



Report to: Development Services Committee

Report Date: June 28, 2011

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**SUBJECT:** INFORMATION REPORT  
Update on South Unionville Parkland issues by raised area residents at recent Public Meeting for a plan of subdivision.

**PREPARED BY:** Biju Karumanchery, Senior Development Manager, ext. 2970  
Sabrina Bordone, Planner – Central District, ext. 8230

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**RECOMMENDATION:**

That the report dated June 28, 2011 titled “Update on South Unionville Parkland issue raised by area residents at recent Public Meeting for a plan of subdivision” be received;

THAT staff report back following discussions with the relevant parties including the Trustee for the Landowner’s Group;

AND THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

The purpose of this report is to discuss the findings of the Working Group that was formed, as a result of the March 18, 2011 Public Meeting for a residential plan of subdivision, to review the provision of parkland in South Unionville.

**BACKGROUND:**

On March 8, 2011, a Public Meeting was held to consider applications submitted by Castan Avenue (Aurelio Filice) for a proposed Draft Plan of Subdivision and implementing Secondary Plan and Zoning By-law amendments to facilitate a residential development located south of Castan Avenue, east of Harry Cook Drive, within the South Unionville Secondary Plan Area. The subject lands were originally intended to be parkland and were designated as such in the Secondary Plan and the Community Design Plan dating back to the mid 1990s. The initial parkland designations were shown conceptually and were to be confirmed through plans of subdivision and the development review process based on actual unit counts and population in the area.

Due in part to arguments presented by the Developer’s Group in the late 1990s that South Unionville had more designated parkland than the Group was obligated to provide under the Town’s prevailing parkland standards at the time, the west half of the Village Green Park, being approximately 1.61 ha. (4 ac.), was eventually deemed by the Town to be surplus to the needs in South Unionville. The Catholic School Board then advised that they would be reserving these lands for a potential elementary school and did so for almost ten years before advising in 2009 that they no longer required the site. Since that time, the westerly portion of the original parkland at this location was draft approved as

part of a residential plan of subdivision and then registered earlier this year (see Figure 2).

A number of area residents attended the Public Meeting for the current proposed draft plan of subdivision and a few formal presentations and deputations were made by members of the public. A number of concerns were raised by area residents including the programming of existing and proposed parks, parkland calculations, and the potential increase in the number of children in an area that is already perceived by the residents to be “parkland deficient”. The perceived deficiency of parkland was in fact the primary concern from area residents. The residents are of the opinion that the proposed development, if approved, would result in the re-designation of lands from “Open Space/Neighbourhood Park” in the South Unionville Secondary Plan to “Medium Density Housing” and eliminate the opportunity to have any additional parkland in the event the privately held 1.47 ha. (3.6 ac.) site south of Helen Avenue that is currently designated and intended for parkland cannot be acquired.

At the conclusion of the Public Meeting, a resolution was passed by DSC that a Working Group be formed to address the parkland issue and that staff report back on the application in June. However, issues other than parkland remain to be addressed and staff is not in a position to bring forward a final report on the proposed plan of subdivision at this time. This report, nevertheless, is intended to provide an update on the parkland discussions to date.

## **OPTIONS/ DISCUSSION:**

### **South Unionville Parkland Working Group has held a number of meetings**

Shortly following the Castan Avenue (Aurelio Filice) Public Meeting, a Working Group, consisting of various residents of South Unionville, a representative from the South Unionville Community Association (SUCA), Town Staff and the local Ward Councillor was formed. At the time this report was written, a total of five Working Group meetings have been held. At these meetings the Group discussed the status of existing parks, the total anticipated parkland for South Unionville including which sites remained to be acquired, as well as overall recreational opportunities in the area. At the request of the residents who formed part of the Working Group, staff also discussed possible enhancements to existing parks, the new Ray Street Park and the start up of community consultations with respect to its design and construction (expected to start in June 2011). A letter from the residents identifying their concerns and recommending certain courses of action are attached as Appendix ‘A’.

Table 1, below, outlines the status of existing and future parks in South Unionville and the types of programs offered in each park (see Figure 3).

