

**U. E. Dagmar Teubner, BSc, LLB, JD, CPA, CA, TEP**

---



REGION OF YORK  
CLERK'S OFFICE

FILE No. - P03

June 11, 2014

**TO: 1. Regional Council Members  
2. Staff**

## THE ORPHAN

**RE: Jolis Investments (Ontario) Limited  
Block 3, Plan 65M-3925  
CONVERSION APPLICATION TO RESIDENTIAL**

This is a four acre (16,107 m<sup>2</sup>) parcel sited on the north side of Markland Street immediately adjacent to low rise residential development to the north and commercial development to the east (Kings Square). The site has no trees or other natural features. The site is subject to an easement in favour of the Region of York for a sanitary trunk sewer.

The proposed Markham Official Plan shows this parcel as 'Business Park'. With great respect, this designation will trap this parcel in the untenable position of having the residential neighbours to the north object/complain about a future industrial use which would also not be compatible with the commercial use to the east.

This parcel is a triangular shaped parcel, the frontage being the inside curve of Markland Street. On the north boundary of the parcel it is subject to an easement for the York Durham deep sanitary sewer registered as plan 65R – 21312. The total width of the easement is 25 meters. This represents approximately 25% of the area of the property. A more detailed explanation is attached. The current zoning is industrial and allows 50% coverage. Because of the easement and setbacks required as well as the fact that an industrial building would be generally be configured either as a square or a rectangle, which is not possible here, coverage for an industrial use would be approximately 30% (see attached warehouse/office site plan). Accordingly, one is speaking of about approximately 60 employees. This is an insignificant number when compared to expected employment in Markham in 2031 (60/82,988=0.00072% : 82,988 in 2031 per Hemson).

Historically, under OPA 84 passed in 1990, this property together with the entire lands bounded by Sixteenth Avenue, Woodbine Avenue, Major MacKenzie Drive and Highway 404, was designated as primarily industrial. Under OPA 43 in 1996 the majority of the land on the east side of Markland Street was re-designated residential from Major MacKenzie Drive south until the north boundary of the Jolis lands for what was to be plan of subdivision 65M-3925. This secondary plan is currently in force. Under OPA 43, it was specifically stated that public roads shall be used as a separator between development within 'Business Park Area'... and Urban Residential.... Unfortunately some time later, the 12 acre parcel

of land now owned by Kings Square was further re-designated Commercial, which has a height limit of 15 stories in the proposed Markham Official Plan (8.4.1.7), as was the land owned by Condor at the north west corner of Woodbine Avenue and Sixteenth Avenue.

These re-designations of adjacent land have left the 4 acre parcel owned by Jolis on the north side of Markland Street in a situation where 3 different Official Plan designations are contiguous on a collector road. There is no other such situation in a collector Road in all of the City of Markham. Further, it has stranded this small parcel between uncomplimentary uses, especially in connection with height (single family residential next to up to 15 stories commercial). The site has become completely unattractive for an industrial user. The staff response of 'build an office building' is facile and totally ignores economic reality. A report from the National Director of Research of Cushman Wakefield is attached discussing the status of the non-residential, non-institutional market.

The site does not have visibility to the 404 and is no longer part of a larger business park. It is isolated and stranded within an ad hoc batch of varying and competing designations along a collector road.

While it is understood that it is essential to protect sufficient land to accommodate opportunities for future employment growth, the proposed Markham Official Plan does recognize that such employment lands should be protected from other uses that may jeopardize the continued viability of intended employment uses and their expansion in the future (5.1.2.3). In this instance the parcel is irregularly shaped which limits its utilization for employment use, industrial uses being best located on either square or rectangular lots with no more than a 2:1 ratio of length to width. In addition, the property is bounded on the north by single-family residential properties. Typically, complaints arise when single-family dwellings are next to industrial buildings, such complaints usually being based on noise, night illumination and traffic. This is particularly so when there is regular truck traffic for shipping purposes. For the industrial user, being next to a residential area creates increased concern over security. On the east boundary the designated use is commercial with a potential for mid or high rise residential. Bearing in mind that Markland Street is a collector road, it is reiterated that the mix of land uses along one road (residential, industrial and commercial) as suggested the draft Official Plan, is unusual. It would be far more in keeping with the general tenor of the proposed Markham Official Plan if Block 3 were either residential or commercial.

Jolis has additional employment land in this subdivision, 65M-3925, and in the new subdivision already serviced and currently being registered, Phase 2, on the west side of the Rouge River. This new 13 acre industrial subdivision actually does have visibility on the 404 and would be an excellent candidate for intensification by having its density increased. Further, these lands are part of a larger industrial area. In this fashion, any potential loss of employment land by the conversion of these 4 acres could be made up.

A schematic has been provided to show the potential residential use. The PPU for single-family dwellings is 3.69. The PPU for apartment buildings is 2.02. This information was provided by the City of Markham in their development charges update, developers' roundtable of April 10, 2013. Accordingly,

29.5 additional persons would be in the single-family dwellings. The two apartment blocks provide a total of up to 112 units, therefore 226 additional persons. Total number of additional persons on the site would be 256, rounding up. Again, looking at the total population of Markham, this number of additional persons would be insignificant. Please bear in mind that this is only a suggestion, albeit one that maximizes the residential utilization. A realistic utilization would likely have less density.

Conversion to midrise housing is in keeping with the shift towards more balanced housing stock composition in the City of Markham (4.1.2). It satisfies the requirement to develop a full range of unit types and unit sizes to respond to changes in household position over time. This is especially important in providing a greater share of apartment and multiple units rather than simply single dwellings (4.1.2.4). Please refer to attached extracts from the Growth Plan for the Greater Golden Horseshoe.

The conversion to residential for this parcel is the same as an infill development. It is a small-scale development next to an existing residential area and will respect and reflect the existing pattern and character of the adjacent development. As shown in the accompanying sample site plan, it will then segue from single-family dwelling to midrise to reflect the proximity to the commercial development to the East. The lot frontages of lot areas of the proposed new low rise residential would complement the sizes of existing lots to the immediate north of the site. In other words the development criteria outlined in 8.2.3.5 would be observed for the segue portion of the site. The remainder of the site could be residential mid-rise and as set out in 8.2.4 would be located along Markland Street which is a major collector road. It would also be next to the King Square development which is commercial. Because of the low-rise residential on the north portion of the parcel, there is an appropriate transition from the low-rise residential to the midrise residential on the balance of the site. A maximum height of eight stories would be imposed with midrise residential. (8.2.4.4) The development criteria in 8.2.4.5 would be adhered to.

The utilization of mid-rise residential on the site would provide the appropriate connection between the residential to the North and the commercial designation of Kings Square to the East. It also would balance the height being allowed in the Commercial area (maximum of 8 stories residential to the 10 to 15 stories allowed on the Commercially designated lands).

No precedent would be set for this conversion because a similar set of circumstances (i.e. – a confluence of three different types of use) does not exist anywhere else in the City of Markham along a collector road.

There are no land use compatibility issues arising because the proposed residential would be contiguous with that to the immediate north.

No data is available to address the post 2031 situation.


Because of the large mass of residential to the immediate north, and because Markland Street was recently constructed to accommodate this population, no additional transportation, servicing and community infrastructure will be required.

There should be nominal impact on business related traffic, truck movements and parking in the surrounding area. All parking required for the proposed residential would be accommodated on the site.

There are no potential cross jurisdictional impacts.

The suggestion put forth to convert this 4 acre parcel to mid-rise residential can be supported under the Growth Plan for the Greater Golden Horseshoe, 2006, June 2013 and its update. This is especially true as the current situation is the result of a multitude of planning re-designations made since the planning district was designated industrial in 1990. To not do so would be indicative of poor planning and would be manifestly unfair.

