



Ontario Land Tribunal

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Participant Status Request Form and Participant Statement Form

This form is expected to be provided at least 10 days in advance of the first hearing event to the Tribunal and all parties. Please contact the assigned Tribunal Case Coordinator to verify the relevant contact information for the parties. A paper copy of this form must also be provided to the Tribunal Member at the first hearing event.

Important: This form includes your written request for participant status and your participant statement. The presiding Tribunal Member will consider your request and the participant statement provided below at the hearing event prior to determining whether to grant you participant status and accept your participant statement.

Request Date (yyyy/mm/dd): 2022/11/21

Case Information

Tribunal Case Number: OLT-22-003917

Date of Case Management Conference/Hearing (yyyy/mm/dd): 2022/12/01

Contact Information

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Organization Name: Aileen-Willowbrook Residents Association (AWRA)



Ontario

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- I certify that I have written authorization to act as a representative and I understand that I may be asked to produce this authorization at any time

Last Name: Alena

First Name: Gotz

Organization Name: Aileen-Willowbrook Residents Association (AWRA)

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- I certify that I have written authorization to act as a representative and I understand that I may be asked to produce this authorization at any time

Status Request Details and Participant Statement

A person who wishes to participate in a proceeding as a participant (and not a party) may only make a submission to the Tribunal in writing in accordance with [section 17 of the Ontario Land Tribunal Act](#) and Rule 77 of the OLT's [Rules of Practice and Procedure](#)

In the space below, describe your interest in the case, your position on the issues and an explanation of your reasons in support of your position. You may also provide documentation or attachments to support your request. The information you provide will be your participant statement

Notes:

1. Please refer to Rule 77 of the OLT's [Rules of Practice and Procedure](#) and [section 17 of the Ontario Land Tribunal Act](#) regarding the requirements for preparing a participant statement.
2. The OLT issues all correspondence to parties and participants electronically.
3. Personal information or documentation requested on this form is collected under the authority of the [Ontario Land Tribunal Act](#) and the legislation under which the proceeding is commenced.

All information collected is included in the OLT case file and the public record in this proceeding. In accordance with the [Freedom of Information and Protection of Privacy Act](#) and [section 9 of the Statutory Powers Procedure Act](#), all information collected is available to the public subject to limited exceptions.



Participant Statement

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Participant Statement

I. Executive Summary

1. Interest in the Case and Residents' Concerns

Aileen-Willowbrook Residents Association (AWRA) is a ratepayers association registered since 2005 with the City of Markham. AWRA advocates for the overall livability and improvement of our neighborhood as a complete community.

AWRA's boundaries include the following:

- Thornhill Centre, the focal point of our community, where the subject land (known as Thornhill Square) and the adjacent Thornhill Community Centre are located;
- an adjacent employment area (east of CN train tracks);
- approximately 3,420 households, whose residents regularly use the existing mall;
- a grocery store, drugstore and other services and amenities located on the subject land.

In its current form, the Appellant's redevelopment proposal will have a **significant negative impact on our area**, including the following:

- **10% increase in population, and 18% increase in households' pressure on services**
- **17% reduction in services and amenities for a growing community;**
 - 20% reduction in existing grocery store space
 - 9% reduction in existing drugstore space
 - 18% reduction in existing office space
 - 17% reduction in other existing retail space
 - 22% reduction in patron parking
 - more than 1,200 increase in number of residents
 - at least 10% increased pressure on existing community services
- **increase in traffic due to addition of 740 cars to local road infrastructure; traffic is already beyond acceptable limits** at Bayview Avenue intersections during peak hours and is characterized by:
 - unacceptable Level of Service (LOS E / F) with respect to traffic operational conditions;
 - unacceptable level of congestion, with Volume-to-Capacity ratios (V/Cs) well above the 85% threshold, and several traffic movements approaching or exceeding 100%;
- **lack of integration between proposed built form and existing urban characteristics** of the area, causing disruption to the sense of place and inconsistencies with the established street treatment on Green Lane.



2. AWRA's Position

The Appellant has the right to request a decision from the City of Markham in the time frame specified in the Planning Act. However, the absence of a decision is insufficient reason to approve the Appellant's redevelopment proposal, the related Official Plan Amendment (OPA), and the Zoning Bylaw Amendment (ZBA) in their current form, one that almost 2,000 residents have spoken out against.

At the March 22, 2022, Statutory Public Meeting (SPM), area residents presented more than 170 oral and written deputations. A petition organized by AWRA and presented to the City of Markham contained over 1,700 signatures and expressed concerns about, and opposition to, inappropriate "piecemeal" redevelopment of the area, including on the subject land.

The Appellant has long been aware of AWRA's request that they update their redevelopment proposal with the participation at the table of all key stakeholders, including the City of Markham, the Appellant, and area resident representatives.

AWRA will support a mixed-use redevelopment proposal that fulfills the following:

- respects the land use objective of Thornhill Centre as set out in the Markham Official Plan, section 9.18.11.1, and in the 1987 Thornhill Secondary Plan;
- is integrated with a comprehensive urban approach to the area;
- achieves a balance between land use for residential and non-residential uses that is profitable for the landowner and addresses the needs of the community;
- makes a positive impact on the quality of life of current and future residents;
- is based on valid assumptions about transportation conditions and accurate traffic data;
- includes specific traffic mitigation strategies to cope with expected population growth and increased traffic.

3. In Conclusion

AWRA supports a redevelopment of the subject land that would become an integral part of a thriving Thornhill Town Centre.

We propose that the Appellant work with representatives of the City of Markham and established residents groups to create a redevelopment proposal that achieves mutual benefits through a thorough understanding of the existing and growing needs of the area.

This summary is supported by the detailed analysis and rationale presented in the sections below.



II. Interest in the Case

Aileen-Willowbrook Residents Association (AWRA) is a ratepayers association registered with the City of Markham. AWRA advocates for the residents of the Aileen-Willowbrook area, which includes “Thornhill Centre,” a local centre where Thornhill Community Centre and the “subject land” at 288, 298 & 300 John Street known as Thornhill Square, are located adjacent to each other.

AWRA has a responsibility to promote and even improve the livability of our current area residents, to enable future betterment of our community, and to ensure that the area attracts future residents. Livability affects not only the day-to-day lives of residents, but also their physical and mental health.

The association therefore advocates for a revitalization of the area by transitioning our mature suburban neighbourhood into a “complete community”, in which nearby amenities and services needed for daily living are sufficiently available and accessible to current and future residents.

Given our mandate, this case is of the utmost importance to us. As **Thornhill Centre is the “heart” of our community**, residents expect the subject land to be redeveloped as part of a thriving “Thornhill Town Centre” that provides much needed amenities and services to our growing community.

Currently the subject land, which includes a mall housing a six-storey building, is the main provider of key commercial, professional, retail, and grocery shopping services to the area residents.

