



Report to: Development Services Committee

Report Date: July 11, 2022

SUBJECT: RECOMMENDATION REPORT
Enterprise Boulevard Inc.
Applications for Official Plan and Zoning By-law
Amendments to permit a high density development with a
maximum 1,350 residential units on the north side of
Enterprise Boulevard, immediately east of the Metrolinx-GO
Stouffville rail corridor (Ward 3)

File No. PLAN 20 113948

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Senior Development Manager

RECOMMENDATION:

- 1) THAT the report titled, “RECOMMENDATION REPORT, Enterprise Boulevard Inc., Applications for Official Plan and Zoning By-law Amendments to permit a high density development with a maximum of 1,350 residential units on the north side of Enterprise Boulevard, immediately east of the Metrolinx-GO Stouffville rail corridor (Ward 3), PLAN 20 113948”, be received;
- 2) THAT the Official Plan Amendment application submitted by Enterprise Boulevard Inc., be approved and the draft Official Plan Amendment, attached as Appendix ‘A’, be finalized and brought forward to a future Council meeting to be adopted without further notice;
- 3) THAT the Zoning By-law Amendment application submitted by Enterprise Boulevard Inc., be approved and the draft Zoning By-law Amendment, attached as Appendix ‘B’, be finalized and brought forward to a future Council meeting to be enacted without further notice;
- 4) THAT in accordance with the provisions of subsections 45 (1.4) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the Owner shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council;
- 5) THAT the application for Site Plan Application (SPC 21 137365) submitted by Enterprise Boulevard Inc. be delegated to the Director of Planning and Urban

Design, or a designate, and that Site Plan Approval not be issued prior to the execution of a Site Plan Agreement;

- 6) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

This report recommends approval of Official Plan Amendment and Zoning By-law Amendment applications to permit a high density development with a maximum of 1,350 apartment units and 222 m² of non-residential gross floor area (“GFA”) on the north side of Enterprise Boulevard, immediately east of the Metrolinx-GO Stouffville rail corridor.

In 2012, Markham Council approved site-specific Official Plan Amendment No. 202 (“OPA 202”) and site-specific Zoning By-law Amendment 2012-152 (“By-law 2012-152”), under a previous landowner (Markham Centre Development Corporation), who did not proceed with their approved development. Enterprise Boulevard Inc. subsequently acquired the subject lands in March 2019.

The Official Plan Amendment seeks to increase the maximum number of residential units from 981 to 1,350 units and the maximum height of the buildings from 29-storeys to 44-storeys. The Zoning By-law Amendment increases the maximum number of units, height, and Net Floor Area, reduces the visitor parking requirement and allows for shared parking spaces between residential visitors and non-residential uses, modifies development standards as they related to building design, and places a Holding Provision until certain conditions have been satisfactorily met.

The proposed development will make efficient use of an underutilized parcel of land that has been identified provincially, regionally, and locally for intensification with a mix of uses. The subject lands are also located adjacent to existing transit routes and higher order transit stations, and existing and future community amenities. Additionally, the proposed development aligns with the proposed land use, density, and height parameters of the Markham Centre Secondary Plan Development Concept presented at the July 5, 2022, Development Services Committee meeting.

For these reasons, Staff opine that the proposed Official Plan and Zoning By-law Amendment are appropriate and represent good planning.

PURPOSE:

This report recommends approval of the Official Plan and Zoning By-law Amendment applications (the “Applications”) submitted by Enterprise Boulevard Inc. (the “Owner”) to permit the development of three residential towers consisting of a maximum of 1,350 residential units and an accompanying one-storey amenity building (the “Proposed Development”).

PROCESS TO DATE:

- June 11, 2020 - Staff deemed Official Plan and Zoning By-law amendment applications complete
- September 29, 2020 - Development Services Committee (“DSC”) received the Preliminary Report
- September 2, 2021 - the Owner submitted Site Plan application (SPC 21 137365)
- September 14, 2021 - the Statutory Public Meeting was held
- February 24, 2022 - Design Review Panel (“DRP”) considered the Proposed Development

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 October 9, 2020. Accordingly, the Owner is in a position to appeal the Applications to the OLT.

