaces, age-friendly and accessible housing features, and affordable housing options.

The Committee discussed the following relative to the development application:

- Ensuring appropriate interfacing and integration of the northeast corner of the proposed future subdivision with the overall design concept of the Cornell Rouge National Urban Park Gateway;
- Strengthening connectivity throughout the proposed subdivision with the broader existing and future trail network, including potential opportunities for pathway connections through the woodlot;

- Potential dedication of a minimum number of purpose-built rental units and accessible units with master bedrooms at grade within the proposed subdivision;
- Potential parking solutions to increase opportunities for purpose-built second suites (e.g., coach houses);
- Timing of upgrades to the sanitary sewer infrastructure required to service the proposed future subdivision, and potential impact of the emerging capacity issue identified by York Region on development on the subject lands;
- Consideration of separated cycling and pedestrian facilities in place of multi-use pathways (MUPs) along boulevards; and,
- Feasibility of underground parking for the future commercial plaza.

Moved by Councillor Andrew Keyes

Seconded by Regional Councillor Joe Li

1. That the report titled “RECOMMENDATION REPORT, Lindwide Developments (Cornell) Limited, Proposed Draft Plan of Subdivision and Zoning By-law Amendment applications to permit 79 single detached dwellings, 270 townhouse dwellings, 162 stacked townhouse dwellings, high rise residential and employment uses, on the south side of Highway 7 and west side of Donald Cousen’s Parkway, (Ward 5), Files SU/ZA 18 154617”, be received; and,
2. That the record of the Public Meeting held on November 13, 2018, regarding the Applications for a Draft Plan of Subdivision and Zoning By-law Amendment by Lindwide Developments (Cornell) Limited for lands on the south side of Highway 7 and west side of Donald Cousen’s Parkway (19TM-18002), be received; and,
3. That the draft Zoning By-law Amendment application (ZA 18 154617) submitted by Lindwide Development (Cornell) Limited be approved, and that the draft Zoning By-law Amendment attached as Appendix ‘A’ to amend Zoning By-laws 304-87 and 177-96, both as amended, be brought forward to a future Council meeting and enacted without further notice once the by-law has been finalized; and,
4. That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the

second anniversary of the day on which the by-law was approved by Council;
and,

5. That Draft Plan of Subdivision 19TM-18002 submitted by Lindwide Developments (Cornell) Limited, be approved subject to the conditions outlined in Appendix 'B'; and,
6. That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft Plan of Subdivision approval, subject to the conditions set out in Appendix 'B' and as may be amended by the Director of Planning and Urban Design; and,
7. That the draft plan approval for Draft Plan of Subdivision 19TM-18002 will lapse after a period of three (3) years from the date of Council approval in the event that a subdivision agreement is not executed within that period; and,
8. **That the approval of the draft plan of subdivision be conditional on Lindwide Developments (Cornell) Limited scoping or withdrawing all or parts of the existing Local Planning Appeal Tribunal appeals related to the 2014 Markham Official Plan with respect to this subject property to the satisfaction of the City Solicitor, or her designate; and,**
9. That Council assign servicing allocation for up to 507 dwelling units for Draft Plan of Subdivision 19TM-18002; and,
10. That the recommendation from the Heritage Markham Committee on April 8, 2018 indicating that the municipal heritage committee does not support the proposed Zoning Amendment and Draft Plan of Subdivision applications because they do not appropriately consider the retention of the Abram Reesor and Frank Albert Reesor Houses as per the cultural heritage policies of the City's Official Plan, be received as information; and further,
11. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

9. MOTIONS

There were no motions.

10. NOTICES OF MOTION

There were no notices of motion.

11. NEW/OTHER BUSINESS

Moved by Regional Councillor Jack Heath

Seconded by Regional Councillor Joe Li

That Development Services Committee suspend the rules of procedure to permit consideration of the following matter:

Carried by a Two Thirds Vote

11.1 JULY 1, 2020 DEVELOPMENT CHARGE RATE INDEXING (10.0)

Arvin Prasad, Commissioner, Development Services, addressed the Committee and introduced a staff memo regarding the City's next scheduled indexing of development charge rates on July 1, 2020, and prepared in response to requests from the development industry for additional financial relief in consideration of challenges associated with the COVID-19 pandemic.

Commissioner Prasad advised that staff will report back to Council on July 14, 2020 with a recommended approach for suspending the indexing of development charge rates for the balance of the 2020 calendar year.

Moved by Regional Councillor Jack Heath

Seconded by Regional Councillor Joe Li

1. That the staff memo entitled "July 1, 2020 Development Charge Rate Indexing" be received; and,
2. That staff bring forward a report to the July 14, 2020 Council meeting to determine the best approach to suspend the Development Charge Indexing rate increase of 1.2% effective July 1, 2020 for the balance of this calendar year and adding the July 1, 2020 indexing rate to the January 1, 2021 rate; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

12. ANNOUNCEMENTS

Councillor Amanda Collucci addressed the Committee and advised that the City of Markham will be hosting its first ever virtual Canada Day celebrations on July 1, 2020.

Councillor Collucci provided members of Development Services Committee with an update on the full-day virtual event activities and invited all to participate by visiting yourvoicemarkham.ca/canadaday.

Councillor Collucci recognized and extended a special thanks to the members and staff of the Canada Day Celebration Organizing Committee for their great work in making possible this year's virtual celebrations.

13. CONFIDENTIAL ITEMS

Moved by Councillor Isa Lee

Seconded by Councillor Reid McAlpine

That, in accordance with Section 239 (2) of the *Municipal Act*, Development Services Committee resolve into a confidential session at 2:37 PM to discuss the following matters:

Carried

13.1 DEVELOPMENT AND POLICY ISSUES

13.1.1 DEVELOPMENT SERVICES COMMITTEE CONFIDENTIAL MINUTES - MAY 25, 2020 (10.0) [Section 239 (2) (e) (f) (f)]

Development Services Committee confirmed the May 25, 2020 confidential minutes.

13.1.2 ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE; LPAT APPEAL – GARDEN HOMES, 73 MAIN STREET SOUTH MARKHAM [SECTION 239 (2) (f)]

Development Services Committee directed staff to place this matter on the July 14, 2020 confidential Council agenda for consideration.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Karen Rea

That the Development Services Committee confidential session adjourn at 4:01 PM.

Carried

14. ADJOURNMENT

Moved by Councillor Andrew Keyes

Seconded by Councillor Keith Irish

That the Development Services Committee meeting adjourn at 4:04 PM.

Carried



Electronic Development Services Public Meeting Minutes

Meeting Number 4

June 11, 2020, 7:00 PM - 9:00 PM

Live streamed

Roll Call	Mayor Frank Scarpitti Deputy Mayor Don Hamilton Regional Councillor Jack Heath Regional Councillor Joe Li Regional Councillor Jim Jones Councillor Keith Irish	Councillor Alan Ho Councillor Reid McAlpine Councillor Karen Rea Councillor Andrew Keyes Councillor Khalid Usman Councillor Isa Lee
Regrets	Councillor Amanda Collucci	
Staff	Andy Taylor, Chief Administrative Officer Arvin Prasad, Commissioner Development Services Claudia Storto, City Solicitor and Director of Human Resources Biju Karumanchery, Director, Planning & Urban Design Ron Blake, Senior Manager, Development Geoff Day, Senior Planner, Zoning & Special Projects David Miller, Manager, West District	Brad Roberts, Manager, Zoning and Special Projects Marty Rokos, Senior Planner Francesco Santaguida, Assistant City Solicitor Laura Gold, Council/Committee Coordinator Scott Chapman, Election & Council/Committee Coordinator Hristina Giantsopoulos, Elections & Council/Committee Coordinator

Alternate formats for this document are available upon request

1. CALL TO ORDER

In consideration of the ongoing state of emergency surrounding the 2019 Novel Coronavirus (COVID-19) and the emergency public health orders issued by the Government of Ontario, this meeting was conducted electronically to maintain physical distancing among participants.

The Development Services Public Meeting convened at the hour of 7:01 PM with Councillor Keith Irish presiding as Chair.

Regional Councillor Jack Heath arrived at 7:29 PM.

The Development Services Public Meeting recessed at 9:42 PM and reconvened at 9:55 PM.

The Development Services Public Meeting recessed at 10:06 PM and reconvened at 11:05 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. DEPUTATIONS

Deputations were made for the following items:

4.1 - Temporary Use Zoning By-laws to Permit Extended Outdoor Patios and Outdoor Display and Sales Areas

4.2 - Flato Developments Inc. (2695 Elgin Mills Road)

Refer to the individual items for the deputation details.

4. REPORTS

4.1 INFORMATION REPORT, CITY INITIATED TEMPORARY USE ZONING BY-LAWS TO PERMIT EXTENDED OUTDOOR PATIOS AND OUTDOOR DISPLAY AND SALES AREAS FILE NO.:PR-20-115253 (CITY WIDE) (10.5)

The Public Meeting this date was to consider a City initiated Temporary Use By-laws to temporarily permit the expansion of existing, and new outdoor patios associated with restaurant uses and outdoor sales and display areas associated with existing permitted retail and personal service shop uses.

The Committee Clerk advised that a city-wide notice was placed in the *Markham Economist & Sun* and the *Thornhill Liberal* on May 21 and 28, 2021. No written submissions were received regarding this proposal.

Brad Roberts, Manager, Zoning and Special Projects, delivered a presentation on the City-initiated Temporary Use Zoning By-Laws to Permit Extended Outdoor Patios and Outdoor Display and Sales areas.

The following deputation was provided on the Temporary Use Zoning By-Laws to Permit Extended Outdoor Patios and Outdoor Display and Sales areas:

Sara Sterling, Unionville Business Improvement Area provided the following feedback on the by-laws:

- Supported the Temporary By-Laws to Permit Extended Outdoor Patios and Outdoor Display and Sales Areas, as it will benefit many businesses on Main Street Unionville;
- Requested that the application be approved in a timely manner and asked why the Manager of Heritage Planning was approving the applications;
- Appreciated the flexibility of the by-laws;
- Suggested that businesses located on Main Street Unionville will be interested in submitting an application for either a patio or outdoor sales space.

Committee provided the following feedback:

- Are restaurants with only one or two parking spots limited to only using their spots for their patio?
- Is there a way of protecting the restaurant patrons sitting on the patio from reckless drivers?
- Can restaurants have a barbeque in their patio area?
- Can restaurant patrons use the washrooms inside the facility?
- When can restaurants start applying for the permit and do staff anticipate a lot of interest?

Staff responded to the Committee's and resident's inquiries. It is anticipated that some restaurants will submit an application to be permitted to have outdoor patio space. Breweries have also demonstrated an interest in being able to have outdoor patio space. The applications will be reviewed by the Manager of Heritage Planning to ensure that neither the outdoor patio space nor the outdoor sale space will damage any existing heritage resources. Staff will endeavor to process the applications in a timely manner. The City will start to accept applications as early as next week. The goal is for restaurants to be able to open their outdoor patios by July 1st, however, this will be dependent on whether the Greater Toronto Area successfully enters stage 2 of the Provincial Recovery Plan.

Staff advised the City does not have authority to permit restaurants to use other tenant's parking spots for their patios. Restaurants will need to discuss this option with their landlords, noting there is nothing in the by-law prohibiting this from occurring. Likewise, barbeques could be permitted to be used in a public space, but this would need to be evaluated on a case by case basis. Moreover, washroom usage at restaurants will be determined by Public Health. Lastly, staff will consider ways to protect restaurant patrons from careless drivers, and will discuss

with the City's Operations Staff if parking spaces between bump outs on Main Street Markham can be used for outdoor patio space.

Mayor Frank Scarpitti advised that a Special Council Meeting will be held immediately following this meeting to approve the by-laws.

Committee thanked City staff for their hard work in preparing the by-laws in such a short time-frame.

Moved by Mayor Frank Scarpitti

Seconded by Councillor Reid McAlpine

1. That the Development Services Commission report dated June 8, 2020, titled "INFORMATION REPORT, City Initiated Temporary Use Zoning By-laws to permit extended outdoor patios and outdoor display and sales areas", be received; and,
2. That the comments of the Public Meeting held on June 11, 2020, with respect to the City Initiated Temporary Use Zoning By-laws to permit extended outdoor patios and outdoor display and sales areas be received; and,
3. That the proposed Temporary Use By-law to add additional special zone standards for outdoor patios within the geographic boundaries governed by By-laws 28-97, 71-96, and 2004-196, as amended, be enacted; and,
4. That the proposed Temporary Use By-law to add additional special zone standards relating to outdoor sales and display areas accessory to permitted retail stores and personal service shops within the geographic boundaries governed by By-laws 1229, 1442, 1507, 1767, 1912, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-80, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94, 177-96, and 2004-196 as amended, be enacted; and,
5. That the proposed Temporary Use By-law to add additional special zone standards for outdoor patios within the geographic boundaries governed by By-laws 28-97, 71-96, and 2004-196, as amended, include existing permitted breweries; and,
6. That authority to act on behalf of Council to grant municipal authorizations required by the Alcohol and Gaming Commission of Ontario ("AGCO") for temporary extensions of liquor licences be delegated to the City Clerk; and,

7. That the fee for the processing of requests by the City for the temporary extension of liquor licences be waived in 2020; and,
8. That the Director of Operations or their designate, through an amendment to By-law 2013-136 as amended, be authorized to waive fees for Road Occupancy Permits and Boulevard Patio Permits to facilitate temporary patio expansions into the municipal boulevard; and,
9. That the Director of Building Standards, through an amendment to By-law 2019- 136 as amended, be authorized to waive fees for review of temporary patio expansions; and,
10. That the Fire Chief or their designate, through an amendment to By-law 111-98 as amended, be authorized to waive fees for review of temporary patio expansions; and,
11. That the Director of Planning and Urban Design, through an amendment to Bylaw 211-83 as amended, be authorized to waive fees for review of temporary patio expansions; and,
12. That Staff be authorized to incorporate appropriate conditions to the permissions for temporary extensions of outdoor patios and outdoor display and sales areas, to the satisfaction of the Commissioner of Development Services, the Commissioner of Community and Fire Services, and the City Solicitor; and further,
13. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

4.2 PRELIMINARY REPORT APPLICATION FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION, SUBMITTED BY FLATO DEVELOPMENTS INC. (SHAKIR REHMATULLAH)

AT 2695 ELGIN MILLS RD, TO PERMIT THE DEVELOPMENT OF A 3-STOREY OFFICE BUILDING AND 5-STOREY HOTEL WITH ATTACHED CONVENTION CENTRE (WARD 2) FILE NO. PLAN 19 119540 (10.5, 10.7)

The Public Meeting this date was to consider an application submitted by Flato Developments Inc. (Shakir Rehmatullah) for Zoning By-law Amendment to develop a 6 storey office building and 10 storey hotel with an attached convention

centre at 2695 Elgin Mills Road, south side of Elgin Mills Road, west of Woodbine Avenue (Ward 2), File No. PLAN-19-119540.

The Committee Clerk advised that 49 notices were mailed on May 22, 2020, and that a Public Meeting sign was posted on May 21, 2020. Three written submissions were received regarding this proposal.

Marty Rokos, Senior Planner, West District delivered a presentation on the development application, providing members of the Committee with an overview of the area context, proposed concept plan, applicable policy and zoning context, outstanding issues identified by staff, and next steps in the application process.

Emma West, Consultant with Bousfields, and Shakir Rehmatullah, Flato Developments Inc. delivered a presentation of the development application.

The following deputation was provided on the development proposal:

Tammy Arnes provided the following feedback on the development proposal:

- Suggested that higher wage employment uses should be considered for this site, like corporate headquarters.

Committee provided the following feedback regarding the development proposal:

- The development should be denser;
- The development needs to be better integrated with the Leporis Development;
- Asked if there will be passage ways for wildlife to go under the roads;
- Inquired if there is an opportunity to purchase the land located next to the site owned by York Region.

Staff responded to both the Committee's and resident's inquiries. Greater density could be considered for this development proposal. Staff have encouraged the applicant to think about how the York Region parcel of land to the left of the site may be developed in the future when creating its development proposal. The method for wildlife to safely cross the road is still being determined at this time.

Emma West responded to the Committee's inquiries. York Region was approached regarding its land parcel to the west of the site and it was found that most of the land is not developable due to the 14 meter set-back requirement from Highway 404. Next, an overview of the traffic flow, parking, and site entrances was provided. This included an explanation that there will be a two storey underground parking lot that will be shared by the hotel, convention centre, and

office building. Also, it was noted that the landscaping will be designed to make the site both pedestrian and vehicle friendly. In response to the feedback from tonight's meeting, the desire to further integrate the Flato and Leporis sites will be discussed with the client.

Shakir Rahmatullah requested that flexibility be allowed with respect to the height of the development proposal, and that the Zoning By-Law Amendment go directly to Council.

Staff advised that Site Plan approval is not required for the Zoning By-Law Amendment to be approved by Council, but that staff should be satisfied with the Site Plan prior to the by-law being brought forward to Council for its consideration.

Moved by Councillor Alan Ho

Seconded by Regional Councillor Jim Jones

1. That the deputation by Tammy Armes regarding the proposed Zoning By-law Amendment to develop a 6 storey office building and 10 storey hotel with an attached convention centre at 2695 Elgin Mills Road, south side of Elgin Mills Road, west of Woodbine Avenue (Ward 2), File No. PLAN-19-119540, be received; and,
2. That the written submission by Katarzyna Sliwa, Dentons Canada LLP, Gabriel DiMartino, Armland Group, and Mojgan Rasouli, Bousfield Inc., regarding the proposed Zoning By-law Amendment to develop a 6 storey office building and 10 storey hotel with an attached convention centre at 2695 Elgin Mills Road, south side of Elgin Mills Road, west of Woodbine Avenue (Ward 2), File No. PLAN-19-119540, be received.
3. That the Record of the Public Meeting held on June 11, 2020 with respect to the proposed Zoning By-law Amendment to develop a 6 storey office building and 10 storey hotel with an attached convention centre at 2695 Elgin Mills Road, south side of Elgin Mills Road, west of Woodbine Avenue (Ward 2), File No. PLAN-19-119540 be received; and,
4. That the Applicant be provided with the flexibility to increase the height of the development proposal by 20%, and further,
5. That the application by Flato Developments Inc., to amend By-law 304-87, as amended, be referred to a Council meeting when Staff are satisfied with the Site Plan.

Carried

4.3 PRELIMINARY REPORT APPLICATION FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION, SUBMITTED BY LEPORIS CONSTRUCTION INC.

AT 2705 AND 2755 ELGIN MILLS ROAD EAST TO FACILITATE THE FUTURE DEVELOPMENT OF THE SUBJECT LANDS FOR EMPLOYMENT USES (WARD 2) FILE NOS. ZA 16 137567 AND SU 16 137567 (10.5, 10.7)

The Public Meeting this date was to consider an application submitted by Leporis Construction Inc. for a Draft Plan of Subdivision and Zoning By-law Amendment to develop a multi-unit industrial building, a convention centre, two multi-unit commercial buildings, a restaurant, and a 3 storey office building at 2705 and 2755 Elgin Mills Road, south side of Elgin Mills Road, west of Woodbine Avenue (Ward 2), File Nos. ZA-16-137567 and SU-16-137567.

The Committee Clerk advised that 237 notices were mailed on May 22, 2020, and a Public Meeting sign was posted on May 22, 2020. One written submission was received regarding this proposal.

Marty Rokos, Senior Planner, West District, delivered a presentation on the development application, providing members of the Committee with an overview of the area context, proposed concept plan, applicable policy and zoning context, outstanding issues identified by staff, and next steps in the application process.

Bill Tam, KLM Planning Partners, Consultant to the Applicant, delivered a presentation on the development proposal submitted by the applicant.

There were no deputation on this development proposal.

Committee provided the following feedback on the development proposal:

- Asked about the uses being proposed for the complex;
- Suggested revisions to the internal circulation system to include a direct internal connection along a private north south driveway to provide access between Elgin Mills Road and the new east-west public road extending west of Woodbine Avenue ;
- Recommended the site be better integrated with the Flato Development site so that it appears to be one theme throughout both developments;
- Inquired who owns the property to the east;

- Did not want to limit the height of the office building to five storeys.

Gabe DiMartino, Armland Group, representing the Applicant responded to the Committee's inquiries. The units have not been committed to any one client at this time. Therefore, many of the uses permitted under the City's Official Plan are being requested to ensure the units can be leased for a range of uses. The land parcel to the right is owned by the City and will become part of the wildlife corridor. The public road will be built over the wildlife corridor and the creek by building a culvert to go over the area. Enough space will be left under the culvert to permit wildlife to pass under the road, but it will not provide enough space for pedestrians to cross. The dotted lines on the map represent pedestrian walkways connecting the sites and different amenities on the sites.

The Mayor requested that the Development Services Public Meeting recess to hold a Special Council meeting to approve the Temporary Use By-Laws to permit expansion of existing and new outdoor patio uses and outdoor sales. The Development Services Public Meeting will then reconvene to discuss agenda item 4.4. on the agenda.

The Development Services Public Meeting recessed at 10:46 PM.

Moved by Councillor Alan Ho

Seconded by Councillor Reid McAlpine

1. The written submission by Katarzyna Sliwa, Dentons Canada LLP regarding the proposed Draft Plan of Subdivision and Zoning By-law Amendment to develop a multi-unit industrial building, a convention centre, two multi-unit commercial buildings, a restaurant, and a 3 to 5 storey office building at 2705 and 2755 Elgin Mills Road, south side of Elgin Mills Road, west of Woodbine Avenue (Ward 2), File Nos. ZA-16-137567 and SU-16-137567", be received.
2. That the Record of the Public Meeting held on June 11, 2020, with respect to the proposed Draft Plan of Subdivision and Zoning By-law Amendment to develop a multi-unit industrial building, a convention centre, two multi-unit commercial buildings, a restaurant, and a 3 to 5 storey office building at 2705 and 2755 Elgin Mills Road, south side of Elgin Mills Road, west of Woodbine Avenue (Ward 2), File Nos. ZA-16-137567 and SU-16-137567", be received; and,

3. That staff be directed to consider extra height for the development proposal; and further,
4. That the applications by Leporis Construction Inc., for Draft Plan of Subdivision and to amend Zoning By-law 304-87, as amended, be referred back to staff for a report and recommendation to evaluate the proposal.

Carried

Moved by Deputy Mayor Don Hamilton
Seconded by Mayor Frank Scarpitti

That the Development Services Committee recesses at 10:46 PM for 15 minutes to convene into a Special Council meeting to approve the Temporary By-Laws to permit the expansion of existing and new outdoor patio uses and outdoor sales.

Carried

4.4 PRELIMINARY REPORT APPLICATION FOR ZONING BY-LAW AMENDMENT, SUBMITTED BY CLERA HOLDINGS INC. ON BLOCK 81, REGISTERED PLAN 65M-4033 (WEST SIDE OF WOODBINE AVENUE, SOUTH OF ELGIN MILLS ROAD EAST)

TO FACILITATE THE DEVELOPMENT OF THREE ONE STOREY BUILDINGS AND A TWO STOREY BUILDING WITH A GFA OF 3,697 M2 (WARD 2) FILE NO. PLAN 19 123509 (10.5)

The Development Services Public Meeting reconvened at 11:05 PM.

The Public Meeting for this date was to consider an application submitted by Clera Holdings Inc. to rezone the subject lands on Block 81, Registered Plan 65M-4033 (West Side of Woodbine Avenue, South of Elgin Mills Road East) to facilitate the development of a retail and office development, including restaurants and a day care, with a total gross floor area of 3,697 square metres.

The Committee Clerk advised that 2,580 notices were mailed on May 22, 2020 and that a Public Meeting sign was posted on the subject property on May 14, 2020 with confirmation executed on May 19, 2020. No written submissions were received regarding this proposal.

Marty Rokos, Senior Planner, West District, delivered a presentation on the development application, providing members of the Committee with an overview

of the area context, proposed concept plan, applicable policy and zoning context, outstanding issues identified by staff, and next steps in the application process.

Sandra Wiles, consultant to the applicant, delivered a presentation on the development proposal submitted by the applicant, providing members of the Committee with an overview of the proposed revised site plan and technical issues addressed in consultation with staff. Stephen Hunt, Hunt Design Associates, consultant to the applicant, provided an overview of the proposed landscape plan and building elevations.

There were no deputations on this item.

The Committee discussed the following relative to the application:

- Potential integration between the proposed design features and those of future developments to the west;
- Minimizing fencing, where feasible, to enhance integration between the proposal and adjacent wildlife corridor;
- Outdoor amenity space for the proposed day care facility, including potential relocation of the day care to achieve a greater relationship with the existing wildlife corridor; and,
- Relationship between the proposed on-site parking and Woodbine Avenue, including consideration of the feasibility of underground parking and other layout adjustments to enhance street orientation and pedestrian realm.

Sandra Wiles and Stephen Hunt responded to the Committee's discussion on the development proposal. The suggestion of making the retail units two or three storeys, and adding underground parking will be discussed with the Applicant. Also, it was noted that moving the retail units closer to Woodbine Avenue and eliminating the parking in the front of the units may impact the traffic flow in the complex, as it would limit the complex to one entrance. Stephen Hunt advised that the applicant and the day care provider are working to incorporate outdoor play space on the roof of the proposed day care facility.

Committee requested that the Applicant work with staff on the frontage of the retail units on Woodbine Avenue and on the plaza entrances.

Moved by Councillor Alan Ho

Seconded by Mayor Frank Scarpitti

1. That the Record of the Public Meeting held on June 11, 2020, with respect to the proposed Zoning By-law Amendment to develop a retail and office

development including restaurants and a day care on Block 81, Registered Plan 65M-4033, on the west side of Woodbine Avenue, south of Elgin Mills Road (Ward 2), File No. PLAN-19-123509," be received; and,

2. That the application by Clera Holdings Inc. to amend Zoning By-law 304-87, as amended, be referred back to staff for a report and recommendation to evaluate the proposal.

Carried

Moved by Deputy Mayor Don Hamilton
Seconded by Councillor Khalid Usman

1. That the Development Services Public Meeting be permitted to continue past 12:00 AM.

Carried

5. ADJOURNMENT

Moved by Deputy Mayor Don Hamilton
Seconded by Councillor Khalid Usman

That the Development Services Public Meeting adjourn at 12:08 AM.

Carried



Electronic Development Services Public Meeting Minutes

Meeting Number 5

June 16, 2020, 7:00 PM - 9:00 PM

Live streamed

Roll Call	Mayor Frank Scarpitti	Councillor Reid McAlpine
	Deputy Mayor Don Hamilton	Councillor Karen Rea
	Regional Councillor Jack Heath	Councillor Andrew Keyes
	Regional Councillor Joe Li	Councillor Amanda Collucci
	Regional Councillor Jim Jones	Councillor Khalid Usman
	Councillor Keith Irish	Councillor Isa Lee
	Councillor Alan Ho	
Staff	Biju Karumanchery, Director, Planning & Urban Design	Laura Gold, Council/Committee Coordinator
	Ron Blake, Senior Manager, Development	Scott Chapman, Election & Council/Committee Coordinator
	Stacia Muradali, Acting Manager, East District	

Alternate formats for this document are available upon request

1. CALL TO ORDER

In consideration of the ongoing state of emergency surrounding the 2019 Novel Coronavirus (COVID-19) and the emergency public health orders issued by the Government of Ontario, this meeting was conducted electronically to maintain physical distancing among participants.

The Development Services Public Meeting convened at the hour of 7:00 PM with Councillor Keith Irish presiding as Chair.

Councillor Khalid Usman arrived at 7:31 PM.

2. DISCLOSURE OF PECUNIARY INTEREST

None disclosed.

3. DEPUTATIONS

Deputations were made for the following item:

4.1 - Incon Holdings (7350 Markham Road)

Refer to the individual item for the deputation details.

4. REPORTS

4.1 PRELIMINARY REPORT INCON HOLDINGS (MARKHAM ROAD) LTD. APPLICATIONS TO AMEND THE OFFICIAL PLAN AND ZONING BY-LAW TO PERMIT MEDIUM TO HIGH DENSITY DEVELOPMENT AT 7350 MARKHAM ROAD (WARD 7) (10.3, 10.5)

The Public Meeting for this date was to consider an application submitted by Incon Holdings (Markham Road) Ltd. to amend the Official Plan and applicable zoning by-law to permit a medium and high density development at 7350 Markham Road comprised of two 16-storey buildings with 593 apartment units, four-storey back-to-back and stacked townhouses, and three-storey townhouses.

The Committee Clerk advised that 1,062 notices were mailed on May 27, 2020 and that a Public Meeting sign was posted on the subject property on May 14, 2020. There were eight written submissions received in opposition to this development proposal.

Stacia Muradali, Acting Manager, East District, delivered a presentation on the development application, providing members of Committee with an overview of the area context, conceptual site plan, applicable policy and zoning context, outstanding issues to be addressed through staff review, and next steps.

Jack Wong, Malone Given Parsons, consultant to the applicant, delivered a presentation on the proposal submitted by the applicant, including an overview of the application history and conceptual site plan. Prish Jain, TACT Architecture, consultant to the applicant, provided members of Committee with an overview of the proposed design for the development, including the conceptual site plan; built form, height and massing study; and conceptual renderings.

The following deputations were made on the development proposal:

Maaz Khan, resident expressed the following concerns regarding the development proposal:

- The height of the condominium is too high;
- The development proposal is too dense for the area;
- The added density to the area may cause overcrowding at the local schools;
- The impact the development proposal will have on traffic congestion and safety;

- The impact of the entrance to the development proposal on Markham Road on traffic congestion and safety;
- The congestion the development proposal may create on Golden Avenue.

Maqsood Mahboob, resident expressed the following concerns regarding the development proposal:

- That people visiting the development will park on Golden Avenue;
- The impact the development proposal will have on local traffic;
- That the development will lower his property value;
- The added density the development will add to the area;
- That the development proposal will impact his privacy.

Indi Wicks, resident expressed the following concerns regarding the development proposal:

- The impact the development proposal will have on pedestrian safety;
- The height of the proposed condominium;
- That the development will increase the traffic on Golden Avenue.

Lisa Wilkinson, President of the Condominium Board, 7542 Markham Road expressed the following concerns regarding the development proposal:

- That the residents parking spots are being reduced when residents with more than one vehicle are likely to be purchasing these condominium units;
- That reducing the number of resident parking spots may cause future issues, like residents parking in visitors spots and the Condominium Board having to hire enforcement to control the matter;
- The transit in the area is not frequent enough to support the reduction of resident parking spots;
- The density of the development proposal and the impact on traffic congestion in the area, including drivers cutting through the parking lot at 7542 Markham Road to avoid traffic.

Committee provided the following feedback on the development proposal:

- The development proposal is too dense;

- The amount of resident parking should not be permitted to be reduced, as the area is not that well served by transit;
- The impact the development proposal will have on traffic safety and congestion;
- Suggested that all housing in the development proposal should be part of the Condominium Board to prevent future issues;
- That York Region be asked to consider reducing the speed on Markham Road in this area to 50 km per hour;
- That a sign be put up on Golden Avenue prohibiting U turns;
- Asked what the size is of the townhouses being proposed;
- Did not like how the design integrates with the streetscape;
- Concerned that the development proposal did not include a public park, as it may not be in close enough proximity to an existing park;
- Suggested that the Applicant consider the impact that COVID-19 may have on resident behavior, like choosing to drive rather than take transit;
- Requested that a barrier or sign be put up on Markham Road preventing residents from stopping in front of the development proposal;
- Suggested locating the condominium in the centre of the development proposal;
- That the design of the condominium is too boxy;
- Asked staff to compare the density of the development proposal with the density of the development at the south west corner of Markham Road and Dennison Street;
- Asked if a hydrology study has been done to ensure the property can support a 3 level underground parking structure.

Jack Wong, consultant representing the Applicant responded to the residents' and Committee's inquiries regarding the development proposal. Recently, the School Boards were consulted on the development proposal, and indicated that the schools have the capacity to accommodate the development. In this proposal, the townhomes vary in size and model. The smallest unit is 482 square feet for a lower unit, and the largest unit is approximately 3,000 square feet. Most of the lane based townhouse models are 3 bedroom and have two parking spots, but the stacked units only have one parking spot. Some of the townhome models also

have an option for a purpose-built secondary suite. Also, the applicant is still finalizing the details of the development proposal, including the management of the shared amenities if some of the townhome units are freehold. It is anticipated that the development will be built in phases.

Richard Pernicky, Senior Transportation Engineer, representing the Applicant responded to the residents' and Committee's questions regarding traffic. To start with, the Traffic Impact Study for the development proposal is currently being reviewed by City staff. York Region is also in the process of reviewing a proposal to permit left turns into the development from Markham Road. This is being proposed to York Region to help alleviate traffic on Markham Road. If this is not permitted by York Region, residents will only be able to make a right turn in and a right turn out of the development from Markham Road. Furthermore, the resident parking requirement for the site is 972 spots, but the number of resident spots is being requested to be reduced by 98 parking spots. This is being proposed to try and encourage property purchasers/owners to use transit rather than rely on an automobile. The visitor parking requirement of 177 parking spots will be met, as visitor behavior cannot be controlled. Moreover, vehicle pick-up and drop-off will be located inside the development to prevent residents from stopping on Markham Road. Signs prohibiting stopping on Markham Road could also be installed.

Prishram Jain, Architect, representing the Applicant advised that the densest area of a development is typically put near the artery road, and away from nearby subdivisions. Also, that the building was designed to make it appear less boxy.

Staff responded to residents' and Committee's inquiries. Staff are still reviewing the Traffic Impact Study for this development proposal and have not provided feedback on the proposed parking proposal at this time. Similarly, staff are still reviewing the Applicant's hydrology study to ensure that a three level underground parking structure can be supported on this site. Comments from tonight's meeting will be provided to the applicable City staff to consider when reviewing the studies. As part of the city's Transit Demand Management (TDM) program, the parking and the units would likely be required to be sold separately. In addition, a new park is being built on the east side of Markham Road, which will be completed in the next two or three years. Brando Park is also approximately 450 m from the development proposal. Staff noted that the condominium complex across the street is of a comparable density to the development being proposed. Staff will report back on how the density of this development proposal compares with the density of the development located at Markham Road and Dennison Street.

Moved by Councillor Khalid Usman

Seconded by Councillor Isa Lee

1. That the deputations by Maaz Khan, Maqsood Mahboob, Indi Wicks, and Lisa Wilkinson regarding the “Preliminary Report, Incon Holdings (Markham Road) Ltd., Applications to amend the Official Plan and Zoning By-law to permit a high density residential development at 7350 Markham Road, Ward 7 (File Nos. PLN 19 141513)”, be received; and,
2. That the written submissions by Mahindan Bala, Wilbert Co, Lisa Wilkinson, Maqsood Mahboob, Sulaksan Sabaratnam, Kam Wong, and Chirag Shah regarding the “Preliminary Report, Incon Holdings (Markham Road) Ltd., Applications to amend the Official Plan and Zoning By-law to permit a high density residential development at 7350 Markham Road, Ward 7 (File Nos. PLN 19 141513)”, be received; and,
3. That the Development Services Commission report dated May 11th, 2020 and titled “Preliminary Report, Incon Holdings (Markham Road) Ltd., Applications to amend the Official Plan and Zoning By-law to permit a high density residential development at 7350 Markham Road, Ward 7 (File Nos. PLN 19 141513)” be received; and,
4. That the record of the Public Meeting held on June 16th, 2020, with respect to the applications to amend the Official Plan and Zoning By-law Amendment (PLN 19 141513)) submitted by Incon Holdings (Markham Road) Ltd, to permit a high density residential development at 7350 Markham Road, be received; and further,
5. That the applications to amend the Official Plan and Zoning By-law (PLN 19 141513) submitted by Incon Holdings (Markham Road) Ltd. to permit a high density residential development at 7350 Markham Road, be referred back to Staff.

Carried

5. ADJOURNMENT

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Khalid Usman

That the Development Services Public Meeting adjourn at 9:16 PM.

Carried



Report to: Development Services Committee

Meeting Date: July 13, 2020

SUBJECT: Improving the State of Infill Housing: A Work Plan
PREPARED BY: Chris Bird, Director of Building Standards, ext. 4716

RECOMMENDATION:

- 1) That the Development Services Committee receive this report titled “Improving the State of Infill Housing: A Work Plan” for information;
- 2) That the Chief Building Official, in consultation with all relevant departments work towards the development of a strategy to minimize the adverse effects of infill construction on existing residential neighbourhoods and that a report recommending such strategy be brought back to a future Development Services Committee meeting;
- 3) That the Chief Building Official in consultation with the City Solicitor evaluate the need for a new Demolition Control By-law as provided for in s. 33 of the Planning Act and report back to the Development Services Committee.
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution

PURPOSE:

1. This report is provided as background information on the subject of infill housing and presents a work plan to develop a strategy for an effective, coordinated and proactive response to residential infill construction projects within existing neighbourhoods.
2. This report does not discuss or present recommendations on residential design matters or architectural control that may be regulated through zoning by-laws and other applicable laws.

BACKGROUND:

Residential infill generally refers to the process of constructing new buildings or substantial additions within existing residential neighbourhoods. It presents a distinct challenge for all involved; builders in business to build and sell new homes within the confined spaces of existing established neighbourhoods, owners wishing to build their dream home in those same neighbourhoods and longtime residents having their lives disrupted by ongoing construction activities. In some cases purchasers move into those new homes unaware of the tension the construction has created.

Markham has experienced a steady increase in these construction activities over the past 10 years, the majority being in Wards 1, 3 and 4 [Appendix A]. Since 2009, there have been 538 projects where the house has been demolished and replaced with new homes, almost 80% of those within Wards 1, 3 and 4. During that time there have also been 785 additions, with over 70% within those same three Wards.

While the City of Markham Building Standards Department is responsible for authorizing construction through the issuance of building permits, the majority of challenges with infill arise during the construction of those buildings. The challenges include:

1. Confirming compliance with the building code, zoning bylaw and permit plans; and
2. Controlling the many nuisance issues associated with construction activities.

Matters related to compliance with the Ontario Building Code and the permit documents can be addressed directly by the building inspector through verbal instructions, Field Inspection Reports and/or the issuance of Orders. The most common problems encountered by inspectors on infill homes include:

- Construction not in accordance with permit documents
- Construction not in accordance with the Building Code
- Owners/contractors not scheduling mandatory inspections
- Project completion taking excessive time
- Sewer and water service not installed as per approvals
- Construction fencing not being installed or maintained
- Demolition and excavation compromising adjacent properties
- Site safety; temporary stairs/guards not installed
- Occupancy prior to completion

Building inspectors conduct certain mandatory inspections prescribed by the Ontario Building Code. Typically, an inspector may visit a site 5 to 7 times throughout course of construction, sometimes more where deficiencies must be resolved. While it may be possible for the inspectors to achieve verbal compliance with contractors and/or owners on nuisance issues, the inspectors ultimately must carry out their duties of establishing Building Code compliance and refer them to other departments who have the means and enforcement tools to gain compliance.

The nuisance issues relate primarily to matters regulated by City by-laws administered by other departments [see Appendix B] and are typically beyond the regulatory control of the building inspector. Those issues include hours of construction, parking, material & equipment storage, road occupancy, noise, dust and debris, site safety, tree protection and drainage and lot grading.

Nuisance issues have been the source of ongoing complaints and frustrations for residents. City officials face challenges when trying to provide timely and effective response to those issues some of which occur outside of regular business hours and are addressed by different by-laws enforced by different departments.

OPTIONS/ DISCUSSION:

Building Standards has developed policies and procedures for the efficient processing of permit applications. Appendix C outlines the typical checklist for the processing of infill permits. In addition, departmental practices have evolved in an attempt to proactively address many of the concerns and complaints of infill. They include:

- Enhanced demolition procedures and inspections
- More detailed site plans showing construction fencing and proposed excavation lines;
- New shoring standards to control excavations and promote site safety;
- New safety fencing standards including screening to control blowing debris;
- As-built foundation surveys to confirm zoning compliance at the earliest opportunity;
- Zoning preliminary review reports to better inform Committee of Adjustment;
- Participating with Tarion in their application for a Letter of Confirmation for an 'owner/builder' who seeks a permit to build their own home;
- Regular production of Builder Tips to guide contractors
- Notifying By-law Enforcement of the issuance of every permit for such works
- Notifying Operations of the issuance of every permit for such works

Engineering and Operations Departments collaborate on approving lot grading and servicing plans that include:

- Improved site grading approval practices incorporating tree protection requirements
- Lot grading undertakings and posting of Letters of Credit
- Requiring construction access mud mats to minimize mud tracking
- Servicing plans
- Implementing more stringent tree protection by-laws and permitting procedures and incorporating them into approved lot grading plans
- Issuance of Road Occupancy permits

Improving the Response to Infill: Work Plan

While many policies and procedures have already been implemented, staff are recommending a work plan be established to develop a strategy to improve the response to infill construction. The challenge is to develop a strategy that best facilitates the orderly construction of buildings within these existing residential neighbourhoods that;

- Proactively minimizes disruptions to adjacent properties and neighbourhoods;
- Respects the rights of everyone;
- Encourages construction practices that are safe, compliant & organized;
- Provides an effective means of communication; and
- Provides an efficient complaints management and enforcement system;

The work plan would include the following actions:

-
- Carry out a review of current best practices in other jurisdictions;
 - Carry out a review of City bylaws and identify gaps or areas for improvement;
 - Establish an interdivisional working group consisting of representatives from all departments involved in or affected by infill construction. The interdivisional working group would be led by the Chief Building Official and consist of staff from Building, By-law Enforcement, Legal Services, Engineering, Operations and perhaps others;
 - Consideration of all available enforcement mechanisms and the resources required for any enhanced enforcement;
 - In conjunction with the City Solicitor, explore the implementation of a Demolition Control By-law provided for in section 33 of the Planning Act. Such a by-law would prevent demolition until plans to redevelop are in place and a demolition permit is issued with conditions, including the requirement for construction to be completed within a prescribed period of time;
 - Consider best practices for communicating to residents about by-laws, expectations and the response mechanisms in place to address complaints including enhancement to the City web site;
 - Consider the production of a construction guide that sets out expectations for good construction practices and site maintenance;
 - Review current use of undertakings and securities and consider any improvements;
 - Make builders more accountable for their actions through increased penalties
 - Explore the authority and implementation of requiring owners/contractors to provide project notification boards to display permit cards, contact names, safety details, hours of work and perhaps limited building design drawings

The goal of the work plan would be to develop a defined strategy that would provide:

- An improved complaints management and response system
- Improved communications to and for residents and builders
- Expectations for Good Construction Practices

This work plan would be led by the Chief Building Official and a report would be brought forward in the near future to recommend a corporate strategy.

FINANCIAL CONSIDERATIONS

None in the preparation of the work plan

HUMAN RESOURCES CONSIDERATIONS

None for the development of this Infill Strategy.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Exceptional Services by Exceptional People:

Leverage current technology to provide an improved complaints management system leading technologies to enable city building and evolution / transformation of our services;

Engaged, Diverse, Thriving and Vibrant City:

Improved quality of life for residents

Safe, Sustainable and Complete Community:

Develop a strategy that helps improve that safety and quality of life for residents and the community

Stewardship of Money and Resources:

Provides a communication strategy that is more transparent and informative

BUSINESS UNITS CONSULTED AND AFFECTED:

By-law Enforcement

Operations

Engineering

RECOMMENDED BY:



Chris Bird

Director of Building Standards

ATTACHMENTS:

Appendix A – Infill Projects by Ward

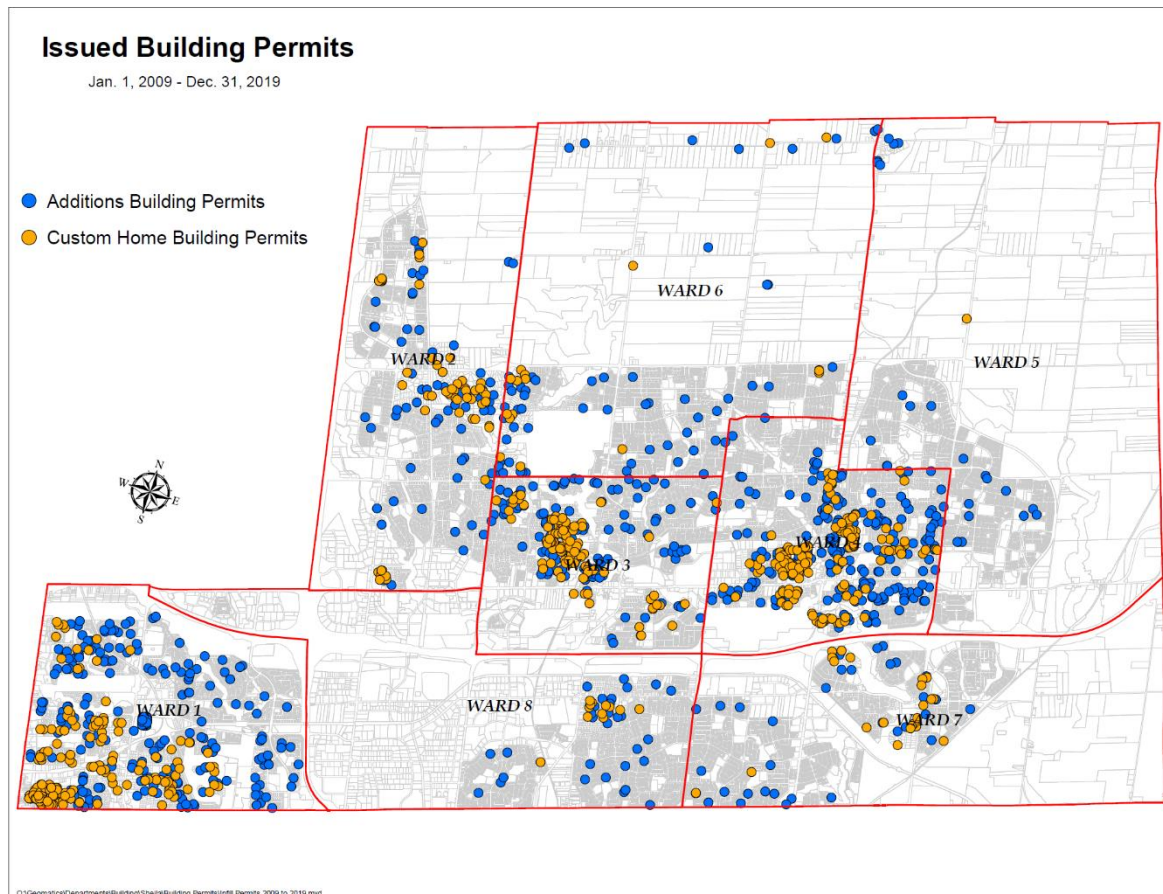
Appendix B – Issues Matrix

Appendix C – Building Permit Processes

Appendix A: Infill Projects by Ward



Infill Permits 2009 to
2019.pdf



Appendix B: Issues Matrix

Infill Housing Enforcement Matrix

	Site Activity	Regulatory Mechanism	AHJ/Department	Issues	Enforcement Action	Comments
1						
2	Demolition	Permits: BCA/OBC	Building Standards	Noise, Dust, Debris,		
3	Building Design [Zoning]	Zoning By-law	Building Standards			
	Architectural control [Massing/Materials]	None			Not regulated	Can only be regulated under s41 of the Planning Act
	Construction start/duration	Building Code Act	Building Standards		Revocation of permits under	Consider Demolition Control under sXX of the Planning Act
	Public Safety [Fencing]	By-law 2019-148 (Building)	Building Standards			
	Public Safety [Fencing]	By-law 2019-148 (Building)	By-law Enforcement/ Operations		After Hours maintenance often dispatched and responded by Operations to secure the fence	Back charge the permit holder
	Construction Safety	O.Reg. 213/91 Construction Projects	Ministry of Labour		Building to refer to MOL	
	Parking of construction vehicles and workers	By-law 2005-188 (Parking Control) By-law 2018-77 (Infill By-law)	By-laws Building Standards/By-laws		AMPs Penalty Notice (Parking) Order to Discontinue/Work Order/Charges	
	Tree Protection	By-law 2008-96 (Tree Preservation)	Operations	Tree Preservation Zone	Permits required Orders can be issued for contraventions of By-law	

4	Tree Cutting/Permits	By-law 2008-96 (Tree Preservation)	Operations			
	Replanting Condition Fulfillment	By-law 2008-96 (Tree Preservation)	Operations	Replanting obligations	By-law order	
5	Lot Grading	Ontario Building Code By-law 2011-232 (Site Alteration)	Engineering		As per the terms of the lot grading undertaking	
6	Site Servicing	By-law 2014-71 (Sewer Use By-law)				
	Site Servicing	Water/Sanitary/Storm	Engineering (RIGS)		Connection of private services to public services	
	Road Occupancy	By-law 2013-136 (Road Occupancy)	Operations / By-laws	Damages/ obstructions to Right of Way (fouling roads, sidewalk, impeding winter maintenance) After hour dispatched for emergency road closure	1) (Retroactive) Issuance of ROP as most home owners do not apply until being told; ENG continue to retain securities 2) Require offender to conduct restorative actions 3) Revoke Road Occupancy permit 4) OPS to undertake emergency/ corrective actions when offender fails to comply using security deposit	Right of Way includes: boulevards, culverts, curbs, ditches, sidewalks and roadway By-law allows OPS to draw from ENG deposit for any work required to meet compliance
	Road Occupancy	By-law 2013-136 (Road Occupancy)	Operations / By-laws	Damages / Obstructions to Right of Way (fouling of roads,	1) (Retroactive) Issuance of ROP as most home owners do not apply until being told;	Non-City ROW assets includes: hydro poles, transformers, utility

				sidewalk, impeding winter maintenance)	ENG continue to retain securities 2) Asset owner contacted to conduct repairs / replacements 3) Revoke Road Occupancy permit	cabinets, bus shelters, York Region assets
	Fouling of Roads	By-law 2013-136 (Road Occupancy) By-law 2018-77 (Infill By-law)	Operations / By- laws Operations/By- laws		(see above – Road Occupancy) Order to Discontinue/Work Order/Charges	
	Noise	By-law 2003-137 (Noise) By-law 2018-77 (Infill By-law)	By-laws Building Standards/By- laws		Penalties as per the Provincial Offences Act Order to Discontinue/Work Order/Charges	
	Storage of Construction Materials/Debris	By-law 248-1999, s10(4) Property Standards By-law 2018-77 (Infill By-law)	Building Standards/By- laws		Order to Discontinue/Work Order/Charges Order to Discontinue/Work Order/Charges	
	Hours of Operation	By-law 2018-77 (Infill By-law)	Building Standards/By- laws		Order to Discontinue/Work Order/Charges	
	Dust, debris, garbage	By-law 2018-77 (Infill By-law)	Building Standards/By- laws		Order to Discontinue/Work Order/Charges	

Appendix C: Building Permit Processes

Zoning By-law:

- Review for compliance with the applicable zoning by-law.
- Where a minor variance is obtained;
 - ensure permit plans substantially conform to the approvals granted by the Committee of Adjustment, and
 - ensure all minor variance conditions are satisfied.

Ontario Building Code:

- Review permit plans for compliance with the Ontario Building Code.

Applicable Law Approvals have been obtained:

- Where applicable, includes Site Plan Approval, Heritage Approval, Toronto Region and Conservation Area (TRCA) Construction and Fill Permits.
- Verify that the building permit drawings are consistent with all Applicable Law Approval documents.

Approved Lot Grading Plan for all new custom homes and additions over 50 m²:

- Lot grading is reviewed by the Engineering Department through a Residential Infill Grading and Servicing (RIGS) application or, where applicable, through a Site Plan application (SPA). Both of these applications include reviews by Operations to address tree protection and curb modifications.

Tarion Warranty: When a permit application is made for a new custom home, the applicant must declare whether the home is being constructed by a builder registered with Tarion or whether the Owner is acting as the builder. For most infill projects in Markham, the property owner declares themselves as the Builder. The Building Standards Department works cooperatively with Tarion to ensure the Owner understands the terms of the Ontario New Home Warranties Act. Where that's the case, the new home is not warranted and the owner is advised of such at permit issuance through a document issued by Building Standards.

Demolition Permits

- Demolition checklists are completed by the applicant
- Demolition plans are reviewed for extent of excavation, temporary shoring measures and location of construction fencing
- Pre-demolition inspections are conducted to review and approve the installation of construction fencing before the demolition permit can be issued
- Demolition permit is generally issued at the same time as the housing permit

Construction

Once building permits are issued, Building Inspectors conduct a series of mandatory inspections prescribed by the Building Code and requested and scheduled by the Owner or their authorized agent. Inspections verify that the construction is in accordance with the Ontario Building Code and the permit plans forming part of the permit.



Heritage Markham Committee Minutes

Meeting Number: 5
June 10, 2020, 7:00 PM
Electronic Meeting

Members	Councillor Keith Irish Councillor Karen Rea Councillor Reid McAlpine Graham Dewar David Nesbitt Paul Tiefenbach	Evelin Ellison Ken Davis Doug Denby Shan Goel Anthony Farr
Regrets	Jason McCauley	Scott Chapman, Election & Committee Coordinator
Staff	Regan Hutcheson, Manager, Heritage Planning Peter Wokral, Senior Heritage Planner	George Duncan, Senior Heritage Planner

1. CALL TO ORDER

Graham Dewar, Chair, convened the meeting at 7:12 PM by asking for any disclosures of interest with respect to items on the agenda. The Director of Planning and Urban Design was welcomed to the meeting.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. PART ONE - ADMINISTRATION

3.1 APPROVAL OF AGENDA (16.11)

A. Addendum Agenda

None.