Yours truly,



U. E. Dagmar Teubner

Attachments:

1. Plan of Subdivision 65M-3925
2. York-Durham Sanitary Trunk Sewer easement
3. Proposed office/warehouse site plan
4. Proposed residential site plan
5. Commentary from the National Director of Research for Cushman Wakefield on the non-residential market in the GTA East
6. Letter from National Director of Research, Cushman Wakefield regarding the office market
7. Letter from National Director of Research, Cushman Wakefield regarding the industrial market
8. Extracts from OPA 43 1996
9. 8.2.4. Residential Mid-Rise Criteria, proposed Markham Official Plan
10. 8.4 Commercial criteria, proposed Markham Official Plan
11. Extracts from the Growth Plan for the Greater Golden Horseshoe in support of conversion to residential



This plan is approved by the Ontario Municipal Board pursuant to section 50(20) of the Planning Act, R.S.O. 1990, c. P. 1.  
 Dated this 11th day of September 2006  
*J. Barnes*  
 SURVEYOR



BLOCK	RADIUS	ARC	CATCH	CHORD BEARING
BLOCK 1	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 2	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 3	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 4	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 5	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 6	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 7	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 8	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 9	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 10	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 11	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 12	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 13	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 14	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 15	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 16	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 17	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 18	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 19	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 20	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 21	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 22	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 23	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 24	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 25	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 26	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 27	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 28	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 29	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 30	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 31	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 32	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 33	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 34	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 35	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 36	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 37	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 38	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 39	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 40	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 41	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 42	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 43	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 44	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 45	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 46	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 47	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 48	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 49	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 50	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 51	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 52	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 53	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 54	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 55	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 56	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 57	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 58	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 59	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 60	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 61	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 62	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 63	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 64	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 65	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 66	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 67	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 68	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 69	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 70	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 71	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 72	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 73	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 74	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 75	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 76	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 77	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 78	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 79	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 80	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 81	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 82	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 83	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 84	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 85	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 86	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 87	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 88	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 89	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 90	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 91	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 92	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 93	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 94	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 95	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 96	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 97	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 98	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 99	148.500	10.000	10.000	N 89° 52' 00" E
BLOCK 100	148.500	10.000	10.000	N 89° 52' 00" E

**PLAN 65M-3925**  
 I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF YORK REGION AND IS AT 11:00 AM ON THE 22nd DAY OF SEPTEMBER, 2006 AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER 03047-0007 AND THE REQUIRED COMMENTS ARE REGISTERED AS PLAN DOCUMENT NO. Y8885185.  
*J. Barnes*  
 ASST. DEP. LAND REGISTRAR

THIS PLAN COMPLETES ALL OF PN 03047-0007 (LT) SUBJECT TO EASEMENT OVER PART A PLAN 65M-3337 AS NOTICED BY THE REGISTERED PLAN 65M-3337. THIS PLAN DOES NOT AFFECT ANY PART OF BLOCKS 1, 2, 3 AND PART OF MARKLAND STREET.

PLAN OF SUBDIVISION OF  
**PART OF LOT 17  
 CONCESSION 3**  
 (GEOGRAPHIC TOWNSHIP OF MARKHAM,  
 COUNTY OF YORK)  
**TOWN OF MARKHAM  
 REGIONAL MUNICIPALITY OF YORK**  
 SCALE 1:5000

**J.D. BARNES LIMITED**  
 METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048  
**OWNER'S CERTIFICATE - PLAN OF SUBDIVISION**  
 THIS IS TO CERTIFY THAT:  
 1. THE STREET NAMED MARKLAND STREET HAS BEEN Laid OUT IN ACCORDANCE WITH THE INSTRUCTIONS DATED the 25th day of August, 2004  
**JOLIS INVESTMENTS (ONTARIO) LIMITED**  
*J. Barnes*  
 I HAVE THE AUTHORITY TO SIGN THIS CERTIFICATE

**NOTES**

1. DISTANCES SHOWN ARE IN METERS AND ARE ROUNDED UP OR DOWN AS NECESSARY TO 0.01 METERS.  
 2. THE STREET NAMED MARKLAND STREET HAS BEEN Laid OUT IN ACCORDANCE WITH THE INSTRUCTIONS DATED the 25th day of August, 2004.  
 3. THIS PLAN COMPLETES ALL OF PN 03047-0007 (LT) SUBJECT TO EASEMENT OVER PART A PLAN 65M-3337 AS NOTICED BY THE REGISTERED PLAN 65M-3337.  
 4. THIS PLAN DOES NOT AFFECT ANY PART OF BLOCKS 1, 2, 3 AND PART OF MARKLAND STREET.

DISTANCES SHOWN ARE IN METERS AND ARE ROUNDED UP OR DOWN AS NECESSARY TO 0.01 METERS.  
 THE STREET NAMED MARKLAND STREET HAS BEEN Laid OUT IN ACCORDANCE WITH THE INSTRUCTIONS DATED the 25th day of August, 2004.  
 THIS PLAN COMPLETES ALL OF PN 03047-0007 (LT) SUBJECT TO EASEMENT OVER PART A PLAN 65M-3337 AS NOTICED BY THE REGISTERED PLAN 65M-3337.

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEY ACT AND THE LAND TITLES ACT AND THE SURVEY REGULATIONS.  
 2. THE SURVEY WAS COMPLETED ON JULY 11, 2006.  
 Dated August 14, 2006 *J.T. Barnes*  
 CHIEF LAND SURVEYOR

**J.D. BARNES LIMITED**  
 1000 SHEPPARD AVENUE EAST, SUITE 100, MARKHAM, ONTARIO L3R 9V7  
 TEL: (905) 477-8888 FAX: (905) 477-8889  
 www.jdbarnes.com

Drawn by: REV/ADJ. Checked by: DTC. Date: 08-29-06. Plan No: 65M-3925



**YORK – DURHAM SANITARY TRUNK SEWER EASEMENT**

There is an easement in favour of The Region of York for the York Durham deep sanitary trunk sewer on Block 3, Plan 65M-3925. This easement consists of two parts, one part for the deep sewer itself, the other part for construction access. The former is described as Part 1—Plan 65R 21313 within Block 3 (65M-3925) and is 1,618 m<sup>2</sup>. The second part, the construction access, is Part 2—Plan 65R-21313 within Block 3 (65M-3925) and is 2,298 m<sup>2</sup>.

The total area of Block 3 is 16,107 m<sup>2</sup> with the easement occupying 3,916 m<sup>2</sup>.

The breakdown of the Block area is as follows:

Block 3	total area		<b>16,107 m<sup>2</sup></b>	<b>100%</b>
Easement	Part 1	1,618 m <sup>2</sup>		10.05%
	Part 2	<u>2,298 m<sup>2</sup></u>		<u>14.27%</u>
			<b><u>3,916 m<sup>2</sup></u></b>	<b><u>24.31%</u></b>
<b>Unencumbered portion of Block 3</b>			<b>12,191 m<sup>2</sup></b>	<b>75.69%</b>

A residential use would enable maximum utilization of the Block:

- Restrictive covenants would run with the single family residential units preventing the construction of any 'hard' elements, eg. In ground swimming pools, cabanas etc.
- The single family residential units are extra deep to accommodate free access to the easement;
- The price point for purchase of the single family parcels would be lower, and therefore more affordable, due to the easement on title;
- The two apartment blocks would have primarily underground parking;
- Internal roads would be 'common elements'. Accordingly residents on the block would be responsible for all maintenance costs. Roads, since private, can therefore, also be narrower allowing for more green space;
- The residential utilization provides that at a significant amount of the property could be utilized as open space for the residents. Maintenance of this could also be a common element.

**SCHEDULE "A"**

BEING A COPY OF THE PLAN OF SUBDIVISION TO BE REGISTERED

*York Durham Sanitary Trunk Sewer*



**MANAGERIAL APPROVAL**  
 I, J. D. BARNES, Manager of the Town of Markham, do hereby certify that the above plan of subdivision is in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P.2, and the Planning Act, R.S.O. 1990, Chapter P.2, and the Planning Act, R.S.O. 1990, Chapter P.2.

**J. D. BARNES**  
 Manager of the Town of Markham

**SURVEYOR'S CERTIFICATE**  
 I, the undersigned, being a duly qualified and licensed Surveyor of the Province of Ontario, do hereby certify that the above plan of subdivision is in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P.2, and the Planning Act, R.S.O. 1990, Chapter P.2, and the Planning Act, R.S.O. 1990, Chapter P.2.

