

**SUBJECT:** APPLICANT PRESENTATION  
1771107 Ontario Inc. (Times Group Inc.)  
Block 3, Plan 65M-4395  
South-east corner of Highway 7 and Verdale Crossing  
Application for site plan approval for a condominium  
apartment development in the Times Group's Uptown  
Markham development. Ward 3

File No. SC 17 176362

**PREPARED BY:** Scott Heaslip, Senior Project Coordinator,  
Central District, ext. 3140

**REVIEWED BY:** Richard Kendall, Manager,  
Central District, ext. 6588

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**RECOMMENDATION:**

1. That the staff report dated May 14, 2018 titled "APPLICANT PRESENTATION, 1771107 Ontario Inc. (Times Group Inc.), Block 3, plan 65M-4395, South-east corner of Highway 7 and Verdale Crossing, Application for site plan approval for a condominium apartment development in the Times Group's Uptown Markham development. Ward 3, File No. SC 17 176362;" be received.
2. That the presentation by representatives of 1771107 Ontario Inc. (Times Group Inc.) be received.
3. That the application be endorsed, in principle.
4. That staff be directed to work with the applicant's design team to refine the site plan and elevations to the satisfaction of the Director of Planning and Urban Design, prior to final site plan approval.
5. That site plan approval be delegated to the Director of Planning and Urban Design, or his designate, to be issued (Site Plan Approval is issued only when the Director or his designate has signed the site plan "approved") when the following conditions have been met:
  - The zoning by-law amendment permitting the proposed development has come into force.
  - The Toronto/Buttonville Airport Zoning Regulations (SOR/88-148) have been repealed and the height restriction provided for in section 4 therein are no longer in force and effect in respect of the subject lands
  - The Trustee for the Markham Centre Landowners Group has advised the City in writing that that the Owner is in good standing with the Group and that the required servicing allocation for the proposed development is available and

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has been assigned to 1771107 Ontario Inc. (Times Group Inc.).

- The Owner has entered into a site plan agreement with the City and the Region of York containing all standard and special provisions and requirements of the City and public agencies and the provisions outlined in Appendix 'C'.
6. That servicing allocation for 1011 apartment units be assigned to the proposed development.
  7. That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner.
  8. That the Region of York be advised that servicing allocation for 1011 apartment units has been confirmed.
  9. That site plan endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that the site plan agreement is not executed within that period.
  10. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**ORIGIN:**

On March 19, 2018, Development Services Committee directed staff to evaluate "Block 3" (the development block at the south-east corner of Highway 7 and Verdale Crossing) in the Times Group's Uptown Markham development, and report back to a future Development Services Committee meeting.

On April 30, 2018, Development Services Committee considered a staff report (Appendix 'A'), which had been prepared pursuant to Committee's direction. Committee directed staff to prepare a by-law to increase the maximum permitted height and number of dwelling units for Block 3, as follows:

- Height – from 16/20/20 storeys to 16/38/42 storeys
- Residential unit count –from 687 to 1011

This by-law is on the agenda of the May 15, 2018 Council meeting.

The Times Group has applied for site plan approval for the proposed development on Block 3.

The Times Group has requested (letter attached as Appendix "B") to present the current plans for Block 3 to Development Services Committee. If Committee is satisfied with the project plans, the Times Group is requesting that Committee endorse the site plan application, in principle, and delegate final approval to staff.

**DISCUSSION:**

The April 30, 2018 staff report advised that staff are generally satisfied with the overall layout of the proposed development on Block 3 and have not identified any substantive technical issues. The report advised that Urban Design staff have comments/concerns with the detailed design of the proposed development, including façade treatment, wind impact, grading, loading/servicing and landscaping.

Staff have been working with the applicant's design team to refine the plans. Staff are generally satisfied with the plans and continue to work on the building elevations and landscape plans to address pending comments/concerns.

The applicant's architect, Kirkor architects, will be presenting the current plans to Development Services Committee.

Staff recommend that Committee endorse the application, in principle, and delegate final approval to the Director of Planning and Urban Design. Staff will continue to work with the applicant to refine the plans prior to final site plan approval.

**FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposed zoning by-law amendment would support a number of the City's Strategic Priorities, including:

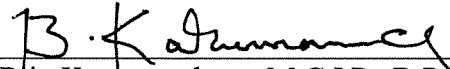
- Growth Management – intensification along a transit corridor, consistent with the Region's transit objectives.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The proposed development has been circulated to internal City departments and external agencies for review and comment. The requirements of City departments and public agencies have been incorporated into the project plans and the attached conditions.



Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager



Biju Karumanchery, M.C.I.P., R.P.P.  
Director of Planning and urban Design

**ATTACHMENTS:**

Figure 1 - Location Map

Appendix 'A' - April 30, 2018 staff report.

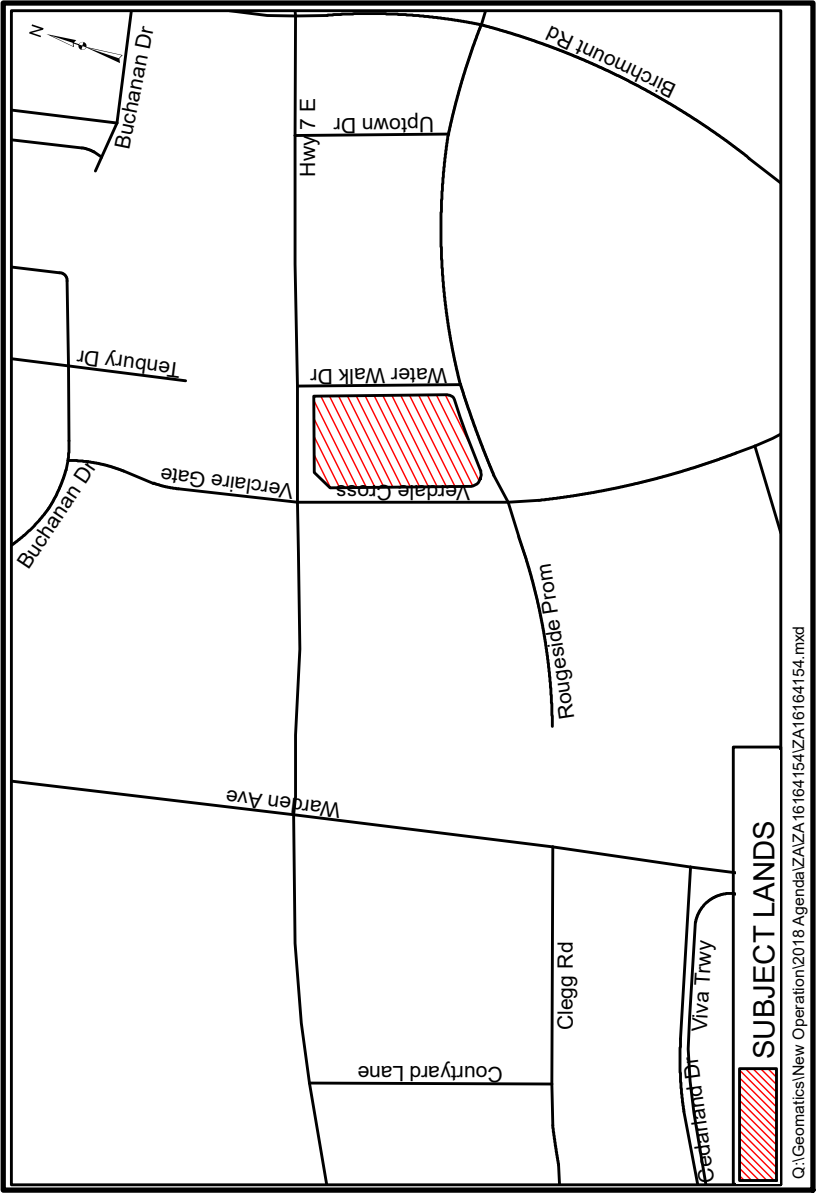
Appendix 'B' - Letter from the Times Group Inc.

Appendix 'C' - Conditions of Site Plan Approval

Agent: Lincoln Lo

Malone Given Parsons  
140 Renfrew Drive, Unit 201  
Markham, Ontario  
L3R 6B3  
Tel: (905) 513-0170  
Email: llo@mgp.ca





Report to: Development Services Committee

Report Date: April 30, 2018

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**SUBJECT:** FOURTH SUPPLEMENTARY REPORT  
1771107 Ontario Inc. (Times Group Inc.)  
South side of Highway 7, east of Warden Avenue  
Application for zoning by-law amendment to permit an  
increase in the maximum permitted number of dwelling units  
and maximum permitted building height in the Times Group's  
Uptown Markham development. Ward 3

File No. ZA 16 164154

**PREPARED BY:** Scott Heaslip, Senior Project Coordinator,  
Central District, ext. 3140

**REVIEWED BY:** Richard Kendall, Manager,  
Central District, ext. 6588

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**RECOMMENDATION:**

That the staff report dated April 30, 2018 titled "FOURTH SUPPLEMENTARY REPORT, 1771107 Ontario Inc. (Times Group Inc.), South side of Highway 7, east of Warden Avenue, Application for zoning by-law amendment to permit an increase in the maximum permitted number of dwelling units and maximum permitted building height in the Times Group's Uptown Markham development, Ward 3, File No. ZA 16 164154;" be received.

**ORIGIN:**

On March 19, 2018, Development Services Committee received the Third Supplementary Report (Attached as Appendix 'A') regarding the subject application to permit an increase in the maximum permitted number of dwelling units and maximum permitted building height in the remaining (westerly) portion of the Times Group's Uptown Markham Development.

