



Report to: Development Services Committee

Report Date: September 12, 2022

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**SUBJECT:** RECOMMENDATION REPORT  
2690622 Ontario Inc. (Kingdom - Markham Centre)  
Applications for Official Plan and Zoning By-law Amendments to permit a phased high-density residential development at 4077 and 4101 Highway 7 and Alignment with the Development Concept for the Markham Centre Secondary Plan Update (Ward 3)

File No. PLAN 20 140215

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**RECOMMENDATION:**

- 1) THAT the report titled, “2690622 Ontario Inc. (Kingdom - Markham Centre), Applications for Official Plan and Zoning By-law Amendments to permit a phased high-density residential development at 4077 and 4101 Highway 7 and Alignment with the Development Concept for the Markham Centre Secondary Plan Update (Ward 3) File No. PLAN 20 140215”, be received;
- 2) THAT the Development Concept, dated July 5, 2022, for the Markham Centre Secondary Plan Update Study, as it relates to the lands owned by 2690622 Ontario Inc. (Kingdom - Markham Centre), be endorsed;
- 3) THAT the Official Plan Amendment application submitted by 2690622 Ontario Inc. (Kingdom - Markham Centre), be approved and the draft Official Plan Amendment, attached as Appendix ‘A’, be finalized and brought to a future Council meeting for adoption without further notice;
- 4) THAT the Zoning By-law Amendment application submitted by 2690622 Ontario Inc. (Kingdom - Markham Centre), be approved and the draft Zoning By-law Amendment, attached as Appendix ‘B’, be finalized and brought to a future Council meeting for enactment without further notice;
- 5) 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;
- 6) THAT the application for Site Plan Approval (SPC 20 134065) submitted by 2690622 Ontario Inc. (Kingdom - Markham Centre) for the Phase 2 lands be delegated to the Director of Planning and Urban Design, or designate, and that Site Plan Approval not be issued prior to the execution of a Site Plan Agreement;

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- 7) THAT the easterly portion of the subject lands, municipally known as 4121 Highway 7, be added to this recommended approval in order to facilitate the Proposed Development and that no further public notice be required;
  - 8) 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 applications for Official Plan Amendment and Zoning By-law Amendment to permit a phased high-density development with a maximum of 1,749 apartment units (including 30 affordable housing units), 812 m<sup>2</sup> (8,740 ft<sup>2</sup>) of non-residential gross floor area and a new public park at 4077 and 4101 Highway 7, with a small portion of 4121 Highway 7 being added to facilitate the proposed development.

In 2014, Markham Council approved site-specific Zoning By-law 2014-9 under a previous landowner, Sheridan Nurseries Limited, who did not proceed with their approved development. In 2018, Kingdom - Markham Centre subsequently acquired the properties and submitted an Official Plan Amendment application to redesignate the subject lands and incorporate site-specific height and density provisions. The Zoning By-law Amendment application proposes to rezone the subject lands, increase the maximum number of units and height permissions, modify the development standards, and place a Holding Provision on the properties until certain conditions have been satisfactorily met.

The proposed development would 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 in proximity to existing transit routes, and existing and future community amenities. Additionally, it aligns with the proposed land use, density, and height parameters of the Development Concept for the Markham Centre Secondary Plan Update Study, which was received at the July 5, 2022, Development Services Committee meeting.

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

**PURPOSE:**

This report recommends endorsement of the Development Concept for the Markham Centre Secondary Plan Update Study (“MCSP Update Study”), dated July 5, 2022, as it relates to the lands owned by 2690622 Ontario Inc. (Kingdom - Markham Centre) (the “Owner”), as shown in Figure 3. The report also recommends approval of the Official Plan and Zoning By-law Amendment applications (the “Applications”) submitted by the Owner to permit the development of a phased high-density development consisting of four residential towers on shared podiums, a maximum 1,749 residential units (Phases 2 and 3), internal private streets, outdoor amenity areas, public roads and a public park (the “Proposed Development”), as shown on Figure 7.

