



Report to: Development Services Committee

Meeting Date: September 27, 2021

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**SUBJECT:** PRELIMINARY REPORT  
New World Centre (Markham) Dev. Corp  
Application for Official Plan Amendment to permit a three-phased mixed-use development comprised of three buildings with seven towers ranging from 16 to 46 storeys at 100 and 110 Clegg Road (Ward 8)  
File No. PLAN 21 180462

**PREPARED BY:** Melissa Leung, extension 2392  
Planner I, Central District

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

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**RECOMMENDATION:**

That the report titled “PRELIMINARY REPORT, New World Centre (Markham) Dev. Corp, Application for Official Plan Amendment to permit a three-phased mixed-use development comprised of three buildings with seven towers ranging from 16 to 46 storeys at 100 and 110 Clegg Road (Ward 8), File No. PLAN 21 180462”, be received.

**PURPOSE:**

This report provides preliminary information on the Official Plan Amendment application (the “Application”) submitted by New World Centre (Markham) Dev. Corp. (the “Owner”) to permit the following:

- a) a building height increase from eight-storeys to a maximum 46-storeys
- b) a density increase from a maximum of 148 units per hectare (“UPH”) to 609 UPH (based on 2,666 units on 4.38 ha).

This report contains general information on the applicable Official Plan policies and the identified issues and should not be taken as Staff’s opinion or recommendation on the Application.

**Process to Date**

Staff deemed the Application complete on June 25, 2021. The *Planning Act* sets out the 120-day period after when an applicant can appeal an application to the Ontario Land Tribunal (the “OLT”) for a non-decision. This period expires on October 23, 2021, for the Application.

The Application also relates to the Owner’s 2018 applications for Draft Plan of Subdivision and Zoning By-law Amendment (File SU/ZA 18 180462), in support of an earlier version of the proposal, which are being reviewed concurrently and was subject to a March 18, 2019, Preliminary Report. Staff deemed these applications complete on November 29, 2018. Similar to the current OPA Application, the *Planning Act* sets out the 120-day period after when an applicant can appeal File SU/ZA 18 180462 to the OLT

for a non-decision. This period expired on March 29, 2019; however, the Owner has been working with staff to address the various matters related to the overall development.

**Next Steps:**

- Holding the statutory Public Meeting at a future date, when appropriate, for the current Application and File SU/ZA 18 180462
- Consideration of a Recommendation Report by the Development Services Committee (“DSC”)
- In the event of an approval:
  - Adoption of the site-specific Official Plan Amendment and enactment of the site-specific Zoning By-law Amendment by Council
  - Execution and Registration of the Draft Plan of Subdivision Agreement
  - Registration of the Subdivision
- Submission of future Site Plan Approval application(s) and Draft Plan of Condominium application(s) will follow

**BACKGROUND:****Location and Area Context**

The subject lands are approximately 4.38 ha (10.83 ac) in size and have approximate frontages of 216.16 m (709.19 ft) along Highway 7 and 290.30 m (952.43 ft) along Clegg Road (“Subject Lands”). The Subject Lands are located in Markham Centre, specifically west of South Town Centre Boulevard, between Highway 7 and Clegg Road, as shown on Figure 1. Two existing industrial buildings currently occupy a portion of the Subject Lands while the rest remains vacant and undeveloped. No significant vegetation exists on the Subject Lands other than the landscape associated with the industrial buildings. Figures 2 and 3 show the surrounding land uses.

**Application History**

The following summarizes the history of the Owner’s applications on the Subject Lands:

October 15, 2018 - the Owner submitted the applications under File SU/ZA 18 180462 to permit a development shown on Figure 4, which included five buildings with building heights consisting of four 16-storeys, one 34-storey, and one 37-storey tower (the “Original Proposal”). The Original Proposal included 2,200 residential units, 4,312 m<sup>2</sup> (44,476 ft<sup>2</sup>) of office uses, 1,800 m<sup>2</sup> (19,375 ft<sup>2</sup>) of retail uses, and three “strata park” blocks totaling 0.49 ha (1.2 ac).

