

SUBJECT: RECOMMENDATION REPORT
Lifetime 8200 Warden Avenue GP Inc. (Lifetime Developments)
Applications for Official Plan Amendment, Zoning By-law Amendment, and
Draft Plan of Subdivision to permit a high rise residential mixed-use
development at the southwest corner of Cedarland Drive and Warden
Avenue, Markham Centre (Ward 8)
File No. PLAN 20 123292
(Previous File No. ZA 18 108856)

PREPARED BY: Central District Development Team

REVIEWED BY: Sabrina Bordone, MCIP, RPP, extension 8230
Development Manager, Central District

Stephen Lue, MCIP, RPP, extension 2520
Senior Development Manager

RECOMMENDATION:

1. THAT the December 12, 2022, report titled, “Lifetime 8200 Warden Avenue GP Inc. (Lifetime Developments), Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision to permit a high rise residential mixed-use development at the southwest corner of Cedarland Drive and Warden Avenue, Markham Centre (Ward 8), File No. PLAN 20 123292 (Previous File No. ZA 18 108856)”, be received;
2. THAT the Official Plan Amendment application submitted by Lifetime 8200 Warden Avenue GP Inc. (Lifetime Developments), be approved and that the draft Official Plan Amendment, attached hereto 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 Lifetime 8200 Warden Avenue GP Inc. (Lifetime Developments), be approved and that the draft Zoning By-law Amendment, attached hereto as Appendix ‘B’, be finalized and brought forward to a future Council meeting to be enacted without further notice;
4. THAT Draft Plan of Subdivision 19TM-20004 be approved, subject to the conditions set out in Appendix ‘C’ of this report;
5. THAT the Director of Planning and Urban Design or designate, be delegated authority to issue Draft Plan Approval, subject to the conditions set out in Appendix ‘C’, as may be amended by the Director of Planning and Urban Design or designate;
6. THAT Draft Plan Approval for Plan of Subdivision 19TM-20004 will lapse after a period of three (3) years from the date of issuance in the event that a Subdivision Agreement is not executed within that period;

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7. THAT servicing allocation for 1,962 units be assigned to Draft Plan of Subdivision 19TM-20004;
 8. 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;
 9. THAT any future application(s) for Site Plan Approval submitted by Lifetime 8200 Warden Avenue GP Inc. (Lifetime Developments) be delegated to the Director of Planning and Urban Design, or their designate, and that Site Plan Approval not be issued prior to the execution of a Site Plan Agreement;
 10. 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, Zoning By-law Amendment, and Draft Plan of Subdivision to permit a high rise residential mixed-use development with a maximum of 1,962 residential units at the southwest corner of Cedarland Drive and Warden Avenue.

The Official Plan Amendment seeks to redesignate the subject lands and incorporate site-specific height and density provisions. The Zoning By-law Amendment proposes to rezone the subject lands, permit the maximum number of units and height permissions, modify the development standards, and places Holding Provisions on the property. The Draft Plan of Subdivision proposes the creation of two development blocks and a new public road.

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 in proximity to the Warden Avenue and Enterprise Boulevard Internal gateway (as per the 2020 Updated Gateway Master Plan), to existing transit routes, and existing and future community amenities. While the building heights and density of the Proposed Development exceeds the Development Concept for the Markham Centre Secondary Plan Update, they are generally consistent and compatible with existing and recently approved developments in the surrounding area.

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

PURPOSE:

The report recommends approval of the Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications (the “Applications”) submitted by Lifetime 8200 Warden Avenue GP Inc. (Lifetime Developments) (the “Owner”) to permit the development of a high rise residential mixed-use development consisting of four residential towers on shared podiums, a maximum 1,962 residential units, retail and other non-residential uses, outdoor amenity areas, and a new public road (the “Proposed Development”), as shown on Figures 5 to 7.

PROCESS TO DATE:**Original Zoning By-law Amendment application (File No. ZA 18 108856)**

- July 13, 2018: Staff deemed the original Zoning By-law Amendment application (File No. ZA 18 108856) complete
- December 11, 2018: the Development Services Committee (“DSC”) received the Preliminary Report on the original Zoning By-law Amendment application
- March 13, 2019: a Community Information Meeting was hosted by the Local Ward Councillor on the original Zoning By-law Amendment application

Further background on the original Zoning By-law Amendment application is provided in the [February 22, 2021](#) Preliminary Report to the DSC.