The subject land enables the area residents to access these critical services without having to leave their community and drive onto congested roads. In addition, its location encompasses several neighbourhoods that intersect with Bayview Avenue, John Street and Green Lane.

The subject land should therefore not be dealt with in isolation but, instead, as part of a comprehensive urban planning approach to the area.

III. Position on the Issues

The Appellant is in his rights to request a decision from the City of Markham in the time frame specified in the Planning Act. **However, the absence of a decision is insufficient reason to approve the Appellant’s redevelopment proposal**, related Official Plan Amendment (OPA), and Zoning Bylaw Amendment (ZBA) in their current form, against which almost 2,000 residents have spoken out.

AWRA does not support the Appellant's redevelopment proposal, related OPA and ZBA in their current form as they will **greatly reduce the livability of the community**.

In its current form, the Appellant’s proposal translates into “many more residential units, people and cars - much fewer amenities and services for the surrounding community,” and shows no consideration for the needs of the community, which will effectively see the area’s livability significantly reduced.



At the March 22, 2022, Statutory Public Meeting (SPM), more than 170 oral and written deputations by area residents were presented. A petition organized by AWRA and presented to the City of Markham contained over 1,700 signatures and expressed concerns about and opposition to such development in its current form.

The strong voice of the community was clearly acknowledged by the Appellant's senior representatives, who publicly agreed that the needs of the community should be considered and included in the redevelopment proposal.

In response to the Appellant's promises to the Markham Council and the community to work with residents, immediately following the SPM, AWRA invited the Appellant to work with us. The Appellant's first response was a request for time to get organized; their second response was to refer AWRA to the City. Thus, the Appellant evaded all offers of cooperation and instead, without notifying community representatives, six weeks later submitted an appeal to this Tribunal.

From an urban planning perspective, Thornhill Centre has not been properly reviewed since 1987 when the last Thornhill Secondary Plan was approved. We have lobbied our elected representatives to revise the 2014 Official Plan of this area in order to avoid a piecemeal development application process and to make way for a comprehensive redevelopment of Thornhill Centre.

The City of Markham heard our pleas and proposed a motion on June 7, 2021, for City Staff to look into the feasibility of properly planning this area, and to engage consultants in order to do so.

AWRA has proposed that the Appellant update their redevelopment proposal with the participation of all key stakeholders, including the City of Markham, the landowner, and area resident representatives. This proposal was initially acknowledged by the Appellant but they have not followed through. Their last communication with our representatives was on April 18, 2022, by email.

This failure to respond to invitations to engage with the local residents groups demonstrates the Appellant's lack of interest in creating a redevelopment proposal that recognizes and respects the existing and growing needs of the surrounding residents and businesses.

AWRA would support a mixed-use redevelopment proposal that:

- respects the land use objective of "Thornhill Centre" as set out in the Markham Official Plan, Section 9.18.11.1, and in the 1987 Thornhill Secondary Plan;
- is integrated with a comprehensive urban approach to the area;
- achieves a balance between land use for residential and non-residential uses that is profitable for the landowner and addresses the needs of the community;
- makes a positive impact on the livability of the area for current and future residents;
- is based on valid assumptions about transportation conditions and accurate traffic data;
- includes specific traffic mitigation strategies to cope with expected population growth and increased traffic



IV. Rationale to Support AWRA's Position

The subject land is part of Thornhill Centre, as stated in the Markham Official Plan, section 9.18.11.1 Land Use Objective: ***“The Local Centre of Thornhill Centre is intended to serve as an important focal point for the surrounding community providing a range of housing, employment, shopping and recreational opportunities, as well as personal and human services”.***

Thornhill Centre is meant to be the heart of our community and is key to the area's livability. The redevelopment proposal in its current form will greatly reduce the area's current and future livability.

To quote from a deputation made at the Markham Development Committee on May 3, 2021, by a resident and professional urban planner: ***“This project is based on the ‘value engineering principles,’ which promotes cramming as many units as possible [...] and disregards the needs of the surrounding community in order to generate as much profit as possible”.***

The following five sections - Traffic Congestion; Reduction of Space for Retail, Commercial and Professional Services; Impact on Community Services and Infrastructure; Proposed Built Form; and Community Seeking Opportunities to Work with Appellant - show the impact that the redevelopment proposal, in its current form, will have on the livability of the community.

1. Traffic Congestion

Gridlock is a major concern affecting the area's livability. With the traffic congestion currently beyond the capacity of the road infrastructure, the availability of local amenities and services in the community becomes critical. Moreover, according to York Region's **10-Year Roads and Transit Capital Construction Program**, **no** road infrastructure improvements are planned for Bayview Avenue south of Highway 7 in the foreseeable future. **If** they ever happen, they will be prohibitively expensive due to two bridges involved.

The Appellant's redevelopment proposal will add more than 740 cars to the John and Bayview area, exacerbating existing traffic congestion problems and increasing already excessive commute times (currently among the longest in North America).

Local residents' experience indicates that at peak traffic hours, with John Street extremely congested, cars are now using Green Lane as an alternative. Both these roads converge onto Bayview and pass the subject land. Turn-lane queues on both streets are already three times the existing turn-lane length.

Even local roads from Bayview Avenue to Yonge Street are congested during peak hours, with traffic moving extremely slowly as vehicles have to stop at stop signs at every intersection; furthermore, there is only one lane running each way.

It is important for the Tribunal to recognize that the traffic studies included in the Appellant's Updated Transportation Impact Study (uTIS) submission does not assess the situation accurately and is out of touch with the day-to-day traffic conditions experienced by local residents on a daily basis.

Further, local residents' experiences were validated by a comprehensive **“Bayview Avenue Class Environmental Assessment Study (2017 Bayview EA Study) Steeles Avenue to Elgin Mills Road”** completed by the York Region Transportation Department in 2017.



Therefore, many of the assumptions in the Updated Transportation Impact Study (uTIS) submission need to be revisited to obtain an accurate assessment of future traffic conditions of the area road system.

1.1. Faulty Assumptions about Traffic Conditions

Assumption: There is no other growth to consider.

This assumption is incorrect.

Page 12 of the Updated Transportation Impact Study (uTIS) reads:

“There are no background developments which were assumed as the study area is already built out. As such, given the overall maturity of the surrounding neighbourhood and the inclusion of no background developments, traffic along Bayview Avenue was assumed to grow by 0.5% on the Northbound and Southbound through volumes, to account for general growth of the area”.