If DSC chooses to support the Applications, then the planning process will include the following next steps:

- a) site-specific Official Plan Amendment adoption at a future Council meeting
- b) site-specific Zoning By-law Amendment enactment at a future Council meeting
- c) delegated approval of the Site Plan Application to the Director of Planning and Urban Design or designate

BACKGROUND:**Subject Lands and Area Context**

The 2.07 ha (5.12 ac) subject lands are located on the north side of Enterprise Boulevard, immediately east of the Metrolinx-GO Stouffville rail corridor, as shown on Figure 1 (the “Subject Lands”). Approximately 1.61 ha (3.98 ac) are proposed to be developed, while the remaining 0.46 ha (1.14 ac), located along the northern portion, is occupied by a woodland that will be preserved and conveyed into public ownership.

The Subject Lands have approximately 250 m (820 ft) of frontage along Enterprise Boulevard, immediately opposite the northern terminus of University Boulevard, and are currently vacant with the exception of a wooded area adjacent to the rail corridor and a woodland area along the northern portion that extends onto the adjacent properties to the north. The Enterprise Boulevard right-of-way is graded to travel under the existing rail corridor. As a result, Enterprise Boulevard is significantly lower than the elevation of the Subject Lands and half its frontage along Enterprise Boulevard is encumbered with a retaining wall. Figure 3 shows the surrounding land uses.

History of Previous Approvals

In 2012, Markham Council approved site-specific OPA 202 and By-law 2012-152, under Markham Centre Development Corporation, the previous landowner who did not proceed with their approved development. OPA 202 and By-law 2012-152 permits a high density

residential development on the majority of the Subject Lands (the “2012 Approved Development Concept”), as shown in Figure 4. The Owner acquired the Subject Lands in March 2019.

PROPOSAL:

In April 2021, after the DSC received the Preliminary Report, the Owner made revisions to the original Proposed Development, as submitted in May 2020 (the “Original Proposal”) in response to comments received through the circulation of the Applications. A statutory Public Meeting was subsequently held on September 14, 2021, considering the Proposed Development, as revised (the “Proposed Development”).

The Proposed Development consists of three residential towers and one low-rise building comprised of the following, as shown on Figure 5:

- a) **Building A** (40-storeys) and **Building B** (44-storeys) located along the rail corridor with a shared, five-level above-grade parking structure
- b) **Building C** (36-storeys) located at the northwest corner of Enterprise Boulevard and University Avenue with a one-storey component along Enterprise Boulevard that would function as a private indoor amenity space for the residents.

A total of 1,310 residential units are proposed, with a total GFA of 106,361 m² (1,144,887 ft²). The Owner proposes studio, one, two, and three-bedroom suites, ranging in size from 290 ft² to 1,037 ft². The Proposed Development now includes 222 m² (2,397 ft²) of ground floor non-residential space at the easterly extend of Building C, with direct access to Enterprise Boulevard.

The buildings are organized around a central pedestrian mews that forms a focal point through the site. The grade difference between the proposed pedestrian mews and Enterprise Boulevard results in stairs access to Enterprise Boulevard. The Owner proposes in their design to construct a future pedestrian bridge connection over Enterprise Boulevard to link the Subject Lands to the property under the same ownership to the south.

The Proposed Development includes 1,290 parking spaces for residents, visitors, and non-residential uses and the Owner proposes shared residential visitor parking with non-residential (retail) parking spaces, which is supported by the City’s Transportation Planning Staff. Vehicle parking and bicycle storage is proposed in an underground parking garage that spans the entire developable portion of the Subject Lands and within a five-level above-grade parking structure in the shared podium of Buildings A and B. Residential units line the above-grade parking structure where it fronts onto the pedestrian mews.