A. New Business from Committee Members

Evelin Ellison requested that two vacant properties on Bayview Avenue just north of John Street be discussed under New Business.

Recommendation:

That the June 10, 2020 Heritage Markham Committee agenda, as amended be approved.

Carried

3.2 MINUTES OF THE MAY 13, 2020 HERITAGE MARKHAM COMMITTEE MEETING (16.11)

See attached material.

Recommendation:

That the minutes of the Heritage Markham Committee meeting held on May 13, 2020 be received and adopted.

Carried

4. PART TWO - DEPUTATIONS

There were no deputations.

5. PART THREE - CONSENT

5.1 HERITAGE PERMIT APPLICATIONS

22 COLBORNE STREET THORNHILL HCD

141 MAIN STREET UNIONVILLE HCD

12 WISMER PLACE MARKHAM HERITAGE ESTATES

DELEGATED APPROVALS: HERITAGE (16.11)

FILE NUMBERS:

- HE 20 111876
- HE 20 111502
- HE 20 110835

Extracts: R. Hutcheson, Manager of Heritage Planning

Recommendation:

That Heritage Markham receive the information on heritage permits approved by Heritage Section staff under the delegated approval process.

Carried

5.2 BUILDING OR SIGN PERMIT APPLICATIONS

7681 YONGE STREET THORNHILL HCD

11 PRINCESS STREET MARKHAM VILLAGE HCD

40 ALBERT STREET MARKHAM VILLAGE HCD

26 MARKHAM STREET MARKHAM VILLAGE HCD

DELEGATED APPROVALS: BUILDING (16.11)

FILE NUMBERS:

- 20 109123 AL
- 19 138593 HP
- 20 111437 HP
- 20 111853 HP

Extracts: R. Hutcheson, Manager of Heritage Planning

Recommendation:

That Heritage Markham receive the information on Building Permits approved by Heritage Section staff under the delegated approval process.

Carried

5.3 EVENTS

DOORS OPEN MARKHAM 2020 EVENT (16.11)

Extracts: R. Hutcheson, Manager of Heritage Planning

Recommendation:

That Heritage Markham receive this item as information.

Carried

5.4 DEMOLITION PERMIT APPLICATION

**31 WALES AVENUE, MARKHAM VILLAGE HERITAGE
CONSERVATION DISTRICT**

UPDATE: DEMOLITION OF ACCESSORY BUILDING (16.11)

FILE NUMBER: 20 112282 DP

Extracts: R. Hutcheson, Manager of Heritage Planning

Moved by David Nesbitt
 Seconded by Paul Tiefenbach

Recommendation:

That Heritage Markham receive this item as information.

Carried

6. PART FOUR - REGULAR

6.1 HERITAGE PERMIT APPLICATION

**156 MAIN STREET, UNIONVILLE HERITAGE CONSERVATION
 DISTRICT
 RESTORATION OF LEADED GLASS TRANSOM WINDOWS (16.11)
 FILE NUMBER: HE 20 115154**

Extracts: R. Hutcheson, Manager of Heritage Planning

George Duncan, Senior Heritage Planner advised that in the fall of 2019 Heritage Staff became aware that the leaded glass transom windows of 156 Main Street Unionville, a Class A commercial heritage building had been replaced without the City's permission. After contacting the property owner requesting that the new window be removed and replaced with leaded glass transform windows, the property owner advised that the windows were replaced due to some of the windows being broken in a windstorm. The property owner has now submitted Heritage Permit Application for the restoration of the windows.

In response to a Committee inquiry regarding if the applicant would be eligible for a Heritage Grant to help cover the cost, staff advised that Heritage Grants are prohibited to be provided to undo work that was done illegally on a heritage property.

Recommendation:

That Heritage Markham receive the memorandum on 156 Main Street, Unionville as information.

Carried

6.2 SITE PLAN CONTROL APPLICATION

**45 PETER STREET, MARKHAM VILLAGE HERITAGE
 CONSERVATION DISTRICT
 PROPOSED ADDITION TO AN EXISTING HERITAGE DWELLING**

(16.11)

FILE NUMBER: SPC 20 113739

Extracts:

R. Hutcheson, Manager of Heritage Planning

P. Wokral, Senior Heritage Planner

Peter Workral, Senior Heritage Planner provided an overview of the Site Plan Application for 45 Peter Street, located in the Markham Village Heritage Conservation District in support of a garage addition to the north and additional living space addition to the east of the existing dwelling.

Committee inquired about the the potential for further expansion of the dwelling.

Staff advised that the Committee should make a decision on the Application being presented without consideration of possible future plans for the property.

Recommendation:

That Heritage Markham has no objection to the proposed additions to the existing dwelling at 45 Peter St. dated April 29, 2020 from a heritage perspective and delegates final review of the application to Heritage Section staff, provided that large oak tree on the north property line can be adequately protected and preserved.

Carried**6.3 SITE PLAN CONTROL APPLICATION****19 PETER STREET, MARKHAM VILLAGE HERITAGE
CONSERVATION DISTRICT****PROPOSED 2-CAR GARAGE/ACCESSORY BUILDING (16.11)**

FILE NUMBER: SPC 20 113665

Extracts:

R. Hutcheson, Manager of Heritage Planning

P. Wokral, Senior Heritage Planner

Peter Workal, Senior Heritage Planner provided and overview of the Site Plan Control Application for 19 Peter Street, located in Markham Village Heritage District. The application submitted is to obtain approval to construct a one storey detached, 2-car garage/accessory building fronting Spingdale Avenue.

Committee inquired what happens to the mature maple tree located on the property if it cannot be saved.

Staff advised that the impact to the maple tree will be considered by the City's Urban Design staff and that the Applicant may be requested to plant replacement trees on their property or provide compensation for the tree if it cannot be retained.

Committee requested that a certified arborist confirm that the construction of the one storey detached two car garage will not harm the mature maple tree located on the property, and that this be added to the first clause of the resolution.

Recommendation:

1. That Heritage Markham has no objection to the proposed garage at 19 Peter Street from a heritage perspective subject to confirmation by a certified arborist that the mature maple tree will not be negatively impacted by the location and construction of the proposed garage; and,
2. That final review of the site plan application be delegated to Heritage Section staff.

Carried

6.4 COMMITTEE OF ADJUSTMENT VARIANCE APPLICATION

31 WALES AVENUE, MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT

ACCESSORY BUILDING WITH ACCESSORY DWELLING UNIT (16.11)

FILE NUMBER: A/064/20

Extracts:

R. Hutcheson, Manager of Heritage Planning

G. Duncan, Senior Heritage Planner

J. Leung, Secretary, Committee of Adjustment

George Duncan, Senior Heritage Planner advised that a Minor Variance Application for the Accessory Building with Accessory Dwelling Unit, has been submitted to the Committee of Adjustment for 31 Wales Avenue Street, located in the Markham Village Heritage Conservation District. The Minor Variance Application is to: 1) increase the maximum building height from 3.65 m to to 6.85; 2) to permit an accessory dwelling unit; and 3) to permit a dwelling unit in an accessory building.

It is anticipated that the Site Plan Application for this item will be submitted to the Heritage Markham Committee after the Minor Variance Application is considered by the Committee of Adjustment.

Committee members provided the following comments:

- Suggested that demolition permits should not be approved without seeing the Site Plan;
- Suggested that second suites be addressed through the Comprehensive By-Law Review;

Staff advised that the Province has legislated municipalities to permit second suites, but that Council has not approved them at this time, and requires applicants to seek approval through the Committee of Adjustment. However, Council has been supportive of purpose built second suites.

The Director of Planning agreed to inquire if second suites will be re-addressed under the Comprehensive By-Law review. It was noted that Council can also re-open the discussion on second suites by passing a resolution directing staff to re-address the matter.

Recommendation:

That Heritage Markham has no objection to the requested variances (Application No. A/064/20) relating to the future construction and use of a new accessory building at 31 Wales Avenue.

Carried

6.5 DEMOLITION PERMIT APPLICATION

10536 MCCOWAN ROAD, CASHEL COMMUNITY UPDATE: SUMMERFELDT-STICKLEY HOUSE (16.11)

FILE NUMBER: 20 110958 DP

Extracts: R. Hutcheson, Manager of Heritage Planning

George Duncan, Senior Planner advised that when the demolition of the Summerfeldt-Stickley house was brought forward to the Development Services Committee on May 25, 2020 for its consideration, staff were asked to identify the vacant heritage buildings within Markham, and report back on a strategy that will help prevent heritage properties from being demolished as a result of neglect. The demolition request then proceeded to Council on May 26, 2020, where it was approved based on the condition of the home and the unlikeliness that it could be repaired.

In response to Council's request at the May 25, 2020 Development Services Committee Meeting, Staff would like to work with the Heritage Markham Committee to review the list of vacant heritage properties and come up with a strategy to help protect the properties. Staff started by updating the list, and found

that there are 66 vacant heritage buildings in Markham. The number of properties on the list has increased by five from last year.

It was noted that in 2016, the Committee reviewed the list of vacant heritage properties in Markham and developed a strategy. At the time, it was decided that By-law Enforcement would focus on the top 10 priority vacant heritage properties.

It was suggested that the City needs to be more proactive in designating heritage properties. Currently, the City is reactive in its designation of heritage properties and is usually a condition of major development approval or due to a threat against the building. Staff plan to also advise Council on the designation of heritage properties. It was also noted that a study is currently underway on how to address the heritage properties in employment areas.

The Committee was fully supportive of this initiative and discussed ways of evaluating and prioritizing the condition of the vacant heritage properties. Some of its ideas included:

- Distinguishing between unoccupied and abandoned heritage properties;
- Grouping by the heritage categorization;
- Grouping by the condition of the property.

Committee inquired what the City's role is in protecting heritage properties located in the Rouge National Park. Staff advised that these heritage properties fall under the jurisdiction of federal law and that the City can only make recommendations regarding these properties to the Federal Government.

Committee expressed concern about the following properties:

- 141 Main Street Unionville – property appears to be vacant and is possibly being neglected;
- 147 Main Street Unionville – it appears that the tree on the property is destroying the foundation of the property.

Staff agreed to investigate the Committee's concerns regarding these properties, and advised that the issues could possibly be resolved through the City's Property Standards By-Law.

The following Members of the Heritage Markham Committee joined the Sub-Committee to review the list of 66 vacant heritage properties in Markham and help develop a strategy:

Councillor Reid Mc-Alpine
Councillor Karen Rea

Ken Davis
 Shane Goel
 Doug Denby
 David Nesbitt
 Graham Dewar
 Paul Tiefenbach

Evelin Ellison advised that she would be available to attend Sub-Committee meetings as required.

Recommendation:

That Heritage Markham form a sub-committee as a discussion group to develop recommended strategies for dealing with vacant heritage buildings and for addressing the current designation strategy.

Carried

7. PART FIVE - STUDIES/PROJECTS AFFECTING HERITAGE RESOURCES - UPDATES

7.1 UPDATE

MAIN STREET UNIONVILLE COMMERCIAL CORE STREETScape MASTER PLAN 2020

FINAL DRAFT STUDY REPORT – UPDATE (16.11)

Extracts: R. Hutcheson, Manager of Heritage Planning

Regan Hutcheson, Manager of Heritage Planning advised that the Main Street Unionville Commercial Core Streetscape Master Plan 2020 will now be brought forward to the Development Services Committee for consideration in the fall. The Master Plan was originally scheduled to be brought forward to Development Services Committee this spring, but has been postponed due to Covid-19.

Councillor Karen Rea requested that Council be provided with the total ongoing maintenance cost of the proposed streetscape when it is brought forward to the Development Services Committee this fall.

Staff advised that this is being reflected in the staff report.

Recommendation:

That Heritage Markham Committee receive as information the update on the status of the Main Street Unionville Commercial Core Streetscape Master Plan 2020 – Final Draft Study Report.

Carried**7.2 INFORMATION****ONTARIO HERITAGE CONFERENCE 2020 – UPDATE (16.11)**Extracts: R. Hutcheson, Manager of Heritage Planning

Regan Hutcheson, Manager of Heritage Planning advised that due to Covid-19 the City will no longer be hosting the 2020 Ontario Heritage Conference. Originally the date of the conference was moved from May 28 – 30, 2020, to October 22-24, 2020. However, since this decision was made, the 2020 Ontario Heritage Conference Local Organizing Committee has recommended that Markham cancel the conference and re-apply to hold the conference in 2023 or in the future.

Staff recognized the Committee's hard work that went into the planning of the 2020 Ontario Heritage Conference and acknowledged that this is disappointing news.

Recommendation:

1. That Heritage Markham Committee receive for information the update on the 2020 Ontario Heritage Conference; and,
2. That Heritage Markham Committee supports a Markham bid to host the conference in the future.

Carried**7.3 REQUEST FOR FEEDBACK****DRAFT HERITAGE MARKHAM TERMS OF REFERENCE AND BY-LAW (16.11)**Extracts: R. Hutcheson, Manager of Heritage Planning

Regan Hutcheson, presented the draft Heritage Markham Terms of Reference which staff had been directed by Council to develop.

Committee provided the following feedback on the draft Terms of Reference:

1. Mandate of Heritage Markham

- Suggested that natural landscaping be included under the mandate;

- Noted that natural landscaping is covered under the Heritage Conservation Guidelines, which is referenced under 1.1.5;
- Staff agreed to consider including natural landscaping in the Terms of Reference;

1.3 Non-Statutory Role

- Add a bullet under k) Education, Promotion and Commemoration, as follows:
 - Encourage salvage, reuse, or repurposing material that cannot be incorporated into the cultural heritage resource.

2.4 Chair/Vice-Chair

- Correct the spelling of Vice-Chair in 2.4.5 (the “e” in Vice is missing);
- Correct the numbering – the last bullet should read 2.4.6 instead of 2.4.5.
- Add after the Chair “or his designate” in 2.4.6.

3.1 Meetings

- Add the word “generally” before the word meet in 3.1.1.

3.2 Sub-Committee

- Add a clause to this section on how Sub-Committees make decisions, suggesting that decisions can be made by voting on the item or by consensus;

3.7 Conflict of Interest

- The Committee discussed the reasons for and against allowing Committee Members to represent their clients at Heritage Markham Committee meetings;
- The Committee requested that the approval of this section be deferred to a future meeting;
- Staff were asked to obtain advice from the City Solicitor on whether a Committee Member could be prohibited from representing their client at Heritage Markham Committee meetings without being challenged under any other legislation.

A Committee Member suggested that this item is not urgent in nature and should not be discussed until the Committee starts to meet in person again at Civic Centre. Staff will seek advice from the Clerk’s Office on this matter.

Recommendation:

That Heritage Markham Committee supports the proposed Heritage Markham Terms of Reference and By-Law (June 20, 2020 draft) as amended, and excluding section 3.7 Conflict of Interest (which is deferred for further consultation).

Carried

Recommendation:

That Heritage Markham Committee recommend to Council that the Appointment Committee for Heritage Markham Committee appointments be comprised of the Mayor and Regional Councillor, a minimum of one Heritage Markham Councillor, and a Heritage Planner.

Carried

Recommendation:

That the Heritage Markham Committee recommends that the discussion on the draft Heritage Markham Committee Terms of Reference -Section 3.7 Conflict of Interest be deferred to a suitable time.

Carried

8. PART SIX - NEW BUSINESS

Evelin Ellison advised that 7716 and 7750 Bayview Avenue appear to be vacant.

Staff agreed to look into this matter, noting that the City's By-Law Enforcement would only get involved if there is a property standards issue.

It was noted that these properties are part of the Shouldice Hospital complex. Staff were requested to give an update on the status of Shouldice Hospital at the next meeting.

9. ADJOURNMENT

The Heritage Markham Committee adjourned at 10:26 PM.

Advisory Committee on Accessibility Minutes

June 29, 2020

5:00 PM - 7:00 PM

Zoom Video Conference

Attendance: Barry Martin, Chair, Councillor Isa Lee, Laura Meffen, Jewell Lofsky, Rita Lam, Kaushi Ragunathan, Nahid Verma, Mona Nazif, Senior Manager HR Client Services, Laura Gold, Council/Committee Coordinator, and Grace Lombardi, Legislative Coordinator

Regrets:

Robert Hunn, Vice-Chair, Brian Lynch, Anna Giallonardo, Valerie Kitazaki, George George, Meenu Khanna and Elaine Vollett

Item	Discussion	Action
1. Call to Order	The Advisory Committee on Accessibility convened at 5:09 PM with Barry Martin in the Chair.	
2. Approval of the Minutes	Moved by Councillor Isa Lee Seconded by Laura Meffen That the February 24, 2020 Advisory Committee on Accessibility Minutes be approved as presented. Carried	
3. Markham Civic Centre Audit	This item was deferred to the September meeting.	Sub-Committee to review prior to the September meeting
4. Social Media Platform	Mona Nazif, Senior Manager HR Client Services provided the Committee with an update on the "Did You Know" social media platform discussed at the last meeting (on behalf of Maxine Roy from the City's Corporate Communication Department). Work on this project has been delayed during the COVID pandemic. The City will put together a work plan and confer with Sub-Committee members during the summer. Further discussion on this item was deferred to the September meeting.	Sub-Committee to review prior to the September meeting
5. New Business	<u>CPAC (Cycling and Pedestrian Advisory Committee) revised Multi-Use Map & City Facilities</u> The Committee discussed the importance of referencing the accessible trails, parks and areas on the CPAC Multi-Use Pathway Map, at City facilities, and on the City's portal. The Committee also noted there needs to be more signage directing residents with accessible needs to accessible areas including creating accessible way-finding signage for City buildings. The City will follow up and provide information at the next meeting.	

Advisory Committee on Accessibility

February 28, 2020

2 | Page

Item	Discussion	Action
	<p><u>Accessible Public Transportation</u></p> <p>The Committee discussed the challenges with accessible transportation in Markham. Members stressed the importance of providing accessible customer service training to public and private transportation drivers, and changes to accessible transportation that need to be implemented.</p> <p>The Committee requested that Michael Killingsworth, Deputy City Clerk, By-law Enforcement, Licensing and Regulatory Services attend a future Advisory Committee on Accessibility meeting to provide an update on the City's accessible private transportation, and on the accessible customer service training drivers receive in Markham. This matter was previously discussed at the July 29, 2019 Advisory Committee on Accessibility meeting.</p> <p><u>Markham Fair</u></p> <p>Mona Nazif advised that Markham Fair is applying for a grant to help fund a project to improve the accessibility of its entrance doors. Markham Fair has requested the Committee/City provide a written endorsement of the project as part of their grant application process for funding.</p> <p>Moved by Nahid Verma Seconded by Jewell Lofsky</p> <p>That the Advisory Committee on Accessibility support the City in providing a letter of endorsement to the Markham Fair to receive a grant on making their entrance doors more accessible; and,</p> <p>That a representative from the Markham Fair come to a future Advisory Committee on Accessibility meeting to speak to the Committee about its other accessibility concerns.</p> <p style="text-align: right;">Carried</p> <p><u>Award Ceremony</u></p> <p>It was suggested that the Committee review the new Accessibility Award Nomination Form at the next meeting, and that the award ceremony be postponed (possibly) to the spring of 2021 due to COVID-19.</p> <p>Committee discussed moving the nomination submission deadline from September to November, 2020 to provide more time to promote the award. It also suggested sending letters of acknowledgement to all award winners, advising them that the ceremony details will follow.</p>	<p>Laura Gold to revisit the form and circulate to the Committee Members to review.</p>
6. Adjournment	The Advisory Committee on Accessibility adjourned at 6:37 PM.	



MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, Commissioner of Development Services

Prepared by: Rick Cefaratti, Senior Planner, West District and
Hailey Miller, Planner, West District

Date: July 13, 2020

Re: Temporary Use Zoning By-law 1938540 Ontario Ltd., 9286 Kennedy Road File No. PLAN 19 256209 (Ward 6)

RECOMMENDATION:

- 1) That the memorandum entitled “Temporary Use Zoning By-law 1938540 Ontario Ltd., 9286 Kennedy Road File No. PLAN 19 256209 (Ward 6)”, dated July 13, 2020 be received;
- 2) That the attached Zoning By-law to permit the continued use of an existing portable classroom for a period of three years on the 1938540 Ontario Ltd. lands at 9286 Kennedy Road, be approved; and,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

BACKGROUND:

The Unionville Montessori School (“UMS”) lands include three adjoining properties and are located on the west side of Kennedy Road, north of 16th Avenue. The George Hunter House and portable are located on the property fronting onto Kennedy Road. The house is designated under Part IV of the *Ontario Heritage Act*. The school buildings (4486 and 4484 16th Avenue) are located on the north and west portion of the subject lands. A day nursery (9302 Kennedy Road) also fronts onto Kennedy Road.

The previous Temporary Use Zoning By-law Amendment (By-law# 2015-105) was approved (File No. ZA 14 125142) to permit the existing school portable on the above noted lands. The Temporary Use Zoning By-law expired on June 23, 2018. The applicant submitted an application on March 28, 2019 requesting to extend permission to allow the existing portable to remain on a temporary basis for an additional three years.

At the Public Meeting held on October 7, 2019 and subsequent Council meeting held October 16, 2019, Members of Council expressed concerns with respect to the long term plans and condition of the existing heritage dwelling on the property. A motion was passed to refer the matter back to Staff to allow the Heritage Markham Committee the opportunity to provide recommendations on the work that is needed to the rear portion of the house prior to enacting a new temporary use by-law for the continued use of the existing portable by “UMS”. In late fall of 2019 Heritage Markham recommended, that the deteriorated rear portion of the dwelling be removed and that any exposed walls resulting from the demolition be made good to be water tight and secure.

In March of 2020, “UMS” submitted a letter committing to the demolition of the rear portion of the heritage dwelling as requested by Heritage Markham prior to the end of the year (see Attachment 3: Confirmation Letter from “UMS”). As of July 1, 2020 the demolition permit has not been applied for through the Building Department.

CONCLUSION:

Staff support the extension of the temporary use permission on the Subject Lands for a period of three years commencing from the expiry date of the previous temporary use by-law (June 23, 2018).

ATTACHMENTS:

Attachment 1: Temporary Use By-Law

Attachment 2: Schedule ‘A’

Attachment 3: Confirmation Letter from “UMS”



9286 Kennedy Road Temporary Use By-law (002).docx

A By-law to amend By-law 304-87, as amended

The Council of The Corporation of the City of Markham hereby enacts as follows:

- 1. That By-law 304-87, as amended, is hereby further amended as follows:
 - 1.1 Notwithstanding any other provisions of By-law 304-87, as amended, the provisions in this By-law shall apply to those lands shown on Schedule 'A', attached hereto.
 - 1.1.1 Permitted Uses

The following additional uses are permitted on lands shown on Schedule 'A':

 - a) *school* portable
 - 1.1.2 Special Site Provisions

The following additional provisions apply:

 - a) minimum required rear yard – 0 metres;
 - b) minimum required side yard – 0 metres.
- 2. All other provisions of By-law 304-87, as amended, not inconsistent with the provisions of this By-law, shall continue to apply.
- 3. This By-law shall expire on June 23, 2021, in accordance with the provisions of Section 39 of the Planning Act RSO 1990.

Read a first, second and third time and passed on _____,
2020.

Kimberly Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2020-_____
A Temporary Use By-law to amend By-law 304-87, as amended

1038715 Ontario Ltd.
9286 Kennedy Road
PLAN 3555 E PT LOT 2

Lands Affected

This By-law amendment applies to the 0.27 hectare property noted above that is located on the west side of Kennedy Road, north of 16th Avenue.

Existing Zoning

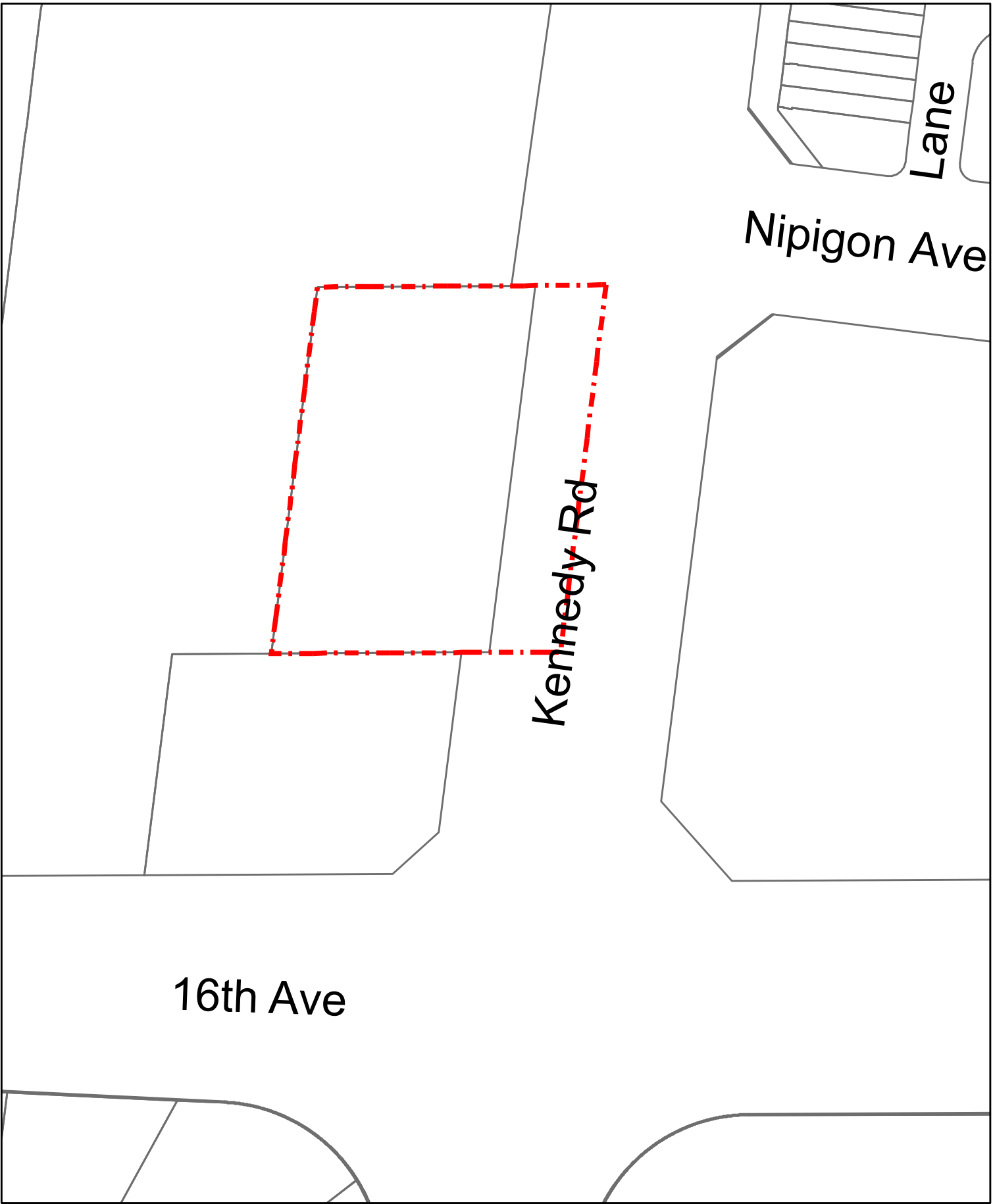
The lands are currently zoned Rural Residential One (RR1) BY By-law 304-87, as amended.

Purpose and Effect

The purpose of this by-law amendment is to permit a school portable on the property noted above, on a temporary basis as permitted under Section 39 of the Planning Act.

Note Regarding Further Planning Applications on this Property

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.



SCHEDULE "A" TO BY-LAW AMENDING BY-LAW 304-87 DATED

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE



THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

Q:\Geomatics\New Operation\By-Laws\PLAN\PLAN19_256209\Schedule A.mxd

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office



UNIONVILLE MONTESSORI PRIVATE SCHOOLS
4486 16th Avenue, Unionville, ON L3R 0M1

Via Email

rhutcheson@markham.ca

Mr. Regan Hutcheson
Manager, Heritage Planning and Heritage Districts Development
101 Town Centre Boulevard
Markham, Ontario

March 10, 2020

Re: Demolition of Rear Portion of 9286 Kennedy Road

Dear Mr. Hutchinson,

This letter is to inform that, as requested, UMS is moving forward with the demolition of the rear portion of the Heritage building and will make the rear exposed made good to be water tight and secure. We have already begun the prep work to carry out the demolition and the demolition is expected completed before the end of this year (December 30, 2020).

If you have any questions and concerns please contact me at 905.474.9888.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rosemin Remtulla'.

Rosemin Remtulla
Director of Unionville Montessori School.



Monitoring Growth in the City of Markham Performance Indicators

July 13, 2020 Development Services Committee



Importance of Performance Indicators

- Policy direction in Markham Official Plan
- Measure progress in meeting growth objectives and targets
- Identify and address trends
- Informs future update of Markham Official Plan





Official Plan Themes and Indicators

Sustainable Growth

- Population and Employment
- Residential Intensification Rate
- Regional Centre Density
- Future Urban Area Density

Building Complete Communities

- New Housing Affordability
- New Housing Supply by Type
- Protection of Cultural Heritage Resources

Increasing Mobility Options

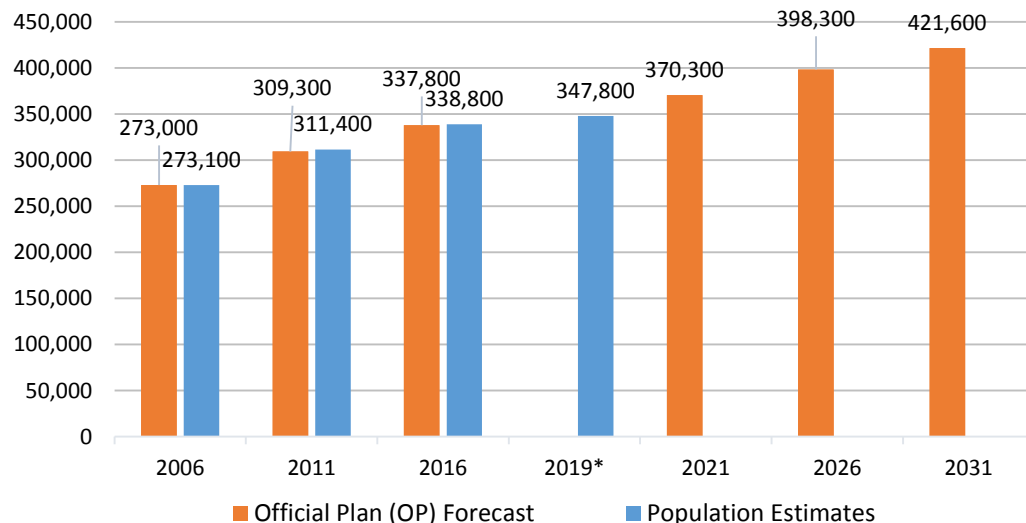
- Modal Split
- Residents Within 800m of Higher Order Transit



Sustainable Growth - Population

- Markham's population increased by 66,000 residents to 338,800 from 2006 to 2016
- Recent trends indicate the 2021 forecast will be a challenge to meet

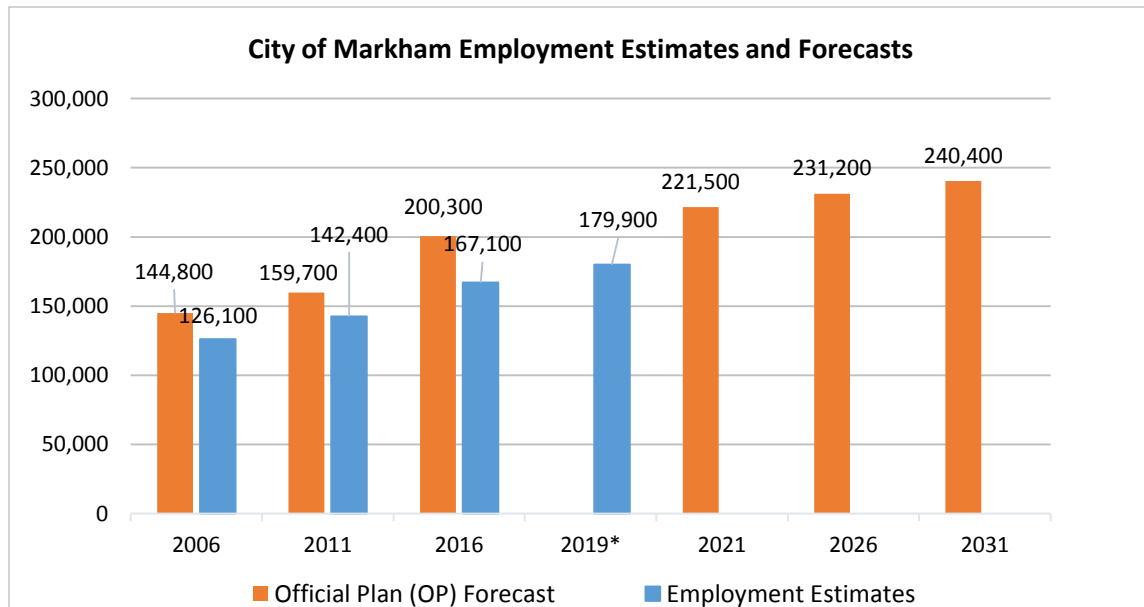
City of Markham Population Estimates and Forecasts





Sustainable Growth - Employment

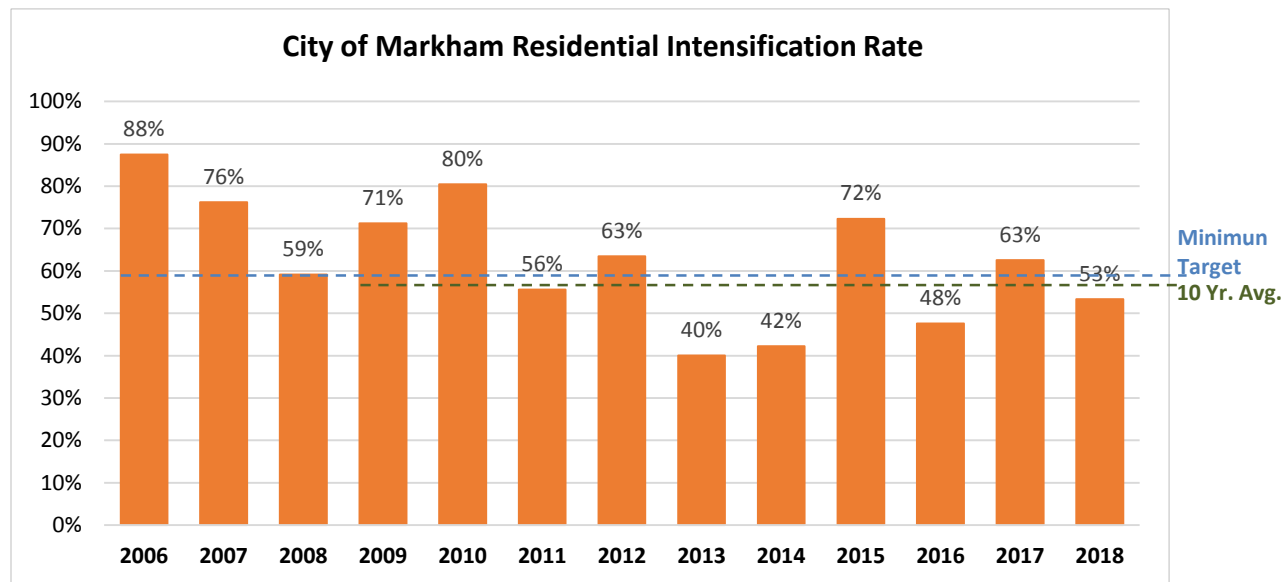
- Markham's employment increased by 41,000 jobs to 167,100 from 2006 to 2016
- Recent trends indicate the 2021 forecast will likely be less than forecasted





Sustainable Growth – Residential Intensification Rate

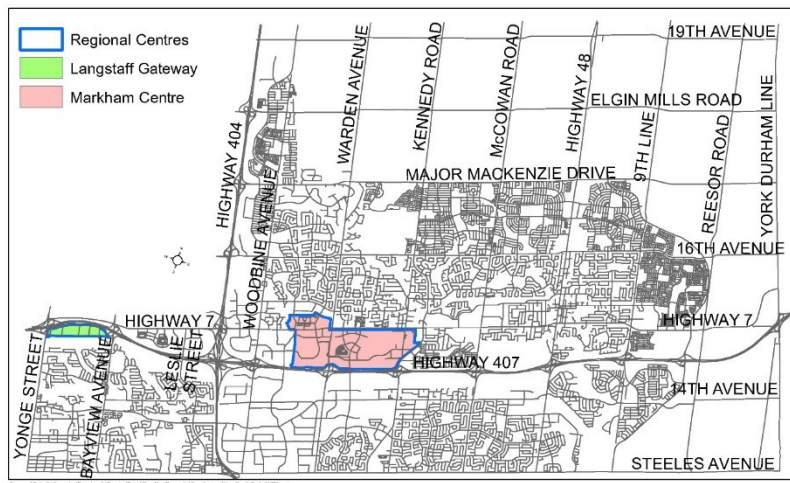
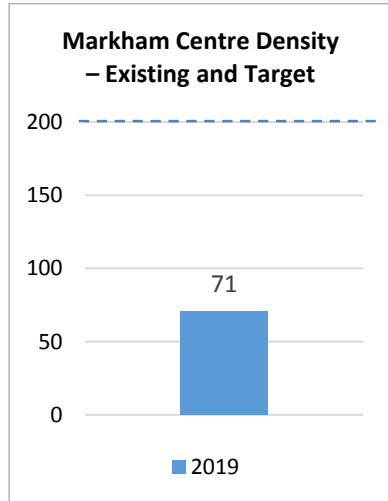
- Intensification within the built-up area was 58% over the 10 year period from 2009 to 2018
- City's Centres and Corridors will continue to contribute to achieving the target





Sustainable Growth – Regional Centre Density

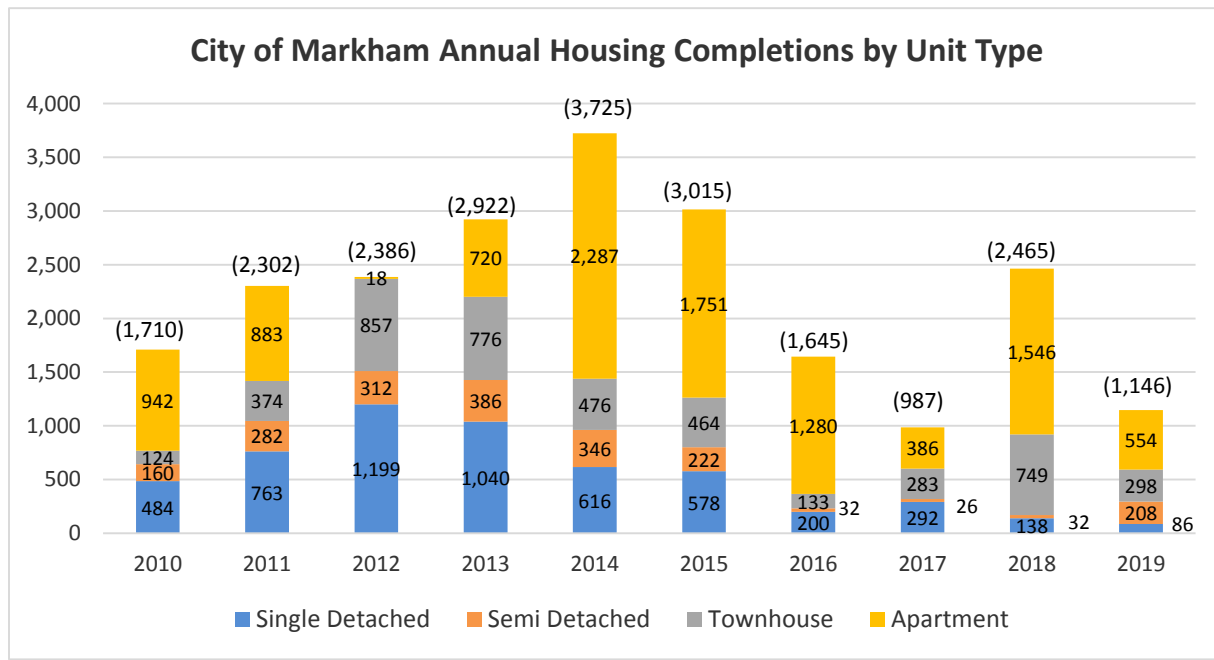
- Existing density of 71 jobs and residents per hectare is measured across the entire Markham Centre
- For lands developed in Markham Centre, the density is 180 jobs and residents per hectare





Building Complete Communities – New Housing Supply by Type

- 2015 to 2019 there were 7,444 higher density new units (80% of all new units in that period) while from 2010 to 2014 there were 7,457 units (57% of all new units in that period)

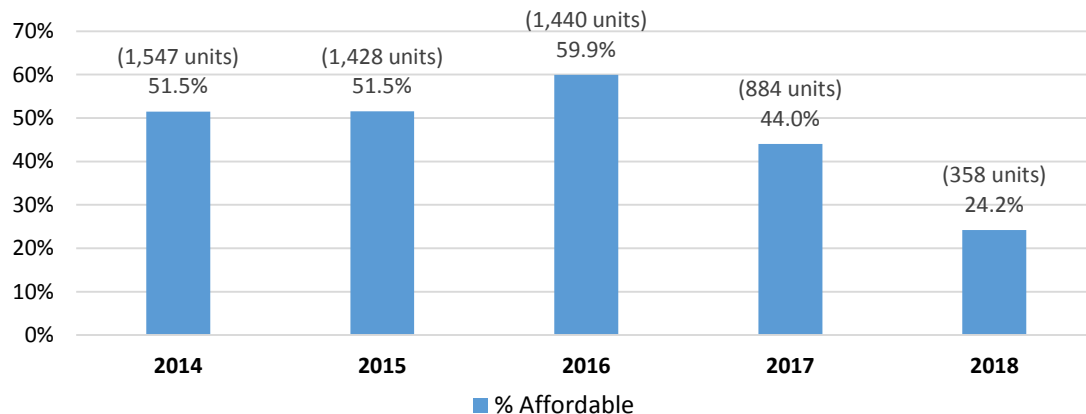




Building Complete Communities – New Housing Affordability

- Affordability of new ownership housing has been declining with a high of 60% of new units in 2016 and decreasing to 24% in 2018
- Family sized apartment units are increasingly unaffordable as new 2 or more bedroom units decreased from 526 in 2015 to 3 in 2018

**City of Markham Percentage of Affordable
New Ownership Housing Units**

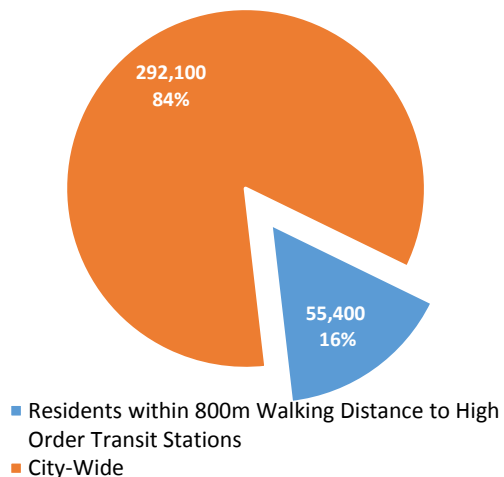




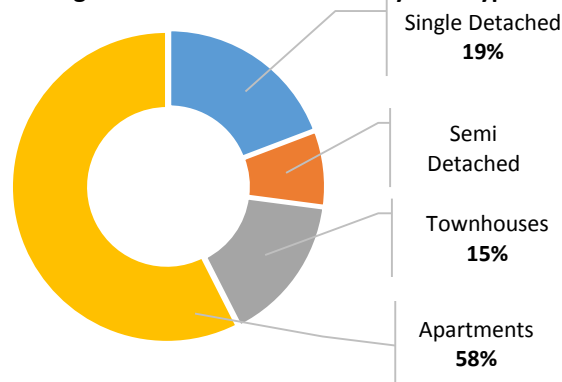
Increasing Mobility Options – Residents within 800m of Walking Distance of Higher Order Transit Stations

- Approximately 55,400 residents or 16% of residents live within 800 metres of the VIVA Bus Rapid Transit Line on Highway 7 and Stouffville GO Train line
- The share of residents living near higher order transit is expected to increase

Residents within 800m Walking Distance to Higher Order Transit Stations



Residents within 800m Walking Distance to Higher Order Transit Stations by Unit Type



Source: City of Markham



Next Steps

- Expand future reports to other thematic areas of the Official Plan
- Review indicators and update as needed
- Future reports will occur on an annual basis where information can be obtained regularly
- Results to inform future update of Markham Official Plan



Report to: Development Services Committee

Meeting Date: July 13, 2020

SUBJECT: Monitoring Growth in the City of Markham - Performance Indicators

PREPARED BY: Chun Nam Law, MES, Senior Planner, Policy & Research – ext.3685

REVIEWED BY: John Yeh, MCIP, RPP, Manager, Strategy & Innovation – ext.7922
Marg Wouters, MCIP, RPP, Senior Manager, Policy & Research – ext.2909

RECOMMENDATION:

- 1) That the staff report entitled, “Monitoring Growth in the City of Markham - Performance Indicators” dated July 13, 2020, be received;
- 2) And that staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The Monitoring Growth in the City of Markham – Performance Indicators report (**Appendix ‘A’**) provides the results of an analysis of performance indicators that measure and track the progress of policy objectives in the City’s Official Plan. It provides input to further policy review and development and assists in monitoring growth targets.

BACKGROUND:

The City of Markham’s Official Plan 2014 (Official Plan) provides a long-term framework for guiding sustainable growth and land use planning decisions in Markham. The Official Plan reflects the goals, policies, and targets set out in Markham’s endorsed Growth Alternative to 2031, Building Markham’s Future Together Strategic Plan, Greenprint Community Sustainability Plan, York Region’s Official Plan, and the Provincial Growth Plan and Greenbelt Plan. The Official Plan was adopted by Council on December 10, 2013 and approved by York Region Council on June 12, 2014. The majority of the Official Plan is currently in effect.

Chapter 10.12 Monitoring of the Official Plan provides for the development of a framework for monitoring growth and to measure progress towards achieving policy outcomes.

A key component of the Official Plan is to monitor progress towards the achievement of the Official Plan’s policy objectives and targets. **Appendix ‘A’** contains the results of the Official Plan Performance Indicators and is a first step of an effort to monitor growth and

development in the City and to provide input for future policy development through the review of the Official Plan.

Where available, monitoring results were sourced from York Region to limit duplication of efforts and maintain methodological consistency since the City's Official Plan targets are aligned with the Region's. This report coincides with recent York Region reports in June 2020 related to Growth & Development and Measuring & Monitoring Affordable Housing.

Staff will be continuing to monitor the performance of these indicators and are working to identify additional metrics that could be tracked using available data sources. Staff will be reporting to Development Services Committee on an annual basis with respect to monitoring growth in the City.

Official Plan Performance Indicators

Indicators have been identified based on a combination of data availability, practicality for tracking, and relevance toward Official Plan objectives and targets. These indicators are arranged according to thematic areas of the Official Plan:

- Sustainable Growth - Directing growth to well-planned, centres and corridors and compact development within the urban area
 - Population and Employment Growth
 - Residential Intensification Rate
 - Regional Centre Density
 - Designated Greenfield Density - Future Urban Area
- Building Complete Communities - Compact urban development, accommodating a mix and range of housing and jobs based on walking, cycling and convenient access to public transportation, while preserving and enhancing the natural environment and cultural heritage
 - New Housing Supply by Type
 - New Housing Affordability
 - Protection of Cultural Heritage Resources
- Increasing Mobility Options - Pursuing transit supportive development and implementing transportation demand management strategies for a more balanced choice of mobility options
 - Modal Split
 - Residents Within 800 Metre Walking Distance of Higher Order Transit

Future reports will identify additional indicators from other thematic areas of the Official Plan.

OPTIONS/ DISCUSSION:

Generally, the indicators demonstrate the City of Markham is on the right track to meeting the objectives of the Official Plan in the thematic areas covered in Sustainable Growth, Building Healthy Complete Neighbourhoods, and Increasing Mobility Options. The Residential Intensification Rate and Regional Centre Density indicators for the Sustainable Growth theme shows that Markham's growth management framework of directing the majority of its growth to centres and corridors in the urban area are contributing to compact and efficient communities served by public transit and amenities. Areas of improvement are noted for New Housing Affordability and specifically more affordable family sized apartment units. A summary of the results is provided below (See **Appendix 'A'** for the Official Plan Performance Indicators report).

Population and employment growth likely to lag behind 2021 forecasts

Table 2.3 of the City's Official Plan contains Markham's population and employment forecast to 2031 in five year increments. This forecast serves as the basis to plan for population and employment growth. The City of Markham's population has increased by approximately 66,000 residents to approximately 338,800 from 2006 to 2016 which is in line with Markham's forecasted population of 337,800 in 2016. The 2019 population of 347,800 residents in Markham is about 22,500 less than the 2021 forecasted population of 370,300. To meet the 2021 forecast, Markham would have to experience annual growth of over 11,000 residents per year for the next two years, which is well above the 6,500 person annual population growth seen between 2006 and 2016. Based on the 2021 estimate Markham's population will likely be at least 15,000 residents less than the 2021 forecast as a result of the recent annual average growth of 3,000 residents from 2016 to 2019.

Markham's total employment has increased by 41,000 jobs to approximately 167,100 jobs from 2006 to 2016. The number of jobs in 2016 was about 33,200 lower than forecasted at 200,300 jobs. This trend is expected to continue into the near future as there were 179,900 jobs in 2019 and with the 2021 forecast of 221,500 jobs, an annual growth of about 21,000 would have to occur the next two years which is significantly greater than the 4,100 annual jobs growth from 2006 to 2016. Based on an annual average growth of 4,300 jobs from 2016 to 2019, Markham's employment in 2021 could be at least 30,000 jobs less than the 2021 forecast. The City has achieved a balance of approximately 1 job for every 2 residents since 2016 which is in line with Official Plan objectives.

It should be noted that York Region's forecasts is being reviewed through the Regional Municipal Comprehensive Review (MCR). The Province has recently released Proposed Amendment 1 to the Growth Plan that introduces new 2051 population and employment forecasts. A separate staff report for the July 13, 2020 Development Services Committee agenda provides staff comments on Proposed Amendment 1. The Markham Official Plan will be updated to conform to York Region's Official Plan once the MCR is completed.

Markham is continuing to intensify along its Centres and Corridors

Residential intensification rate is the annual percent of all residential units built within the Provincial built boundary, which was established by the original Growth Plan for the Greater Golden Horseshoe in 2006. The City's intensification strategy targets an intensification rate of 60 percent. This target is measured annually to optimize the use of existing land and infrastructure, which contributes to creating compact, walkable and complete communities. Over the last 10 years (2009-2018), the City's intensification rate has been averaging 58 percent and this rate is anticipated to increase as more development occurs within the City's Centres and Corridors including Markham Centre, Langstaff Gateway and Cornell Centre, all of which are within the built boundary.

Markham Centre is growing as the City's focus area for employment and population growth

Markham Centre and Langstaff Gateway Regional Centres are a focal point for intensive development in Markham, with a concentration of residential, employment, live-work, mobility, investment, cultural, sports and entertainment. Regional Centre densities are measured in residents and jobs per hectare across the entire Regional Centre and a minimum target of 200 was set in the Official Plan. Currently, Markham Centre has a density of 71 residents and jobs per hectare across the entire Regional Centre or 180 residents and jobs per hectare across lands developed to date. There is significant development potential remaining in Markham Centre to help achieve the target over time. Development in Langstaff Gateway has yet to proceed but the secondary plan provides for a 47 hectare high density Centre of 30,000 residents and 15,000 jobs.

Markham's Future Urban Area is planned for higher density compared to earlier subdivisions

The Future Urban Area (FUA) lands are designated greenfield area lands, outside of the City's built boundary for which densities are measured based on number of residents and jobs per developable hectare. Markham's Official Plan has an assigned target of 70 residents and jobs per hectare, and 20 units per hectare for the residential areas of the FUA in order to create transit supportive and pedestrian oriented communities. The approved Secondary Plans for the Berczy Glen and Robinson Glen communities of the FUA are planned to achieve both density targets.

New housing supply trends indicate higher densities being achieved

New Housing Supply by type tracks the amount of new housing units completed annually by unit type. The Official Plan has policies to encourage a mix of housing units to meet the diverse housing needs of the City's residents. For the period between 2015 and 2019 there were 7,444 higher density new units (apartments and townhouses) which made up 80% of all new units in that period. The period of 2010 to 2014 had a similar number of 7,457 higher density new units but made up only 57% of all new units over that period.

Affordability of annual new ownership housing units continues to be driven by studio and 1 bedroom units

The housing affordability indicator tracks the proportion of new ownership units created annually that are affordable to low and moderate income households below 60 percent of the income threshold. Markham's Official Plan policies aim to promote affordable housing choices to accommodate residents. In 2018, 1,480 new ownership units were created and 358 of those units were affordable. Studios and 1 bedroom apartment units combined at 353 units made up the majority of the affordable units. There were only 5 family sized units such as apartments with 2 or more bedrooms and ground related units that met the affordability criteria. Recent results have shown that ownership units, regardless of type, are becoming increasingly unaffordable to households with incomes in the lowest 60th percentile or below.

There were a small number of affordable new rental units built in the past 5 years, averaging less than 7 units a year between 2014 and 2018.