Revised Zoning By-law Amendment application, new Official Plan Amendment and Draft Plan of Subdivision applications (File No. PLAN 20 123292)

- November 20, 2020: Staff deemed the Applications complete
- February 22, 2021: the DSC received the Preliminary Report
- April 6, 2021: the DSC held the statutory Public Meeting
- May 20, 2021: the 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 March 20, 2021. Accordingly, the Owner can appeal the Applications to the OLT.

If the DSC chooses to support the Applications, 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) approval of the conditions of Draft Plan of Subdivision at a future Council meeting

BACKGROUND:**Subject Lands and Area Context**

The approximately 2.35 ha (5.82 ac) subject lands are located south of Cedarland Drive, between Warden Avenue and South Town Centre Boulevard (the “Subject Lands”), as shown on Figures 1 and 2. The east portion of the Subject Lands are vacant, but contain trees and other vegetation, while the west portion consists of a surface parking lot with surrounding trees and vegetation. Figure 3 shows the surrounding land uses.

The Owner revised the November 2020 original proposal to provide the extension of Courtyard Lane and two development blocks

In February 2021, after the DSC received the Preliminary Report, the Owner made revisions to the original November 2020 Proposed Development (the “Original Proposal”), as shown in Figure 4 and compared in Table 1, in response to comments received through the circulation of the Applications and the statutory Public Meeting. The Owner proposes to remove the existing parking lot and construct a development consisting of a Gross Floor Area (“GFA”) of 201,165.26 m² (2,165,324.84 ft²) and a maximum of 1,962 residential units, as conceptually shown on Figures 5 and 6. The Draft Plan of Subdivision, shown on Figure 7, proposes a new public road, the future Courtyard Lane extension

(Block 4 – Street ‘A’), that bisects the Subject Lands to create two development blocks. The two development blocks (identified as West and East) include the following:

	West Block (Block 1)	East Block (Block 2)
Residential Units	899	1,063
Building Height (storeys)	6 to 34	6 to 46
Gross Floor Area (“GFA”)	84,783.32 m ² (912,600.06 ft ²)	116,381.94 m ² (1,252,724.8 ft ²)
Details	frontage along Viva Throughway/Cedarland Drive, South Town Centre Boulevard, a private road (owned by IBM), and proposed Street ‘A’	frontage along Viva Throughway/Cedarland Drive, Viva Throughway/Warden Avenue, a private road (owned by IBM), and proposed Street ‘A’

Access to the Proposed Development will be secured as a condition of draft plan approval (or an alternative arrangement)

Access to the Proposed Development is proposed from a north-south private road (owned by IBM) with access onto South Town Centre Boulevard and from the proposed Street ‘A’. Both roads intersect Cedarland Drive to the north and an east-west private road (owned by IBM) to the south of the Subject Lands, as shown on Figure 5 and 7.

Historically, the Subject Lands were part of a separate consent application (File No. B/18/16) that facilitated the severance of the Owner’s property from the IBM land holdings, which the Committee of Adjustment approved on November 23, 2016. As a condition of approval, IBM was required to enter into an agreement with the City to convey lands (that currently abut the southern and western limits of the Subject Lands) that would accommodate the southerly extension of South Town Centre Boulevard and the future east-west public road between South Town Centre Boulevard and Warden Avenue.

The surrounding planned roads are required to provide appropriate public vehicular and pedestrian accesses to the Proposed Development. City Staff continue to work with IBM to secure this conveyance, which is discussed later in this report. To facilitate full access to the Proposed Development, the City will secure the conveyance of the IBM lands as a condition of draft plan approval or through an alternative arrangement, to the satisfaction of the City, as identified in Appendix ‘C’.