Vehicular access is proposed via a full moves private driveway at the intersection of Enterprise Boulevard and University Boulevard. The Proposed Development requires removal of the smaller western wooded area and also a small portion of the northern woodland to accommodate the private access driveway. In both the 2012 Approved

Development Concept and the Proposed Development, the northern woodland is proposed to be preserved and conveyed into public ownership.

Table 1 summarizes the changes from the 2012 Approved Development Concept, the Original Proposal and the Proposed Development, as shown Figures 4 and 5.

TABLE 1: 2012 Approved Development Concept, Original Proposal (May 2020) and the Proposed Development (as revised) Comparison			
	2012 Approved Development Concept	Original Proposal (May 2020)	Proposed Development (as revised)
Dwelling Units	981	Maximum 1,400	Maximum 1,350
GFA	82,276 m ² (885,612 ft ²)	102,000 m ² (1,097,955 ft ²)	106,361 m ² (1,144,887 ft ²) [includes 222 m ² of non-residential GFA]
Density (FSI*)	Not provided, but based on GFA assume 5	6.25	6.59
No. of Buildings	Four Building A (29-storeys) Building B (28-storeys) Building C (10-storeys) Building D (29-storey)	Three Building A1 (33storeys) Building A2 (34-storeys) Building B1 (12-storeys) Building B2 (33-storeys)	Three and one-low rise Building A (40-storeys) Building B (44-storeys) Building C (36-storeys) + one-storey amenity
Parking	Number not provided Within two below grade and three above grade levels in the shared podium between Buildings A and B	1,105 spaces Within one level underground parking that spans the entire developable portion of the Subject Lands and in five levels above grade parking in the shared podium of Buildings A1 and A2	1,290 spaces Within one level underground parking that spans the entire developable portion of the Subject Lands and in five levels above grade parking in the shared podium of Buildings A and B

TABLE 1: 2012 Approved Development Concept, Original Proposal (May 2020) and the Proposed Development (as revised) Comparison			
	2012 Approved Development Concept	Original Proposal (May 2020)	Proposed Development (as revised)
Indoor Amenity	N/A	2,519 m ² (27,114 ft ²) (1.8 m ² /unit@1,400) Incorporated into mid-rise building (Building B1) along Enterprise Boulevard	2,971 m ² (31,979 ft ²) (2.3 m ² /unit@1,350) Range of private facilities (Buildings A and B); a separate one-storey facility (Building C) for additional space, including co-working lounges for residents
Outdoor Amenity	N/A	3,282 m ² (35,327 ft ²)	4,243 m ² (45,671 ft ²)
Access	Driveway aligned with University Boulevard (formerly Rivis Road)	Private access at Enterprise Boulevard and University Boulevard	Private access at Enterprise Boulevard and University Boulevard

PLANNING POLICY AND REGULATORY CONTEXT:

The Applications are subject to a planning policy framework established by the Province, York Region and City under the *Planning Act, R.S.O. 1990*. The following sections describe how the Applications meet the respective policies and regulations.

Provincial Policy Framework

Provincial Policy Statement, 2020 (the “2020 PPS”)

The 2020 PPS provides direction on matters of Provincial interest related to land use planning and development and include building strong healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are located within a Settlement Area and within the Delineated Built-Up Area of the Built Boundary of York Region. The Proposed Development facilitates a compact urban form through the intensification of underutilized lands located within the established Settlement Area of the City where full municipal services presently exist. The compact urban form, the ability to utilize existing municipal infrastructure, and the opportunity to provide housing with varying unit sizes facilitate a higher density development that capitalizes on the transportation infrastructure investments that is consistent with the Provincial Policy Statement.

Growth Plan for the Greater Golden Horseshoe, 2019 (the “Growth Plan”)

The Growth Plan provides a framework for implementing the Province’s vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form.

The Subject Lands are located within the proposed Major Transit Station Area (“MTSA”) around the existing Unionville GO train station, the proposed MTSA surrounding the Enterprise BRT station, and an Urban Growth Centre (Markham Centre). The Growth Plan defines a MTSA as the area within an approximate 500 to 800 m of a transit station. The Subject Lands are within 165 m to Unionville GO train station and other transit routes.

