

SUBJECT: PRELIMINARY REPORT
Application by King Square Limited for Zoning By-law
Amendment to permit additional uses on the Phase 1 lands
known municipally as 9390 Woodbine Avenue

File No. ZA 18 176569

PREPARED BY: Amanda Crompton, Planner II, ext. 2621

REVIEWED BY: Dave Miller, M.C.I.P., R.P.P., ext. 4960
Manager, West District

RECOMMENDATION:

- 1) THAT the report dated January 28, 2019 titled "PRELIMINARY REPORT, Application by King Square Limited for Zoning By-law Amendment to permit additional uses on the Phase 1 lands known municipally as 9390 Woodbine Avenue" be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report provides preliminary information on a Zoning By-law Amendment application submitted by King Square Ltd. to permit additional uses on their Phase 1 lands, known municipally as 9390 Woodbine Avenue. This report contains general information regarding applicable Official Plan policies and Zoning By-law permissions, as well as other issues identified during a preliminary review of the application. The report should not be taken as Staff's opinion or recommendation on the application.

Process to date

- Zoning By-law Amendment application received on August 15, 2018 and deemed complete on September 13, 2018.
- Zoning By-law Amendment application circulated to internal departments and external agencies for comment.
- Preliminary Report considered by Development Services Committee (DSC) on January 28, 2019.

Next steps

- Statutory Public Meeting to be held in 1st Quarter.
- Enactment of the Zoning By-law Amendment, if resolution at the Public Meeting is to send the By-law directly to Council; or
- Recommendation Report for DSC's consideration at a future date.

BACKGROUND:**Property and Area Context**

The approximately 2.09 ha (5.2 ac) subject lands are located at the northwest corner of Woodbine Avenue and Markland Street (see Figure 1). These lands are referred to as Phase 1 of the King Square Ltd. lands and are known municipally as 9390 Woodbine Avenue. Construction of a mixed-use building containing retail, restaurant, trade and convention centre, and office uses is nearing completion.

Surrounding land uses include (see Figure 2):

- A low-rise residential subdivision and stormwater management pond are located immediately north of the subject lands.
- Ashton Meadows Park is located on the east side of Woodbine Avenue. Sanatan Mandir Cultural Centre and Cachet Centre commercial plaza are located east of Woodbine Avenue and south of Calvert Road.
- Vacant lands are located to the south and southwest of the subject lands across Markland Street. These lands include vacant lands zoned for Industrial and Commercial uses and the former Markham Golf and Country Club. Buttonville Municipal Airport is located south of 16th Avenue.
- Phases 2, 3 and 4 of the King Square Ltd. development are proposed for the lands abutting the subject lands to the west. A 70-unit condominium townhouse development is proposed for the lands located to the immediate west of the Phase 2, 3 and 4 King Square Ltd. lands.

Application History

Applications for Official Plan and Zoning By-law Amendments were submitted to the City of Markham in September 2007 to permit a mixed-use development on the entirety of the King Square Ltd. lands (Phase 1, 2, 3 and 4 lands). Official Plan Amendment No. 181 was adopted by Council on June 23, 2009 and received Regional approval on August 12, 2009. Council passed site-specific Zoning By-law 2009-116 on June 23, 2009. An application for Site Plan Approval to permit Phase 1 retail and commercial uses at 9390 Woodbine Avenue was endorsed by the City in December 2011.

Since Council passed site-specific Zoning By-law 2009-116, minor variance applications seeking additional land use permissions on the Phase 1 lands have been submitted to the City of Markham. These uses include medical offices, retail stores, supermarket, personal service shops, restaurants and take-out restaurants, and a commercial school on Block 1.

Construction of Phase 1, which includes a total gross floor area of approximately 31,900 square metres, is nearing completion. The development includes approximately 2,320 square metres of convention centre space, approximately 23,880 square metres of retail/restaurant/personal services uses and 5,700 square metres of office space.

Official Plan and Zoning By-law Amendment applications to permit a mixed-use residential, retail and hotel development on the remainder of the King Square Ltd. lands (Phases 2, 3 and 4) were submitted to the City of Markham in December 2014 and

resubmitted in June 2018. These applications are currently being reviewed, and are not yet approved (File No. OP/ZA 14 129350).