The Owner proposes to advance development on the Subject Lands in two phases

The Proposed Development is anticipated to be built in two phases: Phase 1 will consist of the West Block and Phase 2 will consist of the East Block (see Figure 5). Further details regarding the Proposed Development, including access arrangements for each phase, will be examined at the detailed technical review of the Draft Plan of Subdivision and at the Site Plan Approval (“SPA”) stage. Table 1 summarizes the changes from the Original Proposal (November 2020) and the Proposed Development.

TABLE 1: Original Proposal and the Proposed Development Comparison (see Figures 4 and 5)		
	Original Proposal (November 2020)	Proposal Development(as revised)
Dwelling Units	1,950	1,962 ^{Note 1}
Residential GFA	179,436.69 m ² (1,931,440.46 ft ²)	190,300.48 m ² (2,048,377.32 ft ²)
Minimum Non-Residential GFA	<u>Retail</u> 2,004.77 m ² (21,579.16 ft ²)	<u>Retail</u> 1,211.73 m ² (13,043 ft ²) <u>Daycare</u> 383.82 m ² (4,131.4 ft ²) indoor and 144.29 m ² (1,553.08 ft ²) outdoor
Density: Floor Space Index (“FSI”)	West Block: 8.31 East Block: 8.55	West Block: 8.61 East Block: 10.2
Number of Buildings and Heights	<u>West Block</u> Two buildings (34 storeys on a four storey shared podium) <u>East Block</u> Two buildings (36 and 37 storeys on a four storey shared podium)	<u>West Block</u> Two buildings (31 and 34 storeys on a five storey shared podium) <u>East Block</u> Two buildings (43 and 46 storeys on a five storey shared podium)
Minimum Provided Parking Spaces	1,702 (292 visitors) <u>West Block</u> 817 (143 Visitor) <u>East Block</u> 885 (149 Visitor) Shared visitor and non-residential parking Two levels of underground parking and 4 levels of podium parking	1,915 (312 visitors) ^{Note 2} <u>West Block</u> 865 (146 Visitor) <u>East Block</u> 1,016 (166 Visitor) Non-residential parking spaces 1 parking space per 50 m ² of Net Floor Area (“NFA”) and shared visitor and non-residential parking Two levels of underground parking and 5 levels of podium parking
Vehicular Access	Along South Town Centre Boulevard and from proposed Street ‘A’ (future extension of Courtyard Lane)	Along South Town Centre Boulevard and from proposed Street ‘A’ (future extension of Courtyard Lane)

Note 1: The Owner proposes one, one plus den, two, two plus den and three-bedroom suites (444 ft² to 1,506 ft²) and the integrated two and three-bedroom townhouse units (1,113 ft² to 2,153 ft²) in both phases

Note 2: Parking provisions 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

Staff are satisfied that the Proposed Development is consistent with the 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 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.

Staff opine that the Proposed Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2020 (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 and 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 front onto the Cedarland Bus Rapid Transit (BRT) Station MTSA and bike lane routes along Cedarland Drive. Staff opine that the Proposed Development conforms to the Growth Plan.

Regional Policy Framework

Staff opine that the Proposed Development conforms to the York Region Official Plan 2022 (“2022 ROP”), as approved by the Minister on November 4, 2022

The 2022 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’ and Cedarland BRT Station MTSA. Regional Centres and MTSA’s are focal points for the highest densities and most intensive development. The Proposed Development, which conforms to the 2022 ROP, provides for a denser and more intense development on a parcel of the land in close proximity to existing transit facilities.

City of Markham Policy Framework

The City’s 2014 Official Plan (the “2014 Official Plan”) designates the Subject Lands “Mixed-Use High Rise”, which are priority locations for development with the greatest level of intensification that support residential intensification with a mix of commercial and other uses. Unless specified in a secondary plan or site-specific policy, this designation permits a maximum building height and density of 15-storeys and 3 FSI. The policies indicate 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.

The Owner submitted an Official Plan Amendment application to permit site-specific increases in building height and density on the Subject Lands in OPA 21

OPA 21 further designates the Subject Lands “Community Amenity Area – Major Urban Place” that permit predominantly a high concentration and intensity of residential, commercial, employment, and supporting uses with a general maximum building height and density of eight storeys and 148 units per hectare. The Owner’s Official Plan Amendment (“OPA”) seeks to redesignate the Subject Lands and incorporate site-specific height and density provisions (Appendix ‘A’).