Staff opine that the Proposed Development is consistent with the objectives of the Growth Plan given the location of the Subject Lands within the Markham Centre Urban Growth Centre, adjacent to higher order transit facilities and the proposed range of unit sizes.

Regional Policy FrameworkYork Region Official Plan 2010 (“ROP”)

The ROP designates the Subject Lands ‘Urban Area’, which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within the ‘Markham Centre Regional Centre’, adjacent to the Unionville GO train station and the Highway 7 Regional Rapid Transit Corridor, which follows Enterprise Boulevard in this location.

Regional Centres and Corridors are the focal points for the highest densities and most intensive development. The Proposed Development, which conforms to the ROP, provides for a denser and more intense development on a parcel of the land that has already been designated and zoned for high density development in close proximity to existing transit facilities.

City of Markham Planning Policy Framework2014 Markham Official Plan, as updated on April 9, 2019 (the “2014 Official Plan”)

The 2014 Official Plan designates the Subject Lands “Mixed Use High Rise” and “Greenway”. The Mixed Use High Rise designation are priority locations with the greatest level of development intensification. Unless specified in a secondary plan or site-specific policy, this designation permits a maximum building height of 15-storeys and maximum density of 3 FSI. The Greenway designation applies to the woodland portion of the Subject Lands, which protects and enhances natural heritage features.

The 2014 Official Plan indicates that until an updated secondary plan is approved for the Regional Centre-Markham Centre lands, the provisions of the 1987 Town of Markham

Official Plan (the “1987 Official Plan”), as amended by the 1997 Markham Centre Secondary Plan (“OPA 21”) shall apply to the Subject Lands.

OPA 21

OPA 21 designates the Subject Lands “Open Space” and “Open Space – Environmentally Significant”. In 2012, the developable portion of the Subject Lands was redesignated to “Community Amenity Area - Major Urban Place” by OPA No. 202, which amends OPA 21, and includes site-specific permissions based on the 2012 Approved Development Concept. It also indicates that a Precinct Plan is not required.

The Owner proposes an Official Plan Amendment to increase the maximum number of residential units from 981 to 1,350 units and the maximum height of the buildings from 29-storeys to 44-storeys (see Appendix ‘A’).

Markham Centre Secondary Plan Update

In October 2019, the City initiated the Markham Centre Secondary Plan Update (“MCSP Update”). A series of visioning workshops took place over June to September of 2020 to help inform the Development Options, which were presented to the DSC in April 2021 and culminated in a Development Concept in July 2022.

The Proposed Development aligns with the Development Concept contemplated in the MCSP Update that was presented to DSC on July 5, 2022, which permits a maximum density of 7 FSI and maximum height of 40-storeys for the Subject Lands (the proposed tower heights average 40 storeys).

Zoning By-law

In 2012, the Subject Lands were re-zoned to “Markham Centre Downtown Two *19 (Hold)” [MC-D2*19(H)] and “Markham Centre Public Space Two” (MC-PS2) by Zoning By-law 2012-152, which amended By-law 2004-196 (see Figure 2). The Owner proposes an amendment to the Zoning By-law (see Appendix ‘B’) to address the following:

- a) maximum residential unit increase from 981 to 1,350
- b) maximum building height increase from 100 m (29-storeys) to 147 m (44-storeys)
- c) maximum site Net Floor Area (“NFA”) increase from 84,000 m² to 95,000 m²
- d) residential visitor parking space requirement reduction from 0.2 to 0.15 parking spaces per unit and permit shared parking (residential visitors and non-residential)
- e) site-specific development standards related to building design
- f) Holding Provision until conditions have been satisfactorily met (including, but not limited to: Site Plan Approval, execution of a Section 37 Agreement, and entering into a Cost Sharing Agreement with the York Region District School Board to compensate the upfront costs incurred by the Board for the provision of stormwater facilities)

The proposed Zoning By-law Amendment (attached as Appendix 'B') remains in draft form. The Owner and Staff will continue to work towards finalizing the same.

