



Memorandum to: Development Services Committee

Report Date: March 21, 2023

SUBJECT: MEMORANDUM

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 Warden Avenue and Cedarland Drive, Markham Centre (Ward 8) File No. PLAN 20 123292

PREPARED BY: Stephen Lue, MCIP, RPP, extension 2520
Senior Development Manager

RECOMMENDATION:

- 1) THAT the March 21, 2023, Memorandum 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 Warden Avenue and Cedarland Drive, Markham Centre (Ward 8), File No. PLAN 20 123292”, be received;
- 2) 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;
- 3) 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, referenced as Appendix ‘A’ in the December 12, 2022, report be finalized and brought forward to a future Council meeting to be adopted without further notice;
- 4) 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, referenced as Appendix ‘B’ in the December 12, 2022, report be finalized and brought forward to a future Council meeting to be enacted without further notice;
- 5) THAT the letter dated, March 15, 2023, by Lifetime 9200 Warden Avenue GP Inc. (Lifetime Developments), attached hereto as Appendix 1, be received;
- 6) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This memorandum responds to the direction given at the December 12, 2022, Development Services Committee (“DSC”) meeting on the proposed development by Lifetime 8200 Warden Avenue GP Inc. (Lifetime Developments) (the “Owner”) at the southwest corner of Warden Avenue and Cedarland Drive (the “Subject Lands”). The DSC instructed staff to investigate the parkland contribution by Lifetime Development on their proposed development that consists of a high rise residential mixed-use development, 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”).

PROCESS TO DATE:

The Proposed Development involved the following milestones:

- 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
- December 12, 2022: the DSC considered the staff Recommendation Report, which was deferred to resolve parkland dedication issues

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.

Should the DSC support the Applications, the 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:

The December 12, 2022, staff Recommendation Report summarized the Owner’s two-phased Proposed Development, which included the total Gross Floor Area (“GFA”), total residential units, and the extension of Courtyard Lane

The Owner proposes to develop the Subject Lands in two development blocks as follows:

	West Block (Block 1 – Phase 1)	East Block (Block 2 – Phase 2)
Total Units	1,962	
Units – Phased	899	1,063
Building Height (storeys)	6 to 34	6 to 46
Total GFA	201,165.26 m ² (2,165,324.84 ft ²)	
GFA – Phased	84,783.32 m ² (912,600.06 ft ²)	116,381.94 m ² (1,252,724.8 ft ²)

The DSC directed staff to provide additional information for their consideration, including parkland contribution and other matters

The December 12, 2022, DSC meeting resulted in Committee’s deferral of their decision on the Proposed Development subject to staff providing additional information. Following the meeting, Staff met with the Owner on the following matters:

- a) Parkland Contribution
Bill 23 - *More Homes Built Faster Act*, 2022, applies to the Proposed Development. The Owner and Staff agreed to the Owner’s in-kind and off-site parkland contribution of 1.09 ha (2.69 ac) as acquired within the vicinity of the Subject Lands, in accordance with Section 37 (Community Benefits Charges - “CBC”) of the *Planning Act*, and subject to a separate CBC Agreement between the City and the

Owner. Table 1 summarizes the parkland dedication pre-Bill 23, under Bill 23, what the City would receive for the Proposed Development, and the differences pre-Bill 23 and in accordance with Bill 23.

Table 1: Parkland Dedication				
Pre-Bill 23	Bill 23	Parkland to be Received	Difference	
			Pre-Bill 23	Bill 23
2.158 ha (5.333 ac)	0.24 ha (0.59 ac)	1.09 ha (2.69 ac)	-1.068 ha (-2.639)	+ 0.85 ha (+2.1 ac)

Though the Owner's proposed parkland dedication does not meet the pre-Bill 23 requirement, it exceeds the dedication required under Bill 23. The Parkland in excess of the 0.24 ha required under Bill 23 will be secured as an in kind contribution under the City's CBC By-law. The value of the land secured through CBC is expected to exceed the projected CBC amount for the Proposed Development.

b) Draft Zoning By-law Amendment ("ZBLA"), Unit Count, and Parking Standards

The Owner has submitted a letter dated March 15, 2023 (see Attachment 1) requesting a reduction in the parking standards from 0.95 spaces/unit to 0.8 spaces/unit. This request is to accommodate the potential for additional units if required as a result from corrections due to market demands. Should the Owner wish to pursue adding additional units, the Owner will be required to submit further studies including, but not limited to, a functional servicing report and a transportation analysis. The Owner will also be required to submit a parking justification report addressing TDM measures as part of the site plan process.

The ZBLA remains in draft form while the Owner and Staff continue to work towards finalizing the same, which will include holding provisions on the Phase 2 lands. The ZBLA will not be brought forth to a future Council meeting until the CBC Agreement has been executed.

c) Lower Cost Housing

The Owner agrees to contribute 20 residential units at the affordability rate established by York Region and Housing York Inc. plus 15% developer cost as part of their contribution to lower cost housing, which Staff support.

CONCLUSION:

Following the December 12, 2022, DSC meeting, and in-light of the additional information contained in this Memorandum, Staff recommend approval of the Proposed Development as it makes efficient use of an underutilized parcel of land that has been identified provincially, regionally and locally for intensification with a mix of uses. Staff opine that the Applications are appropriate and represent good planning.

RECOMMENDED BY:

Giulio Cescato, MCIP, RPP
Director of Planning and Urban Design

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENT:

Appendix 1: March 15, 2023 Letter from Lifetime Developments