

SUBJECT: PRELIMINARY REPORT
Lifetime 8200 Warden Avenue GP Inc.
South of Cedarland Drive, west of Warden Avenue
Application for Zoning By-law Amendment to permit a high
density residential development (Ward 8)
File No. ZA 18 108856

PREPARED BY: Scott Heaslip, M.C.I.P., R.P.P., ext. 3140
Senior Development Coordinator, Central District

REVIEWED BY: Richard Kendall, M.C.I.P., R.P.P., ext. 6588
Manager, Central District

RECOMMENDATION:

That the report titled "PRELIMINARY REPORT, Lifetime 8200 Warden GP Inc., South of Cedarland Drive, west of Warden Avenue, Application for Zoning By-law Amendment to permit a high density residential development, (Ward 8), File No. ZA 18 108856;" be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report provides preliminary information on the subject application. It contains general information regarding applicable Official Plan or other policies and issues/concerns identified by staff from our preliminary review of the proposed development, and should not be taken as staff's opinion or recommendation on the application.

BACKGROUND:**Property (Figures 1 and 3)**

The subject property is located on the south side of Cedarland Drive, west of Warden Avenue. The property was severed from the larger IBM Canada Software Lab property in 2016.

The property statistics are as follows:

- Area – 2.35 ha (5.8 acres).
- Approximate dimensions:
 - East-west – 280 metres (920 feet)
 - North-south – 90 metres (290 feet) (average)

The west half of the subject property is occupied by a parking lot which was constructed by IBM as part of the Software Lab facility. The east half is vacant. There are a number of mature trees, including some Bur Oaks, in the north-east portion of the property.

Surrounding uses (Figure 3):

- To the north and east is the VIVA Rapidway, including a station at the south-west corner of Cedarland Drive and Warden Avenue. Cedarland Drive is immediately north of the VIVA Rapidway. On the north side of Cedarland Drive are the 16-storey "Fontana" condominium, two City-owned park blocks and a proposed residential development, the 18-storey "Vendome Markham" condominium, which has been site plan endorsed by Development Services Committee, but has not commenced construction.
- To the east across the VIVA Rapidway and Warden Avenue is Rouge River valleyland.
- To the south is a private driveway connecting the IBM Software Lab Facility to Warden Avenue. This driveway includes an overhead "flyover" across Warden Avenue. To the south of the driveway is the IBM-owned Bright Horizons Early Education and Childcare facility. Further south is Rouge River valleyland.
- South Town Centre Boulevard extends approximately half way down the west boundary of the property. A private driveway into the IBM Software Lab extends south from the end of the road. There is one warehouse building on the west side of South Town Centre Boulevard. The IBM Software Lab is to the south-west.

Process to date:

- The subject applications were deemed complete by staff on August 7, 2018.
- The preliminary report is to be considered by Development Services Committee on the current date (December 11, 2018)

Next Steps:

- Staff will continue to discuss the issues outlined in this report with the applicant and will report back to Committee regarding the scheduling of a public meeting when sufficient progress has been made.

Proposal [see figures 4 (site plan) and 5 (perspective)]

The applicant is seeking an amendment to the City's Zoning By-laws to permit the subject property to be developed with a mixed-use development, as follows:

- A total of 2200 residential units, which represents 936 units per hectare (379 units per acre)
- Approximately 862 square metres (9280 square feet) of commercial uses located in portions of the ground floor level of the buildings.
- A total gross floor area of 206,160 square metres (2,219,093 square feet). This represents a Floor Space Index (Floor Space Index is the ratio of the gross floor area of all buildings on a lot to the lot area) of 8.75.
- A total of 5 towers – 28, 32, 38, 43 and 48 storeys – on podium elements of varying heights.

The applicant has not applied for site plan approval for the proposed development.

Provincial Policy Conformity

When considering a development application staff assesses 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). Matters still being assessed as part of the review of the zoning by-law amendment application include:

- Evaluating how the proposed development conforms with building strong healthy communities and managing growth;
 - a) by supporting the achievement of complete communities;
 - b) ensuring that there are adequate and accessible public and open spaces, parks and trails;
 - c) planning for sewage, water services and stormwater management;
 - d) providing transportation systems which are safe and energy efficient and facilitate the movement of people and goods and are appropriate to address projected needs; and
 - e) assessing the proposal with respect to the range (eg. type, sizes, affordability and accessibility) of housing proposed.

Official Plan and Zoning

The subject property is designated “Mixed Use High Rise” in the City’s 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018) (“2014 Official Plan”). The policy direction for lands in the “Mixed Use High Rise” designation is for a mix of residential, retail, restaurant and service uses in multi-storey street related buildings ranging up to 15 storeys unless otherwise specified in a secondary plan or site specific policy. The subject lands are also identified as being within a “Regional Centre” (Markham Centre).

