MARKHAM

Report to: Development Services Committee | Report Date: May 20, 2014

SUBJECT: **RECOMMENDATION REPORT**
Global Unionville Development Inc.
Applications for Official Plan and Zoning By-law Amendments to permit a high density residential development at 28 Main Street Unionville and the associated Declaration of Surplus Lands in the vicinity

File Nos. OP/ZA 12 122739

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RECOMMENDATION:

1) That the report dated May 20, 2014 titled "RECOMMENDATION REPORT, Global Unionville Developments Inc., Applications for Official Plan and Zoning By-law Amendments to permit a high density residential development at 28 Main Street Unionville, and the associated Declaration of Surplus Lands in the vicinity, Files Nos. OP/ZA 12 122739" be received;

2) That in accordance with By-law 178-96, the lands legally described as Part of Lot 9, Concession 5 (Markham), depicted as Parts 1, 2, 4 and 5 on the Draft Reference Plan prepared by R. Avis. Surveying Inc., attached hereto as Figure 6, being approximately 1,561 m^2 (0.3856 ac) (the "City-Owned Lands"), be declared surplus to municipal purposes;

3) That subject to Recommendation #2 above, the City enact a by-law to stop up and close that portion of Enterprise Blvd, legally described as Part of Lot 9, Concession 5 (Markham), depicted as Parts 2, 3, 5, 7, 8, 9 and 11 on the Draft Reference Plan prepared by R. Avis. Surveying Inc., attached hereto as Figure 6, being approximately 332 m^2 (0.082 ac) (the "Road Allowance Lands");

4) That subject to Recommendations #2 and #3 above, Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale with Global Unionville Development Inc. (the "Applicant") for the sale to the Applicant of the City-Owned Lands, at a purchase price approved by the Chief Administrative Officer, containing the conditions set out in this report, in a form satisfactory to the City Solicitor and Chief Administrative Officer;

5) That the application submitted by Global Unionville Development Inc. to amend the Markham Centre Secondary Plan (OPA 21), as amended, be approved and that the draft Official Plan Amendment attached as Appendix 'A' be finalized and adopted after the Applicant enters into an Agreement of Purchase and Sale with the City for the acquisition of the City-Owned Lands;

6) That the application submitted by Global Unionville Development Inc. to amend Zoning By-law 122-72, as amended, and By-law 2004-196, as amended, be approved, and the proposed Zoning By-law Amendments be brought forward to Council for enactment once the Applicant has completed the acquisition of City-Owned Lands; executed the Section 37 agreement; determined final parking ratios; and finalized the necessary site details and financial arrangements relating to shared access and private driveway arrangements with the neighbouring landowner to the north [Main Street Residence (Unionville) Inc.] through the site plan process.

7) In the event that financial and access arrangements cannot be satisfactorily concluded with the neighbouring landowner to the north, as described in Recommendation #6 above, then at the request of Global Unionville Development Inc. the proposed Zoning By-law Amendments be brought forward to Council for enactment, subject to the Applicant demonstrating alternative access arrangements to the satisfaction of the Director of Engineering;

8) That the modeling forecasts for Markham Centre be updated to reflect the increased residential unit count resulting from the approval of the proposed development;

9) That the Mayor and Clerk be authorized to execute a Section 37 Agreement with the Applicant to the satisfaction of the Commissioner of Development Services and the Chief Administrative Officer;

10) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

The subject site is located at the northwest corner of Main Street Unionville and Enterprise Boulevard and is municipally known as 28 Main Street Unionville (Figure 1). The subject site is approximately 1.91 ha (4.72 ac) in area [including a 0.56 ha (1.4 ac) woodlot at the westerly site edge] and has frontage on Main Street Unionville and Enterprise Boulevard.

The Applicant is proposing a residential development comprising two parcels bisected by Bill Crothers Drive: an east parcel containing two buildings (Buildings 'A' and 'B') and a west parcel containing a single residential building (Building 'C'), a new public park and retention of the existing woodlot (to be dedicated to the City) (Figure 5). A number of revisions have been made to the proposal since the statutory Public Meeting held on June 18, 2013. These revisions include the introduction of grade related retail uses in Building 'C', a re-configuration of the massing of the buildings, a reduction in the height

of Building 'C' from 27 to 25 storeys, a reduction in the total number of units from 756 to 718, and a reduction in the net site density from 4.36 FSI to 4.27 FSI.

The proposed development has been designed so that there are transitions in both height and density from east (at Main Street Unionville) to west (along Enterprise Boulevard). A Shadow Study has been undertaken by the Applicant and reviewed by City staff who are of the opinion that there will not be any significant shadow impacts on adjacent developments.

The Applicant has requested that the City sell them the City-Owned Lands, being Parts 1, 2, 4 and 5 on the Draft Reference Plan attached as Figure 6 for incorporation into their development. This request is supportable, however, Parts 2 and 5 on the said Draft Reference Plan are surplus portions of the Enterprise Boulevard right-of-way and that portion of Enterprise Boulevard situated on Parts 2 and 5 would have to be stopped up and closed prior to being conveyed to the Applicant. Staff note a portion of these lands are intended to be conveyed to the City for park purposes through the development process.

Staff recommend that the proposed Official Plan Amendment be approved and be adopted after the Applicant has entered into an Agreement of Purchase and Sale with the City to acquire the City-Owned Lands. Staff also recommend that the proposed Zoning By-law Amendments be approved and be finalized and brought forward to Council for enactment once the Applicant has completed the acquisition of City-Owned Lands; executed the Section 37 agreement; determined final parking ratios; and finalized the necessary site details and financial arrangements relating to shared access and private driveway arrangements with the neighbouring landowner to the north [Main Street Residence (Unionville) Inc.] through the site plan process.

PURPOSE:

The purpose of this report is to evaluate applications for Official Plan and Zoning By-law Amendments and to recommend as follows:

a) That the City-Owned Lands which are located on the north side of Enterprise Boulevard be declared surplus to municipal purposes;

b) That the Road Allowance Lands be stopped up and closed;

c) That the Mayor and Clerk be authorized to enter into an Agreement of Purchase and Sale with the Applicant for the sale of certain City-Owned Lands for a purchase price satisfactory to the Chief Administrative Officer, in a form satisfactory to the City Solicitor, which Agreement shall contain the following conditions:
    i) That the Future Park Lands (hereinafter defined) be reconveyed back to the City for nominal consideration for the purpose of fulfilling or partially

fulfilling any parkland dedication requirements in association with the purchaser's development; and

ii) That on closing, the City reserve a temporary easement for the construction of a new sanitary sewer;

d) That Council approve the Official Plan and Zoning By-law Amendment applications submitted by the Applicant;

e) And that, the Zoning By-law Amendments be brought forward to Council for enactment once the Applicant has completed the acquisition of the City Owned Lands, which have been incorporated into the proposed development; executed the Section 37 agreement; determined final parking ratios; and finalized the necessary site details and financial arrangements relating to shared access and private driveway arrangements with the neighbouring landowner to the north [Main Street Residence (Unionville) Inc.] through the site plan process. In the event that financial and access arrangements cannot be satisfactorily concluded with the neighbouring landowner to the north then at the request of Global Unionville Development Inc. the proposed Zoning By-law Amendments be brought forward to Council for enactment, subject to the Applicant demonstrating alternative access arrangements to the satisfaction of the Director of Engineering.

BACKGROUND:

Subject Property and Area Context

The subject property is located at the northwest corner of Main Street Unionville and Enterprise Boulevard and is municipally known as 28 Main Street Unionville (Figure 1). The recently constructed Bill Crothers Drive, which connects Bill Crothers Secondary School to Enterprise Boulevard, and provides secondary access to the Marleigh seniors' project, bisects the site. The westerly portion of the site, adjacent to the GO Railway Line, is occupied by a woodlot that is approximately 0.56 ha (1.4 ac) in size. The easterly portion of the site is predominantly vacant with the exception of a two-storey, detached dwelling fronting onto Main Street Unionville South (Figure 3). The subject site is approximately 1.91 ha (4.72 ac), in area (including the woodlot) and has frontage along both Main Street Unionville and Enterprise Boulevard.

Surrounding uses are as follows:

- To the north is a 9-storeys seniors' residence [Phase 1 of The Marleigh by Main Street Residence (Unionville) Inc]. and the Bill Crothers Secondary School;
- To the east across Main Street Unionville is a three storey medical office building;
- To the south across Enterprise Boulevard is the Markham Pan Am Centre. South of the woodlot, at the west end of the subject site, are lands that have been recently approved for a high density development (Markham Centre Development Corporation ("MCDC") consisting of four buildings with heights ranging from 10-29 storeys; and,

- To the west is the GO Railway Line (further west is vacant land owned by the Remington Group).

Proposal Overview
The Applicant is proposing a residential development comprising two parcels bisected by Bill Crothers Drive: an east parcel proposed for two buildings (Buildings 'A' and 'B') and a west parcel proposed for a single residential building (Building 'C'), a new public park and retention of the existing woodlot, which is to be dedicated to the City (Figure 4). The original application proposed a higher density (Figure 4). The revised application proposes a total of 718 units and a combined GFA of 57, 399 m^2 (617, 858 ft^2) and a net site density of 4.27 FSI [excluding the woodlot and road (Bill Crothers Drive)] (Figure 5). The FSI of the development would be 3.83 once the City Owned lands are acquired by the Applicant, and included in the site area.

The development is proposed to be phased, with the first phase being the easterly building on the east parcel (Building 'A') and the last phase being the west parcel (Building 'C'). It should be noted that the Applicant has made a number of revisions to the proposal to address concerns raised by members of the community and adjacent property owners. These revisions are detailed later in this report. A formal site plan application has not been submitted to date.

Requested acquisition of City-Owned Lands
The Applicant has requested that the City convey to them the lands depicted as Parts 1, 2, 4 and 5 on the Draft Reference Plan attached as Figure 6 ("City-Owned Lands") for incorporation into their development.

The City-Owned Lands were acquired by the City for the construction of Enterprise Boulevard, but is now considered surplus to right-of-way needs. The total area of the City-Owned Lands is 1,561 m^2 (0.3856 ac).

Parts 2 and 5 on the Draft Reference Plan attached as Figure 6, comprise the portion of the City-Owned Lands that form part of Enterprise Boulevard. The total area of Parts 2 and 5 is 332 m^2 (0.082 ac). Parts 2 and 5 will be need to be stopped up and closed prior to conveyance to the Applicant. Parts 3, 7, 8, 9 and 11 on the Draft Reference Plan attached hereto as Figure 6 were created to depict 0.3 metre reserves to and from the reconfigured Enterprise Boulevard. Parts 3, 7, 8, 9 and 11 will need to be stopped up and closed to create the said reserves.

The Planning Department has indicated that they have no objection to the City-Owned Lands being conveyed to the Applicant provided the Applicant convey to the City the following lands: i) lands adjacent to Parts 4 and 5 adjacent to Main Street to secure a minimum 5 metre boulevard along the Main Street portion of the site, and ii) lands immediately west of Bill Crothers Drive, north of Enterprise Boulevard, to secure a 7.6 metre boulevard along the entire length of this section of Enterprise Boulevard. The Applicant has agreed to convey to the City Parts 13 and 12 on the Draft Reference Plan. The Planning Department is satisfied with the proposed conveyance by the Applicant,

subject to minor revisions to the said parts to address transition issues between the adjoining boulevards.