Cultural heritage resources continue to be protected through additions to the register, designations, and heritage easement agreements

Cultural heritage resources are protected through properties listed on the Markham Register of Property of Cultural Heritage Value or Interest, individually designated properties and heritage easement agreements. The protection and conservation of our cultural heritage is essential to the character of our community and contributes to other social, cultural, economic and environmental objectives of the City. There are currently 327 listed properties on the Markham Register of Property of Cultural Heritage Value of Interest, not including individually designated or non-heritage properties within in a heritage conservation district. There were 247 individual Property Designations in 2019, with 7 added during 2019 and 143 Heritage Easement Agreements in 2019, with 2 added during 2019.

An increasing percentage of Markham residents are using sustainable modes of transportation

Modal split is the percentage of travelers by mode of transportation, and is typically measured using the AM peak hours which are the busiest time of the day. The Official Plan has policies to promote effective use of the existing transportation system by reducing automobile dependency and encouraging a greater proportion of trips to be undertaken by walking, cycling and transit. Walking, cycling and transit's share of the modal split has increased from 22.6% in 2006 to 25% in 2016 while auto use has decreased from 77.3% in 2006 to 74.6% in 2016.

A greater proportion of higher density developments are located within walking distance of higher order transit stations

Higher density development and residents living within an 800 metre walking distance of Higher Order Transit Stations along Highway 7 and the Stouffville GO Train line supports Official Plan policies to provide for transit-supportive development where there

is a mix of land uses close to transit. Approximately 55,400 residents or 16% of the City's residents currently live within 800 metres of higher order transit stations along the VIVA Bus Rapid Transit Line on Highway 7 and Stouffville GO Train line. The majority of housing unit types within 800 metres of all Higher Order Transit Stations are apartment units at 58% and this proportion is expected to increase over time.

NEXT STEPS

This report is the first step of an on-going effort to monitor growth as directed by the Official Plan. Future reports will occur on an annual basis where information can be obtained more regularly and may include additional indicators covering other thematic areas of the Official Plan such Protecting the Natural Environment and Agricultural Lands and Maintaining a Vibrant and Competitive Economy.

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Official Plan performance indicators were identified and monitored in the context of the Strategic Plan Priority of Goal 3 Vibrant City and Safe, Sustainable and Complete Community.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Planning and Urban Design Department and Engineering Department were consulted in the preparation of this report.

RECOMMENDED BY:

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS:

Appendix 'A' – Markham Official Plan 2014, Performance Indicators

Markham Official Plan 2014

Performance Indicators

June 2020

Policy and Research, Development Services Commission

Performance Indicators

	Page
Introduction	3-4
Sustainable Growth	
Population and Employment Growth	5-6
Residential Intensification Rate	7
Regional Centre Density	8-9
Designated Greenfield Area Density – Future Urban Area	10
Building Complete Communities	
New Housing Supply by Type	11
New Housing Affordability	12-13
Protection of Cultural Heritage Resources	14
Increasing Mobility Options	
Modal Split	15
Residents Within 800m Walking Distance of Higher Order Transit Stations	16-17

Introduction

What is the Official Plan?

The City of Markham's Official Plan 2014 (Official Plan) provides a long term framework for guiding sustainable growth and land use planning decisions in Markham, leading to a vibrant and liveable city. The vision for sustainable growth is based on four key themes: protecting natural environment and agricultural lands, building healthy complete communities, increasing mobility options and maintaining a vibrant and competitive economy.

The Official Plan directs the majority of growth to existing centres and corridors, with supporting policies to create compact and efficient communities that are well served by public transit and that have a balance of housing, jobs and community amenities.

The Official Plan reflects the goals, policies, and targets set out in Markham's endorsed Growth Alternative to 2031, Building Markham's Future Together Strategic Plan, and Greenprint Community Sustainability Plan, as well as York Region's Official Plan, and the Provincial Growth Plan and Greenbelt Plan.

The Official Plan was adopted by Council on December 10, 2013 and approved by York Region on June 12, 2014 and is for the most part in effect.

What are Official Plan Performance Indicators, and why are they important?

Performance Indicators measure progress toward the Official Plan's vision, to ensure that its policies remain relevant and that the city is on track to meet the Official Plan's objectives and targets. Official Plan indicators also contribute to a better understanding of the effectiveness of Official Plan policies to help inform the review of the Official Plan.

Section 10.12 of the Official Plan provides for the regular monitoring of the policies of this Plan to measure their success in managing growth. The policies direct the development of a framework to monitor growth and the establishment of a tracking system and database to measure, among other things:

- a) Population and employment growth;
- b) Population and employment densities;
- c) Residential and employment intensification;
- d) Employment and housing mix and affordability;
- e) Development activity and land absorption;
- f) Distribution of community infrastructure; and
- g) Various targets identified in other city plans.

This report is an initial step in providing for the comprehensive monitoring envisioned, which will be developed more fully over time as data becomes available.

Introduction (cont'd)

How are we doing?

The indicators in this report relate to the Official Plan's thematic areas of sustainable growth, building complete communities, and increasing mobility options. Future reports will aim to identify and monitor additional thematic areas of the Official Plan.

For each indicator the following information is provided:

- What is Being Measured
- Official Plan Policy Reference
- Reason to Measure and Monitor
- Results and Progress

Various data sources are used to track progress of the indicators and data availability varies between one year (e.g., housing completions) and five years (e.g., modal split).

Sustainable Growth

Population and Employment Growth

What is Being Measured: Population and job growth in 5 year intervals.

Official Plan Policy Reference:

- 2.3 The York Region Official Plan growth forecast for Markham, ..., shown in Table 2.3 ..., proposes almost 150,000 residents and 100,000 new jobs in Markham between 2006 and 2031. This represents over one-quarter of the population growth, and almost one-third of the employment growth within York Region during this period.
- 5.1.1.3 To promote economic growth and diverse employment opportunities in order to:
- b) Achieve an appropriate balance between population and employment with the goal of 1 job for every 2 residents;

Reason to Measure and Monitor:

This indicator tracks if the City is achieving the rate of growth anticipated in the Official Plan.

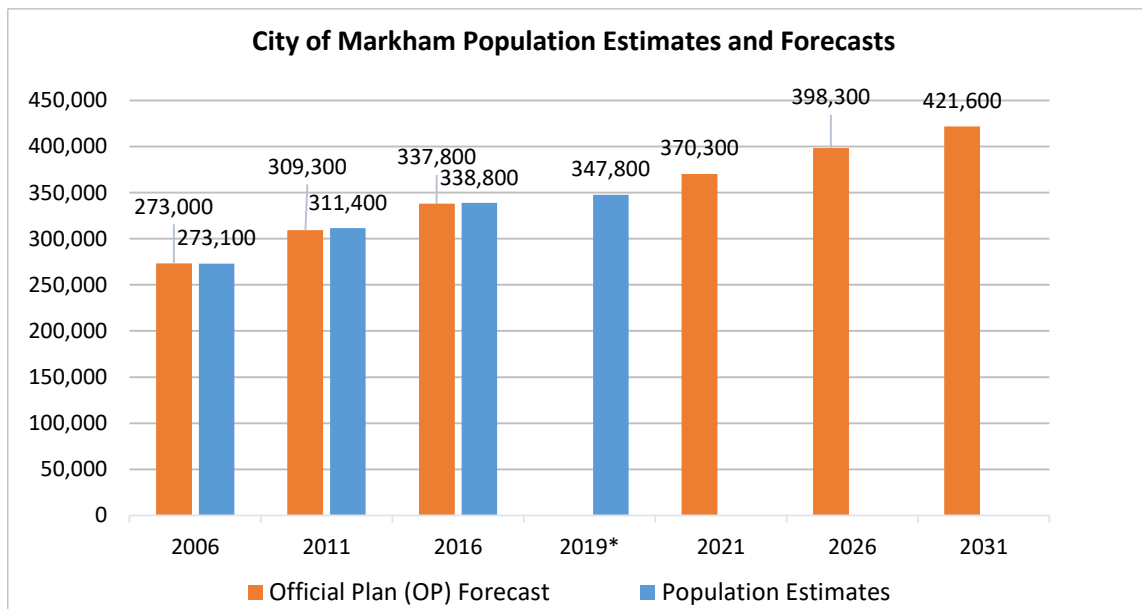
Results and Progress:

Markham's population increased by approximately 66,000 residents between 2006 and 2016, reaching approximately 338,800 in 2016. This growth is in line with Markham's forecasted population of 337,800 for 2016. However, since 2016, growth has slowed relative to the forecast. The estimated 2019 population of 347,800 residents in Markham was about 22,500 less than the 2021 forecasted population of 370,300. In order to meet the 2021 forecast, Markham would have to experience annual growth of over 11,000 residents per year for the next two years, which is well above the 6,500 resident annual population growth seen between 2006 and 2016. Based on annual average growth from 2016 to 2019 of 3,000 residents, Markham's population in 2021 could be at least 15,000 residents less than the 2021 forecast.

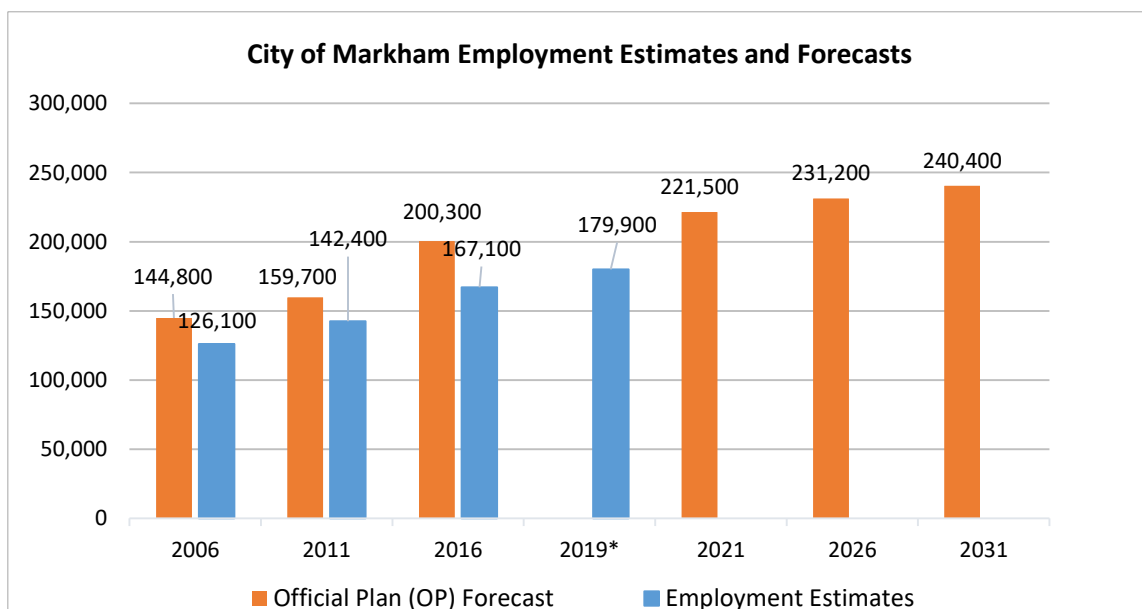
Markham's total employment increased by 41,000 jobs during the same 10-year period to approximately 167,000 jobs in 2016. This growth is about 33,200 jobs lower than Markham's forecasted employment of 200,300 for 2016. The estimated 2019 employment of 179,900 jobs in Markham was about 41,600 less than the 2021 forecasted employment of 221,500. To achieve the 2021 forecast, an annual growth of close to 21,000 jobs per year would have to occur for the next two years, which is above the 4,100 annual jobs growth between 2006 and 2016. Based on an annual average growth since 2016 of 4,300 jobs, Markham's employment in 2021 could be at least 30,000 jobs less than the 2021 forecast.

The City has generally been successful in achieving the goal of 1 job for every 2 residents since 2006, with the ratio ranging from 0.92 jobs per 2 residents in 2006 to 0.99 in 2016.

Sustainable Growth Population and Employment Growth (cont'd)



Source: York Region Mid-Year Population Estimates



Source: York Region Employment Survey

Sustainable Growth

Residential Intensification Rate

What is Being Measured: The annual percentage of new residential units that are within the Provincial built boundary (Markham's built-up area).

Official Plan Policy Reference:

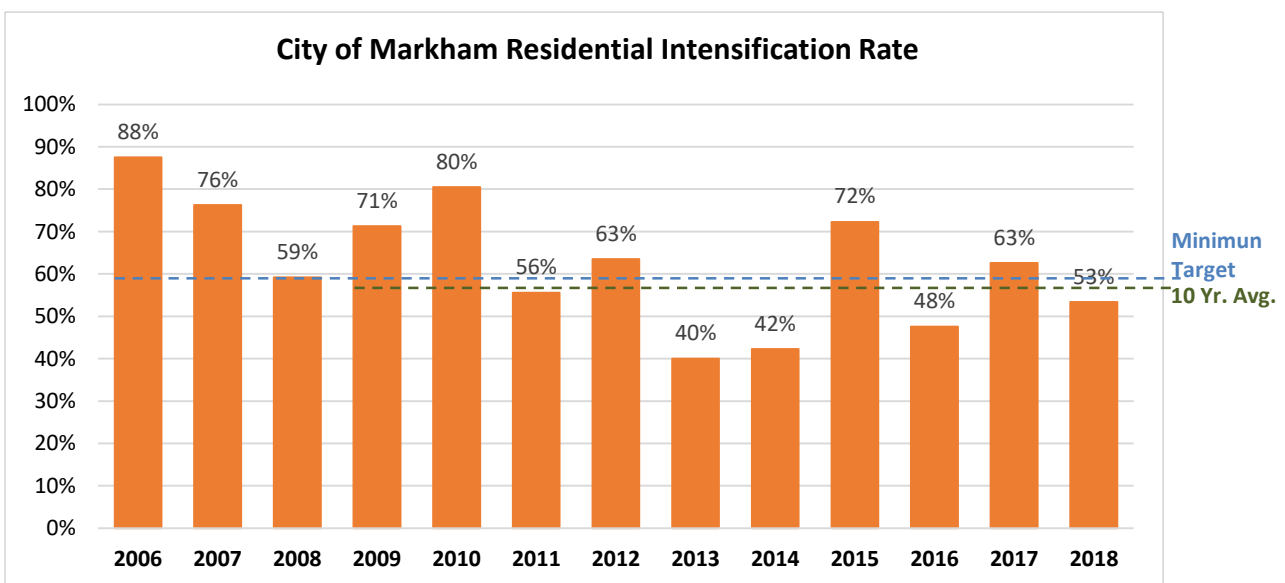
- 2.4.1 To work in coordination with the Region to ensure that by the year 2015 and each year thereafter, a minimum of 40 percent of all residential development in York Region occur within the built-up area of York Region.
- 2.4.2 To plan for the location of 60 percent or greater of all residential development in Markham within the built-up area of Markham, shown on Map 12 - Urban Area and Built-Up Area, between 2006 and 2031.

Reason to Measure and Monitor:

A higher proportion of residential units built through intensification optimizes the use of existing land and infrastructure, contributes to creating compact, walkable and complete communities, supports public transit investment, and reduces the loss of agricultural land.

Results and Progress:

The average intensification rate in Markham over the 10 year period 2009-2018 was 58%, approaching the 60% target in the Official Plan. There is still substantial potential for intensification in the City's Centres and Corridors including Markham Centre, Langstaff Gateway and Cornell Centre, among others, will continue to contribute to achieving the residential intensification target.



Source: York Region

Sustainable Growth Regional Centre Density

What is Being Measured: The combined number of residents and jobs divided by the total land area within each Regional Centre.

Official Plan Policy Reference:

- 2.5.1.1 That Markham Centre and the Langstaff Gateway shown on Map 1 - Markham Structure and Map 2 - Centres and Corridors and Transit Network be planned to function as the primary focal points for intensive development in Markham, with the greatest concentration of residential, employment, live-work, mobility, investment, cultural, sports and entertainment and government functions.
- 2.5.1.2 That Markham Centre and the Langstaff Gateway will contain the highest development densities and greatest mix of uses in Markham, and once developed will support an overall long-term density target of:
- a minimum of 2.5 floor space index for developable lands in each Centre;
 - a minimum of 3.5 floor space index for developable lands in the Langstaff Gateway at, and adjacent to the Langstaff/Longbridge and Richmond Hill Centre Stations on the Yonge Subway Extension; and
 - a gross minimum density of 200 residents and jobs per hectare by 2031 in each Centre based on provincial urban growth centre boundaries shown on Map 12 - Urban Area and Built-Up Area.

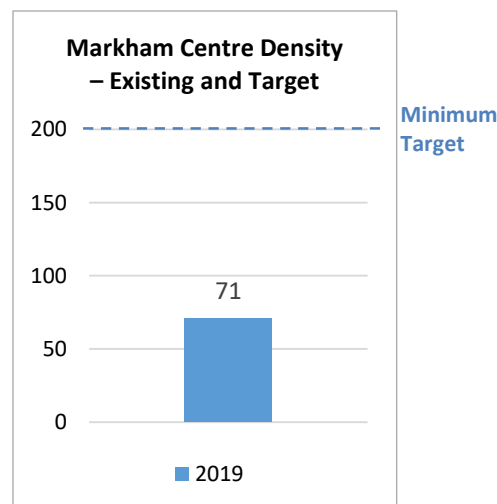
Reason to Measure and Monitor:

The Markham Centre and Langstaff Gateway Regional Centres are the key focus areas for population and employment growth in Markham, with high density development and a mix of uses that are well served by public transit. Densities within the Centres are monitored to measure progress toward achieving the level of intensity envisioned.

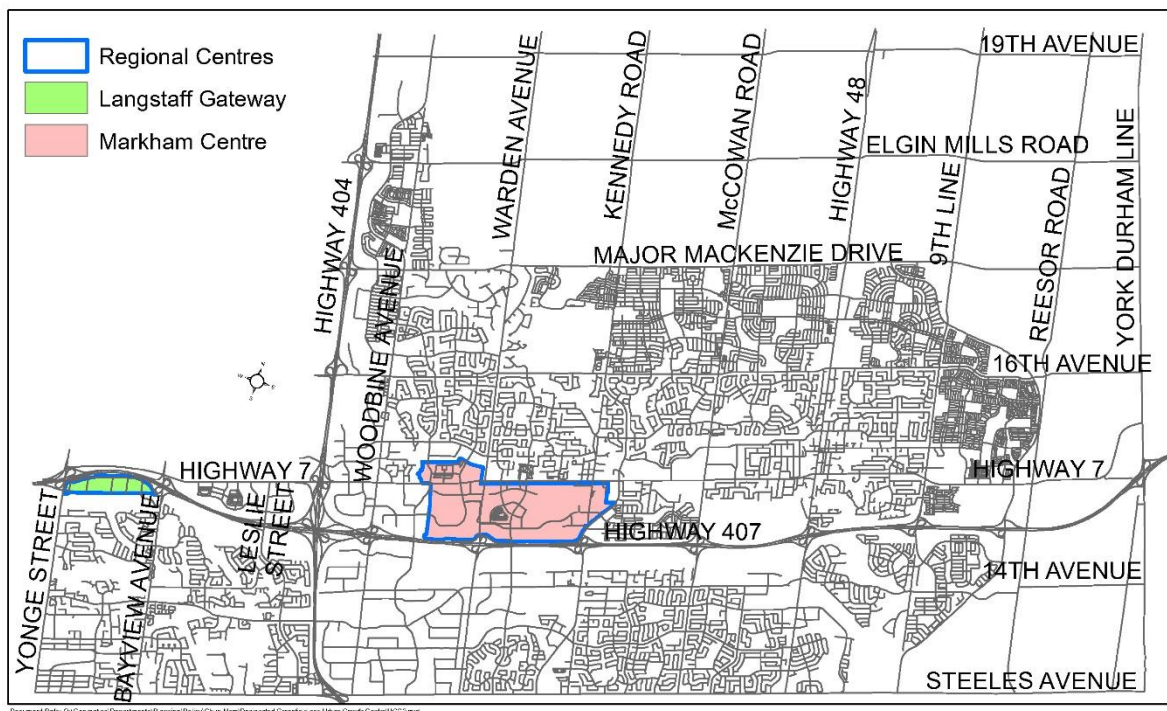
Results and Progress:

Markham Centre has a current density of 71 residents and jobs per hectare when measured across the entire Regional Centre, or 180 residents and jobs per hectare when measured across only lands developed to date, which approaches the 200 residents and jobs per hectare target. There is considerable development potential remaining in Markham Centre which will help to achieve the target over time.

Although development in Langstaff Gateway has not yet begun, the Langstaff Gateway Secondary Plan provides for a 47 hectare high density Centre of 30,000 residents and 15,000 jobs well served by subway, GO rail and bus rapid transit, which when fully developed would well exceed the target.



Sustainable Growth Regional Centre Density (cont'd)



Source: City of Markham

Sustainable Growth

Designated Greenfield Area (DGA) Density – Future Urban Area

What is Being Measured: The combined number of residents and jobs per developable hectare in development areas outside the Provincial built boundary.

Official Plan Policy Reference:

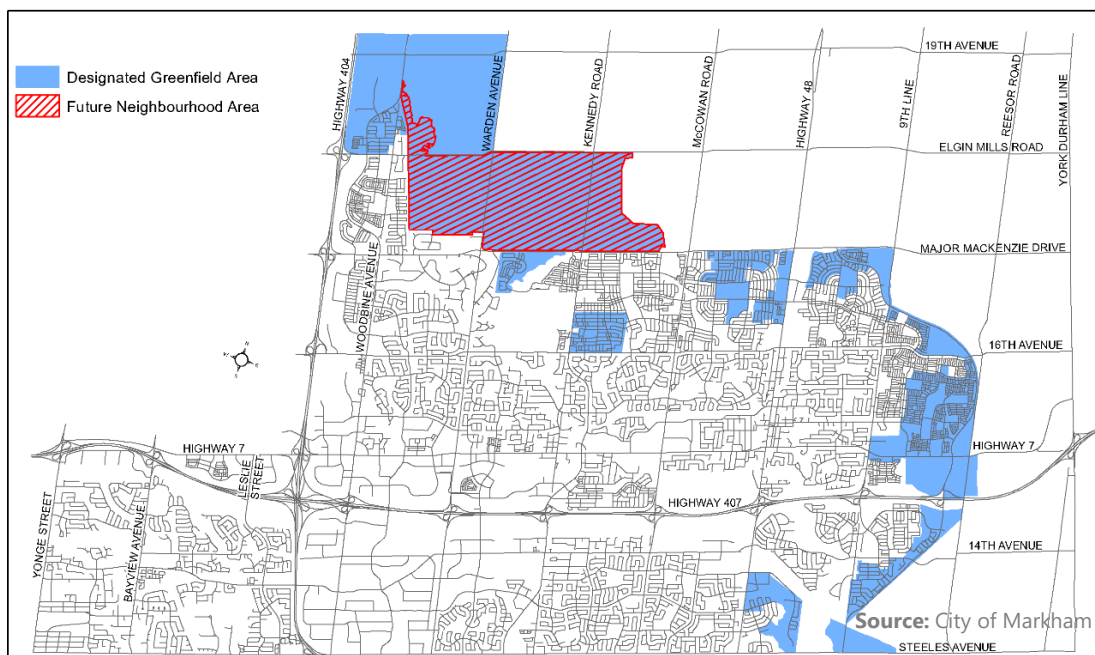
- 2.6.1 That the lands identified as 'Neighbourhood Area' within the 'Future Urban Area' north of Major Mackenzie Drive as shown on Map 1 – Markham Structure shall be planned to meet or exceed a minimum density of 20 residential units per hectare and a minimum density of 70 residents and jobs per hectare for developable lands.

Reason to Measure and Monitor:

The DGA minimum density target is intended to support compact and efficient development, complete communities, and higher level of public transit. The Future Urban Area (FUA) lands are designated greenfield area (DGA) lands that were brought within the City's Urban Area through a Regional settlement area boundary expansion. The Official Plan density targets for the 'Neighbourhood Area' designations within the Future Urban Area reflect the Growth Plan 2006 DGA density target of 50 residents and jobs per developable hectare Region-wide, and the Regional Official Plan density target of 70 residents and jobs per hectare, and 20 units per hectare for these lands.

Results and Progress:

Development has not yet begun in any of the FUA lands, but the approved Secondary Plans for the Berzcy Glen and Robinson Glen communities contain land use designations and associated density ranges which are planned to achieve both targets. A number of recently draft approved plans of subdivision in the Berzcy Glen community demonstrate the targets can be reached. The achievement of the density targets will continue to be monitored as the lands develop over time.



Building Complete Communities

New Housing Supply by Type

What is Being Measured: The number of new housing units completed and occupied annually by type.

Official Plan Policy Reference:

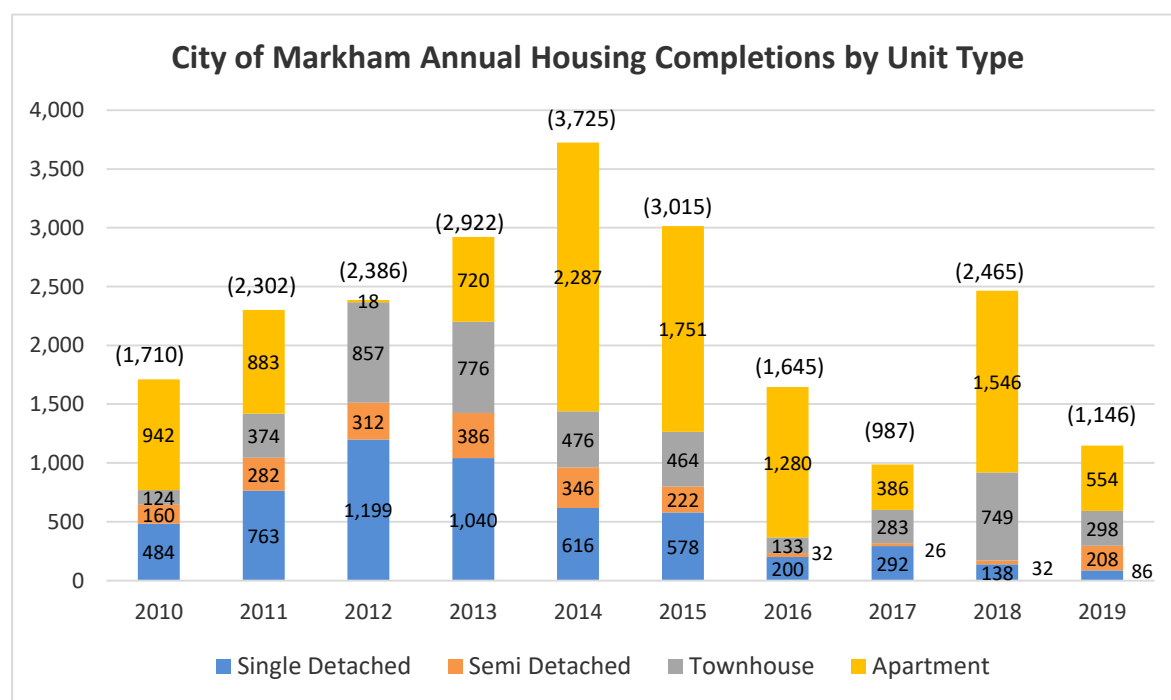
- 4.1.2.2 To encourage development of a full range of unit types and unit sizes to respond to changes in household composition over time.
- 4.1.2.4 To support further diversification of the housing stock by encouraging:
- a greater share of apartment and multiple units, including stacked townhouses and townhouse units, be added to the housing stock.

Reason to Measure and Monitor:

To accommodate the forecasted growth of 421,600 people in Markham by 2031, a range of housing types need to be constructed to meet the diverse needs of Markham residents. A greater proportion of housing units should be higher density (apartment and townhouse) to contribute to creating compact, walkable and complete communities.

Results and Progress:

Generally the City has seen a greater proportion of higher density new units (apartments and townhouses) annually from 2010 to 2019. 2018 had the greatest proportion of higher density new units with 2,295 units that comprised 93% of all new units. For the most recent period of 2015 to 2019 there were 7,444 higher density new units which made up 80% of all new units. The period of 2010 to 2014 had a similar number of 7,457 higher density new units but made up 57% of all new units.



Source: Canada Mortgage and Housing Corporation

Building Complete Communities

New Housing Affordability

What is Being Measured: Proportion of new housing units in the City that meet the City's affordability threshold for low and moderate income households (the lowest 60% of the income distribution).

Official Plan Policy Reference:

- 4.1.1.1 To promote an appropriate and adequate range of housing choices by type, tenure, and affordability level, to accommodate the needs of all Markham residents and workers regardless of age, income level, ability, culture and family composition.
- 4.1.1.2 To diversify Markham's housing stock to provide for a broader variety of housing forms and sizes to respond to changes in household composition over time, and increase opportunities for more affordable housing choices and options for shared housing and special needs housing.
- 4.1.3.2 To work, in cooperation with the Region, to identify targets for new housing in the strategy for affordable and shared housing and monitor annual housing growth towards the targets by:
 - c) unit affordability: 25 percent of new housing units across Markham, and 35 percent of new housing units in Markham Centre, the Langstaff Gateway, and key development areas, be affordable to low and moderate income households.

Reason to Measure and Monitor:

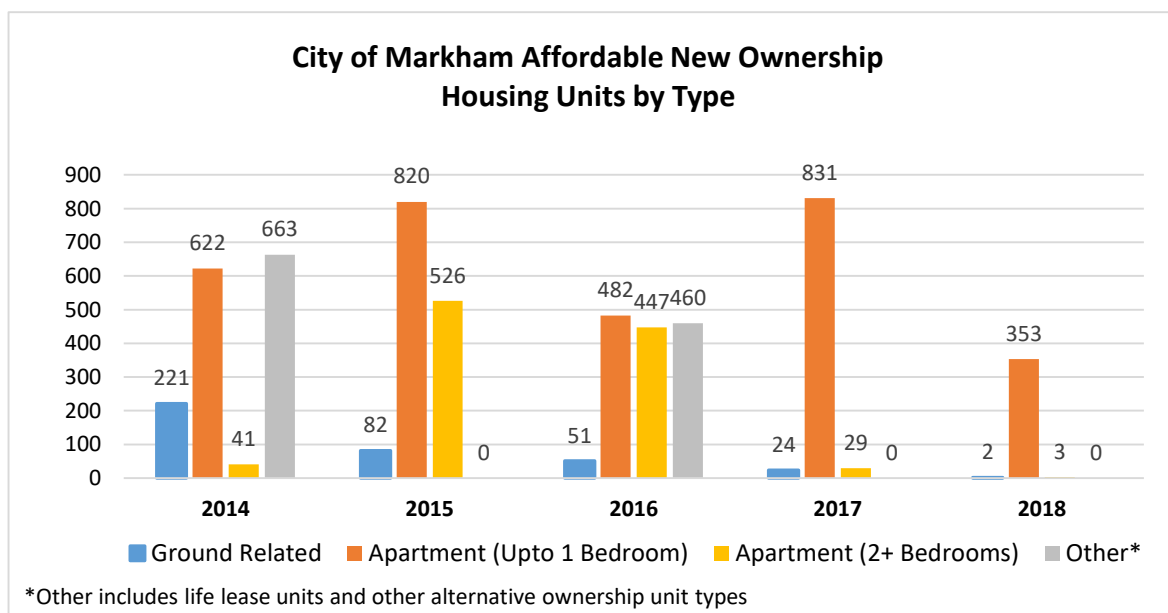
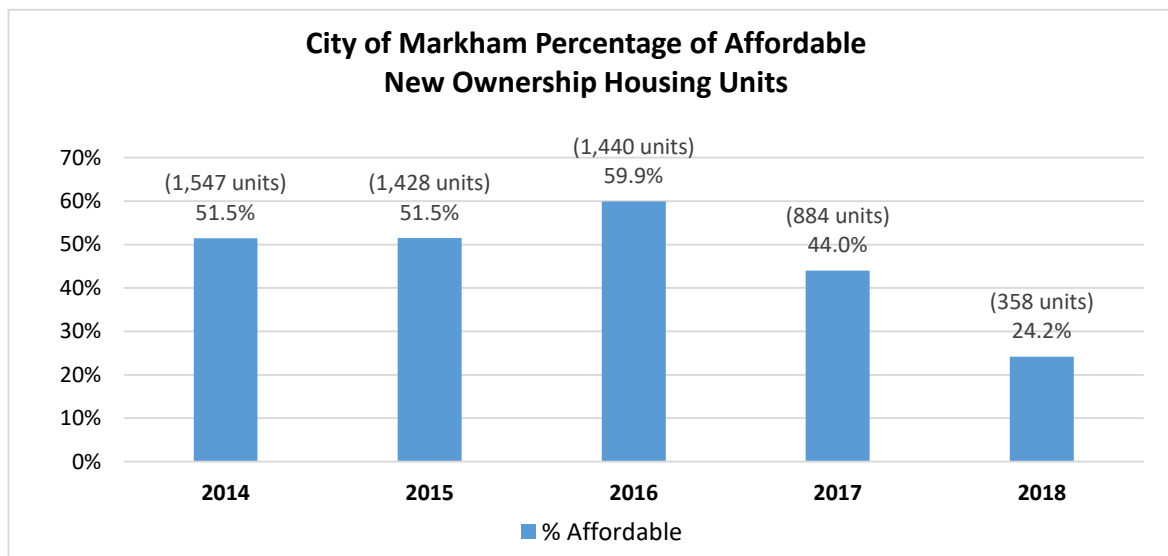
Planning for complete communities includes a diverse range of housing by type, tenure (ownership and rental), and affordability. The provision of affordable housing contributes to improved quality of life of residents and community health and well-being.

Results and Progress:

For 2018, according to York Region the ownership affordability threshold for Markham was \$449,884. Of the 1,480 new ownership housing units built in 2018, 358 (24%) were considered affordable (i.e., selling below the affordability threshold price). Of these 358 affordable new units, nearly all (353) were studio and 1 bedroom apartment units. Only 5 were family sized units, such as apartments with 2 or more bedroom and ground related housing. Recent results have shown that family sized apartment units have become increasingly unaffordable to households with incomes in the lowest 60th percentile, with the number of affordable new 2 or more bedroom units dropping from 526 in 2015 to 3 in 2018.

With respect to rental housing, there were a small number of affordable new rental units built in the past 5 years, averaging less than 7 units a year between 2014-2018.

Building Complete Communities New Housing Affordability (cont'd)



Source: York Region Measuring and Monitoring Housing Affordability Report

Building Complete Communities

Protection of Cultural Heritage Resources

What is Being Measured: The number of culture heritage resources protected through the following means: properties listed on the Markham Register of Property of Cultural Heritage Value or Interest, individually designated properties and heritage easement agreements.

Official Plan Policy Reference:

- 4.5.2.2 To maintain a Register of Property of Cultural Heritage Value or Interest which is accessible to the public and identifies properties to be conserved and maintained consistent with standards and guidelines adopted by Council. It is recognized that there may be properties of cultural heritage interest that are not yet identified or designated, or included in the Register but may still be worthy of conservation and inclusion in the Register.
- 4.5.2.3 To recognize Markham's significant cultural heritage resources by designating individual properties and groups of properties by by-law under Parts IV and V of the Ontario Heritage Act.
- 4.5.3.2 To give immediate consideration to the designation of any significant cultural heritage resource under the Ontario Heritage Act if that resource is threatened with demolition, inappropriate alterations or other potentially adverse impacts.
- 4.5.3.6 To require, where considered appropriate, the provision of a heritage conservation easement, pursuant to the Ontario Heritage Act, as a condition of certain development approvals or as a condition of financial assistance ...

Reason to Measure and Monitor:

The protection and conservation of our cultural heritage is essential to the character of our community and contributes to other social, cultural, economic and environmental objectives of the City. Tracking the protection of cultural heritage resources help demonstrates the ongoing efforts by the City to protect and our cultural heritage.

Results and Progress:

There are currently 327 listed properties on the Markham Register of Property of Cultural Heritage Value of Interest, not including individually designated or non-heritage properties within a heritage conservation district. It is rare for additional properties to be added to the Register as most cultural heritage resources are already captured.

There were 247 individual Property Designations in 2019, with 7 added during 2019 and 143 Heritage Easement Agreements in 2019, with 2 added during 2019.

Source: City of Markham

Increasing Mobility Options Modal Split

What is Being Measured: The percentage of travelers choosing various modes of transportation during morning peak commuting hours.

Official Plan Policy Reference:

- 7.1.1.1 To work in cooperation with the Region and the Province to develop a sustainable transportation system that is accessible to users of all ages and abilities and:
- a) effectively and safely accommodates the demand for persons trip within and beyond Markham and increase travel choices, with particular emphasis on pedestrians, cyclists and transit riders;

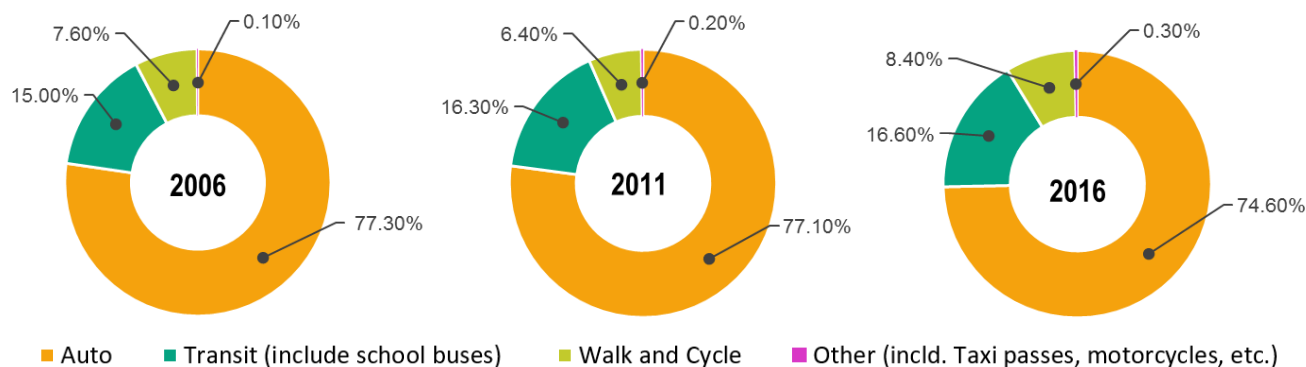
Reason to Measure and Monitor:

A balanced multi-modal transportation system is needed to move people and goods more efficiently. This can be accomplished by increasing transit use and active transportation that will also lead to improved community well-being and work/life balance. The City continues to plan for active transportation (walking and cycling) and work with other levels of government to invest in transit infrastructure that will support a reduction in auto dependency.

Results and Progress:

The combined choices of walking and cycling and transit have increased slightly since 2006, from 22.6% to 25% in 2016 while auto use has decreased slightly from 77.3% in 2006 to 74.6% in 2016.

City of Markham Modal Split



Source: Transportation Tomorrow Survey

Increasing Mobility Options

Residents Within 800m Walking Distance of Higher Order Transit Stations

What is Being Measured: The number of residents living within 800 metres of a higher order transit station (e.g., VIVA Bus Rapid Transit and GO Transit rail). A distance of 800 metres represents about a 10 minute walk.

Official Plan Policy Reference:

- 2.2.2.1 To provide for an appropriate mix and density of land uses within walking distance of transit, with multi-storey buildings integrating retail and service activities, and community facilities to support the needs of residents, businesses and workers.
- 2.2.2.2 To effectively move people and goods within and beyond Markham by providing residents, employees and businesses with choices and accessibility in travel and movement, with particular attention to the promotion of walking, cycling and increased transit ridership.
- 7.1.2.3 To plan and design new communities, major new developments and redevelopments in accordance with Markham, Regional and Provincial guidelines and policies for transit-supportive development, including reducing walking distances to transit stops.

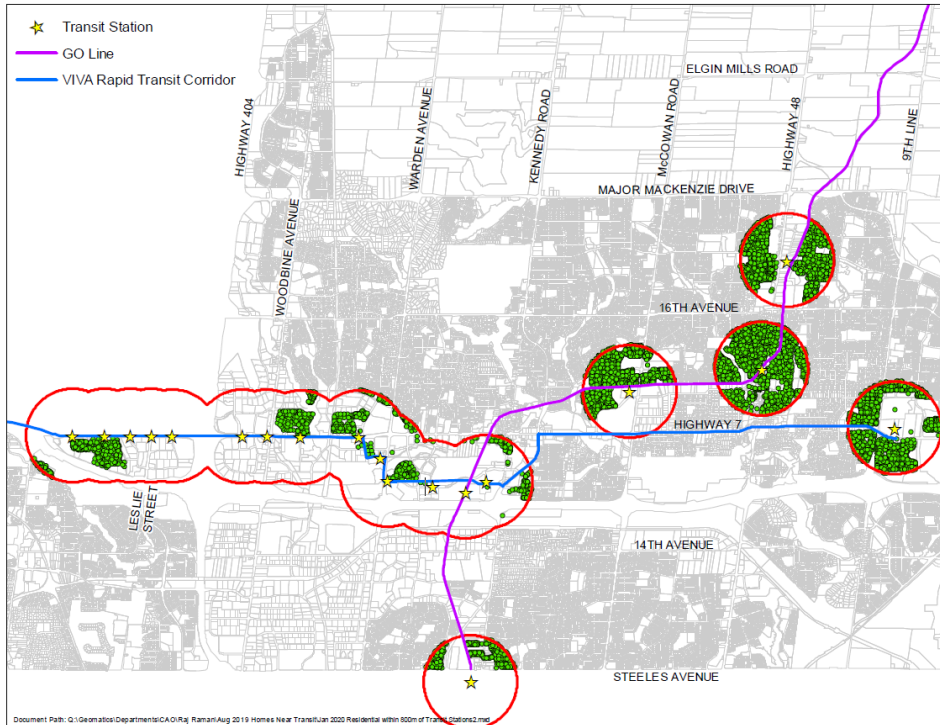
Reason to Measure and Monitor:

The Official Plan has policies encouraging the development of higher density built form within walkable distance of transit stops to support transit ridership.

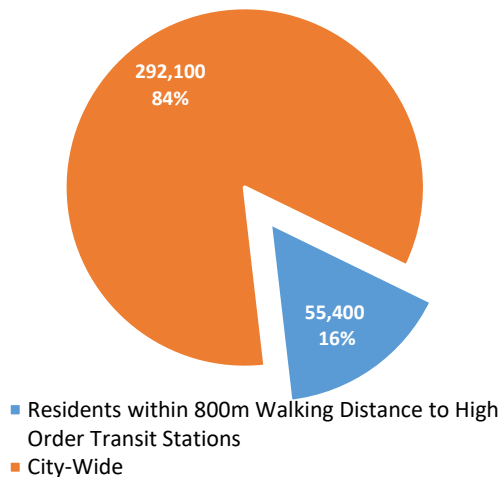
Results and Progress:

Approximately 55,400 residents or 16% of the City's residents currently live within 800 metres of higher order transit stations along the VIVA Bus Rapid Transit Line on Highway 7 and Stouffville GO Train line. The majority (58%) of housing unit types within 800 metres are apartment units. As development continues to concentrate in, the City's centres and corridors, the share of residents living near higher order transit will increase.

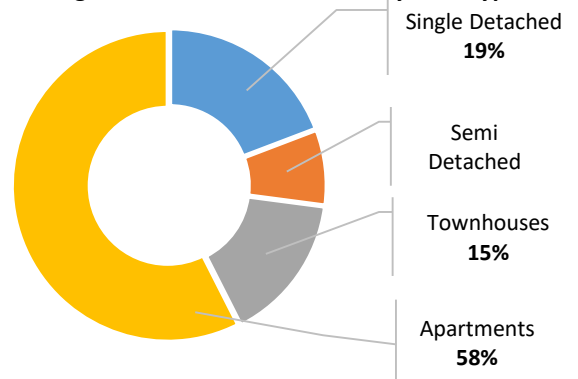
Increasing Mobility Options Residents Within 800m Walking Distance of Higher Order Transit Stations (cont'd)



Residents within 800m Walking Distance to Higher Order Transit Stations



Residents within 800m Walking Distance to Higher Order Transit Stations by Unit Type



Source: City of Markham



Report to: Development Services Committee

Meeting Date: July 13, 2020

SUBJECT: City of Markham Comments on Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 and Proposed Land Needs Assessment Methodology

PREPARED BY: Liliana da Silva, R.P.P., M.C.I.P., Senior Planner, Policy & Research (x. 3115)

REVIEWED BY: Darryl Lyons, R.P.P., M.C.I.P., Manager, Policy, Policy & Research (x. 2459)
Marg Wouters, R.P.P., M.C.I.P., Senior Manager, Policy & Research (x. 2909)

RECOMMENDATION:

- 1) That the report entitled, “City of Markham Comments on Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, and Proposed Land Needs Assessment Methodology”, dated July 13, 2020, be received;
- 2) That this report be forwarded to the Ministry of Municipal Affairs and Housing, and York Region, as the City of Markham’s comments on proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 and proposed Land Needs Assessment Methodology;
- 3) That the Province reconsider the extension of the Growth Plan forecasts to 2051 or provide municipalities with the ability to carefully phase urban boundary expansions to ensure that development happens in a comprehensive, logical manner;
- 4) That the Province be advised that in order to maintain the integrity of the Growth Plan as a comprehensive framework for sustainable growth management, the City does not support the proposed changes to policies 2.2.1 and 5.1.4 which would allow the use of higher growth forecasts than those contained in Growth Plan Schedule 3;
- 5) That the Province be advised that the City does not support the proposed changes to policy 2.2.5.10 c) that would allow the conversion of employment lands in a Provincially Significant Employment Zone located within a Major Transit Station Area until the next Municipal Comprehensive Review;
- 6) That the Province clarify that employment area conversions that can be undertaken “until the next Municipal Comprehensive Review” includes a Municipal Comprehensive Review (MCR) that is in-process (e.g. York Region’s 2041 MCR). An alternate solution is to include a specific date for when the policy is no longer operative such as the date of conformity for upper- and single-tier municipalities (July 1, 2022);
- 7) That the Province provide specific guidance and support to municipalities regarding required engagement with indigenous communities;
- 8) That the City work with the Province and the Region to improve coordination of development approvals and identify tools and strategies to support the provision of affordable housing, through measures such as:
 - a) expand inclusionary zoning to apply more broadly throughout the municipality;
 - and

-
- b) clarify or revise the Community Benefit Charge framework so it that it does not apply to 'affordable units' but continues to apply to 'market units' within a proposed development that is subject to inclusionary zoning;
 - 9) And further that staff be authorized and directed to do all things necessary to give effect to the resolution.

EXECUTIVE SUMMARY:

The Province is consulting on proposed changes to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, (Growth Plan) through Amendment 1 and on a proposed Land Needs Assessment Methodology (LNA). Comments are due by July 31, 2020.

Amendment 1 proposes to:

- update Growth Plan Schedule 3 population and employment forecasts by extending the planning horizon from 2041 to 2051 for upper- and single-tier municipalities;
- maintain current Growth Plan Schedule 3 population and employment forecasts for 2031 and 2041;
- allow upper- and single-tier municipalities through an MCR to determine higher growth forecasts than those provided in Growth Plan Schedule 3;
- allow conversions of employment areas identified as Provincially Significant Employment Zones (PSEZs) that are located within Major Transit Station Areas (MTSAs) until the next municipal comprehensive review (MCR);
- change text of the Growth Plan, including definitions, to align with the Provincial Policy Statement 2020 (PPS 2020) and in particular, stronger language around engagement with indigenous communities; and,
- remove the prohibition on new mineral aggregate operations, wayside pits and quarries from habitats of endangered species and threatened species within the Natural Heritage System for the Growth Plan.

The deadline for the Region to conform to the Growth Plan is July 1, 2022, and Amendment 1 does not propose to change this date.

Staff is generally supportive of proposed changes that would harmonize definitions and policy language between the Growth Plan and Provincial Policy Statement, 2020 as well as providing greater engagement with indigenous communities. Staff is concerned with proposed policies that would allow upper- and single-tier municipalities to plan for growth that is higher than the Schedule 3 forecasts in the Growth Plan, as it is anticipated that this will create pressure for urban boundary expansions and run counter to the purpose of the Growth Plan, which is to provide a sustainable, comprehensive, long-term framework for where and how growth should occur across the Greater Golden Horseshoe since 2006. In addition, there is concern with allowing conversion of employment lands in Provincially Significant Employment Zones within Major Transit Station Areas until the next Municipal Comprehensive Review, as these lands have been identified by both the Province and City as critical employment areas that should be protected. Policy

revisions are also recommended to clarify that employment area conversions that can be undertaken “until the next Municipal Comprehensive Review” includes a MCR that is in-process. More specifically, it is not clear if “the next MCR” refers to York Region’s current MCR to be completed by July 2022, or if it could be interpreted to apply to a subsequent MCR after July 2022. This revision would support comprehensive planning to ensure that employment areas are appropriately protected and to ensure that once the Region has completed its current MCR that no further employment conversions could be undertaken outside of a MCR.

The Province is also proposing a new Land Needs Assessment Methodology (LNA) that is required by the Growth Plan to be used by upper- and single-tier municipalities when determining land needs. According to the Province, the proposed LNA provides a streamlined approach in comparison to a previous draft released by the Province after the previous Growth Plan 2017 came into effect. Staff notes that the extension of the Growth Plan forecast horizon to 2051 and the revised LNA methodology appear to be based on increasing residential land supply (bringing lands to development faster) in efforts to ease price (affordability) pressure on market housing, which is a main tenet in the Province’s 2019 Housing Supply Action Plan. Markham staff is concerned that the proposed consideration of ‘market demand’ in the LNA may be used by proponents to justify more ground-related housing which would result in additional or more extensive urban boundary expansions. Staff defers to York Region for comments on the LNA, given that they are required to use the methodology to allocate growth to the area municipalities.

Although beyond the review of Amendment 1 and the LNA, the policy outcomes being proposed to the Growth Plan will affect the provision of affordable housing. Markham staff therefore recommend that the City continue to work with the Province and Region to identify additional tools and strategies, including key changes to the planning process and streamlining of provincial approvals to support the provision of affordable housing, through measures such as: expand inclusionary zoning to apply more broadly throughout the municipality; and clarify or revise the Community Benefit Charge framework so that it does not apply to the ‘affordable units’ but continues to apply to ‘market units’ within a proposed development that is subject to inclusionary zoning.

PURPOSE:

This report provides the City of Markham’s comments on the Province’s proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2019, and proposed Land Needs Assessment Methodology.

BACKGROUND:

On June 16, 2020, the Minister of Municipal Affairs and Housing released proposed Amendment 1 to the Growth Plan (ERO number: 019-1680) and a proposed LNA (ERO number: 019-1679). The Province has provided a 45-day commenting period that ends on July 31, 2020. The Growth Plan outlines the Province’s long-term framework for comprehensively managing growth for the Greater Golden Horseshoe (GGH). York

Region is currently undertaking a Municipal Comprehensive Review (MCR) to 2041, which is the Region's conformity exercise to the Growth Plan. The deadline for the Region to conform to the Growth Plan is July 1, 2022 and Amendment 1 does not propose to change this date.

DISCUSSION:

Amendment 1 proposes to extend the planning horizon and growth forecasts to 2051

Amendment 1 proposes to:

- Maintain current Growth Plan Schedule 3, "Distribution of Population and Employment for the Greater Golden Horseshoe", for 2031 and 2041
- Extend Growth Plan Schedule 3 population and employment forecasts to 2051 (Policies 1.2.3, 2.1, Schedule 3)
- Allow upper- and single-tier municipalities through an MCR to determine higher growth forecasts than those provided in Schedule 3 (Policies 2.2.1, 5.2.4)

Staff Comments and Recommendations:

Proposed Amendment 1 includes three forecast scenarios for comment: a reference growth forecast that represents the most likely future growth outlook based on extensive modelling and analysis, as well as high and low growth scenarios based on different assumptions for comparative purposes. When Amendment 1 is finalized, only one set of forecasts would be included in Schedule 3 (refer to Appendix 'A': Proposed Growth Forecast Comparison' for details).

The proposed York Region population and employment forecasts for 2051 in each of the draft scenarios is as follows:

- Reference scenario: approximately 2 million people and 990,000 jobs;
- Low growth scenario: approximately 1.9 million people and 950,000 jobs; and
- High growth scenario: approximately 2.1 million people and 1 million jobs.

The difference between the 2051 low and high growth scenarios for York Region is 180,000 people and 90,000 jobs. The current 2041 forecast for York Region is 1,790,000 people and 900,000 jobs.

YORK REGION POPULATION AND EMPLOYMENT FORECASTS COMPARISON						
	2031	2041	2051			
	No differences between all 3 scenarios		Reference Scenario	Low Scenario	High Scenario	Difference between High/Low Scenarios
Population	1,590,000	1,790,000	2,020,000	1,930,000	2,110,000	180,000
Employment	790,000	900,000	990,000	950,000	1,040,000	90,000

Table 1: York Region Population and Employment Forecasts for 2031, 2041 and 2051 (Reference, low and high scenarios)

Notwithstanding the final Schedule 3 forecast to 2051 to be chosen by the Province, Amendment 1 also proposes to allow upper- and single-tier municipalities to plan for higher growth forecasts than those provided in Schedule 3 through an MCR.

The Region is responsible for distributing the Schedule 3 population and employment forecasts to the local municipalities through its MCR. Preliminary comments by regional staff on proposed Amendment 1 went to Regional Council on June 25, 2020 and advised that the proposed forecasts for York Region assume growth between 23,000 and 29,100 people annually to 2051, compared with past growth rates of approximately 17,200 people per year over the past 10 years, and 24,800 people per year on average since 1986. Regional staff commented that the Province should consider these historical growth rates in York Region when finalizing the forecasts. Regional staff also noted that the employment forecasts to 2051 would require average annual growth between 5,000 and 14,000 jobs per year, which appeared to be achievable. As of 2019, the Region was generally on track to achieve its employment forecast by averaging employment growth of approximately 15,000 jobs annually since 2008. They also noted, however, that potential short and medium term impacts of COVID-19 should be considered by the Province when finalizing the forecasts.