DISCUSSION:

The following section identifies how the matters raised through the review process, including those raised at the September 14, 2020, statutory Public Meeting, have been resolved or considered:

a) MCSP Update - Development Concept

At the statutory Public Meeting, Committee directed Staff that the Proposed Development should not be approved if the tower heights and density exceed the maximums proposed in the Development Concept for the MCSP Update, being 40-storeys and 7 FSI. The proposed height and density is consistent with the Development Concept with three towers that range in height from 36 to 44 storeys for tower height variation (average height of 40 storeys) and a density of 6.59 FSI.

b) Height and Massing

To address the increased heights, the Proposed Development mitigates negative built form impacts, such as shadowing, through appropriate scaling and massing, including adequate setbacks, step backs, building separation distances, and transitions. The buildings have taken on an elongated form with the narrow width in the east west direction to create a slimmer, faster moving shadow. The towers have been sited to limit direct overview and provides adequate space to minimize the wall of shadow effect.

The Proposed Development further incorporates a variety of architectural design elements to mitigate negative impacts due to the increased heights as detailed below and shown in Figure 6:

- i) **Buildings A and B:** articulated roof lines with a dynamic architectural stepping have been incorporated in the mechanical penthouses
- ii) **Building C:** the Owner reduced the height of the building flanking Enterprise Boulevard from 12 to one-storey.

The architectural features, such as balcony articulation on Buildings A and B, create a sense movement with the stepping up of the balcony features to create visual interest. This rhythm starts with the podium masonry stepping upwards to break down the podium mass to embrace the tower articulation. The design culminates in the stepped mechanical penthouse creating a distinctive skyline feature and a well-unified architectural composition.

Building C has been modified at the request of the City's DRP to create a sleek form that juxtaposes the Building A and B vertical balcony stepping. It introduces a horizontal movement with softly curved balconies to create a distinctively unique aesthetic from Buildings A and B that results in a landmark composition. Building C will take on a more solid appearance to further strengthen its landmark status.

The overall height of the amenity building (a component of Building C) has been reduced from 12-storeys to one-storey to provide pedestrian scale animation along Enterprise Boulevard, and to help minimize shadow impacts on the central pedestrian mews.

Staff are satisfied that the proposed building heights are appropriate and have been designed reasonably to mitigate any impacts to the surrounding uses.

c) Shadowing Impacts

A Shadow Study, dated March 30, 2021 (see Appendix 'C'), was prepared by the Owner's Architect to identify the level of impact the Proposed Development would have on the surrounding area. The Shadow Study concluded that the massing of the Proposed Development has limited impact on the surrounding uses with the greatest impact seen on lands to the west. The proposed massing does not cast a shadow on Bill Crothers Secondary School and has limited shadow impacts on the woodland/park and the York University Campus to the southeast. Due to the proposed site location and building configuration on the site, there is limited shadow cast by the development on public realm spaces, such as surrounding streets and proposed park block.

d) Vehicular Driveway and Impacts to Woodland

At the statutory Public Meeting, the Committee questioned how much of the woodland would be lost due to the proposed vehicular access driveway and whether the driveway could be moved to preserve all of the woodland. In response, the Owner has indicated that the driveway location has remained consistent with Approved 2012 Development Concept, with minor adjustments made to meet the City's design and engineering standards. Due to tree growth since the original approval, a small section of the woodland needs to be removed to accommodate the driveway. The Owner is required to submit a Woodland Compensation Plan as a condition of Hold removal (see Appendix 'B').

e) Noise matters from adjacent Metrolinx-GO Stouffville rail corridor and Proposed Unionville Storage Yard Facility

A member of the public raised concerns with potential noise impacts from the adjacent Metrolinx-GO Stouffville rail corridor and the proposed Unionville Storage Yard Facility, to the immediate west of the Subject Lands, proposed by Metrolinx to act as a layover facility for two GO trains.

