

SUBJECT: PRELIMINARY REPORT
Ideal (MS) Developments Inc.
Application for Zoning By-law Amendment to permit a high density residential mixed-use development on the north side of Enterprise Boulevard, west of Main Street Unionville
28 Main Street Unionville
Markham Centre (Ward 3)

File No. ZA 16 119946

PREPARED BY: Sabrina Bordone, M.C.I.P., R.P.P., ext. 8230
Senior Planner, Central District

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

RECOMMENDATION:

- 1) That the report titled "PRELIMINARY REPORT, Ideal (MS) Developments Inc., Application for Zoning By-law Amendment to permit a high density residential mixed-use development on the north side of Enterprise Boulevard, west of Main Street Unionville, File No. ZA 16 119946" be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to provide preliminary information on the application. This report contains general information in regards to applicable OP or other policies as well as other issues and the report should not be taken as Staff's opinion or recommendation on the applications.

Application deemed complete

The application for Zoning By-law Amendment was deemed complete by staff on October 6, 2016. Since that time, the Applicant has made revisions to the plans. Formal revised plans were submitted on January 31, 2017.

The Applicant also has a Site Plan Approval application filed with the City (File No. SC 15 119946), which is currently being reviewed by staff and external agencies and will be brought forward for the consideration of DSC at a future date.

BACKGROUND:

Subject Property and Area Context

The subject property is located at the northwest corner of Main Street Unionville and Enterprise Boulevard and is municipally known as 28 Main Street (Figure 1). The

subject site is approximately 2.06 ha (5.08 ac) in size and has frontage along both Main Street Unionville and Enterprise Boulevard. Bill Crothers Drive, which connects Bill Crothers Secondary School to Enterprise Boulevard, bisects the site into an east parcel and a west parcel. The westerly portion of the site is occupied by a woodlot that is approximately 6,188 m² (20,302 ft²) in size, while the remainder of the site is vacant (Figure 3).

Surrounding uses are as follows (Figure 3):

- To the north is a 9-storey seniors' residence development (The Marleigh by Rockport Group) and Bill Crothers Secondary School;
- To the east across Main Street Unionville is a three-storey medical office building;
- To the south across Enterprise Boulevard is the Markham Pan Am Centre and vacant lands intended for the York University-Markham Centre campus. South of the woodlot, at the west end of the subject site, are lands that have been recently approved for a high density development (Markham Centre Development Corporation) consisting of four buildings with heights of 10-29 storeys; and,
- To the west is the Stouffville GO line.

History of Previous Applications

In December 2012, the then Owner of the subject site (Global Unionville Development Inc.) submitted applications for Official Plan and Zoning By-law Amendments to permit a residential mixed-use development on the site. The proposal consisted of three (3) buildings with heights ranging from 9, 19 and 25 storeys with a total of 718 units, as well as a public park and preservation of the existing woodlot (Figure 4).

On June 24, 2014, the City approved the Official Plan Amendment application (OPA 219) to permit the proposed residential mixed-use development. The approval was subsequently appealed to the Ontario Municipal Board (OMB) by the adjacent landowner immediately to the north. Resolution of the appeal still rests with the OMB. The implementing Zoning By-law Amendment was withheld, to be brought forward at some point in the future, upon the resolution of various matters including but not limited to finalizing the necessary site details and financial arrangements relating to shared access and private driveway arrangements with the landowner to the north. Since that time, a new Owner [Ideal (MS) Developments Inc.] has acquired the site.

Prior to formal resubmission of the subject applications for Zoning By-law Amendment, the Applicant did appear before the City's Design Review Panel (DRP), on September 29, 2016, for their review and comments. Some of the comments made by the DRP include, but are not limited to: the programmability and animation of the proposed easterly park/open space, building setbacks, pedestrian and cycle connections, and the need to simplify the architectural expressions of the proposed building facades.

If approved, the proposed Zoning By-law Amendment cannot be passed until the outstanding OMB appeal related to OPA 219 has been resolved. The OMB is the approval authority and the parties will be working together on a settlement of the appeal.

If a settlement is achieved, the parties will work together to finalize an OPA that implements the proposed Zoning By-law Amendment. Staff will report to Council for instructions on the OPA before asking the OMB to approve the settlement.

PROCESS TO DATE:

- Application considered by DRP on September 29, 2016
- Application for Zoning By-law Amendment deemed complete on January 31, 2017
- Preliminary Report considered by Development Services Committee on April 24, 2017

Next Steps:

- Statutory Public Meeting scheduled for May 2, 2017
- Resolution of OMB Appeal related to OPA 219
- Recommendation Report for DSC's consideration at a future date
- Enactment of the Zoning By-law Amendment, if approval is granted, and pending resolution of OMB appeal
- Application for site plan approval for consideration by DSC at a future date

Proposal

The current proposal consists of a residential mixed-use development comprised of two mixed-use buildings, one on the west parcel (Phase 1) and the other on the east parcel (Phase 2). Combined, the two buildings have 709 residential units and a total GFA of 64,050 m² (689,449 ft²), of which 811 m² (8,729 ft²) is grade-related retail space (Figure 5). Two public park dedications are also proposed: a 3,528 m² (37,976 ft²) park in the west parcel and a 3,318 m² (35,716 ft²) park in the east parcel. Retention of a 6,188 m² (20,302 ft²) existing woodlot within the west parcel, adjacent to the park, is also proposed and will be conveyed to the City. In accordance with Section 4.5.7 d) of the Markham Centre Secondary Plan, the woodland will be credited as parkland and incorporated into a neighbourhood park.