The extension of the Schedule 3 forecasts to 2051 extends the MCR planning horizon from 20 years to 30 years. The Province states that this is an attempt to have sufficient land in an effort to support the fostering of complete communities, economic development, job creation and housing affordability in the GGH. Markham staff is of the opinion that the proposed extension of the planning horizon to 2051 will create pressure for an extensive urban boundary expansion in Markham. Markham is one of three York Region municipalities (others being Vaughan and East Gwillimbury) with potential for substantial settlement area expansion. Regional Council, in 2019 endorsed the principle of aligning growth to optimize existing transit and servicing investments before triggering investments in new infrastructure. To the extent that Markham is better positioned with respect to existing servicing capacity compared with the other municipalities, staff anticipates that if there is a demonstrated need for urban expansion to 2051 to accommodate the growth forecasts, lands in Markham would be considered favourably by the Region.

If the forecasts are extended to 2051, staff recommends that the Province provide municipalities with the ability to carefully phase the designation of any urban expansion lands to ensure that development happens in a comprehensive, logical manner.

Staff is also concerned that allowing upper- and single-tier municipalities to plan for growth that is higher than the Schedule 3 forecasts runs counter to the purpose of the Growth Plan, which is to provide a sustainable, comprehensive, long-term framework for where and how growth should occur across the Greater Golden Horseshoe. The Growth Plan 2019 policy allowing urban expansions of up to 40 hectares outside of an MCR

process already compromises the ability of the Growth Plan to provide this long term comprehensive growth management framework, and staff is concerned that the proposed changes noted above weakens the Growth Plan even further. Staff therefore recommends that the Province not permit the use of higher growth forecasts than contained in Schedule 3.

Recommendation 1: That the Province reconsider the extension of the forecasts to 2051, or provide municipalities with the ability to carefully phase the designation of any urban boundary expansion lands to ensure that development happens in a comprehensive, logical manner.

Recommendation 2: That the Province be advised that in order to maintain the integrity of the Growth Plan as a comprehensive framework for sustainable growth management, the City does not support the proposed changes to policies 2.2.1 and 5.1.4 which would allow the use of higher growth forecasts than those contained in Growth Plan Schedule 3.

Employment Conversions in Provincially Significant Employment Zones and Major Transit Station Areas are proposed to be permitted until the next Municipal Comprehensive Review

Amendment 1 proposes to:

- Allow conversions of employment areas identified as Provincially Significant Employment Zones (PSEZs) and located within Major Transit Station Areas (MTSAs) until the next municipal comprehensive review (MCR). (2.2.5.10)

Staff Comments and Recommendations:

As outlined in a June 22, 2020, staff report to Development Services Committee, the Region is required to delineate MTSAs (generally defined as the area within a 500-800 metre radius or 10-minute walk of a transit station) as well as associated minimum density targets in the Regional Official Plan. The Province introduced Provincially Significant Employment Zones (PSEZs) during the update to the Growth Plan in 2019. These zones were identified for the purposes of long-term planning for job creation and economic development, and consist of employment areas as well as mixed-use areas that contain a significant number of jobs. PSEZs are comprised of employment areas that are considered critical to the local and provincial economy and cannot be converted to non-employment uses outside of a Municipal Comprehensive Review. In December 2019, after initial consultation, the Province released a revised version of the PSEZ mapping. The Province will be conducting a review of PSEZs to examine how they can support post COVID-19 economic recovery, and this is expected to be completed by early fall 2020.

The Growth Plan currently does not allow lands within PSEZs to be converted to non-employment uses outside of an MCR. Amendment 1 proposes to allow lands within a PSEZ to be converted to non-employment uses until the next MCR if they are located within a delineated MTSA. The stated intent of the proposed change, according to the Province, is to allow for mixed-use development to be initiated faster around MTSAs. It

should also be noted that MTSAs can be delineated at any time in the Region's Official Plan outside of an MCR.

Of the twenty-four (24) proposed MTSAs in Markham, nine (9) are located within PSEZs mainly along the strategic Hwy 404/Hwy 7 employment corridor, such as, among others, East Beaver Creek, Commerce Valley, and Allstate Parkway. (See Appendix 'B' for a map illustrating proposed MTSAs and current PSEZ mapping in Markham).

Staff notes that the stated purpose of the introduction of the PSEZ mapping by the Province in 2019 was to identify and protect provincially significant employment lands, and to afford these lands stronger protection against conversion to non-employment uses than other employment areas not identified as PSEZs. Staff also notes that the minimum density targets for MTSAs along the Hwy 7/Hwy 404 corridor can be achieved through intensive employment uses (e.g., office development), as is evident in the West Beaver Creek BRT station which has an existing density exceeding 250 people and jobs per hectare compared with the prescribed 160 people and jobs/hectare.

If there is merit in considering conversions, staff has consistently held the view that employment area conversions must be evaluated in a comprehensive manner, which is best undertaken through the MCR process. Without strong conversion policies to protect employment lands within MTSAs, it is anticipated that the proposed policy will make it increasingly difficult to maintain these areas along the Hwy 7/Hwy 404 Corridor as viable, successful employment areas, in the face of anticipated increased pressure for residential development.

Staff also recommends that the proposed policy language that would enable employment area conversions in MTSAs "until the next MCR" be clarified to mean a MCR that is in-process. More specifically, it is not clear if "the next MCR" refers to York Region's current MCR to be completed by July 2022, or if it could be interpreted to apply to a subsequent MCR after July 2022. This revision would support comprehensive planning to ensure that employment areas are appropriately protected and to ensure that once the Region has completed its current MCR that no further employment conversions could be undertaken outside of a MCR. It is noted that Council requested similar clarification from the Province during consultation for the Growth Plan 2019 with respect to the original policy regarding employment conversions outside of PSEZs, but the ambiguity was not addressed, and is proposed to be included in the policy that would allow employment conversions within MTSAs and PSEZs "until the next MCR".

Recommendation 3: That the Province be advised that the City does not support the proposed changes to policy 2.2.5.10 c) that would allow the conversion of employment lands in a Provincially Significant Employment Zone located within a Major Transit Station Area until the next Municipal Comprehensive Review.

Recommendation 4: That the Province clarify that employment area conversions that can be undertaken “until the next Municipal Comprehensive Review” includes a Municipal Comprehensive Review (MCR) that is in-process (e.g. York Region’s 2041 MCR). An alternate solution is to include a specific date for when the policy is no longer operative such as the date of conformity for upper- and single-tier municipalities (July 1, 2022).

Amendment 1 proposes to harmonize policies and definitions between the Growth Plan and Provincial Policy Statement 2020

Amendment 1 proposes:

- Changes to the text of the Growth Plan, including definitions, to align with the Provincial Policy Statement 2020 (PPS 2020) and in particular, stronger language around engagement with indigenous communities. (Policies 1.1, 2.1, 2.2.1.4, 2.2.6.1, 4.2.10.2, 5.2.3.4, 5.2.3.7, definitions)

Staff Comments and Recommendations:

The proposed changes, which are mostly technical in nature, are intended to ensure that the Growth Plan reflects up to date policy references and provincial direction from the PPS 2020 that came into effect on May 1, 2020. In addition, Amendment 1 proposes to include a reference to the housing policy statement in policy 2.2.6.1, which would now read, “Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will: c) address housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans;”. Policies 5.2.3.4 and 5.2.3.7 would also be updated so that municipalities “shall” engage with indigenous communities, instead of “are encouraged to”.

Definitions in the Growth Plan would also be harmonized with the PPS, 2020, including: cultural heritage landscape, ecological function, habitat of endangered species and threatened species, impacts of a changing climate, municipal water and wastewater system, on-farm diversified uses, and public service facilities.

Staff is generally supportive of the proposed changes to harmonize certain policies and definitions between the Growth Plan and PPS 2020 to aid in interpretation and implementation of these policy documents, in particular, the stronger language around engagement with Indigenous communities.

With respect to indigenous engagement, the City currently engages with indigenous communities on high level planning matters such as the Official Plan Review, and also consulted during the master planning for the Future Urban Area. Other planning processes, such as archaeological assessments initiated under the Ontario Heritage Act, and Environmental Assessment Act, may also prompt engagement with indigenous communities. Staff requires further guidance on what required ‘engagement’ entails. The Association of Municipalities in Ontario (AMO) published in April 2019 recommending that the Province provide clear protocols, ongoing facilitation support, appropriate training and guidance, information-sharing and adequate financial resources to ensure any delegated duty to consult is implemented properly and respectfully. Staff supports the

efforts of AMO and encourage further guidance from the Province in this area. Staff recommends that the Province provide more specific guidance and support on expectations regarding continued engagement with indigenous communities.

Recommendation 5 That the Province provide specific guidance and support to municipalities regarding required engagement with indigenous communities.

Amendment 1 proposes more permissive policies to allow new mineral aggregate operations within the Natural Heritage System for the Growth Plan

Amendment 1 proposes to:

- Remove the prohibition on new mineral aggregate operations, wayside pits and quarries from habitats of endangered species and threatened species within the Natural Heritage System for the Growth Plan (4.2.8.2)

Staff Comments and Recommendations:

The proposed policy change would eliminate the requirement of “habitats of endangered species and threatened species” from policy 4.2.8.2 which would read as, “no new mineral aggregate operation and no new wayside pits and quarries, or any ancillary or accessory use thereto, will be permitted in i) significant wetlands; ii) significant woodlands unless the woodland is occupied by young plantation or early successional habitat, as defined by the Province, in which case, the application must demonstrate that policies 4.2.8.4 b) and c) and 4.2.8.5 c) have been addressed and that they will be met by the operation;”.

Staff does not have any comments as the proposed amendment to Growth Plan policy 4.2.8.2 does not affect Markham as there are no mineral aggregate operations, wayside pits and quarries within the Natural Heritage System.

A Land Needs Assessment Methodology is proposed that the Region would have to use in determining land needs under the Growth Plan

The Province is consulting on a land needs assessment methodology (LNA) that is required to be used by upper- and single-tier municipalities in implementing the Growth Plan. The LNA determines how the population and employment forecasts assigned to upper- and single-tier municipalities through Growth Plan Schedule 3 should be allocated to local municipalities. It considers intensification and density targets, infrastructure requirements and policies in the Growth Plan.

The proposed LNA provides a streamlined approach in comparison to a previous draft released by the Province after the previous Growth Plan 2017 came into effect. The stated intent of the revised, more flexible LNA, is to:

- accommodate all housing market segments;
- avoid housing shortages;
- consider market demand;
- accommodate all employment types, including those that are evolving; and
- plan for all infrastructure services that are needed to meet complete community objectives to the horizon of the Plan.

The proposed LNA adds consideration of ‘market demand’ as a criteria in determining land needs, consistent with recent changes to the PPS 2020 which also referenced “market demand” in planning for future growth.

Staff Comments and Recommendations:

Markham staff defers to Regional Staff on detailed comments and recommendations relating to the revised LNA as it is the Region, rather than the City, that applies the LNA through the MCR.

However, it is noted that both the extension of the Growth Plan forecast horizon to 2051 and the revised LNA methodology are based on increasing residential land supply (bringing lands to development faster), in efforts to ease price (affordability) pressure on market housing, which is a main tenet in the Province’s 2019 Housing Supply Action Plan. Markham staff is concerned that the consideration of market demand may be used by proponents to justify more ground-related housing which would result in additional or more extensive urban boundary expansions.

The increasingly unaffordable nature of market housing in the GTAH has complex root causes, of which land supply may be a small component. The beneficial impact on affordability, if any, of increasing land supply needs to be balanced against the potential for increased costs in market housing to the extent that new and more extensive infrastructure (e.g., hard services and transit) is needed to service urban expansion lands, at the expense of maximizing existing infrastructure in the more compact existing urban area. This consideration of appropriate balance between planning and market forces is reflected in Regional Staff’s preliminary comments to Regional Council on June 25, 2020, in which it was noted that clear Provincial direction is needed on how the market is to be balanced with other Growth Plan objectives towards higher density, transit supportive and walkable communities focused on producing a variety of affordable housing forms.

Although beyond the review of Amendment 1 and the LNA, the policy outcomes being proposed to the Growth Plan will affect the provision of affordable housing. Therefore, staff has considered some potential solutions where the Province could assist with the provision of affordable housing including the expansion of inclusionary zoning permissions throughout the City, as was initially the case when inclusionary zoning was first introduced in 2018. Changes to the Planning Act in 2019 now restrict the application of inclusionary zoning to MTSAs.

In addition, through Bill 108, a CBC cannot be collected where inclusionary zoning is applied which leaves municipalities having to choose between affordable housing, and other community benefits (e.g. parkland acquisition, childcare, etc.). It is recommended that the CBC framework be revised or clarified so that it does not apply to the ‘affordable

units' but continues to apply to 'market units' within a proposed development that is subject to inclusionary zoning. Alternatively, the Province could explore how CBC would only be applied to some or all of the 'market units' in a proposed development that includes required affordable housing under inclusionary zoning. For context, the City's draft inclusionary zoning framework that was presented to Development Services Committee in February 2020 proposes to apply inclusionary zoning within all MTSAs to residential development proposals over 100 units and require 10% residential Gross Floor Area (GFA) for ownership units to be provided as affordable housing, or 5% GFA for condominium units rented out at affordable rents. Based on staff's understanding of the CBC framework, this means that none of the development would be subject to CBC, including 90% of the 'market' GFA for ownership, or 95% of the 'rental' GFA in rented condominiums. Without a clarification or change to the CBC framework, it will be challenging for the City to achieve its affordable housing objectives and provide for amenities (e.g. parkland) that would be funded through CBC.

Recommendation 6: That the City work with the Province and the Region to improve coordination of development approvals and identify tools and strategies to support the provision of affordable housing, through measures such as:

- a) expand inclusionary zoning to apply more broadly throughout the municipality; and
- b) clarify or revise the Community Benefit Charge framework so it that it does not apply to 'affordable units' but continues to apply to 'market units' within a proposed development that is subject to inclusionary zoning.

NEXT STEPS:

Staff recommends that this report be forwarded to the Province and York Region as Markham's comments on proposed Amendment 1 and on the proposed LNA Methodology prior to the July 31, 2020 deadline.

Staff will report back to Development Services Committee on the final Amendment 1 and LNA once a Provincial decision has been made.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

FINANCIAL CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The comments in this report on proposed Amendment 1 to the Growth Plan and the proposed LNA support Goal 3 – Safe, Sustainable and Complete Community of Building Markham's Future Together, 2020-2023.

BUSINESS UNITS CONSULTED AND AFFECTED:

Comments from the Finance and Planning Departments are included in this report.

RECOMMENDED BY:

Arvin Prasad, R.P.P., M.C.I.P.
Commissioner of Development Services

ATTACHMENTS:

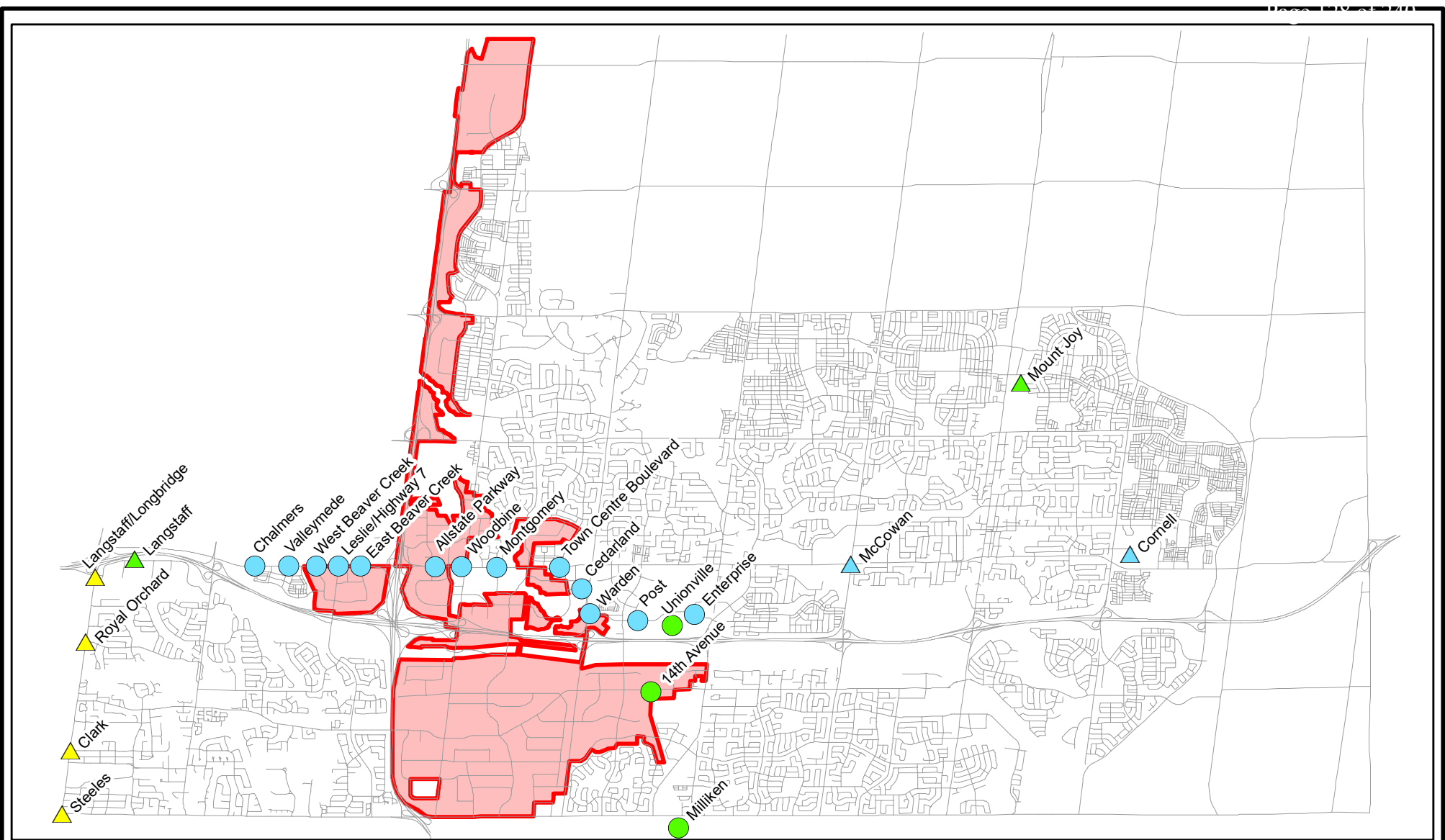
Appendix 'A': Amendment 1 Proposed Growth Forecast Comparison

Appendix 'B': Proposed Major Transit Station Areas and Provincially Significant
Employment Zones in Markham

Appendix A: Proposed Growth Forecast Comparison

	POPULATION					
	2031	2041	2051			
	No differences between all 3 scenarios		Reference Scenario	Low Scenario	High Scenario	Compared to Low / High Scenario
Region of Durham	970,000	1,190,000	1,300,000	1,250,000	1,340,000	-50000 / 40000
Region of York	1,590,000	1,790,000	2,020,000	1,930,000	2,110,000	-90000 / 90000
City of Toronto	3,190,000	3,400,000	3,650,000	3,440,000	3,770,000	-210000 / 120000
Region of Peel	1,770,000	1,970,000	2,280,000	2,140,000	2,430,000	-140000 / 150000
Region of Halton	820,000	1,000,000	1,100,000	1,060,000	1,160,000	-40000 / 60000
City of Hamilton	680,000	780,000	820,000	790,000	850,000	-30000 / 30000
GTHA TOTAL*	9,010,000	10,130,000	11,170,000	10,610,000	11,650,000	-560000 / 480000

	EMPLOYMENT					
	2031	2041	2051			
	No differences between all 3 scenarios		Reference Scenario	Low Scenario	High Scenario	Compared to Low / High Scenario
Region of Durham	360,000	430,000	460,000	450,000	480,000	-10000 / 20000
Region of York	790,000	900,000	990,000	950,000	1,040,000	-40000 / 50000
City of Toronto	1,660,000	1,720,000	1,980,000	1,860,000	2,060,000	-120000 / 80000
Region of Peel	880,000	970,000	1,070,000	1,000,000	1,140,000	-70000 / 70000
Region of Halton	390,000	470,000	500,000	480,000	520,000	-20000 / 20000
City of Hamilton	310,000	350,000	360,000	340,000	370,000	-20000 / 10000
GTHA TOTAL*	4,380,000	4,820,000	5,360,000	5,070,000	5,610,000	-290000 / 250000



APPENDIX B: Proposed Major Transit Station Areas and Provincially Significant Employment Zones in Markham

- | | |
|----------------------|---------------------------------------------|
| ▲ Additional BRT | ● Required BRT |
| ▲ Additional GO Rail | ● Required GO Rail |
| ▲ Additional Subway | ■ Provincially Significant Employment Zones |





Report to: Development Services Committee

Report Date: May 11, 2020

SUBJECT: RECOMMENDATION REPORT
 One Piece Ideal (MS) Developments Inc.
 Applications for Official Plan Amendment, Zoning By-law
 Amendment, and Site Plan Approval to permit a 47-storey,
 residential mixed-use building with a total of 362 units on the
 Phase 1 (westerly) parcel of 28 Main Street (Ward 3)

File Nos: PLAN 19 142690 and SC 15 119946

PREPARED BY: Sabrina Bordone, M.C.I.P., R.P.P., extension 8230
 Senior Planner, Central District

REVIEWED BY: Stephen Lue, M.C.I.P., R.P.P., extension 2520
 Manager, Central District

RECOMMENDATION:

- 1) That the report dated May 11, 2020 titled “RECOMMENDATION REPORT, OnePiece Ideal (MS) Developments Inc., Applications for Official Plan Amendment, Zoning By-law Amendment, and Site Plan Approval to permit a 47-storey, residential mixed-use building with a total of 362 units on the Phase 1 (westerly) parcel of 28 Main Street (Ward 3)”, be received;
- 2) That the Official Plan Amendment application (PLAN 19 142690) submitted by OnePiece Ideal (MS) Developments Inc., be approved and the draft Official Plan Amendment, attached as Appendix ‘A’, be finalized and brought forward to a future Council meeting to be adopted without further notice;
- 3) That the Zoning By-law Amendment application (PLAN 19 142690) submitted by OnePiece Ideal (MS) Developments Inc., be approved and the draft Zoning By-law Amendment, attached as Appendix ‘B’, be finalized and brought forward to a future Council meeting to be enacted without further notice;
- 4) That in accordance with the provisions of subsections 45 (1.4) of the *Planning Act*, R.S.O. 1990, as amended, the Owner shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance, if necessary, from the provisions of the accompanying Zoning By-law, except for building height increase, before the second anniversary of the day on which the by-law was approved by Council;
- 5) That the application for Site Plan Approval (SC 15 119946) submitted by OnePiece Ideal (MS) Developments Inc. be endorsed, in principle, subject to the conditions attached in Appendix ‘C’;

Report to: Development Services Committee

Report Date: May 11, 2020

Page 2

-
- 6) That site plan approval be delegated to the Director of Planning and Urban Design or his designate and not to be issued prior to execution of a Site Plan Agreement;
 - 7) That Council grant servicing allocation for the 362 units on the Phase 1 (westerly) parcel;
 - 8) That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner;
 - 9) That this endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that a Site Plan Agreement is not executed within that period; and
 - 10) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

This report recommends approval of applications for Official Plan Amendment and Zoning By-law Amendment, and the endorsement, in principle, of a Site Plan Approval application (the “Applications”), submitted by OnePiece Ideal (MS) Developments Inc. (the “Owner”) to permit a 47-storey, residential mixed-use building consisting of 362 units with ground floor retail.

The Owner obtained previous permissions to construct a high density, residential mixed-use development on the subject lands through Official Plan Amendment No. 219 (“OPA 219”) and site-specific Zoning By-law Amendment 2018-134 (“By-law 2018-134”). The previous approvals permitted the development shown on Figure 4.

The Owner’s technical review of the Phase 1 lands identified the potential for unacceptable impacts on the building foundations of the adjacent land uses due to site limitations and geotechnical and hydrogeological conditions. This resulted in revisions to the Phase 1 building design, involving removal of the strata condition from the proposed public park and relocation of the underground parking to an above grade location within the Phase 1 building podium. In order to accommodate these revisions and maintain the 362 approved residential units, an increase to the building height and alterations to the building setbacks are required.

The statutory Public Meeting held by the Development Services Committee (the “DSC”) on March 3, 2020, together with the two Community Information Meetings (the “CIM”) held on March 12, 2020, and April 30, 2020, provided public input on the Applications. This report identifies how the matters raised throughout the application review process have been resolved or considered.

Staff recommend that Council approve the Applications and that the draft Official Plan Amendment (attached as Appendix ‘A’) and the draft Zoning By-law Amendment (attached as Appendix ‘B’) be finalized and brought forward to a future Council meeting

Report to: Development Services Committee

Report Date: May 11, 2020

Page 3

for adoption and enactment without further notice. Further, Staff recommend that the application for Site Plan Approval be endorsed, in principle, subject to the conditions attached in Appendix 'C', and that site plan approval be delegated to the Director of Planning and Urban Design or his designate.

PURPOSE:

This report recommends approval of the Applications submitted by the Owner to facilitate a high-density, residential mixed-use development on the northwest corner of Main Street Unionville and Enterprise Boulevard (28 Main Street) in Markham Centre, as shown on Figure 1 (the "Subject Lands").

PROCESS TO DATE:

The following summarizes the process to date and next steps involved:

<u>January 16, 2020:</u>	Staff deemed the applications for Official Plan Amendment and Zoning By-law Amendment complete
<u>February 24, 2020:</u>	the DSC received the Preliminary Report
<u>March 3, 2020:</u>	the City held the statutory Public Meeting
<u>March 12, 2020:</u>	the Local Ward Councillor held the first CIM
<u>April 30, 2020:</u>	the Local Councillor intends to hold the second CIM (at the time of writing this report this meeting had yet to take place)

If Committee chooses to support the Applications, the planning process will include the following next steps:

- site-specific Official Plan Amendment adoption
- site-specific Zoning By-law Amendment enactment
- approval of the Site Plan Application (File No. SC 15 119946)

Application Processing

It should be noted that the Applications are moving forward during a period when the Province of Ontario has suspended *Planning Act* timelines for the review of an application and any appeal to the Local Planning Appeal Tribunal. Municipalities have the discretion to continue the processing of applications, so long as the procedural requirements of the *Planning Act* can be met (e.g. sending of notices, public meetings, etc.). Where a decision is made on an application, the City must send out notice of the decision at any point up to fifteen (15) days after the termination of the emergency; however, anyone eligible to file an appeal under the *Planning Act* may do so prior to the City issuing a notice of decision. The City has held a public meeting in accordance with the *Planning Act*, and the Applications have been circulated to commenting departments and agencies, and the City has received comments as outlined in this report. Further, Staff will continue to work with the Owner on any outstanding issues identified.

BACKGROUND:

The 2.06 ha (5.08 ac) Subject Lands are located on the northwest corner of Main Street Unionville and Enterprise Boulevard (28 Main Street) in Markham Centre, as shown on Figure 1. Bill Crothers Drive bisects the Subject Lands creating two distinct land parcels;

each represents a phase of development, being the west parcel (“Phase 1 lands”) and east parcel (“Phase 2 lands”). The Subject Lands are vacant with a 0.63 ha (1.55 ac) woodlot occupying the western portion of the Phase 1 lands. Figure 3 identifies the surrounding land uses.

Approval History

The Owner obtained previous permissions to construct a high density, residential mixed-use development on the Subject Lands through OPA 219 and By-law 2018-134.

Previous Proposal

The previous permissions (the “Approved Development Concept”) allowed the development of the Subject Lands with the following, as shown in Figure 4:

- 673 apartment dwelling units contained in two buildings (362 units on the Phase 1 lands and 311 units on the Phase 2 lands)
- building heights of 33-storeys (Phase 1 lands) and 29-storeys (Phase 2 lands)
- up to 1,700 m² (18,300 ft²) of non-residential/retail uses for both buildings
- 428 parking spaces accommodated in three levels of underground parking (Phase 1 lands) and 399 parking spaces accommodated in four levels of underground parking (Phase 2 lands)
- the conveyance of two park blocks (the west park block being stratified with three level of underground parking) and the woodlot to the City

Revised Proposal

The Applications subject to this report address the Phase 1 lands only. The Owner will similarly submit further development applications for the Phase 2 lands in the future. The Owner proposes to develop the Phase 1 lands as follows (the “Proposed Development”), as shown in Figure 5:

- 362 apartment dwelling units (consistent with the Approved Development Concept)
- building height of 47-storeys (including roof top mechanical penthouse)
- gross floor area (“GFA”) consisting of 54,257 m² (584,036 ft²) residential uses and 569 m² (6,129 ft²) grade-related retail space
- 432 parking spaces accommodated in a nine-storey above grade parking structure incorporated into the building podium with four at grade parking spaces
- one underground level that would accommodate mechanical and building operations and a resident bicycle parking area
- the conveyance of a new 0.35 ha (0.86 ac) public park (unencumbered, with no parking underneath) and a 0.63 ha (1.55 ac) woodlot to the City

Through the technical review of the Approved Development Concept, the Owner’s engineers and contractors identified the potential for unacceptable impacts on the building foundations of the adjacent land uses due to the site limitations and the geotechnical and hydrogeological conditions of the Subject Lands. This resulted in

revisions to the Phase 1 building design, which primarily involved the removal of the strata condition from the proposed public park and the relocation of the parking supply above grade and within the building podium. To accommodate the revisions and maintain the density at the previously approved 362 residential units, the Owner proposes an increase to the Phase 1 building height from 33-storeys to 47-storeys and alterations to the building setbacks.

Public Engagement

The statutory Public Meeting held by the DSC on March 3, 2020, together with a CIM held on March 12, 2020, and a second CIM to be held on April 30, 2020 (at the time of writing this report this meeting had yet to take place), have facilitated public input on the Applications. The following summarizes the main concerns raised by members of the DSC and the Public under the following themes, which are addressed in the Discussion section of this report:

- a) Height, Density and Angular Plane Analysis
- b) Consideration in advance of the Markham Centre Secondary Plan Update (the “MCSP Update”)
- c) The possibility of a height and density transfer from the Phase 1 lands to the Phase 2 lands, and the option to revert to a previous three building concept on the Subject Lands
- d) Request for further geotechnical analysis as it relates to the feasibility of using a diaphragm wall or other methodologies to construct a multi-level underground parking structure on the Phase 2 lands
- e) The feasibility of accommodating underground or overhead connections (or a combination of the two) to the YMCA, Markham Pan Am Centre, Unionville GO Station, and future York University lands
- f) Shadow Study
- g) Wind Study

DISCUSSION:

The following section highlights the land use policies and planning considerations in response to the Official Plan and Zoning By-law Amendment applications, the response to the public engagement, and the detailed review of the Site Plan Approval application.

Land Use Policies and Planning Considerations

Staff have reviewed the Applications on the Phase 1 lands, in light of the following land use policies:

The Provincial Policy Statement, 2014 (the “PPS”)

The PPS provides policy direction on matters of Provincial interest related to land use planning and development, and promotes growth in settlement areas away from significant or sensitive resources. Growth is to be managed through efficient

development patterns that optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel.

The Proposed Development facilitates a compact urban form through the intensification of lands located within the established Settlement Area of the City of Markham where full municipal services presently exist. It contributes towards the economic prosperity of Markham Centre, the City's emerging downtown, and offers a range of residential unit types that would accommodate additional population, including families, to support the existing and planned surrounding commercial and cultural uses. The Proposed Development will take advantage of public investments in higher-order transit and support alternate modes of transportation, such as transit, cycling and walking while using existing infrastructure more efficiently and minimizing land consumption. Staff are satisfied that the Proposed Development conforms to the PPS.

Provincial Growth Plan for the Greater Golden Horseshoe, 2019 (the "Growth Plan")

The Growth Plan outlines Provincial policies for managing and directing where and how growth should occur within the Greater Golden Horseshoe to the year 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wise use of natural resources and optimizing the use of existing and new infrastructure to support growth in a compact, efficient form.

The Growth Plan directs growth to settlement areas and prioritizes intensification. The Subject Lands are located in Markham Centre, which is one of the 25 identified "Urban Growth Centres" in the Greater Golden Horseshoe. Urban Growth Centres are recognized as regional focal points for accommodating population and employment growth. The Growth Plan also provides a definition of a Major Transit Station Area ("MTSA"), as being the area within an approximate 500 to 800 m radius of a transit station. The Subject Lands are located within 450 m of the Unionville GO Station and are in proximity to numerous existing YRT and VIVA bus routes.

Staff are of the opinion that the Proposed Development conforms to the Growth Plan, as it is located in an Urban Growth Centre and MTSA, seeks to intensify underutilized lands with a mix of uses at transit supportive densities, and aids in the creation of a complete community with non-residential opportunities and amenities for residents, including a new public park.

York Regional Official Plan, 2010 (the "Regional Plan")

The Regional Plan designates the Subject Lands "Urban Area" and within a "Regional Centre" (Markham Centre), and identifies Enterprise Boulevard, abutting the Subject Lands, as a "Regional Corridor". The urban structure of the Region is to intensify into a new generation of sustainable and quality compact areas, with a focus on the Region's Centres and Corridors. These areas will provide a diverse and compatible mix of land

uses, including residential and employment uses, to support vibrant neighbourhoods. Staff are satisfied the Proposed Development conforms to the Regional Official Plan.

Markham Official Plan, 2014 (the “City’s Official Plan”)

The Subject Lands are designated “Mixed Use High Rise” and “Greenway” in the City’s Official Plan (as partially approved on November 24, 2017, and further updated on April 9, 2018). Lands designated “Mixed-Use High Rise” are priority locations where development with the greatest level of intensification is intended to take place. The “Greenway” designation applies to the woodlot portion of the Subject Lands.

The policies of the City’s Official Plan identify that until an updated secondary plan is approved for the Regional Centre-Markham Centre lands, the provisions of the 1987 Town of Markham Official Plan, as amended, and the 1997 Markham Centre Secondary Plan (“OPA 21”), as amended, shall apply to the Subject Lands.

Markham Centre Secondary Plan (“OPA 21”)

The Subject Lands are designated “Community Amenity Area - Major Urban Place”, “Open Space” and “Open Space – Environmentally Significant”, by way of site-specific OPA 219, which amended the OPA 21. OPA 219, which was approved by the Local Planning Appeal Tribunal (the “LPAT”) in its decision issued on February 5, 2019, includes site-specific permissions for the Subject Lands based on the Approved Development Concept and indicated that a Precinct Plan is not required. The approval also included a special provision to permit a stratified park for the Phase 1 lands.

The draft Official Plan Amendment, as shown in Appendix ‘A’, proposes to increase the maximum permitted building height from 33-storeys to 47-storeys and deletes the permission for below grade parking beneath a portion of the Phase 1 lands designated “Open Space”. The Owner’s Proposed Development maintains the density at the previously approved 362 residential units.

Zoning

The Subject Lands are zoned “Markham Centre Downtown Two *28 *(Hold)” [MC-D2*28(H)], “Markham Centre Public Space One *29” (MC-PS1*29), “Markham Centre Public Space One” (MC-PS1) and “Markham Centre Public Space Two (MC-PS2)”, by By-law 2018-134, which amends By-law 2004-196, as shown in Figure 2. The Owner’s Zoning By-law Amendment application seeks to amend By-law 2018-134 to reflect the Proposed Development.

The draft Zoning By-law Amendment, as shown in Appendix ‘B’, rezones a portion of the Subject Lands from “Markham Centre Public Space One *29” (MC-PS1 *29) to “Markham Centre Public Space One” (MC-PS1), amends certain site-specific development standards, including the maximum building height and setbacks, deletes subsection 6.29 (*29), which allowed for parking beneath the west park block, and amends the definition of “storey” for the purposes of applying building standards, but does not change the overall permitted height of the proposed building.

Response to Public Engagement

The following section identifies how the matters raised throughout the application review process, specifically those raised at the statutory Public Meeting and the March 12, 2020, CIM, have been resolved or considered.

a) Height, Density and Angular Plane Analysis

At the March 3, 2020, statutory Public Meeting, and the March 14, 2020, CIM, the Public and members of the DSC expressed concerns relating to the proposed building height increase, compatibility with the Main Street Unionville area, and potential impacts from the density to the surrounding community.

A total of 673 residential units (362 on the Phase 1 lands) and 1,700 m² (18,300 ft²) of grade-related retail space have already been determined as an appropriate development density on the Subject Lands through the adoption and enactment of OPA 219 and By-law 2018-134. The Owner maintains the previously approved residential density and the provision of grade-related retail space, and proposes revisions to the proposed Phase 1 building form in response to soil and groundwater conditions.

The Subject Lands are located within Markham Centre, a provincially identified Urban Growth Centre and Regional Centre, where the highest intensity of development has been directed to occur. Markham Centre is also identified as “Mobility Hub - Anchor Hub” by Metrolinx within the Regional Transportation Plan for the Greater Toronto Area. It is intended that lands within mobility hubs be developed at higher densities and with a greater variety of uses to support the planned function of the mobility hub by taking advantage of the increased transit opportunities provided by the station facilities. The Subject Lands are an appropriate location for the Proposed Development.

In response to the concerns regarding the proposed building height, Urban Design Staff prepared a Context Plan, as shown in Appendix ‘D’, and Angular Plane Study, as shown in Appendix ‘E’. The Context Plan identifies the separation distance from the closest residential dwelling (56 Main Street Unionville) to the Subject Lands, at approximately 310 m from the Phase 1 lands and approximately 240 m from the Phase 2 lands.

The Context Plan further demonstrates the preservation of key sightlines from Bill Crothers Secondary School and the seniors’ residence to the north with the strategic placement of the buildings and proposed park blocks. The Angular Plane Study demonstrates that the Proposed Development satisfactorily meets the 45-degree angular plane test and provides adequate separation distance and transition with minimal impact to the existing low-rise residential community to the north.

b) Consideration in advance of the MCSP Update

The Public raised the matter respecting consideration of the Applications in advance of the finalization of the MCSP Update. In Q4-2019, the City commenced the Secondary Plan Study Update to OPA 21. The Owner previously received approvals for a 33-storey building consisting of 362 residential units. For the reasons already noted, the Owner now requests a 47-storey building while maintaining the 362 units in Phase 1, which were already approved through OPA 219, which amended OPA 21, and the implementing Zoning By-law 2018-134.

The previous approvals, being the Approved Development Concept as illustrated in Figure 4, predate the work currently being undertaken on the MCSP Update, which began in October 2019, and will be incorporated into the Existing Conditions analysis. The Existing Conditions analysis will examine the existing and approved building heights, densities, and related site-specific policies in Markham Centre. Staff opine that consideration of the Proposed Development, as illustrated in Figure 5, in advance of the MCSP Update finalization is appropriate on the basis that the Owner proposes to maintain the previously approved residential density. Through the work with Staff on the Angular Plane Study and the preservation of key sightlines in the Context Plan, the Owner has satisfactorily demonstrated that the proposed building height increase would have minimal impact on the surrounding area. Should Council approve the Proposed Development, the development concept for the MCSP Update would factor in the additional building height. Staff anticipate the completion of the recommended development concept of the MCSP Update in 2021.

c) The possibility of a height and density transfer from the Phase 1 lands to the Phase 2 lands, and the option to revert to a previous three building concept on the Subject Lands

At the statutory Public Meeting, members of the DSC requested Staff to look into the possibility of transferring a portion of the proposed Phase 1 building height and density to the Phase 2 lands, and the feasibility of eliminating the proposed public park on the Phase 2 lands to accommodate a third building to absorb additional density.

At the March 12, 2020, CIM, the Owner clarified the inaccurate information given at the statutory Public Meeting regarding the units sold. The Owner clarified that 89% of the Phase 1 units (323/362 units) are sold and 87% of the Phase 2 units (270/311 units) are sold. The Owner further explained that financing of Phases 1 and 2 are administered through separate financial institutions and that the lenders would likely withdraw should any of the Phase 1 units be transferred to the Phase 2 lands.

When asked of the possibility to revert to a three building scheme with a stratified park arrangement, the Owner was not supportive. The Owner explained their

desire to maintain the park block on the Phase 2 lands, which represents an appropriate and prominent location as an integral part of the negotiations with the landowner to the north (the Main Street Residence (Unionville) Inc.). Staff also note that with the introduction of the Provincial Community Benefit Charge (“CBC”), the ability for the City to secure future parkland in Markham Centre may be limited and therefore preservation of existing/available parkland should be the priority. The Owner advised that the challenge in this area is not the stratification of parkland to accommodate parking, but rather that the minimum required 1.8 m soil depth to ensure proper tree growth and a regularized grade on the park, which would continue to affect the high water table and existing soil conditions that remains the catalyst for the proposed building height increase. For these reasons, Staff do not support a third building at the expense of the proposed park block on the Phase 2 lands.

Staff and the Owner have worked diligently to propose an innovative and well-articulated built form that responds to existing soil conditions, in a location intended for intensification. The Proposed Development is not the first building in Markham Centre to have parking above grade embedded in the building podium. Other examples of developments in Markham Centre that incorporated above grade podium parking in response to the high water table include, but are not limited to, the following:

- i) The Signature Condos complex by Marriot Hotel and Remington located at the northeast corner of Birchmount Road and Enterprise Boulevard
- ii) York Condos by Remington located at the northeast corner of Enterprise Boulevard and Warden Avenue
- iii) Fontana Condominiums by H & W Corporation located at the northeast corner of South Town Centre Boulevard and Cedarland Drive.

In this regard, Staff are of the opinion that the Proposed Development will not set an undesirable precedent in Markham Centre.

- d) Request for further geotechnical analysis as it relates to the feasibility of using diaphragm wall or other methodologies to construct a multi-level underground parking structure

At the March 3, 2020, statutory Public Meeting, and the March 14, 2020, CIM, the Public and members of the DSC requested additional geotechnical analysis be undertaken for the Phase 2 lands to determine whether the planned building height could be reduced by accommodating some or all of the required parking below grade. In response to this request, the Owner’s Engineering Consultant (Grounded Engineering) provided a Diaphragm Wall Feasibility Review on April 1, 2020, to demonstrate the feasibility of using a diaphragm wall, or other methodologies, to construct a multi-level below grade parking structure for the Phase 2 lands. The review concluded that while diaphragm wall systems are technically well suited to handle the complex subsurface conditions on the Phase

2 lands, they do not meet the Owner's cost, schedule, or risk profiles for the proposal.

Based on the boreholes advanced to date across both phases of the development, the upper silty clay layer thickness is not thick enough to accommodate a second level of underground parking on the Phase 1 lands. Notwithstanding this, Grounded Engineering advises that it may be possible to construct a 2-level below grade parking structure on the Phase 2 lands given the increased thickness of the weak salty clay layer based on observations from the preliminary boreholes, but this requires verification once a detailed Geotechnical Investigation of the Phase 2 lands is completed. The Owner commits to verify this preliminary option through a detail Geotechnical Investigation on the Phase 2 lands as part of the future development planning applications.

Staff commit to continue working with the Owner to determine possible design changes on the Phase 2 lands including, the possibility of accommodating additional underground parking levels.

e) Feasibility of accommodating underground or overhead connections (or a combination of the two) to adjacent existing and proposed facilities

At the March 3, 2020, statutory Public Meeting, members of the DSC requested that there be underground or overhead connections (or a combination of the two) from the Proposed Development to the YMCA, Markham Pan Am Centre, Unionville GO Station, and future York University lands. Staff, the Owner, and the Owner's consulting team have looked into the feasibility of implementing these proposed connections and opine that this is unsupportable for the following reasons:

i) Engineering

The Owner's Engineering Consultant advised that underground connections are unfeasible based on the shallow location of services within the Bill Crothers Drive and Enterprise Boulevard right-of-ways. Relocating these services could be cost prohibitive and technically challenging due to the high water table and soil conditions in the area.

ii) Transportation

Currently there are no plans or details with respect to how an overhead connection would be designed and constructed. Accommodating an above grade overpass would require a sightline analysis to ensure there are no sightline obstructions. This would depend on the design and location in relation to the characteristics of Enterprise Boulevard, such as road profile and location of traffic signal heads.

iii) Planning

Two of the key planning considerations when examining this request are Crime Prevention Through Environmental Design (“CPTED”) and Complete Streets. CPTED is based on the principle that proper design and effective use of buildings and public spaces in neighborhoods provide for natural surveillance and can lead to a reduction in the fear and incidence of crime, and an improvement in the quality of life for citizens. In Staff’s opinion, an underground tunnel system, in particular, would fail the design principles of CPTED.

Moreover, taking pedestrians away from the streets and into potentially isolating tunnels could result in less active and complete streets and potentially affect the success of grade-related retail in the area. Further considerations including, but not limited to funding, maintenance, easement requirements, and liability would require close examination. It should also be noted that the Subject Lands are already well connected through the existing sidewalk system to the YMCA, Markham Pan Am Centre, Unionville GO Station, and future York University lands.

Given the reasons cited above, particularly the costs involved, the Owner is not prepared to consider underground or overhead connections to adjacent existing and proposed facilities.

f) Shadow Study

At the March 3, 2020, statutory Public Meeting, members of the DSC requested that the Shadow Study form part of the Recommendation Report for their review (refer to Appendix ‘F’). Intervals of 1-hour increments from 9:18 am to 6:18 pm on March 21, June 21 and September 21 provide the basis for this study. The most notable difference between the shadow studies undertaken for the Approved Development Concept and the Proposed Development are the length of shadow cast by the tower portion. Notwithstanding this, as the tower portion of the Proposed Development consists of a minimal floor plate size, the resulting shadows remain narrow and move quickly. As a result, shadows do not dwell over any particular area of an adjacent property for an extended period. The extent of the shadows cast by the podium portion of the building remain generally consistent with the previous Approved Development Concept. Staff concur with the results of the Owner’s Shadow Study.

g) Wind Study

At the March 3, 2020, statutory Public Meeting, a member of the Public questioned the potential wind impacts that the Proposed Development might have. The Owner undertook a Wind Study Analysis for the Proposed Development, which concludes that wind conditions over most pedestrian sensitive grade-level locations within and surrounding the study site will be acceptable for the intended uses. Where required, mitigation measures, in the form of vertical wind barriers

and canopies/pergolas, are recommended and have been incorporated in the proposed architectural and landscape designs.

Site Plan Approval Application

The following section discusses site plan matters identified and examined through the application review process.

a) Site Plan

The Proposed Development responds to an urban environment by providing a strong built form that frames the intersection of Enterprise Boulevard and Bill Crothers Drive. The Owner proposes 569 m² (6,129 ft²) of grade-related retail space along Enterprise Boulevard, to be retained and marketed by the Owner, which would contribute to the activation of the public realm and provide residents with local amenities. The proposed public park and woodlot conveyance to the west of the Phase 1 lands expands the provision of community amenities in a highly visible and accessible location, provides enhanced opportunities for connectivity between Bill Crothers Secondary School and Enterprise Boulevard, and facilitates woodlot preservation and restoration (see Figure 5).

The provision for vehicular access to the Phase 1 lands continues via a driveway off Bill Crothers Drive that provides left-in/right-in/right-out movements (left out movements will be prohibited). A future connection to the lands to the north is also proposed. The pick-up, drop-off, loading area, and ramp to the above grade podium parking are located off the driveway on the north side of the building, away from the Enterprise Boulevard and Bill Crothers Drive streetscapes, and have been integrated into the building massing and screened from public view (see Figure 6). The Owner proposes 432 parking spaces accommodated in a well-integrated nine-storey above grade podium with four at grade parking spaces. The proposed parking supply meets the parking rate previously approved through By-law 2018-134.

b) Building Elevations

The design of the tower element minimizes shadowing impacts and provides appropriate separation distances on the adjacent properties. The Proposed Development seamlessly integrates a nine-storey podium that incorporates step-backs and massing articulation at different levels that further articulate the building massing for a varying and interesting built form. Variations in architectural expression with strong corner elements and complimentary material and colour palette add to the visual interest and enables the podium parking to appear as residential units. The proposed façade materials include vision and spandrel glass, porcelain panel with gray undertone, and white and graphite gray metal panel (see Figures 7 and 8). Staff may require minor changes to the building façade and materiality, which the Owner will address prior to the issuance of site plan endorsement.

c) Landscape and Amenity Space

The landscape plan proposes a combination of hardscape and soft landscape, bicycle parking spaces, and opportunity for outdoor café space. Residential dwelling units have access to exclusive outdoor amenity areas in the form of private balconies, patios and terraces. Common indoor and outdoor amenity space are provided at level 10 and on the podium rooftop. Revisions to the landscape plan and streetscape plans, based on the requirements of the City of Markham Streetscape Manual, Markham Centre Streetscape Guidelines, and Staff comments, may be required and addressed prior to the issuance of site plan endorsement.

d) Bird Friendly Measures and Dark Sky Compliance

Bird friendly treatment is required in accordance with the City's Bird Friendly Guidelines (2014). The primary treatment is comprised of integral/applied coverings (dots). The treatment will consist of a minimum of 85% coverage on continuous glass with an area greater than 2 m² within a height of 16 m from finished grade. Lighting is mitigated by eliminating up-lighting, will be limited to areas where lighting is needed for safety and security, and is designed to avoid creating "pools" of light and eliminate light spillage on adjacent properties.

The Owner must submit a Photometric Lighting Plan for review, with confirmation that the Proposed Development has been designed in accordance with the City's Bird Friendly and Dark Sky Compliance guidelines, as a condition of the site plan agreement (Appendix 'C').

e) Markham District Energy

The Owner proposes to connect the Proposed Development to Markham District Energy, making efficient use of infrastructure while leveraging the investments made by the municipality in creating this energy system.

f) Leadership in Energy and Environmental Design ("LEED") and Sustainability Measures

The Owner will be seeking LEED Silver certification in accordance with the City's policy for high-density residential development. This LEED Silver certification requirement has been captured as a condition of site plan approval (Appendix 'C'). The Owner proposes additional sustainable measures to be incorporated in to the Proposed Development (Appendix 'G') including, but are not limited, to the following:

- i) provisions for bicycle storage rooms for the residents, residential and retail visitors, and retail staff

-
- ii) Electric Vehicle (EV) charging stations will be available for residents and visitors
 - iii) terraces and roof landscape areas will be designed to reduce heat island effects and the roof will be treated with high albedo materials
 - iv) water efficiency measures, such as water use reduction measures, water efficient landscaping and water sub-metering, will be implemented
 - v) a construction indoor air quality management plan will be implemented including low emitting materials for adhesives and sealants, paints and coatings, and flooring.

The Owner will be required to implement the sustainable measure (Appendix 'G') as a condition of the site plan agreement (Appendix 'C').

g) Additional Building Amenities

The Owner proposes a variety of communal amenities for the Phase 1 building residents including, but not limited to, the following:

- i) multiple meeting rooms
- ii) library/tech lounge
- iii) gym and yoga/meditation studio
- iv) guest suites
- v) game lounge and theatre

h) Landowners Group

A clearance letter from the Trustee of the Markham Centre Landowners Group is required to confirm that the Owner has met their cost sharing obligations. A condition of site plan approval has been included to this effect (Appendix 'C').

CONCLUSION:

Based on the discussion above Staff recommend the following:

- a) That the Official Plan Amendment application be approved and that the draft Official Plan Amendment attached as Appendix 'A' be finalized and brought forward to a future Council meeting to be adopted without further notice
- b) That the Zoning By-law Amendment application be approved and that the draft Zoning By-law Amendment attached as Appendix 'B' be finalized and brought forward to a future Council meeting to be enacted without further notice
- c) That the application for Site Plan Approval be endorsed in principle subject to the site plan conditions attached in Appendix 'C'
- d) That final approval of the site plan be delegated to the Director of Planning and Urban Design following execution of a Site Plan Agreement between the City and the Owner

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Proposed Development aligns with the strategic priority to manage growth in an effective and efficient manner.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Applications were circulated to internal City department and external agencies. Requirements of the City and external agencies have been reflected in the implementing Official Plan Amendment and Zoning By-law Amendment, and in the conditions of Site Plan Approval (see Appendices 'A', 'B' and 'C').

