



Report to: Development Services Committee

Report Date: April 1, 2014

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**SUBJECT:**                    **PRELIMINARY REPORT**  
**Markham Centre Development Corporation**  
**South-west corner of Enterprise Boulevard and**  
**Rivis Road**  
**Applications for Official Plan Amendment and**  
**rezoning to permit a mixed-use development**  
**Files: OP 14 108661 and ZA 14 108661**

**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 report dated April 1, 2014 titled "Preliminary Report, Markham Centre Development Corporation, South-west corner of Enterprise Boulevard and Rivis Road, Applications for Official Plan Amendment and rezoning to permit a mixed-use development," be received.
2. That staff continue discussions with the applicant in the context of the Markham Centre Mobility Hub Study to address the issues outlined in the staff report.
3. That, whereas the Markham Centre Mobility Hub Study was authorized by Council on February 11, 2014 and the subject lands are within the "primary zone" of the study area, Committee provide direction to staff regarding the scheduling of a Public Meeting to consider the applications.
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

The applicant is proposing to develop the lands on the south side of Enterprise Boulevard between Rivis Road and the GO Rail line with a mixed-use development accommodating approximately 1400 condominium apartment units and 22,200 square metres (239,000 square feet) of office and other commercial uses in a total of 6 buildings ranging in height from 10 to 39 storeys.

The subject lands are immediately north of the existing Unionville GO Station. The station and surrounding area, including the subject lands, have been identified as a future “Mobility Hub” in the Metrolinx “Big Move” Transportation Plan. On January 14, 2014, the Unionville Subcommittee recommended retaining Arup Canada Inc. and its consulting team to advance the Markham Centre Mobility Hub Study. This recommendation was endorsed by Development Services Committee on February 4 and approved by Council resolution on February 11. The purpose of the mobility hub study is to engage the Province, Metrolinx, the City and stakeholders in a joint exercise to explore future opportunities for the mobility hub and lands in the area. The objective of the study is to establish the framework, alignments and structure for the future transit facilities and infrastructure investment, and assist in finalizing the East Precinct Plan and updates to the Markham Centre Secondary Plan.

The subject lands are within the “primary zone” of the Mobility Hub Study. This zone, located in close proximity to the future transit station, is the area with the greatest potential for improved connections between the various modes of transportation. The highest intensity and greatest mix of uses, including office, retail and similar commercial uses, are expected to occur within this zone.

Staff have advised the applicant that it is our opinion that the subject applications should be referred to the Markham Centre Mobility Hub Study. The applicant has requested staff to bring forward a preliminary report on the applications to obtain direction from Development Services Committee.

The Mobility Hub Study will be initiated shortly. As directed at Council, members of the Unionville Subcommittee are to meet to discuss the composition of the sub-consultants to Arup on the study. The study is anticipated to take approximately 12 months.

The purpose of this staff report is to provide preliminary information regarding the subject applications for Official Plan and zoning by-law amendment, and to seek direction from Committee regarding the timing of the scheduling of a Public Meeting given the location of the property and the status of Mobility Hub Study.

This report contains general information regarding applicable Official Plan and other policies and any issues identified from a preliminary review of the proposal. The report should not be taken as staff’s opinion or recommendation on the application.

## **BACKGROUND:**

### **Subject Lands and Area Context (Figures 2 and 3)**

The subject lands have an area of 2.65 ha (6.5 acres) and are bounded by Enterprise Boulevard to the north, the GO Rail line to the west, the Unionville GO

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Station and YMCA Boulevard to the south, and Rivis Road to the east. The lands are vacant. The south-west portion is encumbered by an easement for the York Durham Sanitary Sewer (YDSS). A minor tributary (Tributary 5) crosses the lands adjacent to YMCA Boulevard.

The applicant also owns the lands on the north side of Enterprise Boulevard, directly opposite from the subject lands. In June, 2012, Council approved site specific Official Plan and zoning by-law amendments to permit these lands to be developed with a high density residential development comprising a series of residential towers up to 29 storeys in height accommodating 981 residential units. These lands are an isolated parcel which is separated from the remainder of the East Precinct by a woodlot to the north and east, the GO Rail line to the west and Enterprise Boulevard to the south. In the circumstances Council approved the development of these lands in advance of the preparation of the East Precinct Plan. The applicant has not yet applied for site plan approval for this development.