Table 1: Status and Programs of South Unionville Parks

<b>Name of Park</b>	<b>Area</b>	<b>Status</b>	<b>Programs</b>
Bianca Park	1.1ha. (2.8 ac.)	Completed	<ul style="list-style-type: none"> <li>• Children's playground</li> <li>• Swings</li> <li>• Open green/lawn</li> </ul>
South Unionville Village Green Park	2.6 ha. (6.4 ac.)	Completed	<ul style="list-style-type: none"> <li>• Open green/lawn</li> <li>• Overlook</li> <li>• Children's seating circle</li> </ul>
Caboto Trail Park	0.30 ha. (0.74 ac.)	Under construction (Target: Fall 2011)	<ul style="list-style-type: none"> <li>• Children's playground</li> <li>• Trellis structure</li> <li>• Walkways</li> </ul>
Ray Street Park	1.68 ha. (4.2 ac.)	In Design (Target: Fall 2012)	Possibly: <ul style="list-style-type: none"> <li>• Mini soccer field</li> <li>• Open green/lawn</li> <li>• Swings</li> <li>• Micro skate park</li> <li>• Playground for junior and senior children</li> <li>• Shade structure</li> <li>• Water play feature</li> </ul>
Avoca Park	0.30 ha. (0.74 ac.)	Completed	<ul style="list-style-type: none"> <li>• Playground for junior and senior children</li> <li>• Swings</li> </ul>
East half of South Unionville Park	2.67 ha. (6.6 ac.)	Completed	<ul style="list-style-type: none"> <li>• Shade structure (gazebo)</li> <li>• Children's playground</li> <li>• Swings</li> <li>• Water play</li> <li>• Soccer field</li> <li>• Open green/lawn</li> </ul>

West half of South Unionville park	1.47 ha. (3.6 ac.)	Lands remain to be acquired	Possibly: <ul style="list-style-type: none"> <li>• Tennis fields</li> <li>• Soccer field</li> <li>• Swings</li> </ul>
West Parkette	0.52 ha. (1.3 ac.)	Lands remain to be acquired	Possibly: <ul style="list-style-type: none"> <li>• Children's playground</li> <li>• Swings</li> <li>• Open Green / lawn</li> </ul>
Stormwater pond parkette	0.12 ha. (0.3 ac.)	Completed	• Open Green/lawn
<b>Total</b>	10.76 ha. (26.6 ac.)		

**Residents are of the opinion that there is a shortage of parkland in South Unionville**

The Working Group also discussed the two properties located to the west of the existing South Unionville Park (municipally known as 313 Helen Avenue and 311 Helen Avenue). The residents are of the opinion that since these lands, although designated parkland, are currently not available for park development and therefore should not be included in the calculation of parkland. However, staff does include these lands in the calculation of the ultimate supply of parkland expected to be available in South Unionville. The acquisition of these lands as parkland is preferred over other properties in the community, including the lands subject to the current draft plan of subdivision, because it provides the opportunity to create active fields contiguous to the east half of this park as originally intended. The lands that are the subject of the proposed draft plan of subdivision to the north was originally intended to be a passive park similar to the existing Village Green Park to the east.

**Residents say additional parkland needed to support high density development along Kennedy Road**

The area residents have argued that additional parkland, over and above that currently proposed for the area, is needed to support high density development that has been approved and anticipated along Kennedy Road. Staff noted that much of the Kennedy frontage is being developed for commercial purposes, and the Town does have the option of accepting cash-in-lieu of parkland rather than parkland for high density developments, particularly in areas where parkland is already available. The cash-in-lieu of parkland collected will be used for the acquisition of parkland where appropriate in the Town of Markham, including larger scale Town wide parks and recreation facilities. In this respect, South Unionville is no different than other communities in Markham.

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**Residents note that South Unionville parks also serve lands to the north**

The area residents have stated that South Unionville requires additional parkland since the lands located between South Unionville and Highway 7 have insufficient parkland and that the residents of that area also use the parks in South Unionville. Staff pointed out that Avoca Park as well as the recreational areas which are part of the open space system to the northeast (Campbell Park) is available to serve the residents to the north. Moreover, while parks are generally developed based on the needs of a specific community those parks are also available for the use of all Markham residents. In fact, the Milne Dam Conservation Area to the east across McCowan Road as well as parks and recreational facilities to be constructed in Markham Centre to the west across Kennedy Road are proximate to South Unionville.