**NOTES**  
 1. The lots shown on this plan are subject to the provisions of the Planning Act, R.S.O. 1990, Chapter P.2, and the Planning Act, R.S.O. 1990, Chapter P.2, and the Planning Act, R.S.O. 1990, Chapter P.2.

**OWNERS CERTIFICATE - PLAN OF SUBDIVISION**  
 We, the undersigned, being the owners of the land shown on the above plan of subdivision, do hereby certify that the above plan of subdivision is in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P.2, and the Planning Act, R.S.O. 1990, Chapter P.2, and the Planning Act, R.S.O. 1990, Chapter P.2.

**1. D. BARNES LIMITED**  
 1. D. Barnes Limited, a corporation of the Province of Ontario, is the owner of the land shown on the above plan of subdivision.

**PLAN OF SUBDIVISION OF PART OF LOT 17 CONCESSION 3**  
 TOWN OF MARKHAM  
 REGIONAL MUNICIPALITY OF YORK  
 SCALE: 1:500

**PLAN 65M**

Lot No.	Area (sq. ft.)	Area (sq. m.)
1	10,000	929
2	10,000	929
3	10,000	929
4	10,000	929
5	10,000	929
6	10,000	929
7	10,000	929
8	10,000	929
9	10,000	929
10	10,000	929
11	10,000	929
12	10,000	929
13	10,000	929
14	10,000	929
15	10,000	929
16	10,000	929
17	10,000	929
18	10,000	929
19	10,000	929
20	10,000	929
21	10,000	929
22	10,000	929
23	10,000	929
24	10,000	929
25	10,000	929
26	10,000	929
27	10,000	929
28	10,000	929
29	10,000	929
30	10,000	929
31	10,000	929
32	10,000	929
33	10,000	929
34	10,000	929
35	10,000	929
36	10,000	929
37	10,000	929
38	10,000	929
39	10,000	929
40	10,000	929
41	10,000	929
42	10,000	929
43	10,000	929
44	10,000	929
45	10,000	929
46	10,000	929
47	10,000	929
48	10,000	929
49	10,000	929
50	10,000	929
51	10,000	929
52	10,000	929
53	10,000	929
54	10,000	929
55	10,000	929
56	10,000	929
57	10,000	929
58	10,000	929
59	10,000	929
60	10,000	929
61	10,000	929
62	10,000	929
63	10,000	929
64	10,000	929
65	10,000	929
66	10,000	929
67	10,000	929
68	10,000	929
69	10,000	929
70	10,000	929
71	10,000	929
72	10,000	929
73	10,000	929
74	10,000	929
75	10,000	929
76	10,000	929
77	10,000	929
78	10,000	929
79	10,000	929
80	10,000	929
81	10,000	929
82	10,000	929
83	10,000	929
84	10,000	929
85	10,000	929
86	10,000	929
87	10,000	929
88	10,000	929
89	10,000	929
90	10,000	929
91	10,000	929
92	10,000	929
93	10,000	929
94	10,000	929
95	10,000	929
96	10,000	929
97	10,000	929
98	10,000	929
99	10,000	929
100	10,000	929



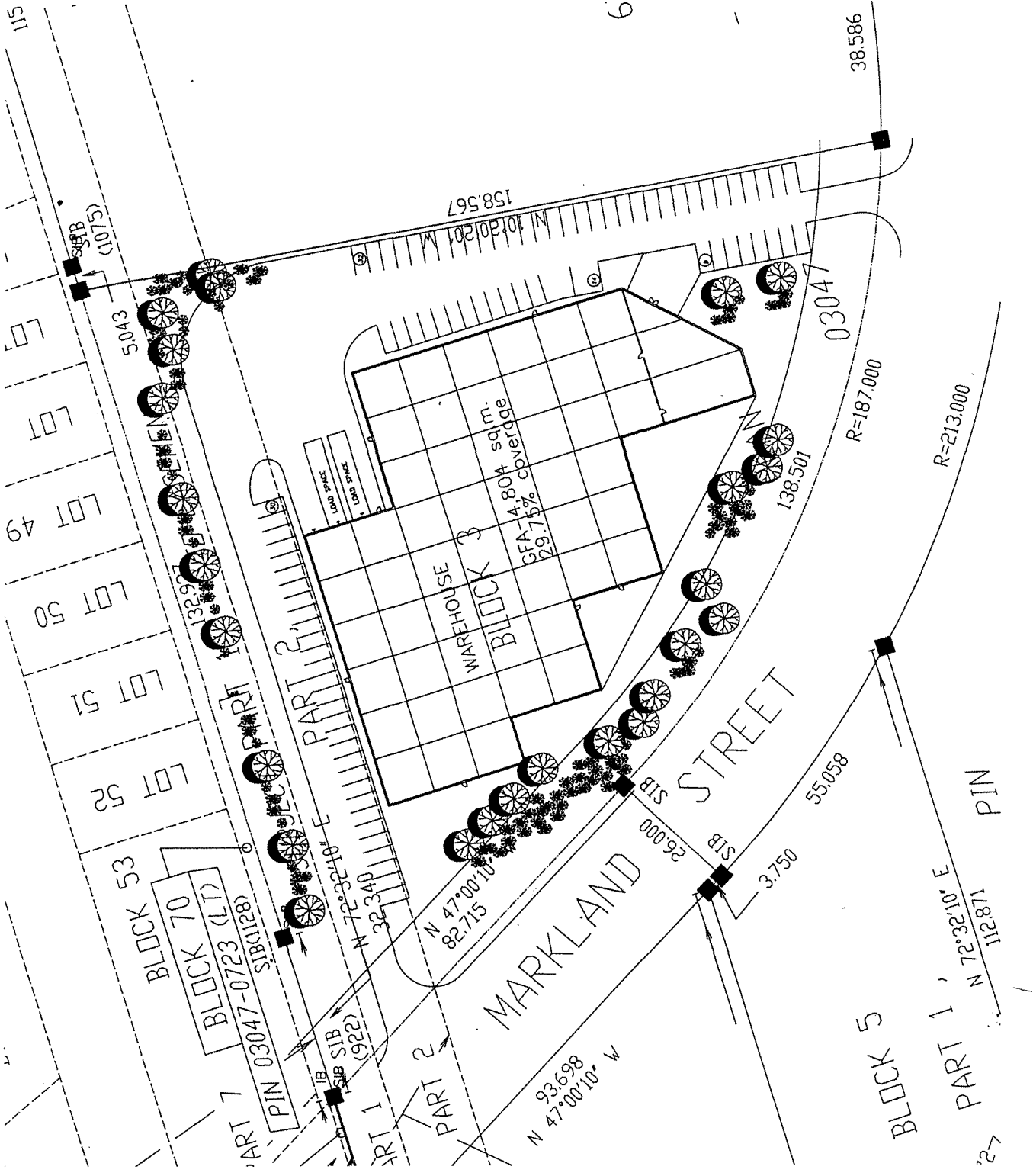
1. The owner of the land shown on this plan is the person whose name appears in the column headed "OWNER" in the table below.  
 2. The area shown on this plan is the area of the land shown on this plan.  
 3. The area shown on this plan is the area of the land shown on this plan.  
 4. The area shown on this plan is the area of the land shown on this plan.  
 5. The area shown on this plan is the area of the land shown on this plan.  
 6. The area shown on this plan is the area of the land shown on this plan.  
 7. The area shown on this plan is the area of the land shown on this plan.  
 8. The area shown on this plan is the area of the land shown on this plan.  
 9. The area shown on this plan is the area of the land shown on this plan.  
 10. The area shown on this plan is the area of the land shown on this plan.