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P.
Director of Planning & Urban Design

Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

Figure 1: Location Map
Figure 2: Area Context/Zoning
Figure 3: Air Photo
Figure 4: Approved Development Concept
Figure 5: Proposed Development (Phase 1)
Figure 6: Site Plan (Phase 1)
Figure 7: Elevations (Phase 1)
Figure 8: Conceptual Rendering (Phase 1)

APPENDICES:

Appendix 'A': Draft Official Plan Amendment
Appendix 'B': Draft Zoning By-law Amendment
Appendix 'C': Conditions of Site Plan Approval
Appendix 'D': Context Plan
Appendix 'E': Angular Plane Study
Appendix 'F': Shadow Study
Appendix 'G': Sustainable Features Letter

AGENT:

Adam Layton
Evans Planning Inc.
8481 Keele St., Unit 12
Vaughan, ON
L4K 1Z7

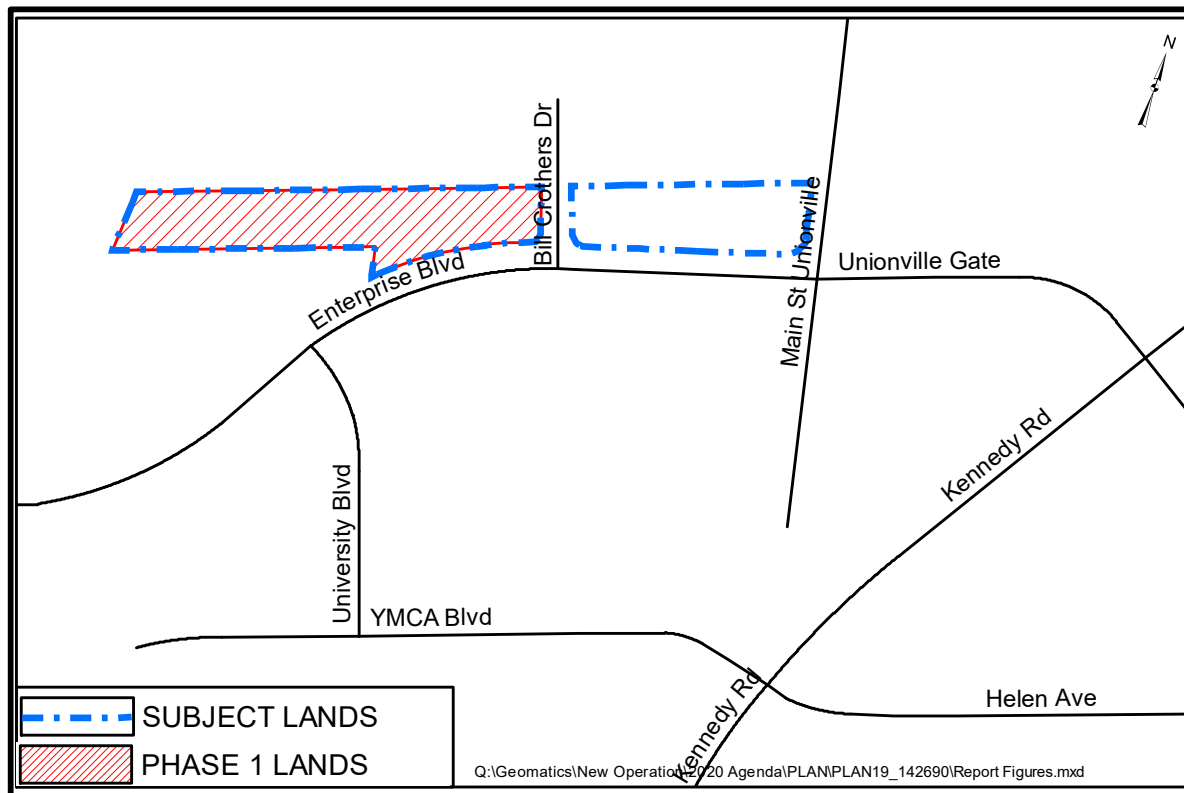
Report to: Development Services Committee

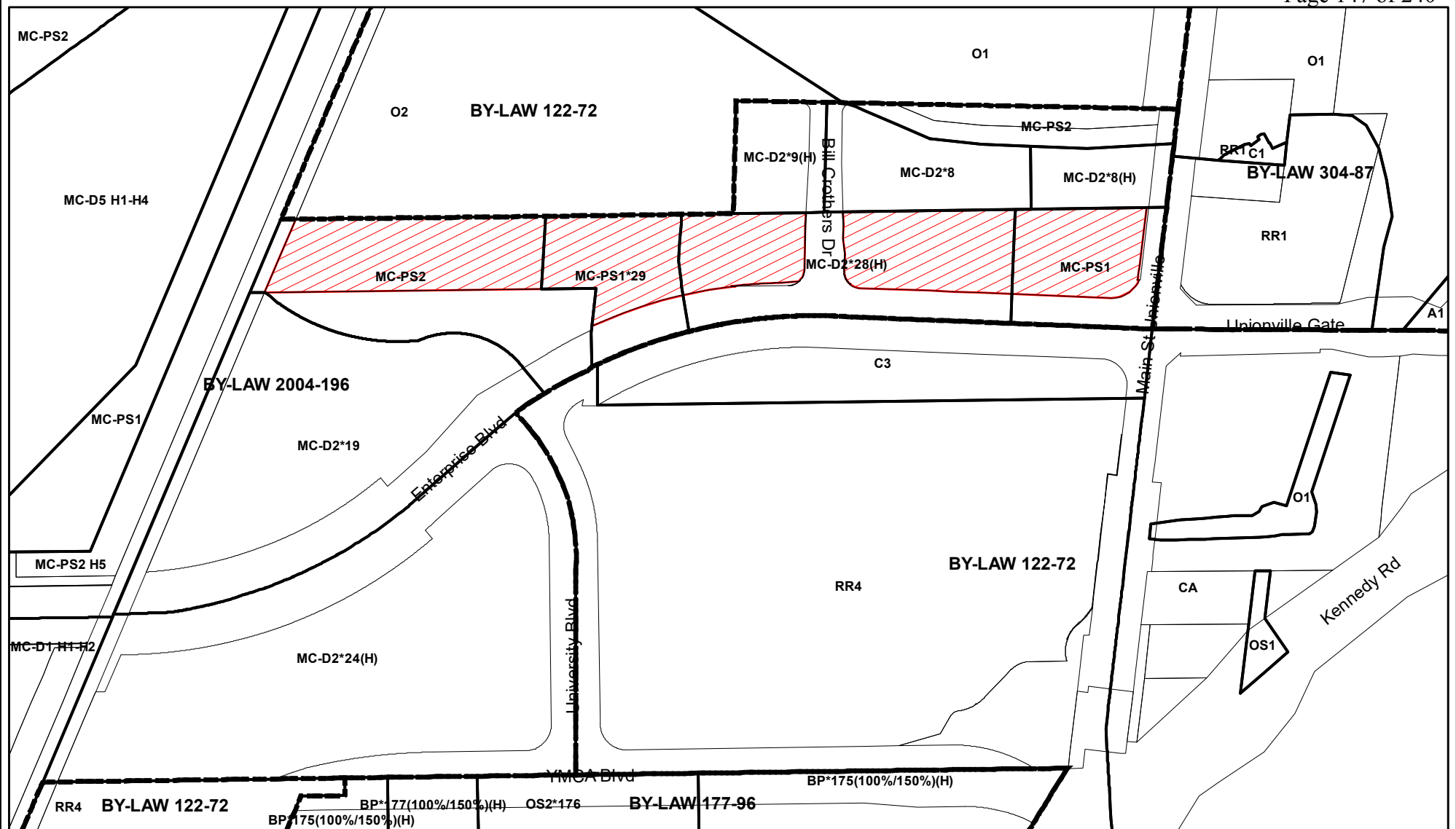
Report Date: May 11, 2020

Page 17

Tel: (905) 669-6992 ext. 102

Email: alayton@evansplanning.com





AREA CONTEXT / ZONING

APPLICANT: OnePiece Ideal (MS) Developments Inc.

FILE No. PLAN 19 142690 & SC 15 119946

 SUBJECT LANDS

Q:\Geomatics\New Operation\2020 Agenda\PLAN\PLAN19_142690\Report Figures.mxd



DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: SB

DATE: 20/04/2020

FIGURE No. 2



AERIAL PHOTO (2019)

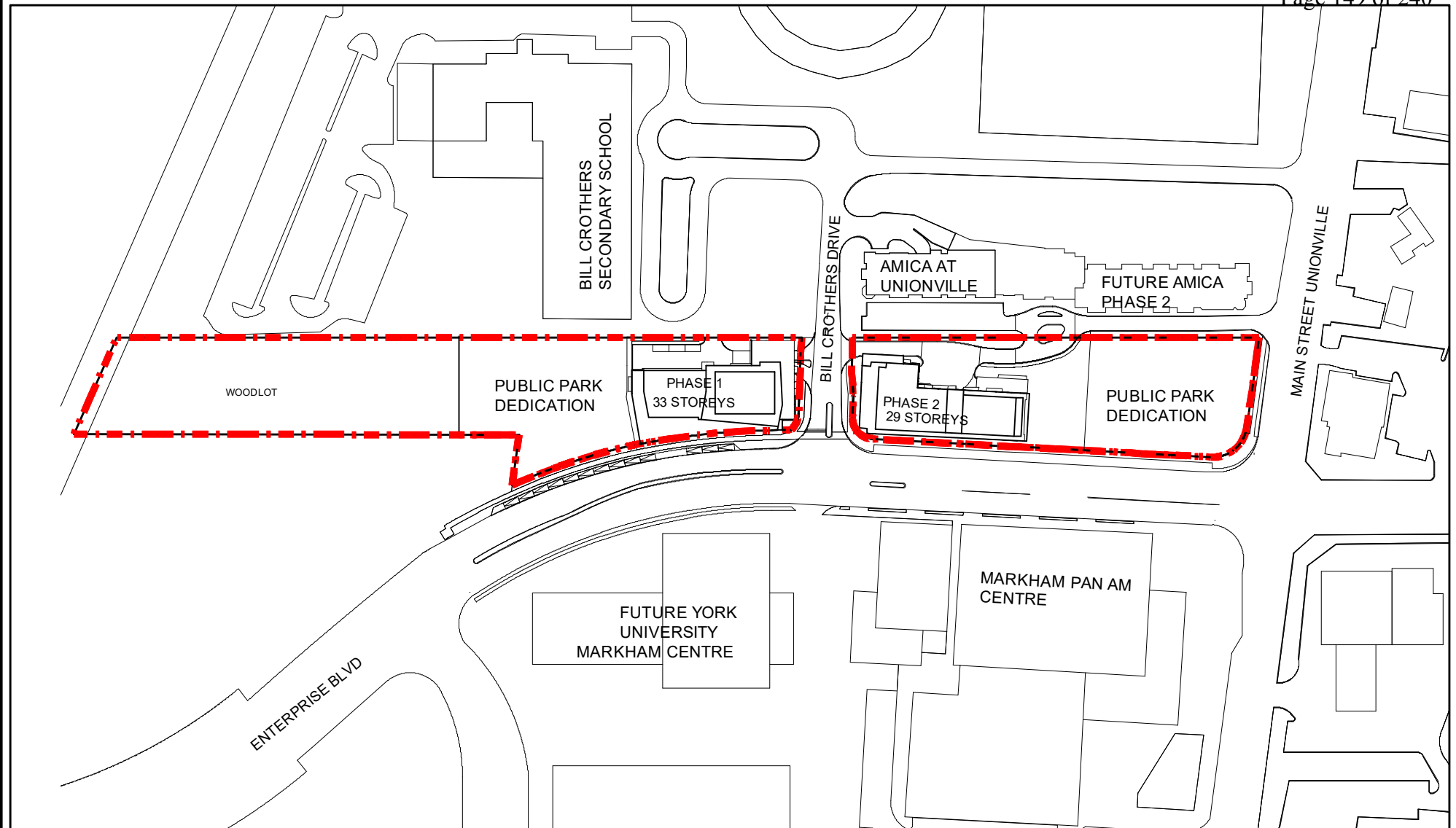
APPLICANT: OnePiece Ideal (MS) Developments Inc.

FILE No. PLAN 19 142690 & SC 15 119946

 SUBJECT LANDS

Q:\Geomatics\New Operation\2020 Agenda\PLAN\PLAN19_142690\Report Figures.mxd

DATE: 20/04/2020



APPROVED DEVELOPMENT CONCEPT

APPLICANT: OnePiece Ideal (MS) Developments Inc.

FILE No. PLAN 19 142690 & SC 15 119946

 SUBJECT LANDS

Q:\Geomatics\New Operation\2020 Agenda\PLAN\PLAN19_142690\Report Figures.mxd

DATE: 20/04/2020

 DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: SB

FIGURE No. 4

WOODLOT
DEDICATION

PUBLIC PARK
DEDICATION

PODIUM
9 STOREY

WEST TOWER
PROPOSED 47 STOREY
RESIDENTIAL TOWER

BILL CROTHERS DRIVE

ENTERPRISE BOULEVARD

PROPOSED DEVELOPMENT (PHASE 1)

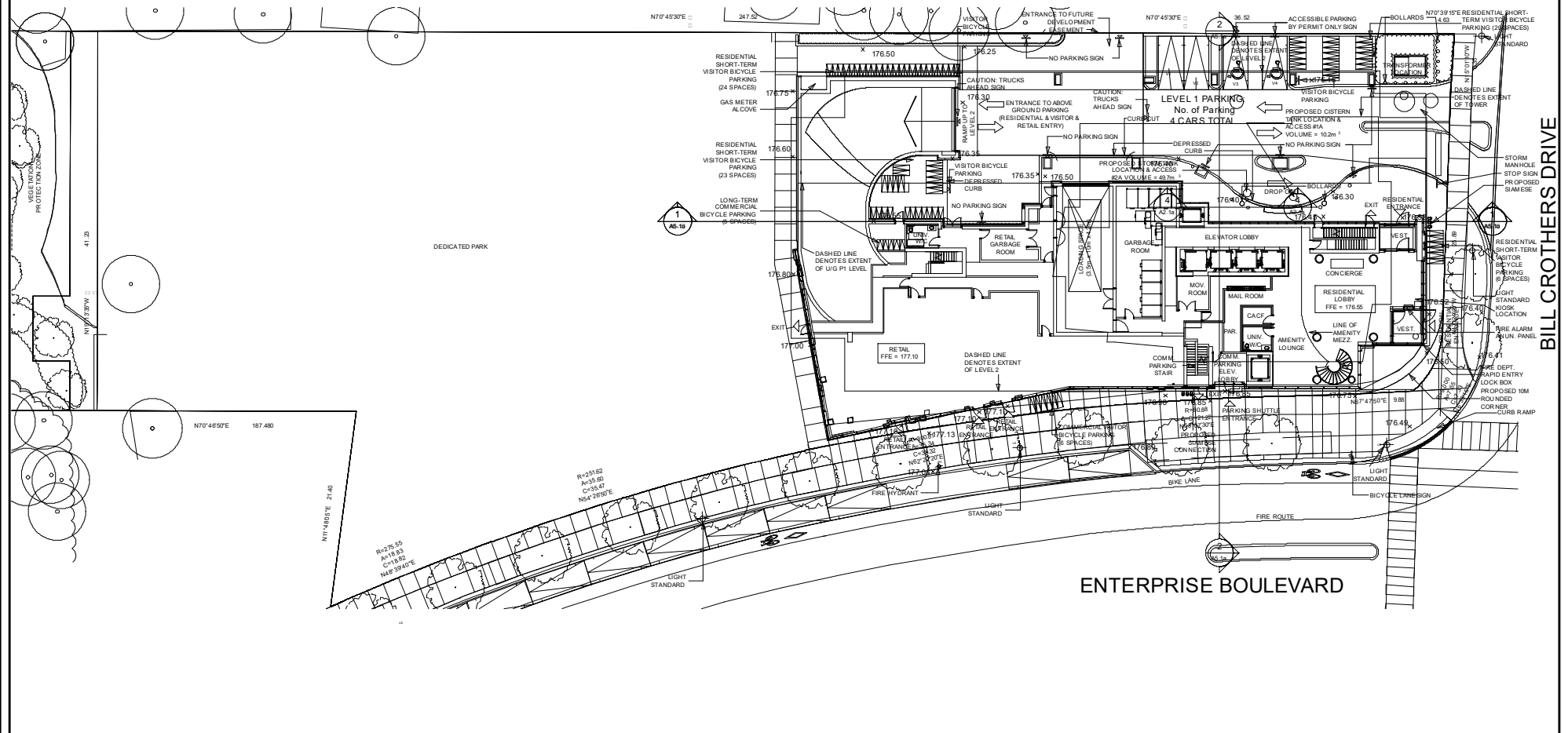
APPLICANT: OnePiece Ideal (MS) Developments Inc.

FILE No. PLAN 19 142690 & SC 15 119946

 SUBJECT LANDS

Q:\Geomatics\New Operation\2020 Agenda\PLAN\PLAN19_142690\Report Figures.mxd

DATE: 20/04/2020

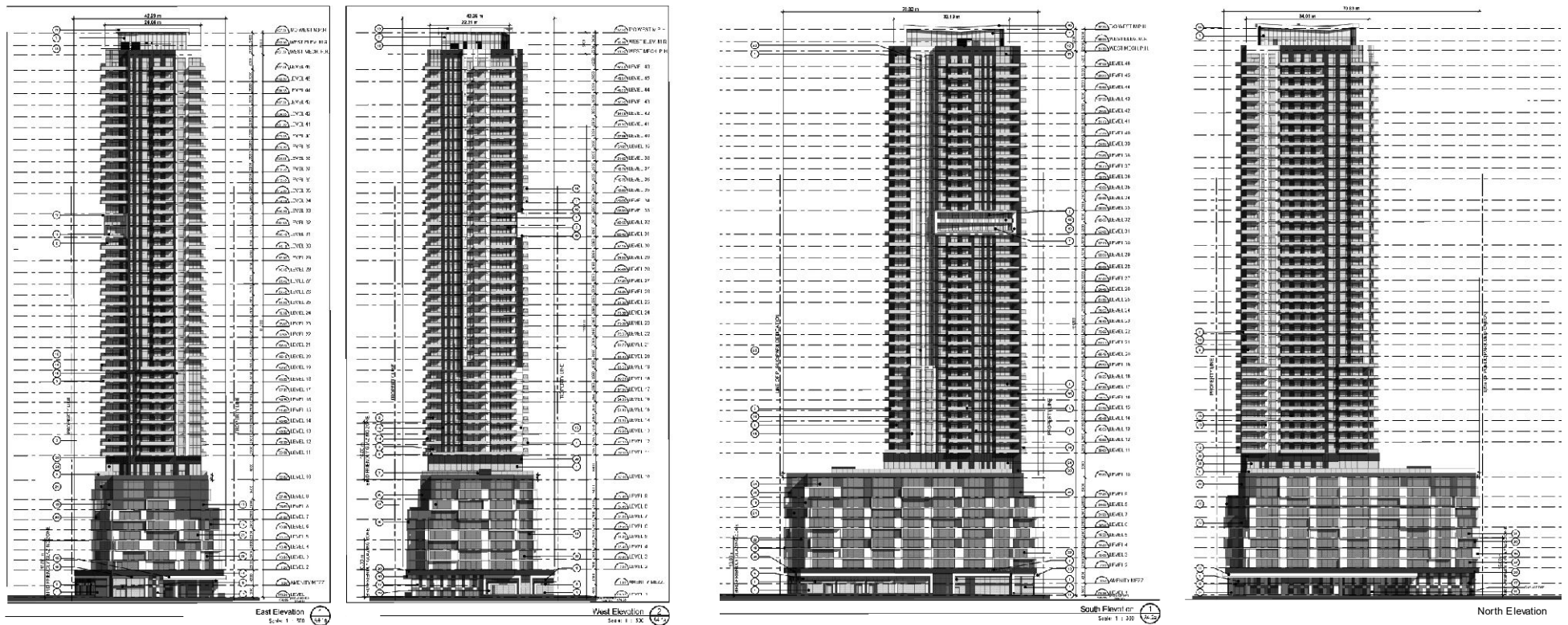


SITE PLAN (PHASE 1)

APPLICANT: OnePiece Ideal (MS) Developments Inc.

FILE No. PLAN 19 142690 & SC 15 119946

Q:\Geomatics\New Operation\2020 Agenda\PLAN\PLAN19_142690\Report Figures.mxd



ELEVATIONS (PHASE 1)

APPLICANT: OnePiece Ideal (MS) Developments Inc.

FILE No. PLAN 19 142690 & SC 15 119946

Q:\Geomatics\New Operation\2020 Agenda\PLAN\PLAN19_142690\Report Figures.mxd



Phase 1 West - Street Perspective - Looking from Southwest



CONCEPTUAL RENDERING (PHASE 1)

APPLICANT: OnePiece Ideal (MS) Developments Inc.

FILE No. PLAN 19 142690 & SC 15 119946

Q:\Geomatics\New Operation\2020 Agenda\PLAN\PLAN19_142690\Report Figures.mxd

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: RT

Checked By: SB

DATE: 20/04/2020

FIGURE No. 8



OFFICIAL PLAN
of the
CITY OF MARKHAM PLANNING AREA
AMENDMENT NO. XXX

To amend the Official Plan (Revised 1987), as amended,
and to incorporate Amendment No. 9 to the Markham Centre Secondary Plan (PD 33-1)
for the Central Area Planning District (Planning District No. 33).

[OnePiece (MS) Developments Inc.]

(May, 2020)

OFFICIAL PLAN
of the
MARKHAM PLANNING AREA
AMENDMENT NO. XXX

To amend the Official Plan (Revised 1987), as amended and to incorporate Amendment No. 9 to the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33).

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. _____ - ____ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the XX day of MONTH, 2020.

Mayor

City Clerk

THE CORPORATION OF THE TOWN OF MARKHAM

BY-LAW NO. _____

Being a by-law to adopt Amendment No. XXX to the City of Markham Official Plan (Revised 1987), as amended.

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT, R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX to the City of Markham Official Plan (Revised 1987), as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS XX DAY OF MONTH, 2020.

CITY CLERK

MAYOR

CONTENTS

PART I - INTRODUCTION

1. GENERAL6

2. LOCATION6

3. PURPOSE.....6

4. BASIS6

PART II - THE OFFICIAL PLAN AMENDMENT

1. THE OFFICIAL PLAN AMENDMENT10

2. IMPLEMENTATION AND INTERPRETATION10

PART III - THE SECONDARY PLAN AMENDMENT

1. THE SECONDARY PLAN AMENDMENT13

2. IMPLEMENTATION AND INTERPRETATION13

3. SCHEDULE “A”14

PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. XXX)

PART I - INTRODUCTION

1.0 GENERAL

- 1.1** PART I - INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.
- 1.2** PART II - THE OFFICIAL PLAN AMENDMENT constitutes Official Plan Amendment No. XXX to the Official Plan (Revised 1987), as amended and is required to enact Amendment No. 9 to the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). Part II is an operative part of this Official Plan Amendment.
- 1.3** PART III - THE SECONDARY PLAN AMENDMENT, including Schedule “A”, attached thereto, constitute(s) Amendment No. 9 to the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). This Secondary Plan Amendment may be identified by the symbol PD 33-1-9. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan and to the Markham Centre Secondary Plan (PD 33-1) applies to a 2.06 ac (5.08 ac) parcel of land municipally known as 28 Main Street Unionville, located at the northwest corner of Main Street Unionville and Enterprise Boulevard, east of the GO Rail line (the “Subject Lands”). Bill Crothers Drive bisects the Subject Lands creating two distinct parcels; each represents a phase of development, being the west parcel (“Phase 1 lands”) and east parcel (“Phase 2 lands”). More specifically, this Amendment applies to the Phase 1 lands. A future amendment to the Phase 2 lands will be required.

3.0 PURPOSE

The purpose of this Amendment is to amend the Markham Centre Secondary Plan to:

- increase the maximum permitted building height from 33-storeys to 47-storeys for a residential mixed-use building; and,
- delete previous permissions to allow for below-grade parking beneath a portion of the Phase 1 lands designated “Open Space”.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

On June 24, 2014, the City of Markham Council adopted Official Plan Amendment No. 219 (“OPA 219”) to the Markham Centre Secondary Plan (the “MCSP”)

permitting a residential mixed-use development on the Subject Lands. OPA 219 was subsequently appealed to the Ontario Municipal Board [“OMB”, now the Local Planning Appeal Tribunal (“LPAT”)] by the adjacent landowner immediately to the north. In a decision issued on February 5, 2019, the LPAT approved a revised OPA 219 as a settlement. This permitted on the Subject Lands a phased residential mixed-use development consisting of two buildings with heights of 29 and 33-storeys, and maximum 673 residential units of which the Phase 1 lands would accommodate 362 units (the “original development”).

The approved OPA 219 designates the Subject Lands “Community Amenity Area-Major Urban Place”, “Open Space”, and “Open Space-Environmentally Significant” within the MCSP, and permits the original development. OPA 219 also exempts the development of the Subject Lands from the requirements to prepare a Precinct Plan and permits underground parking beneath a future park block (strata condition) within the “Open Space” designation located on the Phase 1 lands. City of Markham Council approved a site-specific Zoning By-law Amendment and endorsed, in principle, a concurrent application for site plan approval for the development in June 2018.

Through the technical review of the original development, the Owner’s engineers and contractors identified the potential for unacceptable impacts on the building foundations of the adjacent land uses due to the site limitations and the geotechnical and hydrogeological conditions of the Subject Lands. This resulted in revisions to the building design on the Phase 1 lands, which primarily involved the removal of the strata condition from the proposed public park and the relocation of the parking supply above grade and within the building podium.

A further amendment to the MCSP is required to increase the maximum building height from 33-storeys to 47-storeys, including the mechanical penthouse, to accommodate the revised built form and maintain the 362 units approved for Phase 1 lands. The maximum 637 residential units and the exemption for a Precinct Plan for the Subject Lands established in OPA 219 are not subject to further amendment.

The revised Phase 1 building design maintains a podium height of nine-storeys, similar to the original development, with an increased building height of 47-storeys from 33-storeys for the point tower built form that would minimize shadow impacts. Without proposed underground parking levels, the podium accommodates the parking supply for the Phase 1 lands.

The Subject Lands are located within close proximity to the Unionville GO Station, which is within an identified “Mobility Hub” by Metrolinx. Lands within a mobility hub and its immediate vicinity are intended to develop with higher densities and a greater variety of uses. The Subject Lands, which are approximately 450 m from the Unionville GO Station, are an appropriate location for the proposed high density residential mixed-use development.

For the reasons outlined above, it is appropriate to amend the MCSP in order to increase the height of the building on the Phase 1 lands from 33 storeys to 47-storeys

and to delete the permissions for below-grade parking beneath a portion of the Phase 1 lands designated “Open Space”. Removing this permission will allow for conveyance of the park to the City of Markham free of any encumbrances.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. XXX)

PART II – THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

- 1.1** Section 1.1.2 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number XXX to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.
- 1.2** Section 1.1.3 c) of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number XXX to the list of amendments listed in the second sentence of the bullet item dealing with the Markham Centre Secondary Plan (PD 33-1), for the Central Area Planning District (Planning District No. 33), to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.3** Section 9.2.16 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number XXX to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.4** No additional changes to the text or schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment. This Amendment also incorporates changes to the text of the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). These changes are outlined in Part III which comprises Amendment No. 9 to the Markham Centre Secondary Plan (PD 33-1).

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan (Revised 1987), as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by a subsequent amendment to the Zoning By-law and site plan approval, in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Revised 1987), as amended, is exempt from the approval by the Region of York. Following adoption, notice of Council's decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical

amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987), as amended, shall not apply.

PART III - THE SECONDARY PLAN AMENDMENT (PD 33-1- 9)

(This is an operative part of Official Plan Amendment No. XXX)

PART III - THE SECONDARY PLAN AMENDMENT (PD 33-1- 9)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 9 to the Markham Centre Secondary Plan PD 33-1)

The Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District is hereby amended as follows:

- 1.1** By amending Section 4.3.2.3. q) ii) b. by replacing “33 storeys” with “47 storeys”.
- 1.2** By replacing Figure 33-1-7 with a new Figure 33-1-7 as shown on Schedule “A” attached hereto.
- 1.3** By deleting Section 4.5.5 f).

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan (Revised 1987), as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law and site plan approval in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Revised 1987), as amended, is exempt from the approval by the Region of York. Following adoption, notice of Council’s decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council’s decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987), as amended, shall not apply.

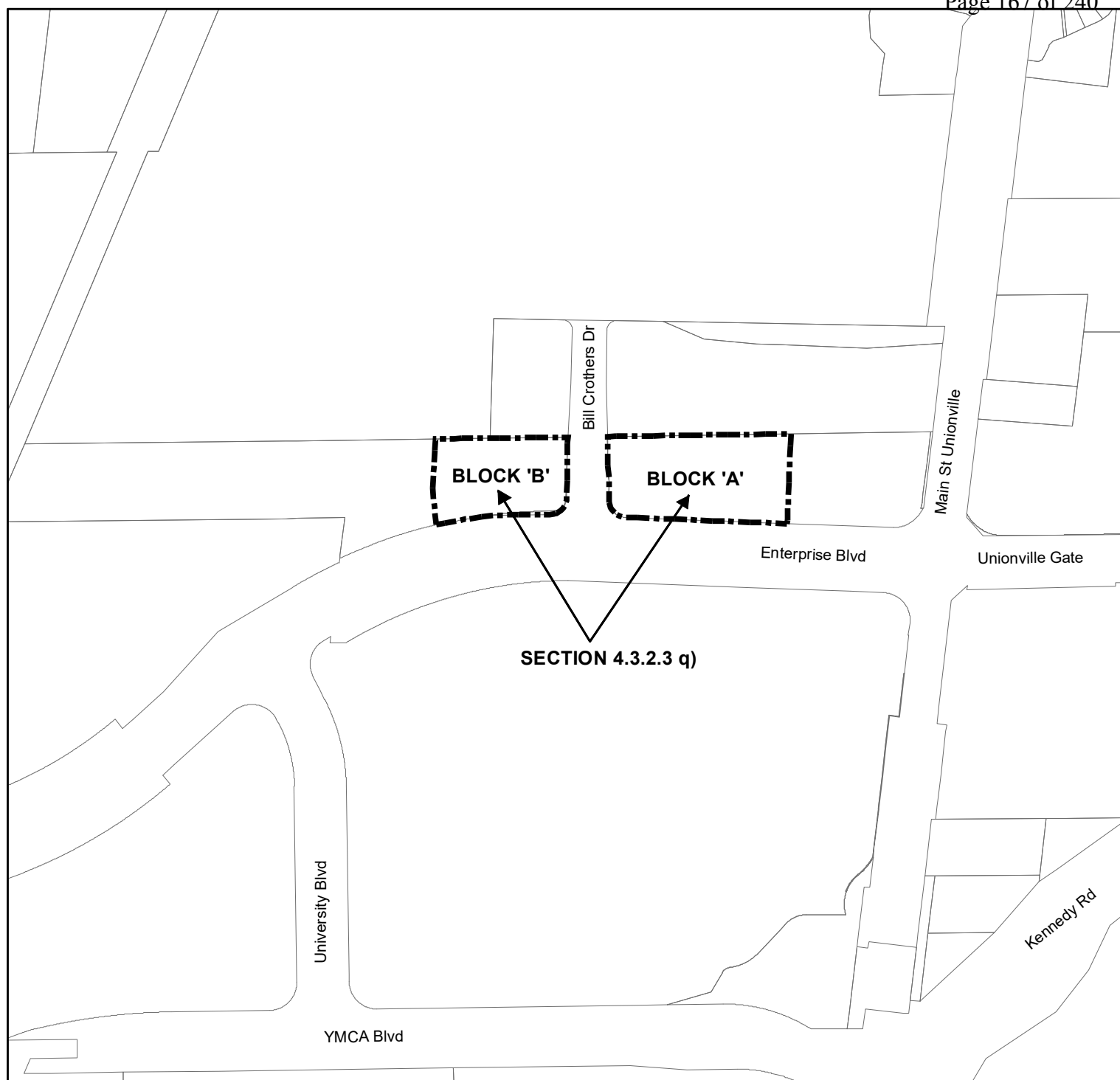



FIGURE 33-1-7
TO THE MARKHAM CENTRE SECONDARY PLAN (PD 33-1)

 Boundary of area covered by the policies in section 4.3.2.3 q)
 Land Use Designation: COMMUNITY AMENITY AREA - MAJOR URBAN PLACE



Q:\Geomatics\New Operation\Official Plan\Site Specific OPA\FIGURE 33_1_7\FIGURE 33_1_7.mxd

SCHEDULE "A" TO OPA No. XXX



By-law 2020-XX

A By-law to amend By-law 2004-196, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. That By-law 2004-196, as amended, is hereby further amended as follows:
 - 1.1 Notwithstanding Schedules M1, M3 and M4, the provisions of Schedules M5, M6 and M7 shall apply to the lands denoted on Schedule "A".
 - 1.2 By deleting subsection 6.29 (*29) from Section 6 – Exceptions to By-law 2004-196.
2. By adding the following to Section 6.28.1 d)

For the purpose of this by-law, the following definition shall apply:

Storey means the portion of a building that is situated between the top of any floor and the top of the floor next above it. Where there is no floor above, storey means the portion of a building that is situated between the top of the floor and the ceiling above the floor. Mezzanines shall not be considered a storey if they occupy less than 60% of the floor area of the storey.
3. All other provisions of By-law 2004-196, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

Read a first, second, and third time and passed on May XX, 2020.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



Explanatory Note

By-law 2020-XX

A By-law to amend By-law 2004-196, as amended

OnePiece Ideal (MS) Developments Inc.

North side of Enterprise Boulevard, west of Bill Crothers Drive

Lands Affected

The proposed by-law amendment applies to the westerly parcel of the lands municipally known as 28 Main Street Unionville, with an area of approximately 1.28 ha (3.16 ac), located at the northwest corner of Bill Crothers Drive and Enterprise Boulevard, east of the GO Rail line. The subject lands represents the first of two phases of development.

Existing Zoning

The subject lands are zoned “Markham Centre Downtown Two *28(Hold)” [MC-D2 *28(H)], “Markham Centre Public Space One *29” (MC-PS1 *29) and “Markham Centre Public Space Two” (MC-PS2) within the Markham Centre Zoning By-law No. 2004-196.

Purpose and Effect

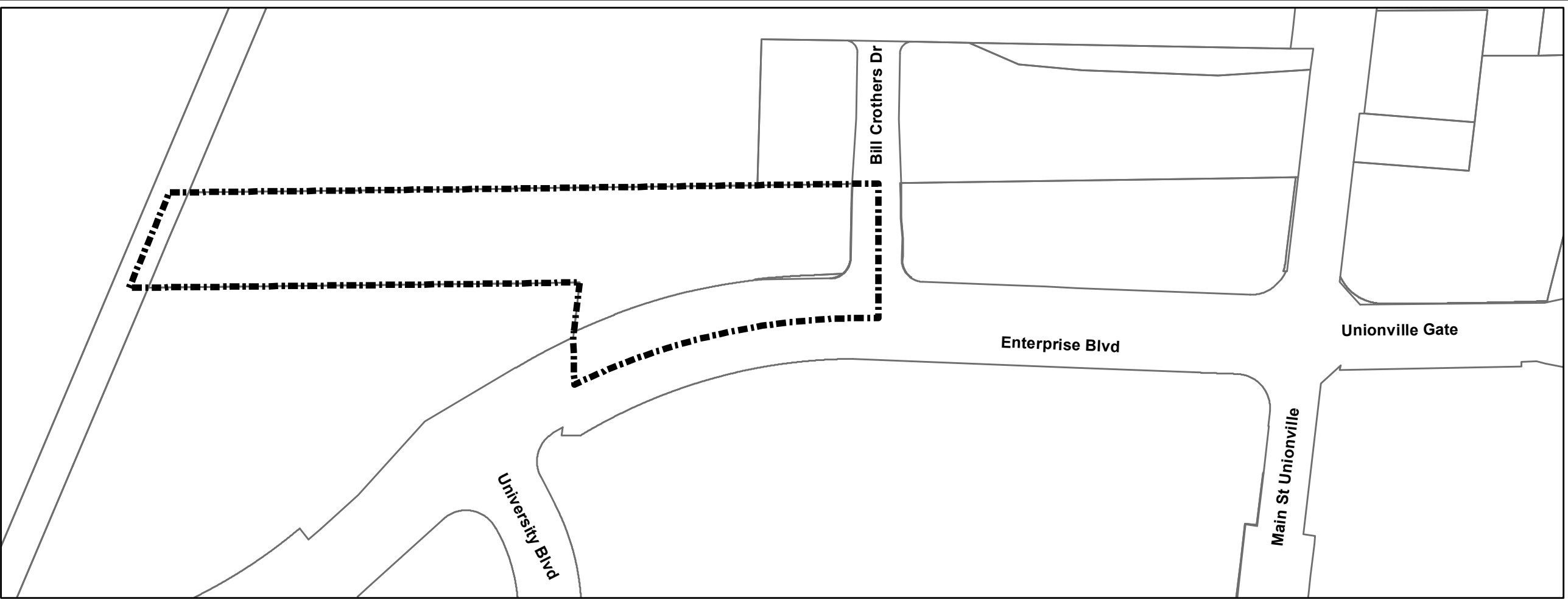
The purpose of this by-law amendment is to:

- Rezone the portion of the subject lands from “Markham Centre Public Space One *29” (MC-PS1*29) to “Markham Centre Public Space One” (MC-PS1);
- Amend certain site specific development standards, including heights and setbacks;
- Delete subsection 6.29 (*29) from Section 6 – Exceptions to By-law 2004-196; and
- Amend the definition of Storey for the purpose of applying building setbacks.

The effect of this by-law amendment is to permit a proposed residential, mixed-use development accommodating 362 residential units and up to a maximum of 700 m² of retail uses in a 47-storey building, including 9-storeys of above grade parking.

Note Regarding Further Planning Applications on this Property

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.

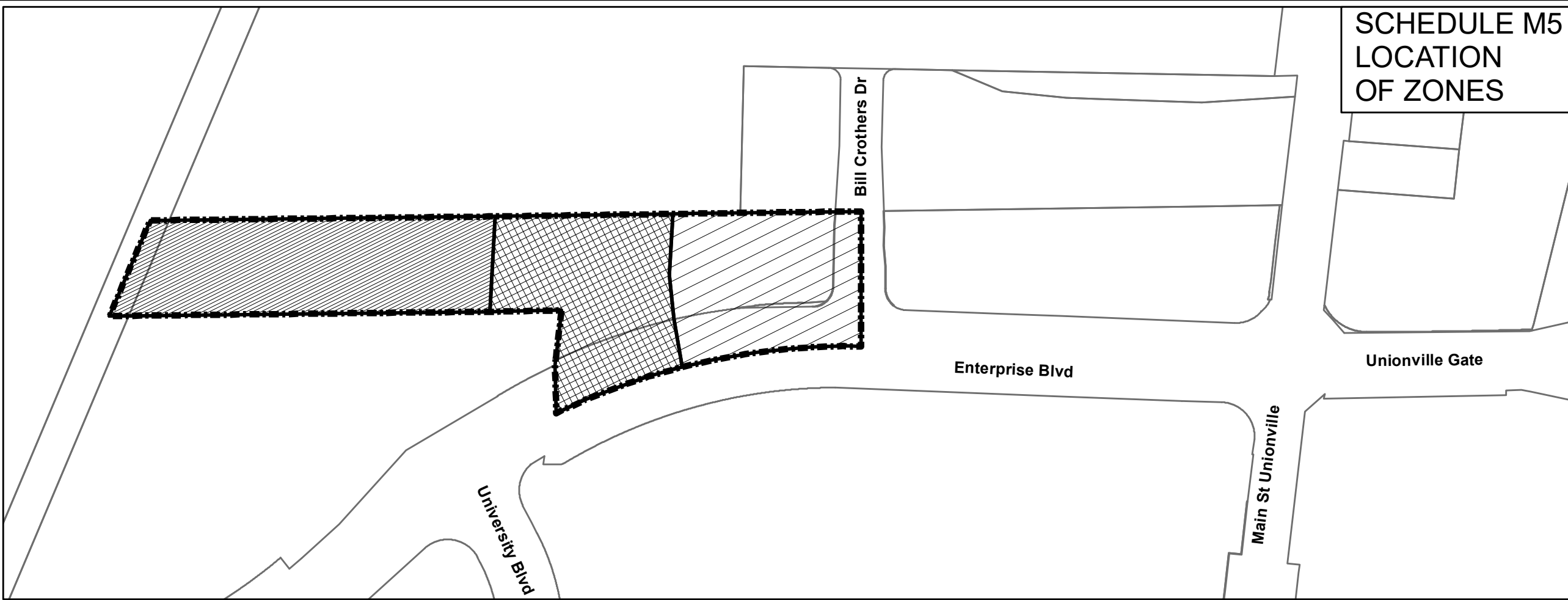


SCHEDULE "A" TO BY-LAW 2020-XX
AMENDING BY-LAW 2004-196 DATED MAY XX, 2020




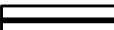
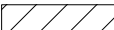


 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

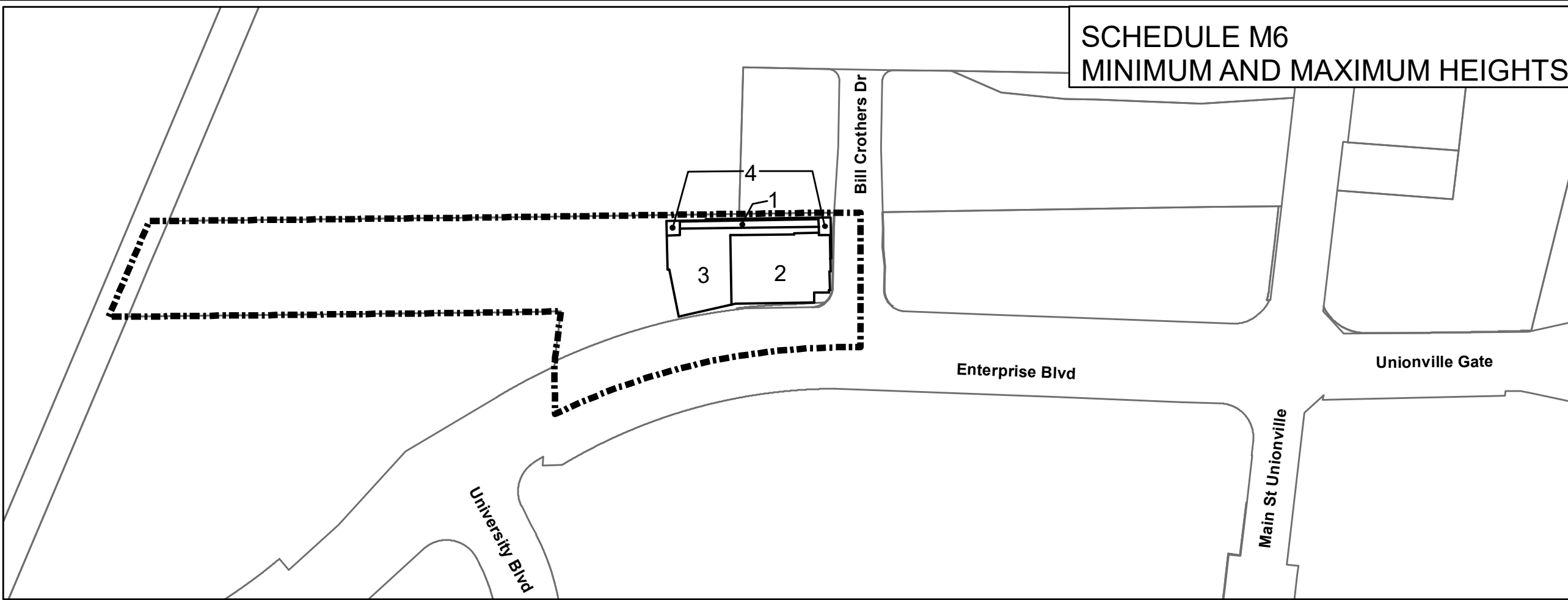


SCHEDULE "M5" TO BY-LAW 2020-XX

AMENDING BY-LAW 2004-196 DATED MAY XX, 2020

-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  BOUNDARY OF ZONE DESIGNATION(S)
-  MC-D2*28
-  MC-PSI
-  MC-PS2

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by -law, the information contained in the text of the zoning by -law of the municipality shall be deemed accurate.



**SCHEDULE M6
MINIMUM AND MAXIMUM HEIGHTS**

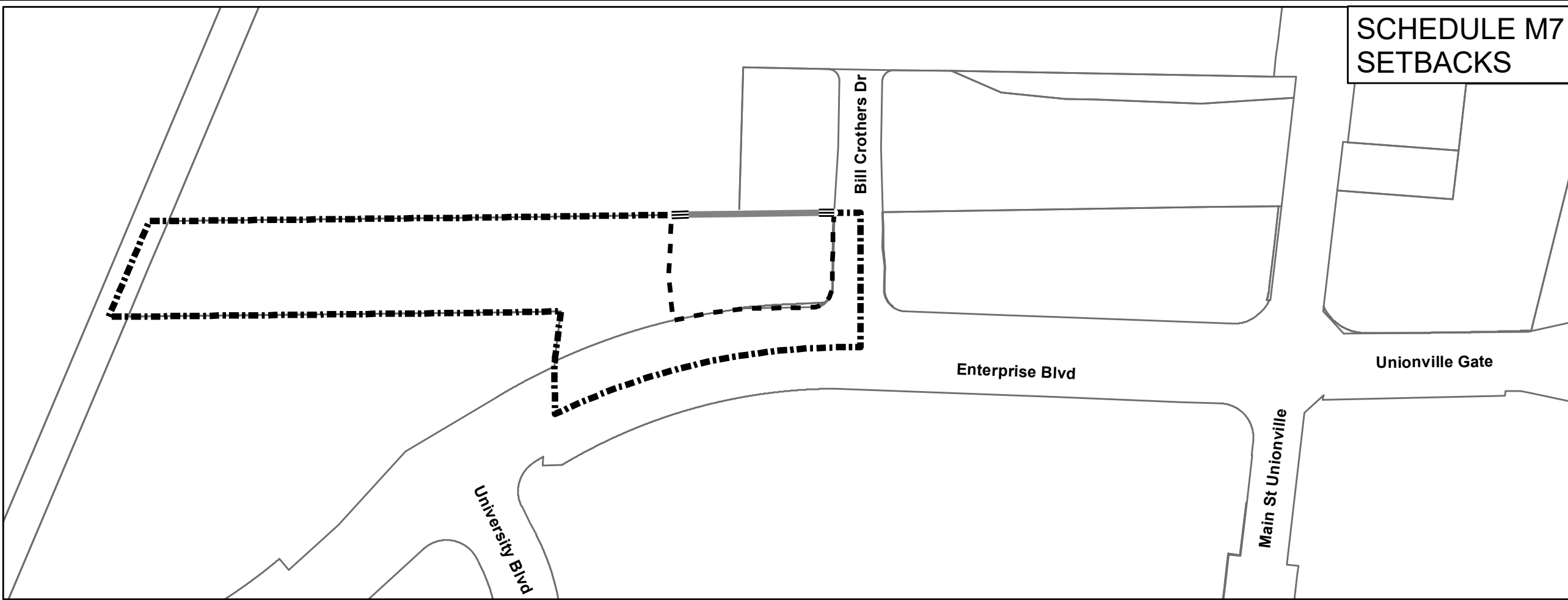
Maximum height G.S.C. (DATUM: 1978 G.S.C.) of any part of any building	
1	204m G.S.C.
2	338m G.S.C.
3	215m G.S.C.
4	186m G.S.C.

SCHEDULE "M6" TO BY-LAW 2020-XX
AMENDING BY-LAW 2004-196 DATED MAY XX, 2020

 **BOUNDARY OF AREA COVERED BY THIS SCHEDULE**

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

- The following provisions shall apply:
- 1) Notwithstanding height area 2 above, structures (including architectural screening) may project a maximum of 10 metres above the maximum height.
 - 2) For the purposes of this by-law, established grade shall mean a 1978 Geodetic Survey of Canada Datum (G.S.C.) elevation of 176.55 metres.



- ■ ■ The minimum setback to the first storey above grade shall be 0.4m.
- The minimum setback to the first storey above grade shall be 4.0m, for the 2nd through 7th storeys shall be 3.0m, for the 8th and 9th storeys shall be 6.0m, and above the 9th storey shall be 8.0m.
- === The minimum setback to the first storey above grade shall be 4.0m, and the minumum setback above the first storey shall be 8.0m.

SCHEDULE "M7" TO BY-LAW 2020-XX

AMENDING BY-LAW 2004-196 DATED MAY XX, 2020

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

- The following provisions shall apply:
- 1) Balconies and any storeys above the first storey abutting the south, east, or west lot lines may encroach a maximum of 2.4 metres into a required setback or to a lot line.
 - 2) Notwithstanding the above, along the northern lot line only balconies may encroach into a required setback to a maximum of 2.0 metres.
 - 3) Awnings and canopies are permitted to extend to any other streetline or lot line, except the northern lot line from which a minimum 1.8 metre setback will be required.
 - 4) Balconies shall only be permitted above the 9th storey.

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by -law, the information contained in the text of the zoning by -law of the municipality shall be deemed accurate.

APPENDIX 'A'

Conditions of Site Plan Approval for Phase 1

OnePiece (MS) Developments Inc.

28 Main Street

File No. SC 15 119946

That prior to site plan endorsement:

1. The Owner shall provide a clearance letter from the Trustee of the Markham Centre Landowners Group confirming that the Owner has met their cost sharing obligations.
2. The Owner shall satisfy the technical requirements of all City departments and applicable external agencies, including but not limited to submission of a Photometric Lighting Plan, to the satisfaction of the Director of Planning and Urban Design.
3. The Owner shall resolve the grading, servicing and stormwater management of the woodlot and proposed west public park, to the satisfaction of the Director of Engineering and Director of Planning and Urban Design.
4. The Owner shall address all City comments and make necessary revisions respecting the site plan and elevation drawings, to the satisfaction of the Director of Planning and Urban Design.

That the Owner enter into a site plan agreement with the City, containing all standard and special provisions and requirements of the City and applicable external agencies, including but not limited to:

1. Provisions for the payment by the Owner of all applicable fees, recoveries, development charges, cash-in-lieu of parkland, and any other financial obligations and securities.
2. Provisions for the conveyance of the woodlot and implementation of the Environmental Impact Study and woodland management plan.
3. Provisions for the conveyance of the west public park dedication.
4. Provisions for any easements and right-of-way dedications, if applicable.
5. Provisions for satisfying all requirements of City Departments and applicable external agencies, including but not limited to, Metrolinx and York Region.
6. The Owner provide written confirmation from a qualified LEED consultant certifying that minimum LEED Silver for the proposed development has been achieved, to the satisfaction of the Commissioner of Development Services.
7. Provisions that the Owner shall agree to implement the Bird-Friendly Measures, as identified on the Bird-Friendly checklist provided on the building elevations, to the satisfaction Director of Planning and Urban Design.
8. Provisions to secure implementation of the approved Transportation Demand Management (TDM) Plan and provide the respective Letter of Credit to the satisfaction of the Director of Engineering.
9. Provisions to secure implementation of the proposed signal work and other modifications at the intersection of Enterprise Boulevard and Bill Crothers Drive and

- provide the respective Letter of Credit to the satisfaction of the Director of Engineering.
10. The Owner agrees to implement the proposed sustainable measures attached as Appendix 'G'.
 11. The Owner agrees to submit updated Streetscape Plans for approval, including details for street tree planting in grates/trenches.
 12. Provisions that the Owner shall agree to be responsible for financing the design and construction of the required retaining wall in the west public park, including lifecycle costs of replacement, and provide payment in accordance with the City's Alternative Infrastructure Policy, to the satisfaction of the Director of Planning and Urban Design.

That prior to the execution of Site Plan Agreement and issuance of Site Plan Approval:

1. The implementing Official Plan Amendment and Zoning By-law Amendment shall come into effect.
2. The Owner shall submit the final elevation drawings, above and underground parking garage layout plans, grading, servicing and engineering drawings, and landscape plans, along with any other plans, studies and reports, which are required to comply with the requirements of the City and external agencies, to the satisfaction of the Commissioner of Development Services.

