



MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, Commissioner of Development Services

Prepared by: Lawrence Yip, LEED AP, Development Review Supervisor, Urban Design

Date: March 5th, 2024

Re: Council Approval for Parkland Dedication Exemption: 11 and 15 Grandview Boulevard (CSNT 20 127548, B/016/20, and B/010/21)

RECOMMENDATION:

- 1) THAT the memorandum titled, “Council Approval for Parkland Dedication Exemption: 11 and 15 Grandview Boulevard (CSNT 20 127548, B/016/20, B/010/21)”, be received;
- 2) THAT the Commissioner of Development Services or the Director of Planning and Urban Design be authorized to exempt parkland obligation for the existing lots and only collect parkland obligation for the newly created lot for the application identified in this memo;
- 3) THAT the Parkland Dedication By-law be amended to authorize the Commissioner of Development Services or the Director of Planning and Urban Design to consider and approve any future requests for exemption of parkland dedication obligations based on criteria arising from similar contexts and elements as the subject application.
- 4) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE AND BACKGROUND:

The purpose of this memorandum is to provide Council with relevant background information and historical practices on parkland obligation exemptions and seek approval from Council to exempt the parkland dedication obligation for the following development application:

- 11 and 15 Grandview Boulevard

As per Section 42 of the *Planning Act* (1990), as a condition of development or redevelopment of land, the City of Markham (“City”) is entitled to collect parkland, either through land conveyance or cash-in-lieu (CIL), for park or other public recreational purposes. The City’s Parkland By-law 2022-102 (“Parkland By-law”) defines “development” and “redevelopment” as follows:

“**Development**” means the construction, erection or placing of one or more buildings or structures on land or the making of an additional or alteration to a building or structure that has the effect of substantially increasing the size of usability thereof, or the laying out and establishment of a commercial parking lot, and includes the subdivision of land.

“**Redevelopment**” means the removal of buildings or structures from land and further development on the land, or substantial renovations of a building or structure and a change in the character or density of use in connection therewith.

Therefore, the City is entitled to collect one hectare for each 600 net residential units proposed, Section 42(3) of the *Planning Act* (1990) or five-percent (5%) of developable land areas for low-rise residential developments and two-percent (2%) of the total site area for parkland purposes for non-residential developments such as institutional, commercial and industrial (ICI), s.42(1).

Further, section 42(7) of the *Planning Act* (1990) states if land has been conveyed or is required to be conveyed to a municipality for park or other public purposes or a payment in lieu has been received by the municipality, no additional conveyance or payment in respect of the land subject to the earlier conveyance or payment may be required by a municipality unless there is a change in the proposed development which would increase the density.

On this basis, the City has historically exempted parkland obligation on a case-by-case basis for development applications that have either demonstrated previous parkland conveyance such as parent lots of severance applications and heritage lots as well as developments that support the overall function of the City such as City’s facility yards.

As mentioned above, the purpose of this memorandum is to seek approval from Council to exempt the parkland dedication obligation for the following development application:

11 and 15 Grandview Boulevard (CSNT 20 127548, B/016/20, and B/010/21)

The subject properties, municipally known as 11 and 15 Grandview Boulevard, are situated in Ward 4, an established community located south of Highway 7 East, east of Grandview Boulevard, north of Riverview Avenue and west of Main Street Markham. The applicant has filed an application for Consent to sever and convey two (2) existing lots into three (3) lots to permit three (3) new single-family detached dwellings. As per the proposed development, the two (2) existing one-storey residential dwellings will be demolished as the existing two (2) lots will be divided into “11”, “13”, and “15” Grandview Boulevard.

While the applicant could not provide documentation to demonstrate that parkland obligations for 11 and 15 Grandview Boulevard (parent lots) were fulfilled, it is visually evident that parkland was an integral part of the community’s development as it frames Milne Park to the south. Additionally, the legislative regime at that time provided that the Minister, not the City, may impose as a condition to the approval of a plan of subdivision that land included in the plan of subdivision be dedicated for public purposes.

Furthermore, Council has previously provided parkland obligation exemption for parent lots for similar severance applications within established communities. Most recently, Council provided parkland obligation exemption for 16 and 18 Grandview Boulevard, as well as 20 and 22 Grandview Boulevard, where parkland obligation was exempted from the parent lots and only required parkland obligation for the newly created lot. Therefore, the Planning and Urban Design Department is seeking Council approval to exempt parkland obligation for 11 and 15 Grandview Boulevard (parent lots) and require parkland obligation through the collection of parkland Cash-in-Lieu for 13 Grandview Boulevard, the newly created lot.

FINANCIAL IMPLICATIONS:

The following section will provide detailed parkland calculation and financial implication on providing exemption for the following development application.

11 and 15 Grandview Boulevard (CSNT 20 127548, B/016/20, and B/010/21)

For 11 and 15 Grandview Boulevard, the calculations of the parkland requirements as per the City’s Parkland By-law 195-90 will be compared to illustrate the difference between the full amount and the “reduced” amount.

The total combined land area is **2,500.51m² (0.25 ha)** or **875.48m² (0.088ha)**, **812.71m² (0.081ha)**, **812.32m² (0.081ha)** for each lot.

Real Property Staff determined the land value for the site to be **\$14,702,747.00 per hectare**.

See the calculation below for the comparison in parkland requirements:

“Full” with Parkland Dedication	“Reduced” with Parkland Exemption
5% x 0.25ha = 0.0125ha Total Parkland CIL: 0.0125ha x \$14,702,747 = \$183,821.10	5% x 0.081ha = 0.00405 ha Total Parkland CIL: 0.00405 ha x \$14,702,747 = \$59,546.12
Total Parkland CIL for three (3) lots: \$183,821.10	Total Parkland CIL for one (1) lot: \$59,546.12

Therefore, upon approval of parkland exemption request the total parkland CIL required will be reduced from \$183,821.10 to \$59,546.12, a difference of \$124,274.98.

CONCLUSION:

In-light of the additional information contained in this memorandum, the Planning & Urban Design Department recommends approval to exempt the parkland dedication obligation for the subject development application at 11 and 15 Grandview Boulevard. Urban Design Staff notes, a future update to the City’s Parkland By-law would be appropriate to inform and provide clarity on parkland dedication exemptions for specific types of development applications, including those mentioned in this memorandum. Furthermore, Staff recommend that the Parkland Dedication By-law be amended to authorize the Commissioner of Development Services or the Director of Planning and Urban Design to consider and approve any future requests for exemption of parkland dedication obligations. Criteria shall

be identified to ensure that delegation of authority may be limited to scenarios such as those similar to what is being described in the memo.