



MEMORANDUM

To: Mayor and Members of Development Services Committee

From: Arvin Prasad, Commissioner of Development Services

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Date: May 26, 2022

Re: Memo to Council - Bridge Station Transit Oriented Community (TOC) Comparison to Langstaff Secondary Plan and Parkland

RECOMMENDATION:

1. That the memorandum entitled “Memo to Council – Bridge Station Transit Oriented Community (TOC) Comparison to Langstaff Secondary Plan and Parkland” be received.

BACKGROUND:

On April 26, 2022 Council requested that staff provide a comparison of the Provincial Bridge Station TOC proposal to the Langstaff Gateway Secondary Plan. There was also a request to provide information regarding pre and post impact to parkland dedication as a result of the More Homes for Everyone Act (Bill 109) and comparison to the options being advanced as part of the Parkland Acquisition Study.

DISCUSSION:

In September 2021, the Province announced two TOC locations along the Yonge North Subway Extension at Bridge Station in Markham and High Tech Station in Richmond Hill
The Bridge Station TOC proposal will be home to up to 43,644¹ new residents, on approximately 25 hectares of land within the City’s Langstaff Gateway Secondary Plan area. Table 1 below,

¹ Persons Per Unit rate from Langstaff Gateway Secondary Plan

which was first presented to Development Services Committee (DSC) on January 24, 2022, compares the Bridge Station TOC proposal to a comparable area within the Langstaff Gateway Secondary Plan. To arrive at comparable areas, staff used the Langstaff Gateway Master Plan and collected data on a block-by-block basis.

Table 1. Langstaff Gateway Master Plan and Bridge Station TOC

| | Markham Langstaff Gateway Master Plan (West side) | Bridge Station TOC Proposal |
|--------------------------------------|--|---|
| Site Area (ha) | 25.4 | 25.4 |
| Population | 22,259 @ 2.13 persons per unit | 34,304-35,653 @ 1.74 persons per unit 41,993-43,644 @ 2.13 ² persons per unit |
| Jobs | 10,615-19,181 | 9,405-12,322 |
| People & Jobs per Hectare | 1,294-1,631 @ 2.13 persons per unit | 1,774-1,836 @ 1.74 persons per unit 2,089-2,138 @ 2.13 ² persons per unit |
| Housing Units | 10,450 | 19,715- 20,490 |
| Building Height | 3-50 storeys | 5-80 storeys Includes 24 towers (50+ storeys) |
| Floor Space Index | 5.4-15.9 | 3.4-25.7 |
| Parkland | 3.03 ha (~36% encumbered) | 5.04 ha (~62% encumbered) |
| Civic Uses | 1 school 1 library + 1 community centre | 1 school 1 library/community centre |

Bill 109 has amended the Planning Act to reduce parkland dedication requirements in Provincial Transit Oriented Communities

Bill 109 received Royal Assent on April 14, 2022 and amended the Planning Act to reduce parkland dedication requirements within Provincial TOC sites to a percentage of the land area that is to be conveyed as parkland or cash-in-lieu (CIL). More specifically the amended Planning Act provides:

- for sites 5 hectares or less, parkland will be dedicated up to 10% of the land or its value;
- for sites greater than 5 hectares, parkland will be dedicated up to 15% of the land or its value; and,
- permits encumbered land to be provided as a parkland dedication with full credit.

Based on the above, the Bridge Station TOC is only required to dedicate up to 3.81 hectares of parkland (15% of the total land area of 25.4 hectares) or its equivalent value as CIL.

The Province has indicated that they still plan to convey 5.04 hectares of park in the Bridge Station TOC, however, a significant portion of the proposed parkland is encumbered with below grade infrastructures such as the CN Rail Corridor, the Pomona Creek, underground stormwater

² Persons Per Unit rate from Langstaff Gateway Secondary Plan

management facilities, and underground parking garages. Encumbered parkland limits the municipality's use of the land and has long-term maintenance/life-cycle impacts. Under the City's current Parkland Policy, encumbered parkland, if considered, would not receive full credit, and an Alternative Infrastructure Policy may be applied to secure funding to offset additional operation and maintenance efforts. Determination of parkland credit on encumbered lands would normally be assessed on opportunity for programming, function and operating/maintenance on a case-by-case basis.

On April 14, 2022 the Minister of Municipal Affairs and Housing issued an enhanced Minister's Zoning Order (eMZO) for the Bridge Station TOC which also permitted full encumbrance of parkland without compensation. Both Bill 109 and the eMZO reduced the City's ability to secure high quality, programmable parkland for Markham residents.

Parkland Dedication Comparison

Table 2 illustrates the pre and post impact to parkland dedication as a result of Bill 109 and compares Bill 109 to the options being advanced as part of the Parkland Acquisition Study.