28 Main Street Context Plan

City of Markham | March 12, 2020

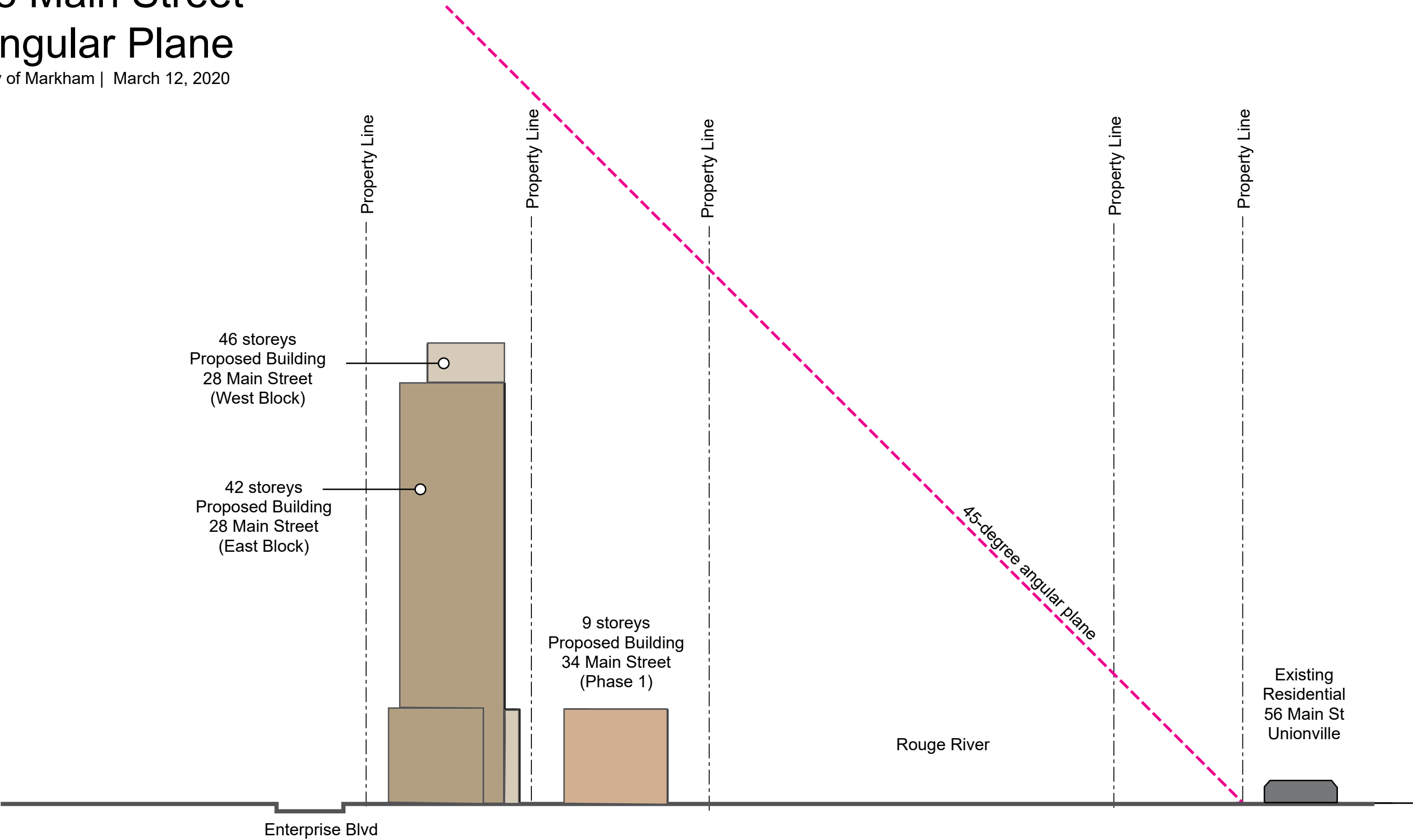
LEGEND

- ① 28 Main Street - West Block
- ② 28 Main Street - East Block
- ③ 34 Main Street Phase 1
- ④ 34 Main Street Phase 2
- ⑤ 34 Main Street Phase 3
- ⑥ Metropia - North Block
- ⑦ Metropia - South Block
- ⑧ York University Campus
- Existing Buildings
- Approved/Planned/Conceptual Building
- Proposed Parks

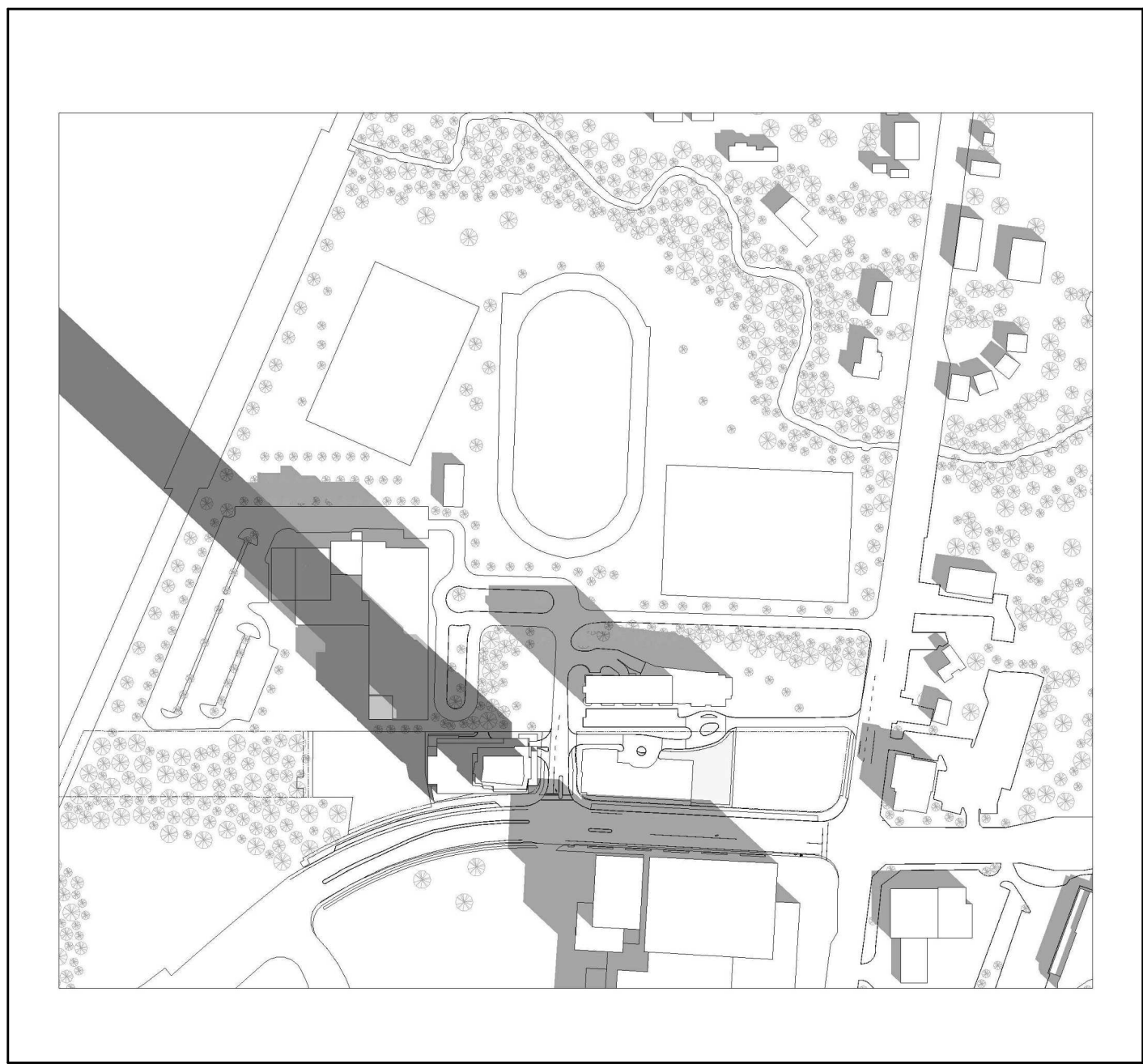


28 Main Street Angular Plane

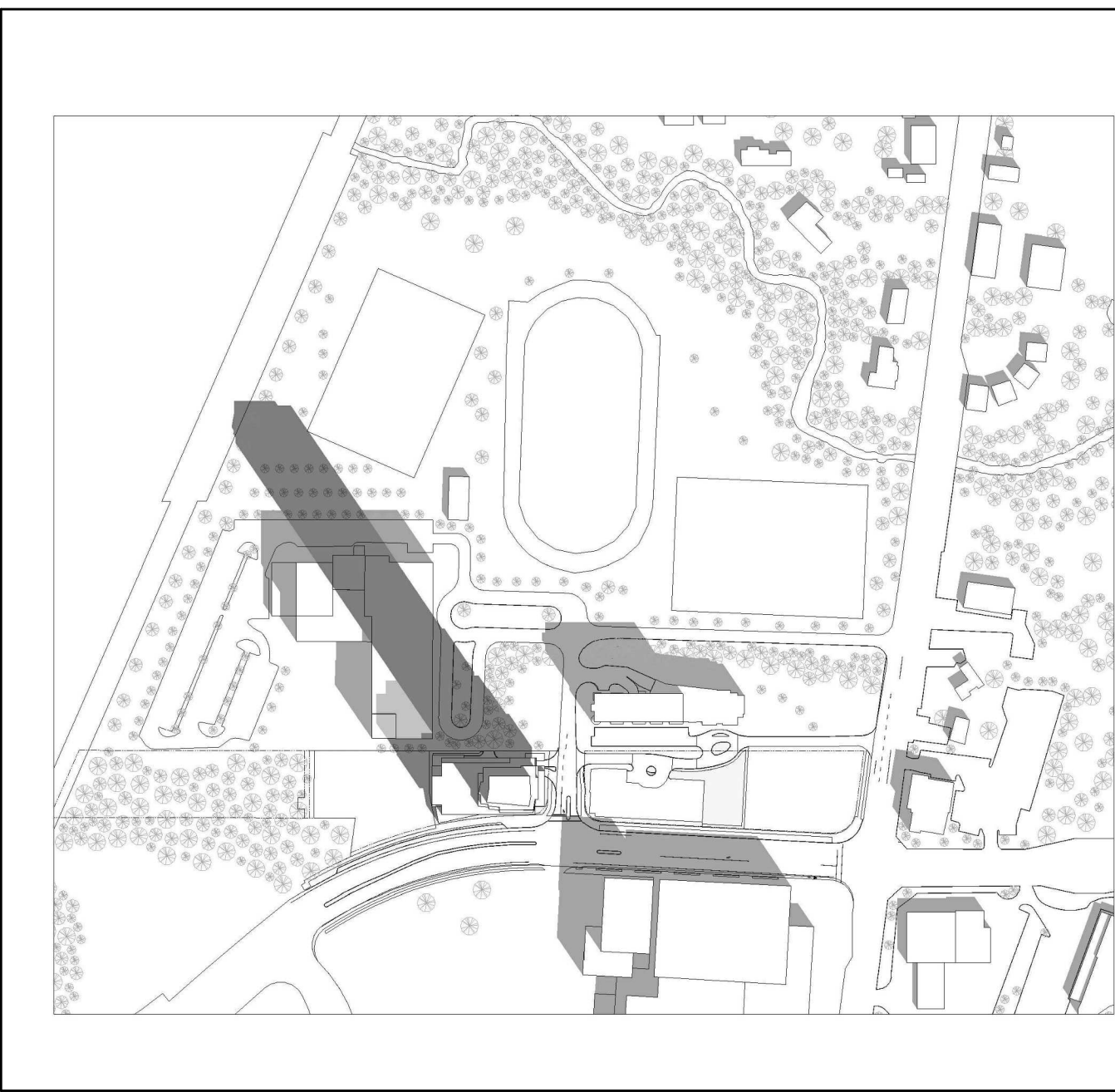
City of Markham | March 12, 2020



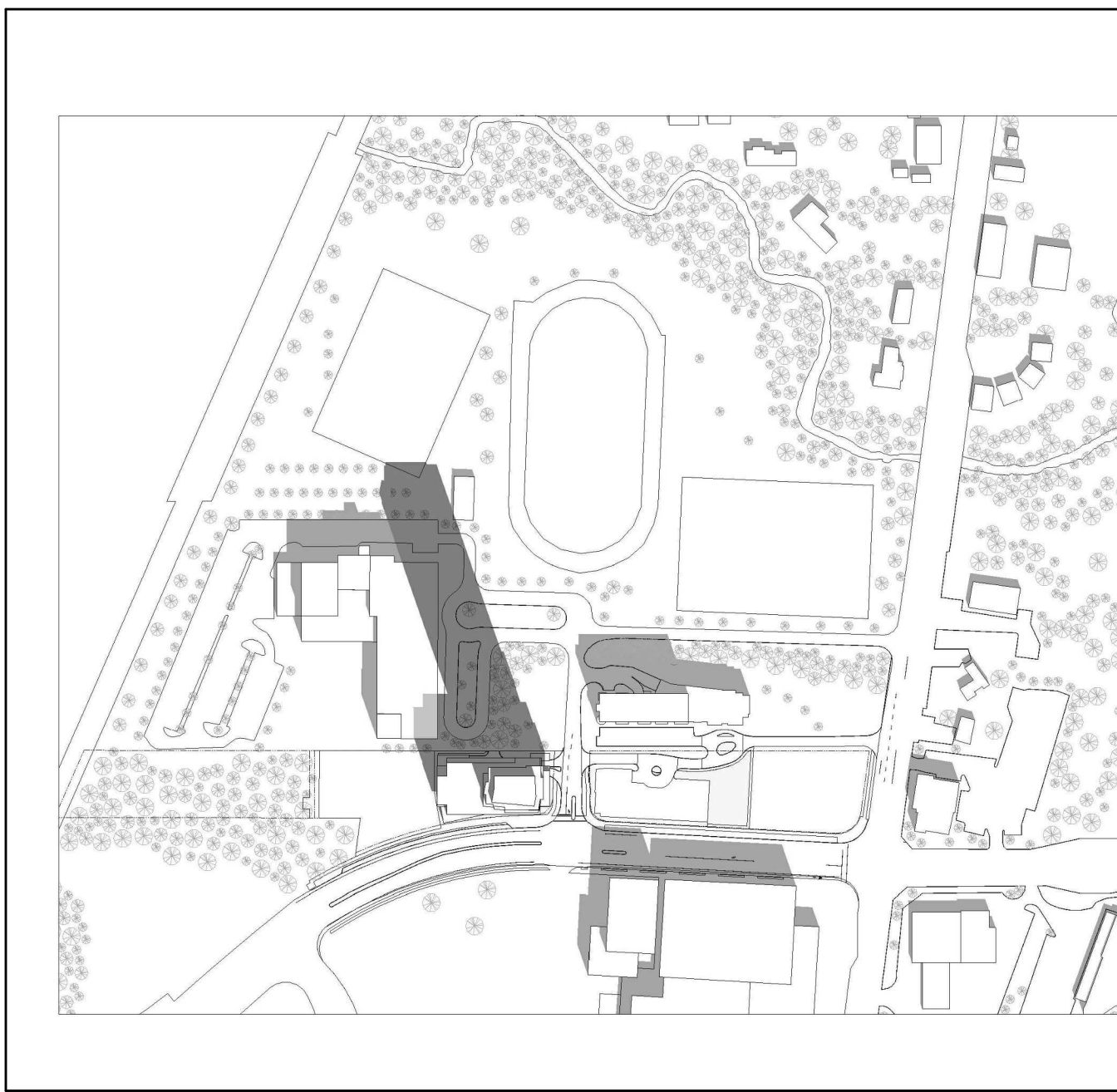
North-south section looking westwards



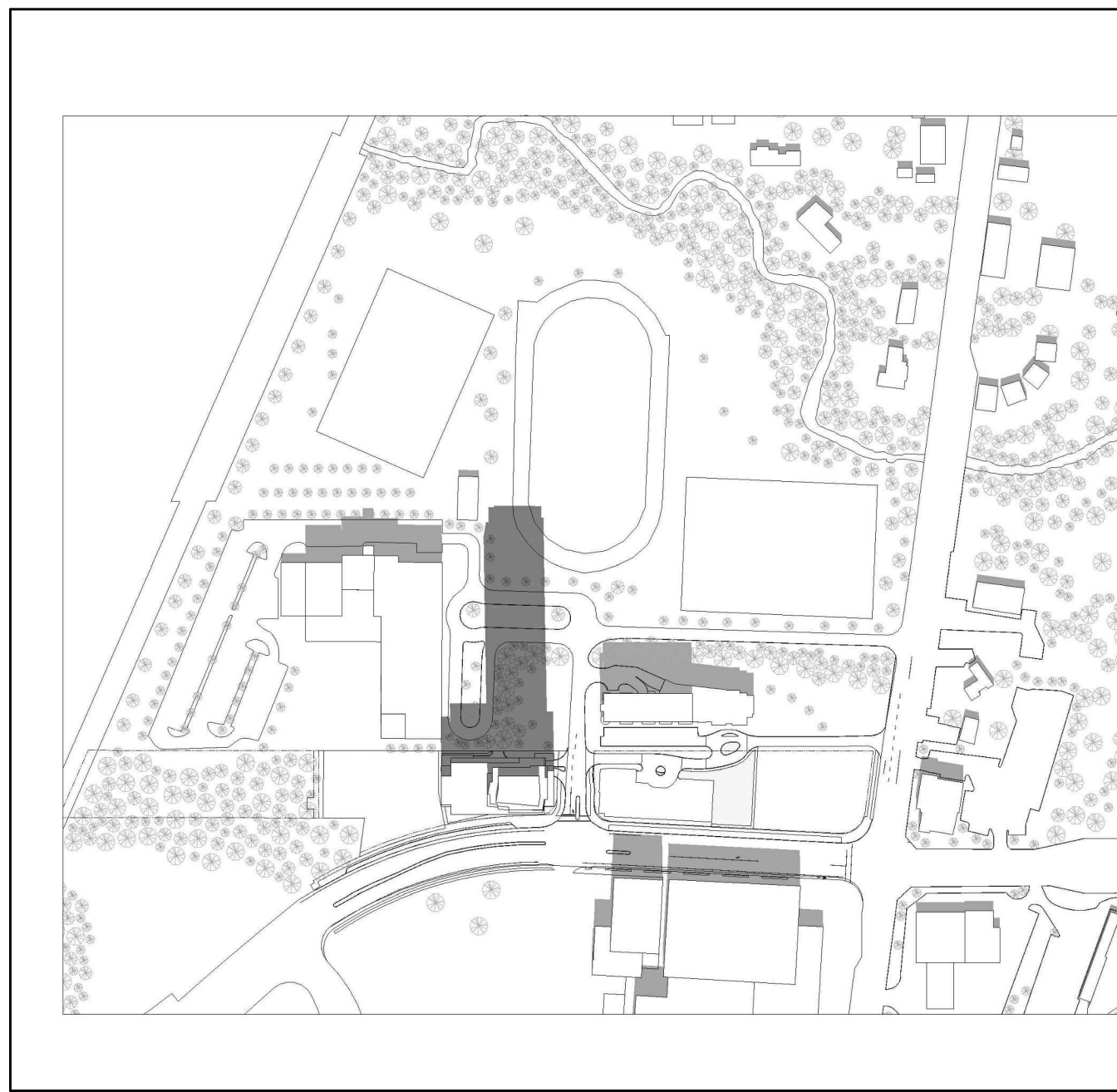
9:18 am 1
A3.1



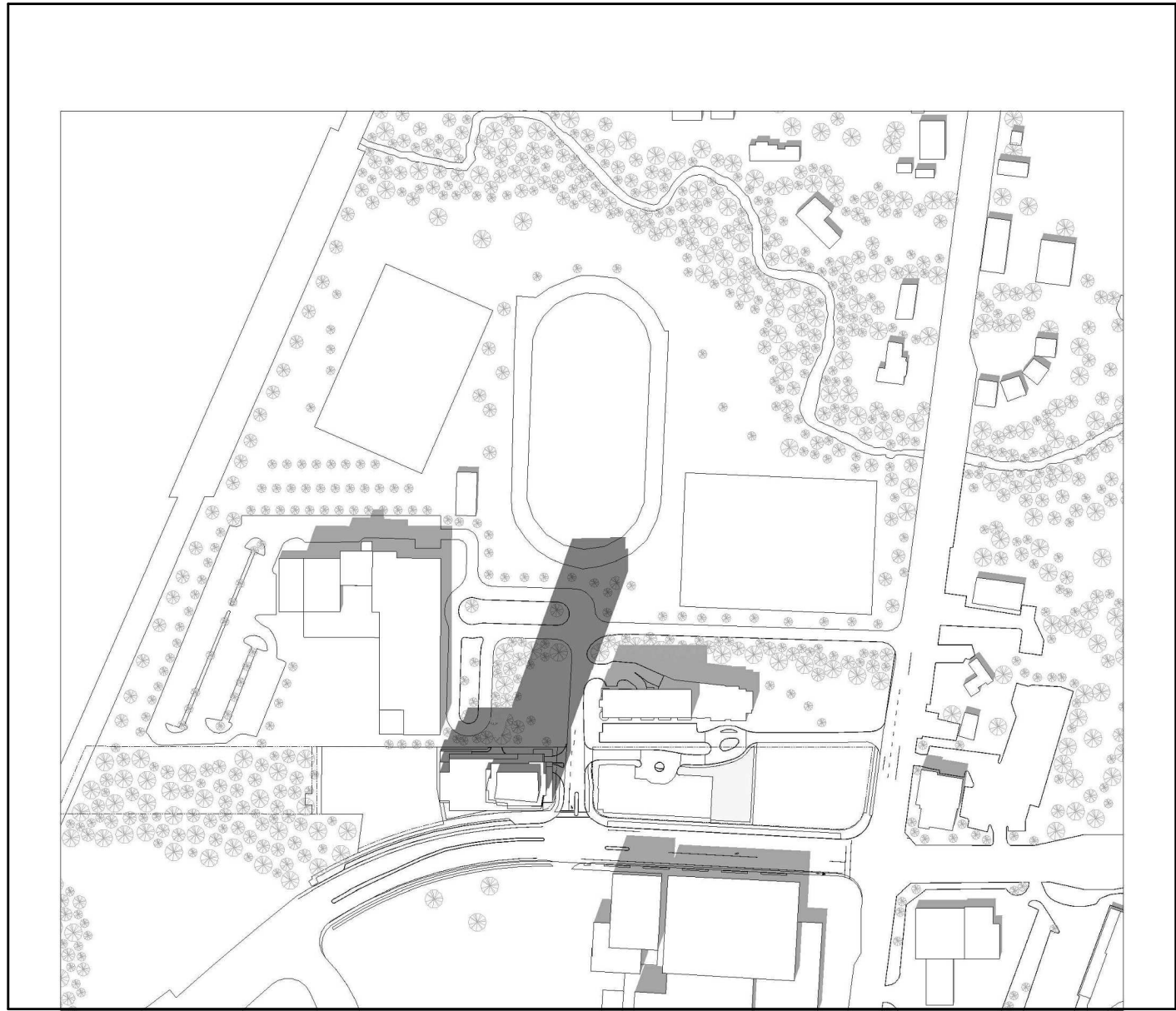
10:18 am 2
A3.1



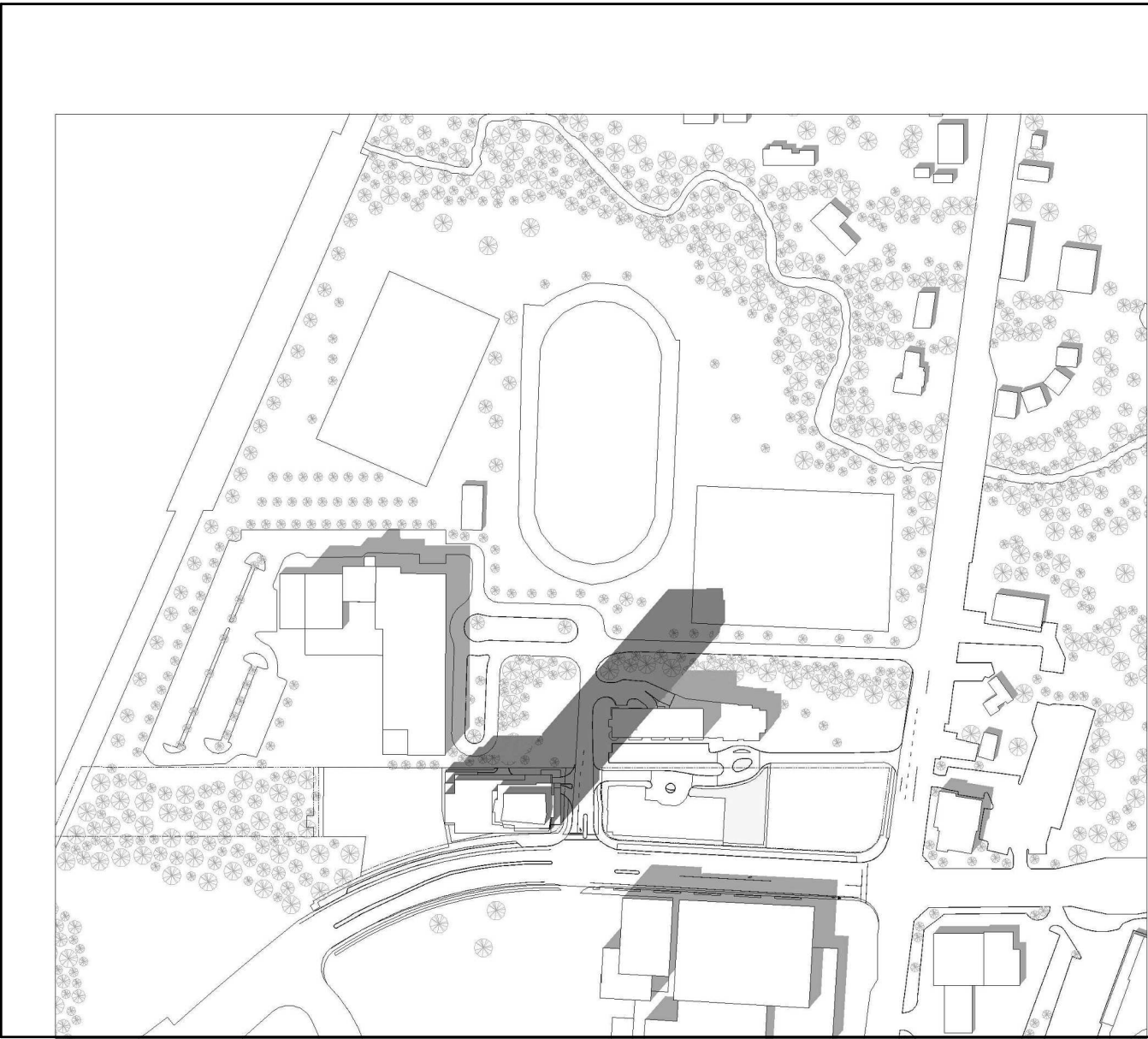
11:18 am 3
A3.1



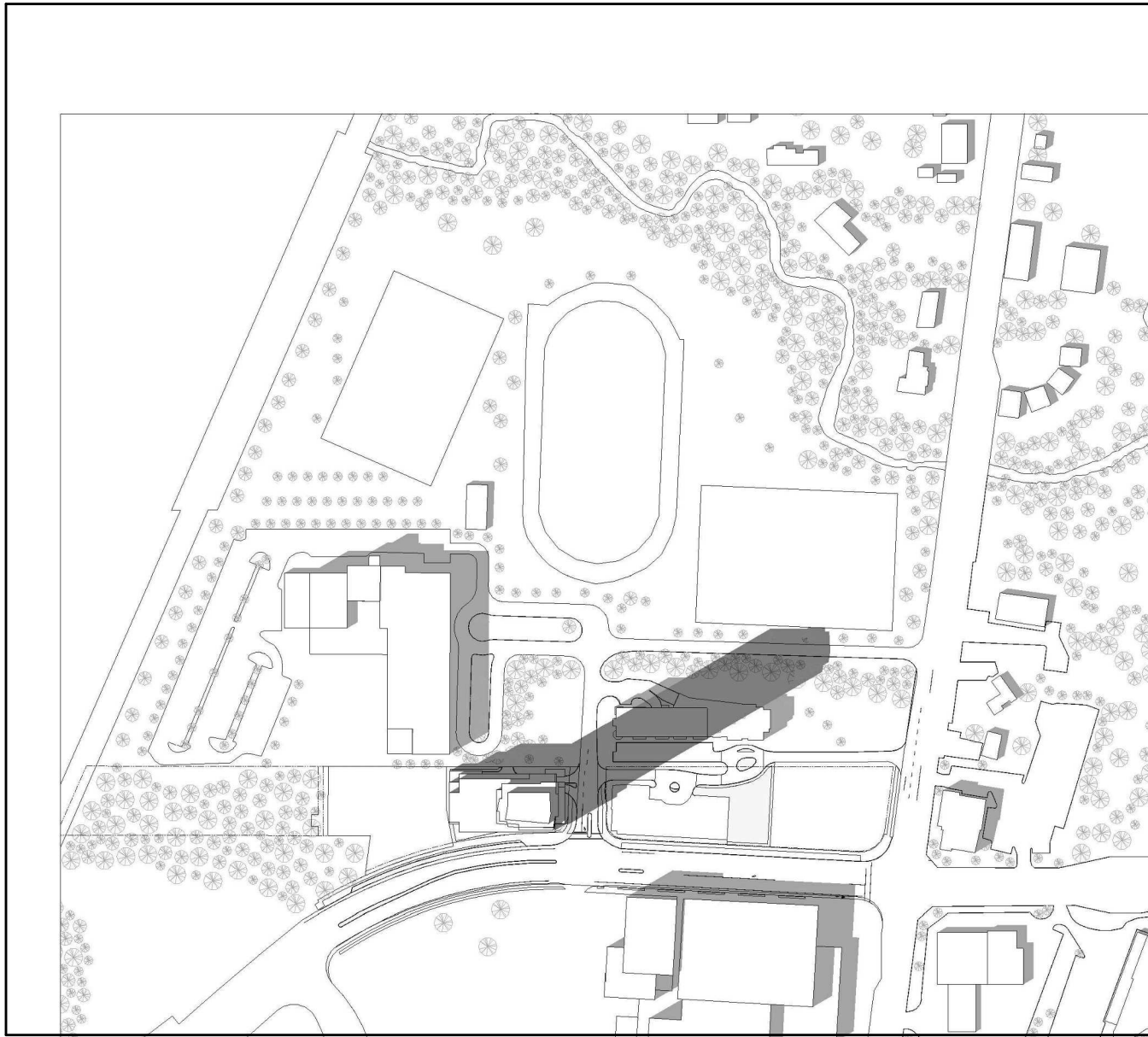
12:18 pm 4
A3.1



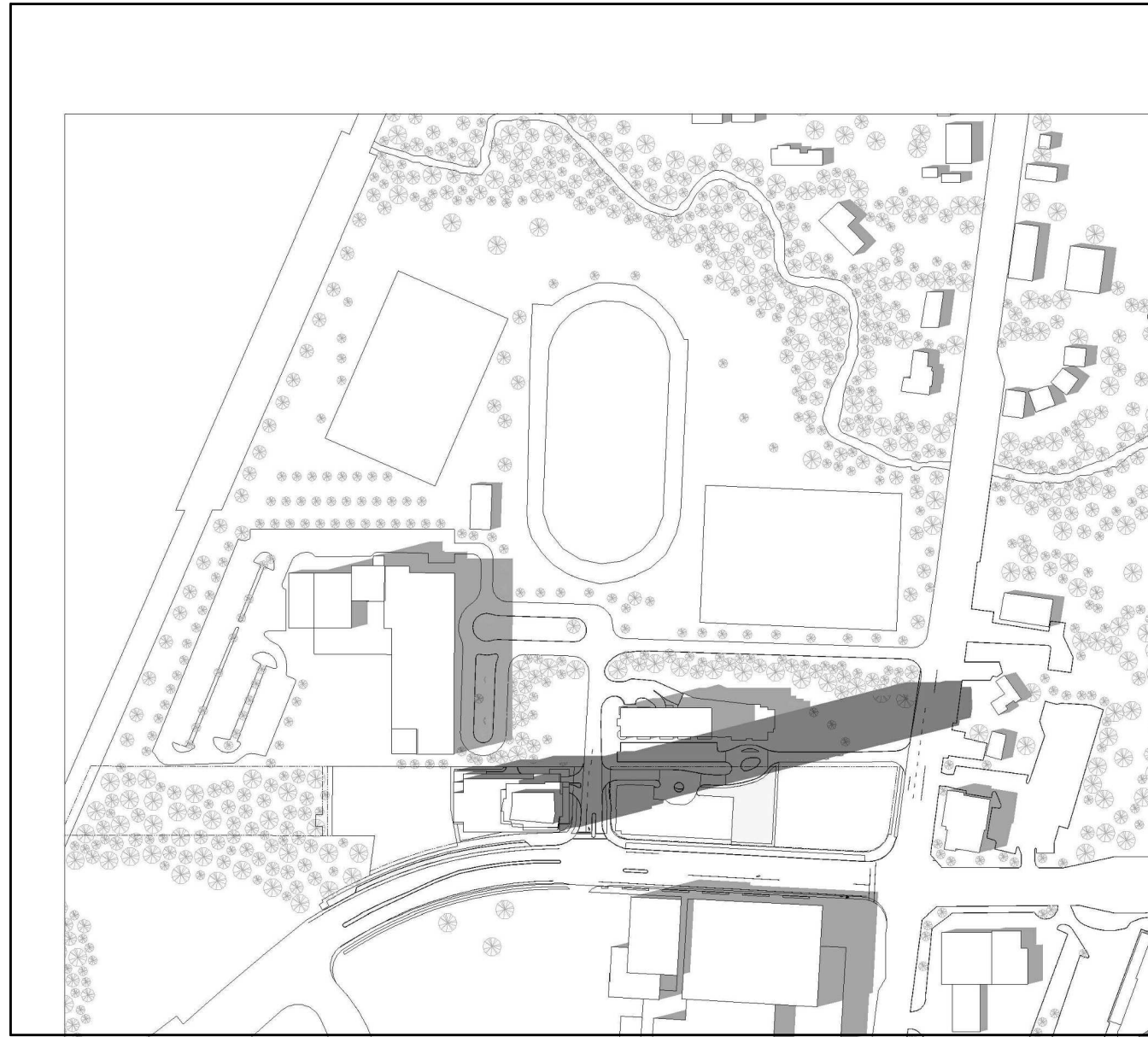
1:18 pm 5
A3.1



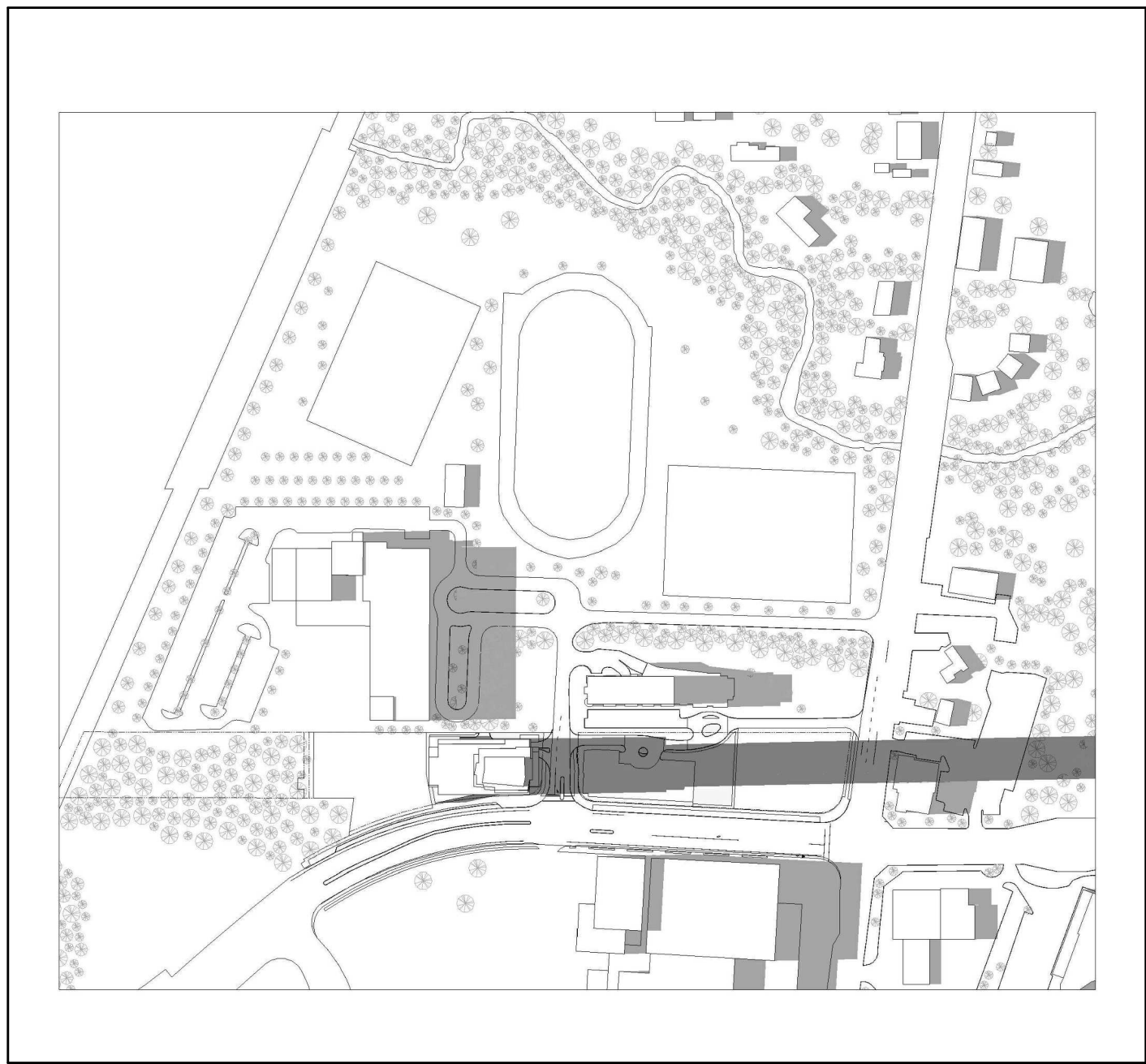
2:18 pm 6
A3.1



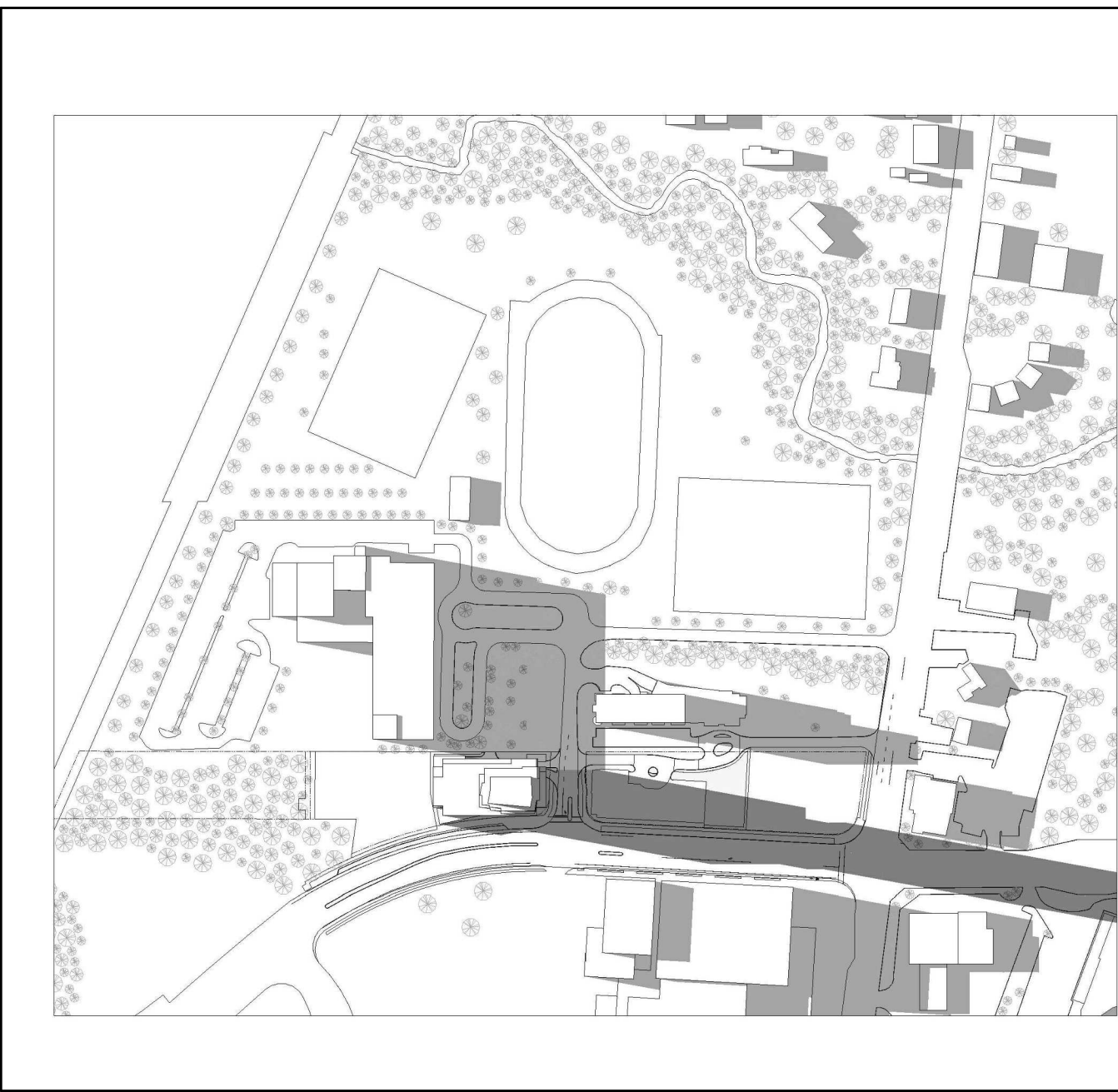
3:18 pm 7
A3.1



4:18 pm 8
A3.1



5:18 pm 9
A3.1



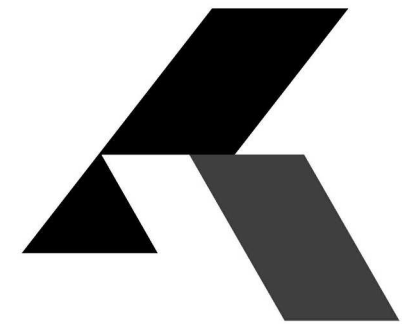
6:18 pm 10
A3.1

All Drawings, Specifications, and Related Documents are the Copyright of the Architect. The Architect retains all rights to control all uses of these documents for the intended issuance/use as identified below. Reproduction of these Documents, without permission from the Architect, is strictly prohibited. The Authorities Having Jurisdiction are permitted to use, distribute, and reproduce these drawings for the intended issuance as noted and dated below, however the extended permission to the Authorities Having Jurisdiction in no way debases or limits the Copyright of the Architect, or control of use of these documents by the Architect.

Do not scale the drawings.
This Drawing Is Not To Be Used For Construction Until Signed By The Architect.

Date:

ASSOCIATION
ARCHITECTS
BRENT F. WILSON
LICENSED



KIRKOR ARCHITECTS AND PLANNERS
20 De Boers Dr. # 400 Toronto ON M3J 0H1
TEL 416 665 6060 kirkorarchitects.com

No.: Revision: Date:

09	Site Plan Resubmission	Apr. 10 / 2020
08	OPA / ZBA / SPA Submission	Dec. 16 / 2019
07	Site Plan Resubmission	Dec. 10 / 2018
06	Site Plan Resubmission	Oct. 26 / 2018
05	Rezoning & Site Plan Resubmission	July 31 / 2018
04	Rezoning & Site Plan Resubmission	June 07 / 2018
03	Rezoning & Site Plan Application	Sep. 01 / 2017
02	Rezoning	Jan. 31 / 2017
01	Rezoning & Site Plan Application	Aug. 30 / 2016

No.: Issued For: Date:

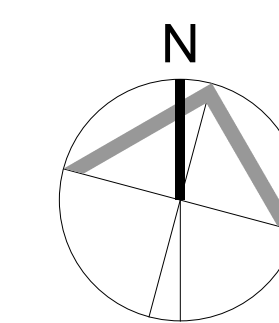
Drawing Title:

Shadow Study
March/September

Project:
PLAN 19 142690; SC 15 119946

Markham Square
OnePiece Developments

28 Main Street, Unionville
Scale:



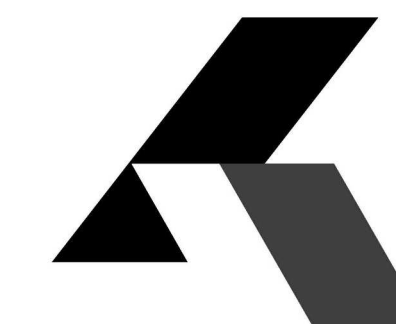
Drawn by:
R.P., J.L.
Checked by:
D.B.
Project No.:
19-076
Date:
April 10, 2020
Drawing No.:

A3.1

This aerial view of the site plan shows the building footprints and parking lots in relation to the surrounding landscape. The building is a large, rectangular structure with a central courtyard. The parking lot is located to the right of the building. The surrounding landscape includes trees, a road, and other buildings. The site plan is oriented with North at the top.

This aerial view of the site plan shows the proposed development area, which is outlined in red. The site is located on the east side of Highway 101, south of the intersection with Highway 102. The plan includes a large rectangular building footprint, a circular structure, and several smaller rectangular buildings. The surrounding area is filled with green space and trees, indicating a rural or undeveloped setting. The red outline clearly delineates the boundaries of the proposed development from the surrounding land.

ASSOCIATION
 OF
 ARCHITECTS
 BRENT F. WIDBY
 LICENCE
 6783



This aerial photograph shows the proposed development site. The building footprint is outlined in white, showing a large rectangular structure with a central section. To the left of the building is a parking lot with several parking spaces marked. The surrounding area includes a road, a river or stream, and various trees and vegetation. The site is located in a developed area with other buildings and infrastructure visible.

An aerial photograph of a proposed development site. The site is bounded by a road on the left and a road on the right. The central area contains several large, rectangular building footprints, some of which are shaded in grey. There are also several parking areas, some of which are marked with dashed lines. The surrounding landscape is filled with trees and vegetation, represented by small, dark, irregular shapes. The overall layout suggests a commercial or institutional development.

This architectural site plan illustrates the proposed development at 10000 10th Avenue. The plan shows a large rectangular building footprint on the left, a central oval-shaped feature, and a large rectangular area on the right. A winding path or road runs through the upper right portion of the site. The plan also depicts various parking lots, including a large one on the left and several smaller ones along the streets. The surrounding streets are labeled: 10th Avenue to the north, 11th Avenue to the south, and 100th Street to the east. The plan includes detailed landscaping with numerous small circles representing trees and shrubs. A north arrow is located in the upper left corner of the plan.

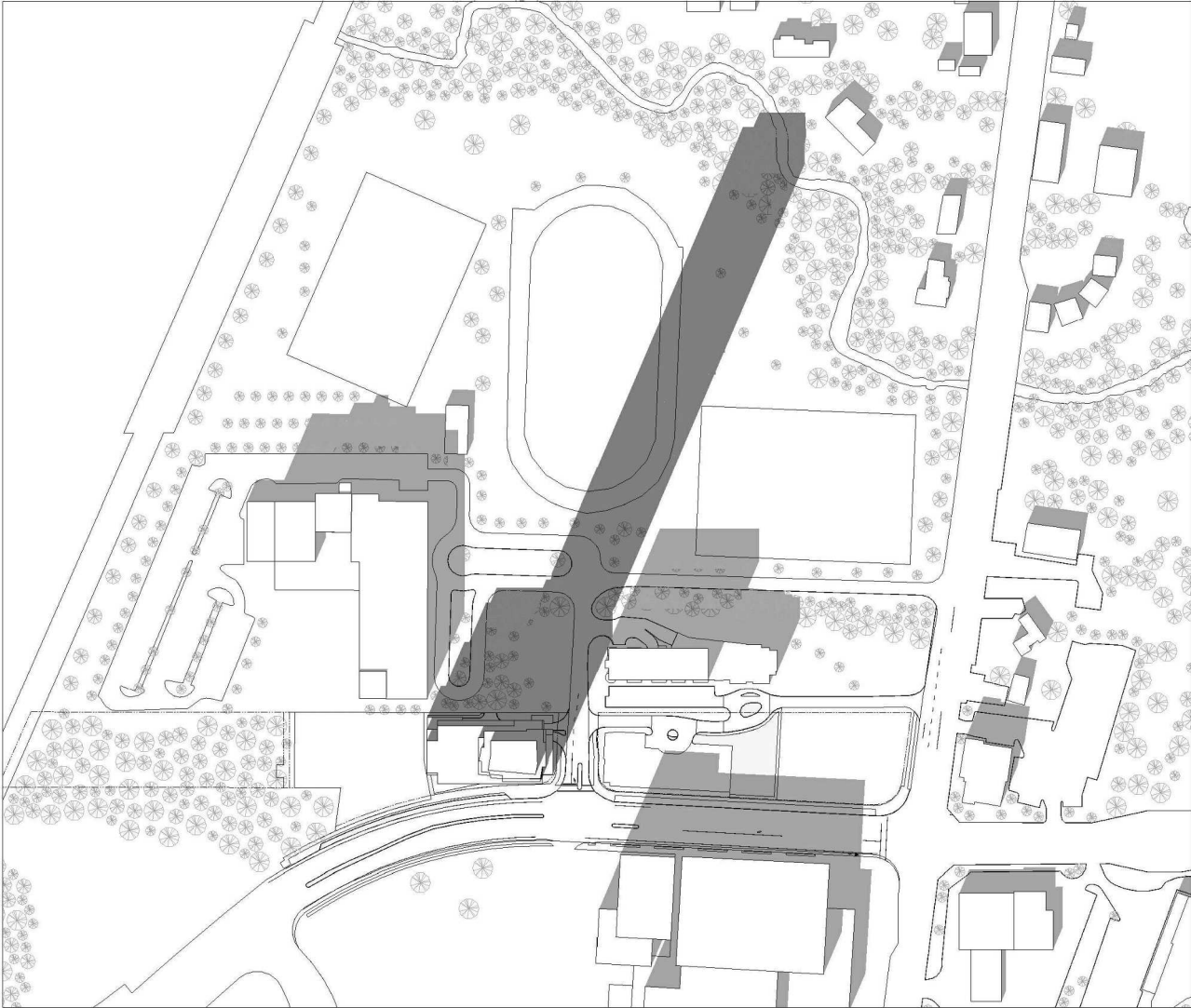
Patient Information	
First Name	
Last Name	
Address	
City	
State	
Zip	
Phone	
Age	
Gender	
Occupation	
Referral Source	
Medical History	
Presenting Complaint	
Past Medical History	
Past Surgical History	
Allergies	
Social History	
Family History	
Review of Systems	
Physical Examination	
Vital Signs	
Laboratory Tests	
Imaging Studies	
Diagnosis	
Treatment Plan	
Follow-up	

Patient Information	
First Name	
Last Name	
Address	
City	
State	
Zip	
Phone	
Insurance	
Physician Information	
Physician Name	
Physician Address	
Physician City	
Physician State	
Physician Zip	
Physician Phone	
Physician Insurance	
Referral Information	
Referral Number	
Referral Date	
Referral Type	
Referral Source	
Referral Reason	
Referral Status	
Referral Notes	
Referral History	
Referral Date	
Referral Type	
Referral Source	
Referral Reason	
Referral Status	
Referral Notes	
Referral Summary	
Referral Date	
Referral Type	
Referral Source	
Referral Reason	
Referral Status	
Referral Notes	

Shadow Study June

A circular cross-section of a rock is shown. A vertical crack is represented by a thick black line passing through the center. A shaded gray triangular region is located in the upper right quadrant, bounded by the crack, a radial line, and an arc of the circle's circumference.

A3.2



12:18 pm

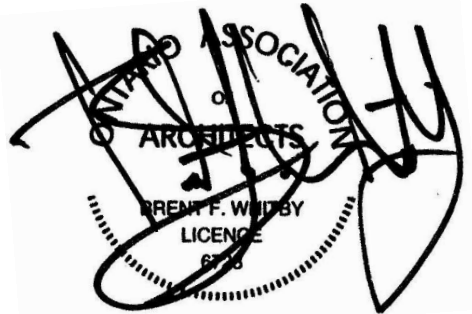
1
A3.3

All Drawings, Specifications, and Related Documents are the Copyright of the Architect. The Architect retains all rights to control all uses of these documents for the intended issuance/use as identified below. Reproduction of these Documents, without permission from the Architect, is strictly prohibited. The Authorities Having Jurisdiction are permitted to use, distribute, and reproduce these drawings for the intended issuance as noted and dated below, however the extended permission to the Authorities Having Jurisdiction in no way debases or limits the Copyright of the Architect, or control of use of these documents by the Architect.

Do not scale the drawings.

This Drawing Is Not To Be Used For Construction Until Signed ByThe Architect.

Date:



KIRKOR ARCHITECTS AND PLANNERS

20 De Boers Dr. # 400 Toronto ON M3J 0H1
TEL 416 665 6060 kirkorarchitects.com

No.:	Revision:	Date:
------	-----------	-------

09	Site Plan Resubmission	Apr. 10 / 2020
08	OPA / ZBA / SPA Submission	Dec. 16 / 2019
07	Site Plan Resubmission	Dec. 10 / 2018
06	Site Plan Resubmission	Oct. 26 / 2018
05	Rezoning & Site Plan Resubmission	July 31 / 2018
04	Rezoning & Site Plan Resubmission	June 07 / 2018
03	Rezoning & Site Plan Application	Sep. 01 / 2017
02	Rezoning	Jan. 31 / 2017
01	Rezoning & Site Plan Application	Aug. 30 / 2016

No.:	Issued For:	Date:
------	-------------	-------

Drawing Title:

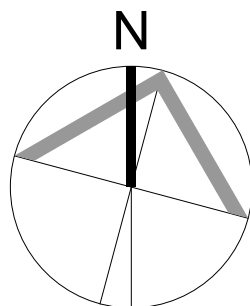
Shadow Study December

Project:
PLAN 19 142690; SC 15 119946

**Markham Square
OnePiece Developments**

28 Main Street, Unionville

Scale:



Drawn by:
R.P., J.L.

Checked by:
D.B.

Project No.:
19-076

Date:
April 10, 2020

Drawing No.:

A3.3



28 Main Street Unionville – Phase 1

Sustainability Features Letter Prepared – April 10, 2020

The Phase 1 Development of 28 Main Street Unionville will implement a number of sustainable features in its design, and will aim for LEED Silver.

Sustainable site measures will include increased density and community connectivity; it is within walking distance to public transportation options that includes the Viva Rapid Bus Line, and the Unionville Go-Station. The development also implements bicycle storage rooms for residents, resident visitors, retail visitors and retail staff. Chargers for Electric Vehicles for residents and visitors will also be included.

The Terrace, and roof landscaped areas on both developments will be designed by the landscape architect to reduce the heat island effects, and the roof will be treated with high-albedo materials to reduce it further.

The development will implement water efficiency measures such as water use reduction methods, water efficient landscaping, and water sub-metering. Storm-water quantity control will also be implemented on site.

Energy & Atmosphere measures will include an optimization of energy performance by an energy modeler, enhanced refrigerant management, and measurement and verification measures.

The development will have construction and waste management measures, recycled content, and regional materials as part of a materials and resources plan.