November 14, 2018 - Staff deemed the applications under File SU/ZA 18 180462 complete.

March 18, 2019 - the DSC received a Preliminary Report based on the Original Proposal.

May 26, 2021 - after a series of discussions with and review by staff, the Owner submitted the current Application in support of the applications under File SU/ZA 18 180462. Historically, a Precinct Plan would accompany an application, as required by the in-effect Markham Centre Secondary Plan (“OPA 21”), in order to facilitate a proposed

height and density increase beyond the permissions in OPA 21, and other parameters including detailed land use, the physical character, and development form.

City staff requested that the Owner not submit a Precinct Plan as the City has determined that a Precinct Plan, being a non-statutory policy document, is not a suitable instrument for height and density increases. Furthermore, in light of the ongoing Markham Centre Secondary Plan (“MCSP”) update, the current Application will have regard for the overall evaluation of development concepts and will assist in informing the Secondary Plan update. Therefore, the Owner submitted an Official Plan Amendment application to permit the proposed maximum building height and density along with other technical amendments identified through the review of the Application and the application under File SU/ZA 18 180462.

May 26, 2021 - With the Application, the Owner concurrently submitted the revisions to the applications under File SU/ZA 18 180462 to permit the development shown on Figure 5, which includes three buildings with seven towers of varying heights ranging from 16 to 46 storeys, as detailed below.

June 25, 2021 - Staff deemed the Application complete.

### **Proposed Development**

The Application proposes to amend OPA 21 to permit the following:

- a) a building height increase from eight-storeys to a maximum 46-storeys
- b) a density increase from a maximum of 148 units per hectare (“UPH”) to 609 UPH (based on 2,666 units on 4.38 ha).

The Owner submitted the Application to facilitate the development of the Subject Lands (collectively described as the “Proposed Development”).

Table 1 below describes the proposed phasing, building heights and uses that consists of a three-phased, mixed-use development consisting of 2,666 residential units within seven high-rise residential towers with mid-rise podiums, including and 10 floors of office uses in Phase 2:

<b>TABLE 1: Proposed Development - Heights and Uses Summary (see Figure 5 for location of towers)</b>			
<b>Phase</b>	<b>Podium Height</b>	<b>Building Height</b>	<b>Proposed Uses</b>
<b>One</b>	Seven-storeys	16-storeys	<ul style="list-style-type: none"> <li>• 703 residential units (future condominium) with outdoor amenities on the eighth floor podium</li> <li>• Three-storeys of underground parking</li> <li>• Six storeys of above-grade podium parking surrounded by residential units</li> </ul>

<b>TABLE 1: Proposed Development - Heights and Uses Summary (see Figure 5 for location of towers)</b>			
<b>Phase</b>	<b>Podium Height</b>	<b>Building Height</b>	<b>Proposed Uses</b>
<b>Two</b>	Seven-storeys	28-storeys 18-storeys 16-storeys	<ul style="list-style-type: none"> <li>• 624 residential units (future condominium) with outdoor amenities on the eighth floor podium</li> <li>• Three-storeys of underground parking</li> <li>• Seven storeys of above-grade podium parking surrounded by residential units</li> <li>• At-grade retail uses</li> <li>• 10 floors of office uses in Tower 2.1</li> </ul>
<b>Three</b>	<ul style="list-style-type: none"> <li>• Six-storeys</li> <li>• Seven-storey (connecting three towers)</li> <li>• Eight-storey (connecting towers 3.2 and 3.3)</li> </ul>	46-storeys 33-storeys 33-storeys	<ul style="list-style-type: none"> <li>• 1,339 residential units (future condominium) with outdoor amenities on the seventh floor podium</li> <li>• Two-storeys of underground parking spanning from Highway 7 to Clegg Road (under the proposed stratified park)</li> <li>• Five storeys of above-grade podium parking surrounded by residential units</li> <li>• At-grade retail uses</li> </ul>