**Residents have noted that two schools (and associated facilities) identified in the Secondary Plan were not built**

The area residents have noted that the Secondary Plan had identified a Catholic elementary school abutting the existing public elementary school as well as a public elementary school abutting the church near McCowan Road and that neither school was built. They note that these schools, if built, would have had active play areas and other facilities which would have been available for the use of area residents. However, the decision to develop or not develop school sites is made solely by the school boards and the Town has little to no involvement in that decision making process. The Town's calculations of parkland and other recreational facilities are not based on the availability of schools within a community. Moreover, it is not unusual for the school boards to declare school sites that have been reserved or identified in Secondary Plans to be surplus to their needs.

**South Unionville will meet Town parkland requirements and has additional usable Open Space and parkland that has not been included in parkland calculations**

In a number of OPA 5 communities including South Unionville, parkland has been provided at a rate of 1 ha. / 300 units + 1 ac. / 1000 population based on agreements or understandings with the respective developers groups (this exceeds the normal Planning Act requirement for parkland dedication of 1 ha. / 300 units or 5% of the land proposed for development). At this rate the existing and anticipated low and medium density developments in South Unionville are required to provide 9.77 ha (24.14 ac.) of parkland. However, once the outstanding parklands [1.99 ha. (4.9 ac.)] have been acquired, and including an old right-of-way that has been converted into parkland, South Unionville will have a total of over 10.76 ha.(26.6 ac.) of parkland for a surplus of approximately 1ha. (2.5 ac.).

Moreover, it should be noted that 0.15 ha. (0.37 ac.) of land at the west end of the Ray Street parkette, located over the underground storm water management tank is not accounted for in the parkland calculations but will be usable as part of the Ray Street parkette when it is constructed. In addition, approximately 0.89 ha. (2.2 ac.) of pathways/recreational space located on table land around the large storm water management (SWM) pond in South Unionville, is considered "Open Space", but was received as part of the SWM dedication and is not included in the parkland calculations.

It should be noted that as part of the working group meetings enhancements to the recreational facilities on the tableland around the pond have been discussed and are considered viable.

**Efforts are underway to acquire the remaining parkland but expropriation is an option available to Council**

Flato Meadows, a local developer, is actively negotiating with the owners of the two properties which contain the outstanding 1.47 ha. (3.6 ac.) required to complete the South Unionville Park. The southerly portion of these properties, south of the future extension of Caboto Trail, has value to the developer as it can be developed for townhouses. The developer could also use part of the acquired parkland to satisfy parkland obligations for other subdivisions within South Unionville which he controls.

The Town has previously agreed in writing to the amount, configuration and location of parkland within South Unionville. The expectation is that the Developers Group will deliver this parkland in a timely manner consistent with anticipated development approvals. Staff and the Ward Councillor will be meeting shortly with the Trustee for the Developers Group and Flato Meadows to discuss the funding and acquisition of the remaining parkland and in particular the lands necessary to complete the west portion of South Unionville Park.

However, even if the funds were to be available to acquire the remaining parkland, acquisition cannot be pursued by the Trustee without a willing seller and/or a reasonable sale price. While negotiations can proceed with the landowners with a view to parkland acquisition, it should be noted that as a last resort the Town would have the option to exercise its authority to expropriate the lands if the parklands are to be delivered sooner rather than later as suggested by the area residents.

**FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Any expropriation of the outstanding parkland will have financial implications which remain to be determined.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Not applicable.

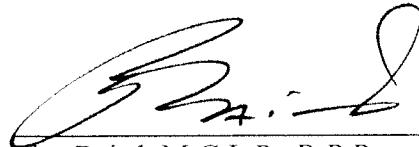
**BUSINESS UNITS CONSULTED AND AFFECTED:**

Not applicable.