Committee directed staff to evaluate Block 3 (the development block at the south-east corner of Highway 7 and Verdale Crossing) and report back to a future Development Services Committee meeting.

This report has been prepared pursuant to Development Services Committee's direction.

**DISCUSSION:**

In 2016, the Times Group applied to amend the Markham Centre Zoning By-law (By-law 2004-196) to permit an increase in the overall unit count in the Uptown Markham development from 4500 to 6100, an increase of 1600 units, and a corresponding increase in building heights. A Public Meeting was held on December 5, 2017 to consider this

application. As outlined in the December 5, 2017 and March 19, 2018 staff reports (attached as Appendix 'A'), a number of matters need to be addressed before staff can report to Development Services Committee with a recommendation on this application.

In November, 2017, the Times Group applied for site plan approval for Block 3 (see Figure 1), which is within the area subject to the zoning by-law amendment referenced above. The site plan and perspective drawings of the proposed development are attached as Figures 2, 3 and 4.

The site plan application for Block 3 cannot be processed because the development does not comply with the current zoning of Block 3, in particular:

- the proposed building heights (16, 38 and 42 storeys) exceed the currently permitted building heights (16, 20 and 20 storeys).
- the proposed residential unit count (1011 units) exceeds the currently permitted residential unit count (687 units).

The heights of the buildings also exceed the maximum height permitted under the zoning order for the Buttonville Airport.

The March 19, 2018 staff report included the following discussion regarding Block 3:

- *The applicant's proposed built form program is generally consistent with the built form program shown on the approved precinct plan. The only significant change is the increase in the height of the southerly two tower elements from 20 storeys to 38 and 42 storeys. The tower element adjacent to Highway 7 remains at 16 storeys, as shown on the approved precinct plan.*
- *The applicant has applied for site plan approval for Block 3.*
- *The zoning order for the Buttonville Airport permits buildings on the subject lands to have a maximum height of 238 metres above sea level, which permits a maximum height of 16-18 storeys. The applicant advises that they have applied to Transport Canada for a "variance" to the zoning order to permit the proposed heights of the two tower elements on Block 3. It should be noted that in May, 2017 Transport Canada approved a "variance" permitting an increase in height of the tower element of the adjacent Riverside condominium to 29 storeys.*

The status of staff's technical review of the site plan application for Block 3 is as follows:

- York Region has not identified any technical concerns, subject to the applicant receiving final approval from York Region prior to the issuance of permits by the City.
- The City of Markham Engineering Department has not identified any significant concerns, but have requested additional information from the applicant's engineering and transportation consultants to address technical requirements.
- The Urban Design Section of the City of Markham Planning and Urban Design Department has the following key comments:
  - Architectural design should address the comments and recommendations of the Design Review Panel (dated 29 June, 2017) regarding building articulation, massing and detailing.

- Façade treatment of the two taller towers should have more individuality, while the shorter tower along Highway 7 needs to complement the overall architectural expression.
- A pedestrian level wind study is needed to understand the impact of wind on adjacent boulevards, building entrances and the private open space. The study needs to take into account surrounding developments, existing and proposed. Mitigation measures may need to be incorporated into the design of the buildings.
- Significant grade changes between the ground floor and the public realm along some of the public streets need to be resolved to avoid the presence of blank walls.
- The treatment of loading/ service areas, access ramps and private driveways may need further consideration to ensure pedestrian safety and comfort.
- The treatment of glazed areas and type of light standards used in landscape areas should be as per City's Bird-Friendly Design Guidelines.
- The location and design of sidewalk, planting, street furniture etc. should follow the Markham Centre Streetscape Design Guidelines.
- The soil volume, soil composition and other landscape details should be provided, based on the City's Streetscape Manual dated June 2009.
- The City of Markham Fire Department have not identified any concerns, subject to the applicant satisfying their technical requirements.
- City of Markham Waste Management has not identified any concerns, but have requested additional technical information from the applicant to address their technical requirements.

## **CONCLUSION**

As outlined in detail in the December 5, 2017 staff report (see Appendix 'A'), a number of issues need to be addressed before staff will be in a position to report to Development Services Committee with our recommendation on the Times Group's application to amend the City's zoning by-laws to permit an increase in the overall residential unit count in the Uptown Markham development from 4500 to 6100 and a corresponding increase in building heights. While staff are generally satisfied with the overall layout of the proposed development on Block 3 subject to the unresolved design issues outlined above, the site plan application for Block 3 cannot be processed because the development does not comply with current zoning and airport height regulations.

## **FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable.

## **HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

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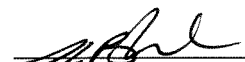
**ALIGNMENT WITH STRATEGIC PRIORITIES:**

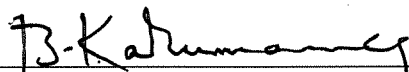
The proposed zoning by-law amendment would support a number of the City's Strategic Priorities, including:

Growth Management – intensification along a transit corridor, consistent with the Region's transit objectives.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The proposed development has been circulated to internal City departments and external agencies for review and comment.

  
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Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager

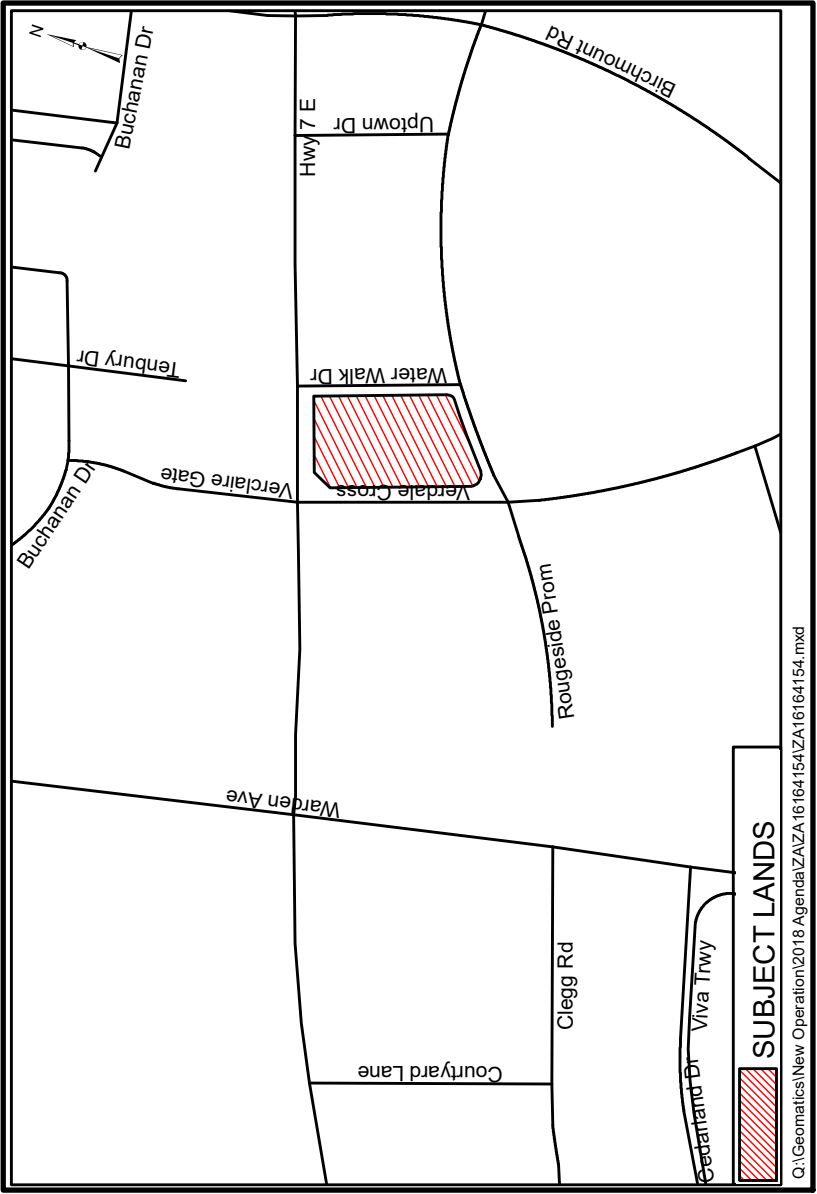
  
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Biju Karumanchery, M.C.I.P., R.P.P.  
Director of Planning and urban Design