The 2014 Official Plan provides that until approval of an updated secondary plan for Markham Centre pursuant to the policies of the new Official Plan, the policies of OPA 21 (the current Markham Centre Secondary Plan) continue to apply.

The property is designated “Community Amenity Area – Major Urban Place” in the Markham Centre Secondary Plan (Amendment No. 21 to the 1987 Official Plan). The policy direction for lands in the “Major Urban Place” designation is for development with a high concentration and intensity of residential, commercial, employment and supporting uses, with height generally contemplated in the range of 8 storeys. The secondary plan, however, provides that the street and block pattern, detailed distribution of land uses (including parkland, if required) types, heights and locations of buildings, views and focal points, street and landscape components, infrastructure requirements, etc. are confirmed through Precinct Plan studies, which are approved by Council prior to development occurring. The applicant has not yet submitted a formal Precinct Plan.

The property is zoned "Select Industrial with Limited Commercial" [M.C(60%)] by By-law 165-80. This zoning, which pre-dates the Markham Centre Secondary Plan, permits industrial, office and a limited range of commercial uses.

OPTIONS/ DISCUSSION:

The following is a brief summary of issues raised to date:

Secondary Plan Update: Staff has initiated a comprehensive review of the Markham Centre Secondary Plan (OPA 21). This review will facilitate the adoption of a new secondary plan for Markham Centre pursuant to the 2014 Official Plan. Staff are currently in the process of retaining a consulting team to undertake the review, which will focus on the following matters:

- Update the development projections for employment, commercial, service and residential uses.
- Update the urban design policies, with specific focus on the public realm, built form and open space.
- Update the community service requirements, with specific focus on schools and community facilities.
- Update the transportation requirements, including incorporating revised transit alignments and street and block pattern coming out of the on-going Metrolinx-led Markham Centre Mobility Hub Study
- Update the infrastructure requirements, including sanitary sewer, storm sewer and water facilities.

The subject development, which proposes significant density and building heights at a location well removed from the future mobility hub (Unionville Go Station), should more appropriately be considered in context of the comprehensive secondary plan review. Staff anticipate that the new secondary plan will be completed in the second quarter of 2020.

Use Mix: The development is proposed to be entirely residential with the exception of a small amount of convenience commercial use on the ground floor level of some of the buildings. The site is currently zoned for employment uses. The "Community Amenity Area - Major Urban Place" designation is intended to accommodate a mix of residential, commercial, employment and supporting uses. Staff have requested the applicant to explore opportunities to incorporate a larger area of non-residential uses into the development.

Compatibility with adjacent developments: The concept plans submitted with the application (Figures 4 and 5) show tower heights of up to 48 storeys, which is significantly taller than the existing and approved 16-18 storey condominium apartment developments on the north side of Cedarland Drive, immediately north of the subject property. The built form relationship to, and shadow impact on, the existing and approved developments and future City parks on the north side of Cedarland Drive will need to be evaluated.

Traffic impact: The applicant submitted a transportation report with the application. It has been circulated to City and York Region transportation staff for review. The transportation impact of the proposed development, which is proposing a significant number of residential units, should more appropriately be evaluated in the context of the comprehensive secondary plan update.

Parkland: The 2200 residential units proposed by the applicant would generate a requirement for a significant parkland dedication requirement. In high density communities such as Markham Centre, parkland dedication is satisfied through a combination of land dedication and the payment of “cash-in-lieu” of land dedication. The applicant is proposing to satisfy their parkland requirement entirely through the payment of “cash-in-lieu” of land dedication. Staff have requested the applicant to explore incorporating a park block into the easterly portion of the development, where there are several mature Bur Oak trees.

Other matters:

- In Markham Centre, street, block and lot pattern, driveway locations, height and location of buildings, views and focal points, and street and landscape components are addressed in “precinct plans.” Precinct plans, which apply to smaller geographic areas within Markham Centre, are prepared by the landowners for approval by Council. They guide subsequent zoning, subdivision and site plan approvals. The applicant has not prepared a formal precinct plan, but has submitted an “Urban Design Rationale.” The applicant will be required to prepare a formal precinct plan for presentation to, and approval by, Council prior to the approval of an implementing zoning by-law amendment.
- Wind and shadow impact need to be analyzed and confirmed to be acceptable before any development scenario is approved.
- The plans submitted with the application show Courtyard lane, which currently ends at Clegg Road, appropriately extending through the subject property. However, the plans submitted with the application show parking extending beneath this road. Staff have concerns with this concept, which have been communicated to the applicant.
- The Zoning Order for the Buttonville Airport limits buildings on the subject lands to a maximum height of 238 metres above sea level. This accommodates approximately 18 storeys at this location. The proposed buildings are all substantially taller than permitted by the Zoning Order. Any zoning regulations permitting building heights in excess of the maximum height permitted by the airport zoning order would need to be subject to a holding provision to ensure that taller buildings are not constructed without Transport Canada approval of the additional height.