A portion of the City-Owned Lands, depicted as Part 1 on the Draft Reference Plan (the "Future Park Lands") is adjacent to anticipated future parkland. In light of this, the "Future Park Lands" are intended to be conveyed to the City for park purposes, through the development process. When a future site plan application is considered, a further determination will be made with respect to the required parkland.

Operations and Engineering do not have any concerns with declaring the City-Owned Lands surplus. However, these departments have indicated that consideration should be given to ensure that removal of these lands do not adversely affect any future road realignment changes anticipated in this area and that any purchaser of these surplus lands be required to give the City a temporary easement for the construction, if necessary, of a sanitary sewer under the existing Enterprise Boulevard.

Engineering does not have any concerns with declaring the City-Owned Lands surplus. However, they recommend that any purchaser may be required to give the City a temporary easement for the construction of a sanitary sewer under the existing Enterprise Boulevard.

Official Plan and Zoning

1987 Official Plan

The subject lands are designated "Commercial-Community Amenity Area" and "Environmental Protection Area" (woodlot) in the 1987 Official Plan. The planned function of the "Community Amenity Area" designation is to provide for a multi-use, multi-purpose centre with a diverse range of retail, service, community, institutional and recreational uses. Office development and medium and high density housing is also provided for at appropriate locations within this designation.

The lands are designated "Community Amenity Area – General", "Open Space" and "Open Space – Environmentally Significant" in the Markham Centre Secondary Plan (OPA 21). Lands designated "Community Amenity Area – General" are intended to be used predominately for medium and high density uses. The "Open Space" designation corresponds with a "Neighbourhood Park" that is identified in the area by the Secondary Plan. The proposed public park contemplated by the Applicant is also generally located within this vicinity. The portion of the site designated "Open Space – Environmentally Significant" corresponds to the existing woodlot (to be dedicated to the City) on the west portion of the site.

The Markham Centre Secondary Plan (OPA 21) identifies the subject lands as being within Centre East Precinct. The Precinct is a smaller area within a District which is an appropriate scale and size for detailed planning studies. The Secondary Plan stipulates that a plan for each precinct, to be prepared by the affected landowners for approval by the City, will establish further parameters for detailed land use and the physical form of

development. The requirement for a Precinct Plan in the area is discussed later in this report.

Markham's New Draft Official Plan
The City's new Official Plan, which was adopted by Markham Council on December 10, 2013, identifies the lands as "Mixed Use High Rise" and "Greenway" (woodlot). Lands designated "Mixed-Use High Rise" are priority locations for development where the greatest levels of intensification are intended to take place within Markham. Unless otherwise specified in a secondary plan or site-specific policy, the maximum height is 15 storeys and the permitted density is 3.0 FSI. The "Greenway" designation applies to the woodlot portion of the subject lands.

Existing Zoning
The subject lands are zoned "Rural Residential One" (RR1) by By-law 122-72, as amended, which permits a single family dwelling and accessory buildings and structures. Amending By-law 191-95 also permits the subject lands to be used for the mixing and preparation of topsoil.

Requested Approvals
The following site specific amendments are being requested to permit the proposed development:

Official Plan (Markham Centre Secondary Plan)
- Re-designate the lands to "Community Amenity Area-Major Urban Place", "Open Space" and "Open Space-Environmentally Significant";
- Incorporate height and densities reflective of the proposed development; and,
- Exempt the lands from the Precinct Plan requirements.

Zoning By-law
- Incorporate the subject lands into the Markham Centre Zoning By-law and zone them "Markham Centre Public Space Two" (MC-PS2) (woodlot and park) and "Markham Centre Downtown Two" (MC-D2) (remainder of the lands) to reflect the proposed development, including modifications to the Zoning By-law to permit underground private parking beneath the proposed park, if appropriate.

Statutory Pubic Meeting held June 18, 2013
On June 18, 2013, a statutory Public Meeting was held to consider the proposed Official Plan and Zoning By-law amendments. A number of residents and Members of Committee expressed concern that the applications should not be considered in the absence of a Precinct Plan for the East Precinct and completion of the Mobility Hub Study. Additional concerns raised by area residents included traffic congestion, density, heights of the proposed towers, built form transition, shadowing impacts and preference to have some retail/commercial uses for residents of the surrounding community. A representative from Main Street Residence (Unionville) Inc., owners of the lands to the north, made a deputation pertaining to the detailed work invested in their own project and the need to ensure a cohesive building design with the proposed development.

Committee referred the applications to the Unionville Sub-Committee with the indication that additional community meeting may be held if necessary.

Applications were considered by Unionville Sub-committee on August 27, 2013 and October 3, 2013

The applications were considered by the Unionville Sub-Committee at meetings held on August 27, 2013 and October 13, 2013. These meetings were attended by Committee Members, City staff, the Applicant and his consultant team, and members of the community. Community concerns discussed at the meeting included traffic, built form transition, density, preserving the neighbourhood character as a "Gateway to Historic Unionville", and shadowing impacts. Traffic congestion and the problems associated with student pick-up/drop off along Enterprise Boulevard were discussed at length with the Applicant's Traffic Consultant. At both meetings, the Applicant provided progress updates on the applications and the revisions that have been made to the proposal.

Revised plans submitted February 3, 2014

On February 3, 2014, the Applicant formally submitted revised plans for the proposed development. There have been a number of changes to the proposed development, including an introduction of grade related retail uses in Building 'C', an overall re-design of the architectural expression of the buildings, a re-configuration of the massing of each building, a reduction in the height of Building 'C' from 27 to 25 storeys, a reduction in the total number of units from 756 to the current proposal of 718, and a reduction in the net site density from 4.36 FSI to 4.27 FSI. The FSI calculation is 3.83 if the City Owned lands are acquired by the Applicant, and included in the site area (Figure 5).

A summary outlining the revisions is detailed in the table below:

	Original Submission	**Revised Design**
Site Area	**13,432 square metres***	**13,432 square metres * 14,993.2 square metres****
Proposed Residential GFA	58,610 square metres	56,237 square metres
Proposed Non-Residential GFA	0 square metres	1,162 square metres
Total Proposed GFA	**58,610 square metres**	**57,399 square metres**
Overall FSI	**4.36***	**4.27* 3.83****
Unit Count		
Building A	161 units	147 units
Building B	261 units	247 units
Building C	334 units	324 units
Total Units	**756 units**	**718 units**
Parking		
East Parcel (Surface)	22 spaces***	21 spaces***
East Parcel (Underground)	400 spaces	373 spaces
West Parcel (Surface)	0 spaces	22 spaces

West Parcel (Underground)	340 spaces	344 spaces
Total Parking	**762 spaces (908 Req'd)**	**760 spaces (888 Req'd)**

***Net Density calculation excludes Woodlot and Road (Bill Crothers Drive)**
****Site Area includes additional lands (1,561.2 m^2) owned by the City to be acquired by the Applicant**

East Parcel
The east parcel continues to be comprised of two residential buildings at 9 and 19 storeys, respectively. The total number of units on the east parcel has been reduced from 442 units to 394 units.

The 9-storey building (Building 'A') has been reconfigured to provide a 4-storey podium adjacent to Main Street Unionville to match the proposed Phase 2 Marleigh building to the north. The 5th and 6th floors are stepped back from the podium building along Main Street Unionville, while the portions above the 6th floor (7th to 9th) are stepped back again (Figure 7). Building 'B' is still 19 storeys with the height of the podium being reduced from 10 storeys to 8 storeys. The tower element continues to frame the northeast corner of Enterprise Boulevard and Bill Crothers Drive (Figure 8).

A publically accessible private parkette, located between Buildings 'A' and 'B', has also been introduced. This space creates a mid-block pedestrian passage and courtyard creating a north-south link between The Marleigh, the proposed development, and Enterprise Boulevard.

The Applicant has advised that considerable consultation has been undertaken throughout the site design process with Main Street Residence (Unionville) Inc, developers of The Marleigh seniors' project. Through these discussions, it is proposed that the existing driveway entrances off Main Street and Bill Crothers Drive be shared between the two properties. The driveway extends mid-block to allow for pick-up/drop off of the lobby areas for each of the buildings (Buildings 'A' and 'B'), including the existing building on the adjacent property (The Marleigh). This arrangement will be further reviewed as part of the comprehensive site plan approval process, including tree preservation. Access to the underground parking garages, loading areas and limited surface parking spaces for each of the buildings on the subject site will be screened and located away from the lobby area of the existing Marleigh building to the north (Figure 5).

Residential parking spaces and additional visitor parking spaces are provided in 2 levels of underground parking and are accessed by an ingress ramp located at the west end of the parcel and an egress ramp located at the east end of the parcel (Figure 5). A total of 394 parking spaces are proposed (373 underground parking spaces, plus 21 surface parking spaces). It should be noted that not all 21 surface parking spaces are visible on Figure 5, as some spaces are located under the building podium overhang.

West Parcel
The west parcel is comprised of one 25-storey residential building (Building 'C'), a new public park, and the retention of the existing woodlot (to be conveyed to the City) (Figure 5).

The height of Building 'C' has been reduced from 27 storeys to 25 storeys, with a reduction in the number of units from 334 to 324 units. The revised scheme also proposes approximately 1,162 m^2 (12,508 ft^2) of grade-related retail space fronting Enterprise Boulevard. Also, the south face of the podium building is offset and aligns with Enterprise Boulevard. The tower element is setback from the podium and is now generally sited at the west end of the building. It should be noted that the 4-storey base element is consistent in height with the Bill Crothers Secondary School.

It is proposed that access to the site be accommodated via a shared driveway entrance located on lands to north, in order to align with the existing driveway entrance on the east side of Bill Crothers Drive. The driveway will provide a turning circle located on the subject site that will give access to the pick-up/drop-off area, ramp to the underground parking garage and limited surface parking spaces. The proposed turning circle could also be utilized by any future development on the lands to the north. A total of 366 parking spaces are proposed (344 underground, plus 22 surface parking spaces). On-street parking (approximately 20 spaces), on the north side of Enterprise Boulevard, is also proposed as shown on the conceptual site plan (Figure 5). The Applicant will be required to provide sufficient property dedication, where needed, to accommodate these proposed parking bays. It should be noted that not all 22 surface parking spaces are visible on Figure 5, as some spaces are located under the building podium overhang.

Immediately west of the proposed building is a proposed new public park. The size of the proposed park has increased from 2,903 m^2 (31,249 ft^2) to 3,643 m^2 (39,214 ft^2) through the redesign of the ground floor of Building 'C'. As discussed later, it is still proposed that the parking for the development will extend underneath the proposed park.

OPTIONS/ DISCUSSION:

Requested Acquisition of City-Owned Lands

The City-Owned Lands are remnant parcels from an earlier property acquisition for the construction of Enterprise Boulevard. Other than the Future Park Lands, staff agree that the lands are surplus to municipal purposes. There is no other party that would wish to purchase the City-Owned Lands others than the Applicant. Accordingly, staff recommend that the City-Owned Lands be declared surplus to municipal purposes and sold to the Applicant. Prior to the conveyance of the City Owned Lands to the Applicant, that part of Enterprise Boulevard situated on the Road Allowance Lands would need to be stopped up and closed.