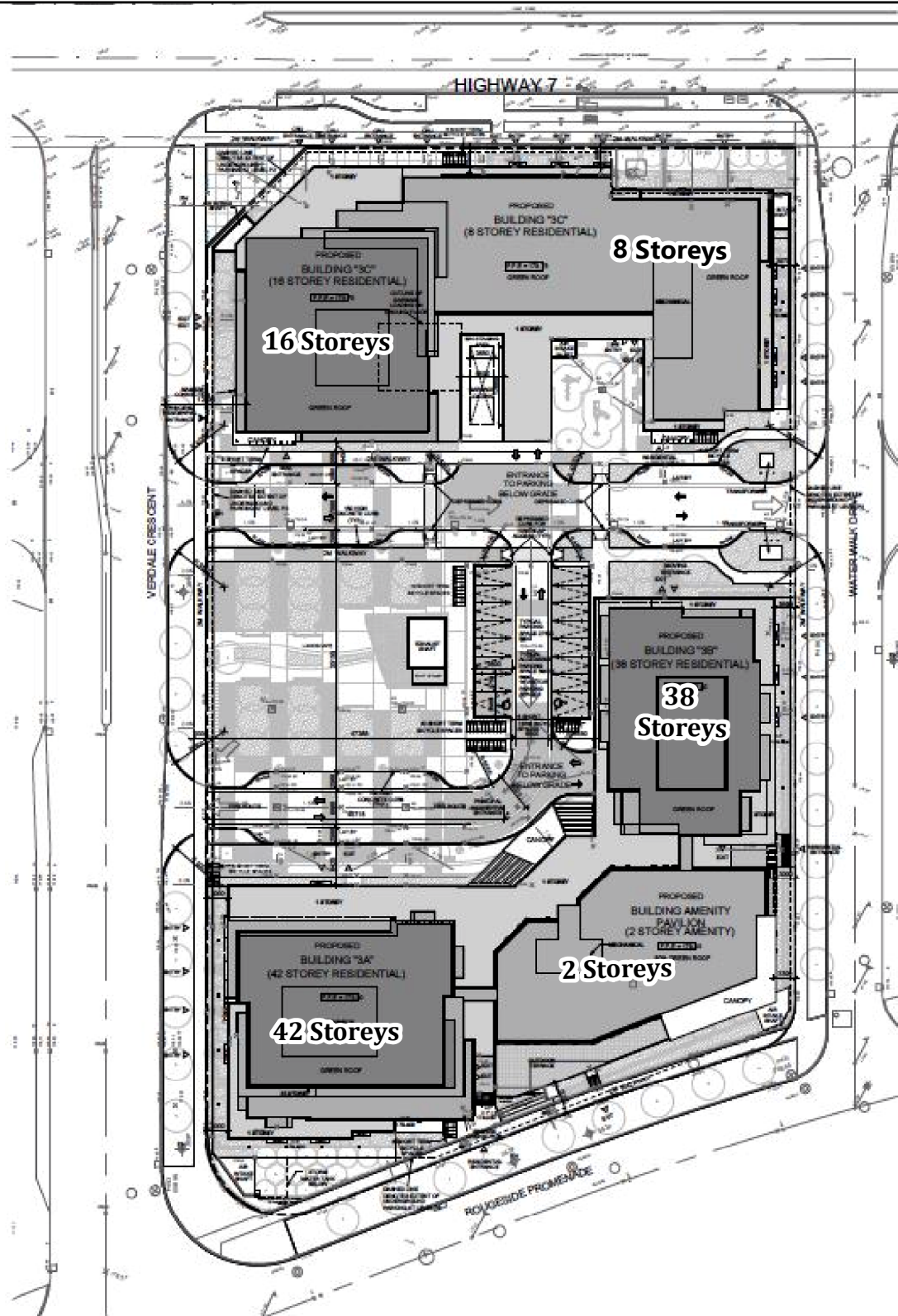
**ATTACHMENTS:**

- Figure 1 - Location Map
- Figure 2 - Site Plan – Block 3
- Figure 3 - Artists rendering viewed from Highway 7
- Figure 4 - Artists rendering viewed from west

Appendix 'A' – March 19, 2018 staff report with December 5, 2017 staff report attached.

Agent: Lincoln Lo  
Malone Given Parsons  
140 Renfrew Drive, Unit 201  
Markham, Ontario  
L3R 6B3  
Tel: (905) 513-0170  
Email: llo@mgp.ca





# SITE PLAN

APPLICANT: 1771107 ONTARIO INC. (Times Group Inc.)  
SOUTH SIDE OF HIGHWAY 7, EAST OF WARDEN AVENUE

FILE No. ZA16164154 (SH)

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DATE: 19/04/2018



DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SH

FIGURE No.2





## ARTISTS RENDERING VIEWED FROM HIGHWAY 7

APPLICANT: 1771107 ONTARIO INC. (Times Group Inc.)  
SOUTH SIDE OF HIGHWAY 7, EAST OF WARDEN AVENUE

FILE No. ZA.16164154 (SH)

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# ARTISTS RENDERING VIEWED FROM WEST

APPLICANT: 1771107 ONTARIO INC. (Times Group Inc.)  
SOUTH SIDE OF HIGHWAY 7, EAST OF WARDEN AVENUE

FILE No. ZA.16164154 (SH)

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Report to: Development Services Committee

Report Date: March 19, 2018

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**SUBJECT:** THIRD SUPPLEMENTARY REPORT  
1771107 Ontario Inc. (Times Group Inc.)  
South side of Highway 7, east of Warden Avenue  
Application for zoning by-law amendment to permit an  
increase in the maximum permitted number of dwelling units  
and maximum permitted building height in the Times Group's  
Uptown Markham development. Ward 3

File No. ZA 16 164154

**PREPARED BY:** Scott Heaslip, Senior Project Coordinator,  
Central District, ext. 3140

**REVIEWED BY:** Richard Kendall, Manager,  
Central District, ext. 6588

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**RECOMMENDATION:**

That the staff report dated March 19, 2018 titled "THIRD SUPPLEMENTARY REPORT, 1771107 Ontario Inc. (Times Group Inc.), South side of Highway 7, east of Warden Avenue, Application for zoning by-law amendment to permit an increase in the maximum permitted number of dwelling units and maximum permitted building height in the Times Group's Uptown Markham development, Ward 3, File No. ZA 16 164154;" be received.

**ORIGIN:**

On December 5, 2017, Development Services Committee received the Second Supplementary Report (Attached as Appendix 'A') regarding the subject application to permit an increase in the maximum permitted number of dwelling units and maximum permitted building height in the remaining (westerly) portion of the Times Group's Uptown Markham Development.

That evening, Development Services Committee held a statutory public meeting to consider the application. Committee passed the following resolution at the public meeting after receiving the staff report, written submissions and deputations:

***"6) That staff bring back a report in February or March 2018, as it pertains to parts of the application that can be dealt with at this time"***

This report has been prepared pursuant to the Committee's direction from the December 5, 2017 Public Meeting.

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**DISCUSSION:**

Staff are continuing to work with the applicant's consulting team and affected public agencies to address the issues identified in the second supplementary report.

Subsequent to the second supplementary report, additional issues have emerged, as follows:

1. Staff have recently been advised that the Ministry of Natural Resources and Forestry (MNRF) has identified the adjoining section of the Rouge River as "red side dace recovery habitat." Red side dace is a species of minnow that has been identified by the provincial government as endangered. The development setback for watercourses identified as red side dace recovery habitat is "meander belt plus 30 metres."

There is an existing public elementary school site on the south side of Rougeside Promenade, immediately south of the subject lands. This school site backs directly onto the Rouge River. This school site has an area of 1.4 ha (3.5 acres), which is much smaller than the normal 2 ha (5 acre) site, and has an irregular configuration. The MNRF setback would significantly encroach into this school site, potentially making it unusable if the MNRF requires the development setback to be applied to this property. In this event an alternate site will need to be secured for the school.

City staff have a meeting scheduled with the Ministry of Natural Resources and Forestry at the end of March to clarify the Ministry's application of the meander belt requirements to this school site.

2. Before staff became aware of the potential issue with the existing school site on the south side of Rougeside Promenade, we had been exploring the potential relocation of the school site to the north side of Rougeside Promenade with the applicant and the York Region District School Board. Figure 2 is a concept plan prepared by the applicant's architect for discussion with City and school board staff. Relocating the school site would have the following benefits:
  - The existing school site would be conveyed to the City as parkland, completing the pattern of valley edge parks adjoining the Rouge River. This would provide an additional 1.4 ha (3.5 acres) of parkland to support the additional units proposed. This is approximately the same area of parkland as shown on the applicant's current concept plan (Figure 6 to the December 5, 2017 staff report).
  - It would yield a better located and better configured school site.
  - The outdoor play area of the school would be "strata" title, with an underground garage serving an adjacent development below. A school yard, which is essentially an open field, is potentially a better use in a strata situation above an underground parking garage than a highly programmed public park. Staff's concerns with strata parks remain as outlined in our December 5, 2017 report, attached as Appendix 'A'.

School board staff recognize the potential benefit of relocating the school site. However, they have a number of concerns, including:

- The concept plan prepared by the applicant shows the outdoor play area for the school located above the underground parking garage of the proposed office building at the south-east corner of Highway 7 and Warden Avenue. The applicant has advised that this underground parking garage would not be constructed until the office building is constructed, potentially years after the school is completed and in operation. Board staff advise that they will not consider strata title unless the underground parking garage is constructed prior to the school. Arrangements with the applicant would need to be finalized to secure the parking garage per the school board's timing, perhaps by having this parking serve another component of the development that will be developed sooner than the office building.
- The Board has no experience with strata title and needs to better understand the short and long term implications, including the impact on the programming of the school yard, before they could consider taking this proposal to their board for approval. Board staff have indicated that they would likely request the City to be a party to any legal agreements securing this arrangement.

Further discussion will be required between the applicant, the school board and the City before it can be determined whether the relocation of the school site is feasible. In the interim, the school board has advised that they will continue to pursue the existing site on the south side of RougeSide Promenade.

## CONCLUSION:

Relocating the school site to the north side of RougeSide Promenade as discussed in this report would not prejudice the overall built form program and would have benefits for both the school board and the City, subject to the resolution of technical issues. It would also achieve the applicant's desire to have parking located under a publicly owned strata.


The applicant is continuing to work with staff to finalize the transportation study for the subject development. In addition, a number of other matters identified in the December 5, 2017 report, including the pending update to the Secondary Plan and comprehensive transportation study for Markham Centre (which will, among other things, examine the appropriate height and density distribution), and the review and adoption of an updated precinct plan for the subject lands, need to be addressed before staff will be in a position to report back to Development Services Committee with our recommendation on the subject application.