NO.	NAME	ADDRESS	PHONE	DATE
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

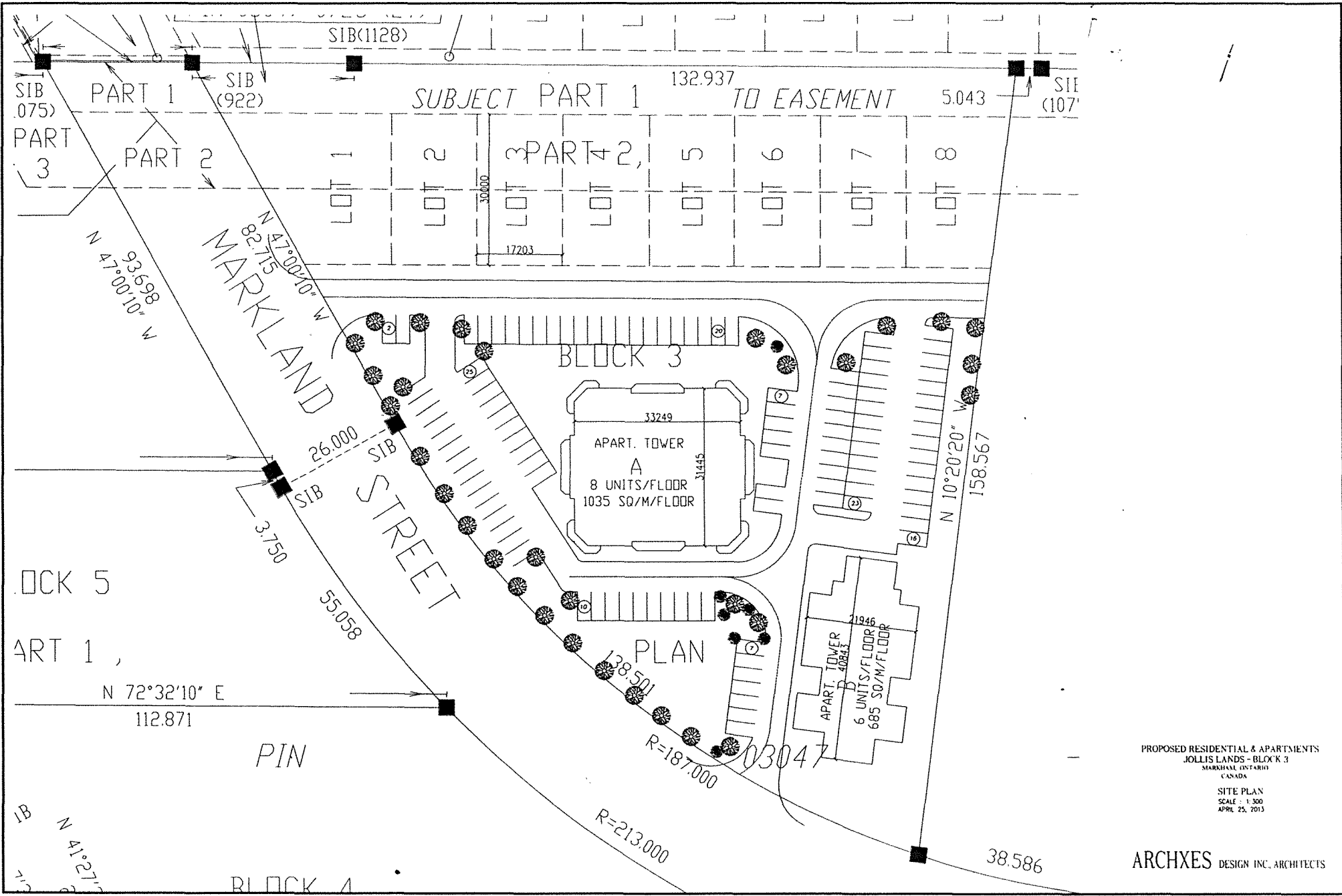
PROPOSED NEW OFFICE  
 AND WAREHOUSE  
 JULIUS BLOCK 3,  
 MARKHAM, ONTARIO

SITE PLAN

A01







PROPOSED RESIDENTIAL & APARTMENTS  
 JOLLIS LANDS - BLOCK 3  
 MARKHAM, ONTARIO  
 CANADA  
 SITE PLAN  
 SCALE : 1:300  
 APRIL 25, 2013

ARCHXES DESIGN INC. ARCHITECTS

## Dagmar Teubner

---

**From:** Mark McLaughlin <mark.mclaughlin@ca.cushwake.com>  
**Sent:** July-09-13 11:52 AM  
**To:** dteubner@rogers.com  
**Cc:** Mike D.Brown; Paul Langer  
**Subject:** FW: Some thoughts on the GTA east office market

Hi Dagmar

As requested, below is a commentary on the north office market from our National Director of Research.

Regards.

**Mark L. McLaughlin**  
**Vice President, Industrial**  
**Cushman & Wakefield Ltd.**  
3100 Steeles Ave. East, Suite 1100  
Markham, Ontario L3R 8T6  
T: 416-756-5451  
F: 416-756-5417  
C: 416-419-5080  
[mark.mclaughlin@ca.cushwake.com](mailto:mark.mclaughlin@ca.cushwake.com)

---

**From:** Stuart Barron  
**Sent:** Monday, July 08, 2013 4:42 PM  
**To:** Mark McLaughlin  
**Cc:** Paul Langer; David Lan  
**Subject:** Some thoughts on the GTA east office market

Mark,

My thoughts on the GTA east office market as requested,

Truth be told, the GTA east office market has never seen anything like what is happening right now in terms of experiencing remarkably weak overall demand strength. More so than the GTA west – ever since the great recession hit in the fourth quarter of 2008.

Remember, our best measure of demand strength is absorption, which measures the change in occupied space.

For your reference, and breaking down the stats by recession vs expansionary period, the results are as follows. Between 1996 and 2000, the GTA east saw some pretty respectable demand with average absorption of about 195,000 sf per quarter, or almost 800,000 per year. Development activity was much more robust and the GTA east was truly experiencing an expansionary office environment. After the downturn /tech bust in late 2000, the office markets became much weaker (period of economic weakness). As you might recall, downtown Toronto saw 3.8 million square feet return to market over this period. The GTA east, on the other hand, still saw positive absorption of about 35,000 square feet per quarter. So even during this weak economic period, the GTA east was still growing!

During the moderate expansionary period that followed, between Q4 03 and Q3 08, right before the great recession, demand or absorption rose to an average of 130,000 square feet per quarter or about 520,000 sf per year in the east. This would be considered a moderate expansionary period.

Now here is the kicker. Over the past 19 quarters, since the great recession hit, average absorption has been (-18) negative 18K per quarter. The overall cumulative negative absorption has been (341,000) SF. This has never been experienced before as far back as I am aware. Now what is remarkable about this statistic, is that even though the numbers are negative, these numbers include the positive impact of companies that have relocated from industrial quasi-office, into higher class office buildings. In other words, the situation is actually worse from a demand perspective than the picture these numbers paint.

In part, the suburban markets have been heavily influenced by consolidation activity and further, the densification of workplace environments, driven by a desire to develop collaborative workplace designs while generating occupancy cost savings, is reducing occupancy footprints. Now that is just a fancy way of saying that companies are cramming more people than ever before into a square foot of office space.

Keep in mind that while this is happening, we've seen a ton of growth downtown. Why? After all companies downtown are densifying too.

One key drive downtown, has been the continued development of residential condominiums. The growing educated workforce in the downtown area has attracted companies from the suburban markets who want to tap into both the workforce, and the energy and productivity levels that can be found in downtown Toronto. We refer to this as reverse migration, because it bucks the old trend that people used to talk about. Hiring the right employees and retaining them has become a priority for companies across the Americas. **So where the people go, the concept is, the companies will follow.** Of course there are other factors, but there is no question that this has accounted for about 15% to 18% of the growth in downtown Toronto. Coca Cola, is a good example of a company who just left the GTA east to locate into the Downtown east fringe at 333 King East last quarter occupying 100,000 sf.

That same well educated work force is also attracting companies such as Google, Apple, SNC Lavelin, as companies decide where they want to locate and where they want to grow in the years ahead.

Those are some thoughts,

Stuart

Stuart Barron, CA  
National Director of Research  
Director, Real Estate Finance  
Cushman & Wakefield Ltd.  
33 Yonge Street, Toronto  
416-359-2652



Cushman & Wakefield Ltd.  
3100 Steeles Avenue East, Suite 1100  
Toronto, ON L3R 8T3  
(416) 494 9500 Tel  
(416) 494 9444 Fax  
[www.cushmanwakefield.com](http://www.cushmanwakefield.com)

June 11, 2014

Dagmar Teubner  
215 Banbury Road  
Toronto, ON  
M3B 3C6

Dear Dagmar,

While historically, the suburban markets experienced solid growth, including the GTA East, which saw average positive absorption from 1992 to Q3 2008 of about 110,000 per quarter, or about 440,000 SF per year, demand has significantly softened in recent years.

