



Report to: Development Services Committee

Report Date: June 12, 2012

SUBJECT: RECOMMENDATION REPORT
Cedardale Markham Inc.
Application for Site Plan Approval of Phase 1 of a high density mixed use development at the south-east corner of Highway 48 and Castlemore Avenue (9809 Highway 48).

File No: SC 09 129428

PREPARED BY: Stacia Muradali, Ext. 2008
Senior Planner, East District

REVIEWED BY: Biju Karumanchery, Ext. 2970
Senior Development Manager

RECOMMENDATION:

- 1) That the report dated June 12, 2012 and titled "RECOMMENDATION REPORT, Cedardale Markham Inc., Application for Site Plan Approval of Phase 1 of a high density mixed use development at the south-east corner of Highway 48 and Castlemore Avenue (9809 Highway 48), File No. SC 09 129428," be received;
- 2) That the Site Plan Application (File No. SC 09 129428) submitted by Cedardale Markham Inc. to facilitate an 18-storey building with 252 apartment units and non-residential uses at grade, being Phase 1 of a high density mixed use development, be endorsed in principle, subject to the conditions attached as Appendix 'A';
- 3) That site plan approval be delegated to the Director of Planning and Urban Design or his designate, to be issued following execution of a site plan agreement. Site Plan Approval is issued only when the Director or his designate has signed the plan;
- 4) That 252 units of 2011/2012 allocation be granted (less the 35% LEED Silver Bonus) to the proposed Phase 1 development;
- 5) That prior to the Director of Planning and Urban Design endorsing the site plan, the applicant shall submit to the Town final confirmation of the 35% (88 units) servicing allocation credits from the Region of York under their "Sustainable Development Through LEED" policy;
- 6) That the Town reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner;
- 7) That the Mayor and Clerk be authorized to execute a Section 37 Agreement with the Owner;

- 8) That the Owner provide the Town with the required payment of 60% planning processing fees in accordance with the Town's applicable Fee By-Law;
- 9) That site plan endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that a site plan agreement is not executed within that period;
- 10) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to recommend approval of a site plan application submitted by Cedardale Markham Inc. for an 18-storey mixed use building consisting of 252 apartment units with non-residential uses at grade, located at the south-east corner of Highway 48 and Castlemore Avenue.

BACKGROUND:**Property and Area Context**

9809 Highway 48 (the "subject property") is located at the south-east corner of Highway 48 and Castlemore Avenue and is comprised of approximately 2.07 hectares (5.11 acres) (Figure 1). The property fronts onto Highway 48 to the west, Castlemore Avenue to the north, and Anderson Avenue to the east. The subject property is currently vacant with the exception of a few trees and vegetation. There is a furniture store (The Brick) and industrial/ commercial development located to the north of Castlemore Avenue. Primarily one-storey multi-tenant mixed industrial/commercial buildings are located to the south and east across Anderson Avenue. The Mount Joy GO Station is also south of Bur Oak Avenue. To the west across Highway 48 is commercial/retail development including a Home Depot (Figure 3).

Previous proposals submitted for both the north and south-east corners of Castlemore Avenue and Highway 48

In 2005 rezoning and site plan applications were received for both the north and south sides of Castlemore Avenue, on the east side of Highway 48. The applications were submitted by Cedardale Castlemore Inc. to allow two (2) big box retail format stores at either corner. The owner proceeded with development of the north-east corner, now occupied by the Brick, but development of the south-east corner was delayed and eventually revised to the current proposed high density mixed use development.

Site plan approval for Phase 1 of the proposed high density mixed use development

Cedardale Markham Inc. is proposing to construct two (2) mixed use residential apartment buildings (Buildings A and B) with retail and commercial uses at grade, fronting onto Highway 48 and Castlemore Avenue. The apartment buildings will be 18

and 20 storeys in height with a 4-storey podium that connects the two (2) buildings. A future one (1) storey retail/commercial building (Building C) and a park/ open space area are proposed along Anderson Avenue (Figure 4). This report is recommending site plan approval for Phase 1 only, which is comprised of an 18-storey mixed use building (Building A) and a portion of the four (4) storey podium, as well as the landscaped open space area. The 18-storey building will have a gross floor area of approximately 21,077 m² (226,870 ft²) and contain 252 units including eight (8) 2-level units with separate entrances on the south side of the building. There will also be approximately 1,407 m² (15,149 ft²) of ground floor retail and commercial space as part of Phase 1. There will be accesses on both Markham Road and Castlemore Avenue, with a row of parking along the Markham Road frontage to serve the at grade retail uses.

