



Report to: DSC Committee

Meeting Date: June 10, 2025

SUBJECT:	Recommendation Report, Capital Budget Request for the Proposed Developer Build Strata Park at 1297 and 1307 Castlemore Avenue
PREPARED BY:	Jyoti Pathak, Project Manager, Parks Planning, ex 2034 Vanessa Aubrey, Senior Parks Planner, ex. 2451
REVIEWED BY:	Richard Fournier, Sr. Manager Parks Planning, Design & Construction, ex 2120

RECOMMENDATION:

1. THAT the June 10, 2025 report titled 'Recommendation Report, Capital Budget Request for Developer Build Strata Park at 1297 and 1307 Castlemore Avenue' be received;
2. THAT a new 2025 Capital Budget for Developer Build Strata Park be established and funded from Development Charges (Parks Development Reserve) in the amount of \$744,935 inclusive of HST impact @1.76% and internal charges; AND,
3. 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 seek approval for an in-year capital addition request for the development of a strata park located at 1297 and 1307 Castlemore Avenue. The strata park is approximately 1,721 m² (0.42 acres) in size and will be located above an underground parking garage. The park programming will include a combined junior and senior children's playground, shade structure, seating, pathways and planting. 'The Owner', 9781 Markham Road Limited Partnership (Liberty Development Corporation Inc.) is eager to proceed with the construction of the proposed two residential apartment buildings and execution of Parkland Conveyance Agreement is a condition to be met prior to issuance of any building permits. The draft Parkland Conveyance Agreement includes clauses for a developer build park and the developer will be reimbursed for the cost of design and construction upon acceptance and conveyance of the built park to the City prior to registration of the Phase 2 condominium.

BACKGROUND:

Property Context and Proposed Development

The Zoning By-law Amendment application submitted by the Owner to permit proposed mixed-use high-rise development and a strata park on a portion of the Subject Lands was approved in March 2023. The subject property is bounded by Castlemore Avenue to the north, Markham Road to the west and Anderson Avenue to the east and has an area of 2.05 hectares (5.05 acres). It is located within Ward 5 and within the Council adopted Markham Road Mount Joy Secondary Plan Area (which is currently appealed to the Ontario Land Tribunal).

The proposed development is separated into Phase 1 and 2 and seeks to construct a total of two mixed-use buildings, with four high-rise towers varying in height from 22 to 37 storeys, a combined total of 1,288 apartment units, 12 townhouses units, outdoor amenity space and a strata park block. In combination with a cash-in-lieu payment, the future conveyance of the strata park block satisfy the parkland dedication requirements of the Phase 1 Development and would be located within the Phase 2 Development lands. The Site Plan Agreement for Phase 1 Development included details of the parkland dedication requirements. The strata park will be conveyed to the City at or before registration of the condominium.

Phase 2 Development consists of two mixed-use buildings, containing 755 residential units, and the strata park. Site Plan Approval for Phase 2 was issued in March 2024, subject to conditions, including but not limited to the execution of a Parkland Conveyance Agreement. The Strata Park will be 1,712 m² (0.42 acres) and is on the east corner of the site, with Castlemore Avenue to the north and Anderson Avenue to the east. To satisfy the conditions of Site Plan Approval the City is now preparing a Parkland Conveyance Agreement which is to be executed in 2025. The Phase 2 Development Site Plan with the strata park block included is shown in Attachment A.

Developer Build Park

The City's Parks Planning and Development – Terms of Reference (ToR) is a guideline document that sets the standards, deliverables and framework within which parkland will be conveyed to the City. Section 6 of the ToR states that a developer build park is a requirement for the City's acceptance of parkland with dual-use facilities and/or stratified ownership arrangements. As the park block is located above an underground parking garage for residents of the adjacent buildings, there will be stratified ownership and Section 6 of the ToR applies to the development proposal.

For a developer build park the developer will be front ending the costs and taking on the following responsibilities:

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- Procuring the design services of a qualified Landscape Architect
 - Procuring the engineering, surveying, geotechnical services required to construct the park to City standards;
 - Obtaining any approvals and permits;
 - Preparing tender documents and procurement of construction services supervising the construction of the park; and,
 - Providing contract administration and warranty services in support of final park design and construction.

The scope of work, details, terms and conditions of the developer build park, including financial reimbursement to the Owner, will be included in the future Parkland Conveyance Agreement.

DISCUSSION:

Liberty Phase 2 Development: Strata Park Block

City staff have been working with the Owner to create a Parks Facility Fit Plan for the future park block secured through approval of the Site Plan (SPC 23.1345330) and through the Parkland Conveyance Agreement Application (TEC 24.159835). The park programming will include a combined junior and senior children's playground, shade structure, seating, pathways and planting. The estimated budget for park design and construction is \$744,935 inclusive of HST impact @1.76% and internal charges. Further details are provided under Financial Considerations.

2022 Development Charges Background Study

The subject strata park was planned after the approval of the 2022 Development Charges Background Study and was not included in the 10-year capital forecast identified in the background study. The capital funding allocated for one of the parks identified in the 10-year capital forecast yet to be secured through the development approval process, and anticipated to be delayed beyond the forecasted period, will be reallocated to fund the design and construction of the strata park.

Parkland Conveyance Agreement

Staff have prepared a draft Parkland Conveyance Agreement which includes clauses for a developer-build park. The provisions of the Parkland Conveyance Agreement must be agreed upon by both the City and the Owner. This includes a financial commitment by the City to reimburse the Owner for the design and construction of the strata park upon its completion to the satisfaction of City staff. This commitment by the City requires approval of the costs associated with the design and construction of the proposed strata park within the Capital Budget so that the Agreement can be executed in 2025. The Agreement will outline the terms

and conditions of design and construction of the park including progressive reimbursement of construction costs at substantial performance and at the end of two-year warranty period. The park is anticipated to be completed in 2027 and conveyed to the City prior to registration of the first condominium on Phase 2 lands.

FINANCIAL CONSIDERATIONS

The design and construction costs of the approved strata park block will be funded from Development Charges (Parks Development Reserves) in the amount of \$744,935 inclusive of HST impact @ 1.76% and internal charges. The Zoning By-law Amendment for the application which included the strata park was approved in 2023, however the park development costs were not included in the previously approved 2022 Development Charges Background Study, and will be funded by substituting it for another park anticipated to be delayed to a later year.

A breakdown of the budget request is provided below:

	Proposed Developer Build Strata Park	Costs
A	Consulting Services and Contingency	\$61,947
B	Construction and Contingency	\$610,619
C	Subtotal (A + B)	\$672,566
D	HST Impact @ 1.76%	\$11,837
E	Internal Charges/ Admin. Costs	\$60,531
F	Total Budget (C + D + E)	\$744,935
	Total Budget including HST impact @ 1.76% and Internal Charges	\$744,935

In addition, future financial impact on the Operating Budget and Life Cycle Reserve Study will be brought forth for consideration during the budget process.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Development of a new strata park is aligned with Building Markham's Future Together: 2020-2026 Strategic Plan, particularly the goals of an Engaged, Diverse, Thriving and Vibrant City, and for a Safe, Sustainable and Complete Community.

BUSINESS UNITS CONSULTED AND AFFECTED:

Parks Planning, Parks Design and Construction, Parks Operations, Legal Services and Finance have been consulted and will continue to be involved in the administration of the capital funds allocation for the approved strata park at 1297 and 1307 Castlemore Avenue.

RECOMMENDED BY:

Giulio Cescato
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 – 1297 and 1307 Castlemore: Approved Site Plan with Strata Park