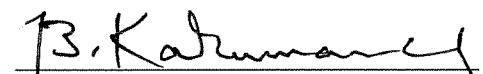
However, as noted earlier, on December 5, 2017, Development Services Committee directed staff to comment on "*parts of the application that can be dealt with at this time.*" Staff have the following comments further to this request:

- The only portion of the subject lands not directly impacted by the school site issue is the development block on the east side of Verdale Crossing ("Block 3"), which is separated from the remainder of the subject lands by Verdale Crossing.

- Block 3 is exposed to major roads on three sides and is not an ideal location for an elementary school. It is also smaller than the existing school site, which is already significantly smaller than the school board's standard site size.
- The applicant's proposed built form program is generally consistent with the built form program shown on the approved precinct plan (Figure 4 to the December 5, 2017 staff report, which is attached as Appendix 'A'). The only significant change is the increase in the height of the southerly two tower elements from 20 storeys to 38 and 42 storeys. The tower element adjacent to Highway 7 remains at 16 storeys, as shown on the approved precinct plan.
- The applicant has applied for site plan approval for Block 3.
- The zoning order for the Buttonville Airport permits buildings on the subject lands to have a maximum height of 238 metres above sea level, which permits a maximum height of 16-18 storeys. The applicant advises that they have applied to Transport Canada for a "variance" to the zoning order to permit the proposed heights of the two tower elements on Block 3. It should be noted that in May, 2017 Transport Canada approved a "variance" permitting an increase in height of the tower element of the adjacent Riverside condominium to 29 storeys.

For Committee's information, the final section of Rouge side Promenade to Warden Avenue is through lands owned by Aryeh Construction Ltd. The Times Group has advised staff that they have an agreement with Aryeh permitting Times to construct this section of the road through the Aryeh lands. The overall plan for the west block of the Times lands would need to be confirmed and appropriate access arrangements secured for the blocks to the south before this road could be constructed.

  
Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager

  
Blju Karumanchery, M.C.I.P., R.P.P.  
Acting Commissioner,  
Development Services

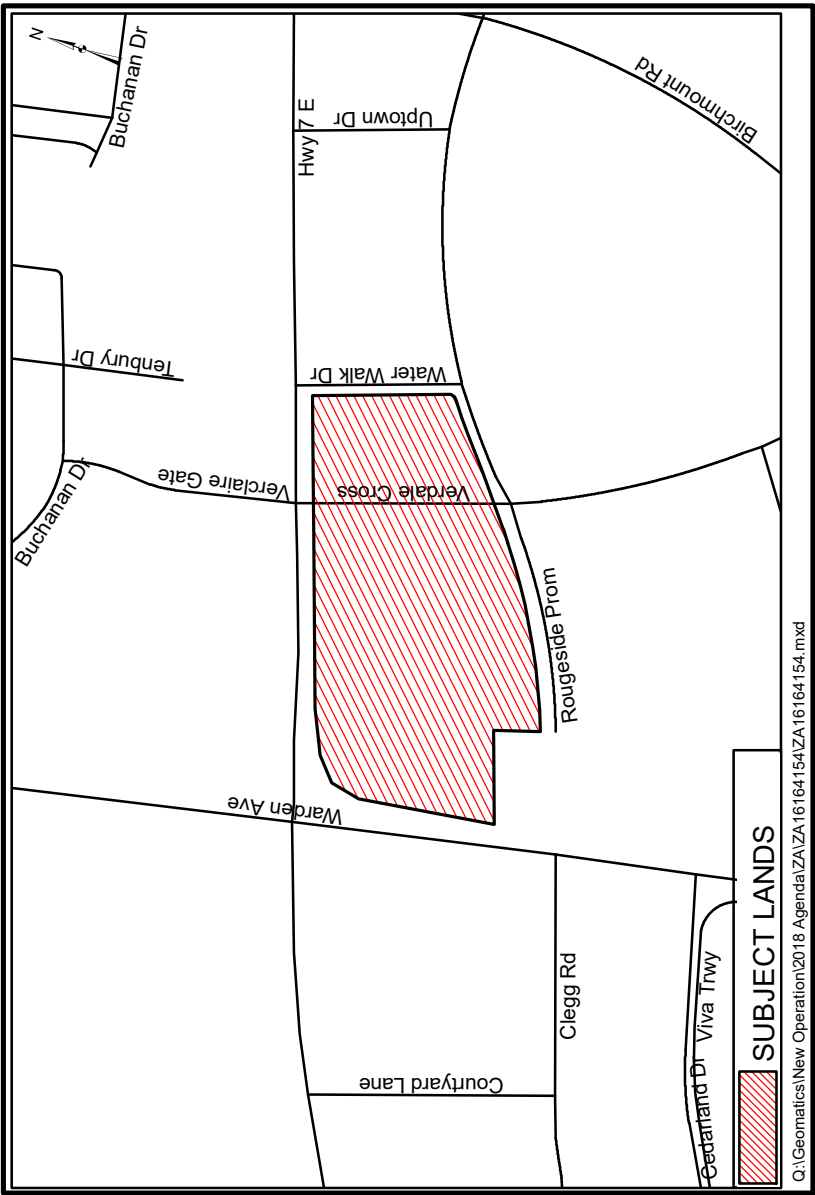
#### ATTACHMENTS:

Figure 1 - Property Location Map

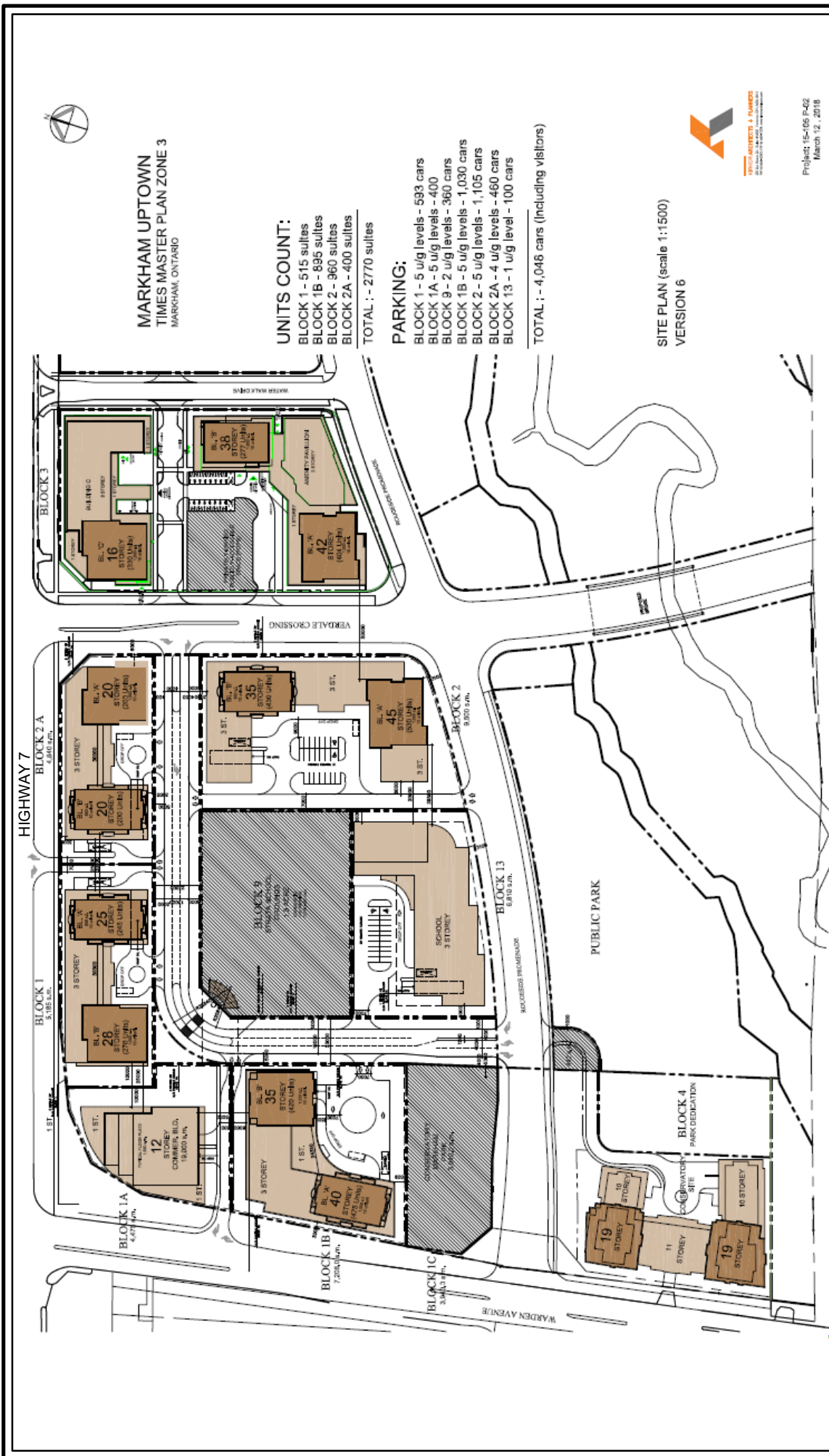
Figure 2 - Concept plan illustrating relocated school site

Appendix 'A' – December 5, 2017 staff report

Agent: Lincoln Lo  
Malone Given Parsons  
140 Renfrew Drive, Unit 201  
Markham, Ontario  
L3R 6B3  
Tel: (905) 513-0170  
Email: llo@mgp.ca







# CONCEPT PLAN ILLUSTRATING RELOCATED SCHOOL SITE

APPLICANT: 1771107 ONTARIO INC. (Times Group Inc.)  
SOUTH SIDE OF HIGHWAY 7, EAST OF WARDEN AVENUE

FILE No. ZA.16164154 (SH)

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Report to: Development Services Committee

Report Date: December 5, 2017

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**SUBJECT:** SECOND SUPPLEMENTARY REPORT  
1771107 Ontario Inc. (Times Group Inc.)  
South side of Highway 7, east of Warden Avenue  
Application for zoning by-law amendment to permit an  
increase in the maximum permitted number of dwelling units  
and maximum permitted building height in the Times Group's  
Uptown Markham development. Ward 3

File No. ZA 16 164154

**PREPARED BY:** Scott Heaslip, Senior Project Coordinator,  
Central District, ext. 3140

**REVIEWED BY:** Richard Kendall, Manager,  
Central District, ext. 6588

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**RECOMMENDATION:**

That the staff report dated December 5, 2017 titled "SECOND SUPPLEMENTARY REPORT, 1771107 Ontario Inc. (Times Group Inc.), South side of Highway 7, east of Warden Avenue, Application for zoning by-law amendment to permit an increase in the maximum permitted number of dwelling units and maximum permitted building height in the Times Group's Uptown Markham development, Ward 3, File No. ZA 16 164154;" be received.