The Planning and Urban Design Department has identified that a certain portion of the Applicant's lands adjacent to the site need to be conveyed to the City to maintain minimum boulevard widths along Main Street and Enterprise Boulevard. To address this, the Legal Services Department recommends that the Agreement of Purchase and Sale with the Applicant contain a condition that the Applicant's lands depicted as Parts 12 and 13 on the Draft Reference Plan be conveyed to the City prior to closing (Figure 6).

With respect to ensuring that the Future Park Lands will be owned by the City in the future, staff recommend entering into an agreement with the Owner for the reconveyance

of the Future Park Lands to the City. The Legal Services Department recommends that any Agreement of Purchase and Sale with the Applicant for the City-Owned Lands contain the appropriate clauses requiring the Applicant to reconvey the Future Park Lands to the City to fulfill, in part, its parkland dedication requirements in connection with its development. To secure such obligation, the City can register a restrictive covenant on the Future Park Lands to indicate that such lands cannot be used for any purpose aside from park and to prohibit the conveyance of such lands to any third party without the City's consent.

With respect to the Engineering Department's recommendation for a temporary construction easement, the Legal Department recommends that any Agreement of Purchase and Sale also require the Applicant to agree to the City reserving a temporary easement over the City-Owned Lands, or any parts thereof as required by the Engineering Department, to facilitate the construction of a new sanitary sewer.

Subject lands are an appropriate location for high density residential development
In May 2010, Council endorsed a growth strategy for Markham, which identified the amount and location of population and employment growth for the municipality to 2031. The growth strategy, in keeping with Council's preference, emphasizes intensification within the current settlement area and limits additional growth outwards, and includes a residential intensification target of 60% within the current built boundary.

The City's intensification hierarchy established the overall context for residential and employment intensification by allotting density in a hierarchical manner to: i) Regional Centres (highest intensity of development), ii) Key Development Areas, iii) Major Corridors, and iv) Local Centres and Corridors. The subject lands, which are located within a Regional Centre (Markham Centre), where the highest intensity of development has been directed to occur, are an appropriate location for the proposed high density residential development. The subject lands are located within close proximity to the Unionville GO Station. The Station and vicinity are identified as an "Anchor Mobility Hub" by Metrolinx. It is intended that lands within mobility hubs, and in particular immediate vicinity of mobility hub transit stations, should be developed at higher densities and with a greater variety of uses. This would support the planned function of the mobility hub by taking advantage of the increased transit opportunities provided by the station facilities. The subject lands, which are approximately 450 meters from the future mobility hub transit station, are an appropriate location for the proposed high density residential development.

Proposed development can proceed in advance of Precinct Plan and Mobility Hub Study
The Markham Centre Secondary Plan (OPA 21) requires affected landowners within certain smaller geographic areas to work together to prepare concept plan/design guideline documents known as "precinct plans". Precinct Plans are used to determine street and block layout, distribution of land uses, zoning standards, height and massing, streetscape components and subdivision and infrastructure requirements. The subject lands are also located within the Centre East Precinct, an area requiring a precinct plan.

The City has just authorized the undertaking of the Mobility Hub Study for land in the vicinity of the Unionville Go Station. It is noted, however, that the subject lands are separated from the remainder of the precinct and the adjacent lands by the woodlot to the west, Bill Crothers Secondary School and Phase 1 of The Marleigh development to the north, Enterprise Boulevard to the south, and Main Street Unionville to the east. Furthermore, they will not be impacted by the proposed road alignment and infrastructure issues being reviewed in the pending precinct plan/mobility hub study. In the circumstances, it is appropriate to allow development to proceed in advance of the preparation of the East Precinct Plan. However, in the absence of an approved precinct plan it is necessary to incorporate site specific height and density provisions into the secondary plan (see Appendix 'A') through a site specific amendment.

Building massing along Main Street is appropriate

A concern raised at the Public Meeting was that the height and massing of the proposed buildings did not respect the lower density development to the north along Main Street Unionville. The proposed development has been designed so that there are transitions in both height and density from east (at Main Street Unionville) to west (along Enterprise Boulevard). Building 'A' now has a 4-storey base fronting onto Main Street Unionville, which then steps up to 9-storeys (relating closely with The Marleigh, Phase 2 to the north). Buildings 'B' and 'C' located closest to the mobility hub have been designed and massed to relate to the mobility hub and their location on Enterprise Boulevard. Buildings 'B' and 'C' have an 8-storey podium, stepped back above the fourth floor, with 19-storey and 25-storey towers respectively. The intent behind the stepping of the Buildings 'B' and 'C' is to focus density and built form towards the MCDC development and mobility hub and, in the case of Building 'A', transition away from Main Street Unionville (Figures 7-9).

The conceptual elevations for the proposed development comprise of a mix of glass, grey brick, and light coloured stone (Figures 7-9). The towers are primarily glass, balanced with solid brick areas and coloured glass accent panels. Staff are generally satisfied with the elevations. As previously mentioned, the Applicant has not applied for site plan approval. The Owner has committed to continue working with City staff and neighbouring property owners through the site plan approval process.

Shadow Study has been reviewed and impacts are acceptable

A Shadow Study has been undertaken by the Applicant for the proposed development in response to the concerns raised by staff and members of the community at both the Public Meeting and Unionville Sub-Committee Meetings. Intervals of 1 hour increments from 8:00 am to 6:00 pm on March 21st, June 21st and September 21st provided the basis for the study. Staff have reviewed the Shadow Study and are of the opinion that shadow impacts are acceptable and will not have unacceptable adverse impacts on adjacent developments.

Transportation Impact Assessment has been reviewed by City Staff

Markham Centre is based on a concept of multi-modal transportation that encourages pedestrians, cyclists and public transit. The proposed development will contribute to the achievement of this objective through the provision of transit supportive densities,

placing priority on pedestrians and cyclists and implementing measures that support non single-occupant vehicle travel, such as ridesharing and teleworking.

The Applicant submitted a Traffic Impact Assessment in support of the proposed development. The study and staff review identified a number of potential improvements that may need to be implemented at certain intersections to support the overall road network. These improvements may include, but are not limited to, intersection and lane reconfigurations, installation of traffic signals at the intersection of Enterprise Boulevard/Bill Crothers, if and when signals are warranted, and the extension of medians within the right-of-ways, as necessary. The Zoning By-law Amendment will include a holding provision to secure implementation of required improvements at the Applicant's cost.

The Applicant will also be required to undertake a detailed Travel Demand Management (TDM) plan to the satisfaction of the City prior to the approval of a site plan application. The recommended measures outlined in the Traffic Impact Assessment, include, but are not limited to: adjusting the way parking is marketed and allocated, incentivizing travel by transit and providing appropriate hard infrastructure (i.e. sidewalks, pathways and trails and bicycle lanes), additional TDM conditions and details (i.e. transit pass allowance, bicycle parking, etc.), all of which will be required at the site plan stage.

Proposed parking is consistent with recent approvals in Markham Centre
The Markham Centre Zoning By-law requires parking to be provided for apartment dwellings at a rate of 1 space per dwelling for residents plus 0.2 space per dwelling for visitors, for a total of 1.2 space per unit. The by-law prohibits the provision of additional parking spaces over and above the by-law requirement. It should be noted that the by-law has been amended for specific development proposals to reflect a reduced rate of 1 space per unit for residential and visitors combined.

The Applicant has identified a parking supply which would result in residential parking (combined resident/visitor) at a rate of slightly in excess of 1 space per unit, which is generally consistent with the other site specific development approvals in Markham Centre. The Applicant is proposing to provide parking for commercial uses in accordance with the City's standards. The Applicant's Parking Study has suggested a standard that could ultimately range from a minimum of 0.8 spaces (combined residents/visitors) to a maximum of 1.0 spaces (combined residents/visitors). Transportation Planning staff have suggested that the minimum range identified in the Parking Study may not be feasible at this time in the development of Markham Centre and that all rates are subject to further review of a parking and TDM study during the site plan application stage. As noted, it is staff's intention to bring forward the implementing Zoning By-law with the appropriate parking standard, following the submission and review of a site plan application. As previously discussed, the Applicant is also proposing approximately 20 on-street parking spaces along Enterprise Bouleward, west of Bill Crothers Drive, which would provide additional parking opportunities for visitors and patrons of the proposed retail space.

Shared access and private driveway arrangements with Main Street Residence (Unionville) Inc. need to be finalized

Vehicular access for the proposed development, both east and west of Bill Crothers Drive, is via existing and proposed driveways on lands owned by Main Street Residence (Unionville) Inc (Figure 5). The Applicant is working with representatives from Main Street Residence (Unionville) Inc. to obtain access rights over the relevant portions of their lands. Main Street Residence (Unionville) Inc. has indicated that the proposed access agreement is acceptable to them in principle. However, both parties agree that there is a need to understand in greater detail the site design interaction between the two ownerships, including necessary financial arrangements. On that basis, there is agreement between the parties that the Zoning By-law Amendment be endorsed in principle on the basis outlined above, however, Main Street Residence (Unionville) Inc. has asked that the enactment of the implementing Zoning By-law be held until the detailed site design issues and financial, shared access and private driveway arrangements have been settled as part of a site plan endorsement. The Applicant has agreed to this approach, but has asked that some flexibility be built in so that in the event the financial and access arrangements cannot be satisfactorily concluded Global Unionville Development Inc. can request the proposed Zoning By-law Amendments be brought forward to Council for enactment, subject to the Applicant demonstrating alternative access arrangements to the satisfaction of the Director of Engineering.

Cost sharing agreement with the York Region District School (YRDSB) Board and Main Street Residence (Unionville) Inc. is required

The stormwater management facilities for Bill Crothers Secondary School took into account drainage from the proposed development. Main Street Residence (Unionville) Inc. up fronted construction of Bill Crothers Drive. The York Region District School Board (herein YRDSB) and Main Street Residence (Unionville) Inc. have a cost sharing agreement for storm sewers, private stormwater management pond located on the YRDSB's lands, and Bill Crothers Drive. The Applicant will be required to enter into this Cost Sharing Agreement, satisfy the financial obligations associated with the same, and provide a clearance letter from the YRDSB and Main Street Residence (Unionville) Inc. A 0.3 metre reserve has also been placed across the frontage of the subject lands (east and west of Bill Crothers Drive) compelling the Applicant to fulfill these cost sharing obligations. This 0.3 metre reserve will be lifted after the Applicant, or any subsequent Owner(s) of the subject lands, provides a clearance letter from the YRDSB and Main Street Residence (Unionville) Inc. A condition of hold removal will be incorporated into the implementing Zoning By-law to this effect.

Section 37 Contributions

Section 37 of the Planning Act is a planning tool that allows municipalities to grant an increase in height and/or density in return for additional services, facilities or other community benefits. Given the increase in height and density proposed by the Applicant, staff recommend that a Section 37agreement be required as part of any approval. Staff recommend a per unit contribution with provisions for indexing to the future rate of inflation. Staff will continue to work with the Applicant to establish the value of the per

unit contribution to be contained in the Section 37 agreement to be executed prior to the Zoning By-law Amendment being brought forward for adoption.

City is undertaking a review of Strata Parks
The Applicant is requesting permission for parking to extend beneath the proposed park west of Building 'C' ("strata park"). The City is currently undertaking a study to develop a policy for strata parks. This study will examine issues including, but not limited to, whether the City should assume these parks as public lands, the type of indemnification required if conveyed into public ownership, the extent to which parkland credit will be given, how costs will be handled should future repairs to the underground garage be required, etc. Until the study's conclusions have been brought forward, the status of the proposed "strata park" remains to be determined.