**Proposal (Figure 4 and 5)**

The concept plans submitted by the applicant (Figures 4 and 5) show the following:

- Five residential buildings - 10, 30, 32, 35 and 39 storeys in height.
- 1403 residential units.
- One 10-storey office building containing 18,987 m<sup>2</sup> (204,400 ft<sup>2</sup>) (net floor area) of office uses.
- 3167 m<sup>2</sup> (34,100 ft<sup>2</sup>) of street related retail uses fronting on Rivis Road and YMCA Boulevard.
- 1709 parking spaces; all within a 3-level underground parking garage.
- A total gross floor area of 152,522 m<sup>2</sup> (1,641,700 ft<sup>2</sup>), representing a Floor Space Index of approximately 8.
- The submitted plans indicate three phases of development, with the easterly residential buildings being the first phase and the office building adjacent to the GO Rail line being the last phase.

**“In Force” (1987) Official Plan**

The subject lands are designated “Commercial” in the “in force” (1987) Official Plan.

The lands are further designated “Community Amenity Area – General” in the approved Markham Centre Secondary Plan (OPA 21). Lands in this designation are intended to be developed with a mix of residential, commercial, employment and community uses in a pedestrian friendly manner.

The Markham Centre Secondary Plan identifies certain smaller geographic areas as “precincts.” The subject lands are within the “East Precinct.” The secondary plan requires the landowners within each precinct to jointly prepare a plan for the precinct addressing matters including street, block and lot pattern, type, height and location of buildings, views and focal points, and street and landscape

components. Precinct Plans are reviewed by staff and presented to the Markham Centre Advisory before being presented for endorsement by Council. A precinct plan has not been prepared for the East Precinct.

The Mobility Hub Study will establish the framework, alignments and structure for the future transit facilities and infrastructure investment, and assist in finalizing the required Precinct Plan.

### **New Official Plan**

The policies of the new Official Plan, which was adopted by Markham Council on December 10, 2013 and is awaiting Regional approval, provide that until approval of an updated secondary plan pursuant to the policies of the new Official Plan, the policies of the current secondary plan (OPA 21) continue to apply.

The new Official Plan identifies the subject lands as being within an “Intensification Area” and within a “Regional Centre.” The lands are designated “Mixed Use High Rise.” Lands in this designation are priority locations for development where the greatest levels of intensification are intended to take place within Markham. These lands are intended to provide retail and service functions for large populations intermixed with high intensity residential uses, and to provide significant opportunities for office employment development.

### **Zoning By-law**

The lands are currently zoned “Agricultural and Single Family Rural Residential” (RR4) by By-law No. 122-72.

### **Requested Approvals**

The Owner has applied for Official Plan Amendment and rezoning.

The Official Plan Amendment application requests the following:

“ To incorporate site-specific height and density provisions to accommodate a proposed high density residential development.”

The draft Official Plan Amendment submitted with the application provides the following rationale for this request:

“In the absence of an approved precinct plan, it is appropriate that the Official Plan Amendment proceed on a ‘Master Plan’ level and, at such time as a detailed site plan is submitted for the first phase of development, the details of the development can be reviewed and revised through amendments to the site-specific Zoning By-law. In this regard, it is appropriate to incorporate site specific height and density provisions into the Secondary Plan.”

The requested zoning by-law amendment proposes to rezone the subject lands to permit development in accordance with the applicant’s concept plan. In the event

of approval, the lands would be incorporated into the Markham Centre Zoning By-law.

The subject applications were submitted on March 4, 2014 and deemed complete on March 10.