**EXECUTIVE SUMMARY:**

The Times Group has applied to amend the Markham Centre Zoning By-law (By-law 2004-196) to permit an increase in the overall residential unit count in the Uptown Markham development from 4500 to 6100, an increase of 1600 units, and corresponding increases in building heights. The concept plan submitted with the application is attached as Figure 5. The current, revised concept plan, which is the subject of this report, is attached as Figure 6.

A public meeting is scheduled for December 5 to consider the subject application.

The preliminary staff report on the subject application identified a number of matters requiring further discussion with the applicant, including parkland, built form relationship to adjacent developments, traffic impact, and the concerns of area residents.

Staff have been working with the applicant to address the issues identified in the preliminary staff report.



This report identifies a number of issues that need to be addressed before staff will be in a position to report back to Development Services Committee with our recommendation of the subject application.

**PURPOSE:**

A public meeting is scheduled for December 5 to consider the subject application by the Times Group Inc. to increase in the maximum permitted number of dwelling units and maximum permitted building heights in the Uptown Markham development, located on the south side of Highway 7, east of Warden Avenue.

The purpose of this report is to update Committee on the status of staff's technical review and discussions with the applicant on the subject application in advance of the public meeting.

**BACKGROUND:****Subject Property and Area Context (Figures 1 - 3)**

The Times Group's Uptown Markham Development is located on the south side of Highway 7 between Warden Avenue and Sheridan Nurseries.

The subject application applies to the undeveloped (westerly) portion of Uptown Markham, as shown on Figure 3.

The lands surrounding the subject lands are occupied by the following uses:

- To the north across Highway 7 are the Markham Town Square Shopping Centre (anchored by a No Frills Supermarket) and the Ellington Park condominium.
- To the east is the Riverside condominium.
- To the south across Rougeville Promenade are a vacant public elementary school site, public park blocks, and the valley of the Rouge River.
- To the south-west is a vacant property owned by Aryeh Construction Limited (The Conservatory Group).
- To the west across Warden Avenue is the Hilton Hotel.

It should be noted that the application originally included the following additional lands:

- the lands occupied by the Uptown Market commercial development (anchored by a Whole Foods supermarket), in anticipation of the future redevelopment of this block. The applicant recently advised staff that they are now proposing to locate the additional residential units exclusively in the westerly portion of the development.
- the development block at the south-east corner of Highway 7 and Water Walk Drive (one block east of Verdale Crossing). On May 29, 2017, Council approved a site-specific zoning by-law amendment permitting an increase in the height of the tower element of this development, known as the "Riverside Condominium." Construction of this development is structurally complete.

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### Official Plan and Zoning

The majority of the subject lands is designated “Mixed Use High Rise” in the City’s 2014 Official Plan (as partially approved by the Ontario Municipal Board on Oct 30, 2015, May 26, 2016, Mar 10, 2017 and Apr 21, 2017) (“2014 Official Plan”). The policy direction for lands in the “Mixed Use High Rise” designation is for a mix of residential, retail, restaurant and service uses in multi-storey street related buildings ranging up to 15 storeys unless otherwise specified in a secondary plan or site specific policy. The Highway 7 frontage from approximately mid way between Warden Avenue and Birchmount Road and the east boundary of the Times Group property is designated “Mixed Use Mid Rise.” This designation restricts building heights to 8 storeys, unless otherwise specified in a secondary plan or site specific policy. The subject lands are also identified as being within a “Regional Centre” (Markham Centre).

The 2014 Official Plan provides that until approval of an updated secondary plan for Markham Centre pursuant to the policies of the new Official Plan, the policies of OPA 21 (the current Markham Centre secondary Plan) continue to apply.

The subject lands are designated “Community Amenity Area – Major Urban Place” in the Markham Centre Secondary Plan (Amendment No. 21 to the 1987 Official Plan). The policy direction for lands in the “Major Urban Place” designation is for development with a high concentration and intensity of residential, commercial, employment and supporting uses. The secondary plan provides that the street and block pattern, detailed distribution of land uses (including parkland, if required) types, heights and locations of buildings, views and focal points, street and landscape components, infrastructure requirements, etc. are confirmed through Precinct Plan studies, which are approved by Council prior to development occurring. The currently approved Precinct Plan for the Times Uptown Markham development is attached as Figure 4.

In 2010, the Ontario Municipal Board (OMB) approved a site specific zoning by-law amendment and draft plan of subdivision permitting what is now known as Times Uptown Markham to be developed with a series of development blocks accommodating a mix of residential, commercial, institutional and open space uses, including a **maximum of 4500 residential units in buildings ranging in height up to 20 storeys**, a 1.42 ha (3.5 acre) school block; park, buffer and valleyland blocks totaling 7.48 ha (18.5 acres); and valley land blocks totaling 8.11 hectares (20 acres).

### REQUESTED APPROVALS

The Times Group has applied to amend the Markham Centre Zoning By-law (By-law 2004-196) to permit an increase in the overall residential unit count in the Uptown Markham development from 4500 to 6100, an increase of 1600 units, and corresponding increases in building heights. The concept plan submitted with the application is attached as Figure 5. The current, revised concept plan, which is the subject of this report, is attached as Figure 6.

The requested additional residential units include 350 units the applicant agreed to transfer from their property at the north-east corner of Highway 7 and Village Parkway as a condition of the “down zoning” of the south portion of that property from a mix of apartments and townhouses to townhouses only.

**STATUS:**

On December 5, 2016, Development Services Committee considered a preliminary staff report on the subject application. Committee authorized staff to schedule a public meeting following further discussions with the applicant to address the issues outlined in the staff report, and to report back prior to the public meeting on the status of the discussions.

On April 24, 2017, Development Services Committee considered a supplementary staff report on the subject application. This report updated Committee on the status of staff’s technical review and discussions with the applicant regarding the overall application, as well as a request from the applicant for a site specific zoning by-law amendment in advance of the processing of the overall application to facilitate an increase in the height of the tower element of the Riverside Condominium, east of Water Walk Drive, which was under construction, from 18 to 28 storeys.

On May 29, 2017, Council approved the requested zoning by-law amendment permitting the increase in the height of the tower element of the Riverside Condominium.

On July 26, 2017, the Committee of Adjustment approved an increase in the height of the tower element of the Riverside Condominium from 28 to 29 storeys to address an oversight on the plans, which failed to identify the second level of the two-storey penthouse units as a separate storey.

**OPTIONS/ DISCUSSION:****Staff have been working with the applicant address the issues identified in the preliminary staff report**

The preliminary staff report on the subject application identified a number of matters requiring further discussion with the applicant, including parkland, built form relationship to adjacent developments, traffic impact, and the concerns of area residents.

The most recent concept plans submitted to the City for the westerly portion of the development is attached as Figure 6. The main elements of this plan are:

- A reconfigured public road in the western most block. On the approved precinct plan (Figure 4) this road runs north-south between Highway 7 and Rougeside Promenade. On the current plan this road runs west from Verdale Crossing and then turns south to intersect with Rougeside Promenade at a location much closer to Warden Avenue than the road on the approved precinct plan.
- A larger public park. This park is proposed to be entirely “strata park” (public park with private parking garage beneath).

- Increased building heights ranging between 16 and 45 storeys (the distribution of building heights and unit counts is indicated on Figure 6)
- A place of worship site fronting on Highway 7, east of Warden Avenue.
- A reconfigured office building site at the south-east corner of Highway 7 and Warden Avenue.
- Additional driveway connections to Highway 7 and Warden Avenue.

This plan responds to the issues outlined in the preliminary staff report as follows:

- The reconfigured public road increases the public street frontage of the park. On the approved precinct plan (Figure 4) the park had public street frontage on one side only. The park now has public street frontage on three sides.
- The area of the park has increased from 0.79 ha (1.9 acres) on the approved precinct plan to 1.31 ha (3.2 acres). The increased area and revised configuration have the potential to provide additional programming opportunities for this park. However, the programming opportunities would be compromised by it being a “strata park.”
- The built form program is deployed around the reconfigured and enlarged park. Some of the tower elements have increased in height, with the taller tower elements, 35-45 storeys, being located in the south portion of the subject lands along Rougeside Promenade. No increase in building heights is proposed along Highway 7 in the immediate vicinity of the Ellington Park condominium.
- The podium elements along Rougeside Promenade have been lowered to 3-storeys to provide a more pedestrian friendly built form along this street.
- The Times Group has committed to incorporate commercial uses in the ground floor level of the building at the south-east corner of Highway 7 and Verdale Crossing and has indicated that they are willing to consider incorporating a commercial component in the building at the south-west corner.
- The proposed place of worship site implements the “Place of Worship” agreement dated November 19, 2010, between the Times Group and the City. This agreement obliges the Times Group to provide one place of worship site within the Uptown Markham development pursuant to City’s policy regarding the reservation of sites for places of worship.