Resolution of Appeal No. 20 to the 2014 Official Plan by IBM on the Subject Lands is required prior to Council’s Adoption of the Proposed OPA

The IBM original land holdings included the Subject Lands. When the 2014 Official Plan was adopted, IBM filed a site-specific appeal (case no. PL140743) to the Ontario Municipal Board (“OMB”), now the OLT, on the basis that the 2014 Official Plan land use designations impacted the entire IBM land holdings relative to what OPA 21 permitted. In 2016, the Owner purchased the Subject Lands from IBM that included Appeal No. 20, which was subject to a separate consent application, as previously discussed. Appeal No. 20 will be resolved through its withdrawal by IBM over the Subject Lands. Once the OLT acknowledges this withdrawal, the proposed OPA (Appendix ‘A’) can be brought forward to Council for adoption.

A Precinct Plan is not required for the Proposed Development on the Subject Lands

OPA 21 requires applicants 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. The proposed OPA (Appendix ‘A’) removes the requirement for a Precinct Plan.

Staff initiated the Markham Centre Secondary Plan (“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 for the Subject Lands.

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

The Development Concept is supported by the Markham Centre consultants’ overall transportation analysis and servicing studies for the study area, and based on the density distribution considered appropriate by the consultants.

The Proposed Development aligns with the proposed land use, but is not aligned to the density and height parameters of the MCSP Update Study Development Concept

Table 2 illustrates the density and height comparison between the Proposed Development (Figure 5) and the Development Concept (Figure 8):

Table 2: Density and Height Comparison		
	MCSP Development Concept	Proposed Development
Density (FSI)	5 (West and East Blocks)	8.61 (West Block) ^{Note 1} 10.2 (East Block)
Maximum Building Height (Storeys)	25 (West Block), 30 (East Block)	34 (West Block), 46 (East Block)

Note 1: The proposed density generally remains within the parameters of other recently approved developments at an approximate average of 8.55 FSI for the overall Subject Lands, which includes the proposed public road as part of the GFA calculation (approximate average of 9.46 FSI without the public road). As OPA 21 does not use FSI as a measure of density (given its approval in 1997), this density calculation is based on the definition in the 2014 Official Plan, which includes new public roads as part of the lot area.

The MCSP Update Study contemplates a population of 106,000 people and 72,000 jobs at full build out in the long term as reported in the Development Concept received in July 2022

The City's desire to curb urban sprawl was first established in the 1987 Official Plan. Prior to any Provincial Policy and with the foresight of the City, Markham Centre was identified as the area to mitigate sprawl and absorb density while creating a downtown that is focused on land use mixes and place-making opportunities.

Today, over 15,000 people reside in Markham Centre in over 8,000 occupied units. The MCSP Update Study represents a long term plan for the City's downtown that anticipates build out beyond 2051. Until then, the downtown will continue its journey from suburban to urban as its city-building and place-making elements (community facilities, public transit, schools, and parks) come on stream in the future. The Proposed Development contributes over 1,900 units in a phased development that will inject a population and land uses that will enable a critical mass to support and further activate the existing and planned uses in the area.

The Subject Lands benefit from a unique locational advantage compared to other areas in Markham Centre

The Subject Lands maintain a convenient access to Highway 407, a regional road (Warden Avenue), direct access to the Cedarland VivaNext BRT station with access to the Stouffville GO Line, and within a 5 minute walk to the Highway 7 York Region Transit line. Access to the existing employment and office uses and commercial centres to the west and east provide job opportunities and shopping for future residents, along with existing and planned community facilities located within the downtown area (PanAM Centre, York University, YMCA, a new elementary school east of Warden Avenue).

The Proposed Development is within a provincially identified Urban Centre. Within Markham Centre, the Subject Lands are located away from the established low rise neighbourhoods to the north and east and in the vicinity of other recently approved developments with similar scale immediately on the east side of Warden Avenue. Impacts from this scale of development are minimized as a result, and moreover, consolidating densities and height in this area will create the much needed population and activity to support public transit and the existing local commercial uses in Markham Centre.