Prior to Bill 109 and under the City's current Parkland By-law, Bridge Station TOC would have resulted in 30.74 hectares of parkland obligation. Since the Bridge Station TOC proposes to convey 5.04 hectares of parkland, the balance of parkland to be conveyed would have been 25.7 hectares, or approximately \$2.2 billion in CIL. The City would have used the CIL to purchase parkland within or surrounding the Langstaff Secondary Plan area.

After the passing of Bill 109, Bridge Station TOC is only required to dedicate up to 3.81 hectares of parkland (15% of the total land area of 25.4 hectares) or its equivalent value as CIL. In addition, Bill 109 does not permit the City to secure any additional parkland CIL to purchase lands within or surrounding the Langstaff Secondary Plan area. As such, the balance of parkland conveyance is 0 hectares and the estimated CIL owed is \$0.

The City is currently undertaking a Parkland Acquisition Study that seeks to identify the City's parkland needs to support our growing population up to 2031. Three potential policy options specific to intensification areas were presented to DSC on May 10, 2022. DSC requested that staff test and compare the three options within the context of the Bridge Station TOC. Table 2 applies the three options to the Bridge Station TOC.

Option 1 maintains the City-wide parkland provision target of 1.2 hectares per 1,000 residents. To achieve this target, the new maximum parkland dedication rate is 0.5 hectares per 1,000 new residents within intensification areas. Of the total parkland dedicated, 80 percent (0.4 hectares) is expected to remain within the intensification area, while the remaining 20 percent (0.1 hectares) would be used to acquire parkland elsewhere in the City. Under option 1, the total parkland

obligation for Bridge Station TOC is 21.82 hectares. The balance to be conveyed after subtracting the 5.04 hectares is 16.78 hectares or approximately \$1.4 billion in CIL.

Option 2 assumes all parkland dedication would remain in the intensification area at 0.4 hectares per 1,000 new residents, with no additional parkland secured outside of intensification areas. This option results in a reduced parkland obligation of 17.46 hectares for Bridge Station TOC. After accounting for the 5.04 hectares of parkland conveyance, the remaining obligation is 12.42 hectares or \$1.1 billion in CIL.

Option 3 proposes a 30% cap on land value or the land area for parkland obligation within intensification areas. The total parkland obligation under this option is 7.62 hectares. The remaining obligation after removing the 5.04 hectares is 2.58 hectares or \$219 million in CIL.

Table 2. Parkland Dedication Comparison

| | City's Parkland By-law | Bill 109 | Parkland Acquisition Study (Option 1) | Parkland Acquisition Study (Option 2) | Parkland Acquisition Study (Option 3) |
|-----------------------------------|--|------------------|--|--|---------------------------------------|
| TOC Area | 25.4 ha | 25.4 ha | 25.4 ha | 25.4 ha | 25.4 ha |
| Proposed Units | 20,490 | 20,490 | 20,490 | 20,490 | 20,490 |
| Parkland Calculation | 1ha/500 units + 25% CIL Reduction ³ | 15% of Site Area | 0.5ha/1,000 new residents ⁴ | 0.4ha/1,000 new residents ⁴ | 30% Cap |
| Parkland Obligation | 30.74 ha | 3.81 ha | 21.82 ha | 17.46 ha | 7.62 ha |
| Parkland Conveyance in Bridge TOC | 5.04 ha | 5.04 ha | 5.04 ha | 5.04 ha | 5.04 ha |
| Balance of Parkland Conveyance | 25.70 ha | 0 ha | 16.78 ha | 12.42 ha | 2.58 ha |
| Estimated Average Land Value | \$85 million/hectare | - | \$85 million/hectare | \$85 million/hectare | \$85 million/hectare |
| Estimated CIL Owed | \$2.2 billion | \$0 | \$1.4 billion | \$1.1 billion | \$219 million |

CONCLUSION:

As of April 14, 2022, Bill 109 amended the Planning Act to reduce parkland dedication requirements within Provincial TOC sites to a percentage of the land area that is to be conveyed as parkland or cash-in-lieu. As a result, the City is not able to collect parkland or cash-in-lieu

³ The City's Interim Parkland CIL Strategy proposes a "Proximity Ring Approach" which results in an average reduction of 25% in CIL City-wide. Therefore, the City applies a 25% CIL reduction for all medium and high density residential apartments.

⁴ Persons Per Unit rate from Langstaff Gateway Secondary Plan

beyond the required 3.81 hectares or equivalent value as CIL. While Table 2 applies the City's current Parkland By-law and the three policy options being advanced as part of the Parkland Acquisition Study to the Bridge Station TOC, these policies are no longer applicable within the TOC lands.