An Environmental Noise and Vibration Assessment has been prepared by the Owner's consulting engineer, dated February 22, 2022, which concludes that impacts from the surrounding environment on the Proposed Development can be adequately controlled through feasible mitigation measure and warning clauses. All required noise-warning clauses will be included in all agreements registered on Title for the residential units, all agreements of purchase and sale or lease, all rental agreements, and noise mitigation measures included in the Site Plan Agreement and Condominium Declaration.

f) Pedestrian Bridge to the South Side of Enterprise Boulevard

At the statutory Public Meeting, the Committee suggested that the fly-over pedestrian bridge, connecting the Subject Lands to the lands on the south side of Enterprise Boulevard (which are under the same ownership), be constructed as part of the Proposed Development so that residents can safely cross Enterprise Boulevard to access public transit.

In response, the Owner has indicated that the construction of the pedestrian bridge as part of the Proposed Development would be difficult due to several unresolved physical complexities, such as the proposed bus rapid transit way alignment along Enterprise Boulevard and grade differences on the south side of Enterprise Boulevard. In addition, a pedestrian bridge built in advance of the development of the lands on the south side of Enterprise Boulevard would create an unsafe pedestrian environment when considering future construction staging areas.

For these reasons, Staff recommend that the construction of a fly-over pedestrian bridge be advanced when the Owner submits development applications for the lands to the south of Enterprise Boulevard. In the interim, future residents of the Proposed Development will be able to safely cross Enterprise Boulevard at the signalized intersection at University Boulevard.

g) Clarification on the meaning of “Pedestrian Mews” and location of proposed park

The Committee requested clarification on the proposed “pedestrian mews” located internal to the site and wanted to know if it would be accessible to the public. Further, the Committee requested clarification on the location of the proposed public park.

In response, the Owner provided further clarification on the intent of the pedestrian mews, which will be a landscaped open space with hard and soft surfaces, casual seating, and loosely programmed areas. This area will be accessible to both residents and the public. Dog relief areas have also been considered within the pedestrian mews and incorporated into the private landscaped areas.

With regards to the location of the proposed park, the latest conceptual site plan drawings submitted by the Owner indicate that it will be located directly northeast of the Proposed Development adjacent to the woodland. Staff note that the proposed park is envisioned to be consolidated with the adjacent park block proposed for 28 Main Street (under LPAT Appeal). Ultimately this partial park block and the future park block from 28 Main Street will form a larger park, at which time the park programming will be determined.

h) Clarification regarding groundwater issues on the Subject Lands

Members of the public inquired about any groundwater issues associated with the Subject Lands. The Owner and their consulting team were aware of the high groundwater table early in the design process and designed the buildings with this in mind. Groundwater level measurements were taken by the Owner’s

hydrogeologists and during the design of the Proposed Development the basement elevation was set at 1 m above the average groundwater table, which provides a buffer to protect the buildings from seasonal fluctuations in the groundwater levels.

As a result, permanent groundwater dewatering is not anticipated for the Proposed Development, however a precautionary private water discharge system (“PWDS”), or foundation collector pipe, is proposed to collect and alleviate any potential hydrostatic pressure that may result from rainwater seepage next to the foundation or greater than expected seasonal fluctuations of the groundwater table.

The details of the precautionary PWDS will continue to be refined through the Site Plan Approval process.

i) Affordable Housing

At the statutory Public Meeting, the Owner committed to work with Staff to provide some affordable housing units as part of the Proposed Development. Staff will continue to work with the Owner on this matter.

j) Site Plan Application is Under Review

The Owner submitted a Site Plan Application (“SPA”) in September 2021, to facilitate the Proposed Development and is currently addressing comments received from the initial circulation and from the City’s DRP.

