



Report to: Development Services Committee

Meeting Date: November 28, 2023

SUBJECT: RECOMMENDATION REPORT Markham Commercial Centre Ltd. Application for Site Plan Approval to facilitate the development of two three-storey office buildings and three one-storey industrial buildings located south of Highway 7 and west of Woodbine Avenue, municipally known as 55 East Valhalla Drive, File No. SPC 22 118800 (Ward 8)

PREPARED BY: Jennifer Kim, MCIP, RPP, Senior Planner,
West District, Ext. 2156

REVIEWED BY: Clement Messere, MCIP, RPP, Development Manager, West District, Ext. 2191
Stephen Lue, MCIP, RPP, Senior Development Manager, Ext. 2520

RECOMMENDATION:

- 1) THAT the November 28, 2023, report title, “RECOMMENDATION REPORT, Markham Commercial Centre Ltd., Application for Site Plan Approval to facilitate the development of two three-storey office buildings and three one-storey industrial buildings located south of Highway 7 and west of Woodbine Avenue, municipally known as 55 East Valhalla Drive, File No. SPC 22 118800 (Ward 8)”, be received;
- 2) THAT the Site Plan Application (SPC 22 118800) submitted by Markham Commercial Centre Ltd. be endorsed in principle, subject to the conditions in Appendix “A”, and that Site Plan Approval be delegated to the Director of planning and Urban Design or designate;
- 3) THAT Site Plan Endorsement shall lapse and Site Plan Approval will not be issued after a period of three years from the date of endorsement in the event that the Site Plan Agreement is not executed within that time period; and
- 4) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report provides an overview and recommends endorsement, in principle, of a Site Plan Application (the “Application”) submitted by Markham Commercial Centres Ltd. (the “Owner”).

Process to Date

The Application was submitted on May 3, 2022. The City circulated the Application for review on May 30, 2022, which has undergone revisions in response to Staff and Agency comments. The Site Plan Delegation by-law 2023-39 delegates authority to the Director of Planning and Urban Design for Site Plan Applications received after July 1, 2022. Given the Application was submitted prior to July 1, 2022, and is not delegated under by-law 2002-202, the Application requires approval from Council.

Next Steps

- Endorsement, in principle, by the Development Services Committee (“DSC”)
- Staff issuance of Site Plan Endorsement, subject to the conditions in Appendix ‘A’
- Execution of a Site Plan Agreement by Owner
- Issuance of Site Plan Approval by Staff

BACKGROUND:**Location and Area Context**

The vacant 4.22 ha (10.44 acres) subject lands, municipally known as 55 East Valhalla Drive (the “Subject Lands”) are shown on Figure 1. Figures 2 and 3 show the surrounding land uses.

Proposed Development

The Owner proposes to develop two three-storey office buildings and three one-storey industrial buildings, as shown in Figures 4 to 10 (the “Proposed Development”), with additional details in Table 1.

Table 1: Proposed Development Key Statistics (Figure 4)		
Total Gross Floor Area (“GFA”)	<u>Office/Retail Use:</u> Building: 8,753 m ² (94,210 ft ²) Building E: 5,732 m ² (61,701 ft ²)	<u>Industrial Use:</u> Building B: 5,159 m ² (55,531 ft ²) Building C: 5,418 m ² (58,318 ft ²) Building D: 1,403 m ² (13,978 ft ²)
Building Heights:	<u>Office/Retail Use:</u> Building A: 3 Storeys Building E: 3 Storeys	<u>Industrial Use:</u> Building B: 1 Storey Building C: 1 Storey Building D: 1 Storey
Parking Spaces	513 spaces (28 accessible spaces)	
Vehicular Accesses	<ul style="list-style-type: none"> Cochrane Drive: 3; East Valhalla Drive: 2; Highway 7: 1 (right-in right-out) 	

The two three-storey office buildings are proposed to be located at the northerly portion of the Subject Lands, fronting on Highway 7 and will incorporate ancillary retail, service, restaurant, and sports and fitness recreation uses, in accordance with Section 8.5.2.2(h) of the 2014 Markham Official Plan. The three one-storey industrial buildings are proposed to be located at the southerly portion of the Subject Lands, fronting East Valhalla Drive and Cochrane Drive.