West Parcel (Phase 1)

The west parcel is comprised of one, 33-storey, residential mixed-use building (Building 'A') with a total of 368 units and approximately 33,983 m² (365,798 ft²) of GFA, of which 544.5 m² (5,859 ft²) is grade-related retail space (Figure 5). The building contains an 8-storey podium building that steps back above the 1st, 2nd, and 4th storeys along Enterprise Boulevard and that also steps back above the 6th storey above Bill Crothers Drive. The 33-storey tower element, located at the east end of the building framing the intersection, is stepped back above the 8th storey (Figure 6).

Vehicular access is provided off Bill Crothers Drive at the north end of the site by a two-way driveway. The pick-up/drop-off and loading areas, as well as the ramp to the underground parking, are located along the driveway. A total of 368 parking spaces are provided within 6 levels of underground parking. Additional lay-by parking spaces are proposed along Enterprise Boulevard (Figure 5).

Immediately west of the proposed building, just south of Bill Crothers Secondary School, is a new public park. The park is approximately 3,528 m² (37,976 ft²) in size and provides an urban forecourt to Bill Crothers Secondary School connecting to Enterprise Boulevard. There is no underground parking proposed beneath the new public park. Staff will coordinate the timing and delivery of the proposed park with the construction of the proposed development. West of the new public park is a 6,188 m² (20,302 ft²) woodlot. Both the new public park and woodlot will be dedicated to the City.

East Parcel (Phase 2)

The east parcel is comprised of one, 29-storey, residential mixed-use building (Building 'B') with a total of 341 units (7 of which are townhouse units embedded in the podium) and approximately 30,067 m² (323,651 ft²) of GFA, of which 266.6 m² (2,870 ft²) is grade-related retail space located along the east side of the building (Figure 5). The building contains an 8-storey podium, which steps back above the 2nd storey at the northwest end of the building and above the 4th storey along Enterprise Boulevard. Along the east elevation, the podium is terraced with stepbacks provided above the 4th and 6th storey. The 29-storey tower element, located at the west end of the building framing the intersection, is stepped back above the 8th storey (Figure 7).

Vehicular access is mainly provided off Bill Crothers Drive at the northwest end of the parcel by way of the two-way drive that extends and connects to the driveway on the adjacent property to the north mid-block, which provides a secondary access point off Main Street Unionville South. Shared driveway access arrangements will need to be made between the two properties. Pick-up/drop-off and loading areas, as well as access to the underground parking garage are located off the driveway. A total of 341 parking spaces are provided within 6 levels of underground parking.

East of the proposed building a new public park that is 3,318 m² (35,716 ft²) is proposed at the northwest corner of Main Street Unionville South and Enterprise Boulevard. As with the new public park proposed for the west parcel, this new public park will not be encumbered by underground parking and will be dedicated to the City.

Official Plan and Zoning

In-force Official Plan (1987 Revised)

The subject lands are designated "Commercial-Community Amenity Area", with an "Environmental Protection Area" designation applying to the woodlot. The planned function of the "Community Amenity Area" designation is to provide for a multi-use, multi-purpose centre with a diverse range of retail, services, community, institutional and recreational uses. Office development and medium and high density housing is also provided for at appropriate locations.

2014 Official Plan

The lands are designated "Mixed Use High Rise" and "Greenway" in the 2014 Official Plan (as partially approved on October 30, 2015 and May 26, 2016). Lands designated "Mixed-Use High Rise" are priority locations for development where the greatest level of

intensification are intended to take place in Markham. Unless specified in a secondary plan or site-specific policy, the maximum height is 15 storeys and the permitted density is 3.0 FSI. The “Greenway” designation applies to the woodlot portion of the subject lands.

Markham Centre Secondary Plan (OPA 21)

The lands are further designated “Community Amenity Area – General”, “Open Space” and “Open Space-Environmentally Significant” in the Markham Centre Secondary Plan (OPA 21). Lands designated “Community Amenity Area – General” may be used predominantly for medium and high density uses. The “Open Space” designation corresponds with a “Neighbourhood Park” that is identified in the area by the Secondary Plan, and the “Open Space – Environmentally Significant” designation corresponds to the existing woodlot on the west portion of the site.

As mentioned previously, on June 24, 2014, the City approved OPA 219, which sought to redesignate the subject site to “Community Amenity Area-Major Urban Place” (and “Open Space” and “Open Space - Environmentally Significant”), incorporate site specific height and densities reflective of the proposal at that time, and exempt the subject lands from the precinct plan requirements identified in the Secondary Plan. Given the OMB appeal, these redesignations and policies are not yet in-force.

Existing Zoning

The subject lands are zoned “Rural Residential One” (RR1) by By-law 122-72, as amended, which permits a single family dwelling and accessory buildings and structures (Figure 2). Amending By-law 191-95 also permits the subject lands to be used for the mixing and preparation of top soil.

