

**SUBJECT:** Preliminary Report, Applications by 7750 Bayview Avenue Limited Partnership (Liberty Developments), for Official Plan and Zoning By-law Amendments to permit five (5) high rise apartment towers at 7750 Bayview Avenue (Shouldice Hospital), File No. PLAN 20 126269 (Ward 1)

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**RECOMMENDATION:**

That the report dated April 19, 2021, entitled “Preliminary Report, Applications by 7750 Bayview Avenue Limited Partnership (Liberty Developments), for Official Plan and Zoning By-law Amendments to permit five (5) high rise apartment towers at 7750 Bayview Avenue (Shouldice Hospital), File No. PLAN 20 126269 (Ward 1)”, be received.

**PURPOSE:**

This report provides preliminary information on Official Plan and Zoning By-law Amendment applications submitted by 7750 Bayview Limited Partnership (Liberty Developments), to permit a high rise residential development on the subject lands. This report contains general information in regards to applicable Official Plan and other policies as well as development issues and should not be taken as Staff’s opinion or recommendations on the applications.

**BACKGROUND:**

**Site and Area Context**

The 3.05 ha. (7.54 ac.) subject property is located on the west side of Bayview Avenue and is listed on the Markham Register of Property of Cultural Heritage Value or Interest (see Figure 1 – Location Map, Figure 2 – Area Context/Zoning, and Figure 3 – Air Photo). To the north of the property is the Ladies Golf Club of Toronto as well as the future site of Tridel’s two (2) high rise residential towers, twelve (12) and fourteen (14) storeys in height. Located to the south is a seniors housing facility (Glynnwood) and low rise residential dwellings. To the east, across Bayview Avenue, are three (3) residential high rise apartment buildings (Landmark of Thornhill), a fire station (Firehall #91), and the Thornhill Community Centre. Located to the west is Pomona Mills Park and associated valley lands, as well as low rise residential dwellings across the valley corridor. The subject lands contain Shouldice Hospital, a surface parking lot, mature vegetation, valley lands to the west, and features several cultural heritage resources including:

- The McCullagh Estate House (houses part of Shouldice Hospital);
- a 1 ½ storey vinyl cladded Gatehouse and Stables (adjacent to Bayview Avenue);

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- Formal Gardens;
  - Stone Gates and Pillars;
  - Gardener's Cottage;

**Application Status:**

The applications to amend the Official Plan and Zoning By-law were deemed complete on October 9, 2020.

**Next Steps:**

1. A Statutory Public Meeting, to be scheduled at a future date when appropriate;
2. Staff will prepare a Recommendation Report on the Official Plan and Zoning By-law amendments at a future date;
3. If the applications are approved then future applications for Site Plan approval, Consent or Draft Plan of Subdivision as appropriate, and Draft Plan of Condominium approval are required, as discussed later in the report;

**Proposal**

The applicant is proposing to develop five (5) high rise residential towers on the subject lands. The proposal represents the first phase of a long-term, multi-phased development of the Shouldice Hospital property (see Figure 4 – Site Plan, Figure 5 – Elevations and Figure 6 – Rendering – Phase 1). Phase 1 will be located within the North Block as indicated in Figure 4 .The first phase proposes:

- North Towers – Two (2) towers at twenty-four (24) and thirty-five (35) storeys, connected by a six (6) storey podium;
- North West and West Towers – Two (2) towers at thirty-one (31) storeys (North-West Tower) and eighteen (18) storeys (West Tower), connected by a six (6) storey podium;
- South West Tower - A single tower at twenty-one (21) storeys;
- A total Gross Floor Area (GFA) of 111,712 m<sup>2</sup> (1,202,497 ft<sup>2</sup>);
- A total area of 495.8 m<sup>2</sup> (26,864.6 ft<sup>2</sup>) of indoor amenity space;
- A total area of 3,217.5 m<sup>2</sup> (34,632.ft<sup>2</sup>) of outdoor amenity space;
- A site density of 4.08 FSI
- A total of 1,287 residential units;
- A total of 1,287 residential parking spaces and 117 visitor parking spaces in three (3) levels of underground parking, and twelve (12) at-grade visitor parking spaces;
- A total of 952 bicycle parking spaces;
- A publicly accessible multi-use trail that bisects the property to provide interconnection within the site and from the site to the broader community;
- A 1.8 ha. (4.4 ac.) open space block that contains the valley lands and environmental buffer along the western and southern limits of the subject lands will be conveyed to the City;
- The retention of the existing Shouldice Hospital facilities including the surface parking areas;
- Removal of the existing Greenhouse,;

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- The retention of the McCullagh Estate House, Gatehouse, Stable building, Gardener's Cottage, Formal Gardens;
  - Landscape enhancements to the front lawn and orchard plantings of the above noted McCullagh Estate House which will be preserved;

#### Future Second Phase:

As discussed in more detail in the Official Plan section below, an additional 725 units are permitted on the site through a previous OPA and ZBA application. It is anticipated that these units will be accommodated within the area shown as the Central, East and South Blocks on Figure 4.