Since the recession hit the office markets in the fourth quarter of 2008 (22 quarters), absorption in the GTA East has averaged negative 47,000 SF per quarter, generating about a million square feet in negative absorption. This has resulted in a slow steady increase in vacancy. Total availability in the east increased from 2.8 MSF to its current level of 3.3 MSF.

Additionally, it has also meant that rental rates have been much softer than what would have been achieved had we experienced ongoing expansionary demand.

Part of the reason for this is that companies are significantly densifying as they relocate. Many companies, after acquisition, or who have multiple locations are consolidating as they address and reduce space standards. This means that while growth is occurring, it is being masked, and total occupied space is experiencing little growth.

This is of particular note with larger tenants, who are focused on cutting costs. Companies of size continue to contract when they relocate, although there are some new entrants into the market, and a small amount of migration into the GTA east is occurring. American Express for instance will relocate into 194,000 SF and will be displacing 306,000 SF into the market.

With an expected strengthening of the U.S. economy, it is possible that by the fourth quarter, we see a pick-up in expansionary demand momentum, and this could translate into positive ongoing absorption, but it remains to be seen whether the cycle of densification will significantly offset any growth that will occur in the GTA East market.



Markham contains about 48% of the GTA East inventory, and as such, is experiencing the same trends as identified above. Markham has seen no increase in occupied space over the past five years and in the past year has seen a reduction in occupied space of 133K per quarter, or over 500,000 SF over the year. This lack of growth is contributing to softer achievable rental rates in the east.

Sincerely,

A handwritten signature in black ink that reads "Stuart Barron".

Stuart Barron, CA  
National Director of Research  
Cushman & Wakefield Ltd.  
33 Yonge Street, Toronto  
416-359-2652



Cushman & Wakefield Ltd.  
3100 Steeles Avenue East, Suite 1100  
Toronto, ON L3R 8T3  
(416) 494 9500 Tel  
(416) 494 9444 Fax  
[www.cushmanwakefield.com](http://www.cushmanwakefield.com)

June 11, 2014

Dagmar Teubner  
215 Banbury Road  
Toronto, ON  
M3B 3C6

Dear Dagmar,

Demand in the GTA industrial markets has paralleled the suburban office markets in the GTA in recent years, but there are outside factors that have influenced overall demand strength.

From early in 2004, after the end of the influence of the tech bust on the markets, Toronto industrial absorption averaged 1.74 million square feet per quarter. I.e. there was fairly strong, pronounced growth. The dominant area of growth has been the GTA west, but the east too saw growth. Since the fourth quarter of 2008, when the industrial markets were hit by the global financial crisis, until the first quarter 2014, absorption has averaged only 380,000 per quarter.

This supports the notion that expansionary growth has decreased enormously in the industrial sector. Most recently, we have seen many U.S. retail companies enter Canada, and the distribution centers that support these entries have resulted in a substantial number of warehouse and distribution facilities rising. And even though this is the case, since late in 2008, overall expansionary growth has been extremely weak.

We also have the impact of the ecommerce sector. And while the overall impact is difficult to quantify, we are seeing retail profitability at greater risk over the past year, and many retail stores are looking to commit to less space for their product. One presumes this will result in smaller distribution needs. However it is likely that this will be in part offset by growth from new entrants, like Amazon.

Much higher average development costs is in some cases contributing to companies looking at a wider spectrum of geographic locations, in order to avoid the heavy costs of developing in the GTA.

It is difficult to project where demand will go, but if economists are correct, a slow growth scenario would likely mean slower growth in the industrial sector. With a pick-up in the U.S. economy, and a lower Canadian dollar, demand for Canadian goods and services should see a boost in the latter half of 2014. But it is unlikely that we will see a resumption of growth levels seen in the past.

Sincerely,

A handwritten signature in black ink, appearing to read "Stuart Barron".

Stuart Barron, CA  
National Director of Research  
Cushman & Wakefield Ltd.  
33 Yonge Street, Toronto  
416-359-2652

Currently In Force

# MARKHAM

## BY - LAW

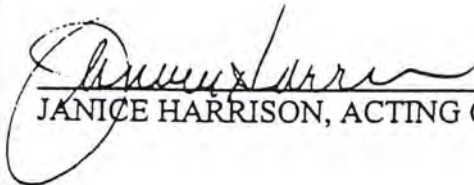
### 288-96

Being a by-law to adopt Amendment No. 43 to the  
Official Plan (Revised 1987) as amended,  
which also incorporates a Secondary Plan PD 26-1

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS 17 AND 21 OF THE PLANNING ACT, R.S.O. 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. 43 to the Official Plan (Revised 1987) as amended, of the Town of Markham Planning Area, 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  
26TH DAY OF NOVEMBER, 1996.

  
\_\_\_\_\_  
JANICE HARRISON, ACTING CLERK

  
\_\_\_\_\_  
DON COUSENS, MAYOR

## PART I: THE INTRODUCTION

(this is not an operative part of Official Plan Amendment No. 43)

### 1.0 PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to establish and confirm policies permitting the development of residential and employment uses within the Woodbine North Planning District.

It is the intent of this Amendment to redesignate lands within the Planning District from 'Industrial' 'Open Space' and 'Commercial' to 'Industrial', 'Residential' and 'Commercial' designations. It is anticipated that the entire Planning District will accommodate approximately 1,215 dwelling units (approximately 4,380 residents), an estimated 7,000 employment opportunities and a variety of commercial uses and community uses when development has been completed.

### 2.0 LOCATION

The Planning District is situated within the urban boundary of the Town of Markham. It is described as the Woodbine North Planning District. The Planning District is bounded by 16th Avenue to the south, Highway 404 to the west, Major Mackenzie Drive to the north and Woodbine Avenue to the east.

The Planning District is described as Part of Lots 16, 17, 18, 19, and 20, Concession 3, in the Town of Markham.

### 3.0 EXISTING LAND USES

The total area of the Planning District is approximately 185 hectares, which includes the existing golf course and the offices of Lego Canada. As part of the development of the Lego offices, a significant portion of Markland Street (intended to become the mid-block collector when the District is fully built-out) has been constructed, along with a stormwater management pond. Three existing buildings have been identified as 'heritage' buildings (although not designated under the *Heritage Act*). A golf course is currently operating in the valley of the Rouge River and on adjoining tablelands, north of 16th Avenue.

A new industrial use, just north of the Lego offices on Markland Road, is currently under construction. In addition, recent applications have been approved to permit an automobile service station at the southeast corner of Markland Road and Major Mackenzie Drive, and a place of worship located adjacent to Woodbine Avenue, across from Rodick Road.

Major land uses surrounding the Planning District include:

- to the west and across Highway 404, is a large business park development (currently under construction) within the Town of Richmond Hill;
- to the north and across Major Mackenzie Drive, are some scattered rural commercial and residential uses, however, the area is proposed for a mixed residential and business park development known as the Cathedral Community;



- to the east and across Woodbine Avenue, are low and medium density residential communities with associated parkland and a commercial development at the intersection of 16th Avenue and Woodbine Avenue; and,
- to the south and across 16th Avenue, is Buttonville Airport and low density residential development.

#### 4.0 PLANNING HISTORY

The Planning District has been approved for the development of employment generating land uses since May 1, 1991 when Official Plan Amendment No. 84 was approved by the Ontario Municipal Board. The subject area was known at that time as the Woodbine North Industrial Planning District.

OPA No. 84 was subsequently amended by OPA's No. 119 and No. 122. Those subsequent Amendments were both related to the minimum lot sizes permitted on certain lands within the Planning District and did not significantly impact the overall intent or land use distribution envisioned in OPA No. 84. All of the lands within the Planning District are currently zoned and included in various industrial plans of subdivision, which were also draft approved by the Ontario Municipal Board in 1991.

The policies of OPA No. 84, as amended, have been generally updated by the policies of Official Plan Amendment No. 26, which amended the commercial and industrial land use policies throughout the Town. OPA No. 26 was approved by the Province on April 7, 1995. The policies of OPA No. 26 generally take precedence over the policies of OPA No. 84.