Permission for strata park would be subject to a holding provision to be removed after Council has adopted a strata park policy. The Applicant is advised that the City may choose not to accept the proposed strata park as municipal parkland. In such an event, the City may secure the balance of the Applicant's parkland obligations through cash-in-lieu. Should the lands not be acceptable as a public park, the Applicant may still be required to provide the City with a public access easement over the private park.

Toronto and Regional Conservation Authority (TRCA) approval will be required
The subject lands are partially located within a TRCA Regulated Area of the Rouge River Water Shed and, as such, the applications have been circulated to the TRCA for their review and approval. TRCA staff have provided comments on the applications with respect to issues including, but not limited to, permitting, water resource engineering, and planning ecology, which the Applicant is currently in the processing of addressing. In their latest correspondence to City staff, the TRCA have indicated that they have no objection in principal to the proposed Official Plan and Zoning By-law Amendments on the condition that the Zoning By-law Amendment specifies that the proposed underground parking cannot exceed more than two underground levels and that permanent de-watering of the site would not be permitted. De-watering would be addressed through the geotechnical and hydrogeological reports and building design, as part of the site plan approval process.

Sanitary sewer upgrade will be required
A section of the existing sanitary sewer on Main Street Unionville, south of Unionville Gate (located within a City easement adjacent to the Markville Ford Lincoln dealership) will need to be replaced with a larger diameter pipe to accommodate additional flows from the proposed development. The Applicant will be responsible for the cost of this pipe replacement, which will be required as part of Phase 1 construction. The Applicant is also required to service each building separately to the municipal infrastructure. This will require the Applicant to extend the municipal sewer within the pavement area of Enterprise Boulevard at his own expense. A condition of hold removal will be that the Applicant address these engineering requirements. It should be noted that any construction related to these identified infrastructure improvements would not be

permitted to interfere with the Pan Am and Parapan Am games scheduled in July and August 2015.

Proposed Zoning By-law Amendments to be finalized at a later date
The Applicant needs to complete the binding Agreement of Purchase and Sale to acquire the residual City-Owned Lands, execute the Section 37 agreement, determine final parking ratios and finalize the financial, shared access and private driveway arrangements with Main Street Residence (Unionville) Inc. before the implementing Zoning By-law can be brought forward for approval. The implementing by-law will be brought forward at the time of site plan approval.

Zoning Amendment will include Holding Provisions
The implementing Zoning By-law will include Holding provisions with conditions relating, but not limited to, the following:

- Servicing allocation (allocation has not been assigned by the City and the Markham Centre Landowners Group to the proposed development);
- The Applicant to secure mutual access agreements with Main Street Residence (Unionville) Inc. for access onto Bill Crothers Drive and Main Street Unionville;
- The Applicant to provide sufficient property dedication, where needed, to accommodate the proposed on-street parking bays along Enterprise Boulevard as shown on the conceptual site plan;
- The Applicant to undertake a detailed parking study prior to approval of a site plan application;
- The Applicant to undertake a detailed TDM study prior to the approval of a site plan application;
- The Applicant to submit functional design drawings and secure costs for intersection improvements, as identified in the Transportation Impact Assessment Update, prepared by MMM Group, dated January 2014, and Staff memo dated April 23, 2014, to the satisfaction of the Director of Engineering;
- The Applicant to enter into a Cost Sharing Agreement with the York Region District School Board and Main Street Residence (Unionville) Inc. to satisfy cost obligations and provide a clearance letter from the York Region District School Board and Main Street Residence (Unionville) Inc. to this effect;
- The Applicant submit a Shadow Study and Traffic Impact Study to the York Regional District School Board for their review and approval;
- Sign off from the Toronto and Region Conservation Authority that their comments have been fully addressed and conditions satisfied;
- The Applicant to design and construct, at its own expense, the replacement of one section of existing sanitary sewer on Main Street, south of Enterprise Boulevard, as part of Phase I of the proposed development, to the satisfaction of the Director of Engineering;
- The Applicant to extend the municipal sewer within the pavement area of Enterprise Boulevard, at its own expense, to provide each of the proposed buildings with separate service connections, to the satisfaction of the Director of Engineering;

- Submission of a clearance letter from the Trustee confirming the Applicant has met their cost sharing obligations prior to site plan approval; and,
- Site Plan Approval has been granted by the City, including provisions for the design and construction of the proposed on-street parking bays proposed for Phase 2 construction.

CONCLUSIONS

The proposed Official Plan and Zoning By-law Amendments seek to re-designate and re-zone portions of the subject lands for higher densities and increased height permissions. Consistent with the City's intensification hierarchy, the subject lands are located in a Regional Centre (Markham Centre) where the highest intensity of development has been directed to occur. The subject lands are also located within close proximity to the Unionville GO Station. The Station and vicinity are identified as an "Anchor Mobility Hub" by Metrolinx. It is intended that lands within mobility hubs, and in particular immediate vicinity of mobility hub transit stations, should be developed at higher densities and with a greater variety of uses. The City has just authorized the undertaking of the Mobility Hub Study for land in the vicinity of the Unionville Go Station.

The proposal addresses compatibility with surrounding uses through variations in building heights, massing, setback and step backs. The proposed development has been designed so that there are transitions in both height and density from east (at Main Street Unionville) to west (along Enterprise Boulevard). The proposed development is also well removed and separated from the existing low density residential to the north by the Rouge River Valley, the Bill Crothers Secondary School and its athletic fields, and The Marleigh development. A Shadow Study has been undertaken by the Applicant and reviewed by City staff who are of the opinion that there will not be any significant shadow impacts on adjacent developments.

The Applicant has requested that the City sell to them the City-Owned lands, being Parts 1, 2, 4 and 5 on the Draft Reference Plan (Figure 6) for incorporation into their development. Parts 2 and 5 on the said Draft Reference Plan are surplus to Enterprise Boulevard and that portion of Enterprise Boulevard situated on Parts 2 and 5 would need to be stopped up and closed prior to being conveyed to the Owner. The sale of these lands to the Applicant facilitates an improved street relationship of the proposed buildings to Enterprise Boulevard.

Staff recommend that the proposed Official Plan Amendment be approved and be adopted after the Applicant has entered into an Agreement of Purchase and Sale with the City to acquire the City-Owned Lands. Staff also recommend that the proposed Zoning By-law Amendments be approved and be finalized and brought forward to Council for enactment once the Applicant has completed the acquisition of City-Owned Lands; executed the Section 37 agreement; determined final parking ratios; and finalized the necessary site details and financial arrangements relating to shared access and private driveway arrangements with the neighbouring landowner to the north [Main Street Residence (Unionville) Inc.] through the site plan process.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)
The Applicant has requested that the City sell to them the City-Owned Lands, being Parts 1, 2, 4 and 5 on the Draft Reference Plan attached as Figure 6 for incorporation into their development. The purchase of these City-Owned Land has a positive financial impact for the City.

HUMAN RESOURCES CONSIDERATIONS
Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:
The proposed development aligns with the strategic priority to manage growth in an effective and efficient manner in an appropriate location relative to Markham Centre and the Unionville Go station.

BUSINESS UNITS CONSULTED AND AFFECTED:
City departments and external agencies have been circulated with these applications and all comments have been addressed and incorporated into the project plans, or identified as a condition of hold removal.

RECOMMENDED BY:

Rino Mostacci, M.C.I.P., R.P.P.
Director of Planning & Urban Design

Jim Baird, M.C.I.P., R.P.P.
Commissioner, Development Services

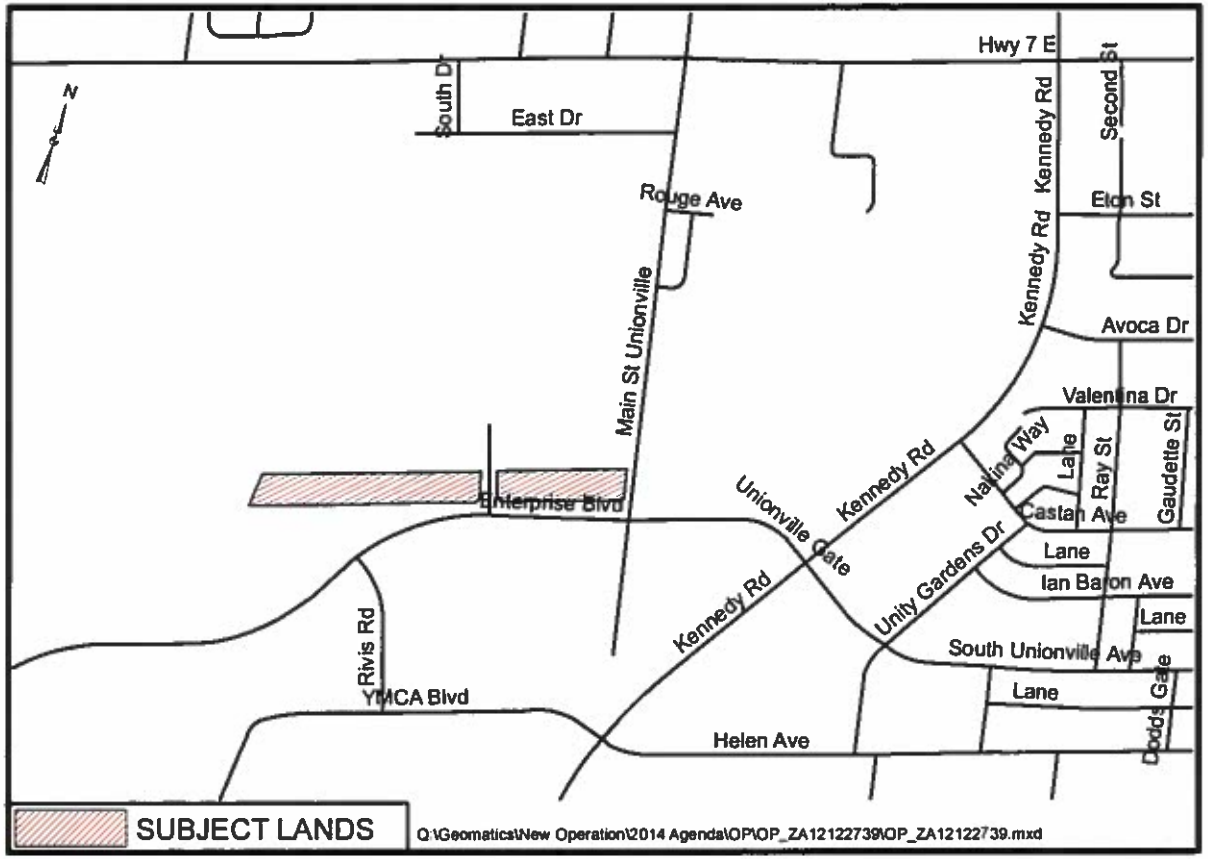
Catherine M. Conrad
City Solicitor

ATTACHMENTS:
Figure 1: Location Map
Figure 2: Area Context/Zoning
Figure 3: Aerial Photo
Figure 4: Conceptual Site Plan (Original Application)
Figure 5: Conceptual Site Plan (Revised Application)
Figure 6: Draft Reference Plan (***NOTE:*** *A large scale copy of this reference plan will be provided at the Development Services Committee meeting).*
Figure 7: Building 'A' Conceptual Elevations