**PROCESS TO DATE:**

- April 7, 2020 and December 5, 2019, respectively: Staff deemed the Official Plan Amendment and the Zoning By-law Amendment applications complete
- May 25, 2020: the Development Services Committee (“DSC”) received the Preliminary Report

- June 24, 2020 and March 9, 2021: the Local Councillor hosted Community Information Meetings
- April 27, 2021: the statutory Public Meeting was held

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 August 5, 2020. Accordingly, the Owner is in a position to appeal the Applications to the OLT.

The Owner submitted the Phase 1 Site Plan Application (SPC 20 112580) in April 2020, that the DSC endorsed in March 2021, for a mid-rise, mixed-use residential building. The Owner also submitted a Site Plan Application (SPC 20 134065) for Phase 2 that is currently under review (see Figure 7).

**If the 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 (“SPA”) to the Director of Planning and Urban Design or designate

**BACKGROUND:**

**Subject Lands and Area Context**

The approximately 4.32 ha (10.7 ac) subject lands are located on the south side of Highway 7, east of Birchmount Road (municipally known as 4077 and 4101 Highway 7, including a small portion of 4121 Highway 7) and has approximately 166 m (545 ft.) of frontage along Highway 7 (the “Subject Lands”). Until early September 2022, Sheridan Nurseries Garden Centre operated on the Subject Lands. Figure 3 shows the surrounding land uses.

**History of Previous Approvals**

In 2014, Council approved site-specific Zoning By-law 2014-9 (“By-law 2014-9”) under Sheridan Nurseries Limited, the previous landowner, who did not proceed with their approved development. By-law 2014-9 permits a high density residential mixed-use development on the majority of the Subject Lands (the “2014 Approved Development Concept”), as shown in Figure 4. The Owner acquired the Subject Lands in 2018.

A previous Draft Plan of Subdivision Application was approved on the Subject Lands in 2014 and draft plan approval extensions were allowed, the latest extension being November 25, 2019. The approved Draft Plan of Subdivision (Figure 5) consists of four development blocks (Blocks 1, 2, 3 and 5), two blocks of park and environmental buffer space (Blocks 4 and 6), one valleyland block (Block 7, Rouge River valleylands), and two partial public roads, Sheridan Street (Street ‘G’) and Rougeside Promenade.

**PROPOSAL:**

In May 2020, after the DSC received the Preliminary Report, the Owner made revisions to the original Proposed Development, submitted in April 2020 (the “Original Proposal”), as shown in Figure 6, in response to comments received through the circulation of the Applications, the Community Information Meetings, and the statutory Public Meeting. The Owner proposes to demolish the existing Sheridan Nurseries Garden Centre and construct a development consisting of a Gross Floor Area (“GFA”) of

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173,840.2 m<sup>2</sup> (1,871,199.8 ft<sup>2</sup>) and a maximum of 2,102 residential units (including 30 affordable housing units), as conceptually shown on Figures 7 and 8, in the following three phases:

**Phase 1:** a mid-rise, 353-unit mixed-use residential building along Highway 7 consisting of building heights from two to eight-storeys with a GFA of 27,499 m<sup>2</sup> (295,997 ft<sup>2</sup>).

**Phase 2:** a 465-unit residential development on a shared seven to nine-storey podium consisting of a 25-storey building with a GFA of 44,518.1 m<sup>2</sup> (479,189 ft<sup>2</sup>) that fronts the proposed Street 'H' and Rougeside Promenade.

**Phase 3:** a 1,284-unit mixed-use residential development on a shared seven to nine-storey podium consisting of three towers ranging in height from 27, 32 and 37 storeys with a GFA of 101,823 m<sup>2</sup> (1,096,014 ft<sup>2</sup>) that fronts the proposed Sheridan Street (Street 'G') and Rougeside Promenade.