The applicant also owns the lands on the north side of Enterprise Boulevard, directly opposite from the subject lands. In June, 2012, Council approved site specific Official Plan and zoning by-law amendments to permit these lands to be developed with a high density residential development comprising a series of residential towers up to 29 storeys in height accommodating 981 residential units. These lands are an isolated parcel which is separated from the remainder of the East Precinct by a woodlot to the north and east, the GO Rail line to the west and Enterprise Boulevard to the south. In the circumstances Council approved the development of these lands in advance of the preparation of the East Precinct Plan.

#### **OPTIONS/ DISCUSSION:**

##### **The proposed development is consistent with the planned function of the designations in the “in force” (1987) Official Plan and the Markham Centre Secondary Plan**

The subject lands are designated “Commercial” in the Official Plan and “Community Amenity Area – General” in the Markham Centre Secondary Plan (OPA 21).

Lands designated “Community Amenity Area - General” are intended to be developed with a mix of residential, commercial, employment and community uses in a pedestrian friendly manner.

##### **The development is consistent with the overall policy direction of the new Official Plan**

The new Official Plan identifies the subject lands as being within an “Intensification Area” and within a “Regional Centre.” The lands are designated “Mixed Use High Rise.” Lands in this designation are priority locations for development where the greatest levels of intensification are intended to take place within Markham. These lands are intended to provide retail and service functions for large populations intermixed with high intensity residential uses, and to provide significant opportunities for office employment development.

##### **The Mobility Hub Study will serve to confirm the development parameters for the Mobility Hub and lands in the vicinity**

The required precinct plan has not been prepared for the East Precinct. The purpose of the subject Official Plan Amendment application is to permit development approvals to proceed for the subject lands in advance of the preparation and approval of the East Precinct Plan.

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The subject lands are immediately north of the existing Unionville GO Station. The station and surrounding area, including the subject lands, have been identified as a “Mobility Hub.” The purpose of the Mobility Hub Study is to engage the Province, Metrolinx, the City and stakeholders in a joint exercise to explore future opportunities for the mobility hub and lands in the area. The objective of the study is to establish the framework, alignments and structure for the future transit facilities and infrastructure investment, and assist in finalizing the East Precinct Plan, development projections for this area, and updates to the Markham Centre Secondary Plan.

The subject lands are within the “primary zone” of the Mobility Hub Study. This zone is defined in Metrolinx’s Mobility Hub Guidelines as follows:

*Primary zone:* This is the area with the greatest potential for improved connections between the various modes of transportation. The highest intensity and greatest mix of uses are encouraged within this area. The zone is determined by identifying development sites that are close to the transit stations, which, with proper planning and development, could contribute to achieving the mobility hub vision. The higher pedestrian traffic levels and development densities in this zone command higher land values. Office, retail and similar commercial uses benefit from locating in this zone.

Until the Mobility Hub Study has been completed and endorsed by all stakeholders (MTO, Metrolinx, VIVA and York Region Transit, and the City), the design of the transit station, including the proposed VIVA bus way connection through the subject lands, as well as the alignment and grading of the road network in the vicinity of the subject lands, cannot be finalized.

The development program for the subject property should not be finalized until the Mobility Hub Study has been completed and approved. The plans submitted with the application could potentially need to be substantially or completely redesigned to respond to the final Mobility Hub Study recommendations.

**The Environment Assessment for the relocation of existing minor tributary needs to be completed**

A minor tributary (Tributary 5) runs along the north side of YMCA Boulevard from Kennedy Road, east to approximately the mid-point of the subject lands, then passes under YMCA Boulevard. (see Figure 3) The City retained a consultant to review the relocation of Tributary 5 to an alignment adjoining Highway 407 and Kennedy Road. The finalization of this study is pending the resolution of the Mobility Hub Study.

The zoning of the portion of the subject lands occupied by the tributary cannot be finalized until the environmental assessment study for the relocation of the

tributary has been completed and approved by the City and public agencies, including the TRCA.

**The proposed office building may not be viable in the location proposed**

The plans submitted with the applications show the proposed 10-storey office building partially within the York Durham Sanitary Sewer (YDSS) easement (see Figure 4). York Region has not, to date, allowed any buildings to be constructed within the easement area of this sewer.