The Applicant is requesting that the subject lands be incorporated into the Markham Centre Zoning By-law and rezoned to “Markham Centre Public Space One” (MC-PS1) and “Markham Centre Downtown Two” (MC-D2), incorporating site specific use permissions and development standards.

Applicant Proposing Parking Reduction

The total amount of required parking for the proposed developments is 878 spaces in accordance with the parking provisions of the Markham Centre Zoning By-law 2004-196 (1 space per unit for residential, with 0.2 spaces per unit for visitors and 1 parking space per 30m² of retail GFA). The applicant is proposing a total of 709 parking spaces based on a reduced standard of 1.0 parking space per unit (0.8 per unit for residential and 0.2 per unit for visitors) and a shared parking strategy for residential and retail parking spaces. This represents a shortfall of 169 parking spaces. The applicant has submitted a parking assessment as part of the Traffic Impact Study, based on the site’s proximity to high order transit, and is currently under review by Transportation Planning staff.

OPTIONS/ DISCUSSION:

The following is a brief summary of the concerns/issues or matters of importance raised to date. These matters, and others identified through the circulation and detailed review of the proposal, will be addressed, as necessary, in a final report to Committee:

- 1) There is an outstanding OMB appeal related to OPA 219, which remains to be resolved.
- 2) Staff are reviewing the Planning Rationale Report prepared by Bousfields Inc. and submitted with the applications.
- 3) Staff are reviewing issues of compatibility and transition of height and built form of the proposed development particularly as it relates to the existing 9 storeys seniors' residence and the 4 storey Bill Crothers Secondary School.
- 4) Staff are evaluating the proposed public park dedication in the east parcel at the northwest corner of Main Street Unionville South and Enterprise Boulevard, in the context of the prominence of the intersection and gateway into Markham Centre.
- 5) A portion of the property is located in the Toronto and Region Conservation Authority (TRCA) Screening Zone and, as such, the applications have been circulated to the TRCA for their review and approval. The Applicant will be required to address the TRCA's comments, which are still pending.
- 6) Servicing allocation is required for the proposed development. Minimum LEED Silver certification is required. This matter will be addressed as part of the site plan approval process.
- 7) Given the increase in height and density being proposed the Applicant will be required to enter into a Section 37 agreement.
- 8) Conveyance of the woodlot located within the west parcel will be a condition of site plan approval in the future.
- 9) Staff have encouraged the Applicant to incorporate a Public Art component as part of their building design. This matter remains to be addressed.
- 10) The Applicant will be required to address the comments and recommendations made the City's DRP on September 29, 2016.
- 11) The Applicant will be required to present the proposed development at a future meeting of the Markham Centre Advisory.
- 12) As discussed above, Transportation Planning staff are reviewing the proposed parking in terms of reduced parking standard and resulting number of spaces.
- 13) Site plan matters including but not limited to: built form, massing, height, setbacks, open/amenity space, density, compatibility, access, parking, loading, woodlot and proposed public parks, landscape buffers to adjacent properties, bird friendly measures, exterior lighting and sustainability measures are currently under review by staff and will be addressed in a Final Recommendation Report to Development Services Committee.
- 14) Review of technical studies including Traffic Impact Study, Functional Servicing and Stormwater Management Report, Geotechnical Report, Geohydrology Assessment, Tree Inventory and Preservation Plan, Wind Study, and Sun & Shadow Study are currently under review.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

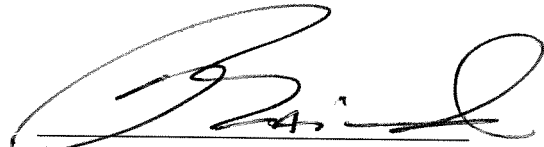
BUSINESS UNITS CONSULTED AND AFFECTED:

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

RECOMMENDED BY:



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



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

ATTACHMENTS:

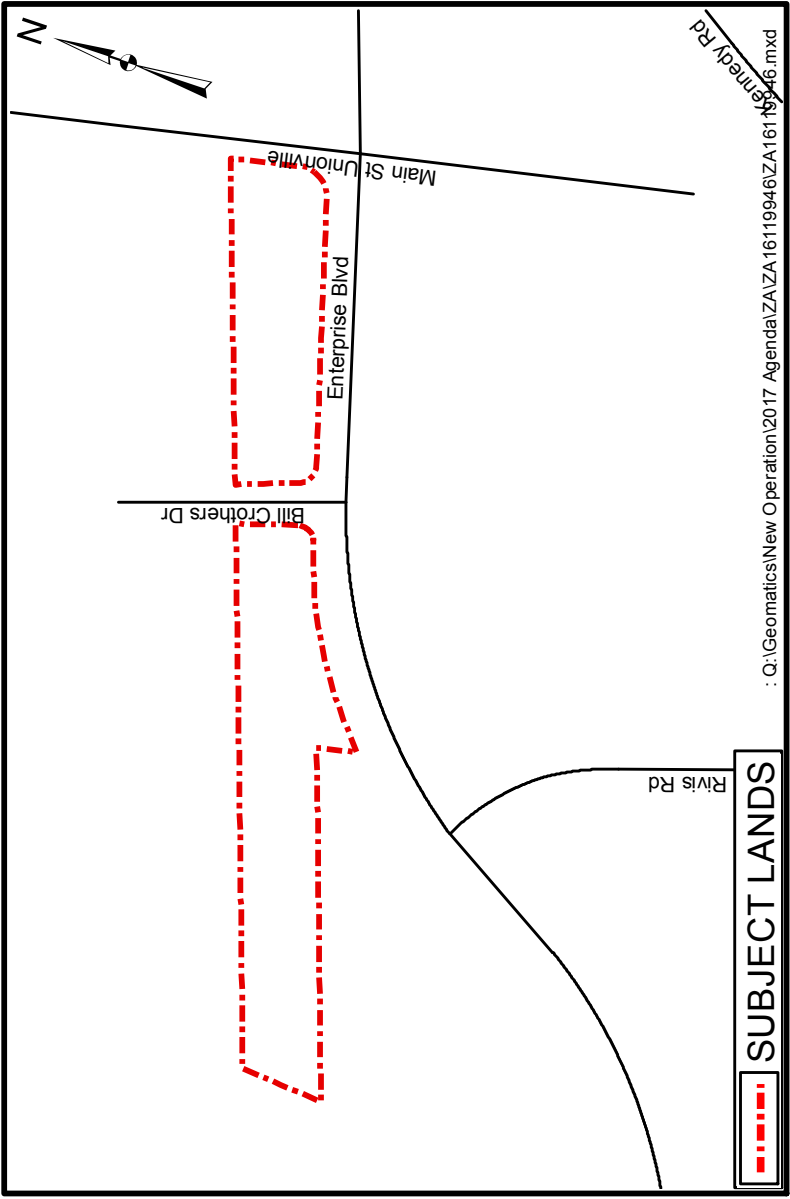
- Figure 1: Location Map
- Figure 2: Area Context/Zoning
- Figure 3: Air Photo
- Figure 4: Previous Conceptual Site Plan (Global Unionville Development Inc.)
- Figure 5: Conceptual Site Plan
- Figure 6: Conceptual Elevations, Phase 1 – Building 'A'
- Figure 7: Conceptual Elevations, Phase 2 – Building 'B'

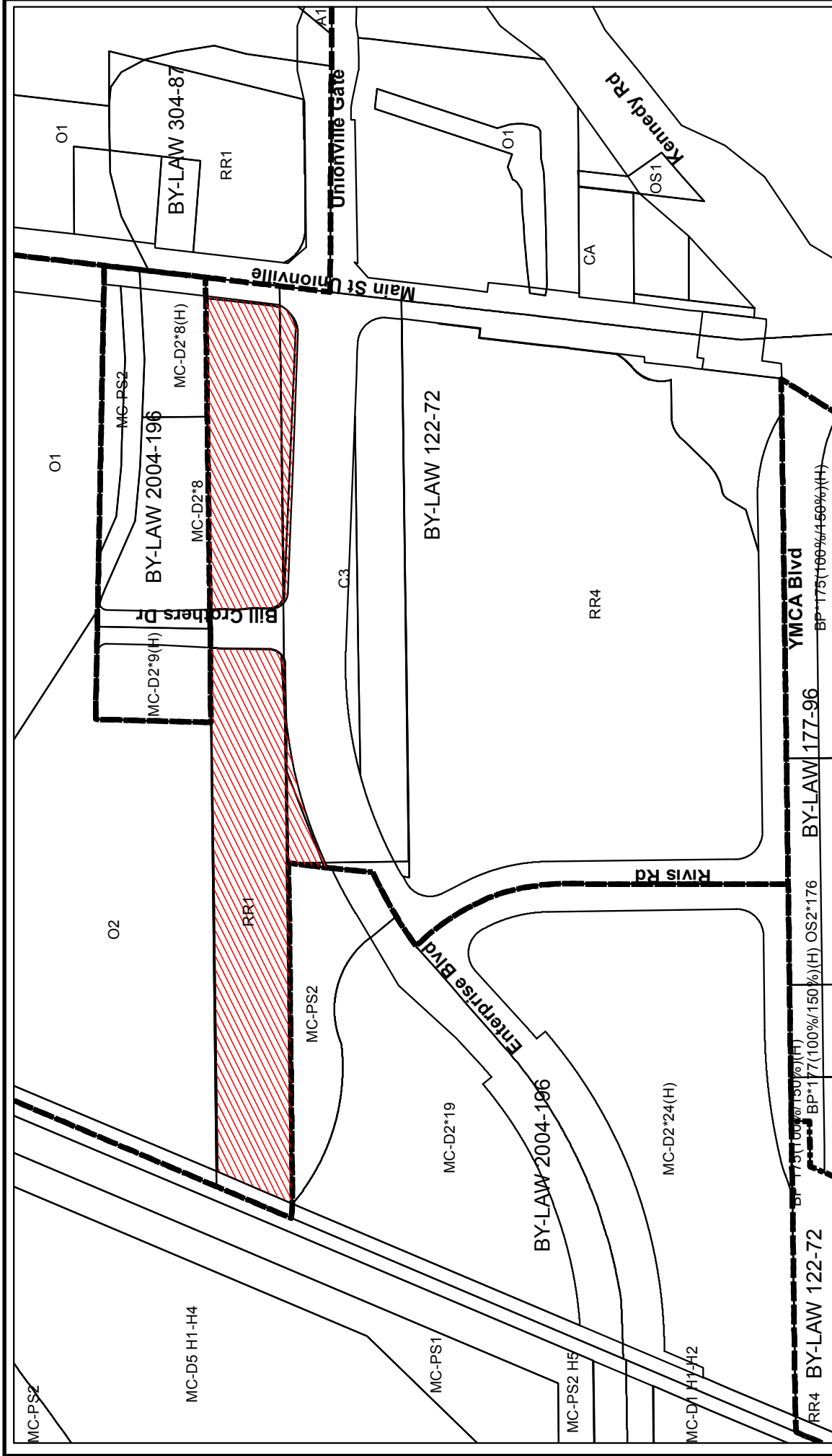
AGENT:

Mr. Rick Tripodi
Tripodi Development Consulting
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Aurora, ON
L4G 1A8

Tel: (416) 605-0350

Email: rtripodi@rtripodi.com





 SUBJECT LANDS

AREA CONTEXT/ZONING

APPLICANT: IDEAL (MS) DEVELOPMENTS INC.
28 MAIN ST. UNIONVILLE

FILE No: ZA 16119946(SB)

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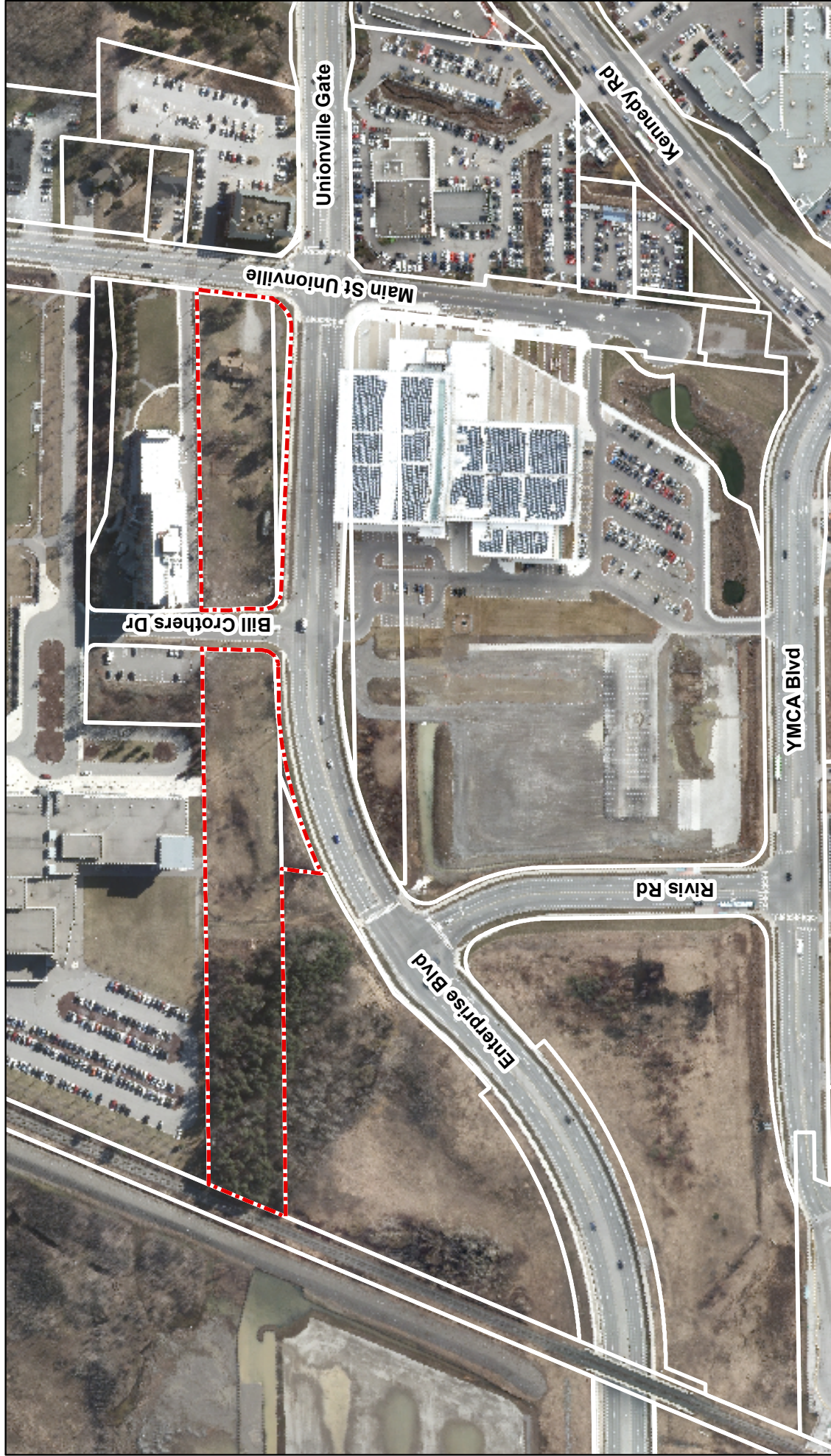
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Checked By: SB

DATE: 03/22/17

FIGURE No. 2



AERIAL PHOTO (2016)