Figure 8: Building 'B' Conceptual Elevations
Figure 9: Building 'C' Conceptual Elevations

Appendix 'A' – Draft Official Plan Amendment

File path: Amanda\File OP 12 122739\Documents\Recommendation Report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East Dr
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Main St Unionville
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Kennedy Rd
Second St
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Avoca Dr
Valentina Dr
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Ray St
Gaudette St
Castan Ave
Lane
Ian Baron Ave
Lane
South Unionville Ave
Lane
Dodds Gate
Enterprise Blvd
Unionville Gate
Kennedy Rd
Unity Gardens Dr
Kennedy Rd
Rivis Rd
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Helen Ave
N
SUBJECT LANDS
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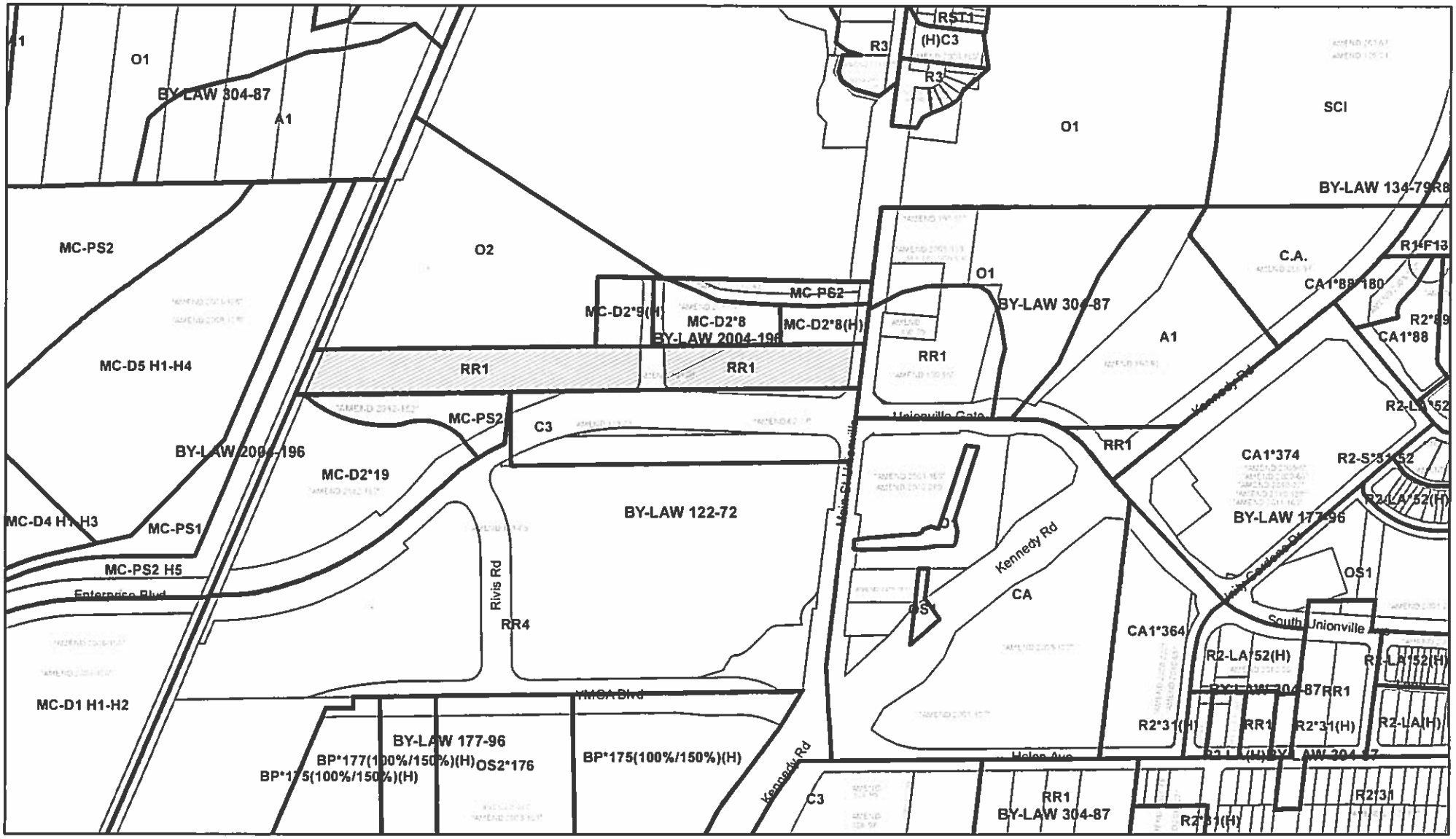

AREA CONTEXT / ZONING

APPLICANT: GLOBAL UNIONVILLE DEVELOPMENT INC.
28 MAIN STREET UNIONVILLE

SUBJECT LANDS

FILE No. OP. ZA.12122739 (SB)

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DATE: 04/30/2013

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SB

FIGURE No. 2

AIR PHOTO

APPLICANT: GLOBAL UNIONVILLE DEVELOPMENT INC.
28 MAIN STREET UNIONVILLE

SUBJECT LANDS

FILE No. OP. ZA.12122739 (SB)

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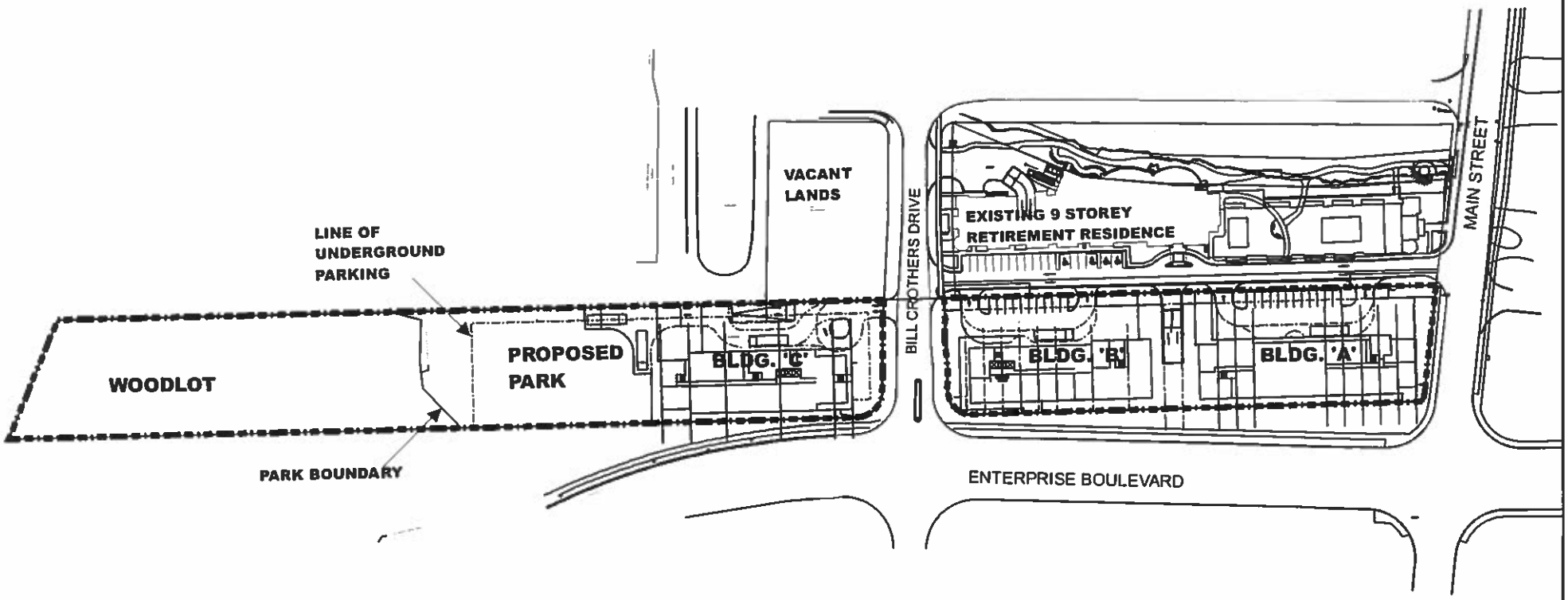
DATE: 04/30/2013

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SB

FIGURE No. 3



CONCEPTUAL SITE PLAN (ORIGINAL APPLICATION)

N

APPLICANT: GLOBAL UNIONVILLE DEVELOPMENT INC.
28 MAIN STREET UNIONVILLE

FILE No. OP. ZA.12122739 (SB)

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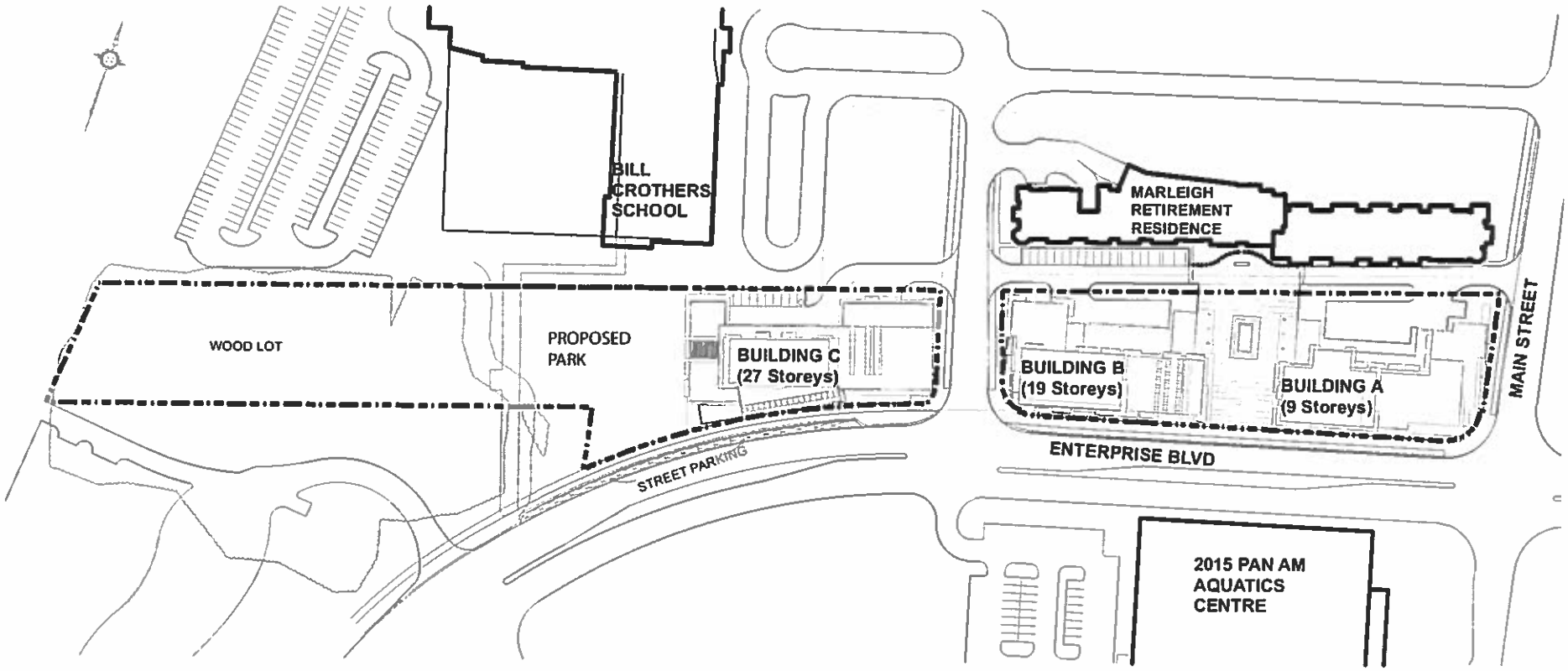
DATE: 04/30/2013

