

SUBJECT: PRELIMINARY REPORT
Unionville Square Shopping Centres Ltd.
Applications for Official Plan and Zoning By-law
Amendments to permit a multi-phased, multi-building, mixed
use development at 8505, 8601 Warden Avenue and 3760,
3828 Highway 7 East (Ward 3)

File No. PLAN 21 139592

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REVIEWED BY: Sabrina Bordone, M.C.I.P., R.P.P., extension 8230
Acting Development Manager, Central District

RECOMMENDATION:

That the report titled “PRELIMINARY REPORT, Unionville Square Shopping Centres Ltd., Applications for Official Plan and Zoning By-law Amendments to permit a multi-phased, multi-building, mixed-use development at 8505, 8601 Warden Avenue and 3760, 3828 Highway 7 East (Ward 3), File No. PLAN 21 139592”, be received.

PURPOSE:

This report provides preliminary information on applications for Official Plan and Zoning By-law Amendments (the “Applications”) submitted by Unionville Square Shopping Centres Ltd. (the “Owner”). 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 Applications.

Process to date

The Applications were deemed complete by Staff on November 25, 2021. The 120-day period set out in the *Planning Act* before the Owner can appeal the Applications to the Ontario Land Tribunal (the “OLT”) for a non-decision ended on March 25, 2022. Accordingly, the Owner is in a position to appeal the Applications to the OLT.

Next Steps

- Hold the statutory Public Meeting at a future date, when appropriate
- 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

BACKGROUND:

Location and Area Context

The 6.44 ha (15.91 ac) subject lands are located on the north side of Highway 7, east of Warden Avenue and are municipally known as 8505, 8601 Warden Avenue and 3760,

3828 Highway 7 East (the “Subject Lands”). The Subject Lands are irregularly shaped, with frontages of approximately 265 m (869 ft.) along Highway 7 and 280 m (918 ft.) along Warden Avenue, as shown on Figure 1. The Subject Lands, known as Markham Town Square, are currently occupied by a number of retail and commercial buildings with associated surface parking. Figure 3 shows the surrounding uses.

The Proposed Development

The Owner proposes redevelopment of the Subject Lands with a multi-phased, multi-building, mixed-use development, comprising high density residential buildings, townhouse blocks, commercial retail space, and parks (the “Proposed Development”), as depicted in the conceptual Comprehensive Block Plan, see Figure 4. The multi-phase development has four development blocks that contain 10 towers incorporated within six mid-rise podium buildings, and standalone mid-rise and townhouse buildings. The towers and buildings range in height from three to 48 storeys, with approximately 4,000 residential units. The Proposed Development has a maximum overall density of up to 6 times the area of the Subject Lands (Floor Space Index – “FSI”). The approximate Gross Floor Area (“GFA”) of the total proposed non-residential uses is not known at this time.

The Official Plan Amendment application seeks to establish site specific built form and land use permissions to implement the conceptual Comprehensive Block Plan for the Subject Lands, while the Zoning By-law Amendment application seeks approval for site-specific building envelopes, land uses, height, densities, and development standards associated with a specific concept for the proposed Phase 1 lands (the “Phase 1 Lands”), as depicted in the Conceptual Site Plan, see Figure 5.

The Phase 1 Lands involve the redevelopment of the southern portion of the Subject Lands. The Owner proposes two development blocks for the Phase 1 Lands (the “West Block” and “East Block”) containing two mid-rise podium buildings with five towers ranging in height from 25 to 48 storeys, 1,666 residential units, and approximately 5,733 m² (61,709 ft²) of retail GFA, see Figure 5. Site statistics for the Phase 1 Lands are summarized in Table 1:

TABLE 1: Phase 1 Lands Site Statistics	
Site Area	2.125 ha (5.251 ac)
Total Gross Floor Area (GFA)	131,682 m ² (1,417,413 ft ²)
Residential GFA	125,949 m ² (1,355,703 ft ²)
Non-Residential (Retail) GFA	5,733 m ² (61,709 ft ²)
Density	6.2 FSI
Towers	5

TABLE 1: Phase 1 Lands Site Statistics	
Height	Tower 1 (West Block) – 48 storeys Tower 2 (West Block) – 42 storeys Tower 3 (West Block) – 35 storeys Tower 4 (East Block) – 30 storeys Tower 5 (East Block) - 25 storeys
Total No. of Residential Units	1,666 – consisting of a mix of one-bedroom, one-bedroom plus den, two-bedroom, two-bedroom plus den, and three-bedroom units
Indoor Amenity Space	2,927 m ² (31,506 ft ²)
Outdoor Amenity Space	1,666 m ² (17,933 ft ²)
Parking	1,174 spaces - in one level of below-grade parking and four levels of internalized above grade podia parking within the West Block and East Block buildings
Vehicular Access	Private Street “A” and “B” via Highway 7, Verclaire Gate, and Warden Avenue
Bicycle Parking	1,183 spaces
Total Loading Space	8 spaces (5 spaces for the West Block and 3 spaces for the East Block)

Provincial and Regional Policies

In considering the Applications, Staff will assess consistency with the 2020 Provincial Policy Statement, conformity with the 2019 Growth Plan for the Greater Golden Horseshoe, and conformity with the York Region 2010 Official Plan.