**RECOMMENDED BY:**



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



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

**ATTACHMENTS:**

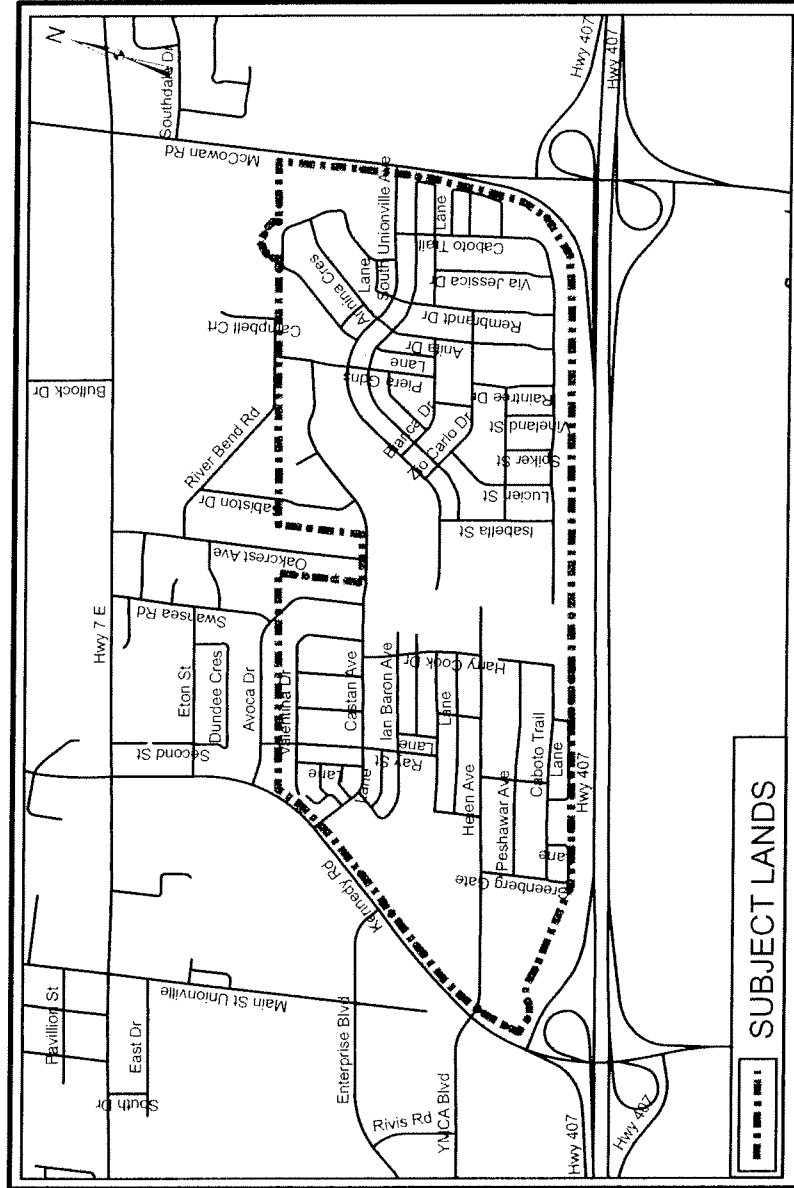
Figure 1: Location Map

Figure 2: Area Context – Proposed Filice Draft Plan of Subdivision and vicinity

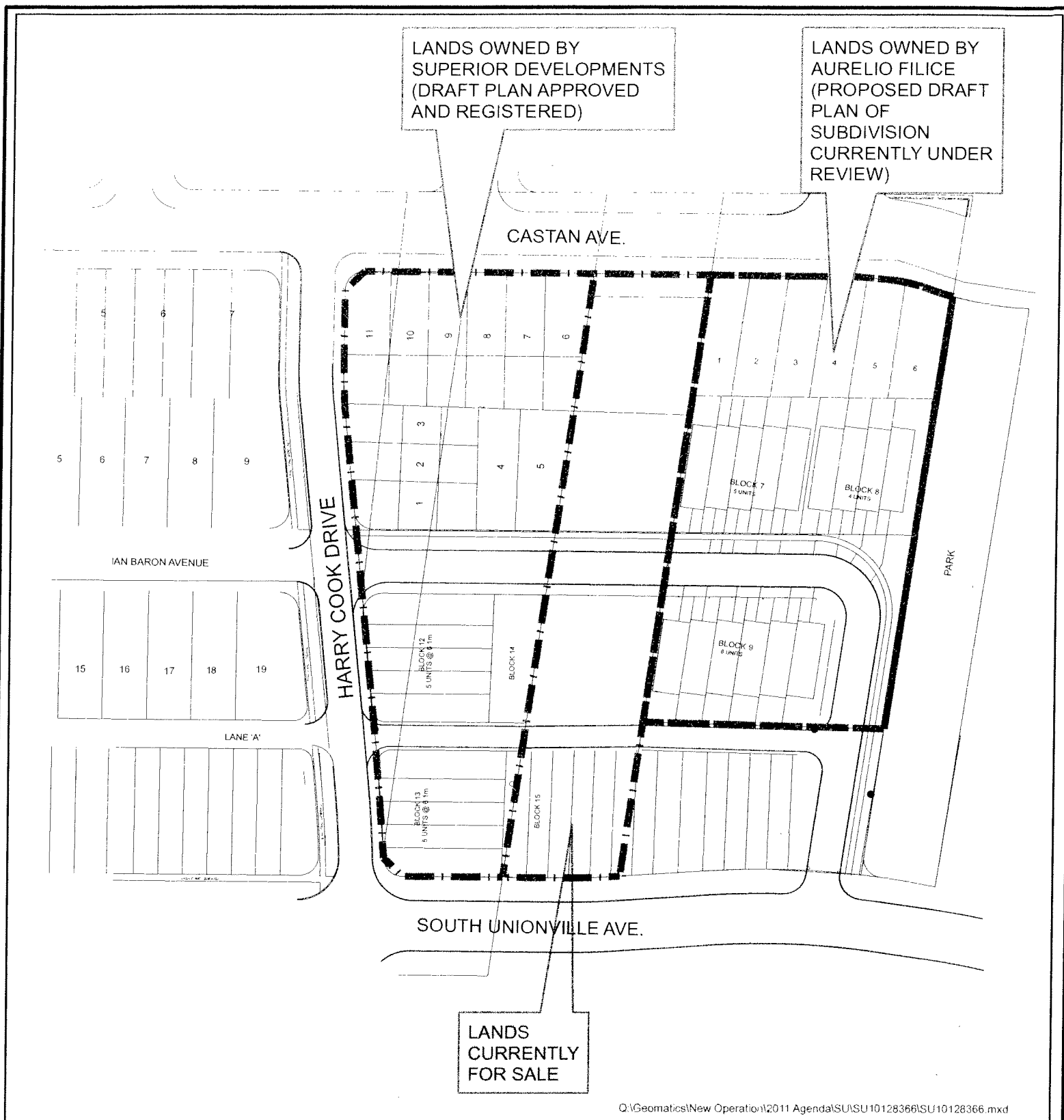
Figure 3: Existing and Proposed Parks

Appendix 'A': Letter from South Unionville Working Group (Residents)

File path: Amanda\File 10 128366\Documents\Information Report: South Unionville Parkland







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# AREA CONTEXT-PROPOSED FILICE DRAFT PLAN OF SUBDIVISION AND VICINITY