Although the Phase 1 lands were included in the Applications in the initial submission, it has now been removed as it conforms to the in-effect Official Plan and Zoning provisions. The DSC endorsed the Phase 1 SPA on March 30, 2021, for a mixed-use, mid-rise residential building.

#### Parkland and Amenity Space

The Owner proposes to swap the locations of the Phase 2 building and the public park (see Figures 7 and 8). The proposed buildings are now organized around a 0.53 ha (1.3 ac) unencumbered public park that is adjacent to an outdoor amenity area in Phase 1 and a landscaped walkway between Phase 2 and 3. Staff prefer the public park location on the west side of the Subject Lands as it mitigates shadow and wind impacts.

#### Development Encroachment onto 4121 Highway 7

The relocation of the Phase 2 building and the public park results in a small triangular portion of the Phase 2 building being located on 4121 Highway 7 (under the same ownership), which is not part of the Applications (see Figure 7). The original 2020 Conceptual Site Plan had the park located to the east. If the DSC approves Recommendation 7 of this report, the encroachment into 4121 Highway 7 would be accommodated through a major redline revision application, which is already required to facilitate the overall reconfiguration of the Phase 2, Phase 3 and park blocks, and the realignment of Street 'H' and Rougeside Promenade (see Figure 7).

#### Access to the Proposed Development

The Owner proposes to remove the existing accesses to Highway 7, with primary access to the Subject Lands off the proposed Sheridan Street (Street 'G') to the west and Street 'H' (see Figure 7). Streets 'G' and 'H' would also connect to Rougeside Promenade to the south of the Subject lands. Internal access will be from two private roads.

#### Major Redline to the Draft Approved Plan of Subdivision

As discussed above, a major redline revision application to the draft approved plan of subdivision (see Figure 5) is required to facilitate the overall development (see Figure 7). This future application would require Council's approval. The Proposed Development and redline to the draft approved plan fulfills the MCSP vision for the alignment of Rougeside Promenade to eventually connect with the future Sciberras Road extension south of Highway 7.

Table 1 summarizes the changes from the 2014 Approved Development Concept, the Original Proposal and the Proposed Development (shown in Figures 4, 6, and 7):

<b>TABLE 1: 2014 Approved Development Concept, Original Proposal (April 2020) and the Proposed Development (as revised) Comparison</b>			
	<b>2014 Approved Development Concept</b>	<b>Original Proposal (April 2020)</b>	<b>Proposed Development (as revised)</b>
<b>Units</b>	Maximum 1,225	Maximum 2,000	Maximum 2,102 (*see note 1)
<b>Res GFA</b>	N/A	137,192 m <sup>2</sup> (1,476,733 ft <sup>2</sup> )	172,475.7 m <sup>2</sup> (1,856,512.8 ft <sup>2</sup> )
<b>Non-Res GFA</b>	Max. 4,900 m <sup>2</sup> (52,743 ft <sup>2</sup> )	None	Min. 1,364.5 m <sup>2</sup> (14,687 ft <sup>2</sup> ) Phase 1: 553 m <sup>2</sup> (5,947 ft <sup>2</sup> ) Phase 3: 812 m <sup>2</sup> (8,740 ft <sup>2</sup> )
<b>Floor Space Index (“FSI”)</b>	2.5 to 3.5 (Overall)	5.69 (Phase 1 to 3)	<b>Phase 1: 2.43; Phase 2: 5.9; Phase 3: 6.95</b>
<b>Number of Buildings and Heights</b>	<b>Phase 1:</b> two buildings 6-8 storeys  <b>Phase 2:</b> 20 storey building with mid-rise podium  <b>Phase 3:</b> two 25 storey towers on shared mid-rise podium	<b>Phase 1:</b> 8 storey building  <b>Phase 2:</b> 34 storey tower with 8 building on a 4 storey podium  <b>Phase 3:</b> 43 and 47 storeys towers on four-five storey podium	<b>Phase 1:</b> 8 storey building  <b>Phase 2:</b> 25 storeys tower on a seven-nine storey podium  <b>Phase 3:</b> three towers (27, 32, and 37 storeys) on a shared seven-nine storey podium
<b>Parking</b>	Minimum 980 (183 Visitor)  Minimum non-residential requirements of By-Law 2004-196	Minimum 1,400 spaces (300 Visitor)  No non-residential parking spaces  Within two levels of underground parking on the Subject Lands with the addition of above-ground podium parking for Phases 2 and 3.	<b><u>Phase 1: 353 units</u></b> Minimum 282 (53 Visitor) Minimum non-residential requirements of By-Law 2004-196  <b><u>Phase 2 and 3: 1,749 units</u></b> Minimum 1,224 (*see note 2) (262 Visitor)  Minimum non-residential requirements By-Law 2004-196  Within two levels of underground parking and seven levels of above-ground podium parking (Phases 2 and 3)