#### **MATTERS TO BE RESOLVED:**

A number of matters need to be addressed before staff can report to Development Services with a recommendation on the subject application, including:

- Staff, through the 2018 budget process, have secured funds to initiate a comprehensive review and update to the Markham Centre Secondary Plan (OPA 21). This amendment is intended to include an Urban Design component consisting of built form, public realm and open space analysis; a community service needs assessment; and, a transportation update resulting from the revised transit alignments and street and block fabric which will be established through the on-going Metrolinx-led Markham Centre Mobility Hub Study. This study will provide greater direction with respect to the location, height regime, community

needs and density distribution in Markham Centre. The discussions regarding the significant height and density increases currently being proposed within the approved Times precinct plan should, more appropriately, be considered in context of the comprehensive secondary plan amendment.

- The revised new public road intersects with Rougeside Promenade directly opposite a public elementary school block and immediately east of the approved location of the driveway into a proposed condominium apartment development by Aryeh Construction Ltd (The Conservatory Group). This intersection is too close to the approved location of the Aryeh driveway to allow safe turning movements at the intersection and driveway. To address this issue, the applicant's concept plan shows the Aryeh driveway being relocated east onto a portion of the school block to align directly with the intersection (see Figure 6). This solution would require the public school board to agree to allow a portion of the school block to be conveyed to Aryeh, potentially impacting on the programming of the school site, and would require Aryeh to agree to incorporate the additional land into their development and change the configuration of their driveway. Planning staff are meeting with the school board to discuss this matter. The applicant advises that they are contacting Aryeh to discuss this matter.
- On November 9, 2017, the applicant submitted an updated Traffic Impact Study, which is under review by Markham and York Region transportation staff. From a preliminary review, Markham transportation staff are suggesting that the revised new public road/ Rougeside Promenade intersection will likely need to be signalized in the future. It should be noted that the intersection of this road with Verdale Crossing would be restricted to right-turn-in/right-turn-out movements only because of its proximity to Highway 7, increasing the importance of the intersection of this road and Rougeside Promenade. City and York Region transportation staff will need to confirm that there is adequate distance between the revised new public road/Rougeside Promenade and Rougeside Promenade/Warden Avenue intersections to permit signalization of the revised new public road/Rougeside Promenade intersection.  
In the event the school board and/or Aryeh do not agree to the required changes to their plans, or that the location of the revised new public road is not technically acceptable, the revised new public road would need to be relocated further east, requiring a significant redesign of the west block, including the proposed park.
- While the proposed private driveways onto Highway 7 and Warden Avenue would provide additional vehicular access to the arterial road network to service the additional development, York Region needs to confirm that they will permit these driveways.
- The applicant is proposing to increase the area of strata park (public park with private parking garage beneath) from 0.79 ha (the area of the park block on the approved precinct plan) to 1.31 ha. The City is currently conducting a review of strata parks. City staff have advised the applicant that staff cannot commit to permitting an increased area of strata park at this time, or to the specific conditions of approval the City may apply to strata park approvals. Staff have advised the applicant to maintain the size of the strata park as currently approved

(0.79 ha) and dedicate the remaining parkland (0.52 ha) as a “terra firma” park (with no underground parking garage).

From a preliminary review, staff have identified the following specific concerns with the strata park proposed by the applicant:

- Entrance ramps and ventilation shafts may be required to be located within the park block to service the parking garage beneath, compromising the programming opportunities and visual quality of the park.
- Some of the parking beneath the park would be located across a public road from the development it is serving. This would require an underground connection through the public road right-of-way to connect the parking garage and the development it serves.
- The majority of the proposed strata park would serve the office building in the north-west corner of the lands. It is likely that it will be a number of years before the office building is constructed. The park cannot be developed until after the parking garage beneath has been constructed, leaving the surrounding community without a public park for an undetermined period of time.
- The frontages of the development blocks facing the park block are dominated by surface parking, drop off and service functions. Consideration needs to be given to consolidating and/or relocating these functions to less visible locations to provide a more attractive, pedestrian oriented built form around, and to, the park.
- There is a park block at the north-east corner of Rougeside Promenade and Warden Avenue within the Aryeh plan of subdivision (see Figure 6). This park block will be conveyed to the City upon registration of the Aryeh subdivision. Staff and the applicant have discussed a potential opportunity to enhance parkland programming opportunities by swapping the Aryeh park block for an equivalent area of land at the north-west corner of Rougeside Promenade and Verdale Crossing. This would consolidate the parkland in this vicinity into one larger park, which would potentially be large enough to also accommodate a community facility (building). This area would need to be unencumbered by strata park (public park with private parking garage beneath). The applicant recently advised that they are no longer willing to hold back development of the lands at the north-west corner of Rougeside Promenade and Verdale Crossing to a latter phase to protect for this opportunity.
- Some of the tower elements are significantly closer to each other than the minimum 34 metre separation mandated by the current zoning of the subject lands.
- The Zoning Order for the Buttonville Airport permits buildings on the subject lands to have a maximum height of 238 metres above sea level. This permits a maximum of 16-18 storeys. The applicant received a “variance” from the zoning order to permit the tower element of the Riverside Condominium, which is currently under construction immediately east of the subject lands, to go up to 29 storeys. The applicant is proposing several buildings which are substantially taller than permitted by the Zoning Order, the tallest being 45 storeys. Any zoning regulations permitting building heights in excess of the maximum height permitted by the airport zoning order would need to be subject to a holding

provision to ensure that taller buildings are not constructed without Transport Canada approval of the additional height.

- Once the built form program is finalized, wind and shadow impact will need to be submitted and confirmed to be acceptable before any development scenario is approved.
- The extension of Rougeside Promenade to Warden Avenue is outside of the Times Group's ownership and control.

## **CONCLUSION**

As outlined above, staff have identified a number of issues that need to be addressed before staff will be in a position to report back to Development Services Committee with our recommendation of the subject application. Staff are exploring potential opportunities to address some of these issues through a reconfiguration of the westerly portion of the development (the area between Verdale Crossing and Warden Avenue).


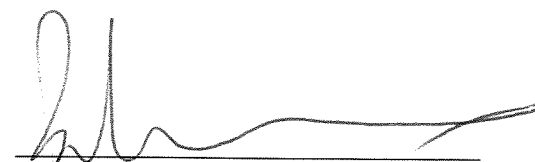
## **ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposed zoning by-law amendment would support a number of the City's Strategic Priorities, including:

Growth Management – intensification along a transit corridor, consistent with the Region's transit objectives.

## **BUSINESS UNITS CONSULTED AND AFFECTED:**

The proposed development has been circulated to internal City departments and external agencies for review and comment.

  
\_\_\_\_\_  
Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager  
\_\_\_\_\_  
Brian Lee, P. Eng  
Acting Commissioner,  
Development Services