A total of 373 parking spaces will be provided in Phase 1. 277 parking spaces will be provided for the residents, 50 parking spaces will be provided for visitors and 46 parking spaces will be provided for retail uses. A two-level below grade parking structure will also be constructed as part of this development. The majority of the retail parking spaces will be provided on the surface with some also provided below grade.

The park/ open space area will also be constructed as part of Phase 1 and is approximately 0.22 ha (0.56 acre). The park will remain under private ownership, however, the owner will convey a public access easement to the Town as part of this application.

Official Plan and Zoning

The subject property is designated "Major Commercial Area" in the Town's Official Plan. This designation provides opportunities for multi-use, multi-purpose centres offering a range of retail, service, community, institutional and recreational services serving a major portion of the municipality and /or broader market. It is intended to serve as an identifiable destination for major shopping needs, recreation, entertainment and hospitality uses. It is also intended to accommodate office development and medium and high density housing at appropriate locations such as key intersections of arterial roads and sites served by principal transit routes. The proposed development conforms with the Official Plan.

A site-specific by-law zoned the subject property Major Commercial*425 (Hold) [MJC*425(H)] and Open Space One*427 (OS1 *427) on June 28th, 2011 to permit the proposed development (Figure 2). The Hold provision can be removed subject to adequate water supply and sewage servicing capacity, and execution of a site plan agreement, Section 37 agreement and No Pre-Sale agreement.

OPTIONS/ DISCUSSION:

The proposed development is generally consistent with the Town's emerging vision for the Highway 48 Corridor (Markham Road)

The Highway 48 Urban Design Study, endorsed by Council in 2005, provides urban design and development guidelines to be used in the evaluation of development

applications within the Highway 48 corridor between 16th Avenue and Major Mackenzie Drive. The purpose of the urban design guidelines is to encourage a high quality, mixed use and pedestrian friendly development that better supports street-oriented retail and residential uses with a community focus. Staff had also been reconsidering the appropriate built form for high density residential development along the Highway 48 Corridor. Based on these considerations, a new vision and built form has emerged on the west side of Highway 48 between Edward Jeffreys Avenue and Bur Oak Avenue. This vision includes building with podiums with point towers up to 18 to 20 storeys in height at strategic locations along the Highway 48 frontage.

The Phase 1 development is located within the “Intensification and Future High Density Residential” area of the Highway 48 Urban Design Study. This residential district is envisioned to undergo long term redevelopment and intensification and is identified as a key east-west linkage which joins the residential communities to the east and west of Highway 48. The proposed Phase 1 development achieves the key design principles of this area by providing a variety of commercial and residential uses with active street-oriented uses and high rise buildings which would take advantage of the Mount Joy GO Station.

The proposed elevations are acceptable

Staff have worked closely with the applicant and consulting architects to ensure that the built form is of high quality, reflective of the evolving vision for this stretch of Highway 48 and consistent with the Town’s approach to assessing tall buildings. The main built form features that Staff supports include the four storey podium, unobstructed pedestrian scale retail frontages, grade, generous separation distance between the towers, well articulated elevations incorporating slender vertical elements that assist in reducing the visual massing of high rise buildings and the small roof/ parapet extensions that create an identifiable silhouette for the project. 12 levels of the building will have a typical floor plate of approximately 817 m² (8,794 ft²) which is slightly more than the 800m² (8,611 ft²) floor plate staff tries to achieve. Town staff worked extensively with the applicant to decrease the podium height, and to provide generous separation between the two (2) towers which made the slightly larger floor plate acceptable to this specific development as the towers still appear slender. The south facing elevation at grade is particularly successful. This side of the development flanks a pedestrian walkway and incorporates townhouse units with modest front courtyards enclosed by decorative iron fence and gates. This feature creates an active, pedestrian scale façade as well as opportunities for natural surveillance and in the absence of commercial units at grade along this elevation, the townhouse units present a welcome building edge treatment, as well as an alternative residential unit type within the condominium development.

The proposed materials are predominantly precast concrete, masonry and artificial stone producing a solid looking, traditional building style. There are no large expanses of glazing and windows are sufficiently broken up with the use of glazing bars so as to limit the span of reflective surfaces thereby reducing the likely incidence of bird collisions. However, the applicant will still be required to ensure that final plans incorporate appropriate Fatal Light Awareness Program (FLAP) components to ensure more bird

friendly buildings to the satisfaction of the Commissioner of Development Services (see Appendix 'A').