APPLICANT: IDEAL (MS) DEVELOPMENTS INC.
28 MAIN ST. UNIONVILLE

FILE No: ZA 16119946(SB)

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MARKHAM DEVELOPMENT SERVICES COMMISSION

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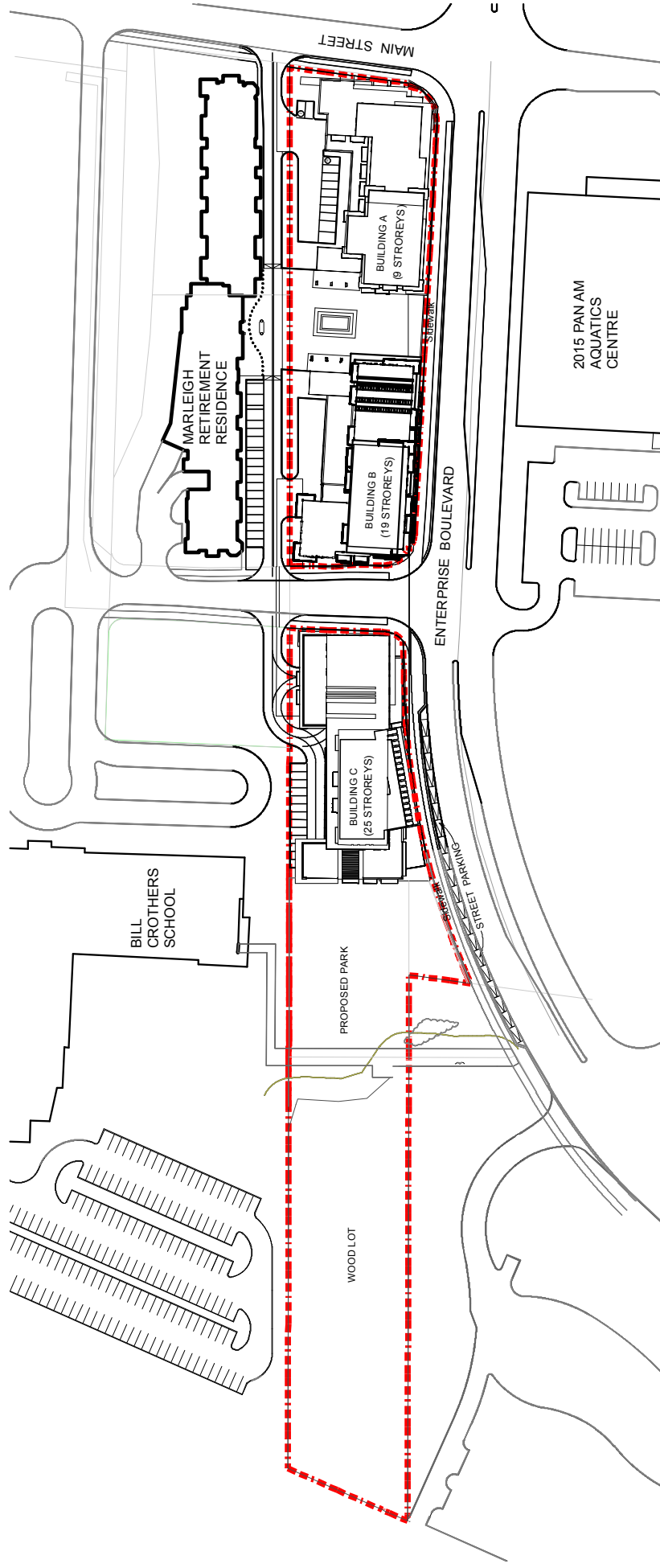
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 SUBJECT LANDS

DATE:03/22/17

FIGURE No. 3





PREVIOUS CONCEPTUAL SITE PLAN (GLOBAL UNIONVILLE DEVELOPMENT INC.)

APPLICANT: IDEAL (MS) DEVELOPMENTS INC.
28 MAIN ST. UNIONVILLE

FILE No: ZA 16119946(SB)