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- As a condition of the severance of the subject property from the larger IBM property, IBM was required to enter into an agreement to convey lands to the City to accommodate the southerly extension of South Town Centre Boulevard to the south limit of the subject property and a future east-west road between Warden Avenue and South Town Centre Boulevard, immediately south of the subject property. These roads are required to provide appropriate public vehicular and pedestrian access to the proposed development. Arrangements to secure the construction of these roads still needs to be finalized. Staff are also exploring the ultimate removal of the existing IBM “flyover” across Warden Avenue in order to create a proper at-grade full movement intersection which would also allow pedestrians and bikes to cross Warden Avenue at this location.
 - The proposed development would generate a requirement for a Section 37 contribution. In accordance with established City practice, the zoning by-law amendment would require execution of a Section 37 Agreement, which would include a public art component, prior to the removal of a holding provision from the zoning.

Conclusions

As outlined above, in addition to the outstanding precinct plan, there are a number of significant issues, some related to the Secondary Plan update and some specific to the proposed development, which need to be addressed before it would be appropriate to schedule a public meeting to consider the requested zoning by-law amendment.

The applicant will also be required to prepare a formal precinct plan for presentation to, and approval by, Council prior to the approval of an implementing zoning by-law amendment.

Staff will continue to discuss these issues with the applicant and will report back to Committee regarding the scheduling of a public meeting when sufficient progress has been made.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development is to be evaluated in the context of growth management, environmental and strategic priorities of Council.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various internal departments and external agencies and are currently under review.

RECOMMENDED BY:



Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager
Planning and Urban Design



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

ATTACHMENTS:

- Figure 1 - Location Map
- Figure 2 - Area Context/Zoning
- Figure 3 - Air Photo
- Figure 4 - Site plan
- Figure 5 - Perspective

AGENT:

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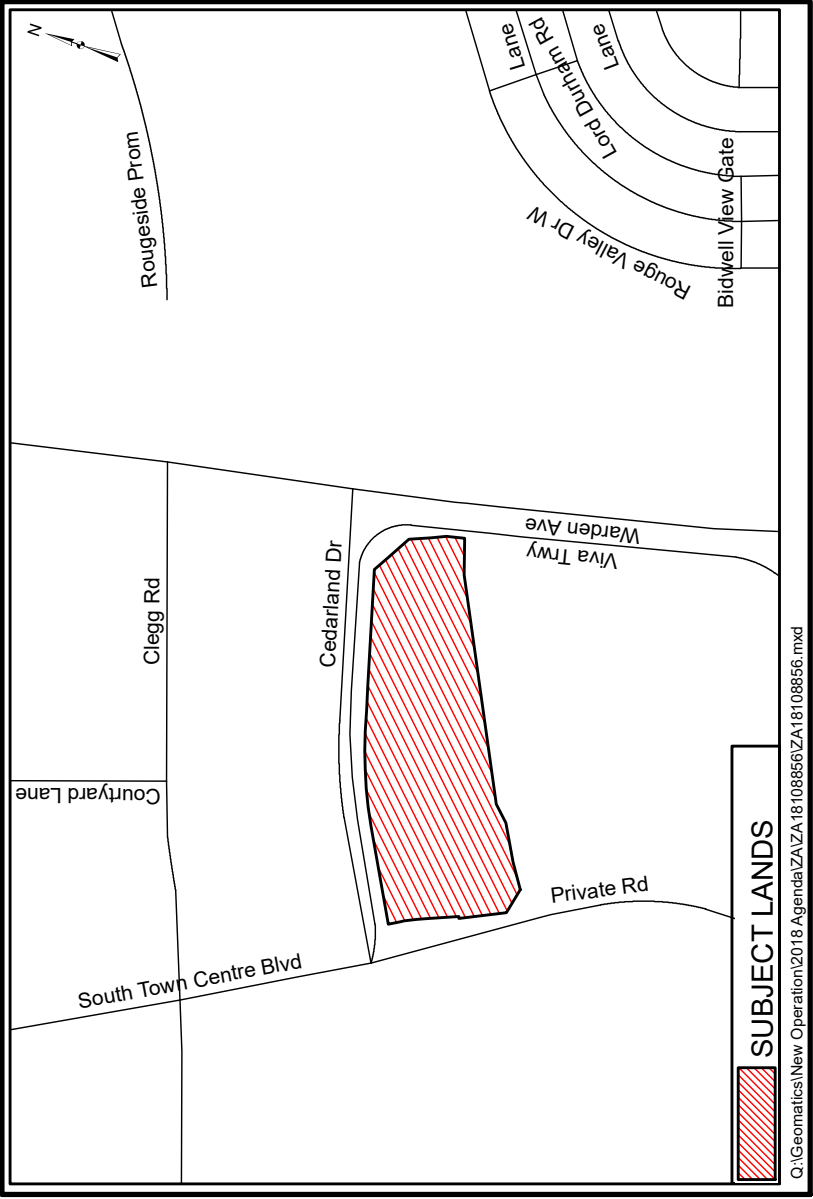
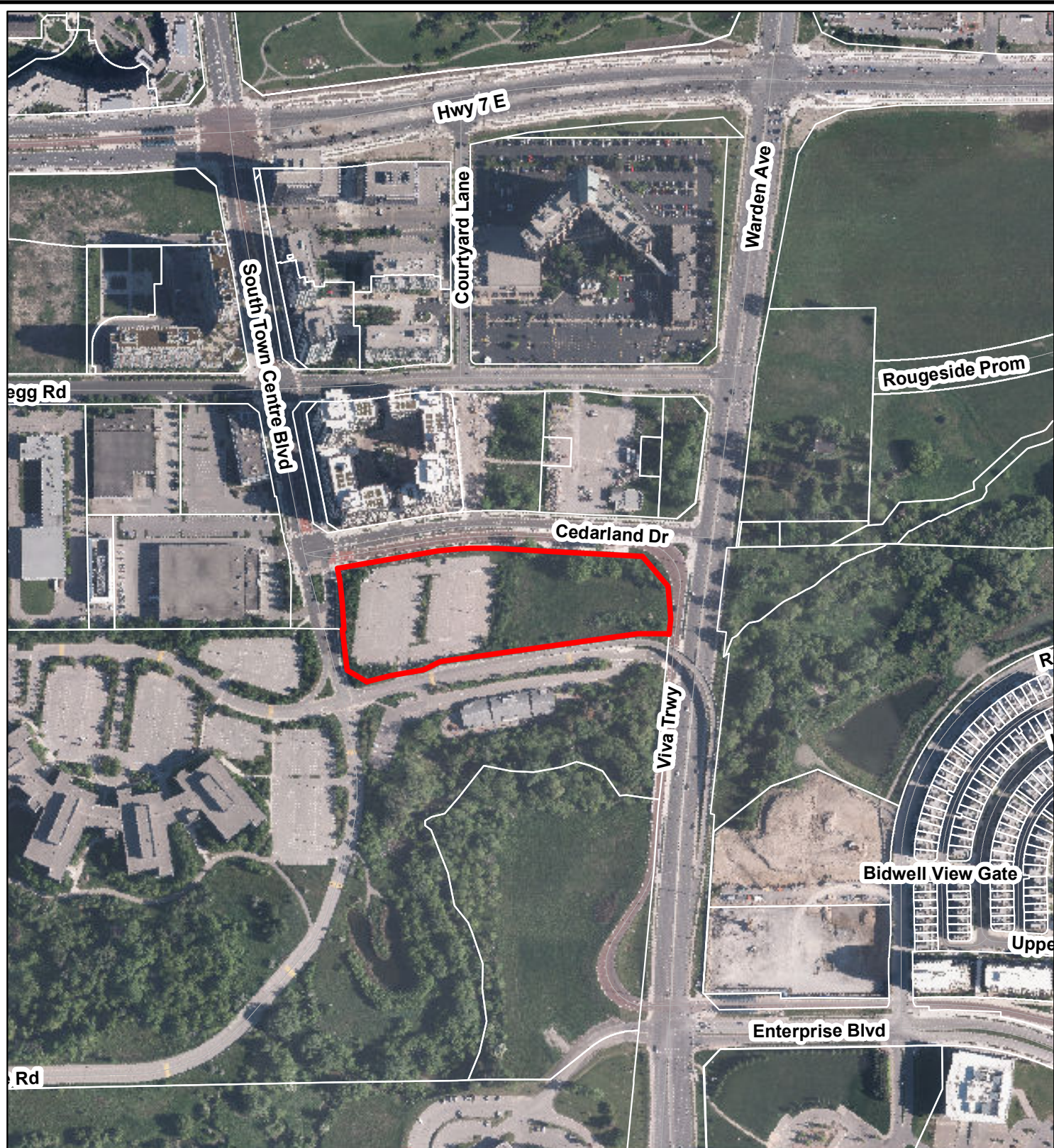


FIGURE No.2



AIR PHOTO (2017)

APPLICANT: Lifetime 8200 Warden Avenue GP Inc.
South of Cedarland Drive, West of Warden Avenue

FILE No. ZA 18108856 (SH).