**TABLE 1: 2014 Approved Development Concept, Original Proposal (April 2020) and the Proposed Development (as revised) Comparison**

	<b>2014 Approved Development Concept</b>	<b>Original Proposal (April 2020)</b>	<b>Proposed Development (as revised)</b>
<b>Access</b>	Proposed Rougeside Promenade and Sheridan Street to the west	Proposed Rougeside Promenade and Sheridan Street to the west and a new public street to the east (Street 'H')	Proposed Rougeside Promenade and Sheridan Street (Street 'G') to the west and a new public street to the east (Street 'H')

**Note 1:** The Owner proposes one, one plus den, two, and three-bedroom suites, ranging in size from 480 ft<sup>2</sup> to 850 ft<sup>2</sup>, in all three phases.

**Note 2:** Two levels of underground parking in addition to seven levels of above-ground podium parking, which will be refined through the Site Plan Applications. Parking provisions for Phases 2 and 3 are under review by staff, and will be confirmed once the site specific Zoning By-law Amendment is finalized and approved by Council at a later date.

#### **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 within a Settlement Area and 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 in the City's established Settlement Area 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, consistent with the 2020 PPS.

##### 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 within an Urban Growth Centre (Markham Centre), in proximity to higher order transit facilities as well as a Major Transit Station Area ("MTSA"). 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 800 m of the Unionville GO train station MTSA, within proximity to the VivaNext BRT (along Enterprise Boulevard), and fronts onto Highway 7 and bike lanes.

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, in close proximity to higher order transit facilities and the proposed range of unit sizes.

### **Regional Policy Framework**

#### York 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’, in proximity to the Unionville GO train station and the Highway 7 Regional Rapid Transit Corridor. 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 Framework**

#### 2014 Markham Official Plan, as updated on April 9, 2019 (the “2014 Official Plan”)

The 2014 Official Plan designates the Subject Lands “Mixed Use Mid Rise”, “Mixed Use High Rise” and “Greenway”. 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 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 FSI, and the “Mixed Use High Rise” designation permits a maximum building height of 15-storeys and a maximum density of 3 FSI. The Greenway designation applies to the south 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.

#### OPA 21

OPA 21 further designates the Subject Lands “Community Amenity Area - General”, “Open Space”, and “Hazard Land”. Lands designated “Community Amenity Area - General” may be used predominantly for medium and high-density residential uses with a generally maximum building height of six-storeys, with a mix of uses permitted. The maximum permitted density is 148 units per hectare. The “Open Space” designation applies to the south portion of the Subject Lands.

#### Precinct Plan

OPA 21 requires applicants to prepare a Precinct Plan for approval by the City that establishes further parameters for detailed land use and the physical character and form of a development. Staff are no longer requesting that the Precinct Plan be approved and/or updated for the Subject Lands, as Staff opine that enough information has been provided to proceed with the Proposed Development through the submission of past and current *Planning Act* applications, as detailed above. Both the proposed Official Plan Amendment and Zoning By-law Amendment (see Appendices ‘A’ and ‘B’, respectively) remove the requirement for a Precinct Plan.