Park/ open space area and parkland dedication

Phase 1 provides a preliminary design for the park/ open space area located at the south-east corner of the subject property fronting onto Anderson Avenue. Staff expects to secure additional land for park purposes to the south of the open space area currently shown, as future development applications are made over time. A park at this location is advantageous in that the open space area has frontage onto a public road, namely Anderson Avenue, to the east. Staff will work with the Owner's Landscape Architect in the detailed design of the open space area to ensure that there is a consistent and complimentary approach to the design and park facilities provided whereby the open space area, which would have full public access easements, would be well integrated with a public park to the south in the future.

The Owner has also been working with Staff to examine options to acquire a parcel of land which will be of equivalent value to their cash-in-lieu of parkland dedication. Alternatively, if a suitable parcel of land cannot be acquired by the Owner and agreed to by the Town, the Owner will be required to pay cash-in-lieu of parkland.

The proposed parking is acceptable

With respect to parking, whereas the parking by-law requires 1.25 spaces per apartment unit and 0.25 spaces per unit for visitors, the proposed development is to provide parking at a rate of 1.1 parking space per apartment unit and 0.2 visitors parking space per apartment unit. Reductions in the parking ratios were considered appropriate because of the implementation of a Transportation Demand Management (TDM) Plan (discussed below), the proximity of the proposed development to the Mount Joy GO Station, and the opportunity for shared parking between the residential visitors and the retail and commercial uses. The proposed townhouses will have 2 spaces per unit while parking for retail and commercial uses, as well as restaurants with a combined net floor area of less than 240m² will be provided at a rate of 1 per 30m² of net floor area.

Transportation Demand Management (TDM) is required

The Town of Markham has almost completed a review of development potential along the Highway 48 Corridor which includes a Transportation Study. The preliminary findings of the Transportation Study indicate that the Regional roads, particularly 16th Avenue, are projected to continue to experience congestion after accounting for key Regional Road widening and rapid transit initiatives. As a result, the implementation of Transportation Demand Management (TDM) measures to make more efficient use of the existing transportation system by reducing auto dependency will be required by the Town of Markham and Region of York. With the appropriate TDM measures in place, dependence on car travel can be reduced and an increase in other modes of travel such as transit, cycling, walking and carpooling can be achieved. Given the importance of TDM, the proposed development cannot proceed without an acceptable TDM plan. This proposed development has the added advantage that it is located in close proximity to the Mount Joy GO Station which provides higher order transit service. York Region Transit

and the Toronto Transit Commission also provide transit service to the area. The Owner is working with Staff to finalize a TDM plan for approval by the Town, that will outline a strategy for the subject lands (see Appendix 'A').

Section 37 Agreement

Section 37 of the Planning Act is a planning tool that allows municipalities to grant an increase in height and /or density in return for additional services, facilities and other community benefits. It is appropriate to consider a Section 37 contribution for community benefits for the proposed development. Any increase is subject to adherence to "good planning" principles, neighbourhood compatibility and a reasonable relationship between the negotiated benefit and the approved height and density. In accordance with Town policy, Council will have regard for community input in determining the ultimate use of the Section 37 contribution for community benefits. It is recommended that Staff be authorized to enter into negotiations with the Owner regarding a Section 37 contribution, to form the basis of a draft Section 37 Agreement which must be executed prior to removal of the Hold provision (see Appendix 'A')

Servicing allocation is available subject to LEED Silver Certification

Conditional 2011/2012 servicing allocation will be assigned to the proposed development for the equivalent of 164 apartment units. The Owner will achieve LEED Silver certification as per the Town's policy for high density residential development, and as a result, servicing allocation for an additional 88 units will be assigned through the Region of York's "Sustainable Development Through LEED Program" which provides a 35% servicing allocation bonus. The Owner will be required to satisfy the Region of York that LEED Silver has been achieved, as well as providing for three stream waste (see Appendix 'A').

FINANCIAL CONSIDERATIONS: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development conforms to the Town's growth management strategic priority by locating an appropriate high density mixed use development in close proximity to the Mount Joy GO Station which is an appropriate location for intensification. The proposed development also aligns with the Town's transportation and environmental priorities by creating transit-friendly, sustainable communities through initiatives such as TDM and intensification.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various Town departments and external agencies. Their requirements have been reflected in this report.

RECOMMENDED BY:


Riho Mostacci, M.C.I.P., R.P.P.
Director of Planning and Urban Design


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

ATTACHMENTS:

- Figure 1: Location Map
 - Figure 2: Area Context/ Zoning
 - Figure 3: Aerial Photo
 - Figure 4: Proposed Site Plan
 - Figure 5: Proposed Building Elevations
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- Appendix 'A' - Site Plan Conditions
 - Appendix 'B' - Coloured Renderings

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APPENDIX 'A'
CONDITIONS OF SITE PLAN APPROVAL
PHASE 1
9809 HIGHWAY 48
CEDARDALE MARKHAM INC.