The Mobility Hub Study is exploring the potential to raise the grade of the lands on either side of the GO Rail line by approximately 10 metres to facilitate an additional grade separated road crossing. The resulting additional soil loading may require modifications to the YDSS infrastructure.

The bus way connection between Enterprise Boulevard and the mobility hub station is proposed to pass through the west portion of the subject lands, directly beneath the proposed office building. The alignment and functional design of this connection will be established through the Mobility Hub Study.

Until these matters have been resolved, it is not possible to confirm that the proposed office building can be constructed in the location shown on the concept plans submitted with the applications.

**Other matters:**

**Building height:** The applicant is proposing a 39 storey residential building, which is 10 storeys greater than the tallest building approved to date in Markham Centre.

**Mix of uses:** The proposed development is primarily residential, and if the proposed office building proves not to be viable, would be entirely residential with the exception of a small street related retail component. Development in such close proximity to the mobility hub station should include a significant employment use component.

**Density:** The proposed floorspace index (approximately 8.0) is significantly greater than the density of other developments approved, to date, in Markham Centre.

**Growth projections:** Modeling undertaken in 2009 for Markham Centre in support of the City's growth management strategy, and shared with local ratepayer organizations, recognized a potential doubling of densities from those originally contemplated in the Markham Centre Secondary Plan (OPA 21). The proposed development exceeds the residential unit count assigned to the subject lands in this modeling. The modeling forecasts for the East Precinct will be updated through the Mobility Hub Study.

**Parkland:** The proposed residential and commercial uses generate a requirement for more than 8 acres of parkland. The City has the option to require land dedication, cash-in-lieu of land, or a combination of the two, with an overall objective in Markham Centre to achieve approximately 60% of required dedication in land and 40% in cash-in-lieu. The location and area of parkland and other public use requirements in the East Precinct will be established through the Mobility Hub study.

**Section 37:** The proposed development includes a greater number of residential units and taller buildings than originally contemplated at this location. In the circumstances it would be appropriate to require a Section 37 contribution for community benefits.

**Technical studies:** The traffic study and the servicing study submitted with the applications are currently under review by City staff. The Engineering Department advises that significant infrastructure (in particular sanitary sewer and watermain) upgrades will be required to support the projected increases in density of development in Markham Centre. The proposed development cannot proceed until municipal servicing capacity has been confirmed to be available to support the development. Transportation and servicing (storm and sanitary sewer and water) studies are to be undertaken in support of the larger studies (Mobility Hub Study, Future Secondary Plan Update).

## CONCLUSIONS

The Markham Centre Mobility Hub Study will be initiated shortly. The study is anticipated to take approximately 12 months.

Staff have advised the applicant that it is our opinion that the subject applications should be referred to the Mobility Hub Study. The applicant has requested staff to bring forward a preliminary report on the applications to obtain direction from Development Services Committee.

Given the status of the Mobility Hub Study and the location of the subject lands within the primary zone of the study area, staff is seeking direction from Committee regarding the timing of the scheduling of a Public Meeting to consider the applications.

Staff will continue to work with applicant in the context of the Mobility Hub Study to address the issues outlined in this report.

## FINANCIAL TEMPLATE:

Not applicable at this time.



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**ALIGNMENT WITH STRATIGIC PRIORITIES:**

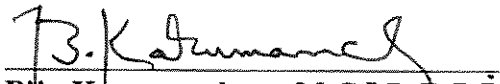
The appropriate development of the subject property could support a number of the City's Strategic Priorities, including:

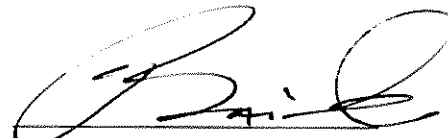
- Growth Management
- Transportation/transit
- Environment
- Economic Development

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The proposal has been circulated to other City departments and public agencies for review and comment.