Although the Proposed Development is not fully aligned with the MCSP Development Concept respecting height and density, Staff support the Proposed Development

Throughout the evolution of Markham Centre, the City has maintained a built form structure of the Urban Centre that considers the existing surrounding context – the established low-rise neighbourhoods to the north and east. Mid-rise built form exist along Highway 7 that respects a transitional area while encouraging density that would support public transit and other transportation modal splits. This approach can also be seen along Kennedy Road. The MCSP Update Study carries forward the same principles of transition with minimal impact to the surrounding established low rise areas while having the ability to support transit infrastructure.

Staff opine that the proposed density is appropriate, as it aligns with other recently approved developments in the immediate area and takes advantage of the Subject Land's location and proximity to the Cedarland BRT Station MTSA.

While the proposed West Block building height (31 and 34 storeys) averages 32.5 storeys while the East Block (43 and 46 storeys) averages 44.5 storeys, the overall average height for the Proposed Development is 38.5 storeys. Though exceeding the heights contemplated in the MCSP Development Concept, the heights in the Proposed Development, which offers varying heights and contributes to an interesting skyline, is consistent with similar approved developments in the area, specifically immediately on the east side of the Warden Avenue strip, where 45 and 46 storey developments have been approved. Staff support the building heights for the Proposed Development.

The Proposed Development offers a built form gateway entry into Markham Centre, as identified in the City's Updated Gateway Master Plan (February 2020)

The Subject Lands are located within proximity to the Warden Avenue and Enterprise Boulevard Internal gateway, as identified in the City's Updated Gateways Master Plan. Internal gateways highlight key entrances to unique areas of the City. The Proposed Development, along with existing and recently approved developments along this stretch of Warden Avenue, will serve as a focal point for place making within Markham Centre. The proposed architecture provides a built form variation unseen in Markham Centre today. Staff opine the Proposed Development will positively contribute to the internal gateway and that its unique architectural design will become a focal point for the area.

In light of the passing of Bill 23, the Proposed Development will contribute to the delivery of housing units as mandated by the Provincial Government

On October 25, 2022, the Province introduced Bill 23, the *More Homes Built Faster Act*, which received Royal Assent on November, 28, 2022, that is intended to support the provincial goal of building 1.5 million homes in 10 years. The Province has assigned the City a target of 44,000 units over 10 years (4,400 units annually). Furthermore, the legislation removes or re-designates 15 areas of land (2,995 ha or 7,400 ac) from the Greenbelt with the objective to accommodate growth and support the building of more homes. Three of the 15 areas are located in Markham and are designated 'Greenway' in the Markham Official Plan that results in the permanent loss of 49 ha of natural heritage land essential for ecological restoration in the Greenway System.

The Proposed Development on the Subject Lands, in the context of providing more homes is poised to be developed and contribute to providing more units in an Urban Centre that already has existing infrastructure and services along with planned and existing community amenities to support it.

Development within intensification areas, such as the subject proposal, reinforces the fact that the loss of Greenbelt lands are not needed to support growth targets.

The Owner submitted a draft Zoning By-Law Amendment (“ZBLA”) to permit site-specific provisions on the Subject Lands as shown in Appendix ‘B’

By-law 165-80, as amended, zones the Subject Lands “Select Industrial with Limited Commercial Zone - M.C (60%)”. The Owner submitted a draft ZBLA that proposes to delete the Subject Lands from By-law 165-80, as amended, and incorporate them into By-law 2004-196, as amended, with site-specific exceptions including, but not limited to, the following:

- a) a maximum of 1,962 residential units
- b) a maximum building height of 46 storeys
- c) a non-residential parking rate of 1 parking spaces per 50 m² of NFA to be shared with visitor parking site-specific uses and development standards related to building design
- d) Holding Provisions including, but not limited to, Toronto/Buttonville Airport zoning regulations, execution of any applicable agreements, servicing confirmation, and technical studies submission

The proposed ZBLA remains in draft form while the Owner and Staff 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 April 6, 2021, statutory Public Meeting, have been resolved or considered.

a) Height, Massing and Shadow Impacts

The Proposed Development has four towers that step down to six and seven storeys terrace podiums, which provide an appropriate scale, massing and transition to the existing surrounding context. The Proposed Development also maintains adequate setbacks from public road frontages and appropriate tower separation distances. A gradation of tower heights, with the tallest tower adjacent to Warden Avenue, descends in height from east to west across the Subject Lands.