### **Staff initiated the MCSP Update Study in 2019 and engaged the Owner throughout the process**

In Q4-2019, Staff initiated the MCSP Update, which began with the visioning work with stakeholders in June and July 2020. The work established the vision statement and guiding principles that informed the Development Options (Business as Usual and a Preliminary Concept), which was undertaken from October to December 2020. A second round of stakeholder engagement was undertaken through April to May 2021. Following the Development Options, Staff embarked on the Development Concept work. Both the Development Options and the Development Concept consistently identified a similar land use scheme on the Subject Lands.

### **The DSC received the MCSP Update Study Development Concept on July 5, 2022**

On July 5, 2022, the DSC received the Development Concept in a presentation by the Markham Centre consultants. The Development Concept is supported by the Markham Centre consultants' overall transportation analysis and servicing studies for the study area and the Subject Lands, and based on the density distribution considered appropriate by the consultants.

### **The Proposed Development aligns with the proposed land use, density, and height parameters of the MCSP Update Study Development Concept**

Table 2 and Figure 9 illustrates the density and height comparison between the Development Concept and the Proposed Development, as shown in Figure 7.

<b>Table 2: Density and Height Comparison – Study Development Concept v. Owner's Proposed Development</b>		
	<b>Development Concept</b>	<b>Proposed Development</b>
<b>Density (FSI)</b>	<b>Phase 1: 4; Phase 2: 6; Phase 3: 7</b>	<b>Phase 1: 2.43; Phase 2: 5.9; Phase 3: 6.95</b>
<b>Height (Storeys)</b>	<b>Phase 1: 6 to 8; Phase 2: 6 to 20; Phase 3: 6 to 30</b>	<b>Phase 1: 8; Phase 2: 25; Phase 3: 27, 32, and 37</b>

Staff support the Proposed Development as it offers a building height variation with appropriate separations. The proposed density remains within the maximum 4, 6, and 7 FSI parameters in the Development Concept. Staff and the Owner have been working to finalize the Proposed Development on the Subject Lands that would complement its locational advantage and proximity to the Unionville GO Station area and align it with the Development Concept with respect to the MCSP Update Study transportation assessment, servicing, and park location.

The proposed 25-storey height in Phase 2, though exceeding the 20-storeys contemplated in the Development Concept, is within the density parameters of the emerging MCSP Update. It is the planned density (population) that impacts planning matters such as traffic and community facilities. The additional five storeys in Phase 2 represent the distribution of the density while within the population envelope anticipated on that development block. As a result, Staff support the height in Phase 2 as shown in the Proposed Development.

The proposed 27, 32, and 37 storey heights in Phase 3 culminate in an average height of 32-storeys, which exceeds the 30-storeys contemplated in the Development Concept. The Owner proposes one floor

of affordable housing in each tower (10 units per floor) for a total of 30 affordable housing units in Phase 3. Staff support an additional floor in each tower to manage the construction costs and help deliver the affordable housing units. This would result in two additional floors in each tower for an average height of 32-storeys. Staff and the Owner will continue negotiations on the 30 units for affordable housing, which will be reflected in the site-specific Zoning By-law Amendment.

### **Zoning By-law**

Zoning By-law 2014-9, which amended By-law 2004-196 (Figure 2), rezoned the Subjects Lands in 2014. The Owner proposes an amendment to the Zoning By-law (Appendix 'B') to address the Phase 2 and Phase 3 lands and park block including, but are not limited to, the following:

- a) maximum residential unit increase from 872 to 1,749
- b) maximum building height increase from 25 to 37 storeys
- c) residential parking reduction from 0.8 to 0.7 space per unit, which is still under review by Staff
- d) the proposed uses and site-specific standards related to building design
- e) Holding Provision until conditions have been satisfactorily met (including, but not limited to: execution of a Subdivision Agreement, issuance of Site Plan Approval, confirmation of servicing, and the submission of technical reports/studies).