**RECOMMENDED BY:**

  
Biju Karumanchery, M.C.I.P, R.P.P  
Senior Development Manager  
Services

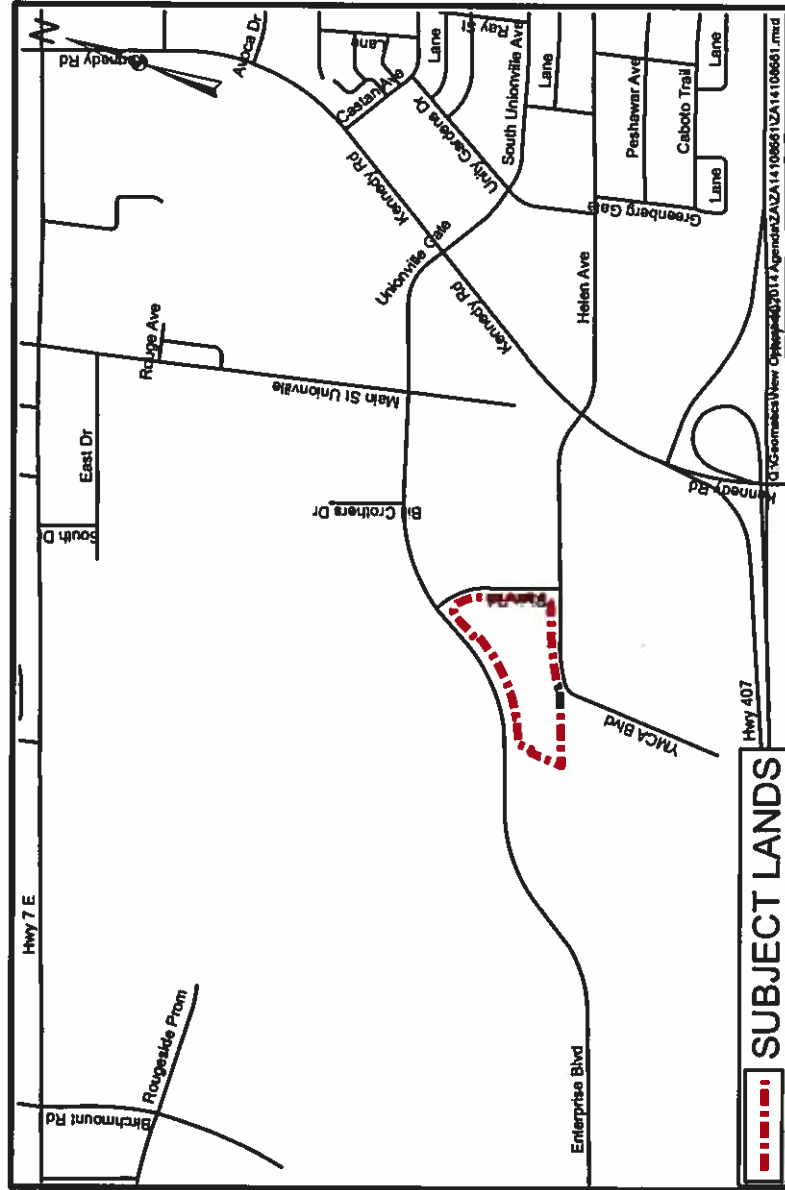
  
Jim Baird, M.C.I.P, R.P.P  
Commissioner, Development

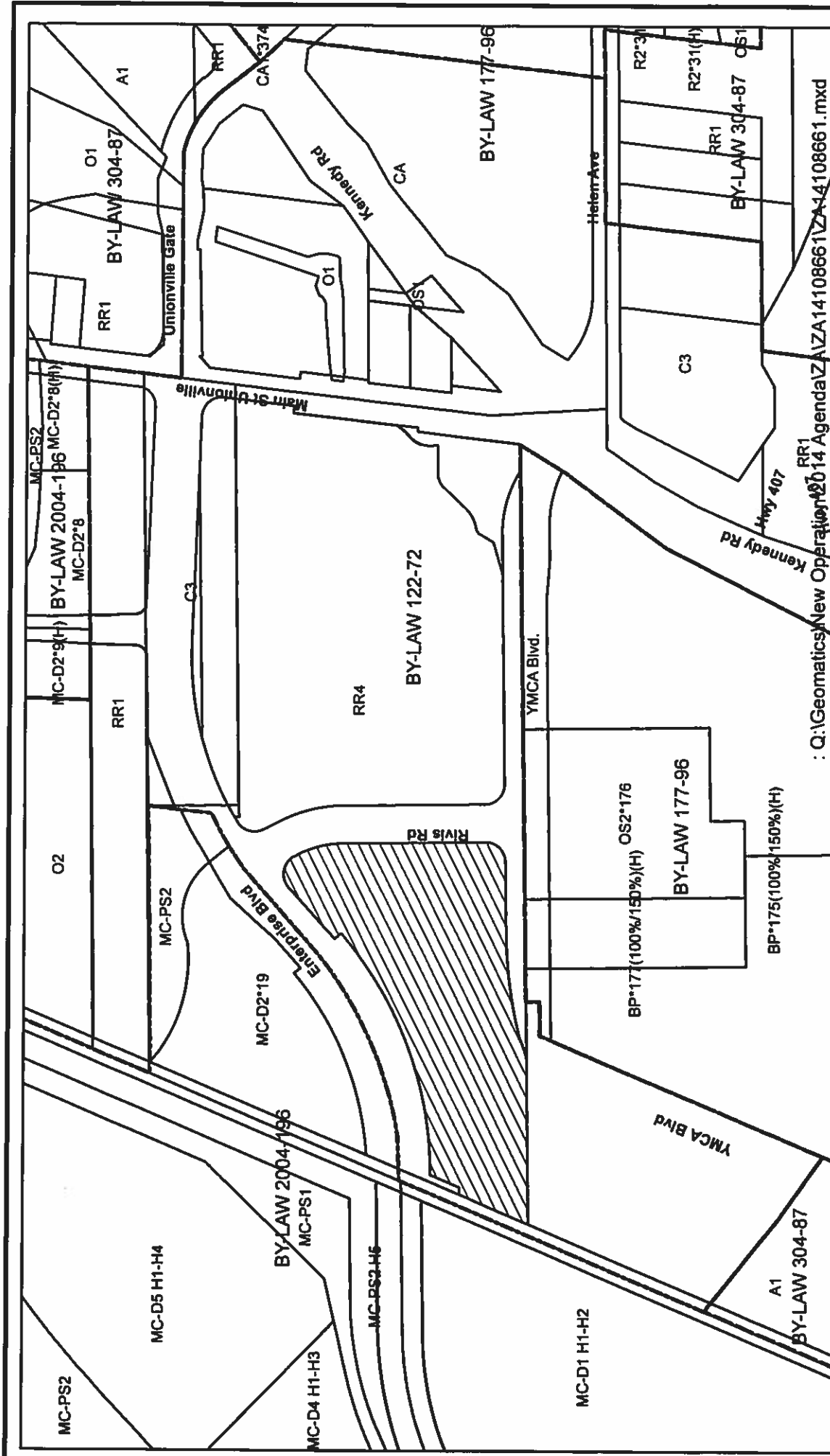
**ATTACHMENTS:**

Figure 1 – Location Map  
Figure 2 – Area Context/Zoning  
Figure 3 – Air Photo  
Figure 4 – Concept Site Plan  
Figure 5 – Concept Ground Floor Plan

**APPLICANT/AGENT:**

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## AREA CONTEXT/ZONING

APPLICANT: MARKHAM CENTRE DEVELOPMENT CORPORATION

FILE No:ZA14108661(SH)

DATE:03/17/14

**MARKHAM DEVELOPMENT SERVICES COMMISSION**

Drawn By:DD  
Checked By:SH

**Drawn By:DD**

Checked By: SH





# AIR PHOTO 2012

APPLICANT: MARKHAM CENTRE DEVELOPMENT CORPORATION

FILE No:ZA14108661(SH)