Table 2 below provides additional details of the Proposed Development including the proposed floor areas of the at-grade retail uses along Highway 7 and Future Street “A”, the proposed stratified park size and the overall density:

<b>TABLE 2: Proposed Development – Additional Details</b>	
<b>Gross Floor Area (“GFA”)</b>	258,497 m <sup>2</sup> (2,782,443 ft <sup>2</sup> )
<b>Residential and Internal Amenities GFA</b>	233,481 m <sup>2</sup> (2,513,165 ft <sup>2</sup> )
<b>Retail GFA</b>	4,703 m <sup>2</sup> (50,629 ft <sup>2</sup> )
<b>Office GFA</b>	20,313 m <sup>2</sup> (218,649 ft <sup>2</sup> )
<b>Strata Park Area</b>	6,880 m <sup>2</sup> (74,056 ft <sup>2</sup> )

<b>TABLE 2: Proposed Development – Additional Details</b>	
<b>Total Site Density</b>	5.9 times the area of the Subject Lands (Floor Space Index – “FSI”) or 609 UPH (based on 2,666 units on 4.38 ha)
<b>Parking</b>	3,822 spaces within the above-grade podiums and two to three levels of underground parking

Table 3 below reflects Figure 6 and the proposed phasing and densities on each block that are associated with the applications under File SU/ZA 18 180462, which consists of two future north-south public roads and one future private road, as shown conceptually on Figures 5 and 6:

<b>TABLE 3: Proposed Development Blocks (see Figure 6)</b>			
<b>Block</b>	<b>Phase</b>	<b>Area</b>	<b>Density (per Block)</b>
<b>One</b>	Phase 2	1.21 ha (2.99 ac)	7.38 FSI or 515 UPH (based on 624 units)
<b>Two</b>	Phase 3	1.66 ha (4.10 ac), including the 0.69 (1.70 ac) stratified park	11.72 FSI or 806 UPH (based on 1,339 units)
<b>Three</b>	Phase 1	0.74 ha (1.83 ac)	7.46 FSI or 950 UPH (based on 703 units)

### **Provincial and Regional Policies**

In considering the Application, Staff will assess consistency with the 2020 Provincial Policy Statement (“PPS”), conformity with the 2019 Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”), and conformity with the York Region 2010 Official Plan (the “Regional OP”). The Regional OP identifies Markham Centre as a “Regional Centre” that would accommodate the highest concentration and greatest mix and intensity of uses and activities in the City of Markham.

### **2014 Markham Official Plan (the “2014 Official Plan”)**

The 2014 Official Plan designates the Subject Lands as:

- a) “Business Park Office Priority Employment” in the north-west portion of the lands. This designation is intended to be used for major office development and does not permit residential uses.
- b) “Business Park Employment” in the south-west portion of the lands. This designation provides for prestige industrial and office uses and does not permit residential uses.

- c) “Mixed Use High Rise” for the remainder of the lands. This designation provides for a mix of residential, office, retail, restaurant and service uses in multi-storey street related buildings. Residential uses on the Subject Lands are only permitted within the area designated as “Mixed Use High Rise”. Unless specified in a secondary plan or site-specific policy, the “Mixed Use High Rise” designation permits a maximum building height of 15-storeys and a maximum density of 3 FSI.

The policies of the 2014 Official Plan also state that until an approval of an updated secondary plan for the Regional Centre-Markham Centre lands, the provisions of the 1987 Town of Markham Official Plan, as amended by OPA 21, shall apply to the Subject Lands.

### **OPA 21**

OPA 21 designates the Subject Lands “Community Amenity Area – Major Urban Place”, which permits a high concentration and intensity of residential, commercial, employment and supporting uses with a general maximum building height of eight storeys. This designation permits residential uses throughout the Subject Lands.

The draft Official Plan Amendment (“draft OPA”) submitted by the Owner sets out site-specific height and density provisions that reflect the Proposed Development that are subject to the Application, as shown on Table 4.