The soon-to-be built Bridge Station TOC* and High Tech TOC will bring enormous growth to the area, and will have an overwhelming impact on Bayview Avenue’s traffic flow in the coming years, as these will bring:

- 67 condo towers (40 at 60 storeys or more);
- 11 condo towers at 80 storeys;
- a density of 175,000 residents/km² (4 X Yonge-Eglinton / 5 X North York Centre / 6 X Toronto Central Waterfront);
- 20,490 units (Bridge TOC) and 20,000 units (High Tech TOC);
- an unhealthy Yonge-407 district in the GTA, Ontario, which is the most densely populated centre on earth, just after the Dharavi slums of Mumbai;
- a population concentration equivalent to Newmarket (88,000) into 455 hectares (an area equivalent to about half of Exhibition Place), less than 10 hectares of parkland, and only one school (Newmarket, in contrast, has more than 320 hectares of parkland and 29 public and catholic schools);
- a compounded existing job deficit to an already net shortage of 30,000 jobs in 2016

* Information for what remains of Langstaff Gateway, which will be just east of Bridge Station, is currently unavailable



The added growth brought by the two TOC stations alone (not including Langstaff Gateway) is shown in Table 1.1.1 below:

Proposed High-Tech TOC and Bridge TOC, Dec 2021							
Statistics	High-Tech TOC (Richmond Hill)		Bridge TOC (Markham)		High-Tech/Bridge Combined		
	Min	Max	Min	Max	Min	Max	Average
Site Area (hectares)	20.1		25.4		45.5		45.5
Population	35,300	36,700	43,700		79,000	80,400	80,000
Jobs	9,600	12,600	9,400	12,300	22,000	21,900	22,000
Combined Population & Jobs Density per Hectare	2,303	2,383	2,091	484	2,220	2,248	2,240
Population density per km2	175,622	182,587	172,047	172,047	173,626	176,703	175,000
Building Height	40	80	5	80	5	80	
Proposed Parkland (m2)	46,424		50,400		96,824		96,824
Parkland per Resident(m2)	1.26	1.32	1.15		1.20	1.23	1.21
Community Facilities, Schools etc (m2)	0	0	17,500		17,500		17,500
Retail & Entertainment (m2)	29,030	29,030	17,350	17,350	46,380	46,380	46,380
Retail & Entertainment per Resident(m2)	0.79	0.82	0.40	0.40	0.58	0.59	0.58

Table 1.1.1 Proposed High Tech and Bridge TOC Statistics, Source: <https://abettergtacom/tocs/>

Note that at the time of this study, the construction of two high-rise buildings (14- and 12-storeys) on a neighboring Tridel property on the west side of Bayview Avenue was already in progress, yet its impact was not considered by the study.

Assumption: With subway and GO stations transit improvements, the future is bright.

These improvements are currently not fully funded and/or timed, or are highly hypothetical.

We found inconsistencies in the statements on page 12 of the Appellant’s submitted uTIS report. We are concerned about the following inaccuracies in the Appellant’s report:

“Transit improvements are planned for the neighbourhood. The Yonge TTC subway line is proposed to extend northwards towards Highway 7, terminating at Richmond Hill Centre Terminal Along this extension, the subject site is less than 2.5 km from two future TTC subway stations – Royal Orchard and Clark. The extension of the Yonge subway line provides additional rapid transit options to the neighbourhood, complementing the existing VIVA BRT service travelling through the neighbourhood”.



Subway / Bus Rapid Transit (BRT)

The Aileen-Willowbrook neighbourhood, where the subject land is located, **does not** extend west of Bayview towards Yonge Street where future subway station(s) are proposed. It **does not** extend to Highway 7 where the BRT is. **VIVA BRT does not** “travel through the neighbourhood”. The closest subway station will be 3.2 km walking distance from the subject land, and the BRT stop is 2.6 km from there.

According to the Main Transit Station Area definition, 500-800 meters is considered a “walkable distance” to reach a BRT/Subway station.

The submitted uTIS report shows distances to the closest subway stations as calculated in a straight line (“as the crow flies”) from the subject land, instead of using the road and/or sidewalk system (2.4 km vs. 3.2 km).

This is a misrepresentation in the Appellant’s statement. Clearly, 3.2 km is not a walkable distance to the future subway stations; nor is there an easy way to “commute” (by public transit) to those stations.

Assumption: Potential for a Go Station on John Street.

This assumption is quite misleading, for the following reasons:

- Please refer to the following text on Page 12 of the uTIS submitted by the Appellant:

“In addition to the proposed Yonge North subway extension, a potential GO station on John Street, within proximity to the subject site, is identified in the City of Markham’s Official Plan (2014.) The potential GO station will be an additional station on the Richmond Hill GO line, which provides dedicated commuter rail service during the morning and afternoon peak periods. This GO line is also planned to increase its operation from 30-min to 15-min frequency. The potential GO station on John Street will reduce the distance from the subject site to a GO station to 500 m from the present distance of 5 km to Langstaff GO station [...] will provide another mode choice for commuters traveling into the downtown core area and [...] brings transit closer to the existing residential neighbourhoods around the subject site. The potential GO station on John Street is noted to currently only be identified on the City’s Official Plan, as it is our understanding that there are technical hurdles to clear before service on the Richmond Hill GO line can be upgraded”

- It is incorrect to use this to justify high intensification on the subject land as there are no plans for a GO station (“Kiss ‘N Ride” or otherwise) on John Street; such an assumption is misleading as it may never materialize;
- according to Metrolinx’ [GO Rail Network Electrification Addendum](#) from early 2021, there is now a real plan to accomplish electrification on the Richmond Hill line through hydrogen-powered vehicles, with a resultant 30% increase in GO Train service, however, Metrolinx’ electrification plan does **not** include a GO Station on John Street nor an all-day 15 or 30-minute frequency service;



- with the construction of the Yonge North Subway Extension and an estimated 30-year TOC build-out, any consideration of a John Street GO Station on the Richmond Hill line is of very low priority with Metrolinx;
- Richmond Hill line is CN's freight mainline and cargo will always have priority over commuter service improvements along this corridor, making the business case for the capital investment quite improbable. Therefore it is at best speculative to anticipate an all-day "30-min to 15-min frequency" service;
- One of the many technical hurdles is that there is not enough space to accommodate *one train length* between John Street and Green Lane.

Thirty to forty years down the road, a John Street GO Station may be on the table on the Richmond Hill line. In the meantime, it is inappropriate for the Appellant to justify their current intensification by that distant and uncertain possibility.

1.2. Under-assessed Existing Traffic Conditions

Existing traffic conditions are key to traffic analysis and critical in understanding and evaluating future traffic patterns. However, different entities' measurements of the same intersections vary widely, depending on when (day of week, season, etc.) and for how long (in the Appellant's case just one day) the data were collected. Inputs of incorrect measurements of existing traffic conditions render the traffic model at best misleading and at worst useless.

According to publicly available data, we assess existing traffic conditions set out in the study submitted by the Appellant as an underestimation that does not reflect the actual conditions (i.e. serious road congestions) on the local roads in the area of the subject land.