 SUBJECT LANDS

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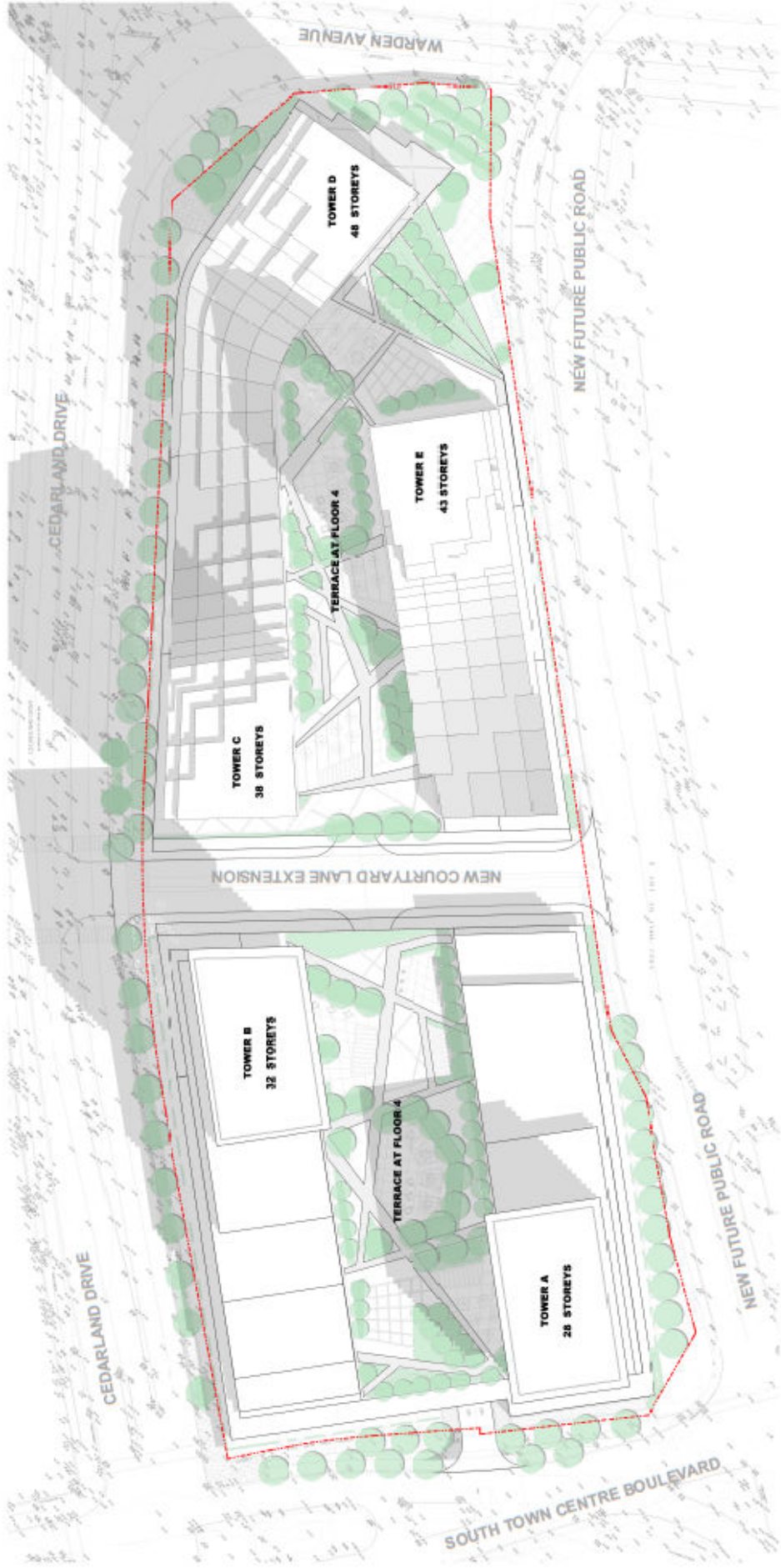


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FIGURE No.3



SITE PLAN

APPLICANT: Lifetime 8200 Warden Avenue GP Inc.
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PERSPECTIVE

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FIGURE No.5