As part of our indoor environmental quality measures a construction indoor air quality management plan will be implemented, low emitting materials for adhesives and sealants, paints and coatings, and flooring

20 De Boers Dr. #400 Toronto ON M3J 0H1
TEL 416 665 6060

CLIFFORD KORMAN
| Architect, AAA, MAA

BES / B.ARCH / MAIBC
/ RAIC / OPPI / NCARB
/ RPP / MCIP / OAA / AIA

STEVEN KIRSHENBLATT
| Architect, AAA, MAA

BES / B.ARCH / OAA / RAIC
/ MAIBC / LEED AP

237-8th Ave SE. #401 Calgary AB T2G 5C3
TEL 403 455 6064

CARLOS ANTUNES
| Architect, AAA, MAA

B.ARCH (ARCH) / RAIC
/ OAA / M.ARCH

DAVID BUTTERWORTH
| Architect, AAA, MAA

BA (HONS) ARCH / OAA
DIP ARCH (OXFORD) / RIBA
/ ARR / RAIC

kirkorarchitects.com

BRENT WHITBY
| Architect, AAA, MAA

BES / M.ARCH / OAA / RAIC

systems will be chosen. Indoor chemical and pollutant source controls will be implemented, with controllability of lighting, and thermal comfort and design.

The development will employ a green building education and green housing keeping initiative as part of a larger strategy.

Sincerely,

A handwritten signature in black ink, appearing to read "David Butterworth". The signature is fluid and cursive, with a large initial "D" and a stylized "B".

David Butterworth



MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, Commissioner of Development Services

Prepared by: Policy & Research Group

Date: July 13, 2020

Re: City of Markham Comments on York Region's Draft MTSAs for Inclusion in the Regional Official Plan – Supplementary Information

RECOMMENDATION:

1. That the memorandum entitled “City of Markham Comments on York Region’s Draft MTSAs for Inclusion in the Regional Official Plan – Supplementary Information” be received.

BACKGROUND:

On June 22, 2020, Development Services Committee (DSC) considered a staff report and presentation entitled “City of Markham Comments on York Region’s Draft MTSAs for Inclusion in the Regional Official Plan”. Staff were directed to report back to DSC on July 13, 2020 with further information about certain matters raised by Committee.

DISCUSSION:

The matters requiring further information are addressed below. No changes to the June 22, 2020 staff report are recommended.

1. Potential impact of Metrolinx’s proposed changes to stations on the Yonge North Subway Extension (YNSE) still to be determined

Metrolinx is currently evaluating various subway alignment and station location options to minimize costs and enhance transit benefits, but at this time, no final recommendations are available. Staff will report to Committee once Metrolinx or the Ministry of Transportation releases a decision.

2. Rationale for proposed Allstate Parkway, Woodbine, Montgomery and Enterprise BRT MTSA delineations

The Growth Plan 2019 changed the definition of MTSAs to being generally within 500-800 metres of a transit station. The Region's draft MTSAs were based on the Growth Plan 2017 definition of a 500 metre radius. In preparing the comments in the June 22, 2020 report, staff reviewed the boundaries of all the draft MTSAs considering the wider 800 metre radius, and concluded that only two MTSAs (i.e., Post BRT and Milliken GO Stations) warranted revisions to the boundary, mainly for the purpose of maximizing opportunities for inclusionary zoning. As requested, mapping for the Allstate Parkway, Woodbine, Montgomery and Enterprise BRT Stations illustrating the 800 metre radius is provided in Figures 1 and 2, and the staff rationale for not recommending further extension of the MTSAs is provided below.

Allstate Parkway, Woodbine and Montgomery BRT Stations

As indicated in the June 22, 2020 staff report, Regional staff's approach to delineating proposed MTSAs was based on a methodology that reinforced the planned regional and local municipal urban structure for accommodating growth through intensification (e.g., reflecting approved Centres, Corridors/Key Development Areas, local centres and local corridors), among other things.

The proposed delineations of the Allstate Parkway and Woodbine MTSAs are consistent with the boundary of the Woodbine/404 Key Development Area (KDA) in the Official Plan, which also closely reflects the original 500 metre radius. As shown in Figure 1, expanding the delineations of these MTSAs beyond the KDA boundary to the 800 metre radius would include additional employment lands, and in the case of the Montgomery Station, additional established low rise residential lands.

Staff are hesitant to add more employment lands to these MTSAs in light of recent proposed changes to the Growth Plan (see separate staff report to the July 13, 2020 Development Services Committee meeting), that would allow conversion of employment lands within MTSAs outside of an MCR, even if they are within Provincially Significant Employment Zones (PSEZs). Most of the employment lands within these MTSAs are identified as PSEZs. Therefore staff would recommend not including any additional employment lands within these MTSAs at this time in order to minimize the risk of accelerated conversion requests, which could potentially destabilize the larger employment areas. If the Province approves the proposed changes, staff will review the boundaries of all the MTSAs which contain employment lands within PSEZs, and provide any further comments through subsequent reports to Committee prior to Regional Council approving the MTSAs.

Committee also discussed whether the Allstate Parkway and Woodbine BRT Station MTSAs should be expanded to the north to include the anticipated redevelopment of the Buttonville Airport lands. Figure 1 illustrates that the lands are well beyond the 800 metre radius of the Allstate Parkway and Woodbine MTSAs. Given the distance from the Hwy 7 BRT, and also considering that the current owner of the Buttonville Airport lands is no longer proceeding with the redevelopment of the site, and future plans for the site are unknown, staff concluded that the lands should not be included within the MTSAs.

Enterprise BRT Station

In response to Committee's question of whether the property located at the southwest corner of Kennedy Road and Highway 7 (Peach Tree Plaza) should be included within the Enterprise BRT Station MTSA, Figure 2 illustrates that the plaza is located beyond the station's 800 metre radius. In addition, as the location of this station, as well as the Viva BRT alignment through Markham Centre, is being reviewed through the Markham Centre Secondary Plan process, staff concluded that the delineation proposed by the Region can be confirmed as part of that process.

3. Rationale for not recommending additional MTSA's at potential John Street GO station and Centennial GO station

As indicated in the June 22, 2020 report, opportunities for additional MTSA's were analyzed on all of the future rapid transit corridors shown on Map 2 – Centres and Corridors Transit Network in the Official Plan, but staff recommended limiting additional MTSA's to those areas where there is anticipated funding for transit, or where there is already development interest. Although there is currently no committed funding for continuation of the Hwy 7 BRT east of Markham Centre, there is currently development interest in both the Markville and Cornell Centre Secondary Plan areas.

Centennial GO Station

The Centennial GO Station is located on the non-priority portion of the Stouffville GO Line, and is therefore not required to be identified as an MTSA. It was not identified as a separate additional MTSA by Regional or Markham staff because of the limited development/redevelopment potential north of the rail line (see Figure 3). In addition, all of the lands with redevelopment potential near the GO station are already captured within the McCowan BRT MTSA.

However, staff support asking the Region to identify the Centennial GO station on the McCowan BRT MTSA mapping, and to rename the MTSA to 'McCowan BRT/Centennial GO MTSA'.

Proposed John Street GO station (Richmond Hill GO Line)

With respect to a potential GO station in the vicinity of John Street on the Richmond Hill GO line, although a proposed GO Station is shown on Map 2 – Centres and Corridors and Transit Network in the Official Plan, staff felt the identification of an additional MTSA in this area is premature, given technical issues with upgrading service on this rail line (flood risk, required grade separation, priority of freight trains on CN York Subdivision) and limited redevelopment potential in close proximity to the station (see Figure 4).

A land use study for the Thornlea Employment Area immediately east of the rail line, initiated in early 2011, found the area to contain a mix of established, viable employment uses, some of which may not be compatible with adjacent residential uses. The report proposed a vision for the area transitioning from a predominance of heavier automotive repair uses to a broader range of service employment uses potentially including some office, service and appropriately scaled retail uses, but this transition would take time because the existing uses are generally viable businesses in operator-owned premises. West of the rail line there are some opportunities for redevelopment on the Shouldice Hospital lands west of Bayview Avenue, which is at the periphery of the 800 metre radius, and potential intensification

opportunities on the Thornhill Square shopping centre lands immediately east of the Thornhill Community Centre. As previously indicated, MTSAs can be added to the Regional Official Plan outside of an MCR, so the opportunity remains to identify an MTSA in this location at a later date, if conditions change.

4. Impact of relocating or expanding the centre point of the proposed Milliken GO and Unionville GO MTSA boundaries

Milliken GO Station

Committee discussed depicting the Milliken station as being extended to the entire length of the platform to Steeles Avenue to see what impact this would have on the lands included within the 800 metre radius. Figure 5 illustrates that under this scenario, additional lands to the north of Victory Avenue would fall within the 800 metre radius, whereas under the original scenario, the 800 metre radius did not extend beyond Victory Avenue. The June 22, 2020 staff report recommended including additional lands up to Victory Avenue (the original 800m limit) within the MTSA boundary to maximize inclusionary zoning opportunities. The staff report also noted that the MTSA boundaries could be confirmed through the Milliken Centre Secondary Plan study current underway, taking into account the potential for a second station/MTSA at Denison Street, which would also capture the additional lands.

Unionville GO Station

Committee discussed a scenario of moving the GO station further south to better illustrate the intent to provide direct connection to the proposed Highway 407 Transitway, and to capture lands south of Highway 407 within the Unionville GO MTSA. Figure 6 illustrates the impact of the shifted GO station location, which is to capture Parkway Belt lands immediately south of Hwy 407 as well as employment lands further south to 14th Avenue within the 800 metre radius. As requested by Committee, the draft 14th Avenue MTSA is also shown to highlight the distance between the two MTSAs, however, the Region is expected to remove the proposed 14th Avenue MTSA as Metrolinx is no longer planning for a station at that location.

The staff report recommends that the Markham Centre MTSAs be confirmed as part of the ongoing Markham Centre Secondary Plan update.

ATTACHMENTS:

Figure 1: Allstate Parkway, Woodbine, and Montgomery BRT Stations

Figure 2: Enterprise BRT Station

Figure 3: Centennial GO Station and McCowan BRT Station

Figure 4: Potential John Street GO Station

Figure 5: Milliken GO Station

Figure 6: Unionville GO Station

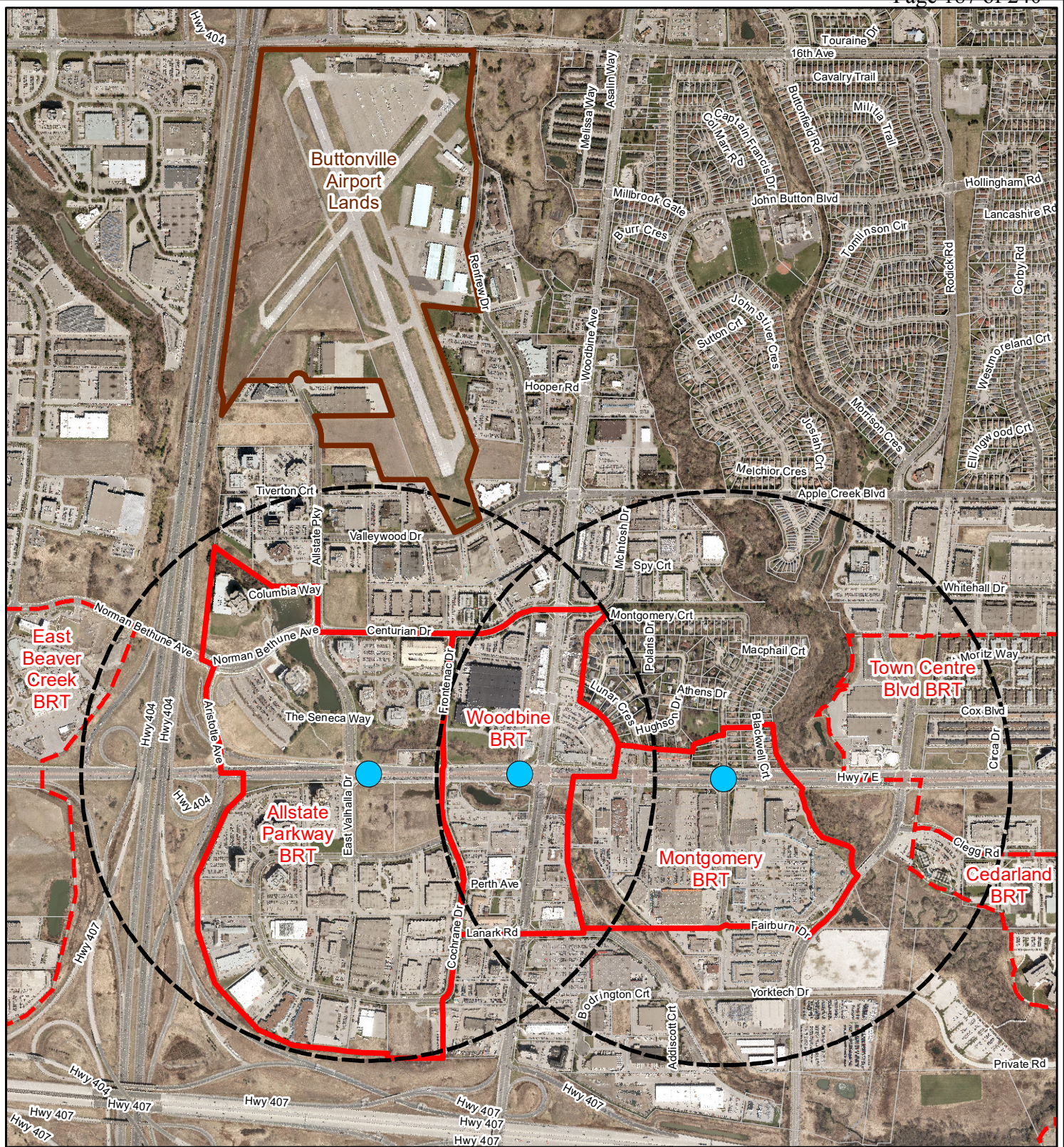


Figure 1: Allstate Parkway, Woodbine and Montgomery BRT Stations





Figure 2: Enterprise BRT Station

- Required BRT
- MTSA Boundary
- Adjacent MTSA Boundary
- 800m Radius



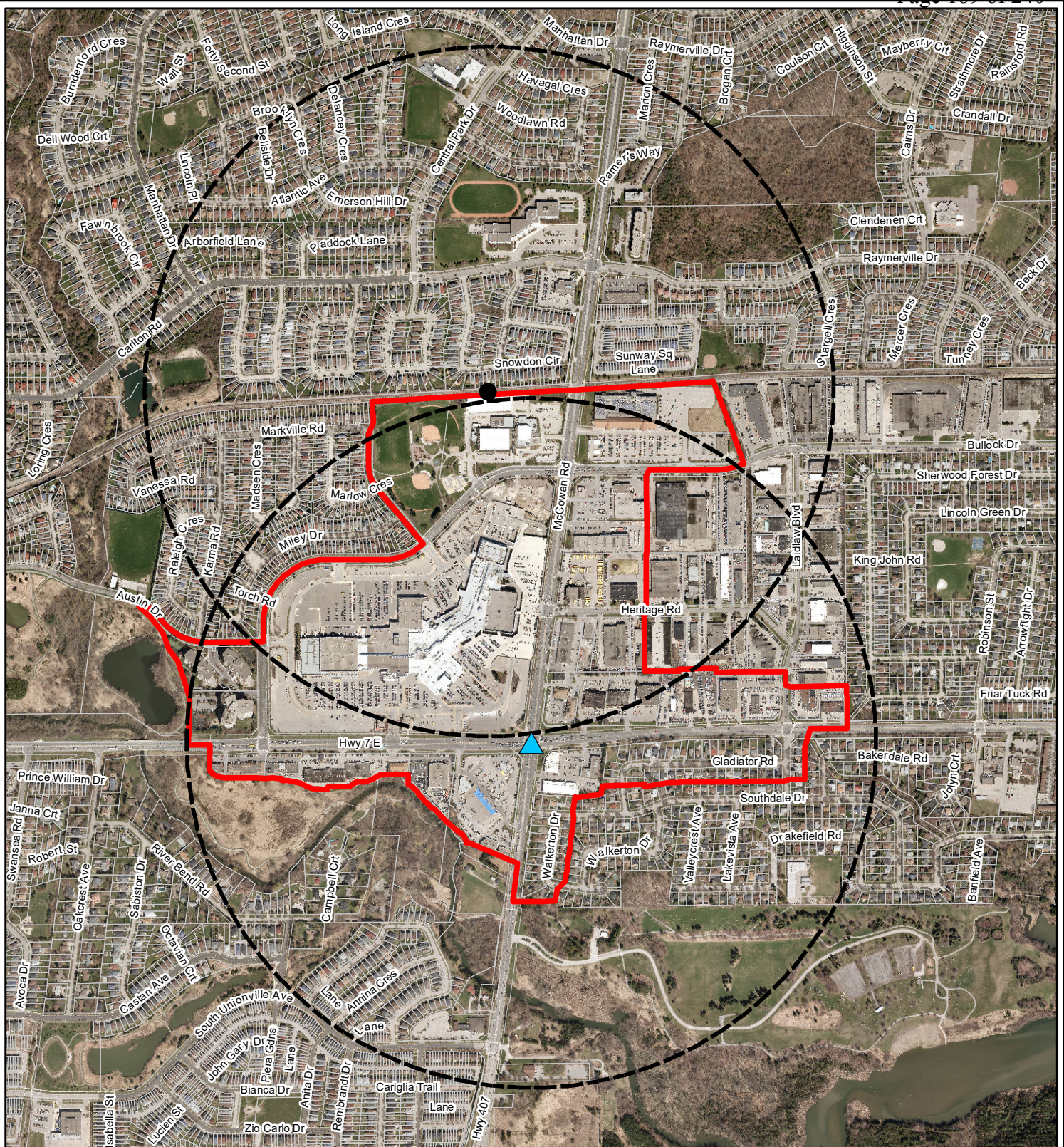


Figure 3: Centennial GO Station and McCowan BRT Station

- ▲ Additional BRT
● Centennial GO Station
 MTSA Boundary
 800m Radius

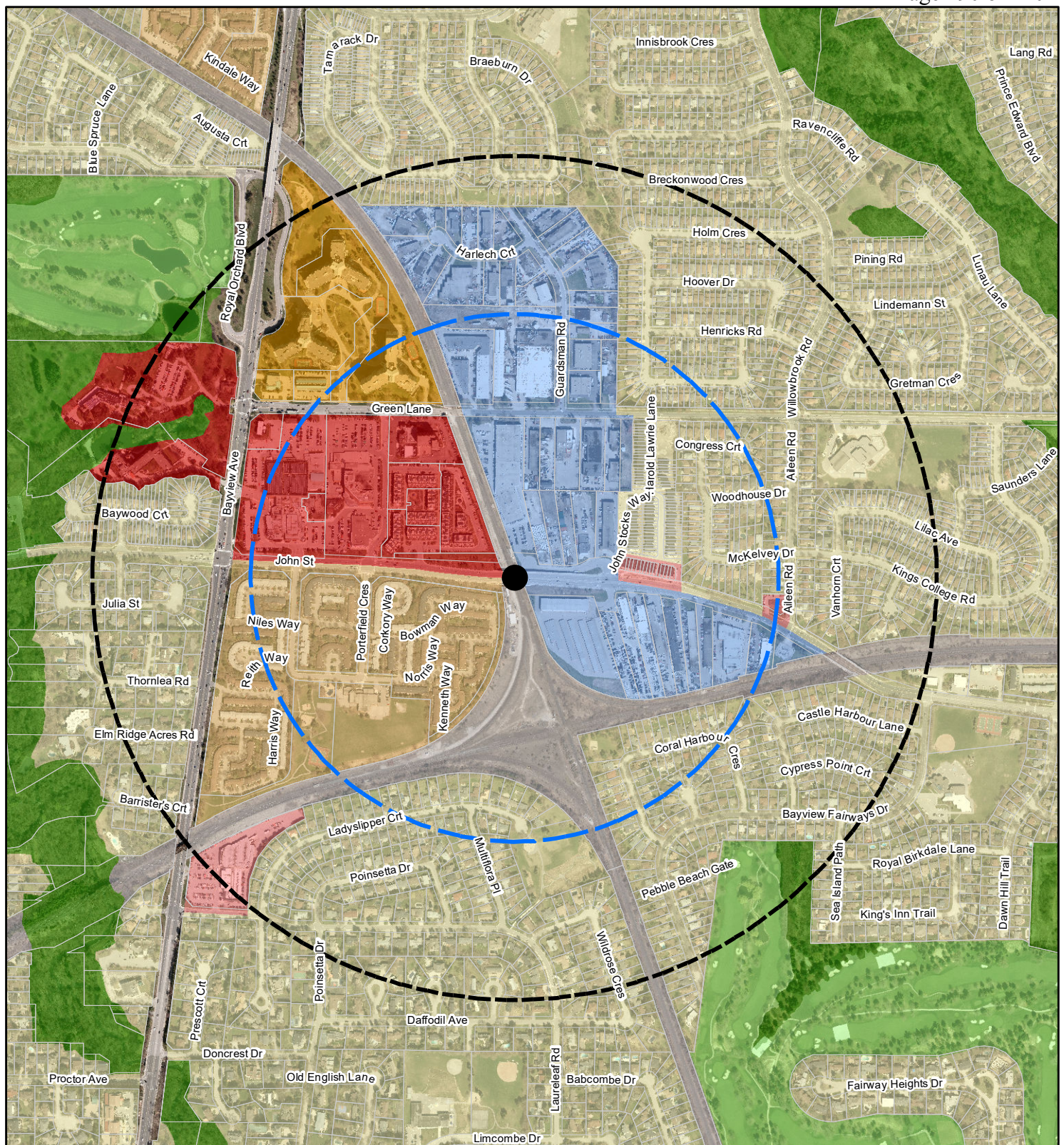
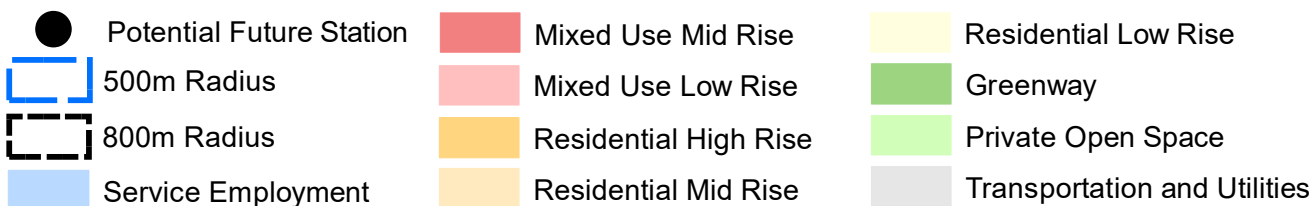


Figure 4: Potential John Street GO Station (Richmond Hill Line)



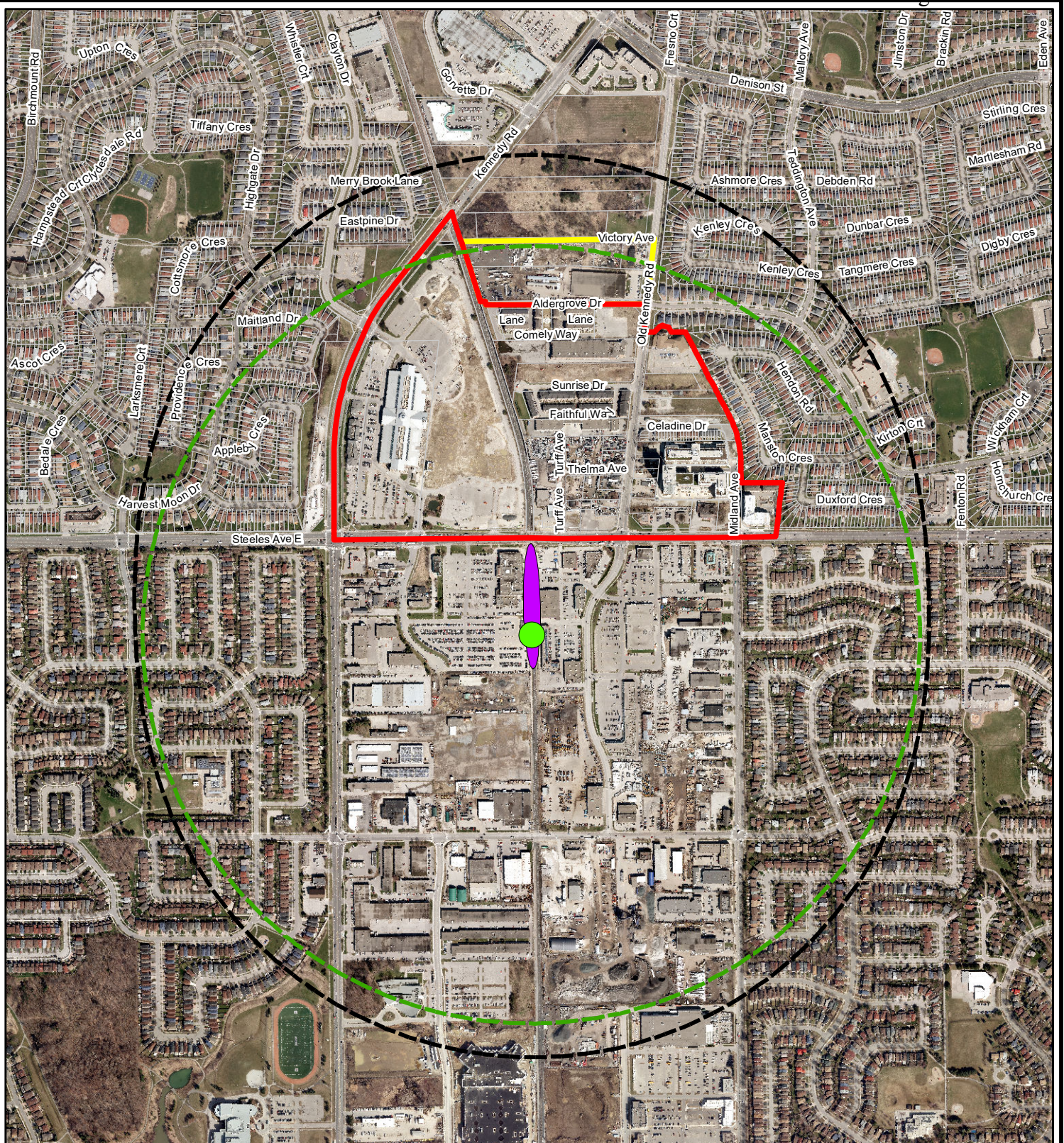





Figure 5: Milliken GO Station

 Extended GO Station

 Existing GO Station



 MTSA Boundary

 800m Radius Extended Station

 800m Radius Existing GO Station

 Staff Recommended Addition June 22/20 Report

Q:\Geomatics\Departments\Planning\Policy\Margaret\Transit Station Area Development Potential\MTSA June 2020 Report\Report Figures.mxd

 Existing GO Station
  MTSA Boundary
  800m Radius
 Relocated GO Station
  Adjacent MTSA Boundary



Report to: Development Services Committee

Meeting Date: July 13, 2020

SUBJECT: Design and Financing of Preliminary Fill Import and Grading Works at Blodwen Davies Park

PREPARED BY: Richard Fournier, Manager, Parks & Open Space Development, ext. 2120

REVIEWED BY: Ronji Borooah, City Architect, ext. 8340

RECOMMENDATION:

- 1) THAT the report dated July 13, 2020 to Development Services Committee, titled 'Design and Financing of Preliminary Fill Import and Grading Works at Blodwen Davies Park' be received;
- 2) AND THAT Council approve the request by Humboldt Properties to finance and be reimbursed for the cost of design and construction of this park identified as Parts 2, 3, 4, 5 Plan 65R-32345 (1.79 ha/ 4.428 ac) up to the total amount of \$435,990.72, inclusive of HST subject to the following conditions:
 - A. The cost of the fill and grading works in the amount of \$396,355.20, inclusive of HST;
 - B. A 10% contingency in the amount of \$39,635.52, inclusive of HST, to cover any additional construction costs and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy;
 - C. Be reimbursed based on invoices paid for costs approved by the Manager, Parks and Open Space Development associated with the design and construction for the base park development. No interest on such invoices shall be payable by the City.
 - D. Reimbursement terms are as follows:
 - a. Humboldt Properties may invoice the City for 100% of approved costs provided that:
 - i. At least 60 days from the date of publication of Substantial Performance has expired;
 - ii. Proof of publication has been submitted with the invoice;
 - iii. No liens have been registered in regard to this contract;
 - iv. The constructed work has reached Total Completion to the City's satisfaction;
 - v. The Engineering Consultant has issued to the City a Total Completion Certificate.

- 3) AND THAT internal capital administration fee in the amount of \$39,239.16 be approved for the administration of this project;
- 4) AND THAT a new 2020 Design project be established for the design, construction and internal contract administration of the preliminary fill import and grading works at Blodwen Davies Park for \$475,229.88 (\$396,355.20 + \$39,635.52 + \$39,239.16), funded \$427,706.89 (90%) from Development Charges Reserve and \$47,522.99 (10%) from the Parks Cash-in-Lieu Account;
- 5) AND THAT Humboldt Properties not receive any credit towards the parks component of development charges for future development phases of subdivisions within the Upper Greensborough community;
- 6) AND THAT Council authorize the execution of an agreement by the Mayor and Clerk for the construction and reimbursement of the cost of design, construction, and contract administration of this project in a form satisfactory to the Commissioner of Development Services and City Solicitor, or their respective designates;
- 7) AND THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report seeks approval to allow Humboldt Properties to be reimbursed after they finance the cost of design, construction and contract administration associated with the importing and grading of clean fill material at Blodwen Davies Park known as Parts 2, 3, 4 and 5, Plan 65R-32345 (1.79ha/4.42ac), prior to the Park construction by the City scheduled to begin in 2021.

BACKGROUND:

Conveyance of lands to the City, through the development process, for the purposes of Park development is a critical step in expanding the City's parks system and providing outdoor recreation for residents. Accepting lands for park development in a condition in which they are ready to be developed is essential to mitigating additional costs of development to the City. Typically, land is conveyed to the City during the subdivision process and the conditions of draft plan approval would identify the requirements and conditions for the park block to be brought to a base park condition by the developer. However, Blodwen Davies Park was conveyed to the City outside of the subdivision agreement process as discussed below.

Blodwen Davies Park is located in Upper Greensborough at 335 Donald Cousens Parkway. The property is surrounded by an existing residential subdivision to the west (Digram Developments), naturalized valley lands to the north, future residential development to the east (Humboldt Properties) and Donald Cousens Parkway directly south. (Attachment B)

A majority of the Blodwen Davies Park was conveyed directly to the City in 2010 by private landowners in the area, and this conveyance was not part of the adjacent subdivision registered by Digram Developments. Since these lands were conveyed to the City outside the subdivision process, arrangements for fill and grading works to bring the site to a base parkland condition for park development were not in place.

While working towards advancing the design development of this neighbourhood park, staff have confirmed that the grades of the Park as conveyed are approximately 2.0m - 4.0m below the adjacent road elevation of Donald Cousens Parkway. To support an active neighbourhood park with the anticipated amenities including a double tennis court, shade structure, jr/sr playground and pathways, the current grades must be raised to create tableland that match elevations adjacent to Donald Cousens Parkway.

City Staff have concluded that to enable proper development of this neighbourhood park, approximately 30,000 cubic meters of clean fill would be required to bring the grades to an appropriate base park elevation.

The current Development Charge Background Study (DCBS) identifies a \$2,246,053 envelope to build this park (inclusive of administration fees and HST impact). The cost estimate to construct the park from base condition with the identified amenities is approximately \$1,746,053 (inclusive of administration fees and tax impact). The cost to provide fill and grade the park to base parkland conditions are approximately \$500,000 (inclusive of administrative fees and HST impact). Therefore, the total of the park development (approximately \$1.746M) plus the preliminary park fill and grading (approximately \$500k) is \$2.246 M (inclusive of administration fees and HST impact). This total cost of construction is within the DCBS envelope identified for Blodwen Davies Park.

PROPOSAL

Humboldt Properties, who are developing immediately to the east, has advised that verbal arrangements were made with former Parks staff to import clean fill to the park site to bring the park grades up to acceptable base parkland standards. These discussions were prior to a 2018 Council resolution with respect to permitting excess soil from greenfield residential development sites to be delivered to City-owned lands (see Attachment C).

Humboldt Properties, who are currently in the process of developing their residential site, had approached staff in the fall of 2019 regarding their prior arrangements with parks staff. Given the related Council resolution from May 2018, staff decided to meet with Humboldt Properties representatives. During the discussions, it became clear that Humboldt's desire was to work with the City to assist with park development and that they were not agreeable to paying the City for placing fill from their development on City lands.

Humboldt Properties presented staff with a proposal dated June 19, 2020 to provide the City with clean fill from their neighbouring subdivision to the east (10,000 cubic metres),

as well as to source the remaining fill required (+/- \$20,000 cubic metres) to bring the Park to base park condition. The 10,000 cubic metres portion of the clean fill that Humboldt Properties could provide from their site to the east would be provided at no cost, however, any additional fill required above that (+/- 20,000 cubic metres) would need to be funded by the City. Due to the timing of Humboldt's development to the east, the proposed preliminary park fill and grading works must be undertaken to coincide with their base development works starting this summer and intended to be completed prior to fall 2020.

Staff's review of Humboldt's proposal suggests that the costs provided by Humboldt are reasonable and competitive with industry standards for importing fill. When these competitive prices are combined with the 10,000 cu. m of fill provided at no cost, the savings to the City are substantial.

OPTIONS/ DISCUSSION:

The Park design is currently underway in 2020 and construction is targeted to begin in 2021, provided the construction budget is approved in the fall and preliminary fill and grading works to bring the park to base park standards has been completed.

It should be noted that access to the park site is limited. There is no direct access to the park from Donald Cousens Parkway. It would be difficult and not advisable to have park construction access from the west as the route would be through an existing low density residential subdivision. The access from the east would be through Humboldt Properties site.

Failing to reach an agreement with Humboldt to undertake the fill and grading works would result in further financial implications and potential access constraints.

The proposal dated June 19, 2020 from Humboldt Properties (Via SCS Consulting Group Ltd) (Attachment A) will provide the City with all required consulting, clean fill and construction services required to obtain the required tableland for this Park construction. Access will be from Humboldt's property, which is also a benefit to the City so that there will be no disturbance to traffic along Donald Cousens Parkway. Staff have reviewed the financial proposal and find the value to be better than market standards and recommend the award of the works to Humboldt Properties. The cost to move the fill material within the proposal is \$6.55 per cubic meter as compared to recent City fill moving exercise which ranged from \$8.00 per cubic meter to \$11.00 per cubic meter. The Humboldt proposal represents a saving of \$43,500- \$133,500. Construction works to import fill is scheduled to begin later in July 2020 and take approximately 4-6 weeks to complete.

Staff anticipate that by entering into an agreement with Humboldt Properties to undertake base park works in the summer of 2020, that staff will be able to undertake the procurements required to initiate Park construction in Spring 2021 (pending Covid-19 procedures) with substantial completion of the Park development anticipated in Fall 2021.

This report seeks Council's approval for a budget request for the cost of design, construction, and contract administration of the preliminary fill and grading works at Blodwen Davies Park for \$475,229.88 and for the approval to enter into an agreement with Humboldt Properties to finance, design and construct the importing of clean fill and grading required for base park conditions.

FINANCIAL CONSIDERATIONS

Funding for the reimbursement to Humboldt Properties to a maximum of \$435,990.72 which is inclusive of \$396,355.20 for the design and construction work plus an additional \$39,635.52 (10% of construction costs) as a contingency for potential unknown site conditions is being requested. This contingency is in addition of the contingency of \$48,137.31 that's included in Humboldt's proposal of \$396,355.20. The costs associated with the contingency built into the proposal are for things like additional stripping of existing topsoil, stockpiling topsoil, additional fill and placement of existing topsoil.

The standard contingency for new park construction under \$500,000 is 7%. Design department is requesting a further 10% contingency in the amount of \$39,635.52. As these lands were not conveyed through a subdivision agreement, there is a greater potential for unforeseen expenditures for this project, which could include additional Engineering consulting services, soil testing and removals of unsuitable soils offsite.

Design internal capital administration fee of \$39,239.16 is also required for the administration of this project.

Staff request a new Design project in the amount of \$475,229.88 (\$396,355.20 + \$39,635.52 + \$39,239.16) be established, funded \$427,706.89 (90%) from Development Charges Reserve and \$47,522.99 (10%) from the Parks Cash-in-Lieu Account. The park is currently being designed and construction budget will be requested as part of the 2021 budget process.

Operating and Life Cycle Impact

It is anticipated that the City will take assumption for maintenance of this park in late Fall 2021. The Operating and Life Cycle Reserve impact will be determined at time of park construction in early 2021.

When designing the park, staff will consider the long-term maintenance, operational and capital replacement cost implications.

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Consistent with the City's Safe, Sustainable & Complete Community objective.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Finance Department & Legal Department have been consulted in the preparation of this report.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P, R.P.P.
Director of Planning & Urban Design

Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

ATTACHMENT A – Humboldt Properties Proposal via SCS Consulting dated June 19, 2020

ATTACHMENT B – Location Map

ATTACHMENT C – Extract from the Minutes of the Council Meeting Held May 29, 2018



File #: 1370
Date: June 19, 2020

Mr. Stephen Tippet
Parks and Open Space Development Coordinator
City of Markham
 101 Town Centre Boulevard
 Markham, Ontario, L3R 9W3

Dear Mr. Tippet:

**Re: Proposal for City Park Works - O. Reg 406/19 Testing Included
 Park Grading Program - Todd Brothers, Golder & SCS Services
 Greensborough adjacent to Humboldt Development, City of Markham**

Further to our recent meetings and coordination, on behalf of our Client, Greensborough Valley Developments Ltd. (Humboldt), we are very pleased to provide you with the following proposal summary to complete the proposed park grading works including site preparation, filling and grading, and restoration works for the above referenced City park. Along with our Client's support, the proposed works will include the following team works:

- ➔ **Todd Brothers Contracting Ltd.**
 Pricing provided through priced *Payment Summary* dated June 13, 2020.
- ➔ **Golder Associates Ltd.**
 Geotechnical and environmental works to be undertaken per *Proposed Scope of Work and Budget Estimate for Sampling of Soil Source Sites and Monitoring of Soil Import and Engineered Fill Placement*, Includes O.Reg. 406/19 testing, dated June 12, 2020.
- ➔ **SCS Consulting Group Ltd.**
 Coordination, contract administration and inspection services to be undertaken per *Proposal for Engineering Services - Revised*, dated June 13, 2020.

All above works to be certified through existing contracts between Humboldt and the parties noted, and claimed by Humboldt against the City of Markham Purchase Order to be issued.

Project Understanding

Based on the needs to prepare the City park grading adjacent to the Greensborough Valley Development Ltd. (Humboldt) site, we will coordinate for approximately 10,000m³ of excess clean material from the Humboldt site and approximately 20,000m³ imported from an outside approved source to be imported to the park. We will coordinate site preparation works in advance of importing fill to the park, and restoration to the proposed design to follow. Works are projected to commence, upon City approval, in July 2020.

**Re: | Proposal for City Park Works - O. Reg 406/19 Testing Included
Park Grading Program - Todd Brothers, Golder & SCS Services
Greensborough adjacent to Humbold Development, City of Markham**

File #: 1370
June 19, 2020
Page 2 of 2

Fees

Please refer to the following fees for the above noted works:

Team Member	Scope of Work	Fees
Todd Brothers Contracting Ltd.	Construction Services	\$245,000
Golder Associates Ltd.	Geotechnical and Environmental Services	\$92,000
SCS Consulting Group Ltd.	Coordination, CA and Inspection Services	\$52,500

Fees above are inclusive of a contingency, and subject to H.S.T.

Fee Assumptions

- ➡ City to coordinate site clean-up of existing unsuitable stockpiled/dumped materials;
- ➡ City to provide topographical survey following clean-up works to reference as baseline prior to commencement of fill import;
- ➡ Todd Brothers to provide post grading topographical survey for SCS analysis;
- ➡ City park servicing design is not included within this proposal;
- ➡ City grading works to be undertaken in conjunction with SCS Erosion & Sediment Control Plan and Grading Plan dated June 13, 2019;
- ➡ Payment Summary documents itemizing Contractor scope of works to be prepared utilizing SCS formatting in conjunction with the existing Humbold Contract with Todd Brothers;
- ➡ City to expedite any permits or approvals necessary to facilitate park grading works;
- ➡ Works to be undertaken in summer 2020 with a total estimated field work duration of eight (8) weeks;
- ➡ Following review of post-grading topographical survey, if site is not within tolerance, coordination for re-work and further analysis to be considered additional and billed as such;
- ➡ Golder's proposal dated June 12, 2020 includes testing in accordance with the proposed changes to Ontario Regulation 406/19; and
- ➡ Assumptions as referenced in Golder proposal dated June 12, 2020.

If you have any questions or require further information, please do not hesitate to contact the undersigned.

Sincerely,

SCS Consulting Group Ltd.



Julia L. Risi, C.E.T., CAN-CISEC
jlrisi@scsconsultinggroup.com

P:\1370 Greensborough Valley\Project Management\Fees- Client agreements\2020 06(Jun) 12 - City Park Grading\city-jlr-proposal for park fill works (O.Reg. 406.19 testing included)-19jun20.doc

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Sedimentation Control Fence with filter cloth as per City of Markham Dwg. MP11.				
a)	Installation	574.0	m	\$16.35	\$9,384.90
b)	Removal and disposal off-site to Contractor's Approved Disposal Site.	574.0	m	\$6.50	\$3,731.00
2	Mud Mat - at Castlemore Avenue				
a)	Construct temporary construction access road including all granular materials as per City of Markham Dwg. MP7.	1.0	each	\$15,951.00	\$15,951.00
b)	Remove mud mat and culvert and disposal to Contractor's Approved Disposal Site.	1.0	each	\$8,635.00	\$8,635.00
3	Topsoil				
a)	Strip topsoil in Park and stockpile where specified.	3,685.0	m ³	\$4.40	\$16,214.00
b)	Obtain from stockpile and place topsoil.	3,685.0	m ³	\$6.25	\$23,031.25
4	Import Fill				
a)	From adjacent Humboldt site to specified elevations.	10,000.0	m ³	\$2.90	\$29,000.00
b)	Import fill to specified elevations.	21,000.0	m ³	\$3.65	\$76,650.00
5	Seed Park with nurse crop fall-wheat or approved equivalent.	12,283.0	m ²	\$0.70	\$8,598.10
6	Survey Requirements				
a)	Post topsoil surveys	1.0	each	\$2,500.00	\$2,500.00
b)	Post earthworks surveys - City Park	1.0	each	\$2,500.00	\$2,500.00
7	Supply and operate mechanical road sweeper for mud control.	1.0	allow	\$6,500.00	\$6,500.00
ESTIMATED TOTAL					\$202,695.25
CONTINGENCY					\$42,304.75
TOTAL INCLUDING CONTINGENCY					\$245,000.00



File #: 1370
Date: June 13, 2020

Ms. Julianna Boldt
Humbold Greensborough Valley Holdings Limited
c/o Humbold Properties
 1120 Finch Avenue West, Suite 100
 Toronto, Ontario, M3J 3H7

Dear Ms. Boldt:

**Re: Proposal for Engineering Services - Revised
 Park Grading Program - Coordination, Contract Administration & Inspection Services
 Greensborough adjacent to Humbold Development, City of Markham**

Further to our recent meetings and coordination, we are very pleased to provide you with the following proposal to provide our Coordination, Contract Administration and Inspection Services to complete the site preparation, filling and grading, and restoration works for the above referenced City park.

Project Understanding

Based on the needs to prepare the City park grading adjacent to the Humbold Greensborough Valley Holdings Limited (Humbold) site, we will coordinate for approximately 10,000m³ of excess clean material from the Humbold site and approximately 20,000m³ imported from an outside approved source to be imported to the park. We will coordinate site preparation works in advance of importing fill to the park, and restoration to the proposed design to follow. Works are projected to commence, upon City approval, in July 2020.

Scope of Work

We propose the following scope to complete the noted works:

Coordination, Contract Administration and Inspection Services

- Receive topographical survey prepared as coordinated by City, and undertake comparison to design (incorporating fill availability from Humbold development) to confirm volume of import;
- Coordinate with City for Site Alteration Permit update, and issue grading design to project team;
- Coordinate and issue itemized Payment Summary documents to Todd Brothers for evaluation, receive pricing details, and provide comments to Client and City to proceed;
- **Undertake daily part-time on site reviews of site preparation works, topsoil stripping, coordinate with Todd Brothers and Golder for import from Humbold as well as outside source. This scope is based on a projected eight (8) week duration of site works;**

**Re: | Proposal for Engineering Services - Revised
Park Grading Program - Coordination, Contract Administration & Inspection Services
Greensborough adjacent to Humboldt Development, City of Markham**

File #: 1370
June 13, 2020
Page 2 of 3

- ➔ Undertake weekly erosion and sediment control inspections, issue reporting, and coordinate with Todd Brothers to have any deficiencies addressed;
- ➔ Prepare and issue weekly site progress updates to project team;
- ➔ Receive payment claims from Todd Brothers and issue Payment Certificates (two assumed); and
- ➔ Following fill import program, receive post grading topographical survey (prepared through Todd Brothers), compare against design to confirm design has been achieved, and provide as-built vs. design analysis to City to confirm works have been constructed in general accordance with design.

Fees

We propose the following fee structure:

SCS Task	Item	Fee Basis	Budget
355	Coordination, Contract Administration and Inspection Services	Time Basis	\$47,500
		Contingency	\$5,000
		Total	\$52,500

Fees are subject to H.S.T. Recoverable expenses, including sub-consultants, external printing of reports and drawings, application and agency review fees, and purchased drawings and documents will be billed at cost plus 10%. Fee agreement conditions are per the attached Appendix B.

Fee Assumptions

- ➔ City to coordinate site clean-up of existing unsuitable stockpiled/dumped materials;
- ➔ City to provide topographical survey following clean-up works to reference as baseline prior to commencement of fill import;
- ➔ Todd Brothers to be Contractor for all site works;
- ➔ Todd Brothers to provide post grading topographical surveys (one post topsoil stripping, one post grading completion) for SCS analysis;
- ➔ Golder to be used for all geotechnical and associated reporting services;
- ➔ City park servicing design is not included within this proposal;
- ➔ City grading works to be undertaken in conjunction with SCS Erosion & Sediment Control Plan and Grading Plan dated June 13, 2019;
- ➔ Payment Summary documents itemizing Contractor scope of works to be prepared utilizing SCS formatting in conjunction with the existing Humboldt Contract with Todd Brothers;
- ➔ City to expedite any permits or approvals necessary to facilitate park grading works;
- ➔ Works to be undertaken in summer 2020 with a total estimated field work duration of eight (8) weeks; and
- ➔ Following review of post-grading topographical survey, if site is not within tolerance, coordination for re-work and further analysis to be considered additional and billed as such.

**Re: | Proposal for Engineering Services - Revised
Park Grading Program - Coordination, Contract Administration & Inspection Services
Greensborough adjacent to Humboldt Development, City of Markham**

File #: 1370
June 13, 2020
Page 3 of 3

If you have any questions or require further information, please do not hesitate to contact the undersigned.

Should you find our proposal acceptable, please sign back this letter in the space provided below.

Sincerely,

SCS Consulting Group Ltd.



Julia L. Risi, C.E.T., CAN-CISEC
jlrisi@scsconsultinggroup.com

Attachments: Appendix A – Fee Schedule
Appendix B – Fee Agreement Conditions

Approved: _____ Date: _____
Company Name

Name: _____ Signature: _____
Please print

P:\1370 Greensborough Valley\Project Management\Fees- Client agreements\2020 06(Jun) 12 - City Park Grading\humboldt-jlr-proposal for ca services-13jun20.doc



Appendix A

SCS Consulting Group 2020 Hourly Rates

Staff Categories		Hourly Rate
Principal Level 2		264
Principal Level 1		252
Engineer Level 10	Technical Staff Level 11	216
Engineer Level 9	Technical Staff Level 10	207
Engineer Level 8	Technical Staff Level 9	196
Engineer Level 7	Technical Staff Level 8	183
Engineer Level 6	Technical Staff Level 7	170
Engineer Level 5	Technical Staff Level 6	157
Engineer Level 4	Technical Staff Level 5	143
Engineer Level 3	Technical Staff Level 4	128
Engineer Level 2	Technical Staff Level 3	115
Engineer Level 1	Technical Staff Level 2	104
	Technical Staff Level 1	94
Administrative		84
<p>Rates are subject to change on January 1, 2021</p> <p>Rates include disbursements</p> <p>Expenses such as sub-consultants, purchased documents, out of Town travel and accomodation, report printing and final drawing printing to be charged at cost + 10%</p>		



Appendix B – Fee Agreement Conditions

PAYMENT OF FEES AND EXPENSES

Payment of fees and reimbursable expenses for services performed by the Engineer shall be made within 30 days after the Engineer has forwarded a statement of account to the Client.

Statement of accounts will be rendered monthly based on works completed to date.

Overdue accounts are subject to carrying charges at a rate of 1% per month to a maximum of 12% per annum.

LIMITATION OF LIABILITY

The parties hereto have agreed that SCS Consulting Group Ltd's (SCS) total and complete liability to the Owner for any claims, demands, damages, losses or injuries of any kind or nature, sums and money, grievances, executions, liabilities whatsoever, both in law and in equity, whether in contract or in negligence in any way relating to the performance of SCS's obligations hereunder is expressly and unconditionally limited to the lesser of the fees paid to SCS for the service or the insurance proceeds, if any, payable to the Owner as a claimant under any general liability policy or other insurance policy which SCS may have available to respond to such a claim. As the Client's sole and exclusive remedy under this agreement, any claim, demand or lawsuit shall be directed and/or asserted only against SCS and not against any of SCS's employees, officers or directors. No claim may be brought against SCS in contract or tort more than two years after the cause of action arose.

SCS's liability with respect to any claims arising out of this agreement shall be absolutely limited to direct damages arising out of the services and SCS shall bear no liability whatsoever for any consequential loss, injury or damage incurred by the Client, including but not limited to claims for loss of use, loss of profits and loss of markets.

The Client releases SCS Consulting Group (SCS) from any liability and agrees to defend, indemnify and hold SCS harmless from any and all claims, damages, losses and/or expenses, direct and indirect, or consequential damages, including but not limited to attorney's fees and charges and court arbitration costs, arising out of, or claimed to arise out of, the performance of the services, excepting liability arising from the negligence or willful misconduct of SCS.



June 12, 2020

Proposal No. P20147106

Daniel Singer

Humbold Greensborough Valley Holdings Limited.

1120 Finch Avenue West, Suite 100

Toronto, Ontario, M3J 3H7

PROPOSED SCOPE OF WORK AND BUDGET ESTIMATE FOR SAMPLING OF SOIL SOURCE SITES AND MONITORING OF SOIL IMPORT AND ENGINEERED FILL PLACEMENT, FUTURE CITY PARK, DONALD COUSENS PARKWAY & ROUGEVIEW PARK CRESCENT, MARKHAM, ONTARIO

Dear Mr. Singer,

Golder Associates Ltd. ("Golder") is pleased to provide Humbold Greensborough Valley Holdings Limited. ("Humbold") with our proposed scope of work and budget estimate for the sampling of soil from source sites intended for importation to a future City of Markham park located on the northeast side of Donald Cousens Parkway at Rougeview Park Crescent in Markham, Ontario (the "Park Site") for its planned development. The proposed source sites include a Humbold residential development property located directly adjacent to the south of the Park Site ("Source Site 1" or "Humbold") and property known as the White Sun development on the south side of Whitevale Road at Sideline 28 in Pickering, Ontario ("Source Site 2" or "White Sun").

Golder's understanding of the scope of work is based on an email received from Julia Risi of SCS Consulting Group Ltd. on June 5, 2020 titled "Greensborough - Fill from Humbold Site to City Park".

Scope of Work

Characterization of Source Sites

Golder understands that approximately 10,000 m³ of soil will be excavated from Source Site 1 and approximately 20,000 m³ of soil will be excavated from Source Site 2 for importation to the Site. Based on previous work Golder has conducted on behalf of Humbold at Source Site 1, the soil was sampled and analyzed for metals and inorganic parameters. As per the minimum requirements identified in Ontario Regulation (O. Reg.) 406/19: *On-Site and Excess Soil Management* (which comes into effect July 1, 2020), the soil is also required to be sampled and analyzed for petroleum hydrocarbons ("PHCs"). The results of the previous soil sampling at Source Site 1 indicated isolated minor exceedances of the Table 8 Standards for sodium adsorption ratio ("SAR") and electrical conductivity ("EC"), and a few soil samples had pH outside of the acceptable range. Leachate analysis will also be required as per O. Reg. 406/19.

At Source Site 2, the soil has been generally characterized in previous investigations. The material selected for importation to the Site will require analysis at the sampling frequency required by O. Reg. 406/19. Analysis will

include the minimum parameters identified in O. Reg. 406/19, being metals and hydride-forming metals, PHCs, and leachate analysis.

The analytical parameters selected for the two source sites consider the previous uses of the sites and the potential for other contaminants of concern to be present. The sampling program proposed by Golder has considered the results of previous sampling programs and the conclusions of environmental site assessment reports..