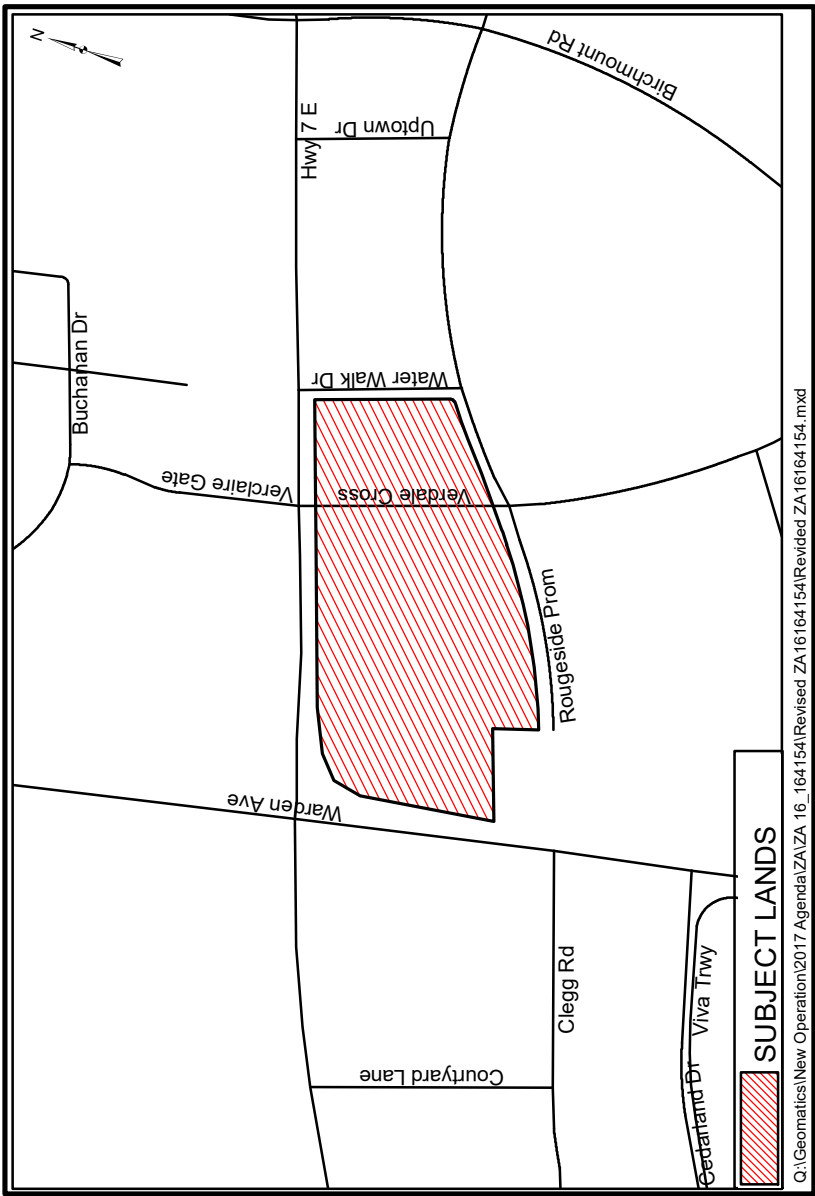
**ATTACHMENTS:**

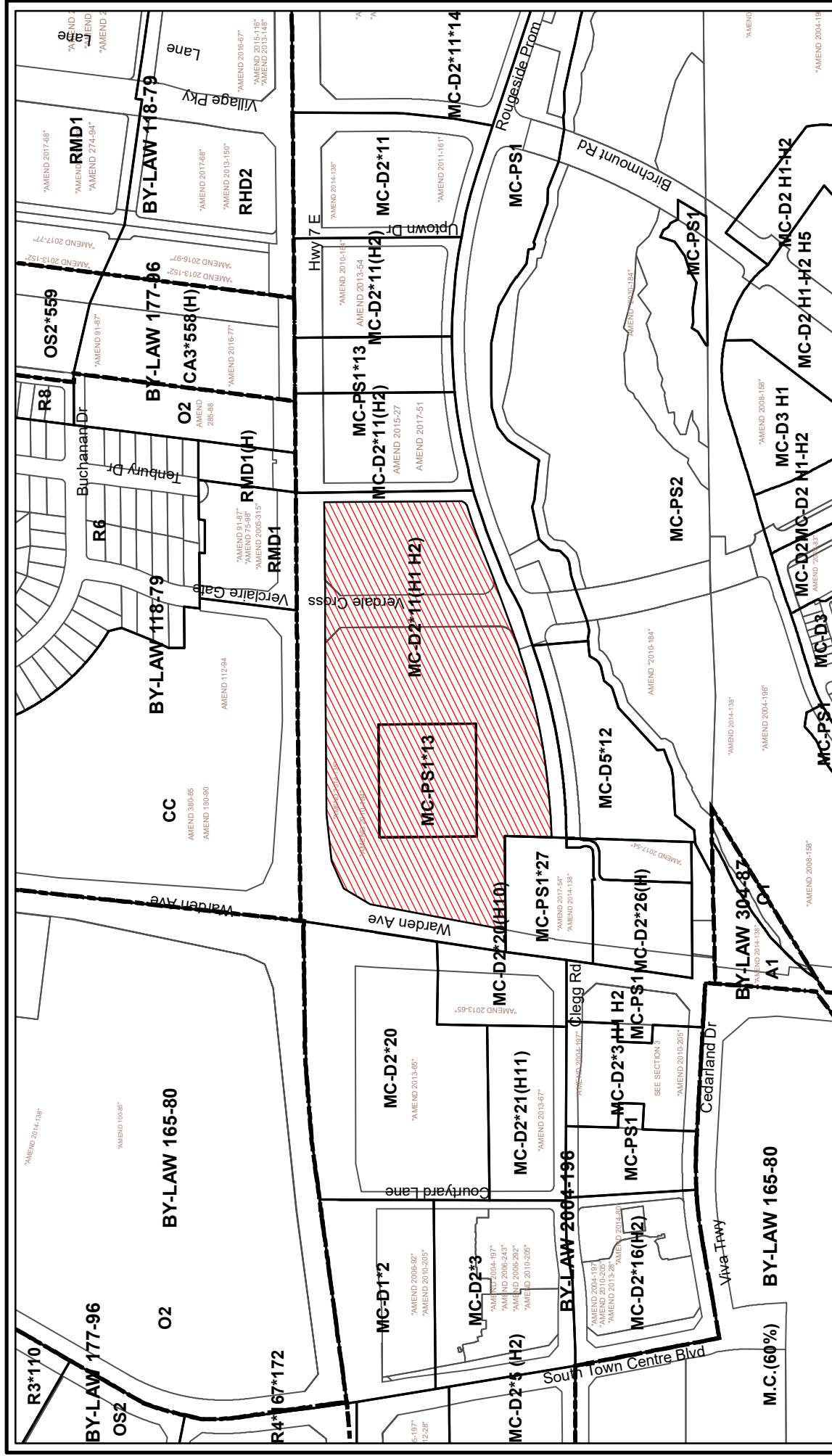
- Figure 1 – Property Location Map
- Figure 2 – Area Context / Zoning
- Figure 3 – Air Photo
- Figure 4 - Approved Precinct Plan
- Figure 5 - Concept plan submitted with application
- Figure 6 - Current Concept Plan

Agent: Lincoln Lo  
Malone Given Parsons  
140 Renfrew Drive, Unit 201  
Markham, Ontario  
L3R 6B3  
Tel: (905) 513-0170  
Email: llo@mgp.ca

File path: Amanda\File 16 164154\Documents\Recommendation Report







## AREA CONTEXT / ZONING

APPLICANT: 1771107 ONTARIO INC. (Times Group Inc.)

SOUTH SIDE OF HIGHWAY 7, EAST OF WARDEN AVENUE

FILE No. ZA. 16164154 (SH)

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**NIARKHAM** DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SH

DATE: 16/11/2017

**FIGURE No.2**






# AIR PHOTO (2016)

APPLICANT: 1771107 ONTARIO INC. (Times Group Inc.)

SOUTH SIDE OF HIGHWAY 7, EAST OF WARDEN AVENUE

FILE No. ZA. 16164154 (SH)

 SUBJECT LANDS

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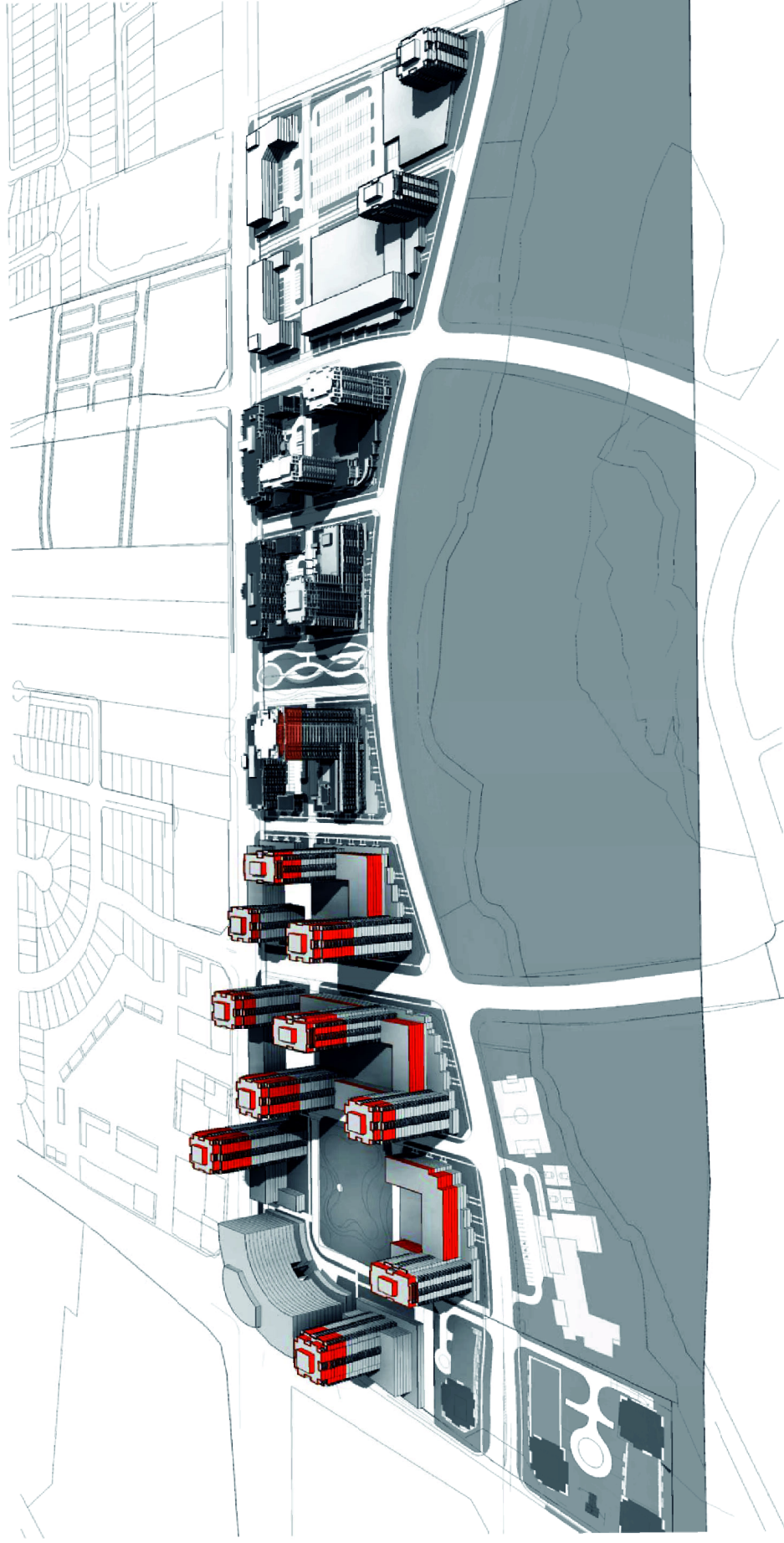