That prior to site plan endorsement:

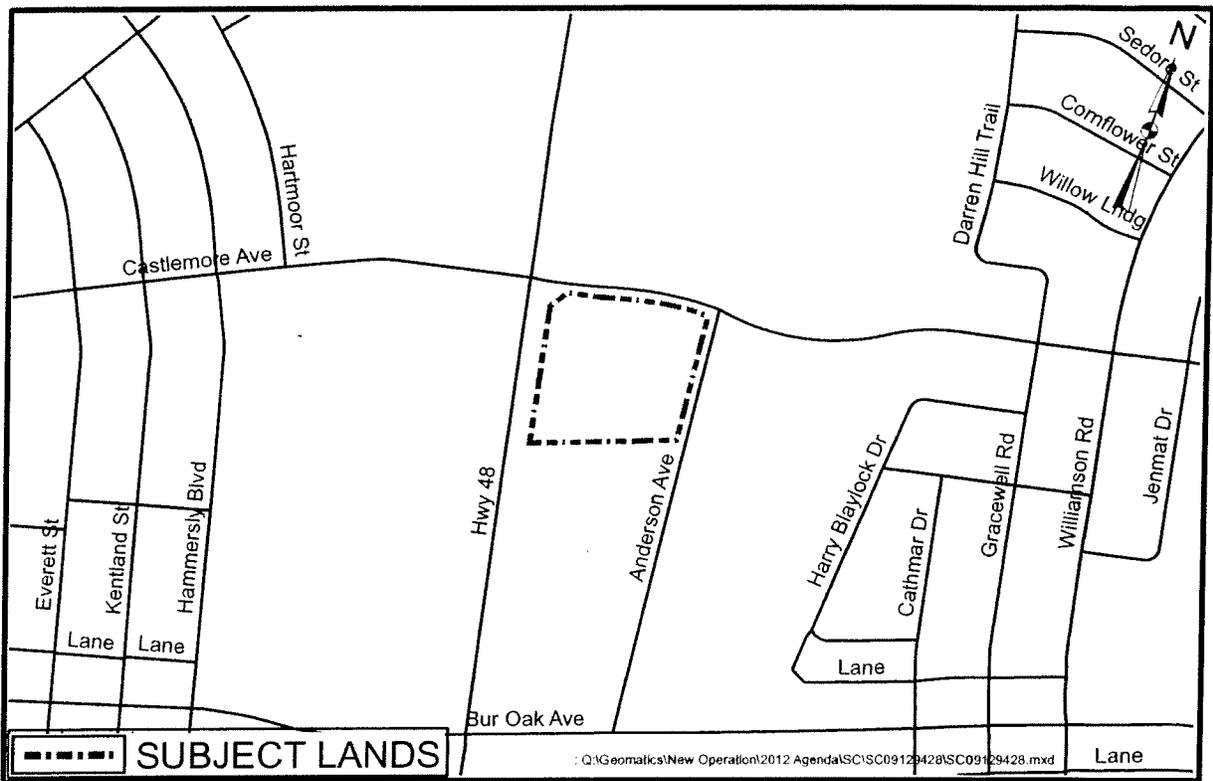
1. The Traffic Operations Assessment related to the proposed development be finalized to the satisfaction of the Commissioner of Development Services.

The Owner shall enter into a Site Plan Agreement with the Town, containing all standards and special provisions and requirements of the Town and other external agencies, including but not limited to, the following:

1. Provisions for the payment by the Owner of all applicable fees, recoveries, development charges, provision of parkland dedication (including cash-in-lieu or approved alternative) and any financial obligations;
2. That the Owner shall provide a Transportation Demand Management (TDM) Plan to the satisfaction of the Commissioner of Development Services;
3. That the Owner provides written confirmation from a qualified LEED consultant certifying that LEED Silver was achieved in the proposed development, to the satisfaction of the Commissioner of Development Services and Region of York; and
4. That the Owner agrees to implement three-stream waste reduction to the satisfaction of the Town.