The submitted uTIS, page 7, shows the traffic data sources used as input for the study Bayview/John intersection traffic data were provided by York Region, and the rest by LEA Consulting. These measurements were impacted by the COVID pandemic, so Appellan's models were adjusted to account for COVID impact.

The Appellant evidently opted not to consider the ample, detailed, and timely pre-Covid data collected over an extended period that was available from York Region's Transportation Department in the "**Bayview Avenue Class Environmental Assessment Study (2017 Bayview EA Study) Steeles Avenue to Elgin Mills Road**". The study **was** prepared at the high cost to the public purse of over \$1,000,000, and published just two years ago, in 2017.

AWRA uses the **2017 Bayview EA Study** as a benchmark. This two-year long, comprehensive YR Bayview traffic study, includes existing traffic conditions for Green Lane and John Street where they intersect with Bayview Ave. Measurements were taken in 2015, before traffic congestion on Bayview was substantially eased by the COVID pandemic.

Tables 1.2.1 and 1.2.2 below compare these two sets of "existing traffic conditions" for the two key controlled intersections: Bayview/John Street and Bayview/Green Lane.



It is evident that the **2017 Bayview EA Study** shows much more traffic at these intersections (over 20% more in some cases) than measurements taken by York Region in 2019 and by LEA Consulting in 2021.

Volume/Capacity ratio (V/C) at 85% (0.85) means that traffic is operating at full road capacity and usually at Level of Service (LOS) D (very congested but “bearable”). From there, the LOS becomes “unacceptable” (E/F). At 100% (1.0) and above, drivers endure a “parking lot” level of congestion (frequent starts and stops every few meters).

Table 1.2.1 Bayview/John Existing Traffic Conditions Compared shows that based on the 2017 Bayview Avenue Class Environmental Assessment report, several “Bayview Movements” are at an “unacceptable” level (V/C over 85% and/or LOS E/F), while only a couple of “Bayview Movements” are “unacceptable” on the Appellant’s submitted uTIS report.

Clearly, measuring “existing” traffic conditions incorrectly is an issue with the uTIS report submitted by the Appellant.

AWRA believes, therefore, that the traffic analysis needs to be revisited and accurately assessed when considering this redevelopment.

Existing Conditions	at Bayview & John St.	AM Peak					V/C % DIF	PM Peak				
		Source	Bayview Movement	V/C	Delay (s)	LOS		Queue (m)	V/C	Delay (s)	LOS	Queue (m)
YR EA (2015)	EBL - Eastbound Left	0.94	43	D	50		1.07	70	E	60		
300 John St uTIS (2021)		0.86	65.3	E	75.3	-9%	0.94	79.4	E	94	-12%	
2015 YR EA	EBTR - Eastbound Through/Right	0.55	37/29	D/C	75		0.53	43/33	D/C	92		
300 John St TIS (2021)		0.58	53.9	D	76.4	5%	0.50	41.9	D	94	-6%	
2015 YR EA	WBL - Westbound Left	0.98	59	E	111		0.82	45	D	80		
300 John St TIS (2021)		0.94	78.3		102.1	-4%	0.82	52.6	D	77.8	0%	
2015 YR EA	WBT - Westbound Through	0.93	43	D	133		1.2	64	E	198		
300 John St TIS (2021)		0.84	70.8	E	132.4	-10%	0.97	81.2	F	207.1	-19%	
2015 YR EA	WBR - Westbound Right	0.45	16	B	58		0.59	30	C	96		
300 John St TIS (2021)		0.46	52.4	D	60.1	2%	0.56	46	D	87	-5%	
2015 YR EA	NBL - Northbound Left	0.53	37	D	27		0.48	40	D	18		
300 John St TIS (2021)		0.56	34.6	C	26.1	6%	0.70	43.8	D	38.9	46%	
2015 YR EA	NBT - Northbound Through	0.76	34	C	141		1.04	29	C	258		
300 John St TIS (2021)		0.64	30.8	C	165.5	-16%	0.89	48.4	D	204	-14%	
2015 YR EA	NBR - Northbound Right	0.43	15	B	49		0.46	17	B	36		
300 John St TIS (2021)		0.45	27.4	C	76.6	5%	0.35	32.1	C	57.6	-24%	
2015 YR EA	SBL - Southbound Left	0.86	48	D	43		1.37	103	F	221		
300 John St TIS (2021)		0.69	34.8	C	30.1	-20%	0.95	94.9	F	98.4	-31%	
2015 YR EA	SBT - Southbound Through	1.02	45	D	297		1	39	D	292		
300 John St TIS (2021)		0.85	26.6	C	234	-17%	0.88	38.1	D	219	-12%	
2015 YR EA	SBR - Southbound Right	0.39	27	C	41		0.29	22	C	34		
300 John St TIS (2021)		0.38	13.5	B	36	-3%	0.34	18.3	C	28.9	17%	



Table 1.2.1 Bayview/Green Lane Existing Traffic Conditions Compared

Existing Conditions	at Bayview & Green Lane	AM Peak					V/C % DIF	PM Peak				
		V/C	Delay (s)	LOS	Queue (m)	V/C		Delay (s)	LOS	Queue (m)	V/C % DIF	
Source	Bayview Movement											
2015 YR EA	EBLTR - Eastbound Through/Right	0.02	52	D	10		0.07	46	D	15		
300 John St TIS (2021)		-	50.38	D	0	2%	0.05	46.9	D	11.4	-29%	
2015 YR EA	WBL - Westbound Left	0.85	54	D	88		0.89	57	E	91		
300 John St TIS (2021)		0.77	72.4	E	76	-9%	0.83	74.2	E	87.1	-7%	
2015 YR EA	WBT - Westbound Through	0.03	50	D	12		0	17	B	2		
300 John St TIS (2021)		0.01	50.9	D	4.6	-67%	0.01	46.5	D	2.9	0%	
2015 YR EA	WBR - Westbound Right	0.67	12	B	41		0.79	18	B	55		
300 John St TIS (2021)		0.24	53.5	D	25.8	-64%	0.38	50.7	D	47	-52%	
2015 YR EA	NBL - Northbound Left	0.18	29	C	6		0	0	A	0		
300 John St TIS (2021)		0.49	38.9	D	4.3	172%	0.01	9.8	A	0	0%	
2015 YR EA	NBT - Northbound Through	0.69	9	A	49		0.98	9	A	63		
300 John St TIS (2021)		0.76	21	C	108.4	10%	0.84	13.5	B	87.6	-14%	
2015 YR EA	NBR - Northbound Right	0.18	6	A	24		0.16	7	A	18		
300 John St TIS (2021)		0.16	10.2	B	10.7	-11%	0.14	6.8	A	5.6	-13%	
2015 YR EA	SBL - Southbound Left	0.92	29	C	47		1.27	64	E	87		
300 John St TIS (2021)		0.76	48.9	D	121.9	-17%	0.86	70.1	E	107.1	-32%	
2015 YR EA	SBTR - Southbound Through Right	0.75	16	B	127		0.7	15	B	141		
300 John St TIS (2021)		0.82	16.9	B	286.9	9%	0.58	11.1	B	136	-17%	

Table 1.2.2. Bayview/Green Lane Existing Traffic Conditions Compared

2. Reductions in Space for Retail, Commercial, and Professional Services.

The Aileen-Willowbrook area population is already growing. The Appellant's proposal will increase the surrounding community population by approximately 10% (1,200 people) (on top of a 3% increase from a nearby development already under construction) and the number of households by 18%.