 SUBJECT LANDS



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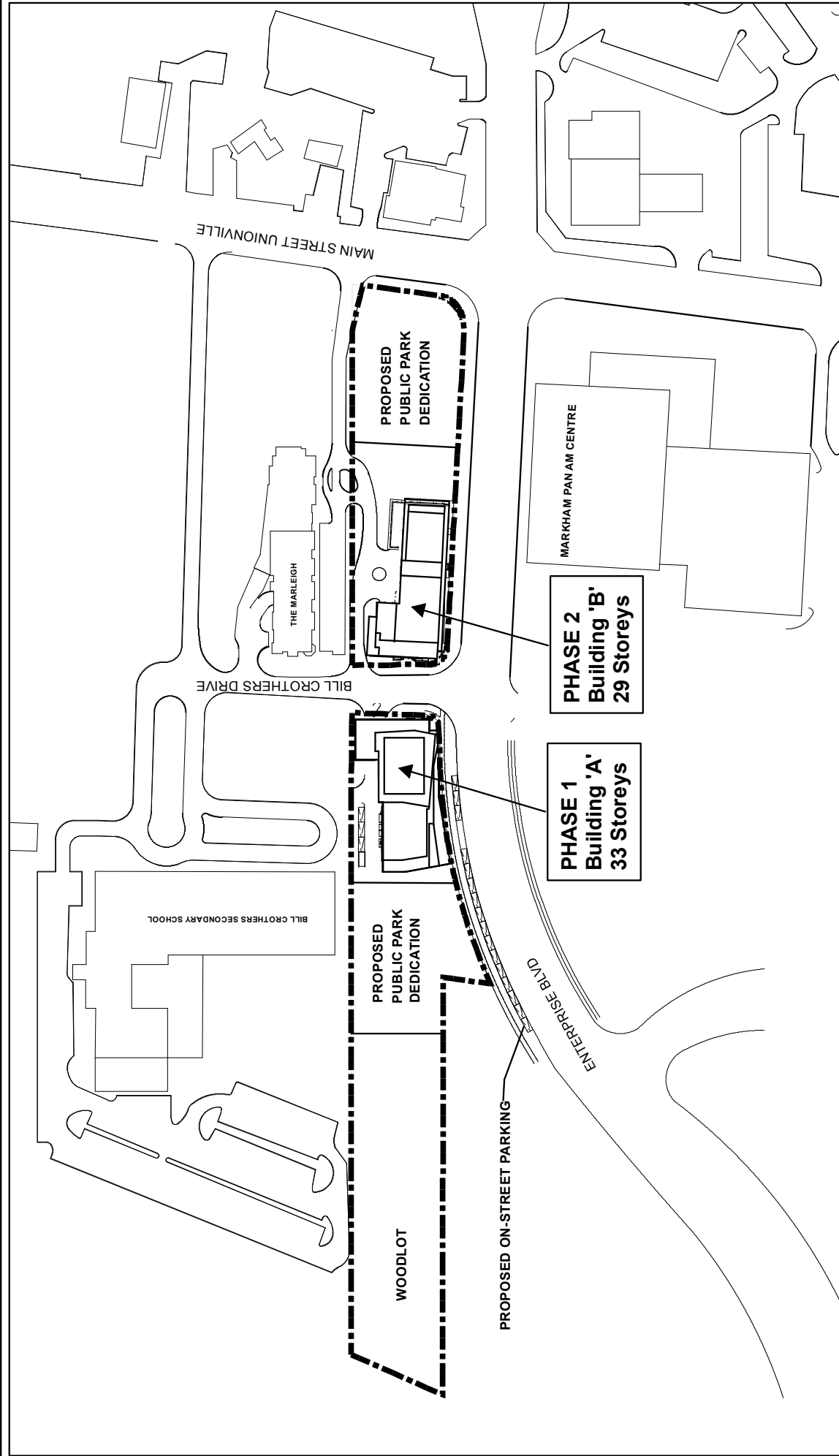
 MARKHAM DEVELOPMENT SERVICES COMMISSION

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DATE:03/22/17

FIGURE No. 4



CURRENT CONCEPT SITE PLAN

APPLICANT: IDEAL (MS) DEVELOPMENTS INC.
28 MAIN ST. UNIONVILLE

■ ■ ■ ■ ■ SUBJECT LANDS

FILE No: ZA 16119946(SB)

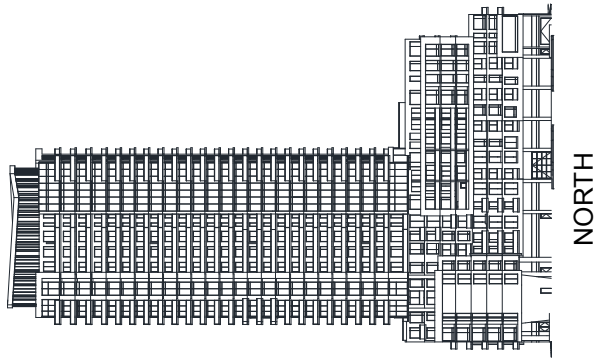
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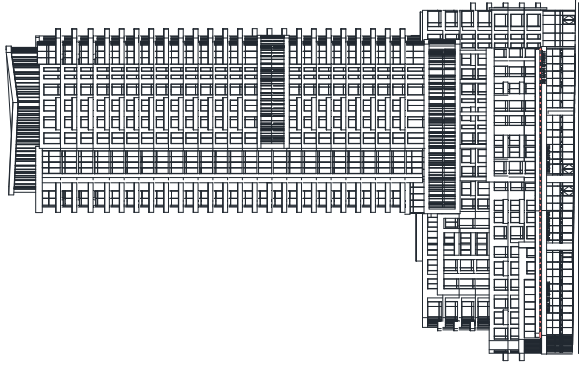
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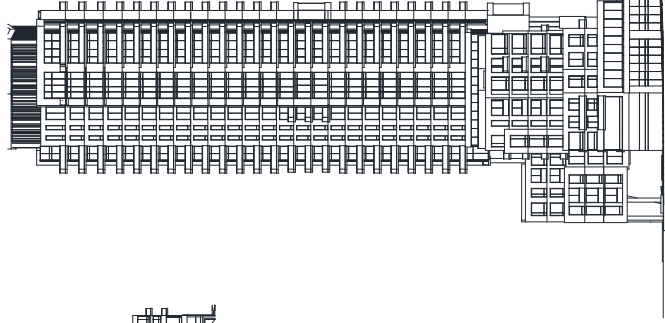
FIGURE No. 5