The Proposed Development conforms to the 2014 Markham Official Plan (the “2014 Official Plan”), which designates the Subject lands “Business Park Office Priority Employment”

The 2014 Official Plan designation permits major office development within a multi-storey building format, with the long term plan to replace and/or complement existing industrial development. The designation also permits ancillary uses (retail, service, restaurant, sports and fitness recreation or financial institution) provided the combined GFA devoted to all ancillary uses is limited to a maximum of 15% of the building’s total GFA, or in the case of an office building the total GFA of the ground floor, whichever is less. Although the designation does not permit new industrial uses, industrial uses are permitted as-of-right under the current Zoning By-law 165-80.

The Subject Lands are zoned “Select Industrial with Limited Commercial (M.C. (100%)) Zone in By-law 165-80, as amended, but the Proposed Development does not comply with the development standards of the By-law

The Zoning By-law permits a range of industrial and office uses with limited commercial uses located within a wholly enclosed building. However, the Proposed Development does not comply with certain development standards pertaining to setbacks, separation distances, minimum landscape strip widths,

minimum parking and loading spaces, and permitted uses in the zoning and parking by-laws as identified in Table 2 below. The Owner submitted an application to the Committee of Adjustment (MNV 23 124709) for the following minor variances that were approved on October 18, 2023. The Decision became Final and Binding on November 7, 2023.

Table 2: Approved Minor Variances		
Zone Standard	Existing By-Law requirement	Approved Minor Variance
Vehicular Access	Does not permit access ramps or driveways off any arterial road or provincial highway, where access can be provided from alternative streets	To permit one vehicular access from Highway 7, where access can be provided from alternative streets
Reduced Centre Line Setback from Highway 7	40 m	29 m
Minimum Landscape Strip Widths	Abutting any arterial road or provincial highway: 9 m Abutting the street line: 6 m	Abutting any arterial road or provincial highway: 4.5 m Abutting the street line: 4.5 m
Definition of Front Lot Line	Property line with the shortest frontage, being the east property line	Property line abutting Highway 7, inclusive of adjoining daylight triangles shall be the front lot line
Reduced Front Yard Setback	12 m	4.5 m
Separation Distance (Buildings B and C)	12 m	7.5 m
Minimum Building Ground Floor Area (Building D)	1400 m ²	1065 m ²
Permitted Uses	Permits retail and personal service shop in an office building, up to a maximum of 5 % of the total GFA of the office building or 100 m ² , whichever is less	To permit retail, restaurant, personal service shop, commercial fitness centre and recreation establishment uses in an office building, up to a maximum of 15 % of the total GFA of a non-industrial building
Loading Spaces	9	6
Parking Spaces	833	513

OPTIONS/ DISCUSSION:

The site layout, building orientation, built form and scale, and proposed uses are appropriate

The Subject Lands are surrounded by public roads, which presents a challenge to screen loading areas while achieving a pedestrian-friendly active frontage along Highway 7. The Owner worked closely with Staff to achieve an appropriate layout that addresses the public roads and facilitates compatibility with

the surrounding land uses. Urban Design staff are satisfied with the Proposed Development, subject to addressing the technical comments on the site and landscape plans.

The Owner will be required to fulfill their parkland dedication requirements through the payment of cash-in-lieu of parkland

The value of the cash-in-lieu requirement will be determined prior to Site Plan Endorsement.