As a result of the historic planning activity, Schedule 'A' Land Use of the Official Plan (Revised 1987), as amended, designates most of the Planning District as 'Industrial' and 'Commercial' with a 'Hazard Lands' designation applying to the valleylands associated with the Rouge River. Schedule 'H' Commercial/Industrial Categories, designates the lands as 'Business Park' and 'Retail Warehouse' with a 'Business Corridor' designation on a portion of the Woodbine Avenue frontage north of 16th Avenue.

The lands within the Planning District are currently zoned by By-law 165-80, as amended, for 'Select Industrial' and 'Limited Commercial' uses with permitted densities ranging from 45 to 100 percent.

#### 5.0 BASIS OF THE AMENDMENT

In October, 1995 the Town of Markham received a report entitled *Woodbine North Community Planning Rationale* (the KLM Report). The report was prepared by KLM Planning Partners Inc. with support from Viljoen Architect Inc. Additional supporting studies are appended to the KLM Report, including:

- *The Economic Implications of a Proposed Plan for Woodbine North* prepared by Clayton Research Associates Limited;
- *Woodbine North Community - Servicing Review* prepared by Cosburn Patterson Wardman Limited; and,
- *Woodbine North Community - Traffic Impact Report* prepared by Proctor and Redfern Limited.

It was originally anticipated that the Woodbine North Industrial Planning District would accommodate between 8,000 and 12,000 employment opportunities by the year 2011 in a business park setting. The proposed change in land use would reduce the employment generating potential to approximately 7,000 opportunities, while replacing the lost employment potential with approximately 1,215 new dwelling units.

It is the opinion of the applicant that the *"Land Use Concept supporting the redesignation of a portion of an existing approved yet underutilized Business Park provides an opportunity to develop a fully integrated mixed use community containing an innovative residential component and provides a number of benefits to the Town of Markham and Region of York."*

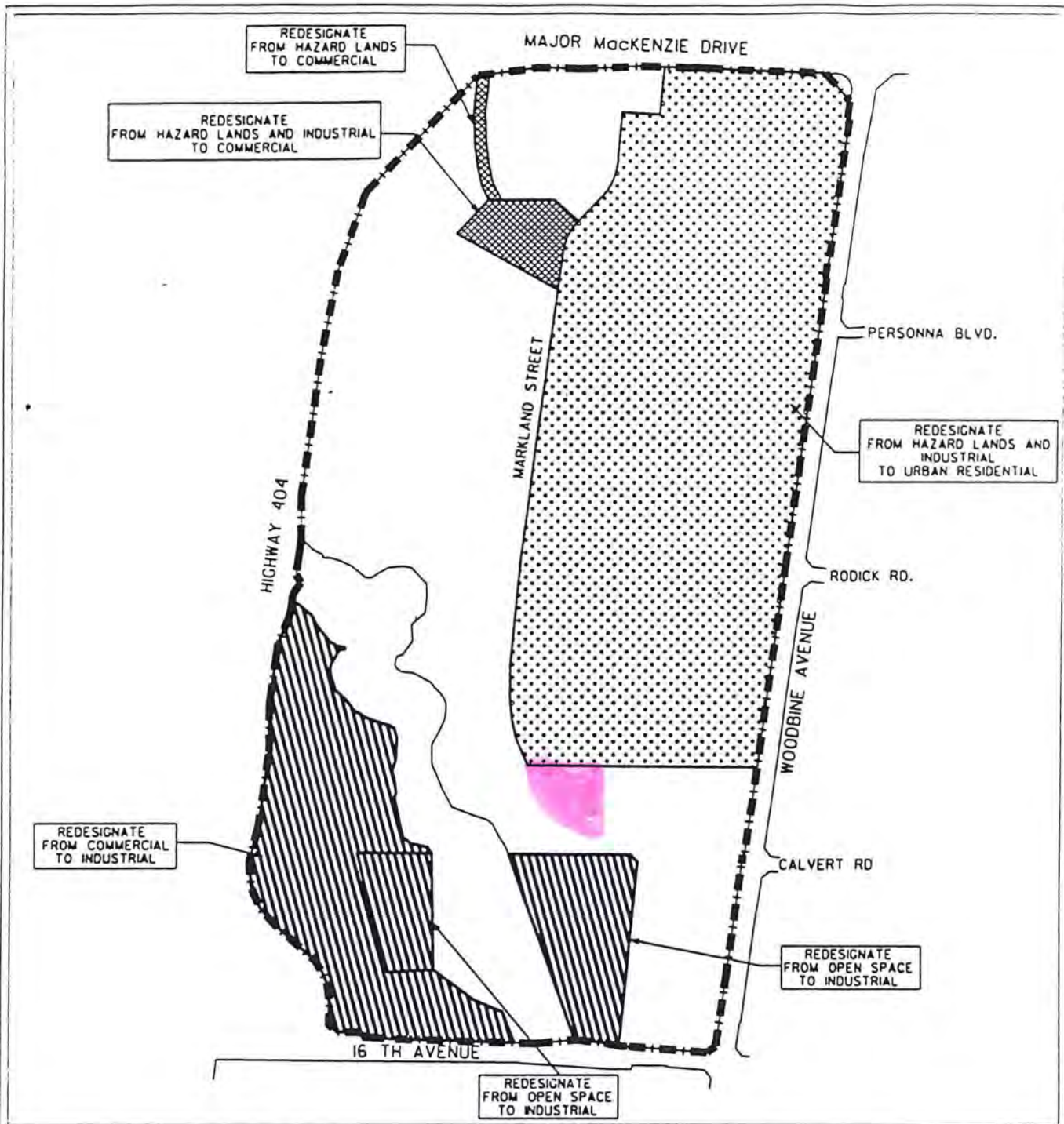
It is suggested by the applicant that the redesignation will:

to residential

- "• Reduce the excess supply of employment lands while retaining sufficient land to accommodate future growth forecasts;*
- Increase the supply of residential units to satisfy the minimum three year supply required by Provincial policy, the Region of York and the Town of Markham Official Plan;*
- Have positive impacts on housing affordability, choice of location and the ability of the Town of Markham to meet growth forecasts, accommodate those employees who currently commute to Markham and to remain competitive with other municipalities;*
- Permit the immediate development of an innovative residential community utilizing existing underused infrastructure;*
- Generate an ongoing fiscal surplus to the Town of Markham and the Region of York;*
- Contribute \$24.5 million in development charges and building permit fees to the Town of Markham and \$22 million in development charges to the Region of York;*
- Generate less traffic and generally improves intersection operations;*
- Improve transit usage opportunity through mixed use and increased density;*
- Create a healthy livable community that provides for employment, living, learning, culture, recreation and religion that is consistent with the planning initiatives of the Province, Region of York and Town of Markham."*

Based on the rationale provided by the applicant, and in the context of a status report provided by staff, Council directed staff to prepare the necessary documentation to implement the requested land use redesignation. It was staff's recommendation to implement this direction in the context of a new comprehensive Secondary Plan for the Woodbine North Planning District in order to achieve the following:





- incorporate policies addressing the proposed redesignation;
- address infrastructure requirements, including policies for a potential road crossing of the Rouge River;



OFFICIAL PLAN AMENDMENT No. 43

SCHEDULE 'A'-LAND USE

To Amend Schedule 'A'-Land Use  
to the Official Plan of Markham Planning Area (Revised 1987) as amended

-  BOUNDARY OF AREA COVERED BY THIS AMENDMENT
-  URBAN RESIDENTIAL
-  COMMERCIAL
-  INDUSTRIAL

## 5.0 LAND USE POLICIES AND DESIGNATIONS

### 5.1 GENERAL LAND USE POLICIES

- a) The basic pattern of land use for the subject lands is established as shown on Schedule 'A' - Land Use of Official Plan Amendment No. 43. The Planning District is comprised of a Residential District, an Industrial/Commercial District and the Hazard Lands associated with the Rouge River.
- b) A more detailed pattern of land use and a conceptual transportation network are identified on Schedules 'AA' and 'BB' respectively. Both of these Schedules provide schematic information and may be subject to minor adjustments within the Plan of Subdivision and/or Site Plan Approval processes without the need for an Amendment to this Secondary Plan, provided that the proposed change is necessary to:
- preserve natural vegetation or other environmentally significant features;
  - preserve public views to parks, valleys and public features;
  - preserve a heritage resource;
  - accommodate stormwater management facilities; and/or,
  - accommodate the building forms, land use relationships, street patterns and/or development requirements as established in the Community Design Plan.

