



## MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, Commissioner of Development Services

Prepared by: Stacia Muradali, Manager, East District

Date: December 14th, 2021

**Re: Hold Removal By-law 9781 Markham Road Limited Partnership (Liberty Development Corporation) , 9781 Markham Road, Markham, File: HOLD 21 127147**

---

### Recommendations:

1. That the Holding (H) provision be removed only for the Phase 1 land as shown on Appendix '2';
2. And that the sustainability measures attached as Appendix '1' to this memorandum be endorsed in lieu of LEED Silver certification for the proposed Phase 1 development.

### Hold Removal

The Owner received site plan endorsement for Phase 1 of the proposed development only to permit high density mixed use development comprised of two, 23-storey mixed use buildings consisting of 536 apartment units and 12 townhouses at the south-east corner of Markham Road and Castlemore Avenue.

The zoning of the subject land is subject to a Holding (H) provision to be removed once certain conditions have been satisfied, including execution of Site Plan and Section 37 agreements. Development Services Committee endorsed the proposed development on January 25<sup>th</sup>, 2021 and Staff endorsement occurred on November 24<sup>th</sup>, 2021.

The Owner has applied for a Conditional Building Permit for Phase 1, which cannot be issued until the Holding (H) provision has been lifted. The Owner has entered into a Letter of Undertaking with the City to ensure that above grade Building Permits will not be pursued until the Site Plan Agreement for Phase 1 has been fully executed.

In order to allow below grade construction work to proceed and avoid undue delays, staff support removing the Holding provision (H) on the Phase 1 land at this time.

### **Proposed sustainability measures**

The current Council Policy requires mid rise and high rise buildings to satisfy LEED silver requirements. The applicant has committed to implementing a comprehensive list of sustainability measures in-lieu of pursuing LEED silver certification. The sustainability measures, attached as Appendix '1', address sustainable transportation, site development, water efficiency, energy performance and building materials. The sustainability measures for the project align with LEED and the draft Sustainability Metrics, which are currently being developed by the City of Markham.

The applicant has also committed to providing a security to ensure that the identified sustainability measures will be implemented. The applicant will also cover the fee for the City to retain a third party consultant to verify the implementation of these measures after construction of the project. The list of sustainability measures has been reviewed by Staff and is found to be satisfactory. Staff therefore recommend that the list of sustainability measures attached as Appendix '1' be endorsed by Development Services Committee in lieu of the proposed development obtaining LEED Silver certification.

#### Attachments:

Figure 1:	Location Map
Appendix '1':	Sustainable Measures
Appendix '2':	Hold Removal By-law