The Appellant's redevelopment proposal for non-residential uses is to reduce existing retail and services. We submit that, given the expected population increase, **the current level of retail and services should be increased, not reduced, to maintain, at a minimum, the existing level of service provided to the community.**

The following analysis shows the service reductions that the Appellant's proposal will result in.

Table 2.1 below is based on two sets of "Existing" figures, one based on data provided in the Appellant's submission (*1) Table 3.5, which seems inaccurate and produces the worst scenario when compared with more conservative public sources (*2).



Table 3.5: Existing and Proposed Residential, Office, and Retail GFA

Use	Residential	Office	Retail	Supermarket
Existing	0	136,150 ft ²	22,600 ft ²	40,000 ft ²
Proposed	625 units	95,000 ft ²	15,000 ft ²	29,000 ft ²
Net difference	+625 units	-41,500 ft²	-7,600 ft²	-11,000 ft²

Table 2.1. (Appellant’s Table 3.5.) Existing and Proposed Residential, Office, and Retail GFA

DATA SET A	Redevelopment GFA sqf				
	Total GFA sqf	Office	Other Retail	Shoppers	Grocery Store
Existing - Appellant Data(*1)	198,750	136,150	6,100	16,500	40,000
Proposed (*3)	148,574	97,876	5,049	15,048	30,601
Net Difference sqf	-50,176	-38,274	-1,051	-1,452	-9,399
Reduction %	-25.25%	-28.11%	-17.23%	-8.80%	-23.50%
DATA SET B	Total GFA sqf	Office	Other Retail	Shoppers	Grocery Store
Existing - Public sources (*2)	180,600	120,000	6,100	16,500	38,000
Proposed (*3)	148,574	97,876	5,049	15,048	30,601
Net Difference sqf	-32,026	-22,124	-1,051	-1,452	-7,399
Reduction %	-17.73%	-18.44%	-17.23%	-8.80%	-19.47%
*1 Source: Appellant submission Transportation Impact Study.pdf file Table 3.5 - office and supermarket seems off					
*2 Sources: Public domain data, including McCor Management Thornhill Square Leasing brochure					
*3 Source Appellant Submission "Architectural Package.pdf" file Page 2 Statistical Information					
*4 Heritage building (5200sqf/483m2 not included in Total GFA as it will not be re-develop					

Table 2.2. Non-Residential Space Analysis: Existing vs Proposed

No matter which “existing” figures data set is used, the result amounts to a **net overall reduction of between 17% and 25% in retail and services, at the same time there is a projected area population increase of 13% according to the proposal and current construction in the area.**

This will also likely result in a corresponding 10% to 20% loss of existing jobs that are sorely needed for the continued growth of any vibrant community.



2.1. Reductions in Grocery Store Floor Space (currently Food Basics)

As per Table 2.2, the redevelopment proposal's reduction in the grocery store's floor space (between 19% and 24% which translates into a loss of 7,399 to 9,399 square feet), is a serious concern for the community. It is expected that the space reduction will affect the store's capacity to provide the variety and quantity of foods and items required by this diverse community.

Since Food Basics is the **only** comprehensive grocery store in the community, the reduction of its space and products together with a simultaneous increase of 1600+ persons (from current construction on the north-west side of Bayview and the Appellant's proposal) is both unwise and detrimental to fulfilling community needs.

Added to the problem of reduced floor space in tandem with increased population is the issue of *reduced parking spaces* (see section 23 below), which will render this grocery location much less convenient. Grocery shoppers would likely feel compelled to go out of the community area to other (more expensive) grocery stores to deal with the reduced capacity/variety and parking at Food Basics – an issue created by the development proposal.

2.2. Reduction in Office Space

As per Table 2.2, the redevelopment proposal's reduction in floor space available for offices (between 18% and 28% which translates into a loss of 22,123 to 38,274 square feet) means that fewer professionals and businesses (doctors, chiropractors, educators, accountants, etc.) will be able to offer their services to the community.

Again, the lack of these services translates into an undermining of the area's livability and a reduction in the ability of residents to fulfill basic day-to-day needs within their community.

2.3. Reduction in Commercial/Retail Parking Aggravated by Insufficient Residential Visitor Parking

Residents patronizing a commercial/retail plaza expect to be able to park there while patronizing its businesses. See Figure 2.3.1 below for current parking capacity.



Ontario

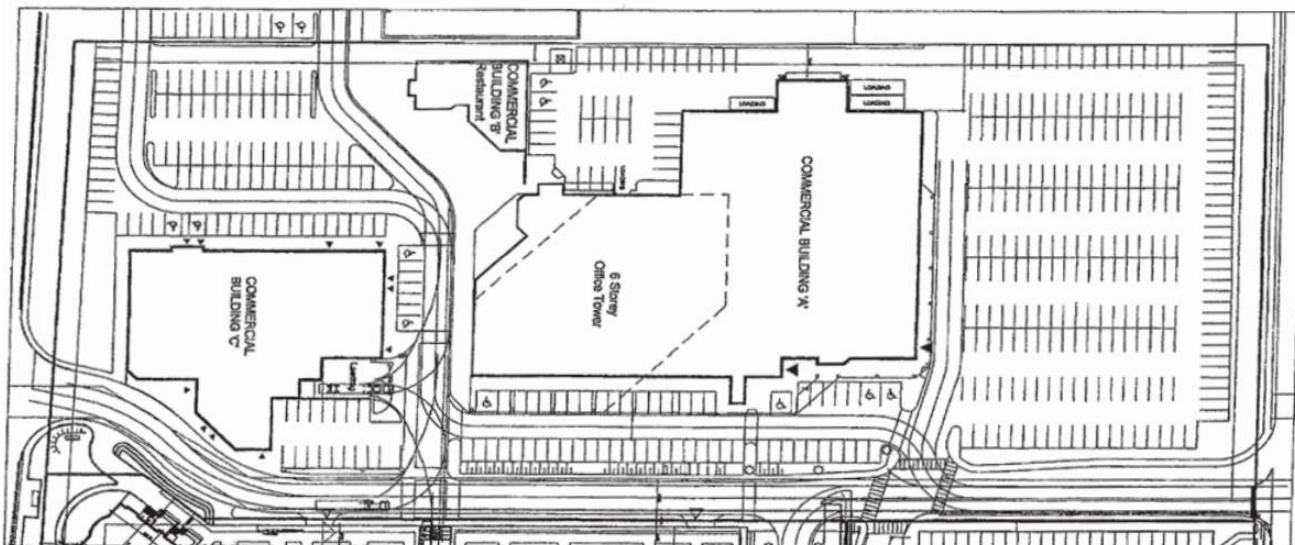


Figure 2.3.1 Current Subject Land Layout

Currently the subject land has 437 parking spaces, which are already insufficient during peak hours, with residents having difficulty finding parking during church services at St Luke’s Church or accessing Shoppers Drug Mart during weekdays.