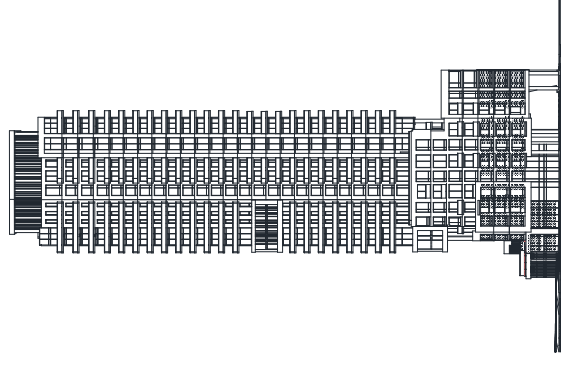
NORTH



SOUTH



WEST



EAST

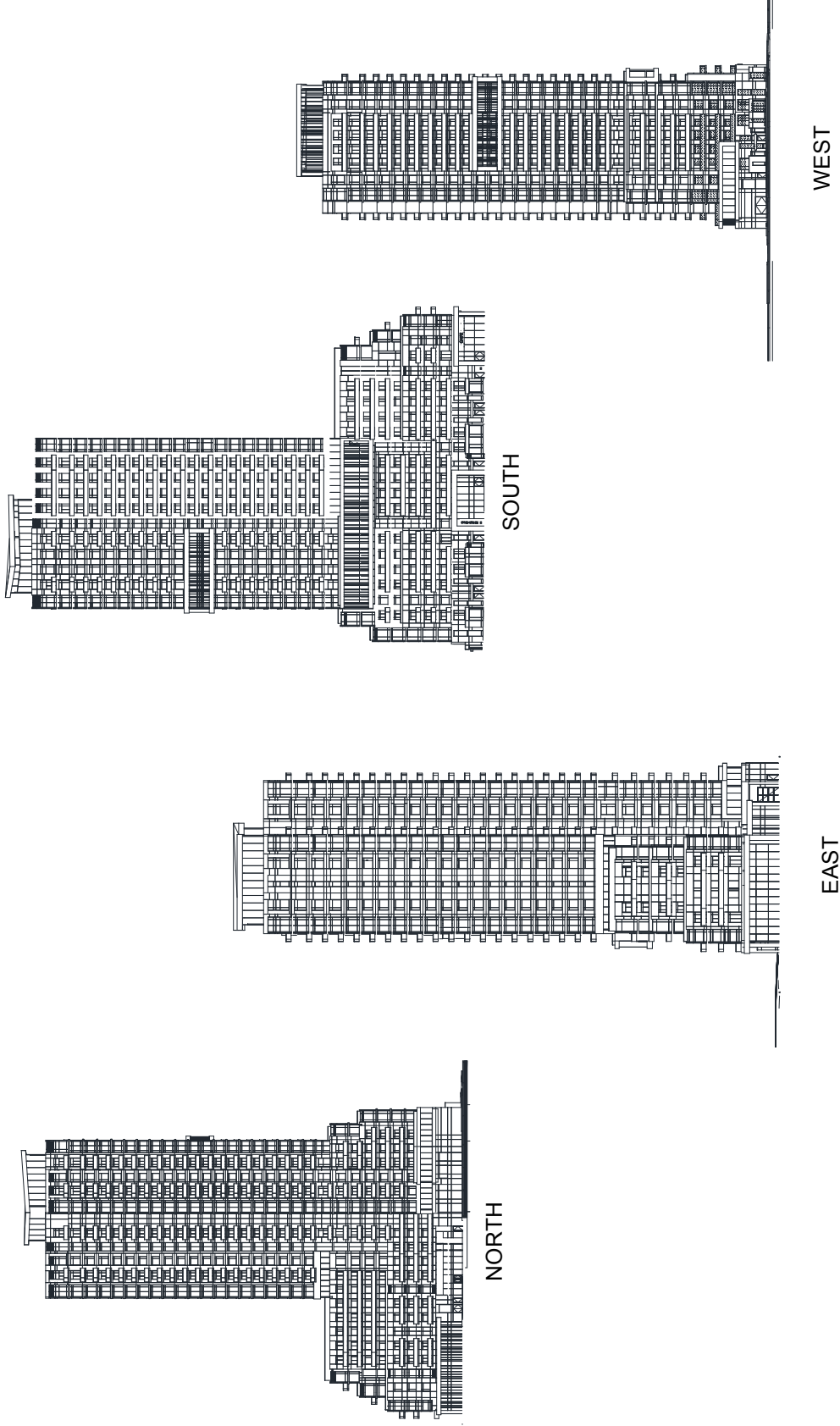
CONCEPTUAL ELEVATIONS (PHASE 1, BUILDING 'A')

APPLICANT: IDEAL (MS) DEVELOPMENTS INC.

28 MAIN ST. UNIONVILLE

FILE No: ZA 16119946(SB)

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CONCEPTUAL ELEVATIONS (PHASE 2, BUILDING 'B')

APPLICANT: IDEAL (MS) DEVELOPMENTS INC.

28 MAIN ST. UNIONVILLE

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FIGURE No. 7