# APPROVED PRECINCT PLAN

APPLICANT: 1771107 ONTARIO INC. (Times Group Inc.)  
SOUTH SIDE OF HIGHWAY 7, EAST OF WARDEN AVENUE

FILE No. ZA. 16164154 (SH)

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# CONCEPT PLAN SUBMITTED WITH APPLICATION

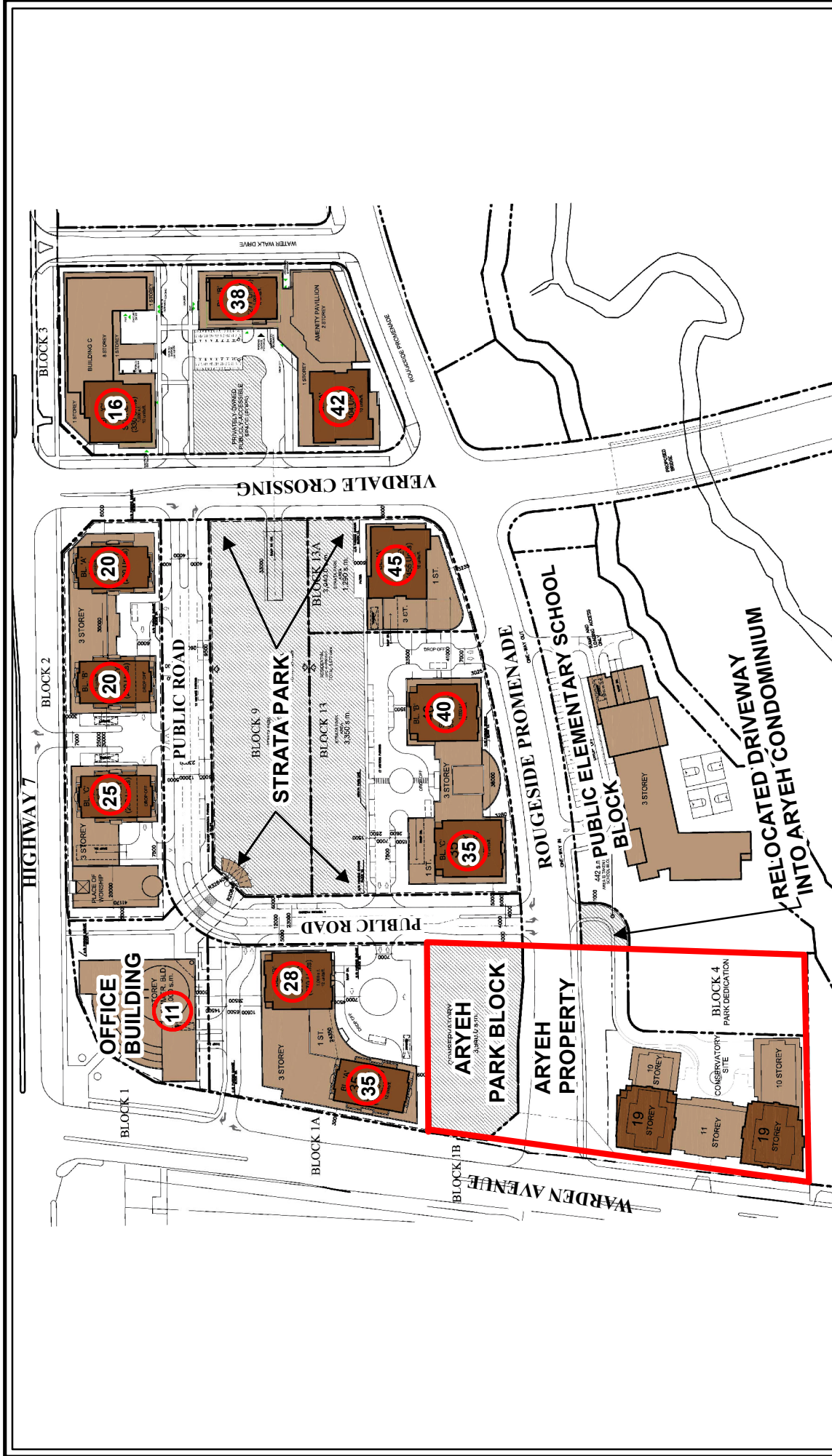
APPLICANT: 1771107 ONTARIO INC. (Times Group Inc.)  
SOUTH SIDE OF HIGHWAY 7, EAST OF WARDEN AVENUE

FILE No. ZA. 16164154 (SH)

■ PROPOSED ADDITIONAL BUILDING AREA

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# CURRENT CONCEPT PLAN

APPLICANT: 1771107 ONTARIO INC. (Times Group Inc.)  
SOUTH SIDE OF HIGHWAY 7, EAST OF WARDEN AVENUE

FILE No. ZA. 16164154 (SH)

**20** - NUMBER OF STOREYS



May 7th, 2018

**Mayor and Council**  
**City of Markham**  
101 Town Centre Boulevard  
Markham, ON L3R 9W3

Attention: Ms. Kimberley Kitteringham, City Clerk

**RE: Request for Deputation**  
**Times Group – Uptown Markham (Block 3)**

**Dear Mayor and Council:**

Times Group Corporation (“Times Group”) is the owner of lands south of Highway 7, east of Warden Avenue extending to the Whole Foods plaza) known as the Uptown Markham development.

The purpose of this letter is to make a deputation request to present to Council our proposed development concept with respect to the Block 3 Uptown Markham Lands. A Site Plan application for Block 3 (Town File # SC 17-176362) has been submitted for these lands on November 2017.

At the April 30<sup>th</sup> Development Services Committee (DSC) meeting, staff were directed to bring forward a Zoning Bylaw Amendment for Block 3 at the upcoming City Council meeting on May 15<sup>th</sup> approving the general development concept proposed from the site plan application. The staff report prepared for the April 30<sup>th</sup> DSC noted that there were no technical issues with the plans (with the Region and the City’s Engineering, Fire and Waste Management departments not identifying any technical concerns) while the City’s Urban Design department still had a few key comments they would like resolved.

The development architect and consultant team continue to meet and work with staff to revise the plans to their satisfaction.

3985 Highway 7 East, Suite 202 Markham, ON, L3R 2A2

T 905-940-6286 F 905-940-1573

TimesGroupCorp.com

We believe that we are now at a stage where the majority of the design issues have been resolved and continue to work through the other details. As such, we would like the opportunity to have the architect make a presentation on the revised plans to DSC on May 14<sup>th</sup>. We are hopeful that if DSC is satisfied, that they consider endorsing the plans in principle and delegate final approval to staff.

Should you have any questions or concerns, please do not hesitate to contact us.

Yours very truly,



Hashem Ghadaki



## **APPENDIX 'C'**

**Conditions of Site Plan Approval  
Times Group Inc.  
Block 3, Plan 65M-4395  
(South-east corner of Highway 7 and Verdale Crossing)  
Markham Centre Community  
File No. SC 17 176362**

Prior to the execution of the site plan agreement, the Owner shall submit:

1. site plans, elevation drawings (including building materials, colours and details), underground parking garage layout plans, that comply with all requirements of the City and authorized public agencies, to the satisfaction of the Director of Planning and Urban Design. The final plans shall incorporate appropriate design features to ensure more bird-friendly buildings.
2. landscape plans, including streetscape details, prepared by a Landscape Architect having membership with the Ontario Association of Landscape Architects, to the satisfaction of the Director of Planning and Urban Design.
3. Geotechnical and hydrogeological reports addressing temporary and permanent dewatering requirements, dewatering discharge management and mitigation measures (if dewatering required), to the satisfaction of the Director of Engineering.
4. A stormwater management report, grading/servicing/site alteration/excavation plans, construction management plan and shoring/excavation drawings, to the satisfaction of the Director of Engineering.
5. a lighting plan to ensure that all lighting is directional in nature to reduce any potential negative effects that illumination of the site may cause.

for endorsement or approval by the City.

The Owner shall enter into a Site Plan Agreement with the City and the Region of York (if required by the Region of York), containing all standard and special provisions and requirements of the City, the Region and other public agencies including, but not limited to, the following:

1. Provisions for the payment by the Owner of all applicable fees, recoveries, development charges, parkland dedications (including cash-in-lieu), public art contribution, and financial obligations related to applicable Developers Group Agreements.
2. That the location, size and construction of all refuse storage areas and recycling facilities, and arrangements for waste collection be to the satisfaction of the City of Markham Waste Management Department.
3. That the site be designed to ensure that there is no permanent underground encroachment into any municipal road right-of-way.
4. That the Owner shall provide and implement a comprehensive Green Infrastructure plan to the satisfaction of the Director of Planning and Urban Design. The plan shall include the following minimum elements - LEED gold certification, green roof technology on the lower building elements, connection to

- the District Energy network, incorporation of car sharing facilities, and the provision of bicycle storage facilities.
5. Provisions to ensure implementation of the recommendations of the approved reports.
  6. Provisions to secure implementation of the of the approved Transportation Demand Management (TDM) plan.
  7. Provisions for satisfying all requirements of City departments and public agencies.
  8. Provisions to ensure implementation of the recommendations of an Environmental Noise and Vibration Feasibility Study.
  9. That the Owner comply with all requirements of the City and authorized public agencies, including Power Stream to the satisfaction of the Commissioner of Development Services.

File path: Amanda\File 17176362\Documents\May 14, 2018 report