Note: Under the informal agreement currently in place between the owner of the subject lands and St. Luke’s Church, there are 80 spaces allocated to the church during church events.

Table 4.1: Required Parking Ratios

Proposed Use	Size	By-law Requirements		Proposed Supply
		Ratio	Spaces	
Residential	615 units	1.25 sp/unit	769	482
Residential Visitor		0.25 sp/unit	154	
Office	9,091 m ² NFA	1 sp/30 m ² NFA	303	
Retail	4,765 m ² NFA	1 sp/30 m ² NFA	159	
Total			1,385	1,160

Table 2.2 (Appellant’s Table 4.1.) Required Parking Ratios Source: Updated Transportation Impact Study

Table 4.4: Projected Parking Demand Based on Time-of-Day

Use	Size	Recommended Ratio	Spaces	Time-of-Day %	Adjusted Demand	Proposed Supply
Residential	615 Units	1.10 sp/unit	677	100%	677	482
Visitor	615 Units	0.10 sp/unit	62	20%	12	
Office	9,091 m ² NFA	1 sp/30 m ² NFA	303	95%	288	
Retail	4,765 m ² NFA	1 sp/30 m ² NFA	159	100%	159	
Total			1201	-	1136	1160

Table 2.3 (Appellant’s Table 4.4) Projected Parking Demand Based on Time-of-Day Source: Updated Transportation Impact Study



As per Table 2.1 above, Markham by-laws require a total of 616 (462+154) spaces for commercial/retail and visitor parking; however, the Appellant proposes only 482 parking spaces – a deficit of 134 parking spaces.

As per Table 2.2 above, the Appellant's redevelopment proposal is not only requesting a significant reduction of 134 parking spaces (or 22% of total parking requirements) but is also proposing to merge the residential visitor parking with the office/retail parking, creating a "solution" based on the Appellant's demand simulation. However, simulations of parking demands created without input from local residents, is likely to result in unrealistic "solutions".

Local residents associations have decades of experience in the area and have been readily available for consultation, but not welcome to contribute by the Appellant.

Residents of the area know all too well the lack of sufficient commercial/retail parking to access services. The proposed 482 parking spaces leave only 20 spaces for residential visitors. This number is quite small, (20/154 or 13% of the required visitor parking) and will result in residential visitor parking overflowing into the "shared" commercial/retail parking spaces.

As a generally accepted principle, we would expect visitor parking to be separated from commercial/retail parking. At the same time, there should be absolutely no reduction in the number of commercial/retail parking spaces while area population is growing, in order to ensure everyone's access to those services.

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3. Impact on Community Services and Infrastructure

3.1. The Thornhill Community Centre (TCC)

The TCC, a bustling centre of Thornhill's community life and a key component in our community's livability, is already operating beyond its capacity.

Based on pre-Covid statistics obtained from the Markham City Parks Department, which collects data using an electronic people counter at the entrances to the facility, the annual average number of visitors for the years 2017 to 2019 was 1,154,154.

The massive increase in population from the Bridge Station TOC will add some 43,700 residents; the Appellant's 615 units will add 1,200+ residents; and Tridel's construction-in-progress will add in excess of 400+ residents. In total, over 45,000 new residents are going to put an enormous strain on these community services.

Additional demands on TCC services, including the Thornhill Library, Seniors Centre, ice rink, meeting halls, and Community Fitness Centre, will threaten the availability of good, reliable community services for everyone.

3.2. Stormwater Infrastructure Capacity

The Thornhill community was impacted by severe rain storms, classified as 100-year storms, in 2005, 2013 & 2017, during which stormwater runoff exceeded the capacity of drainage systems, causing extensive flooding of private property and roadways. The storm was characterized by high rainfall intensities and volumes which resulted in the flooding of many basements in homes and institutions as well as watercourse erosion, and damage to the City's infrastructure such as roads, culverts, sewers, and watercourses. The Thornhill Community Centre, located on the corner of John Street & Bayview Ave, had major basement flooding, causing extensive damage after these storms. **The subject land was flooded as well, including where Food Basics is located.**

With the proposal submitted by Hazelview Investments Corp., the expected increase in load to the current aged infrastructure will be untenable.

Regarding:

Water Servicing: The proposed development will be serviced through three new connections into the existing municipal watermain systems.

Sanitary Servicing: A new connection is proposed to connect to the existing municipal sewer.

Stormwater Servicing: Only part of the site is being proposed to have stormwater management.

As was seen in 2005, 2013 & 2017, the current infrastructure cannot withstand a 100-year storm without resulting in extensive flooding causing major damage. With the proposed added load from the new developments, our infrastructure will be highly susceptible to regular flooding after what we have previously experienced as "normal" seasonal storms. The current infrastructure cannot support any added load to its aged & outdated infrastructure.



Below is a map (Figure 3.2) indicating areas affected by flooding & damage after the major storms in Thornhill . Thornhill Community Centre is located at the bottom left.