 SUBJECT LANDS

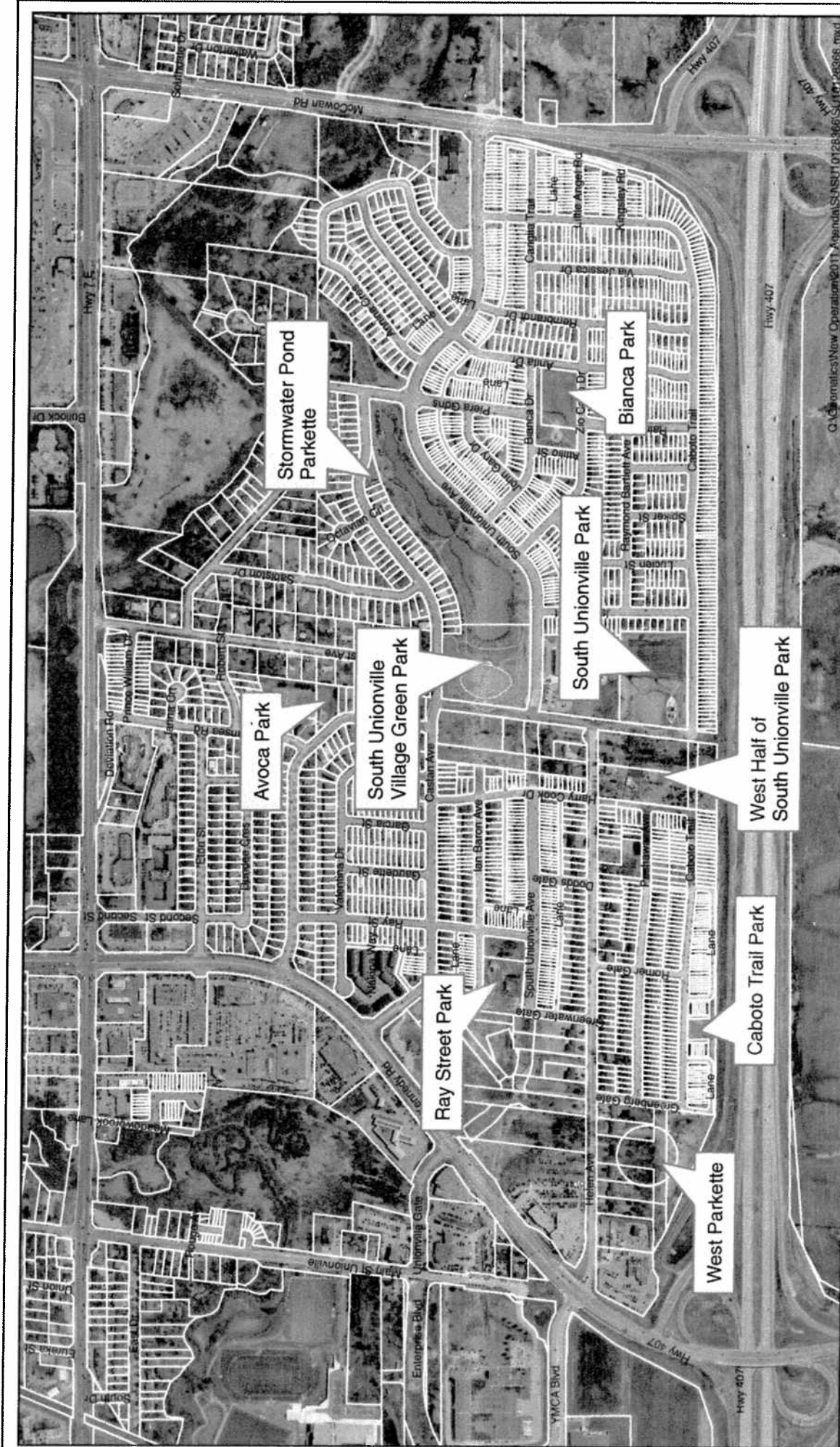
APPLICANT: SOUTH UNIONVILLE PARKLAND

SOUTH UNIONVILLE SECONDARY PLAN AREA

FILE No. SU10128366(SB)

DATE: 06/21/11

FIGURE No. 2



# EXISTING AND PROPOSED PARKS

APPLICANT: SOUTH UNIONVILLE PARKLAND  
 SOUTH UNIONVILLE SECONDARY PLAN AREA  
 FILE No. SU10128366(SB)

### South Unionville Working Group

#### Background:

South Unionville has a deficit of parkland. Most of the existing parkland is “passive” green space surrounding and adjacent to a storm water management pond. The community facilities that do exist are overused simply because there aren’t enough of them to meet the demand. There is conflict amongst children because there aren’t enough swings, slides, fields, etc to share. The Town has long-established plans to add an additional park with amenities near the centre of the neighbourhood; however, the designated land is privately-owned and there is no timetable to acquire it.