The Owner submitted a Shadow Study that demonstrates the Proposed Development casts slender shadows from the north, to the northeast, and to the east throughout the day. The Shadow Study also concludes that shadow impacts on surrounding public realm spaces are minimal. DSC members suggested moving Building C to the northwest corner of the East Block (Figure 5). The Owner explored this option, but determined that its current location is preferred, as relocation would result in greater shadow impacts on lands to the north and less optimal light, view, and privacy conditions between Buildings C and D.

b) Wind Impacts

The Owner submitted a Pedestrian Level Wind Study that concludes wind impacts generated by the Proposed Development are acceptable. The Proposed Development (Figures 5 and 6) has been revised to address wind impacts, which includes increasing the height of the West Block podium and introducing wind screens and landscape on the rooftop amenity spaces.

c) Parkland

The DSC and members of the public discussed the potential of having a park on the Subject Lands or on the IBM daycare lands to the south. Parkland or cash-in-lieu of parkland will be provided in

accordance with the requirements of the *Planning Act*. The Owner continues to explore opportunities to acquire parkland off-site in the immediate vicinity in consultation with City Staff. The Owner's obligations may be satisfied through a combination of off-site dedication and cash-in-lieu contributions or through cash-in-lieu contributions alone.

d) Affordable housing/purpose build rental

At the statutory Public Meeting, members of the public asked whether the Proposed Development would incorporate affordable housing and/or purpose built rental. The Owner has indicated that the proposed units will be condominium in tenure and that affordable or rental housing is not contemplated at this time. Nevertheless, Staff will continue to work with the Owner during the SPA process to look at opportunities for affordable housing and/or purpose built rental.

e) Retail and other Non-Residential Uses

The DSC and members of the public expressed concern with the proposed amount of retail and other non-residential uses. The Owner proposes a minimum of 1,212 m² (13,043 ft²) of retail GFA and 384 m² (4,131 ft²) of daycare GFA with an associated 144 m² (1,553 ft²) outdoor amenity area, which will animate Street 'A', Cedarland Drive, and South Town Centre Boulevard with at-grade retail and non-residential uses. Staff note that the reduction of retail GFA from the Original Proposal comes from the addition of an outdoor daycare amenity space to the West Block, and the introduction of a required loading area on the East Block. Staff will continue to work with the Owner to secure additional non-residential uses, where possible.

f) Pedestrian Access

At the statutory Public Meeting, members of the public commented that the Proposed Development should support and contribute to a sustainable walkable community. The Proposed Development provides for appropriate pedestrian connections, including crosswalks and crossrides at key intersections, sidewalks and multi-use trail facilities along existing and proposed public streets, and hardscaped paving in other areas of the site.

g) Impacts on Area Traffic and Viva Rapid Transit

The DSC and members of the public expressed concerns that the Proposed Development will have negative impacts on traffic in the area and the Viva Rapid Transit ROW. General traffic impacts and the introduction of proposed Street 'A' to the BRT on Cedarland Drive have been reviewed by York Region and York Region Transit and deemed acceptable. Street 'A' was requested by City staff and will assist in advancing a grid pattern network of public roads.

The transportation analysis conducted as part of the MCSP Update Study and the Development Concept work assesses the "ultimate" condition in which all the planned infrastructures are in place and target modal splits are achieved in Markham Centre. It is based on a long-term vision. The proposed additional density and the anticipated increased traffic can be dispersed over the larger secondary plan area road network. The secondary plan scope of work differs from the transportation work assessed for site-specific development applications, which focuses on the transportation conditions within the expected built-out time horizons for a particular development proposal.

The Owner submitted a Transportation Impact Study (TIS) that demonstrates traffic generated from the Proposed Development can be adequately accommodated by the surrounding road network once the ultimate conveyance of the private roads to public ROWs is secured and the Cedarland

Drive/Street 'A', the Clegg Road/Courtyard Lane, and the Warden Avenue/east-west private road intersections are signalized as full movement intersections.