Including Phases 1 and 2, a combined total of 2,012 units are proposed to be accommodated on the Shouldice Hospital site.

#### Extension of Royal Orchard Boulevard

The extension of Royal Orchard Boulevard is proposed as a public road through the site to connect/align with the existing Bayview Avenue and Green Lane intersection (see Figure 4 – Site Plan).

### **Provincial and Regional Policy Framework**

#### Provincial and Regional Policy Conformity

This proposal must be consistent with the Regional Official Plan, Provincial Policy Statement, 2020, and conform to the Growth Plan for the Greater Golden Horseshoe, 2019, the Greenbelt Plan, 2017, and the Planning Act. It will be evaluated against this Policy Framework during the processing of this application.

### **Markham Official Plan**

#### Markham Official Plan 2014

The subject lands are designated 'Mixed Use Mid Rise' and 'Greenway' under the Markham Official Plan 2014 (as partially approved on November 24, 2017 and further updated by the Local Planning Appeal Tribunal on April 9, 2018). The 'Mixed Use Mid Rise' designation provides for a broad range of uses including residential dwellings, retail, restaurants, service, hotels, commercial parking garages, commercial schools, as well as sports and fitness centres. The 'Mixed Use Mid Rise' designation permits a maximum building height of eight (8) storeys and a maximum overall site density of up to 2.0 FSI. The 'Greenway' designation provides for ecological restoration activity, forest, wildlife and fisheries management and conservation, watershed management, and flood erosion control, trails and nature-based public recreational activities, as well as passive parks. The subject lands are further identified as being located within the Local Centre of Thornhill Centre which is intended to serve as a focal point for the surrounding community and provide a range of housing, employment, shopping and recreational opportunities.

Site Specific Policy 9.18.11.2 of the Markham Official Plan 2014 also applies to the subject lands. It provides for a maximum of 725 "units" (defined as either dwelling units; hotel suites; or hospital/nursing home beds) on the site. Within this overall cap, a maximum of 621 dwelling units, 50 hotel suites as well as the existing 90 bed private

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hospital are permitted, provided that the total number of “units” does not exceed 725. These policies also require the preparation of a comprehensive block plan in accordance with Section 10.1.4 of the Official Plan to address matters such as, but not limited to, suitable transition in building heights between this site and adjacent low rise residential development, the retention of heritage buildings, and phasing of development.

Staff note that Section 9.18.11.2 is currently under appeal at the LPAT (formerly the “OMB”). Consequently, the land use policies of the Official Plan (Revised 1987) and the Thornhill Secondary Plan (as it applies to this site) remain in force. The purpose of the owner’s appeal relates to whether Section 9.18.11.2 provides an appropriate policy framework to guide potential redevelopment of the subject lands, the appropriateness of the current land use designation, the accuracy of the Toronto and Region Conservation Authority’s floodplain data, and the boundaries of the Greenway System. The applicant and City Staff are seeking to resolve these matters through the subject applications.

The applicant is seeking to amend the Markham Official Plan 2014 by re-designating the subject lands from ‘Mixed Use Mid Rise’ and ‘Greenway’ to ‘Mixed Use High Rise’ and to revise the boundaries of the ‘Greenway’ designation.

#### Town of Markham Official Plan (Revised 1987)

The Town of Markham Official Plan (Revised 1987) designates the subject property “Institutional” and “Hazard Lands”. The Institutional designation provides for community, educational, and healthcare uses. The Hazard Lands designation generally prohibits development and provides for farming, outdoor recreation, forestry, the conservation of soil or wildlife, parks and pathway uses.

In addition, these lands are subject to the Site Specific Policies under Section 8.3 of the Thornhill Secondary Plan. These policies provide for a variety of uses including a private hospital, a nursing home, retirement housing, and residential apartments, up to a maximum of 725 units.

The applicant is seeking to amend the Markham Official Plan (Revised 1987) by re-designating the subject lands from “Institutional” and “Hazard Lands” to “Urban Residential” and “Hazard Lands”, as well as amending the Thornhill Secondary Plan to re-designate the subject lands from “Institutional” and Hazard Land and Buffer Area” to “High Density II Housing” and “Hazard Land and Buffer Area”.

Consequently, amendments to both the Markham Official Plan 2014 and the in-force Town of Markham Official Plan (Revised 1987) are required to permit the proposed development.

#### **Zoning**

The subject property is zoned I.RHD2 (H1)(H2) – (Holding 1) (Holding 2) Institutional and Second Density – High Density Residential/O1 – Open Space Zone, under By-law 2237, as amended by By-laws 209-94 and 2006-62. These zone categories permit multiple dwelling units, one hotel having a maximum of 50 suites which may include an accessory restaurant, one nursing home and one private hospital. The current zoning permits a maximum of 725 units, including dwelling units, hotel suites, nursing home

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beds and private hospital beds, and a maximum building height of ten (10) storeys once the above-noted holding provisions are removed. The purpose of the above-noted holding provisions is to ensure that the policies and provisions of the Thornhill Secondary Plan with respect to phasing of development are implemented in conjunction with servicing allocation, the requirement for future studies of the traffic generation and impacts, and the parkland demand from the development.