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SB

FIGURE No.4



CONCEPTUAL SITE PLAN (REVISED APPLICATION)

APPLICANT: GLOBAL UNIONVILLE DEVELOPMENT INC.
28 MAIN STREET UNIONVILLE

FILE No. OP. ZA.12122739 (SB)

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DATE: 05/19/14

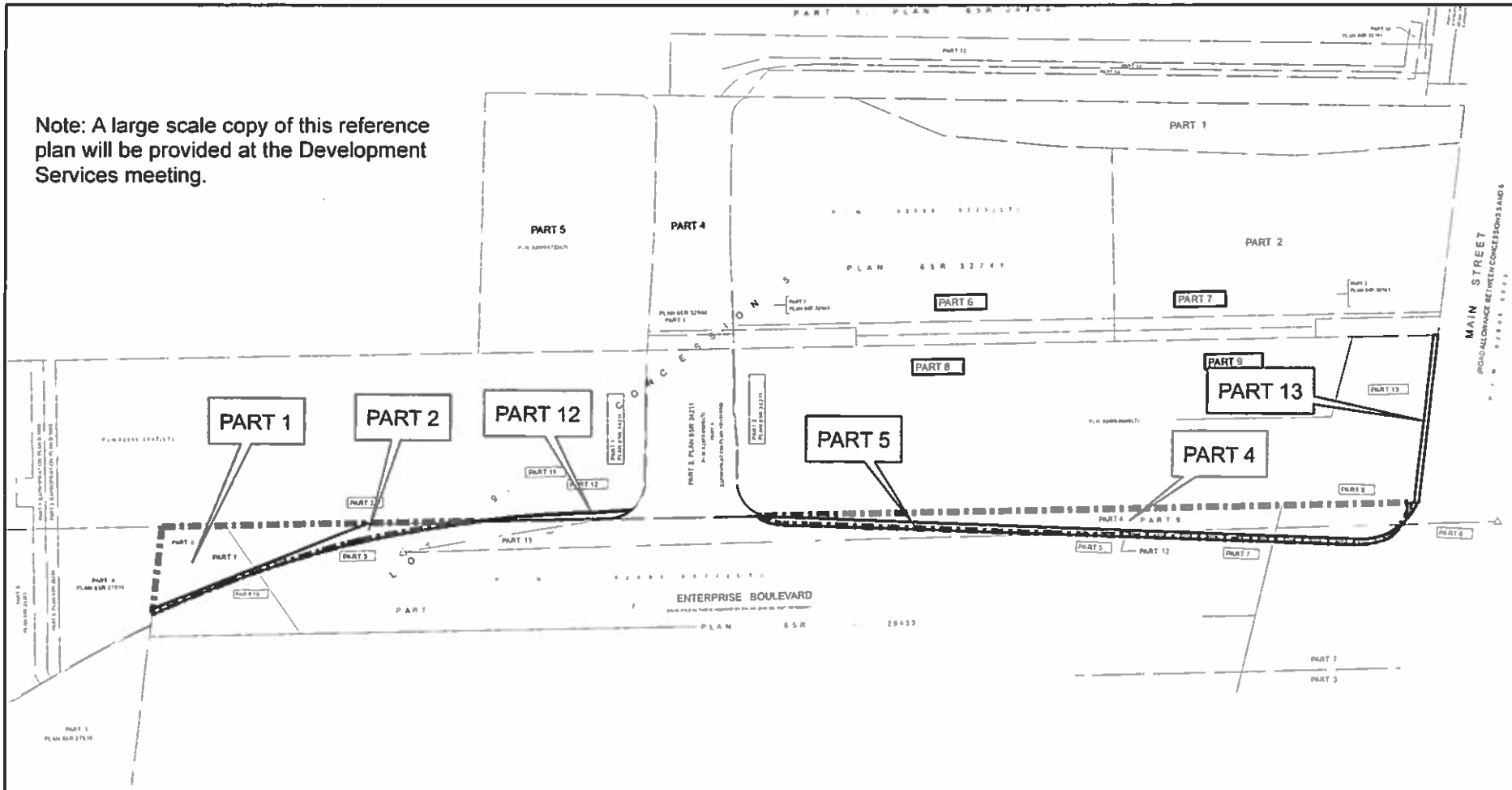
MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SB

FIGURE No.5

Note: A large scale copy of this reference plan will be provided at the Development Services meeting.



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DRAFT REFERENCE PLAN

APPLICANT: GLOBAL UNIONVILLE DEVELOPMENT INC.
28 MAIN STREET UNIONVILLE

SUBJECT LANDS

FILE No. OP. ZA.12122739 (SB)

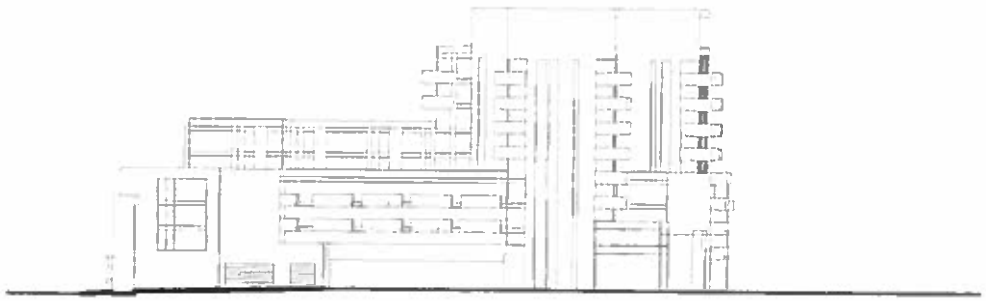
DATE: 05/09/14

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: DD

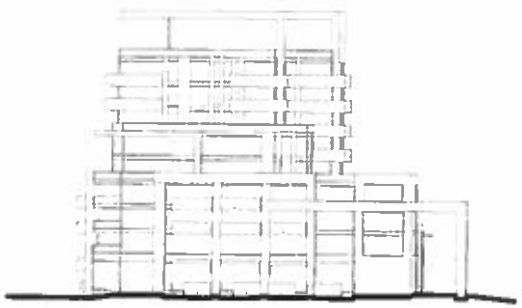
Checked By: SB

FIGURE No.6



NORTH ELEVATION

SOUTH ELEVATION



EAST ELEVATION

WEST ELEVATION

BUILDING 'A' CONCEPTUAL ELEVATIONS

N

APPLICANT: GLOBAL UNIONVILLE DEVELOPMENT INC.
28 MAIN STREET UNIONVILLE

FILE No. OP. ZA.12122739 (SB)

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DATE: 03/12/2014

MARKHAM DEVELOPMENT SERVICES COMMISSION

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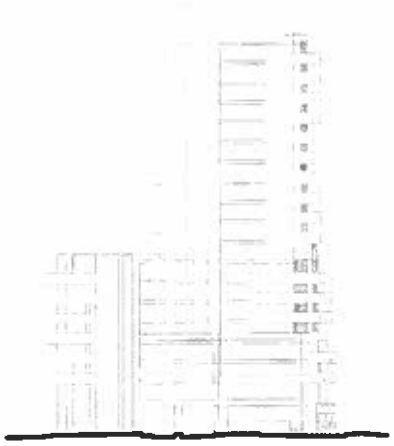
Checked By: SB

FIGURE No.7

NORTH ELEVATION

SOUTH ELEVATION

EAST ELEVATION



WEST ELEVATION

BUILDING 'B' CONCEPTUAL ELEVATIONS

APPLICANT: GLOBAL UNIONVILLE DEVELOPMENT INC.
28 MAIN STREET UNIONVILLE

FILE No. OP. ZA.12122739 (SB)

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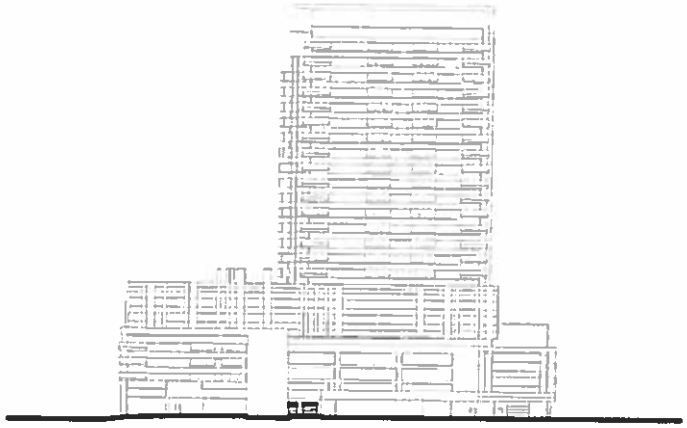
DATE: 03/12/2014

MARKHAM DEVELOPMENT SERVICES COMMISSION

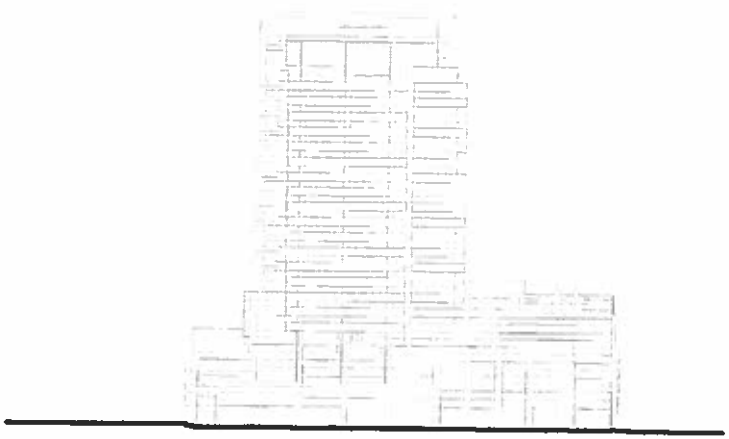
Drawn By: CPW

Checked By: SB

FIGURE No.8



NORTH ELEVATION



SOUTH ELEVATION

EAST ELEVATION

WEST ELEVATION

BUILDING 'C' CONCEPTUAL ELEVATIONS

APPLICANT: GLOBAL UNIONVILLE DEVELOPMENT INC.
28 MAIN STREET UNIONVILLE

FILE No. OP. ZA.12122739 (SB)

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MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SB

DATE: 03/12/2014

FIGURE No.9

Appendix A

OFFICIAL PLAN

of the

TOWN OF MARKHAM PLANNING AREA

AMENDMENT NO. *XXX*

To amend the Official Plan (Revised 1987), as amended,
and to incorporate Amendment No. 7 to the Markham Centre Secondary Plan (PD 33-1)
for the Central Area Planning District (Planning District No. 33).

(Global Unionville Development Inc)

(June 2014)

OFFICIAL PLAN

of the

MARKHAM PLANNING AREA

AMENDMENT NO. *XXX*

To amend the Official Plan (Revised 1987), as amended and to incorporate Amendment No. 7 to the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33).