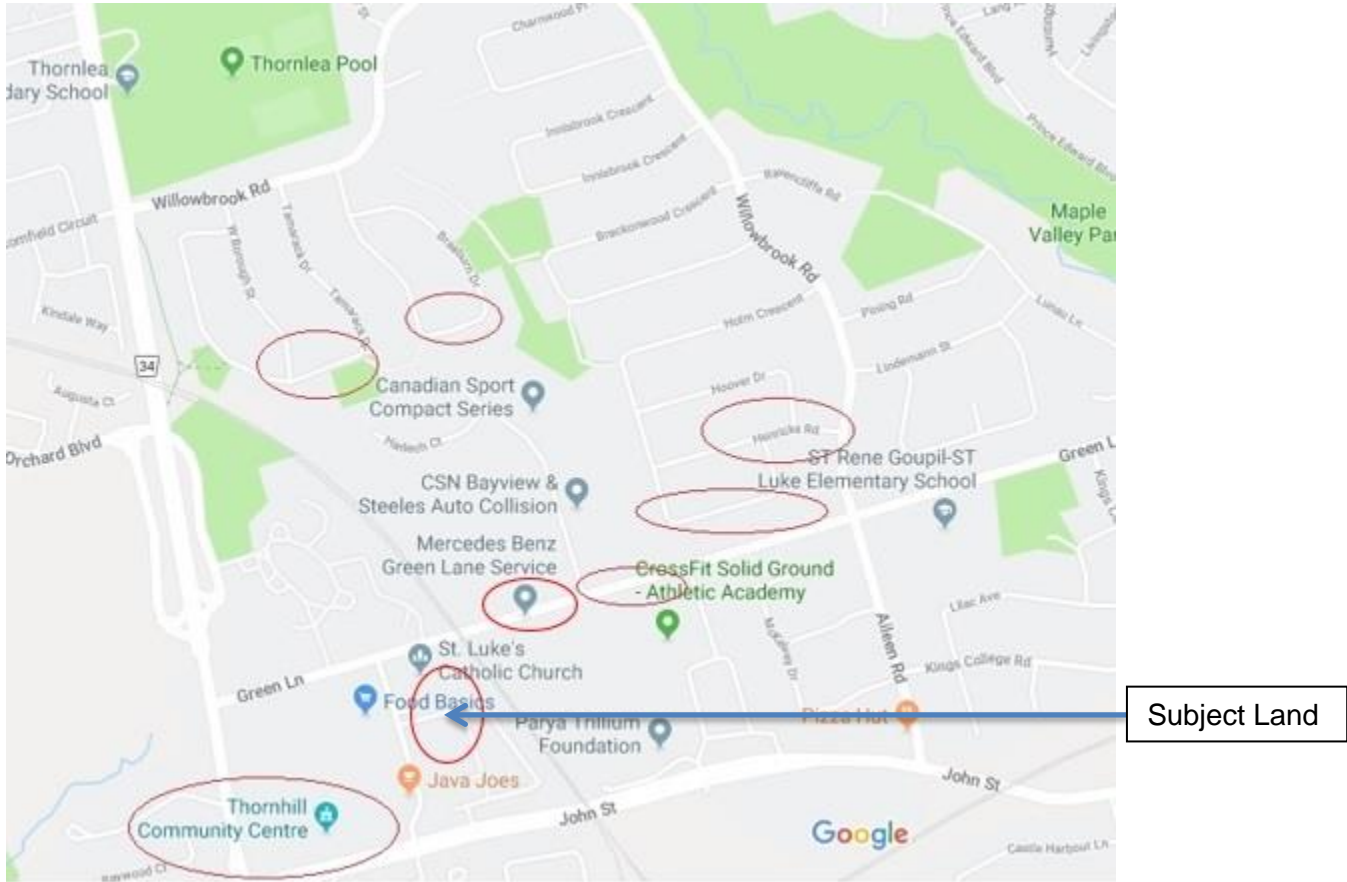


Figure 3.2. Year 2017 100-Year Storm Flooded Areas including Subject Land

These community services and infrastructure issues must be addressed adequately, as the livability of our area would be greatly affected by the outcomes.



Other Characteristics of the Current Proposal Impacting Livability in the Area.

4. Proposed Built Form

The proposed built form, including on-street retail, does not integrate with existing urban characteristics of the area and will be disruptive to the sense of place.



Figure 4.1. Podium on Green Lane rendering

Current ratings of walkability (4/10) and bikeability (6/10) published by realtors advertising units next to the site are already low. The proposed addition of a massive six-storey podium next to the sidewalk would reduce visibility for the increased number of drivers, pedestrians, and cyclists patronizing the on-street retail

The main issues affecting the livability of the area for current and future residents are as follows:

4.1. Setbacks

AWRA submits that Hazelview's design should allow for wider setbacks as the proposed lack of setbacks conflicts with the established built form and the potential need for Green Lane to be widened

- The light-industrial employment area on the east side of the CN railway tracks could be redeveloped for higher density employment uses substantially increasing the volume of traffic on Green Lane.
- The established built form in the area utilizes green space buffers, providing an allowance



between the building and the curve/street on Green Lane As shown in the rendering above (Figure 4.1. left bottom corner), the north side on Green Lane has a green buffer, while the proposed development has none. The lack of a green setback will disrupt the consistency of street treatment and visual continuity of Green Lane built form, creating a lopsided and overshadowing “eyesore” effect.

- The proposed built form would be appropriate for a development in downtown Toronto but is out of place in Thornhill.

Reference: Page 69 Markham Built Form, Height and Massing Study Built Form Principles March 2010

4.2. Podium Size and Location

The proposed six-storey podium just next to the sidewalk on Green Lane will form a massive concrete wall. Without a proper setback it will be overwhelming, visually disruptive, and in direct conflict with the built form of the area.

The actual number of storeys for the podium and the high-rise should be based on proportionally defined setbacks with the corresponding amount of green buffer space.

Significantly, as stated above, Green Lane may need to be widened to 4 lanes instead of current 2.

4.3. Heights

Markham Official Plan (2014) designated the property “Mixed Use Mid Rise,” including a maximum building height of eight storeys, a broad range of retail uses and a maximum overall site density of 20 floor space index (FSI).

The Appellant’s proposal is requesting three high-rise buildings of 19, 17, and 12 storeys and one mid-rise of 7 storeys.

All the surrounding buildings in the area, including the ones under construction, are no more than 15 storeys high and are well spaced, with appropriate setbacks.

We strongly request that building heights and storeys align with the rest of the area in order to avoid disrupting the existing built form and sense of place.



5. Community Seeking Opportunities to Work with the Appellant

At the March 22, 2022 Statutory Public Meeting (SPM), representatives of Hazelview declared their commitment to work with the community to address its concerns about the redevelopment. This was a welcome news as AWRA had been trying unsuccessfully to meet with Hazelview since April 2019.

AWRA finally gained access to the Appellant's detailed proposal after the Markham Development Services Committee (DSC) in May 2021, where City Staff presented a Preliminary Report on the Appellant's development application.

At this point, AWRA requested to be notified of any new developments with respect to the proposal.

The Appellant then submitted an updated redevelopment proposal in October 2021.

At the SPM on March 22, 2022, residents presented 170 oral and written deputations, in addition to 1,700 signatures on a petition opposing the development that was presented earlier to the DSC. However, we were blind-sided, when the Appellant disclosed important changes to its proposal, **changes that the community was unaware of and, therefore, unable to take into account when preparing SPM deputations.**

Still, we appreciated the Appellant's declared commitment to work with the community moving forward. **However, to date, the Appellant has not acted on their SPM commitment.** When we reached out to the Appellant immediately after the SPM, requesting that we work together, their first response was to say they needed time to get organized. Their second response referred us back to the City*.