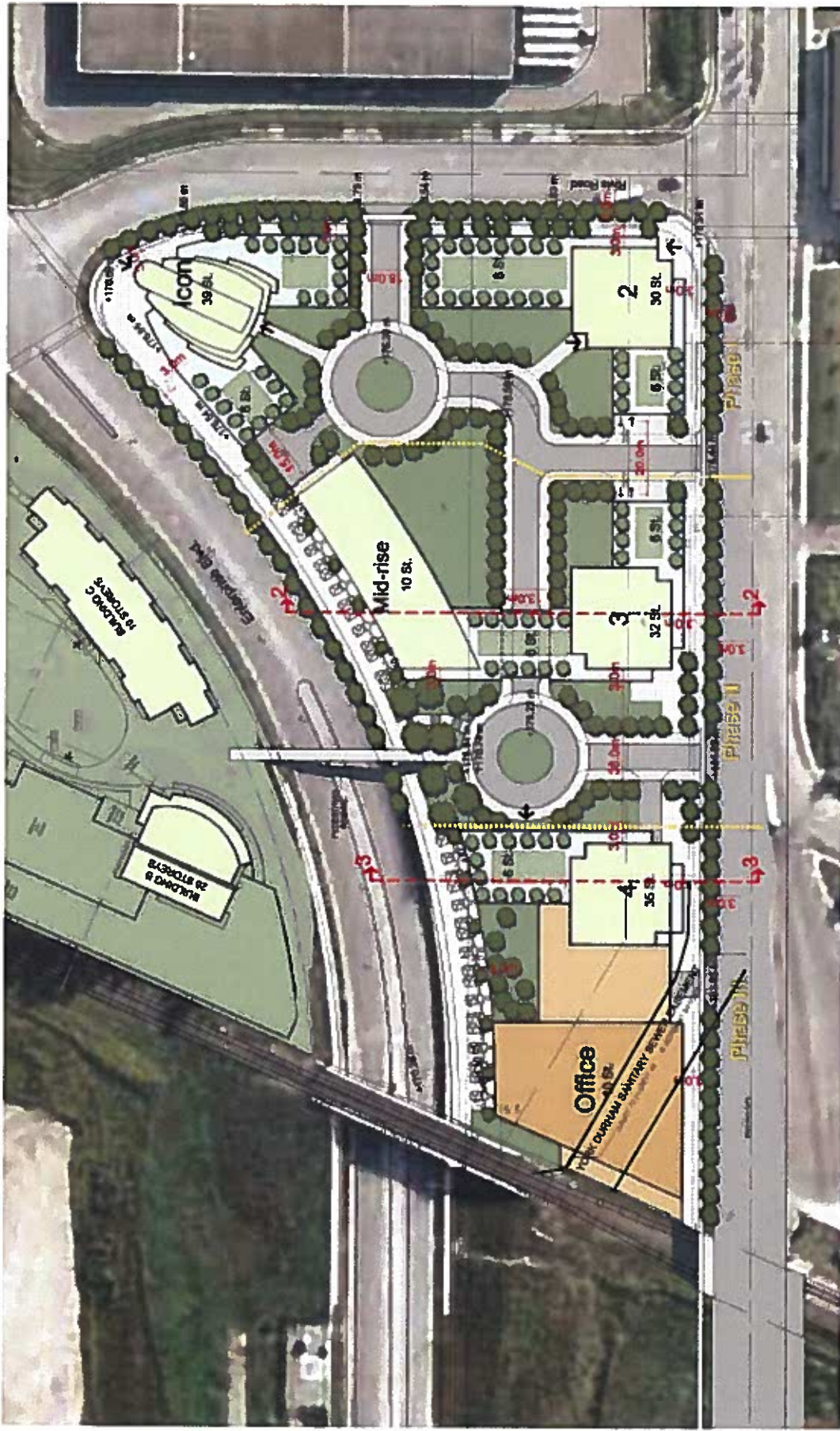
 SUBJECT LANDS



DATE:03/17/14

FIGURE No. 3





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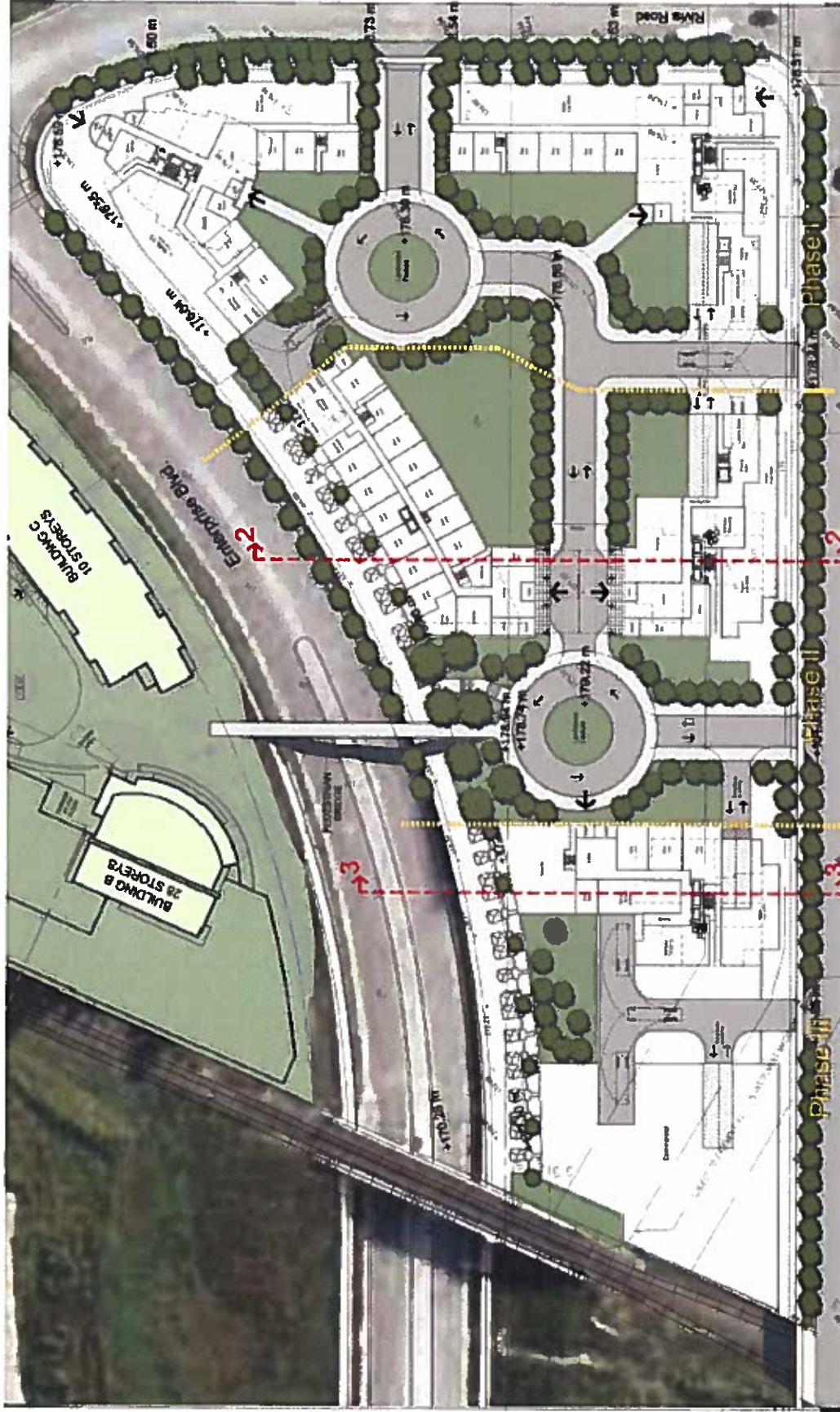
# CONCEPT-SITE PLAN

APPLICANT: MARKHAM CENTRE DEVELOPMENT CORPORATION

FILE No:ZA14108661(SH)

DATE:03/17/14





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# CONCEPT-GROUND FLOOR PLAN

APPLICANT: MARKHAM CENTRE DEVELOPMENT CORPORATION

FILE No: ZA14108661(SH)