There are two reasonable locations left within the community where the planned park could be located. The working group was originally formed as a result of an application for development of a portion of one of these properties (Filice). The proposal is for rezoning from RR1 Open Space/Parkland to medium density residential. The mandate of the working group was to report back in June 2011. To meet this deadline, the Filice proposal will not be addressed in this document.

Concerns raised and discussed by the working group included:

1. The Town has no solution to provide the missing parkland in a finite amount of time.
2. Centrally-located parks and shared facilities/amenities are important building blocks for safe, healthy communities. They have a real impact on quality of life for the many children, youth, seniors and multi-generational families that call South Unionville home.
3. Developers and private landowners are aggressively pursuing their own agendas. None appear willing or able to take real action in support of the community’s interest: adequate parkland.
4. If the Filice application is approved, the Town has only one option for remaining parkland. Leaving the zoning as is keeps the Town from being backed into a corner. The RR1 zoning is appropriate and sets the market value for this land should the Town wish to acquire this parcel for parkland. Medium density housing is much more expensive.
5. The Filice units will further increase pressure on the existing parks/amenities, and the families who live in these homes will experience the same frustration as existing residents.
6. An expansion to the existing school has just been approved. This expansion reduces the amount of open space available within the community, replacing it with parking spaces.
7. South Unionville is a unique area bordering a major transit corridor. Future developments along this corridor will be high density residential. The Town must plan now for future residential pressures. Adequate community parkland is a key objective of this long term planning.

The Official Plan, and other documents including the Town’s New Home Buyer’s Guide, show multiple amenities that, based on recent developments will never be part of South Unionville. The Official Plan and zoning is what residents used to make purchase decisions on houses in the area; it was used to set market value for said houses, and ultimately it was used to determine what taxes would be paid by residents. The erosion of this plan, removal of amenities, and indeed lack of any plan to provide such amenities represents a source of considerable concern within the community. People invested in South

Unionville based on the vision that was presented by the Town. With every concession, that vision moves further and further away from reality.

### **Working Group Recommendations:**

There are multiple areas of concern that must be addressed. Addressing these concerns should be a priority for the Town given the desire and commitment to provide viable, vibrant communities, now and in the future. In order to achieve these goals, the working group recommends the following:

1. Acquire lands to build another community park and take South Unionville out of parkland deficit. The challenge with this objective is uncooperative landowners and an outdated developers agreement that does not provide enough funds to acquire the necessary lands. There are 2 potential locations for this park, with the lands to the south of Helen Ave at Harry Cook being the preferred location for the Town. The residents do not have a preferred location for this park. The main concern of the residents is getting the parkland allocated to the Town/Community in a reasonable amount of time. By reasonable, the community would like to see said parkland conveyed with a 3 year time span. The working group recommends that the Town use all means available to acquire the necessary lands. This would include measures such as, but not limited to a development freeze and/or expropriation.
2. Acquire additional lands above and beyond what is currently identified within South Unionville for parklands/community facilities. There is no community centre or library within South Unionville. In the future, South Unionville will be accepting significant population growth along the Kennedy transit corridor. The Town must plan now for these residents and secure community parkland to provide for future pressures. Failure to do so will mean that South Unionville is underserved in the future. It is important to understand when planning for the future, that density requirements are going to be coming from the high rise towers along Kennedy road, and not a few town homes in South Unionville. This land is much more valuable as parkland and future capacity planning (perhaps a school in the future when there are many more residents in the area).
3. Update and upgrade existing community facilities. The vast majority of parkland in South Unionville is passive park area. The community has a single soccer field, splash pad and 3 playgrounds that do not provide enough swings, slides and climbing areas for the volume of children. A review of the existing amenities should be undertaken in partnership with the community. This review should identify opportunities to upgrade existing facilities, and provide additional facilities within existing passive areas to maximize the usage of the parkland that exists.

These three recommendations represent what is required to bring South Unionville up to the high standards of the Town of Markham and ensure that those standards are maintained for years to come.