In order to expedite the approval process, Staff recommend that the DSC delegate approval of the SPA to the Director of Planning and Urban Design. The Owner continues to work closely with Staff on site plan matters to address feedback provided by the DSC, City Staff, the DRP, and comments made at the Public Meeting, including the following:

i) Building Elevations

Buildings A and B are designed in silver and grey metal panels and vision glass, while the podium is comprised of charcoal grey brick. Building C is designed in silver and grey metal panels and vision glass and the one-storey amenity building is a mix of all colour palettes used in the design, as shown in Figure 6. The building colours harmonize with each other with subtle variations between them. Staff will continue to work with the Owner on refining the building elevations and materials.

ii) Bird-Friendly Requirements

The DSC asked if the Proposed Development will meet the City’s bird-friendly requirements. The Owner has indicated that the Proposed Development has considered the City’s bird-friendly guidelines, which have been incorporated in the Site Plan application under review by Staff.

iii) Trail System and Park/Woodland

The DSC suggested that the Owner and other developers in the area contribute to the development of a trail system within the area that connects with Markham's existing trail network.

The park/woodland is intended to be dedicated to the City of Markham as part of the approval of the Applications. Programming of the park/woodland would be determined by the City with the potential to accommodate a trail system within the park/woodland on the Subject Lands through the detailed SPA process. The Owner has agreed to this approach.

iv) Retaining Wall

The Owner proposes removal of a large portion of the existing retaining wall on Enterprise Boulevard that exposes the south portion of the Proposed Development. To ensure an appropriate interface, Urban Design Staff have asked the Owner to submit cross sections and street elevations for additional information and details. Both the DRP and Urban Design Staff have encouraged the Owner to consider active uses, art and/or murals to help enhance the public realm. Urban Design Staff continue to work with the Owner through the SPA process.

v) Location of the Amenities and Parking Lot Levels

A member of the public asked whether the gym and parking lot would be on the same level. In response, the Owner provided revised building floor plans indicating the residential amenity areas, such as the gym, will be the same level as the P1 parking level.

vi) Public Art

The Committee suggested the Owner's Architect meet with the City's Public Art Coordinator to discuss future potential public art projects, such as using public art to make the public space under the underpass more interesting. Public Art details will be reviewed through the on-going SPA process.

vii) Sustainability Measures

Staff and the Owner continue to work together through the SPA process to incorporate various sustainability measures into the Proposed Development including, but not limited to, achieving minimum LEED Silver standards. The Owner has confirmed the Proposed Development will be designed to connect to Markham District Energy.

k) Section 37

The Proposed Development includes a greater number of residential units and taller building heights than originally contemplated. In these circumstances, it is appropriate to require a Section 37 contribution for community benefits, including public art. The draft Zoning By-law Amendment requires the Owner enter into a

Section 37 Agreement with the City prior to the removal of the Holding Provision (see Appendix 'B').

CONCLUSION:

Staff opine that the Applications are appropriate and represent good planning. The Proposed Development will make efficient use of an underutilized parcel of land that has been identified provincially, regionally and locally for intensification with a mix of uses. The Subject Lands are also located adjacent to existing transit routes and higher order transit stations, and existing and future community amenities. Additionally, the Proposed Development aligns with the proposed land use, density, and height parameters of the Markham Centre Secondary Plan Development Concept presented at the July 5, 2022, DSC meeting.

Therefore, Staff recommend that the proposed amendment to OPA 21, attached as Appendix 'A', and the proposed amendment to Zoning By-law 2004-196, as amended, attached as Appendix 'B', be approved.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Applications align with the City's strategic priorities of managing growth and municipal services to ensure safe and sustainable communities.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Applications were circulated to various departments and external agencies. Requirements of the City and external agencies have been reflected in the implementing Official Plan Amendment and Zoning By-law Amendment (see Appendices 'A' and 'B').

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 (2020)
Figure 4: 2012 Approved Development Concept
Figure 5: Proposed Development
Figure 6: Perspective

APPENDICES:

Appendix 'A': Draft Official Plan Amendment

Appendix 'B': Draft Zoning By-law Amendment

Appendix 'C': Shadow Impact Study

AGENT:

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