A Zoning By-law Amendment is required to permit the proposed increase in building heights; residential density and number of units proposed by the current redevelopment proposal. In addition, a Zoning By-law Amendment is required to permit site specific reduced parking rates of 1.0 residential space per unit plus 0.1 visitor space per unit, whereas Parking Standards By-law 28-97 requires parking to be provided at a rate of 1.25 residential spaces per unit plus 0.25 visitor spaces per unit. The applicant is proposing to rezone the subject lands from the current Institutional, High Density Residential and Open Space Zones under Zoning By-law 2237, as amended, to appropriate Community Amenity and Greenway Zones under By-law 177-96, as amended.

#### **OPTIONS/ DISCUSSION:**

The following is a list of preliminary comments raised to date. Other matters that are identified through the detailed review of these applications and public meetings will be discussed in a future recommendation report to DSC. Some of the matters identified include, but are not limited to:

- 1) Review of the submitted Planning Opinion Report, draft OPA and ZBA, prepared by MHBC Planning. Staff will provide further comments on these documents, if required, in a future Recommendation Report.
- 2) Review of the appropriateness of the proposed development having regard for the following:
  - a) Compatibility with the existing and planned surrounding land uses;
  - b) The appropriateness of the proposed uses, density and building heights;
  - c) Opportunities to provide an appropriate balance of affordable housing, purpose-built rental, senior focus housing, and family oriented unit sizes;
  - d) Built form and massing, building orientation, and transitions with particular focus on impacts to the existing residential area immediately west of the subject lands and the view corridor from the Shouldice Hospital facility;
  - e) Urban Design Staff are reviewing the supporting studies submitted with the application including a Wind Study and a Shadow Study to ensure the wind and shadow conditions will comply with the City's requirements;
  - f) Urban Design Staff have requested a conceptual master plan for the entire site that illustrates a full build out of the site that also includes the existing hospital;
  - g) Development Engineering staff has requested that a holding provision be included in any future zoning by-law to ensure that all site servicing and transportation issues are resolved to their satisfaction;

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- h) Transportation Planning staff are reviewing a Transportation Study, prepared by the BA Group, submitted with the applications as well as the traffic impacts and driveway restrictions to the proposed extension of Royal Orchard Boulevard;
  - i) Impacts on existing community and recreation facilities serving the area;
  - j) Staff will further investigate whether an application for Consent (Land Severance) or an application for a Draft Plan of Subdivision are the appropriate mechanisms to facilitate the conveyance of the valley lands, and the conveyance and construction of the future public road extension of Royal Orchard Boulevard through the site. The future road extension will provide an opportunity for a direct connection to the signalized intersection of Bayview Avenue and Green Lane;
  - k) Regional staff have commented that the heights and densities of the current proposal are more appropriate where supported by higher order transit (i.e. such as a subway);
  - l) Heritage Planning staff are reviewing a Heritage Impact Assessment including a comprehensive overview of the historical and architectural features on the subject lands and note that the applicant is proposing to remove the existing Greenhouse on the subject lands; however, the Main house, Gatehouse, Stable building, Gardener's Cottage, Formal Gardens, and Forecourt will be preserved/enhanced, and the Pomona Creek Valley lands within the Western Grounds will be dedicated to the City in its natural state;
  - m) The proposed concept plan does not indicate any public parkland dedication – staff will work with the applicant to determine the parkland dedication requirements which may include a combination of a separate cash-in-lieu of parkland contribution, an on-site parkland conveyance; or off-site park conveyance, as deemed appropriate by the City;
  - n) Natural Heritage Planning staff has commented that there are opportunities to expand the area of the proposed environmental buffer;
  - o) Consideration of Public Art and other public benefits (Section 37 of the *Planning Act*);

#### Toronto and Region Conservation Authority (TRCA)

The western portion of the subject lands is located within the TRCA's Regulated Area. It contains a tributary of the Don River watershed and its associated valley corridor and floodplain. TRCA staff have commented that the limit of development requires additional confirmation that appropriate buffers from the long-term stable top of slope, floodplain and any contiguous natural features are provided. A permit from the TRCA will be required prior to any development occurring within the Regulated Area.

#### **FINANCIAL CONSIDERATIONS**

Not applicable.

#### **HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The application is being evaluated in the context of the City's strategic priorities, including Growth Management and Municipal Services.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various City departments and external agencies and are currently under review.

**RECOMMENDED BY:**

Biju Karumanchery  
Director of Planning and Urban Design

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

**ATTACHMENTS:**

Figure 1 – Location Map  
Figure 2 – Area Context/Zoning  
Figure 3 – Air Photo  
Figure 4 – Site Plan  
Figure 5 – Building Elevations  
Figure 6 – Renderings Phase 1

**OWNER:**

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