



Report to: Mayor and Members of Council

Meeting Date: May 17, 2023

SUBJECT: MEMORANDUM
Lifetime Panda MRKM LP (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 Corr, MCIP, RPP, extension 2532
Senior Planner II, East District

REVIEWED BY: Stephen Lue, MCIP, RPP, extension 2530
Senior Development Manager

RECOMMENDATION:

- 1) THAT the May 17, 2023, Memorandum titled, “Lifetime Panda MRKM LP (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 City Solicitor be authorized to execute a Section 37 Community Benefit Charge Agreement with the Owner;
- 3) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This memorandum seeks authorization for the City Solicitor to prepare and enter into a Section 37 Community Benefit Charge (“CBC”) Agreement with Lifetime Panda MRKM LP (Lifetime Developments) (the “Owner”) for a high density mixed use development at the southwest corner of Warden Avenue and Cedarland Drive (the “Subject Lands”). The implementing Official Plan and Zoning By-law Amendments are being tabled on this May 17, 2023, Council Agenda for adoption and enactment.

BACKGROUND:

At the December 12, 2022, DSC meeting, staff brought forth a recommendation report for a two-phased mixed-use development consisting of 1,962 units and maximum height of 46-storeys, and the extension of Courtyard Lane (the “Proposed Development”)

The DSC deferred their decision on the Proposed Development subject to staff providing additional information on parking requirements and parkland contribution.

On March 21, 2023, the DSC received a staff memorandum outlining supplementary information on the Proposed Development and resolved the following matters

- a) Confirm minimum required parking rates, which are included in the Zoning By-law Amendment on this Council Agenda. The Table below summarizes the revisions to proposed parking rates:

| Parking Requirement | Proposed in December 12, 2022 Draft ZBA to the DSC | Proposed in May 17, 2023, Implementing ZBA to Council |
|--|---|---|
| Spaces per unit - Residents | <ul style="list-style-type: none"> • 0.8 spaces per unit (min) • 1.0 spaces per unit (max) | <ul style="list-style-type: none"> • 0.8 spaces per unit (min) • 1.0 spaces per unit (max) |
| Spaces per unit – Visitors | <ul style="list-style-type: none"> • 0.15 spaces per unit (min) | <ul style="list-style-type: none"> • 0.1 spaces per unit (min) |
| Non-residential requirement | <ul style="list-style-type: none"> • 1 space per 30 m² of Net Floor Area (min) | <ul style="list-style-type: none"> • 1 space per 30 m² of Net Floor Area (min) |
| Shared Parking, visitors and non-residential | <ul style="list-style-type: none"> • A reduction of 12 spaces from the combined visitor and non-residential total (Phase 1) • A reduction of 22 spaces from the combined visitor and non-residential total (Phases 1 & 2) | <ul style="list-style-type: none"> • The required parking for visitors and the required parking for non-residential uses may be shared on a non-exclusive basis. |

- b) Secure agreed upon CBC contributions, including financial compensation and 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 of the *Planning Act*, and subject to a separate CBC Agreement between the City and the Owner.

The March 21, 2023, memorandum advised the DSC that the CBC Agreement was to be executed prior to the Zoning By-law Amendment being enacted by Council. Staff are currently preparing the CBC Agreement to that effect. Staff consider advancing the Zoning By-law Amendment at this time to be appropriate and note that the implementing By-law includes provisions to secure the CBC contributions with an agreement. This was prepared in consultation with Legal Services and Building Standards Department staff.

Further, the recommendation of this memorandum to authorize the City Solicitor to prepare a CBC agreement is to confirm that this authority has been granted to staff.

The December 12, 2022, Recommendation Report advised the DSC that the implementing Official Plan Amendment was to be forwarded to Council, upon confirming that an appeal to Markham's 2014 Official Plan be withdrawn

The aforementioned lands in the vicinity of the Subject Lands to be acquired as parkland dedication form part of a larger parcel owned by IBM, which has an outstanding appeal to the 2014 Official Plan. IBM submitted a letter to the Ontario Land Tribunal ("OLT") requesting that the appeal be withdrawn. The OLT has not yet advised the City on its status. However, given that a request has formally been made to the OLT, staff consider it appropriate that the Official Plan Amendment be adopted at this time.

CONCLUSION:

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