Notwithstanding the fulfillment of any or all of the above requirements, minor changes to Schedule 'AA' will only be permitted without the need for an Amendment to this Secondary Plan if the general intent of the Plan is maintained.

Similarly, minor changes to Schedule 'BB' will only be permitted without the need for an Amendment to this Secondary Plan provided the overall road pattern and principles of connectivity and appropriate traffic distribution are maintained.

- c) The interface between the Residential District and the Industrial/Commercial District is a crucial element of this Secondary Plan. It is intended that the Community Design Plan will provide the design direction for the interface by determining the mitigating features required within the identified buffers on residential lands and, where appropriate, on public lands. The following general policies, among others, will be further articulated in the Community Design Plan:
- wherever possible, public roads shall be used as a separator between development within the 'Business Park Area'/'Retail Warehouse Area' designations and development within the 'Urban Residential - Low Density and Medium Density I Housing' designations;
  - with the exception of lots fronting onto a service road, no residential dwelling unit shall face development within either the 'Business Park Area' or the 'Retail Warehouse Area' designations;

- a landscaped buffer, generally 3 metres in width to be provided on lands designated 'Urban Residential - Low Density and Medium Density I Housing', shall be required where residential lots have flankage on a street that separates the 'Business Park Area' or 'Retail Warehouse Area' designations from development within the 'Urban Residential - Low Density and Medium Density I Housing' designations; and,
  - where lands designated 'Urban Residential - Medium Density I Housing' immediately abut lands designated either 'Business Park Area', 'Business Corridor Area' or 'Retail Warehouse Area', a landscaped buffer, (which may include parking), of not less than 10 metres shall be provided on the non-residential lands; and,
  - the Community Design Plan shall determine the appropriate design treatment and land ownership requirements for the landscaped buffers and their ongoing maintenance.
- d) In order to ensure that property owners contribute equitably towards the provision of community and infrastructure facilities such as schools, parks, roads and road improvements, external services and stormwater management facilities, property owners may be required to enter into one or more developers group agreements, as a condition for the development of their lands.

These agreements shall provide for the equitable distribution of the costs (including lands) of the aforementioned community and common public facilities where such costs are not dealt with under the *Development Charges Act*.

## 5.2 THE RESIDENTIAL DISTRICT

### 5.2.1 General Residential Policies

- a) It is the intent of this Secondary Plan to ensure the development of well defined residential neighbourhoods that provide a range and mix of housing types and a variety of commercial and community facilities to satisfy the needs of local residents.

As such, lands designated 'URBAN RESIDENTIAL' on Schedule 'A' to Amendment No. 43 to the Official Plan (Revised 1987), as amended, shall generally include the following land uses:

- a variety of house forms, including detached, semi-detached and street townhouses;
- elementary schools;
- a neighbourhood park, parkettes and open space linkages;
- day care facilities;
- places of worship; and,
- small-scale retail commercial development.

- j) the orientation and sizing of new lots shall not have a negative impact on significant public views and vistas that help define a residential neighbourhood;
- k) proposals to extend the public street network should be designed to improve neighbourhood connectivity, improve local traffic circulation and enhance conditions for pedestrians and cyclists;
- l) road and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection; and
- m) other criteria as identified in plans approved by Council.

### Development Criteria - New Development

- 8.2.3.6 **In considering** an application for *development approval* on lands designated 'Residential Low Rise', development, other than infill development, shall adhere to the following development criteria:
- a) buildings shall be street-related with consistent setbacks to create a harmonious relationship to the street;
  - b) the local road system shall be designed to enhance the pedestrian environment by increasing the visual interest of streets and pedestrian comfort through the provision of sidewalks, walkways, frequent intersections, attractive streetscapes and landscaping;
  - c) the development should incorporate an integrated open space network;
  - d) development should be designed to be transit-oriented and reflect transit-oriented development principles;
  - e) non-residential buildings that are adjacent to low-rise residential buildings shall be designed to respect an angular plane not greater than 45 degrees measured from the boundary of the low-rise residential building; and
  - f) other criteria as identified in plans approved by Council.

### 8.2.4 Residential Mid Rise

Lands designated 'Residential Mid Rise' are generally located along arterial or major collector roads and are characterized primarily by mid-rise residential buildings that provide for a diversity of housing mix and building types and respect the existing character of the adjacent and surrounding areas. For the most part these areas are located near mixed-use developments and shopping centres.

The intent in these areas is to support existing or planned transit services by providing opportunities for modest levels of *intensification* in appropriate areas, adjacent to established 'Residential' areas. Buildings in 'Residential Mid Rise' areas will contain a mix of unit types and will generally be aligned along public streets with consistent setbacks and designed to ensure appropriate transitions in height to adjacent low-rise areas.

New developments on large sites will be planned in a comprehensive way incorporating the locations of new roads, development blocks, open spaces, access to community services and public transit.

*'Residential Mid Rise' areas are characterized primarily by mid-rise residential buildings that provide for a diversity of housing mix and building types and respect the existing character of the adjacent and surrounding areas.*

**It is the policy of Council:**

**General Policies**

- 8.2.4.1 **On lands** designated 'Residential Mid Rise' to:
- provide for modest levels of residential *intensification* in mid-rise buildings adjacent to transit routes along arterial and collector roads;
  - encourage building design in new developments that is street-related with consistent setbacks;
  - require buildings to provide pedestrian comfort in the public realm; and
  - require that buildings be designed to provide a transition in height and massing to adjacent 'Residential Low Rise' areas.

**Uses**

- 8.2.4.2 **To provide** for *shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised*, in addition to the uses listed in Section 8.2.1.2, on lands designated 'Residential Mid Rise' in accordance with Section 8.13.9 of this Plan.

**Building Types**

- 8.2.4.3 **To provide** for the following building types on lands designated 'Residential Mid Rise':
- townhouse;
  - small multiplex building containing 3 to 6 units;
  - stacked townhouse;
  - apartment building; and
  - buildings associated with *day care centres, places of worship and public schools*.

**Densities and Heights**

- 8.2.4.4 **To provide** for a minimum building height of 3 storeys and a maximum building height of 6 storeys, unless otherwise specified in a secondary plan or site-specific policy, implemented by a density generally in the range of 1.5 to 2.0 FSI on lands designated 'Residential Mid Rise'. Buildings located in an *intensification area* as shown on Map 3 – Land Use may have a maximum height of 8 storeys, unless otherwise specified in a secondary plan or site-specific policy, and a site development density generally in the range of 1.5 to 2.5 FSI, subject to a *comprehensive block plan* showing the distribution of density and height across the site in a manner that conforms to the development criteria identified in Section 8.2.4.5.

**Development Criteria**

- 8.2.4.5 **In considering** an application for *development approval* on lands designated 'Residential Mid Rise', development shall have regard for the Urban Design and Sustainable Development policies outlined in Chapter 6 of this Plan and adhere to the following development criteria:
- on sites larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* shall be prepared in accordance with Section 9.1.3 of this Plan;
  - buildings should generally be placed on a site to respect a consistent setback and provide for continuity in built form;

### Densities and Heights

- 8.3.7.4 **To provide** for densities and heights on lands designated 'Mixed Use Heritage Main Street' consistent with the provisions contained in the relevant secondary plans for the *heritage conservation districts*.

### Development Criteria

- 8.3.7.5 **That** all development on lands designated 'Mixed Use Heritage Main Street' shall be consistent with objectives and policies related to the maximum size of certain uses, urban design and development matters as set out in the relevant secondary plans for the *heritage conservation districts*.

## 8.4 COMMERCIAL

The 'Commercial' designation applies to lands that accommodate existing or approved large-format retail development serving a wide area. These lands are located adjacent to 'Employment Lands' along arterial roads, at arterial road intersections, and close to interchanges with 400 series highways.