The proposed Zoning By-law Amendment remains in draft form, which the Owner and Staff will continue to work towards finalization.

### **DISCUSSION:**

The following section identifies how the matters raised through the review process, including those raised at the April 27, 2021, statutory Public Meeting, have been resolved or considered:

- a) MCSP Update Development Concept  
In light of the ongoing MCSP Update, the DSC raised concerns that the Proposed Development was not aligned with the emerging density and height parameters. The Proposed Development height and density are now consistent with the Development Concept.
- b) Height, Massing and Shadow Impacts  
To address the increased heights, the Proposed Development mitigates negative built form impacts, such as shadowing, through appropriate scale and massing, includes adequate setbacks, separation distances, and transitions. The buildings have been arranged to create appropriate height and massing transitions for each phase away from Highway 7. To maintain a minimum 30 m separation distances, the towers have been sited to limit direct overlook and minimize shadow impacts on the proposed public park. As a detailed shadow study for the Proposed Development has not yet been completed, updated shadow study impacts and design mitigation measures to reflect the revised massing will be reviewed at the SPA stage. Further, the buildings surround a central public park feature with access to Highway 7 and Rougeside Promenade.

The endorsed Phase 1 mid-rise building along Highway 7 includes at-grade outdoor private amenity areas, playground structures, and seating areas. This built form is consistent with the existing building massing along Highway 7. The Phase 2 and 3 buildings are generally consistent

with the planned context to the west and the proposed tower separations of 30 m and floor plate sizes of 800 m<sup>2</sup> are appropriate.

c) Wind Impacts

At the statutory Public Meeting, a member of the public expressed concerns with wind impacts caused by the Proposed Development. The buildings and associated towers have been arranged to potentially mitigate the impacts of wind in and around the site, including the proposed public park and private landscaped walkway. A detailed wind impact study has not yet been completed for the revised massing and will be reviewed at the SPA stage.

d) Retail and other Non-Residential Uses

The DSC and members of the public expressed concern with the quantum of retail and other non-residential uses as part of the Proposed Development. The Phase 1 lands secured a minimum of 553 m<sup>2</sup> (5,947 ft<sup>2</sup>) retail uses, and the Owner proposed a minimum of 812 m<sup>2</sup> (8,740 ft<sup>2</sup>) of retail uses in Phase 3, for a total of 1,364.5 m<sup>2</sup> (14,687 ft<sup>2</sup>) of ground floor non-residential space that would animate Street 'G' with at grade retail. Staff will continue to work with the Owner to secure additional non-residential uses, where possible.

e) School Location

At the statutory Public Meeting, a member of the public inquired whether schools would be located on the south side of Highway 7. A future elementary school site has been secured, approximately 700 m west of the Proposed Development. Staff note that the School Boards have not expressed any issues with the Proposed Development.

f) Day Care Facilities

The DSC and members of the public expressed concerns with the lack of day care facilities in the area. Both By-law 2019-9 and the proposed Zoning By-law Amendment (see Appendix 'B') provides for daycare uses on the Subject Lands.

g) Affordable Housing

At the statutory Public Meeting, members of the public stated that affordable housing should be included as part of the Proposed Development. The Owner commits to provide 30 affordable units in Phase 3 and secured as part of the proposed Zoning By-law Amendment (Appendix 'B'). Staff will continue to discuss the provision of affordable housing with the Owner.

h) Parking

Members of the public expressed concerns regarding the availability of parking in Markham Centre. The Proposed Development includes a minimum of 1,224 residential spaces (with a minimum of 1,506 residential spaces for all combined phases, see Table 1), 262 visitor spaces, and retail spaces in accordance with the requirements of By-Law 2004-196, accommodated within two levels of underground parking and seven levels of above-ground podium parking for Phases 2 and 3. The proposed parking provisions remain under review by Staff.

i) Rougeside Promenade Extension to Sciberras Road and Crossing of Rouge River

At the statutory Public Meeting, members of the public supported the future Sciberras Road extension south of Highway 7 that would cross the Rouge River and connect to Enterprise

Boulevard (providing direct access to the Unionville GO Station). They also indicated that a pedestrian bridge is needed if a road crossing is not provided.