This Official Plan Amendment was adopted by the Corporation of the Town of Markham, By-law No. _____ - ___ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the *XX* day of June, 2014.

_____

Mayor

_____

City Clerk

THE CORPORATION OF THE TOWN OF MARKHAM

BY-LAW NO. _____

Being a by-law to adopt Amendment No. *XXX* to the Town of Markham Official Plan (Revised 1987), as amended.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT, R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. *XXX* to the Town of Markham Official Plan (Revised 1987), as amended, attached hereto, is hereby adopted.

2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS *XX* DAY OF JUNE, 2014.

_____ _____

CITY CLERK **MAYOR**

CONTENTS

PART I - INTRODUCTION

1. GENERAL *1*
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3. PURPOSE *6*
4. BASIS *6*

PART II - THE OFFICIAL PLAN AMENDMENT

1. THE OFFICIAL PLAN AMENDMENT *10*
2. IMPLEMENTATION AND INTERPRETATION *10*

PART III - THE SECONDARY PLAN AMENDMENT

1. THE SECONDARY PLAN AMENDMENT *13*
2. IMPLEMENTATION AND INTERPRETATION *14*
3. SCHEDULE 'A' *15*
4. SCHEDULE 'B' *16*
5. SCHEDULE 'C' *17*

PART I - INTRODUCTION

(This is <u>not</u> an operative part of Official Plan Amendment No. *XXX*)

1.0 GENERAL

1.1 PART I - INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.

1.2 PART II - THE OFFICIAL PLAN AMENDMENT constitutes Official Plan Amendment No. XXX to the Official Plan (Revised 1987), as amended and is required to enact Amendment No. 7 to the Markham Centre Secondary Plan (PD 33-1) for Central Area Planning District (Planning District No. 33). Part II is an operative part of this Official Plan Amendment.

1.3 PART III - THE SECONDARY PLAN AMENDMENT, including Schedules 'A', 'B' and 'C', attached thereto, constitute(s) Amendment No. 7 to the Markham Centre Secondary Plan (PD 33-1) for Central Area Planning District (Planning District No. 33). This Secondary Plan Amendment may be identified by the symbol PD 33-1-7. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan and to the Markham Centre Secondary Plan (PD 33-1) applies to approximately 1.91 hectares (4.72 acres) of land municipally known as 28 Main Street Unionville, located at the northwest corner of Main Street Unionville and Enterprise Boulevard, east of the GO Rail line. This amendment also applies to City owned lands, located south of the proposed development, on the north of Enterprise Boulevard (east and west of Bill Crothers Drive), which are intended to be combined with the subject lands. The total area of the City owned lands is approximately 1,561 m^2 (0.3856 ac).

3.0 PURPOSE

The purpose of this Amendment is to amend the Markham Centre Secondary Plan to:

- Re-designate the lands to "Community Amenity Area-Major Urban Place", "Open Space" and "Open Space - Environmentally Significant";
- Incorporate site specific height and densities reflective of the proposed development; and,
- Exempt the subject lands from the precinct plan requirements.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The subject lands are designated "Community Amenity Area-General", "Open Space" and "Open Space – Environmentally Significant" in the Markham Centre Secondary Plan.

The Owner proposes to develop the lands with a high density residential development comprising three residential buildings at heights of 9, 19 and 25 storeys and a total of 718 residential units.

The subject lands are located within close proximity to the Unionville GO Station. The Station and vicinity are identified as an "Anchor Mobility Hub" by Metrolinx. Lands within mobility hubs, and in particular immediate vicinity of mobility hub transit stations, are intended be developed at higher densities and with a greater variety of uses. This would support the planned function of the mobility hub by taking advantage of the increased transit opportunities provided by the station facilities. The subject lands, which are approximately 450 meters from the future mobility hub transit station, are an appropriate location for the proposed high density residential development.

The "Open Space" designation on a portion of the lands reflects the location of a neighbourhood park. A park is no longer being considered at this location, instead, as part of the development, the Owner is proposing a public strata park adjacent to the woodlot that occupies the west portion of the lands. It is proposed that the parking for the development will extend underneath the proposed strata park. Presently, the City is undertaking a study to develop a Strata Park Policy. It is intended that this study will examine issues including, but not limited to, the type of indemnification required if conveyed into public ownership, the extent to which parkland credit will be given, how costs will be handled should future repairs to the underground garage be required, etc. Until this study's conclusion have been brought forward, the strata configuration and status of this proposed park remains to be determined. In this case, it is appropriate to incorporate a site specific policy dealing with underground parking for the portion of the lands re-designated "Open Space".

For the reasons outlined above, it is appropriate that the east portion of the subject lands be re-designated to "Community Amenity Area – Major Urban Place" to reflect the proposed use and scale of development. A portion of the lands will be designated "Open Space" to reflect the new proposed park. The existing "Open Space – Environmentally Significant" will also be re-configured to reflect the boundary of the woodlot. It should be noted that the woodlot will be dedicated to the City of Markham and will be protected as part of this development approval.

The Secondary Plan requires affected landowners within certain smaller geographic areas to work together to prepare concept plan/design guideline documents known as "precinct plans". Precinct Plans are used to determine street and block layout, distribution of land uses, zoning standards, height and massing, streetscape components and subdivision and infrastructure requirements. The subject lands are located within the Centre East Precinct Area. The location of the mobility hub station and related transit facilities and the surrounding street network will need to be finalized in consultation with the affected transit agencies and landowners before the Centre East Precinct Plan can be finalized. The City of Markham has authorized commencement of the Mobility Hub Study.

The subject lands are separated from the remainder of the precinct and the adjacent lands by the woodlot to the west, Bill Crothers Secondary Plan and a seniors' residence to the north, Enterprise Boulevard to the south, and Main Street Unionville to east and will not be subject to the infrastructure required, which need to be addressed in the Mobility Hub Study. In the circumstances it is appropriate to allow development to proceed in advance of the preparation of the Mobility Hub Study. However, in the absence of an approved precinct plan it is appropriate to incorporate site specific height and density provisions into the secondary plan.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. XXX)

PART II – THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

1.1 Section 1.1.2 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number *XXX* to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.

1.2 Section 1.1.3 c) of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number *XXX* to the list of amendments listed in the second sentence of the bullet item dealing with the Markham Centre Secondary Plan (PD 33-1), for the Central Area Planning District (Planning District No. 33), to be placed in numerical order including any required grammatical and punctuation changes prior to the words "to this Plan".

1.3 Section 9.2.16 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number *XXX* to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes prior to the words "to this Plan".

1.4 No additional changes to the text or schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment. This Amendment is also being made to incorporate changes to Schedules 'AA' – Detailed Land Use and 'CC' – Open Space System and the text of the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33) . These changes are outlined in Part III which comprises Amendment No. 7 to the Markham Centre Secondary Plan (PD 33-1).

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law and site plan approval, in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Revised 1987), as amended, is exempt from the approval by the Region of York. Following adoption, notice of Council's decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987), as amended, shall not apply.

PART III - THE SECONDARY PLAN AMENDMENT (PD 33-1- 7)

(This is an operative part of Official Plan Amendment No. *XXX)*

PART III - THE SECONDARY PLAN AMENDMENT (PD 33-1- 7)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 7 to the Markham Centre Secondary Plan PD 33-1)

The Markham Centre Secondary Plan (PD 33-1) for Central Area Planning District is hereby amended as follows:

1.1 Schedule 'AA' – DETAILED LAND USE is amended by re-designating the subject lands from "Community Amenity Area – General", "Open Space" and "Open Space – Environmentally Significant" to "Community Amenity Major Urban Place", "Open Space" and "Open Space – Environmentally Significant" as shown on Schedule 'A' attached hereto.

1.2 Schedule 'CC' – OPEN SPACE SYSTEM is amended by designating a portion of the subject lands "Open Space" as shown on Schedule 'B' attached hereto.

1.3 By adding the following new subsection to Section 4.3.2.3 and by adding Figure 33-1-7 as shown on Schedule 'C' attached hereto, to be appropriately placed on the first page following Section 4.3.2.3 q):

" q) The following additional provisions shall apply to the lands designated "Community Amenity Area – Major Urban Place" municipally known as 28 Main Street Unionville, located at the northwest corner of Main Street Unionville and Enterprise Boulevard, east of the GO Rail line as shown on Figure 33-1-7:

i) The maximum number of residential units shall be 718.

ii) The maximum height of buildings shall be:

a. Block 'A' - 9 storeys

b. Block 'B' – 19 storeys

c. Block 'C' – 25 storeys

iii) A precinct plan shall not be required."

1.4 By adding the following new subsection to Section 4.5.5 f) and reference in Figure 33-1-7 as shown on Schedule 'C' attached hereto:

"e) The following additional provisions shall apply to the portion of the lands designated "Open Space" municipally known as 28 Main Street Unionville, located at the northwest of Main Street Unionville and Enterprise Boulevard, east of the GO Rail line as shown on Figure 33-1-7:

i) Below grade parking may be permitted subject to appropriate technical studies, agreements and site plan approval."

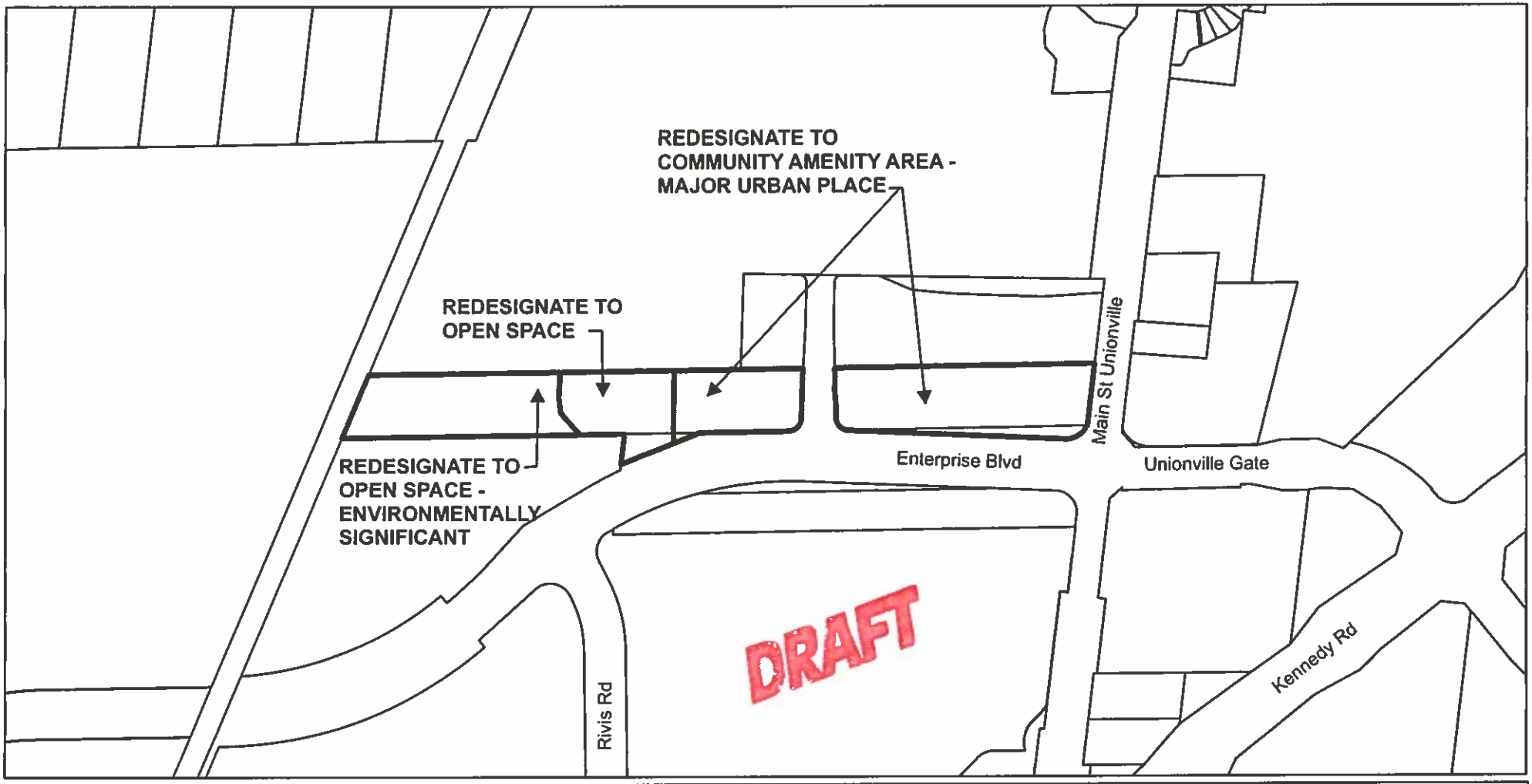
2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law and site plan approval in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Revised 1987), as amended, is exempt from the approval by the Region of York. Following adoption, notice of Council's decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987),as amended, shall not apply.