Proposal

The applicant is proposing to amend site-specific Zoning By-law 2009-116 for the Phase 1 King Square Ltd. lands to permit the following additional uses on the subject lands:

- Car wash internal and accessory to the underground parking garage;
- Commercial school;
- Indoor children's playground; and
- Karaoke bar.

The Zoning By-law Amendment applicant also seeks to permit additional restaurant uses of 560 square metres on the third floor.

Provincial Policy Conformity

When considering a development application, staff assess whether proposals are consistent with the Provincial Policy Statement (2014) and in conformity with relevant Provincial Plans, which in this case is the Growth Plan for the Greater Golden Horseshoe (2017).

The proposal is consistent with the Provincial Policy Statement (2014) and Growth Plan for the Greater Golden Horseshoe (2017) in terms of promoting economic development by:

- providing for an appropriate mix and range of employment uses;
- encouraging compact development that incorporates compatible employment uses to support liveable and resilient communities;
- making efficient use of existing employment areas; and,
- ensuring the necessary infrastructure is provided.

Official Plan

The 2014 Official Plan designates the subject lands 'Commercial' as per Map 3 – Land Use, and identifies the lands as being subject to site specific policy 9.4.7.

Lands designated 'Commercial' form part of the City's 'Employment Area', as shown on Map 1 – Markham Structure, and accommodate existing or approved large-format retail development. It is the intent of the Official Plan for lands designated 'Commercial' to evolve to more intensive building forms with office, retail and service uses, while remaining compatible as part of the City's Employment Area.

The proposed uses are provided for by the 'Commercial' designation, as detailed below:

- A 'Car wash internal and accessory to the parking garage' is provided for as a service use.
- A 'Commercial school' is provided for by the 'Commercial' designation.
- An 'Indoor children's playground' is considered 'Sports and fitness recreation', which is provided for by the 'Commercial' designation.

- A 'Karaoke bar' is considered 'Entertainment', which is provided for by the 'Commercial' designation.

The subject lands are located within the Buttonville district, and are subject to site specific policy 9.4.7 of the 2014 Official Plan, which specifies height and density provisions for the lands located at 9390 Woodbine Avenue. Part a) of the policy states that "the mixed use trade and convention centre building fronting on Woodbine Avenue and the hotel fronting on Markland Street shall not exceed 36 metres in height and the remainder of the buildings on the lands shall not exceed 3 storeys in height". Part b) outlines that "the total floor space index of all buildings on the lands shall not exceed 1.8". Part c) of the policy applies only to the Phase 2, 3 and 4 King Square Ltd. lands. As the Zoning By-law Amendment application does not propose to alter the building height or floor space index, site specific policy 9.4.7 is not applicable to this application.

Zoning

The subject lands are zoned 'Select Industrial with Limited Commercial (M.C.) 170%' by site specific By-law 2009-116 (see Figure 3). Uses permitted on the subject lands under By-law 2009-116 include: health centres, personal service shops, business offices, restaurants (including take-out), retail stores and trade and convention centres. The Zoning By-law Amendment application seeks to add an internal accessory car wash, commercial school, indoor children's playground and karaoke bar to the list of permitted uses on the subject lands.

OPTIONS/ DISCUSSION:

The following is a brief summary of key matters raised to date during the circulation of the applications to internal departments and external agencies.

Parking

A parking assessment to address the modified Phase 1 uses concludes that the minimum parking requirement for all of the proposed uses within Phase 1 is 1,345 spaces, whereas 1,373 parking spaces were required to accommodate the land uses previously approved. City staff are currently reviewing the July 2018 parking assessment prepared by WSP Canada Group Limited.

Servicing

The existing sanitary sewer along Markland Street can accommodate the Phase 1 development with proposed changes in the August 2018 Functional Servicing Report (FSR) submission. As identified in the previous FSR dated November 2014, sanitary sewers along Markland Street need to be upgraded to accommodate Phase 2 development of the site.

Outstanding Comments

Comments from various internal departments and external agencies remain outstanding.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The application is being evaluated in the context of the City's strategic priorities.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and is currently under review.

RECOMMENDED BY:



Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager



Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

Figure 1: Location Map

Figure 2: Aerial Photograph

Figure 3: Area Context/ Zoning