With respect to the OLT, the Appellant's law firm provided the latest "possible" legal notice to potential participants of the case management conference scheduled for December 1, 2022, despite the fact that the direction order states: "*Parties responsible for giving notice should do so as early as possible*". The OLT order to give notices was provided to the Appellant on September 26th; Markham City clerks provided them with a list of potential interested parties on October 3rd. However, the Appellant's lawyers did not provide the notices until more than three weeks later on October 27th.

October 27, 2022 was the first time that AWRA found out that the Appellant had submitted the case to the OLT, and the failure to communicate about the impending OLT case in a timely manner had a serious detrimental impact on the ability of residents to organize and effectively participate in the OLT process.

In AWRA's experience, the Appellant has not demonstrated its social responsibility by considering the needs of the community. Instead, the Appellant insists on pursuing its development proposal in its current form – one that the community views as inappropriate and harmful.

We propose once more that the Appellant actively engage with the affected community and work together with established community groups to create a redevelopment proposal that achieves mutual benefit through an understanding of the existing and growing needs of the surrounding residents and businesses

* SPM transcripts and copies of these communications are available upon request.



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APPENDIX A - Definition of Terms used

Complete communities are places that both offer and support a variety of lifestyle choices, providing opportunities for people of all ages and abilities to live, work, shop, learn and play in close proximity to one another.

Ontario's The Growth Plan promotes the development of complete communities where people can live, work, shop and access services in close proximity. The Growth Plan requires municipalities to plan for a mix of housing types, land uses, employment opportunities and an urban form that supports walking, cycling and transit

<https://www.ontario.ca/document/performance-indicators-growth-plan-greater-golden-horseshoe-2006/create-vibrant-and-complete-communities>

Livability (or liveability) is the degree to which a place is suitable or good for living in, it is also used to describe the standard of living or quality of life of a community.

AARP.org definition:

A livable community is one that is safe and secure. It offers choices in where to live and how to get around and it equitably serves residents of all ages, ability levels, incomes, races, ethnicities, and other backgrounds.

Livable communities:

- enhance personal independence;
- allow residents to remain in their homes and communities as they age; and
- provide opportunities for residents of all ages, ability levels, and backgrounds to engage fully in civic, economic, and social life"

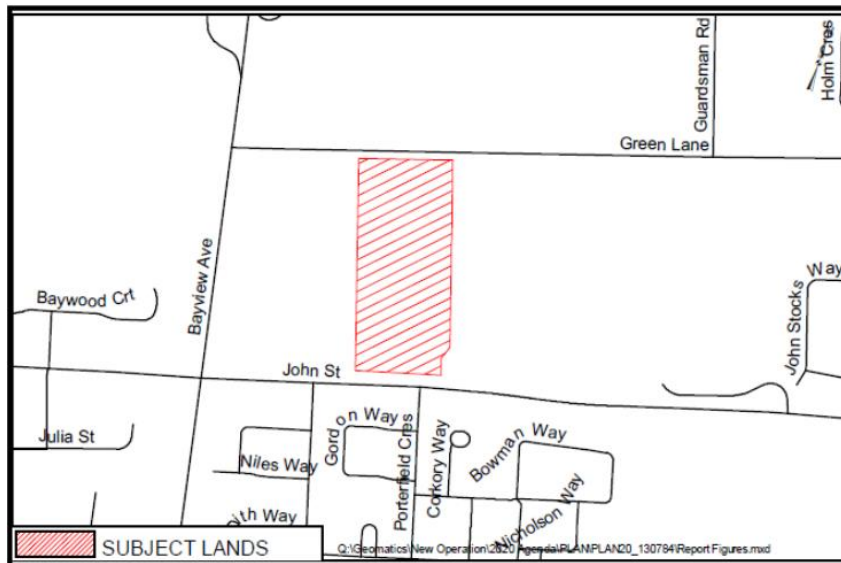
<https://www.aarp.org/livable-communities/about/info-2014/what-is-a-livable-community.html>

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Subject Land

Area / Context





Thornhill Centre - as of 2014 Markham Official Plan Page 9-138

Local Centre – Thornhill Centre

- 9.18.11 Thornhill Centre comprises the 'Mixed Use Mid Rise', 'Residential High Rise' and 'Greenway' lands north of John Street and east and west of Bayview Avenue, as shown Figure 9.18.11.



Figure 9.18.11

Town Centre is defined as areas of concentrated mixed-use social and economic activity, surrounded by residential areas.

A town center is an enduring, walkable, and integrated open-air, multiuse development that is organized around a clearly identifiable and energized public realm where citizens can gather and strengthen their community bonds. It is anchored by retail, dining, and leisure uses, as well as by vertical or horizontal residential uses. At least one other type of development is included in a town center, such as office, hospitality, civic, and cultural uses. Over time, a town center should evolve into the densest, most compact, and most diverse part of a community, with strong connections to its surroundings.



APPENDIX B - References

2017 Bayview Ave Class Environmental Assessment: full report available through York Region request

Appellant submitted documents to the City of Markham

- Updated Transportation Impact Study (uTIS) October 2021 by LEA Consulting Ltd (uTIS)
- Functional Servicing Report (FSR) October 2021 by Counterpoint Engineering
- Architectural Proposal Package - A101 Statistical Data, October 2021, Graziani+Corazza Architects

City of Markham

2014 Markham Official Plan and 1987 Thornhill Centre Secondary Plan

Markham Built Form, Height and Massing Study Built Form Principles

https://www.markham.ca/wps/wcm/connect/markham/29f0a460-1239-4cda-9dad-b87a0fab273d/Markham+Built+Form+height+and+massing+Principles.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE.Z18_2QD4H901OGV160QC8BLCRJ1001-29f0a460-1239-4cda-9dad-b87a0fab273d-msjOr3e

Ontario Growth Plan - Create vibrant and complete communities

<https://www.ontario.ca/document/performance-indicators-growth-plan-greater-golden-horseshoe-2006/create-vibrant-and-complete-communities>

McCor Realities Inc. Thornhill Square Leasing Brochure 2019 <https://mccor.ca/portfolio/300-john-streetthornhill-on/>

Metrolinx Electrification Addendum <https://www.metrolinxengage.com/en/engagement-initiatives/go-rail-network-electrification-addendum-pic3>

Metrolinx - Richmond Hill Line Electrification and Service Improvement

<https://www.metrolinx.com/en/greaterregion/projects/docs/richmondhill/FINAL-Richmond-Hill-Backgrounder.pdf>

Transit Oriented Communities (TOCs)

Bridge Station <http://engagebridge.ca/>

High Tech <https://www.engagehightech.ca/>

Bridge and High Tech statistics <https://abettergta.com/tocs/>

York Region's 10-Year Roads and Transit Capital Construction Program

<https://www.york.ca/media/94016/download>