<b>TABLE 4: The Application</b>		
	<b>OPA 21</b>	<b>Proposed Development</b>
<b>Maximum Building Height</b>	eight-storeys	46-storeys
<b>Maximum Density</b>	80 to 148 UPH	609 UPH*

\* Based on 2,666 units on 4.38 ha

### **Zoning**

By-law 2004-196, as amended, zones the Subject Lands “Markham Centre Downtown One” (MC-D1\*4), as shown on Figure 2. Site-specific By-law 2005-197, which amended By-law 2004-196, restricts the permitted uses to a range of commercial and employment uses. The permitted uses include, but are not limited to, banquet halls, business and medical offices, data processing and related facilities, day nurseries, financial institutions, hotels, industrial uses, personal service shops, restaurants, retail stores, and trade and convention centres. The current zoning does not permit any residential uses on the Subject Lands.

The draft Zoning By-law Amendment (“draft ZBLA”) submitted by the Owner in support of the Zoning By-law Amendment application proposes to amend certain site-specific use permissions and development standards contained in By-law 2004-196 including, but not

limited to, addition of residential use, building height, density, setbacks, and special parking provisions.

**OPTIONS/ DISCUSSION:**

The following summarizes the matters raised to date for consideration. The final Recommendation Report to the DSC will address these matters, including other matters identified through the circulation and detailed review of the Proposed Development:

- 1) Staff are reviewing the submitted Planning Justification Report and draft OPA in support of the Application, together with the previously submitted revised draft ZBLA and revised draft Plan of Subdivision prepared by WND Associates under File SU/ZA 18 180462. Staff will provide further comments on these documents, if necessary, in a future Recommendation Report.
- 2) Staff will review the Application and the Proposed Development in the context of the existing policy framework and with regard to the MCSP Update Study process. Staff do not intend to bring a Recommendation Report forward until Council provides direction on a Draft Development Concept through the MSCP Update process.
- 3) In addition to the matters identified in the March 18, 2019, Preliminary Report under File SU/ZA 18 180462, staff will review the appropriateness of the Application in the context of the following:
  - a) the appropriateness of the proposed density and building heights
  - b) compatibility with existing and planned surrounding land uses;
  - c) the appropriateness of the proposed park size and appropriate ratios of parkland dedication requirements and cash in lieu of parkland;
  - d) preliminary sun and shadow analysis and wind analysis;
  - e) traffic impacts, road network, access arrangement, parking and transportation demand management; and
  - f) municipal servicing
- 4) The Subject Lands are located within the Toronto/Buttonville Airport Zoning Regulation Area. NavCanada must satisfactorily review the impacts of the proposed building heights on Buttonville Airport. Building heights in excess of the maximum height permitted by the airport zoning regulations would require Transport Canada to lift the current height restrictions. Should Council approve heights above the airport zoning regulations, and in light of the Application, the site-specific zoning amendment under File SU/ZA 18 180462 will include an H - Holding Provision limiting building heights to the current airport zoning regulations until these restrictions have been lifted by Transport Canada.
- 5) The Application will be reviewed having regard to any requirements of external agencies including, but not limited to, York Region.

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- 6) The Application will reviewed concurrently with File SU/ZA 18 180462 and any necessary outstanding financial obligations including, but not limited to, tree replacement/compensation; public art and other community benefit contributions under Section 37 of the *Planning Act*.

**FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The Application will be reviewed in the context of the City's strategic priorities, including growth management, environmental considerations, and safe, sustainable and complete communities.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The Application have been circulated to various departments and external agencies and their requirements will be addressed as part of a future staff recommendation 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:**

Figure 1: Location Map  
Figure 2: Area Context/Zoning  
Figure 3: Aerial Photo  
Figure 4: Original Proposal  
Figure 5: Conceptual Site Plan  
Figure 6: Proposed Draft Plan of Subdivision

**AGENT:**

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