Lands designated 'Commercial' form part of the 'Employment Area' component of the urban structure as shown on Map 1 – Markham Structure. It is the intent of this Plan to provide for the evolution of 'Commercial' lands to more intensive building forms and office, retail and service uses, while remaining compatible within Markham's structure as part of the 'Employment Area'.

As new, large-format retail development is provided for as larger scale retail development in 'Mixed Use' designations, it is the intent of this Plan that no additional lands will be designated 'Commercial'.

*It is intended that 'Commercial' areas will evolve to include more intensive building forms and office, retail and service uses, while remaining compatible within Markham's structure as part of the Employment Area.*

### 8.4.1 General Policies

**It is the policy of Council:**

#### Planned Function

- 8.4.1.1 **On lands** designated 'Commercial' to:
- a) recognize lands located along arterial roads, at arterial road intersections, and close to interchanges with 400 series highways that have historically been developed or approved for larger scale, low density retail development, compatible with adjacent development on 'Employment Lands';
  - b) accommodate already approved large-scale retail development, but through the policies of this Plan also provide for the orderly, phased development or *redevelopment* of these lands into multi-use employment areas accommodating a range of more intensive uses enhancing their retail and service function; and
  - c) recognize that residential uses are not intended to be provided for within this designation.



### Restriction on 'Commercial' Designation

- 8.4.1.2 **That** no additional lands be designated 'Commercial' in Markham, in order to ensure that future large-scale retail development is directed to lands designated 'Mixed Use'.

### Uses

- 8.4.1.3 **To provide** for the following uses, in addition to the uses listed in Section 8.1.1, on lands designated 'Commercial':

- a) retail;
- b) service;
- c) office;
- d) banquet hall;
- e) *commercial fitness centre*;
- f) *commercial parking garage*;
- g) financial institution;
- h) hotel that does not include dwelling units;
- i) light manufacturing, processing and warehouse use, with no outdoor storage or outdoor processing;
- j) motor vehicle service station in accordance with Section 8.13.5;
- k) *place of entertainment*;
- l) *private club*;
- m) restaurant;
- n) trade and convention centre; and
- o) *trade school*.

- 8.4.1.4 **To provide** for the following *discretionary uses*, in addition to the uses provided for in Section 8.4.1.3, on lands within the 'Commercial' designation, subject to review of a site-specific zoning by-law amendment application, and in accordance with Section 8.5.1.3 and any conditions identified below:

- a) *day care centre* and *place of worship* in accordance with Sections 8.13.2 and 8.13.7 respectively, and commercial school, provided the use is located in a multiple unit building; and
- b) funeral home in accordance with Section 8.13.4.

- 8.4.1.5 **To prohibit** the following uses on lands designated 'Commercial':

- a) dwelling unit.

### Building Types

- 8.4.1.6 **To provide** for single and multi-storey retail, industrial and office buildings containing single or multiple units on lands designated 'Commercial'.

### Heights

- 8.4.1.7 **To provide** for a maximum building height of 15 storeys, unless otherwise specified in a secondary plan or site-specific policy, on lands designated 'Commercial'.

**Issue: Convert Jolis from Employment to Residential zoning.**

Various sections of the Growth Plan for the Greater Golden Horseshoe (GGH) outline the benefits of a conversion. Section 1.2.2 is based on the principles of complete communities. Optimize the use of existing and new infrastructure to support growth in a compact and efficient form. With regard to the subject land since the parcel is surrounded by residential you will be adding to the established community. Transportation has already been established meaning you will not have to create or increase the means of transportation. Section 2.2.3.6i states municipalities should plan for a range of mix housing and take into account affordable housing needs. Majority of the development of the subject land are apartments and the rest is single-family dwellings. These plans take into consideration the needs for affordable housing, which is the focus of this development.

For Conversion Continuation:

**GGH 2.2.5.1b**

- Major Transit Station Areas and Intensification Corridors planned to achieve a **mix of residential, office, institutional and commercial development wherever appropriate**
  - It is not appropriate to have industrial next to residential (complaints of noise, smell, etc.)
  - If the land remains vacant as it has—the plan to mix all types of development wouldn't apply due to the fact that nothing will be built on it
    - **Dr. Frank Clayton, Altus Group Economic Consulting** – 'Lands have been held in abeyance for "Office Commercial" use since 1986 and nothing has happened to achieve its intended use. --- To maintain these lands as 'office commercial' with lack of demand is contrary to the concept of optimization that is the goal of the Growth Plan

**GGH 2.2.3.7a,b**

- Cumulatively attract a significant portion of population and economic growth
- Provide a diverse and compatible mix of land uses, including residential and employment uses, to support vibrant neighborhoods
  - In comparison of the 60 jobs that will be created if the conversion does not take place it is insignificant to the grand scope of the number of jobs projected, however changing the land use to residential will accommodate residents
  - The commercial zoning to the east of Jolis will contribute to the diverse mix of land uses

**GGH 2.2.6.2a**

- Municipalities will promote economic development and competitiveness by providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long term needs
  - If the land remains vacant, regardless of the long term needs, they will not be met so long as there is no market or intention to build office space

- However, the commercial use to the east of the subject land would be apart of fulfilling the long term needs outlined in the growth plan

**GGH 2.2.6.5c**

- The conversion will not ADVERSLEY affect the overall viability of the employment area and achievement of the intensification target, density targets and other policies of this Plan
  - This development does not make a significant contribution positively or negatively to the growth plan forecasts (Numbers will be shown in the next section to back this statement up)

**How Changing from Employment to Residential will not have an impact on GGH goals (All Figures Come from Hemson)**

*Keeping Employment*

- $60 / 82988 = 0.000723\%$  → This shows that keeping the zoning as Industrial will not have a significant impact to reach the GGH forecasts

**What the proposed development will contribute to the overall forecast.**

***Hemson Report → City of Markham 2013- Development Charges***

**Singles and Semis**

- 2013-2031, Total 10,626
- $8 \text{ (Single Dwellings)} \div 10626 = 0.0008\%$  (rounded up)
- **2016-2018-**  $8 \text{ (Single Dwellings)} / 1944 = 0.004$  (What this development will contribute to the single and semi forecast during that period)—insignificant

**Apartments**

- 2013-2031, Total 25,591
- $112 \text{ units} \div 25,591 = 0.004\%$  (rounded)
- **2016-2018-**  $112 \text{ units} / 4016 = 0.028\%$  (What the development of apartment units will contribute to the overall forecast)—insignificant

**Population Forecast**

$256 \text{ (Apartment and Single Dwelling PPU)} \div 96904 \text{ (Total population for Apartment and Single Dwelling)} = 0.003\%$  (rounded up)

**Is there a need for residential land?**

**Hemson: Forecast Population in New Households by Unit Type**

<u>Single and Semis</u>	<u>Apartments</u>
2013-2031 → 39,210	2013-2031 → 51,694

PPU

Singles and Semis → 3.58 (3.69 Revised)

Apartments → 2.30 (2.02 Revised)

\*These figures demonstrate keeping employment land or allowing the conversion will not have a significant impact on the Growth Forecast\*

**\*\*Calculated the forecast population based on REVISED PPU**

**ALTUS REPORT:**

- 2011-2031 market share of 47.5-52.5% should be achievable—yield projected demand of approx. 600-850 apartments/year
  - o Projections prepared by Markham staff based on the town achieving higher share of future growth through intensification than assigned to Markham
    - These projections are increased → intensification may be lower—just increase them as fool safe system so that they have enough designated land should there be a higher degree of intensification than expected
      - Argue that conversion from industrial to residential would not cause significant job loss (60 employees) and conversion to residential would not have significant impact on the residential growth forecasts (too much residential) nor would it have a significant impact on the employment growth forecasts

**If the Conversion is Permitted:**

*Governed by Markham's Official Plan:*

**8.2.4.1d**

- On lands designated 'Residential Mid Rise'
  - o Require that buildings be designed to provide a transition in height and massing to adjacent 'Residential Low Rise' areas

**8.2.4.3**

- To provide for the following building types on lands designated 'Residential Mid Rise'
  - o Townhouse
  - o Small multiplex
  - o Stacked townhouse
  - o Apartment building