AMENDMENT TO SCHEDULE 'AA'- DETAILED LAND USE OF THE MARKHAM CENTRE SECONDARY PLAN (PD 33-1) FOR THE CENTRAL AREA PLANNING DISTRICT (PLANNING DISTRICT No.33)

N

BOUNDARY OF AREA COVERED BY THIS AMENDMENT

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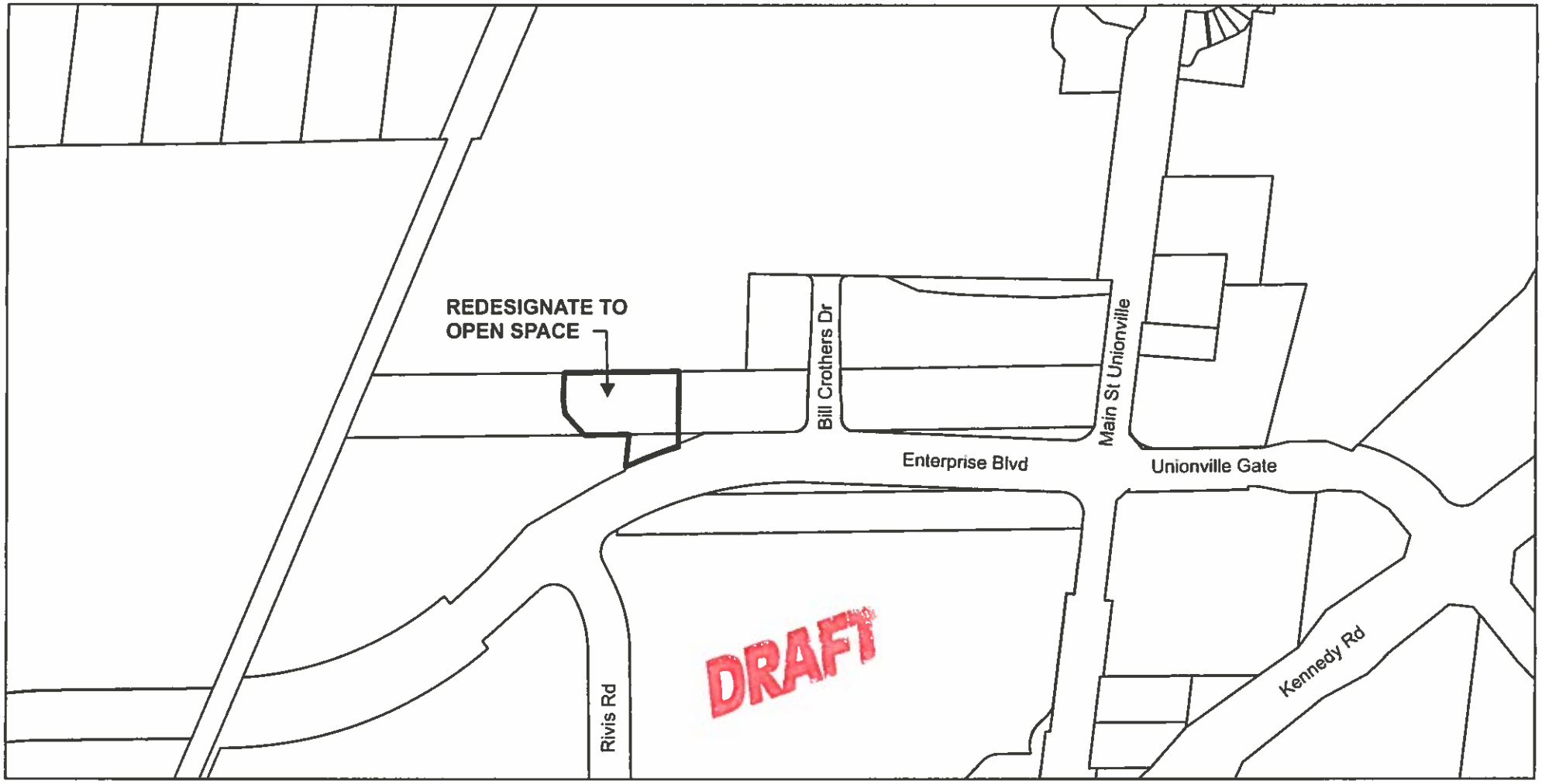
MARKHAM DEVELOPMENT SERVICES COMMISSION	SCHEDULE 'A' TO OPA No. xxx	PD 33-1-7	Drawn By: CPW Checked By:SB	SCALE; DATE: 05/15/2014



AMENDMENT TO SCHEDULE 'CC'- OPEN SPACE SYSTEM OF THE MARKHAM CENTRE SECONDARY PLAN (PD 33-1) FOR THE CENTRAL AREA PLANNING DISTRICT (PLANNING DISTRICT No.33)

N

BOUNDARY OF AREA COVERED BY THIS AMENDMENT

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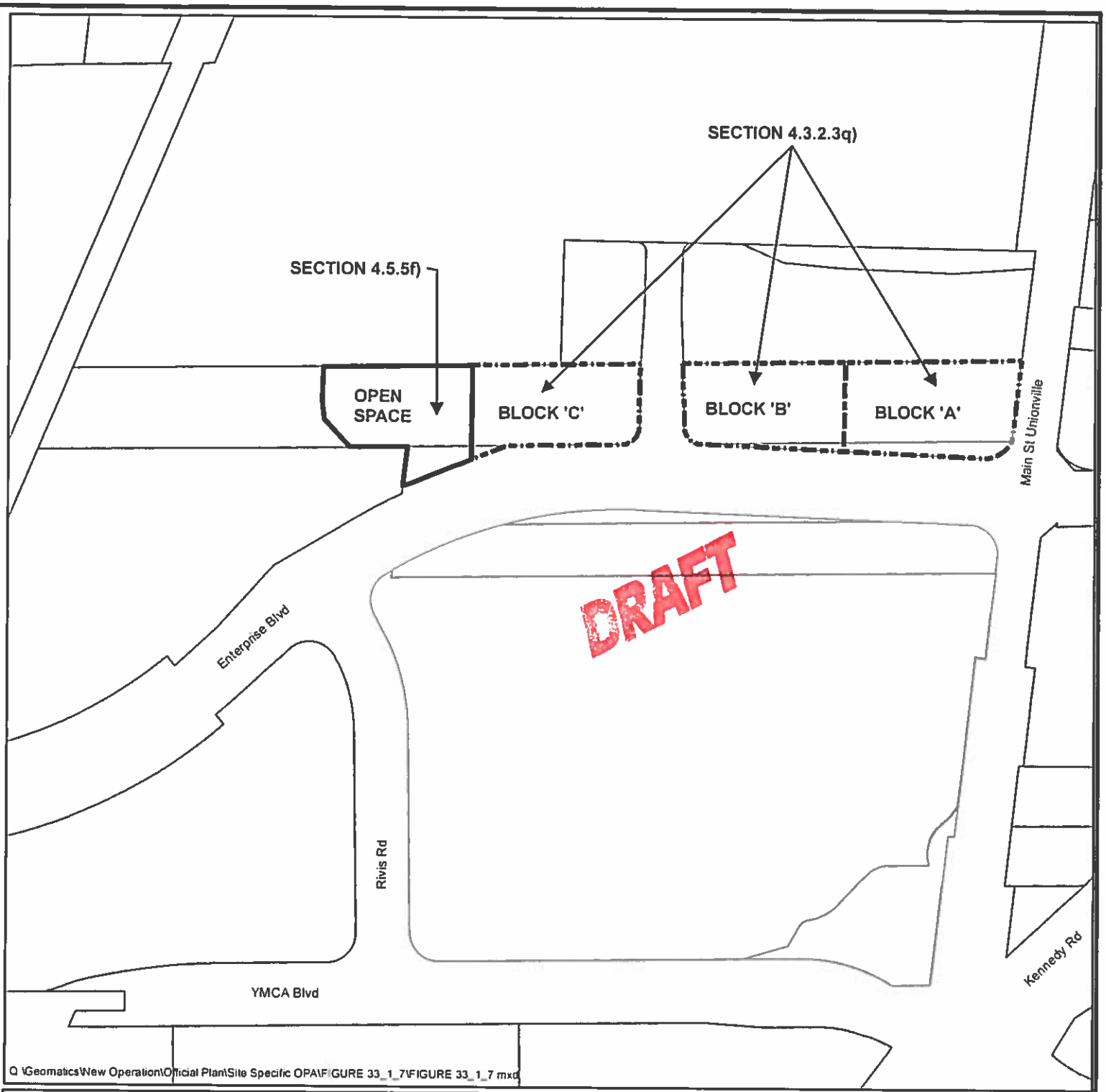
MARKHAM DEVELOPMENT SERVICES COMMISSION	SCHEDULE 'A' TO OPA No. xxx	PD 33-1-7	Drawn By: CPW Checked By:SB	SCALE; DATE: 05/15/2014



SPECIFIC SITE AND AREA POLICIES
CITY OF MARKHAM OFFICIAL PLAN

SECONDARY PLAN 33-1

FIGURE No. 33-1-7

Boundary of area covered by the policies in Section 4.3.2.3q)
Land Use designation : COMMUNITY AMENITY - MAJOR URBAN PLACE

Boundary of area covered by the policies in Section 4.5.5f)
Land Use designation : OPEN SPACE

SCHEDULE 'C' TO PART III OF OFFICIAL PLAN AMENDMENT No. XXX
INCORPORATING AMENDMENT No.7 TO SECONDARY PLAN 33-1

MARKHAM DEVELOPMENT SERVICES COMMISSION | Drawn By : CPW | Checked By : SB | Scale :NTS | Date : 15/05/2014