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

The City’s Official Plan (as partially approved on November 24, 2017 and updated on April 9, 2018) designates the Subject Lands “Mixed Use Mid Rise” and “Mixed Use High Rise”.

Lands designated Mixed-Use High Rise are priority locations for development with the greatest level of intensification in Markham. The “Mixed-Use Mid Rise” and the “Mixed-Use High Rise” designations support residential intensification along with a mix of commercial and other uses as specified within the City’s Official Plan. Unless specified in a secondary plan or site-specific policy, the “Mixed-Use Mid Rise” designation permits a maximum building height of eight-storeys and maximum density of 2.0 FSI and the “Mixed-Use High Rise” designation permits a maximum building height of 15-storeys and a maximum density of 3.0 FSI.

The draft Official Plan Amendment (“Draft OPA”) submitted by the Owner for the Subject Lands seeks to establish site-specific built form and land use permissions to

implement the conceptual Comprehensive Block Plan. The Draft OPA proposes to re-designate the Subject Lands to “Mixed-Use High Rise”, with site-specific height, density, and land use permissions.

Zoning

By-law 118-79, as amended by By-laws 380-85, 130-90, and 112-94, zones the Subject Lands “Community Commercial” (CC), see Figure 2.

The draft Zoning By-law Amendment (“Draft ZBLA”) submitted by the Owner applies to the Phase 1 Lands and proposes to delete the Phase 1 Lands from the boundaries of By-law 118-79, as amended, and incorporates them into By-law 177-96, as amended. The Draft ZBLA further proposes to rezone the Phase 1 Lands to “Community Amenity Two” and incorporate site-specific development standards including, but not limited to, height, maximum floor areas, separation distances, and maximum number of residential units.

Additional Zoning By-law Amendment applications would be required for future phases of the conceptual Comprehensive Block Plan.

OPTIONS/ DISCUSSION:

The following summarizes the issues raised to date. These matters, among others, will be addressed in a final Recommendation Report to the DSC:

- 1) Staff are reviewing the submitted Planning Justification Report, Draft OPA and Draft ZBLA prepared by Bousfields Inc. Staff will provide further comments on these documents, if necessary, in a future Recommendation Report.
- 2) The Proposed Development will be reviewed in the context of the existing policy framework and with regard to the Markham Centre Secondary Plan (MSCP) Update Study process, as the Subject Lands were included in the MSCP Update Study boundary in May 2020.
- 3) The appropriateness of the Proposed Development will be reviewed in the context of the following:
 - a) compatibility with existing and planned surrounding land uses
 - b) the appropriateness of the proposed density and building heights
 - c) built form and massing, building location/orientation, setbacks, transitions and angular plane analysis
 - d) preliminary sun and shadow analysis and wind analysis
 - e) appropriate provision of parkland including parkland dedication and payment of “cash in lieu” of parkland
 - f) amenity and open space areas
 - g) the incorporation of affordable housing, purpose-built rental, senior-focused housing, and family-friendly units
 - h) the quantity and need to incorporate and replace non-residential lands uses including, but not limited to, commercial/office, retail, and community amenity uses, such as daycares

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- i) traffic impacts, road network, access arrangements, parking and transportation demand management, and pedestrian connections
 - j) municipal servicing
- 4) The Owner proposes 1,174 spaces to support the development within the Phase 1 Lands; whereas, the By-law requires 2,190 parking spaces. This represents a shortfall of 1,016 parking spaces. The Owner submitted a Transportation Impact Study that includes a parking justification, which is currently under review by the City's Transportation Planning Staff.
- 5) Review of all the technical studies submitted in support of the Proposed Development including, but not limited to, the following:
- a) Retail and Service Needs Study
 - b) Urban Design Brief
 - c) Angular Plane Study
 - d) Wind Impact Study
 - e) Sun and Shadow Analysis
 - f) Arborist Report
 - g) Tree Inventory and Preservation Plan
 - h) Functional Servicing Report
 - i) Transportation Impact Study
 - j) Phase 1 and Phase 2 Environmental Site Assessment
 - k) Hydrogeological Investigation
 - l) Geotechnical Report
- 6) 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, the site-specific zoning amendment will include an H - Holding Provision limiting building heights to the current airport zoning regulations until these restrictions have been lifted by Transport Canada.
- 7) The Proposed Development will have regard for any requirements of the external agencies including, but not limited to, York Region.
- 8) The review and confirmation of any outstanding financial obligations including, but not limited to, tree replacement/compensation; public art; and consideration of community benefit contributions under Section 37 of the *Planning Act*.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Proposed Development will be reviewed in the context of City's strategic priorities, including safe, sustainable and complete communities.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Applications have been circulated to various departments and external agencies and their requirements will be addressed as part of a future recommendation report.

RECOMMENDED BY:

Biju Karumanchery, M.C.I.P., R.P.P.
Director of Planning and 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: Comprehensive Block Plan
Figure 5: Conceptual Site Plan –Phase 1 Lands

AGENT:

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