The extension of Rougeside Promenade to Sciberras Road has been envisioned since the inception of OPA 21, which is carried over to the MCSP Update (both as roads with pedestrian access). The City, York Region, and the Toronto and Region Conservation Authority (“TRCA”) have worked with the Owner regarding the Rougeside Promenade extension and alignment, which has been supported in principle subject to further review and confirmation by the major redline revision application to the draft approved plan. As noted earlier, the major redline revision application will add the 4121 Highway 7 lands while reconfiguring the existing draft approved development blocks and road alignments. The Proposed Development contributes to the City’s overall road and pedestrian network, and helps fulfill the in-effect OPA 21 and the MCSP Update vision.

Staff also note that a trail network is currently being constructed along the south side of Rougeside Promenade, connecting Warden Avenue to Birchmount Road, with a planned system of trails going east of Birchmount Road, and a future Rouge River crossing contemplated south of the Subject Lands, which will be subject to a separate Environmental Assessment.

j) SPA for Phase 2 and Phase 3

The Owner submitted a SPA on the Phase 2 lands and will provide a SPA on the Phase 3 lands in the near future. Matters including, but not limited, detailed building and elevation designs, private amenities, pedestrian access and accessibility, bird-friendly architecture, and sustainability measures (achieving minimum LEED Silver Standard) will be reviewed as part of these applications. The Owner confirmed the Proposed Development will be designed to connect to Markham District Energy for all phases of development.

k) Section 37 Community Benefits Charge (“CBC”)

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 Section 37 community benefits charge, in accordance with the City’s CBC by-law. The approved Zoning By-law Amendment has Section 37 contributions applied to the 1,225 units, which are required prior to the removal of the Holding Provision. The CBC by-law will be applied to the remaining additional units proposed for the purposes of community benefits.

l) TRCA and York Region

The TRCA commented that the Owner would need to demonstrate that portions of the Proposed Development are located outside the flood plain. A flood plain analysis is required to remediate any potential flood risk. A Holding Provision has been included in Appendix ‘B’. York Region indicated no issue with the recommended approval of the Applications and a copy of the proposed Official Plan Amendment (Appendix ‘A’) will be forwarded to them for approval.

**CONCLUSION:**

The Proposed Development makes 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 located adjacent to existing transit routes and existing and future community amenities. The Proposed Development aligns with the proposed land use, density, and height parameters of the

Development Concept for the MCSP Update Study presented at the July 5, 2022 DSC meeting. For these reasons, Staff opine that the Applications are appropriate and represent good planning. Staff recommend that the proposed amendment to OPA 21 (Appendix 'A') and the proposed amendment to Zoning By-law 2004-196, as amended (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 and Zoning By-law Amendments (Appendices 'A' and 'B').

**RECOMMENDED BY:**

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Stephen Lue, M.C.I.P., R.P.P.  
Acting Director of Planning and Urban Design

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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: 2014 Approved Development Concept  
Figure 5: 2014 Approved Draft Plan of Subdivision  
Figure 6: 2020 Conceptual Site Plan  
Figure 7: Proposed Development  
Figure 8: Perspectives  
Figure 9: MCSP - Development Concept

**APPENDICES:**

Appendix 'A': Draft Official Plan Amendment  
Appendix 'B': Draft Zoning By-law Amendment

**AGENT:**

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