On December 6, 2022, IBM provided a comfort letter to the City that confirms in the purchase agreement between IBM and the Owner, the Owner maintains the right to use the portion of the South Town Centre Boulevard adjacent to the western boundary of the Subject Lands and the private road adjacent to the southern boundary of the Subject Lands (both currently under IBM ownership), subject to the Owner and IBM entering into a cost sharing agreement. The cost sharing agreement is expected to be completed shortly.

Given that the IBM flyover (Figure 3) may remain in private ownership and that the Warden Avenue and the east-west private road cannot be signalized as a full movement intersection over the long term, a Holding Provision in the draft ZBLA is recommended by Transportation Planning Staff requiring that the TIS be updated to evaluate the development timing on the East Block (Phase 2) in coordination with the surrounding road network (Appendix 'B').

h) Parking

Members of the public expressed concerns regarding parking in Markham Centre and whether the Proposed Development will have parking spaces available for the public to rent. The Owner has confirmed that parking spaces will only be available for residents and visitors of the buildings.

i) Toronto/Buttonville Airport Zoning Regulations

The Subject lands are located within the Toronto/Buttonville Airport Zoning Regulations (SOR/88-148). The Proposed Development has been circulated to Buttonville Airport for comments, which indicate that the Owner must complete an assessment to confirm the maximum permitted building heights. In order to address this, a condition of Hold Removal relating to the Toronto/Buttonville Airport Zoning Regulations has been included in the draft Zoning By-law Amendment (Appendix 'B') until such time as the permitted building heights have been confirmed.

j) Application for SPA are required for the West and East Blocks

As previously discussed, applications for SPA will be required for both phases. Matters including, but not limited to, private amenity areas, pedestrian access, affordable housing and/or purpose built rental, and sustainability measures (achieving minimum LEED Silver Standard) will be reviewed as part of these applications. The Owner confirmed that they will make efforts to explore the feasibility of connecting to Markham District Energy and the inclusion of an automated waste system.

l) IBM Private Roads

As previously discussed, City Staff will continue work with the Owner and IBM regarding the conveyance of land related to the extension of South Town Centre Boulevard and the future east-west public road between South Town Centre Boulevard and Warden Avenue.

m) Community Benefits Charge ("CBC")

The CBC By-law will be applied to the Proposed Development given the building heights and number of units and will be addressed at the site plan stage

n) External Agencies

The Toronto and Region Conservation Authority (“TRCA”) and York Region have no issues with the recommended approval of the Applications, provided that their conditions of draft plan approval (Appendix ‘C’) are met prior to registration of the Draft Plan of Subdivision. A copy of the proposed OPA (Appendix ‘A’) will be forwarded to York Region 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 building heights and density are generally consistent with other approved developments in the vicinity and what is envisioned in the overall MCSP Update Study. For these reasons, Staff opine that the Applications are appropriate and represent good planning.

FINANCIAL CONSIDERATIONS:

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 OPA and ZBLA (see Appendices ‘A’ and ‘B’), as well as the Conditions of Draft Plan of Subdivision Approval (Appendix ‘C’).

RECOMMENDED BY:

Darryl Lyons, MCIP, RPP
Acting Director of Planning and Urban Design

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS AND APPENDICES:

Figure 1: Location Map
Figure 2: Area Context/Zoning
Figure 3: Aerial Photo
Figure 4: 2020 Conceptual Site Plan
Figure 5: Proposed Development
Figure 6: Perspectives
Figure 7: Draft Plan of Subdivision
Figure 8: Markham Centre Secondary Plan - Development Concept
Appendix ‘A’: Draft Official Plan Amendment
Appendix ‘B’: Draft Zoning By-law Amendment
Appendix ‘C’: Conditions of Draft Plan of Subdivision Approval

AGENT:

Kate Cooper c/o Bousfields Inc.

3 Church Street Suite 200 Toronto, ON, M5E1M2

Tel: (416) 947-9744 EXT. 234; Email: kcooper@bousfields.ca