Transportation Engineering staff are generally satisfied with the parking study and additional information provided to justify the reduced parking requirements, subject to Appendix 'A'

The Owner must revise the site plan to incorporate the required pavement markings and signage, to the satisfaction of transportation engineering prior to Endorsement. Staff note that two-way bicycle lanes are proposed along East Valhalla Drive and Cochrane Drive. Transportation Engineering staff will continue to work with the Owner to address final comments prior to Endorsement. Moreover, the Owner proposes a number of Transportation Demand Management ("TDM") measures including, but not limited to, bicycle parking and bicycle repair station, car share membership, and carpool parking and signage. Appendix 'A' identifies the provisions for securing the proposed TDM measures.

York Region advises no objection to the approval of the Application subject to conditions

York Region advised no objection to the Proposed Development, subject to conditions to address the remaining technical comments, and the conveyance of a road widening on Highway 7 and daylight triangles. York Region has no objections to the access proposed from Highway 7 provided it is restricted to right-in-right-out access. A condition to this effect is included in Appendix "A". The Owner will continue to work with York Region to resolve all remaining comments and requirements.

CONCLUSION:

Staff are satisfied the Application is appropriate and represent good planning. Staff are satisfied that the Application is compatible with the surrounding are context. Staff opine that the Proposed Development is appropriate subject to the Owner addressing the technical comments summarized in this report. Staff recommend endorsement of the Application, in principle, final approval delegation to the Director of Planning and Urban Design. Staff continue to work with the Owner towards Site Plan Approval.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Application aligns with the City's strategic priorities of managing growth and municipal services to ensure safe and sustainable communities.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Application was circulated to various departments and external agencies and their requirements and comments have been taken into consideration.

RECOMMENDED BY:

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

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

ATTACHMENTS AND APPENDIX:

Figure 1: Location Map

Figure 2: Area Context/Zoning

Figure 3: Aerial Photo

Figure 4: Proposed Site Plan

Figure 5: 3-storey Office Building Elevation (Building A – Fronting Highway 7)

Figure 6: 3-storey Office Building Elevation (Building E – Fronting Highway 7)

Figure 7: 1-storey Industrial Building Elevation (Building B)

Figure 8: 1-storey Industrial Building Elevation (Building C – Fronting Cochrane Drive)

Figure 9: 1-storey Industrial Building Elevation (Building D – Fronting Cochrane Drive)

Figure 10: Conceptual Rendering (view from northwest corner)

Appendix ‘A’: Site Plan Conditions

APPLICANT/AGENT:

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Appendix 'A': Site Plan Conditions
Markham Commercial Centre Ltd.
SPC 22 118800

1. That prior to **Site Plan Endorsement:**
 - a) The Owner shall address any outstanding comments from City Staff and applicable external agencies related to the technical review of the Site Plan Application, to the satisfaction of the Director of Planning and Urban Design or designate
 - b) The Owner shall address any outstanding comments and requirements of external agencies, including but not limited to, York Region
 - c) The Owner shall obtain approval of a Deeming By-law to merge the parcels within a registered plan of subdivision
2. That the Owner shall enter into a **Site Plan Agreement** with the City containing all standards and special provisions and requirements of the City and external agencies, including, but not limited to, the following:
 - a) Provisions for the payment by the Owner of all applicable fees, recoveries, development charges, cash-in-lieu of parkland and any other financial obligations and securities;
 - b) Provisions for satisfying all requirements of City Departments and authorized public agencies including, but not limited to, York Region; and
 - c) That the Owner agrees to implement the TDM Plan and provide the respective Letter of Credit, to the satisfaction of the Director of Engineering
3. That prior to the execution of the Site Plan Agreement and issuance of **Site Plan Approval:**
 - a) The Owner shall submit final site plans, building elevations, engineering drawings, lighting plans, landscape plans, along with any other drawings, plans, studies, and reports, which are required to comply with the requirements of the City and external agencies, to the satisfaction of the Director of Planning and Urban Design;
 - b) The Owner shall address all outstanding comments and comply with all requirements of the City and York Region