To meet the general requirements of O. Reg. 406/19, and based on our experience at similar source sites, the following tasks are proposed:

- Prepare a health and safety plan for the project, including incorporation of any site-specific safety procedures and accounting for additional sanitation measures and other new standard safety protocols in response to the current COVID-19 pandemic.
- **Source Site 1 (Humboldt)**
 - Advance test pits up to 0.5 mbgs within the intended cut area for excavation and importation to the Park Site and collect a total of 55 in-situ soil samples (50 primary and 5 duplicate samples). The number of samples is based on the frequencies specified in O. Reg. 406/19 for the proposed 10,000 m³ to be imported from Source Site 1. A total of 8 samples from Source Site 1 will be collected for leachate analysis.
 - The soil samples will be submitted to a laboratory with an internationally recognized accreditation, either the Standards Council of Canada (SCC) or Canadian Association for Laboratory Accreditation (CALA), and on standard 7-day turnaround time for analysis. Should rush analyses be required, rush surcharges would apply over the estimated costs presented below. Sample analyses are proposed to include:
 - SAR, EC (22 samples from south end of property only)
 - pH and PHCs (55 samples)
 - Leachate analysis (8 samples)
 - It is noted that the spacing and distribution of the proposed test pits will be determined based upon our site visit findings and further discussions with the source site representatives. At this time, we understand that the soil generated from the Humboldt Site will be from a 600 mm cut across the entire site.
- **Source Site 2 (White Sun)**
 - Advance test pits up to 5 mbgs (or the extent practical with the equipment available, or to the full depth of the proposed cut if lesser) within the intended cut area for excavation and importation to the Park Site and collect a total of 81 in-situ soil samples (73 primary and 8 duplicate samples) from Source Site 2. The number of samples is based on the frequencies specified in O. Reg. 406/19 for the proposed 20,000 m³ of soil to be imported from Source Site 2. A total of 11 samples from Source Site 2 will be collected for leachate analysis.

- The soil samples will be submitted to a laboratory with an internationally recognized accreditation, either the Standards Council of Canada (SCC) or Canadian Association for Laboratory Accreditation (CALA), and on standard 7-day turnaround time for analysis. Should rush analyses be required, rush surcharges would apply over the estimated costs presented below. Sample analyses are proposed to include:
 - Metals and metal hydrides (81 samples)
 - PHCs (81 samples)
 - Leachate analysis (11 samples)
- It is noted that the spacing and distribution of the proposed test pits will be determined based upon our site visit findings and further discussions with the source site representatives. At this time, it is to be determined which portion/subset of the excess soil to be generated at White Sun is anticipated to be exported to the Park Site (and will be the focus of our testing program).
- For both Source Sites, the soil samples will be screened in the field for headspace concentrations of combustible gas and organic vapour, evidence of staining, deleterious debris or other forms of contamination.
- It has been assumed that utility clearances will be completed at each Source Site by the Contractor and will be available for review. It has also been assumed that the appropriate equipment (e.g. excavator and operator) will be arranged and made available to Golder. If Golder is required to independently obtain utility clearances or subcontract an excavator for either or both Source Sites, additional costs will apply.
- Compare the analytical results of the submitted soil samples from both Source Sites to the standards set out in Table 8.1 of the MECP's "*Rules for Soil Management and Excess Soil Quality Standards*", 2019.
- Prepare a letter report, documenting the in-situ sampling program for each Source Site and the quality of the soil proposed to be imported to the Site.

Source Site and Fill Import Monitoring

During the importation of fill from each Source Site, Golder proposes to conduct full-time monitoring of the soil import, documenting the number of trucks, the fill source, and approximate location of placement (to the extent practical depending on management of the Park Site by the Contractor, degree to which soils are stockpiled vs. directly placed, etc.). Import monitoring will be completed in conjunction with engineered fill placement (see below) and will be completed at the Park Site.

In addition, Golder will conduct limited monitoring of the excavation and transportation at the Source Sites. The intent of the Source Site monitoring is to confirm that the material being excavated and transported to the Park Site is the same material that was sampled in-situ. The Source Site visits will be conducted on a random (approximately weekly) basis to observe the excavation area and confirm the material is transported directly to the Site. For costing purposes, it is assumed that the excavation and transportation of the excess fill from Source Site 1 will require approximately two weeks, and Source Site 2 will require six weeks.

Golder also recommends that the Contractor implement a ticket system, particularly for materials sourced at the White Sun development, to ensure that only trucks from the approved Source Sites arrive and deposit soil at the Park Site.

Engineered Fill Placement Monitoring and Compaction Testing

We understand that the imported “fill material” will be classified as engineered fill such that any future activities on the Park Site can rely on the material placement to support settlement sensitive structures such as foundations, slab-on-grade concrete floors and flat work such as sidewalk, curbs and asphalt walkways and roadways. Our services will be carried out on a full-time basis 8.0 hours per day (site time) for monitoring of the fill importation, placement as well compaction testing to ensure the material meets the project requirements. We further understand that the Humboldt property cut/fill operations will take approximately two weeks and the importation of the fill materials from the White Sun development will take six weeks. Therefore, we have based our scope and costing for 40 days, + 5 day buffer for delays and weather, for a total of 45 days. Our disbursements also include for an allowance of 10 laboratory tests for sieve and hydrometer and standard Proctor testing.

A final summary report will be provided upon completion of all site work detailing the site activities including our daily field monitoring reports (“FMRs”), field density test reports and laboratory testing on the imported soils.

Estimated Cost

The estimated cost to complete the scope of work is **\$82,850** (excluding contingency and HST). The table below provides a breakdown of the budget estimate.

Task	Golder Fees	Disbursements	Sub-Total
Project Initiation	\$850	-	\$850
In-Situ Sampling at Source Site 1	\$4,600	\$9,300	\$13,900
In-Situ Sampling at Source Site 2	\$7,750	\$18,850	\$26,600
Source Site Monitoring	\$2,050	\$150	\$2,200
Fill Import Summary Report Preparation	\$5,800	-	\$5,800
Compaction Testing for Engineered Fill	\$25,000	\$2,500	\$27,500
Engineered Fill Report	\$1,300	\$200	\$1,500
Project Management	\$4,500	-	\$4,500
Totals (excluding HST)	\$51,850	\$31,000	\$82,850
Contingency			\$9,150
Totals with contingency (excluding HST)			\$92,000

Note that the cost for resampling and additional delineation of soils that fail to meet the applicable standards for importation to the Site (if any) has not been included in this proposal.

Schedule

Golder can initiate the scope of work immediately upon approval and confirmation of available utility clearances and excavation equipment. Golder understands that the soil importation from Source Sites 1 and 2 to the Site has been planned to be completed in July, and Golder will coordinate the work as efficiently as possible to meet this timeline.

Assumptions

For the purpose of this budget estimate, the following assumptions have been made:

- The work will be conducted primarily and, to the extent reasonably possible, during regular working hours (i.e. between 7:00 a.m. and 5:00 p.m.). Work carried out during evenings outside of the regular working hours will be billed at 1.5 times the hourly unit rates and 2 times the hourly rate for holidays and weekends.
- Additional field monitoring time and/or site visits due to required retests and/or extra work outside of the scope of work outlined herein will be documented and invoiced using our unit and hourly rates for this project. Golder will not proceed with any extra work unless it is authorized by Humboldt.
- It is assumed that Level D personal protective equipment (consisting of normal work clothes plus a hard hat, safety shoes, safety glasses and hearing protection) will be suitable during the field work. Use of a personal mask is also included where work conditions do not allow for appropriate physical distancing.
- It is assumed that appropriate equipment (i.e., excavator and operator) will be arranged and made available to Golder to collect the in-situ soil samples at the specified frequencies.
- Laboratory analytical costs for soil samples are based on a regular (i.e. 7 business days) turnaround time. Surcharges for rush analyses will apply if required.
- Golder is entitled to rely upon the accuracy and completeness of all information furnished by Humboldt.
- The budget estimate does not include any meetings with Humboldt or other stakeholders. It is proposed that any such meeting, if requested, be billed on a time plus materials basis, at Golder's hourly rates for this project.
- This cost estimate assumes that there are only minor editorial-type changes requested of the draft letter report prior to finalization.
- Letter report to be provided in electronic format, only. Should hardcopies be required, these will be invoiced at a cost of \$250 per report.
- In our cost proposal, we have not included the costs related to lost time due to operational constraints or inclement weather conditions. If the fieldwork takes additional time due to unexpected constraints, possible modifications may be made to the scope of work to stay on budget, or a request for an increase in the project budget may be issued.

- This proposal has taken into consideration certain efforts required due to the COVID-19 pandemic, but it is acknowledged that the full impacts of the COVID-19 pandemic are still not apparent. The proposed scope of services, cost and schedule do not consider additional potential impacts caused by COVID-19, beyond what has been described in the proposal. Any adjustments required due to any additional impacts to accommodate COVID-19 related concerns (including but not limited to, additional travel restrictions, delays, economic interruption, supply chain issues, or any governmental guidance) will require an equitable adjustment in scope, schedule and cost.

Closure

Golder is pleased to have the opportunity to submit this proposed work plan and looks forward to working with you on this assignment. The work will be carried out under our standard consulting services agreement. If the terms of this scope of work described herein are sufficient and acceptable for your current needs, please return a signed copy of the Authorization to Proceed and Consulting Services Agreement. If, however, you feel that the scope of work needs modification, or you require clarifications associated with this proposal, please contact the undersigned.

If you have any questions, or require any additional information, please do not hesitate to contact our office.

Yours truly,

Golder Associates Ltd.



Adam Affleck, B.Sc.(Env.)
Environmental Scientist



Ryan J. Smith, P.Eng.
Senior Environmental Engineer, Associate

SSK/AA/RJS/lh

Attachments: Authorization to Proceed and Consulting Services Agreement
Schedule of Fees

[https://golderassociates.sharepoint.com/sites/130176/project files/1 proposal and project management/p20147106 p rev2 2020'06'12 source sites sampling.docx](https://golderassociates.sharepoint.com/sites/130176/project%20files/1%20proposal%20and%20project%20management/p20147106%20p%20rev2%2020200612%20source%20sites%20sampling.docx)

ATTACHMENT B – LOCATION MAP`



ATTACHMENT C

EXTRACT FROM THE MINUTES OF THE COUNCIL MEETING HELD ON May 29, 2018

REPORT NO. 21 DEVELOPMENT SERVICES COMMITTEE (MAY 14, 2018)

(5) ACCEPTANCE OF EXCESS SOIL FOR PARK CONSTRUCTION (6.3)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

- 1) That the report entitled "Acceptance of Excess Soil for Park Construction", dated May 14, 2018, be received; and,
- 2) That the Director of Planning and Urban Design be authorized to execute agreements with land developers to permit excess soil from greenfield residential development sites to be delivered to City-owned lands and to be used for park construction purposes which shall include terms and conditions relating to compensation to the City, as well as appropriate environmental procedures, provided that the form and content of such agreement is acceptable to the City Solicitor and the Director of Engineering; and,
- 3) That the Director of Planning and Urban Design and Treasurer be authorized to negotiate the compensation payable by developers who enter into agreements with the City to transport excess soil on to City lands as described in Recommendation #2; and further,

That staff be directed to report back semi-annually on the outcomes of this program.

- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carri
e d

Council consented to amend the recommendation by adding the following clause:

That staff be directed to report back semi-annually on the outcomes of this program.



Report to: Development Services Committee

Meeting Date: July 13, 2020

SUBJECT: Results of the Public Consultation Survey Regarding the Play Structure in Wismer Percy Reesor Parkette

PREPARED BY: Richard Fournier, Manager, Parks & Open Space Development, ext. 2120

REVIEWED BY: Ronji Borooah, City Architect, ext. 8340

RECOMMENDATION:

1. That the report titled “Results of the Public Consultation Survey Regarding the Play Structure in Wismer Percy Reesor Parkette” be received;
2. AND THAT the play structure in the Wismer Percy Reesor Parkette be retained at its current location based on the results of the public consultation survey;
3. AND THAT buffering measures such as a wood privacy fence and/or buffer planting be installed, where feasible, in consultation with the adjacent residents and the Ward Councillor, at a maximum cost of \$15,000 from funding available in Design project 17227 - Wismer Percy Reesor St. Parkette – Design and Construction;
4. AND THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

To review the results of a Public Consultation Survey about the play structure at Wismer Percy Reesor Parkette and provide a recommendation to retain the play structure in its current location.

BACKGROUND:

Wismer Percy Reesor Parkette is located at 20 Percy Reesor Street, adjacent to naturalized valley lands and is intended to serve residents of the adjacent townhouse complex. The construction of this park started in October 2017 and residents who live directly behind the parkette brought concerns over their privacy and safety to the Ward Councillor in the spring of 2018.

Following a community meeting that took place in January 2019 related to the residents concerns, a Recommendation Report titled “Wismer Percy Reesor Parkette, Response to Resident’s Request to Relocate the Percy Reesor Parkette” was brought to DSC on September 9, 2019 (Attachment A).

The September 9, 2019 report identified several options to resolve the residents' concerns, and upon review of the options, DSC directed staff to conduct a Public Consultation Survey of area residents to determine whether the community preferred that the play structure be removed or retained while maintaining the site as an open park space (Attachment B).

RESULTS OF THE PUBLIC CONSULTATION SURVEY:

The Public Consultation Survey was distributed to all households within 250m of the parkette and surveyed the resident's preference between the removal or retention of the play structure in the Wismer Percy Reesor Parkette (Attachment C). A total of 440 surveys were mailed out via Canada Post on February 28th, 2020.

A total of 67 surveys were returned by the March 16th, 2020 deadline, which corresponds to a 15% return rate. This is an average return rate for an external survey and staff are confident that the responses are representative of the neighbourhood residents' preference to retain the play structure in its current location.

Out of 67 survey responses, 60 residents were in favour of keeping the play structure in its current location in the Percy Reesor Parkette, and 7 were in favour of removing the play structure.

Based on the results of the public consultation survey, staff recommend that the play structure in the Wismer Percy Reesor Parkette be maintained at its current location. Possible buffering measures such as fencing and additional planting may be installed, where feasible, in consultation with the affected residents and the Ward Councillor

FINANCIAL CONSIDERATIONS

Retaining the play structure at its current location has no financial capital impacts. The approximate cost of the additional buffering measures noted in this report would be up to \$15,000 depending on the chosen materials. Funding is available in Design project 17227 – Wismer Percy Reesor St. Parkette – Design and Construction for this work.

There is no incremental impact to the Operating Budget or the Life Cycle Reserve Study.

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable

RECOMMENDED BY:

Biju Karumanchery, R.P.P., MCIP
Director of Planning & Urban Design

Arvin Prasad, RPP, M.C.I.P.
Commissioner of Development Services

ATTACHMENTS:

ATTACHMENT A - Recommendation Report, “Wismer Percy Reesor Parkette,
Response to Resident’s request to Relocate the Percy Reesor
Parkette” dated September 9, 2019

ATTACHMENT B - September 9 DSC Extract - Item #8.2

ATTACHMENT C - Public Consultation Survey dated February 28, 2020

ATTACHMENT D – Location Map



Report to: Development Services Committee

Meeting Date: September 9th 2019

SUBJECT: RECOMMENDATION REPORT
 Wismer Percy Reesor Parkette Project
 Response to Resident's request to Relocate the Percy
 Reesor Parkette
 20 Percy Reesor St.
PREPARED BY: Ashley Visneski, Parks Development Coordinator, ext. 2355

RECOMMENDATION:

1. That the report titled "Wismer Percy Reesor Parkette Project, Response to Resident's Request to Relocate the Percy Reesor Parkette" be received;
2. That the Percy Reesor Parkette be maintained at its current location and that buffering measures such as wood privacy fence, 6m high chain link fence, and buffer planting be installed, where feasible, in consultation with the affected residents and the Ward Councillor;
3. That the budget for the necessary work be drawn from the Capital Budget remaining in the Percy Reesor Parkette account;
4. And that staff be authorized and directed to do all things necessary to give effect to this resolution

PURPOSE:

To present Committee with options regarding a resident's petition to relocate the Percy Reesor Parkette, and to make a Staff recommendation regarding this matter.

BACKGROUND:

Percy Reesor Parkette is located at 20 Percy Reesor Street, adjacent to naturalized valley lands. This parkette is intended to serve the townhouse complex adjacent to the parkette, located south of Major Mackenzie Drive, west of McCowan Road and southwest of Percy Reesor Street (see Figures 1 and 2)

When the adjacent town house complex was developed, the developer did not convey physical parkland as part of the project through the subdivision process, as the developers group had provided the required parkland elsewhere in the Wismer community.

However, this townhouse complex did not have any park facility close by with the nearest park located over 900m away (walking distance). Once the need for some local recreational space became evident, staff considered available parcels in the immediate area. Options for usable open space/parkette location were limited due to the development being constrained by Major Mackenzie Drive to the north, McCowan Road to the East, Robinson Creek valley lands/ flood plain to the west and an existing

development to the south. The only land available was a small parcel of table land associated with a storm water management (SWM) pond located immediately to the west of the development. As this was City owned land, and 0.12ha (0.3 acres) of the storm water parcel was not needed for the SWM pond, it was decided to sever this portion of the pond lands to serve as open space/parkette. This decision was made prior to the adjacent homes being constructed and was noted on the engineering drawings in 2012.

The last phase of the townhouses within this project were occupied in 2014. Staff subsequently received multiple resident requests for a junior play area on the site, including swings. A budget request was submitted to Council in 2017 for the design and construction of a parkette with a play structure at the selected site.

Due to the size of the parcel and the limited programming, this park facility is classified as a parkette. Parkettes are meant to provide useable open space to nearby residents. Unlike the process carried out for Neighbourhood and Community Parks, public consultation or open houses are normally not held during the process of creating parkettes due to their size, and limited programming.

The budget for this parkette was approved in 2017. The approved budget for design, analysis, project coordination and construction was \$294,000. Design took place during the summer of 2017 with construction starting in October 2017, after notices of construction were distributed to residents directly adjacent of the future park space. The notices contained a construction time line, location map of the park parcel, pictures of the proposed features, and contact information for Staff and the Ward Councillor. Staff received no calls regarding the park construction as a result of the construction notice circulation, but received phone calls of concern from adjacent property owners in the spring of 2018 after the parkette was substantially completed, but prior to the opening.

Currently a 4 foot chain link fence is located along the rear of the residential properties (see Attachment C). This is the standard fence that is found along most property separations between private lots and City parks. The Percy Reesor Parkette, located a minimum of 7.5 m from the residential properties, includes a very modest junior play structure (meant for children 2-5 years old), two swings and two benches. These features were requested by area residents through the City's Contact Centre. There is also a pedestrian pathway leading from Percy Reesor Street to the parkette which is approximately 6m from the residential properties.

Located between the playground and the residential properties is a 5m wide vehicular access route that is needed to service the storm pond. This access route is not paved and is naturalized. This access route also limits buffer planting between the parkette and the residential properties that would typically be considered in these situations.

Residents who live directly behind the parkette brought concerns forward to the Ward Councillor in the spring of 2018 and asked that construction be halted as they had concerns over their privacy and safety. However, construction had to be completed, as there was a contract in place. Once the construction was completed, the construction fencing was left up for an additional 3 weeks as Staff worked with the Ward Councillor

to find a solution that would address the residents' concerns. At the same time Staff received multiple inquiries and requests from other residents in the area as to when the park would be opened as it was summer and the children were anxious to use the park. As a result, the construction fence was taken down and the parkette was opened for use. The parkette has been open for one season and has experienced light use as expected.

Staff agreed to continue to work with the Councillor and the community to find a solution. Staff offered to plant trees near the playground to provide a buffer but this was not considered to be sufficient. The residents have also noted that they had to pay a premium to the developer for their properties as it offered views into the valley lands. It was agreed that the shade toppers on the playground would be removed so that residents could have unobstructed views to the valley lands. The shade toppers were removed in spring 2019.

A community meeting was hosted by the Ward Councillor at the Civic Center on January 30th, 2019 and was attended by eight (8) households as well as Staff. After extensive discussion a vote was taken to decide whether the parkette should remain where it is. The vote was evenly split. Staff agreed to explore alternative locations for the parkette in the floodplain in consultation with the TRCA.

Staff worked with the TRCA and identified a potential location adjacent to Percy Reesor Street, within the floodplain, that the TRCA was able to support (see Attachment E). Staff had initially anticipated relatively minor costs to relocate the parkette. However, staff have now carried out a budget exercise and have determined that the cost to move the parkette would be significant, in the order of \$250,000 (see Attachment F).

OPTIONS/ DISCUSSION:

Staff have identified three options as follows:

Option 1: To maintain the parkette as it stands in its current condition. The construction of this parkette followed the City's standard procedure and notification was given to the residents prior to construction. The shade toppers which contributed to the obstruction of views into the valley lands from the residential properties were removed this spring. This option presents no additional costs to the municipality.

Option 2: To maintain the parkette in its current location and install buffering measures between the parkette and the adjacent residents' properties. This could include wooden privacy fences, increasing in the height of the existing chain link fence from 4m to 6m (to guard against unauthorized entry to private back yards by strangers), and planting a vegetative buffer, such as coniferous trees, or a combination thereof. The buffer planting would have to be planted primarily within the residents' private property as there is limited space between the parkette and the private properties due to the location of the maintenance access route. These measures could cost between \$10,000 and \$15,000 and there are sufficient funds remaining in the Percy Reesor Parkette budget to carry out this work.

Option 3: To relocate the parkette within the floodplain. This area is regulated by the Toronto and Region Conservation Authority (TRCA) who have agreed to allow the parkette to be located within an alternate location in the floodplain if necessary. Building here will ensure that no residential property is directly adjacent to the parkette and the draft location is identified in Attachment E. Construction at this new location will require filling in part of the floodplain and regrading it, relocating all park features to the new area, and then restoring the current location to a naturalized state. This option could cost approximately \$250,000 (see Attachment F)

Given the significant cost to relocate this parkette and given that there are mitigation measure that can be implemented to address some of the residents' concerns, as noted under option 2, staff recommend that the parkette not be relocated and that option 2 above be selected.

FINANCIAL CONSIDERATIONS

There is no cost associated with option one. Option two could cost up to \$15,000 depending on the chosen material. There are ample funds available in the project's capital account for these measures. Option three could cost up to \$250,000.

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P.
Director of Planning & Urban Design

Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

FIGURE 1 – LOCATION MAP

FIGURE 2 – AREA CONTEXT

ATTACHMENTS:

ATTACHMENT A: Existing Parkette Location

ATTACHMENT B – Lasseter Approved Landscape Plan

ATTACHMENT C – Site Photos

ATTACHMENT D – Current Floodplain

ATTACHMENT E - Proposed Relocation of Parkette

ATTACHMENT F – Cost Estimate for Relocation

DEVELOPMENT SERVICES COMMITTEE
SEPTEMBER 9, 2019
EXTRACT

To: Director, Planning & Urban Design (B. Karumanchery)
Parks Development Coordinator (A. Visneski)

**8.2 RECOMMENDATION REPORT WISMER PERCY REESOR PARKETTE
PROJECT RESPONSE TO RESIDENT'S REQUEST TO RELOCATE THE
PERCY REESOR PARKETTE, 20 PERCY REESOR STREET (6.3)**

Joyce Tsao, Markham resident, addressed the Committee in regard to the staff report on the Wismer Percy Reesor Street Parkette. Ms. Tsao expressed concerns related to noise disturbances, loss of privacy, security, and potential loss of property values for residents resulting from the parkette's existing location. Ms. Tsao requested that the Committee support the relocation of the Wismer Percy Reesor Street Parkette to one of two proposed locations further north on Percy Reesor Street to mitigate impacts to area residents.

Biju Karumanchery, Director, Planning & Urban Design, addressed the Committee and provided members with a background of the Wismer Percy Reesor Street Parkette and the proposed options contained in the staff report. It was noted that staff was not aware of the two potential sites identified by Ms. Tsao, but that relocation to either of those sites would involve more significant costs due to extensive regrading than if the parkette were moved to the site identified in Option 3 of the staff report.

The Committee discussed the following relative to the staff report:

- Balancing the wishes of the affected residents with the significant cost required to relocate the parkette
- The parkette's existing level of use and the need for a community amenity space
- Potential cost, requirements and feasibility of removing the parkette and/or play structure from the existing site without relocation

Item #8.2

Page 2

Certain members of Committee considered the removal of the play structure without relocating the parkette to an alternate site to be a potential option. The Committee directed staff to seek feedback through a survey of area residents to determine whether the community would support the removal of the play structure while maintaining the site as an open park space. It was suggested that staff work with the local Ward Councillor to confirm the details of the survey.

Moved by Deputy Mayor Don Hamilton

Seconded by Councillor Keith Irish

1. That the report titled “Wismer Percy Reesor Parkette Project, Response to Resident’s Request to Relocate the Percy Reesor Parkette” be received; and,
2. **That the deputation of Joyce Tsao be received; and further,**
3. **That the removal of the play structure at the Percy Reesor Parkette be contingent upon the results of a public consultation survey of the residents of the impacted community.**

Carried



February 28, 2020

RE: Wismer Percy Reesor Parkette – Public Survey

Dear Resident

In July of 2018, Percy Reesor Parkette, located at 20 Percy Reesor Drive was completed and open for public use. In September 2018 a formal petition was brought forward by community members to the Development Services Committee, asking for its relocation or removal. After additional public consultation and extensive research Staff recommended to Development Services Committee that relocation was not a viable option due to the costs involved. Staff recommended that the parkette stay in the current location and that buffering measures be installed. After lengthy discussion Development Services Committee concluded that the parkette will not be relocated and that the play structure may be removed subject to the results of a community survey. If the play structure is removed, the parkette will still be retained and will be available for passive use. Development Services Committee directed that staff survey the local community on whether they preferred the play structure to stay in its current location or be removed.

To do this, please fill out the survey on the back of this notice. To return the survey you can mail it to

*Planning and Urban Design Department, City of Markham
101 Town Centre Blvd. Markham, ON L3R 9W3, Attn: Oksana Negorutsa*

Or via email at ONegorutsa@markham.ca by Monday, March 16, 2020.

The full Staff Recommendation Report prepared for Development Services Committee that took place on September 9th, 2019 can be found at <https://pub-markham.escribemeetings.com/filestream.ashx?DocumentId=17709>

The Council decision from the Development Services Committee that took place on September 9th, 2019 can be found at <https://pub-markham.escribemeetings.com/FileStream.ashx?DocumentId=17722>

If you have any questions regarding this matter please contact Oksana Negorutsa, at 905-477-7000 ext. 2355

Thank you,

A handwritten signature in blue ink, appearing to read 'Oksana'.

Oksana Negorutsa
Parks and Open Space Development Coordinator
City of Markham Planning and Urban Design Department



Location of Wismer Percy Reesor Parkette

ADDRESS (required): _____

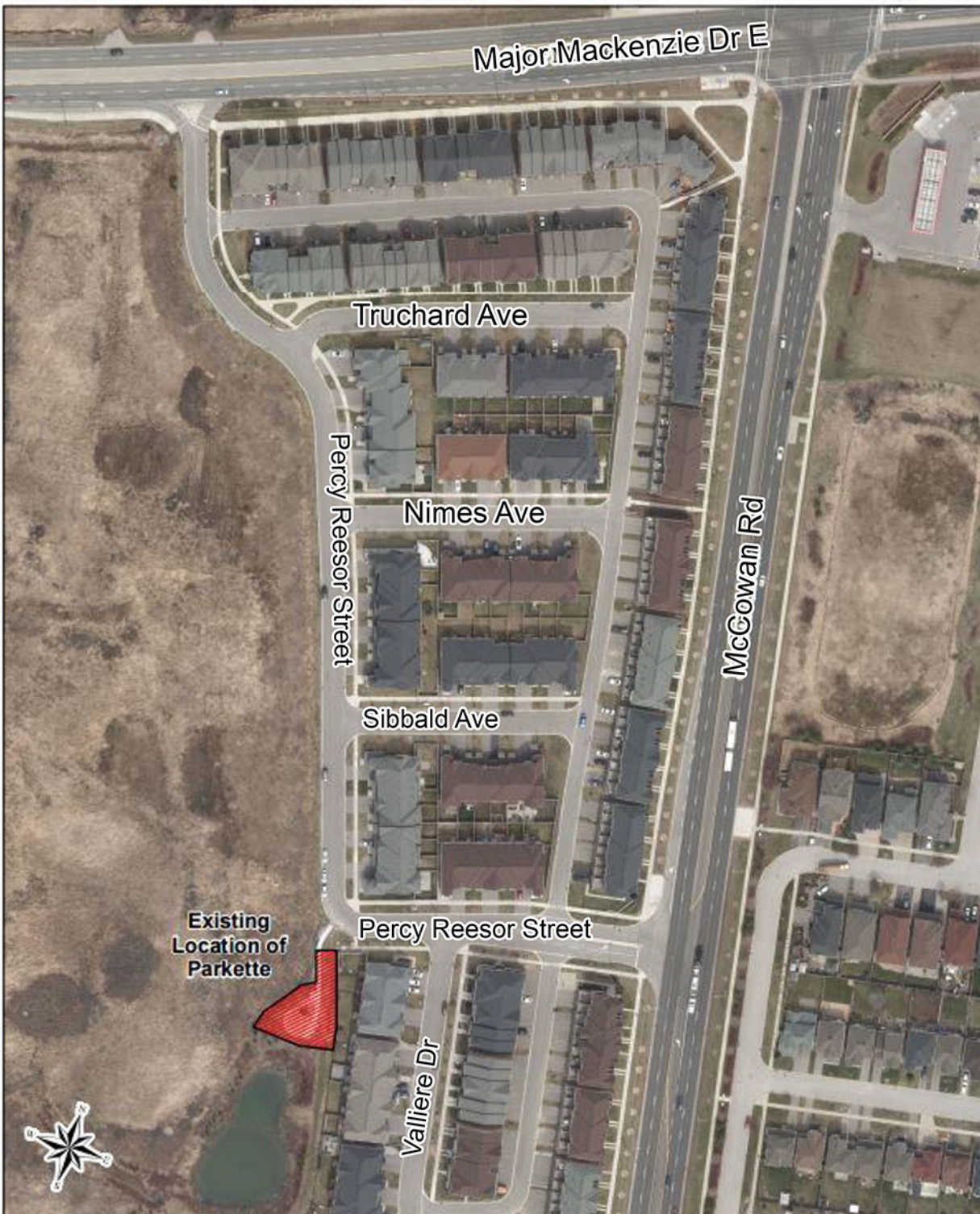
I would like the play structure at Wismer Percy Reesor Parkette to:

☐ Stay in its current location

☐ Be removed

Please note, only written feedback will be considered. Please e-mail this survey to Oksana Negorutsa at onegorutsa@markham.ca. The deadline to submit the survey is Monday, March 16, 2020

Attachment D - Location Map





Report to: Development Services Committee

Meeting Date: July13, 2020

SUBJECT: Rouge Valley Trail Phase 4A (Markham Road to Tuclor Lane) – Change of Scope (Ward 4)

PREPARED BY: Dereje Tafesse, Senior Engineer, Ext. 2034

REVIEWED BY: Alain Cachola, Senior Manager, Infrastructure and Capital Works, Ext. 2711

RECOMMENDATION:

1. That the Staff report entitled “Rouge Valley Trail Phase 4A (Markham Road to Tuclor Lane – Change of Scope (Ward 4)”, be received; and
2. That the change of paving materials be approved to increase long term durability of the trail as outlined in this report; and
3. That Purchase Order PD 18232 issued to Orin Contractors Corporation, for the construction of Rouge Valley Trail Phase 4A (Markham Road to Tuclor Lane & 14th Avenue to Treeline Crt) be increased by \$154,522.56, inclusive of HST, to cover the change of scope for the project; and
4. That a contingency in the amount of \$15,452.26, inclusive of HST be established to cover any additional construction requirements and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and
5. That the additional Engineering Department Contract Administration Fee in the amount of \$10,198.49, be approved to cover the additional effort from Staff to administer the project; and
6. That the 2018 Engineering Department Capital Account 18049 (Rouge Valley Trail Multi-Use Pathway Phase 4 of 5) be increased by \$180,173.31 (\$154,522.56 + \$15,452.26 + \$10,198.49), inclusive of HST, from \$1,615,757.00 to \$1,795,930.31, and funded from the following sources;
 - a. Development Charges (DC) Reserve Fund (65%): \$117,112.65
 - b. Non-DC Growth Reserve Fund (35%): \$63,060.66; and further,
7. That Staff be authorized and directed to do all things necessary to give effect to this resolution;

PURPOSE:

The purpose of this report is to obtain Council authority to:

- Authorize replacing a portion of the Rouge Valley trail (i.e. Markham Road to Tuclor Lane) from limestone to asphalt to prevent washout
- Increase PO PD 18232 for Orin Contractors Corporation for additional works on the Rouge Valley Trail from Markham Road to Tuclor Lane in the amount of \$154,522.56, inclusive of HST
- Approve a 10% contingency in the amount of \$15,452.26, inclusive of HST
- Approve the additional Engineering Department Contract Administration Fee in the amount of \$10,189.49, to cover Staff administration

-
- Increase the 2018 Engineering Department Capital Account 18049 (Rouge Valley Trail Multi-Use Pathway Phase 4 of 5) by \$180,173.31, inclusive of HST, and funded from the following sources:
 - DC Reserve Fund (65%), \$117,112.65
 - Non-DC Growth Reserve Fund (35%), \$63,060.66

BACKGROUND:

In 2018, Capital account 18049 (Rouge Valley Trail Multi-Use Pathway Phase 4 of 5) was approved to fund the construction of Rouge Valley Trail Phase 4A.

In September 2019, a majority of the work on of Phase 4A of the Rouge Valley Trail, from Markham Road to Tuclor Lane pedestrian bridge was completed and the trail was officially opened to the public. The remaining work (i.e. tree planting, trail paving, entry features, etc.) on Phase 4A was scheduled to be completed by summer 2020.

Phase 4A construction work from 14th Avenue to Treeline Court is currently underway and scheduled to be completed in summer 2020. This is the second last phase of the Rouge Valley Trail. To date, a total of 10 km of trail, 10 pedestrian bridges and 600 metres of boardwalk were completed.

In January 2020, a major storm event caused the Rouge River to swell, overtop the banks and caused damages to the trail surface while up-rooting the plantings. Some of the surface material including the granular base were washed out and caused uneven surfaces. The Rouge Valley Trail is situated within the valley floodplain in the Rouge River Valley. It is anticipated during the trail route planning stage that part of the trail would be underwater during flooding.

OPTIONS/ DISCUSSION:

During the environmental assessment (“EA”) stage, the Toronto and Region Conservation Authority (“TRCA”) restricted the use of asphalt material within the Rouge valley due to environmental concerns as well as to keep the aesthetics of the natural landscape. In light of the washout in these areas, Engineering Staff is recommending replacing the affected areas of the limestone trail with asphalt in order to mitigate future washout.

Engineering Staff contacted the TRCA and obtained approval to change the surface material from limestone screening to asphalt as an asphalt trail reduces/eliminates flood related washout and provides a longer service life.

Orin Contractors Corporation is currently working on site to finish the last part of the contract. After experiencing the washout in January (see photos of washouts below), staff and the consultant assessed the various repair options. It was determined that repairing the washed out sections with similar materials will not provide long-term durability. While sections of the trails that are susceptible to flooding were designed with a thicker granular layer, the limestone screenings have proven to be unstable and cannot withstand the high rate of flow of the Rouge flooding. Staff is recommending that these washed out areas be replaced with 75mm (3 inches) thick of asphalt paving. Staff is of the opinion that replacing these washed-out areas with asphalt will prevent future damage, increase service

life and reduce future maintenance costs. The portion of the trail constructed with asphalt did not exhibit any damage following the January 2020 storm. A cost comparison and pros/cons of the repair methods is provided in Table 2 below.



Comparison of Repairing with Different Materials

Orin Contractors Corporation provided estimates to complete the repair work using two repair options. The first option is to repair the trail based on original design (i.e. limestone screenings). The second option is to repair the trail using asphalt. The cost to complete the repair work for the two options including contingency and Contract Administration (CA) fee is as follows:

Table 1 - Repair Options and Cost

	Option 1 Limestone Screening	Option 2 Asphalt Surface
Replacement Cost	\$97,893.12	\$154,522.56
Contingency (10%)	\$9,789.31	\$15,452.26
CA Fee (6%)	\$6,460.94	\$10,198.49
Total	\$114,143.38	\$180,173.31

The initial change order price received from Orin Contractors to replace the limestone trail with asphalt was \$172,432.32. Following negotiations, Orin Contractors Corporation agreed to reduce their price to \$154,522.56, which represents a cost avoidance of \$17,909.76 or 10%. Engineering staff compared the change order prices with pricing received from the three lowest priced bidders under the original bid for the Rouge Valley Trail Construction (025-T-18) and determined that the average price is 40% or \$37,000 higher. Engineering and Procurement staff believe the price is reasonable taking into consideration the construction price index, smaller quantities of work, and locations of repair areas, which prevented the use of larger machinery. In addition, the City will avoid costs associated with mobilization and demobilization (in the range of \$20,000 to \$25,000) as the contractor is already on site. Moreover, the current price from the contractor includes costs associated with having a COVID-19 safety plan that assesses the risk of exposure and implements measures to keep its workers safe. Given the above

considerations, staff believes it is in the City's best interest to continue working with Orin Contractors Corporation to expedite the repair. This avoids any warranty issues, ensure completion within the TRCA permit window and avoids having the City becoming the Constructor to oversee two separate projects on the site at the same time.

Table 2 - Pros and Cons of Asphalt and Limestone Trail

Options	Pros	Cons
Option 1 – Replace with limestone screening	<ul style="list-style-type: none"> ▪ Initial cost is cheaper ▪ Complement the aesthetic of the natural landscape ▪ Good for flat areas out of flood plains ▪ Pervious surface 	<ul style="list-style-type: none"> ▪ High maintenance and repair cost due to flooding and washout ▪ Difficult to maintain consistent surface quality ▪ Environmental damage caused by limestone screening/gravel erosion
Option 2 – Replace with Asphalt Paving	<ul style="list-style-type: none"> ▪ Smooth surface material ▪ Minimal maintenance and longer service life (8 to 15 years). See Attachment 'B' – Photo (Limestone vs Asphalt Surface) 	<ul style="list-style-type: none"> ▪ Initial construction cost is expensive ▪ Impervious surface

Therefore, Staff recommends **Repair Option 2** (Replace with Asphalt Paving) in the amount of \$180,173.31 as asphalt surface provides longer service life, lower maintenance cost and better resist washouts during storm events.

FINANCIAL CONSIDERATIONS

Original Project Award Cost

The original award for Rouge Valley Trail Phase 4A was \$1,326,068.55.

Table 3 - Financial Summary

Description	Amounts
Current Award (PD 18232 & PD 18234) - includes previously approved PO increase of \$42,660.75 for increased handling of construction material due to restricted access	\$1,368,729.30
PO Increase requested	
PD 18232 Construction PO	\$154,522.56
PD 18234 Contingency PO	<u>\$15,452.26</u>
Total Increase	\$169,974.82
Revised PO total	\$1,538,704.12

Engineering staff recommend that Council approve the PO increase as noted above in order to facilitate the immediate repair of the trail surface as safety of the public is paramount. It should also be recognized that since Orin Contractors Corporation is already on site, there is no mobilization costs incurred.

In addition to the Purchase Order increase, Engineering staff is also recommending that the budget be increased for the additional Contract Administration Fee (based on 6% of the total project cost) in the amount of \$10,198.49. Engineering staff required additional time and effort to manage and administer the project until completion.

Staff recommends that the increase of \$180,173.31 (\$154,522.56 + \$15,452.26 + \$10,198.49) be funded 65% from the DC Reserve Fund (\$117,112.65) and 35% from the Non-DC Growth Reserve (\$63,060.66).

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Rouge Valley Trail repair project is in line with the City of Markham's strategic focus relating to Municipal Services, Parks, Recreation including Accessibility and the Environment. The recommendations align with the City's Strategic Plan Goals of "Safe and Sustainable Community".

BUSINESS UNITS CONSULTED AND AFFECTED:

The Finance and Operations Departments were consulted and their comments have been included in this report.

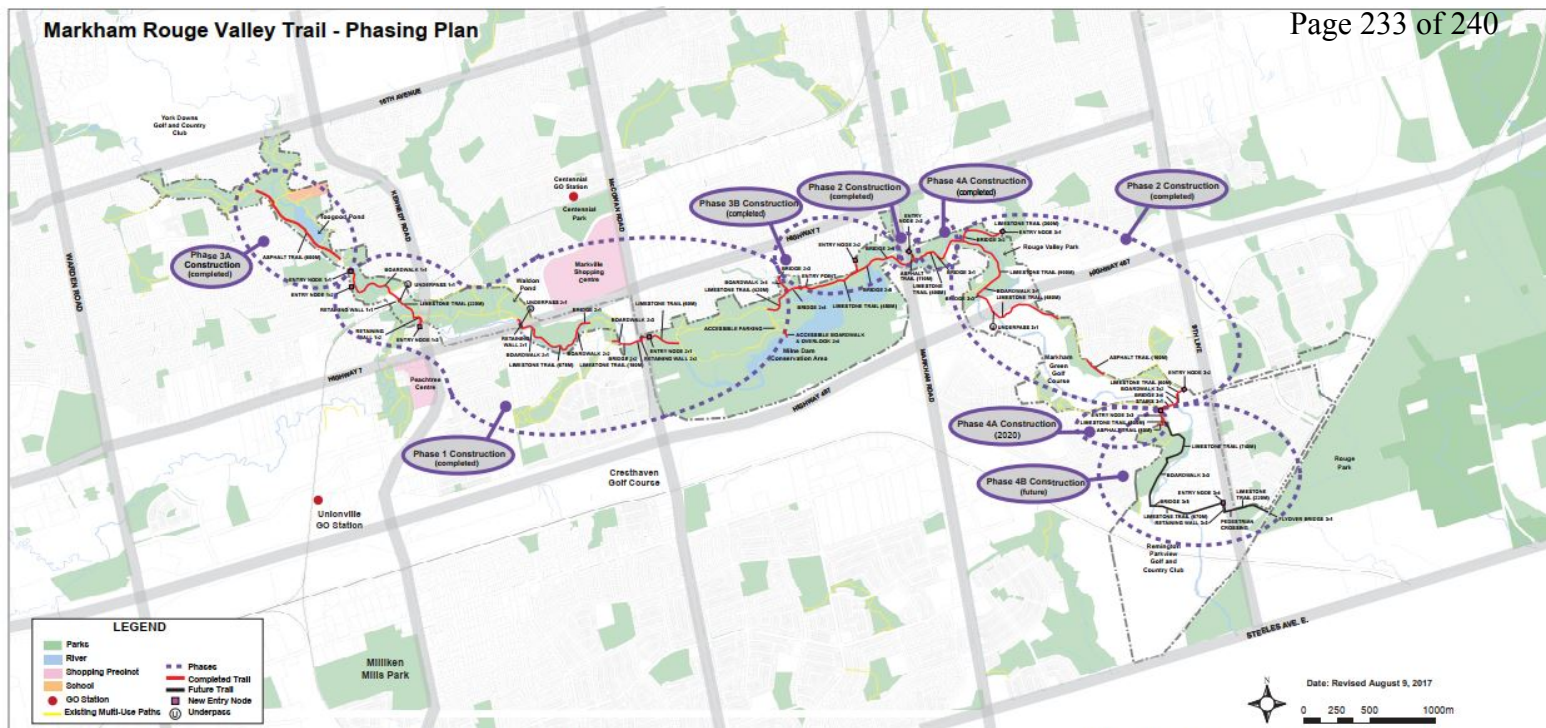
RECOMMENDED BY:

Brian Lee, P.Eng.
Director of Engineering

Arvin Prasad, MCIP, RPP
Commissioner, Development Services

ATTACHMENTS:

Attachment 'A' – Rouge Valley Trail Construction Phasing Map
Attachment 'B' – Photo (Limestone vs Asphalt Surface)



Appendix 'B' – Limestone vs Asphalt Surface

1- Limestone Trail: flooding/washout caused uneven surface



2- Asphalt surface: no visible impact to flooding or no washout





Report to: Development Services Committee

Meeting Date: July 13, 2020

SUBJECT: Development Charge Reimbursement Application (Denison Street Structure) & Culvert Infrastructure Works – Village of Fairtree by Forest Bay Homes Ltd. (Ward 7))

PREPARED BY: Alain Cachola, Senior Manager, Infrastructure and Capital Projects, ext. 2711
Kevin Ross, Manager, Development Finance and Payroll, ext. 2126

RECOMMENDATION:

1. That the report entitled “Development Charge Reimbursement Application (Denison Street Structure) & Culvert Infrastructure Works – Village of Fairtree by Forest Bay Homes Ltd. (Ward 7)” be received; and
2. That Council authorize City Wide Hard Development Charge DC reimbursement not exceeding \$2,278,117, to Forest Bay Homes Ltd. for the construction of the Denison Street Structure and associated infrastructure, external to the plan of subdivision, as set out in this report, and all in accordance with the City’s Development Charge Credit and Reimbursement Policy; and
3. That Council authorize the Development Charge reimbursement of any completed works to date, subject to the approval of the Director of Engineering and the Treasurer; and
4. That the Mayor and Clerk be authorized to execute a Development Charge Reimbursement Agreement, if necessary, in accordance with the City’s Development Charge Credit and Reimbursement Policy, with Forest Bay Homes Ltd., or their successors in title, to the satisfaction of the Treasurer and City Solicitor; and
5. That Council authorize a payment not exceeding \$1,205,560, to Forest Bay Homes Ltd. for the change in scope associated with the culvert infrastructure work on Denison Street; and
6. That the payment for the culvert infrastructure work be funded from the Development Charges Citywide Hard Reserve; and
7. That the Mayor and Clerk be authorized to execute an Agreement, with Forest Bay Homes Ltd., or their successors in title, in respect of the City’s payment of the cost of the culvert infrastructure work on Denison Street to the satisfaction of the Treasurer and City Solicitor; and further
8. That staff be directed to do all things necessary to give effect to this report.

PURPOSE:

The purpose of this report are as follows:

- Obtain Council’s authorization, in accordance with the City’s Development Charge Credit and Reimbursement Policy, to grant City Wide Hard Development Charge reimbursements, not exceeding \$2,278,117, to Forest Bay Homes Ltd. (“Developer”), or their successors in title. The requested

reimbursement is for the construction of the Denison Street Structure and associated infrastructure, external to the plan of subdivision and is included in the 2017 City Wide Hard Development Charge Background Study.

- Obtain Council's authorization for the Mayor and Clerk to enter into the necessary Development Charge Reimbursement Agreement.
- Obtain Council's authorization, to pay to Forest Bay Homes Ltd. ("Developer"), or their successors in title, for the change in scope associated with the culvert infrastructure work on Denison Street. The requested infrastructure is not included in the 2017 Development Charge Background Study, but is eligible to be funded from the DC Reserve as it satisfies the definition of DC Eligible infrastructure.

The development charge (DC) eligible infrastructure includes the design, contract administration and construction cost for the road extension and structure on Denison Street, west of Forest Bay's development.

These works were necessary for the Developer to complete the Village of Fairtree subdivision, and therefore, could not be constructed by the City at a later date. Council's authorization is required in accordance with the Development Charge Credit and Reimbursement Policy, as the reimbursement request exceeds the Treasurer's approval authority of less than \$500,000

BACKGROUND:

The Developer constructed, at its own expense, a majority of approved infrastructure that is eligible for Development Charge (DC) credit or reimbursement. In addition, an existing culvert had to be replaced which was not identified during the design stage and was added as a scope change during construction. These works were necessary for the Developer to provide access to the development of the Village of Fairtree subdivision. The DC credit / reimbursement eligible infrastructure is shown in Attachment 'A'.

As part of the Denison Street extension, the Developer was required to conduct a structural review and assessment of the existing culvert, which was initially planned to remain in place. Upon further investigation, it was confirmed that the existing culvert was not structurally adequate to carry the additional load of the proposed Denison Street and, as such, it was required to be removed and replaced. The Developer submitted drawings with the change in scope, and Engineering staff reviewed and approved the design for construction.

As the replacement of the existing culvert was not anticipated at the start of the construction, and had to be completed at the same time as the structure, the Developer did not formally apply for DC credit/reimbursement or payment prior to start of construction. This is not consistent with the City's Development Charge Credit and/or Reimbursement Policy. No cost estimate was requested or provided prior to the start of replacement of the existing culvert. The incremental cost of the scope change was not identified at that time. In the future, Engineering staff will ensure that estimates are approved for works to be undertaken on the City's behalf where DC credit / reimbursement are to be granted, and confirm that there are sufficient funds to reimburse developers for works undertaken.

The Developer has now requested that the DC eligible cost of the completed works (not exceeding \$2,384,386) be reimbursed, which can occur upon approval of this report, subject to the approval of the Director of Engineering, confirming that the works have been completed satisfactorily and that the costs are acceptable and eligible under the current Development Charge By-law.

The Developer also requested that the additional work to replace the existing culvert in the amount of \$1,205,560 be reimbursed.

OPTIONS/DISCUSSION:

City Wide Hard Development Charges Reimbursement

In accordance with the DC Credit and Reimbursement Policy, development charge credits and reimbursements will be limited to the lesser of the amount in the Development Charges (DC) Background Study and the actual cost of the infrastructure. In this instance, the 2017 DC Background Study establishes the estimated cost of the infrastructure, in the amount of \$2,384,386.

The total cost of the DC eligible infrastructure, as submitted by the developer is \$2,278,117, which is less than the amount in the DC Background Study. Therefore, the Developer will be eligible for the reimbursement of a maximum of \$2,278,117. The completed works to date identified in the claim is shown at an actual cost of \$2,134,367, and the remaining works (top asphalt and curbs) scheduled to be completed in Summer 2020, is capped at \$143,750.

Engineering staff has reviewed the submitted claim and confirm that the amounts as submitted are acceptable. Based on the review, staff is recommending a DC reimbursement amount of a maximum of \$2,278,117.

Culvert Infrastructure Work

As mentioned earlier in this report, the Developer replaced an existing culvert which was originally planned to be remain in place. Due to the timing and the restriction to tender this culvert infrastructure work as a separate contract, Engineering staff instructed the Developer to carry out this work to be carried out at the same time as the Denison Street construction. The Developer is requesting the City to pay for the price (actual cost) of the culvert infrastructure work in the amount of \$1,205,560. Engineering staff reviewed the submitted claim and determined that the price is reasonable. The work has been completed in accordance with the revised approved drawings and the work has been certified by the Developer's consulting engineer.

Engineering staff is recommending that this amount be funded from Development Charges as this is additional work is triggered by growth.

Timing of Recommended Reimbursement

The Developer has submitted two claims: (a) the DC eligible work and (b) the culvert infrastructure work. The claims will be funded through two (2) separate agreements (DC Reimbursement and Developer Payment for Culvert Enhancement respectively).

DC Reimbursement Component

Based on review by Engineering staff, the Developer is eligible to receive DC reimbursement for the completed works in the amount of \$2,134,367.

The final DC reimbursement amount is to be issued to the Developer, once the Director of Engineering has confirmed that the DC eligible works are completed and are being used for the intended purpose and, the DC reimbursement agreement is executed. The remaining works is currently capped at \$143,750.

The City is empowered to enter into credit/reimbursement agreements by Section 38(1) of the *Development Charges Act, 1997* which provides as follows:

“If a municipality agrees to allow a person to perform work that relates to a service to which a development charge by-law relates, the municipality shall give the person a credit towards the development charge in accordance with the agreement.”

Development charge credits and reimbursements have been used in a number of development applications to facilitate the construction of infrastructure in advance of the City’s capital program.

Developer Payment Component

Based on review by Engineering staff, the Developer is eligible to receive repayment for the change in scope of work for the culvert infrastructure work in the amount of \$1,205,560.

The final repayment amount is to be issued to the Developer, once the Director of Engineering has confirmed that the eligible works are completed and are being used for the intended purpose and, the agreement is executed.

Financial Security

The City is holding securities for infrastructure works based on the standard conditions in the subdivision agreement, to ensure municipal infrastructure is constructed to the City’s standards.

FINANCIAL CONSIDERATIONS:

There is no net financial impact to the City. DC credits/reimbursements are provided to developers in exchange for the construction of works included in the City’s Development

Charges Background Study, in compliance with the Development Charge Credit and Reimbursement Policy. The repayment of \$1,205,560 for the culvert infrastructure work is being funded from DCs as it is required due to growth as such, there is no negative impact to the City.

The Engineering Department has reviewed the scope and actual cost of the works provided by the Developer to confirm that these are in alignment with the City's standards. Consistent with the City's Development Charge Credit and Reimbursement Policy, the Developer will be required to pay an administration fee for the Engineering, Legal and Finance Department's costs incurred relating to the review, preparation and administration of the development charge credit and reimbursement. The fee is structured in the following manner:

- An application fee of \$1,628.50 plus HST to review the development charge credit request; plus
- A fee equivalent to 1.0% of the value of the credit request or a maximum of \$10,856. For this application, the fee is \$10,856 plus HST and is payable upon credit or reimbursement of the approved amounts.

Other legal fees may be applicable for the culvert payment, upon execution of an agreement by the City and Developer.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This is consistent with the City's goal of efficient service delivery.

BUSINESS UNITS CONSULTED AND AFFECTED:

Finance, Engineering and Legal Services Departments.

RECOMMENDED BY:

Joel Lustig
Treasurer

Brian Lee, P.Eng.
Director of Engineering

Trinela Cane
Commissioner, Corporate Services

Arvin Prasad, MCIP, RPP
Commissioner, Development Services

ATTACHMENTS:

Attachment 'A' – DC Eligible Infrastructures

Attachment 'A' - DC Eligible Infrastructure

Denison Street Structure