Prior to execution of a Site Plan Agreement:

1. The Owner shall submit site plan, elevation drawings, underground parking garage layout plans, engineering drawings, lighting plan and photometrics and landscape plans (including green roof specifications), along with any other plans, studies and reports which are required to comply with the requirements of the Town and authorized external agencies, to the satisfaction of the Commissioner of Development Services.
2. The Owner shall submit final plans which incorporate appropriate Fatal Light Awareness Program (FLAP) components to ensure more bird friendly buildings, to the satisfaction of the Commissioner of Development Services; and
3. The Owner's Landscape Architect work with Town Staff on the detailed design of the park/ open space area, to the satisfaction of the Commissioner of Development Services.
4. The Owner executes a Section 37 Agreement to the satisfaction of the Commissioner of Development Services.

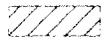




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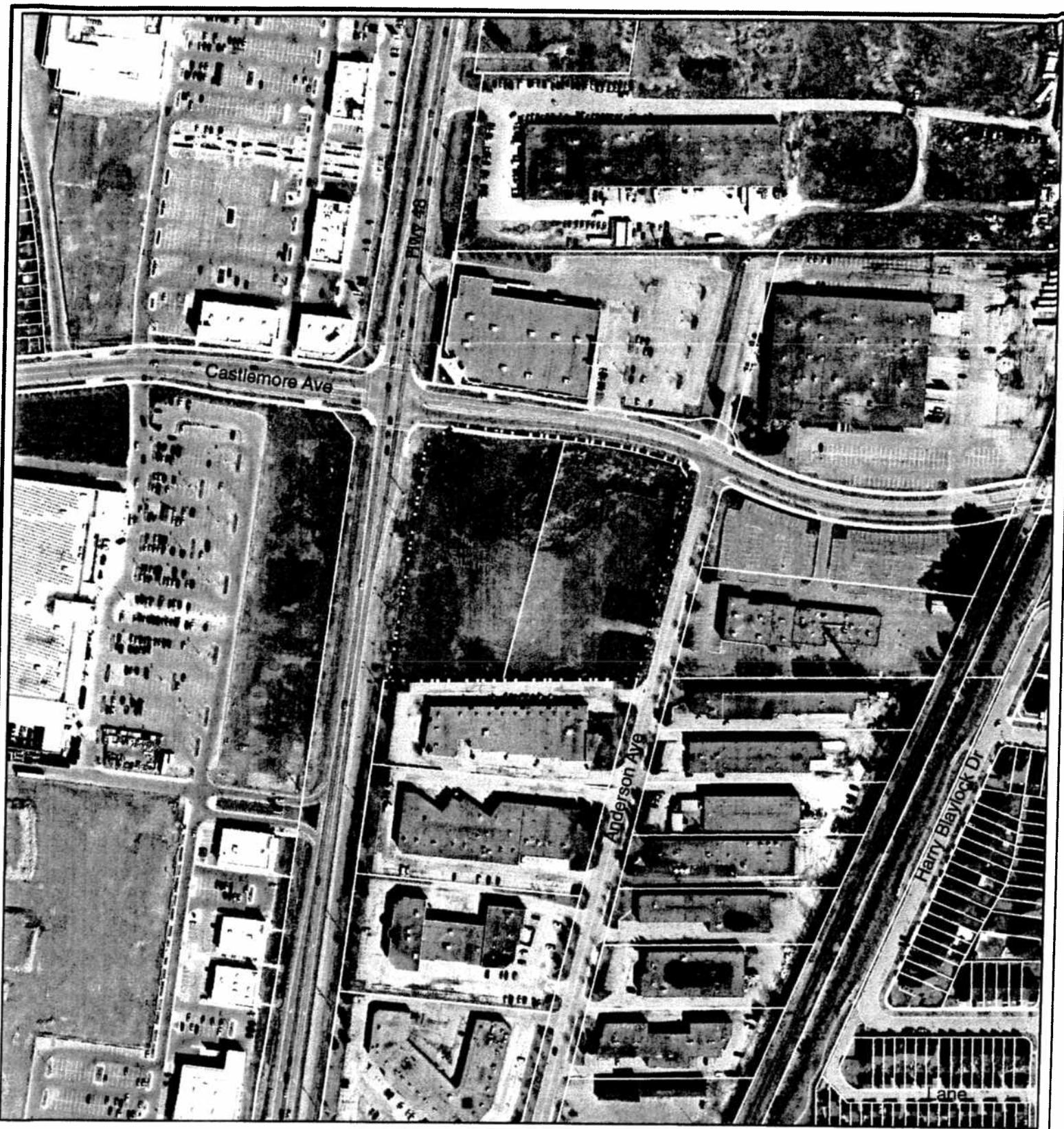
AREA CONTEXT / ZONING

APPLICANT: CEDARDALE MARKHAM INC
9809 HIGHWAY 48

 SUBJECT LANDS

FILE No. SC09129428 (3M)

DATE: 05/04/12



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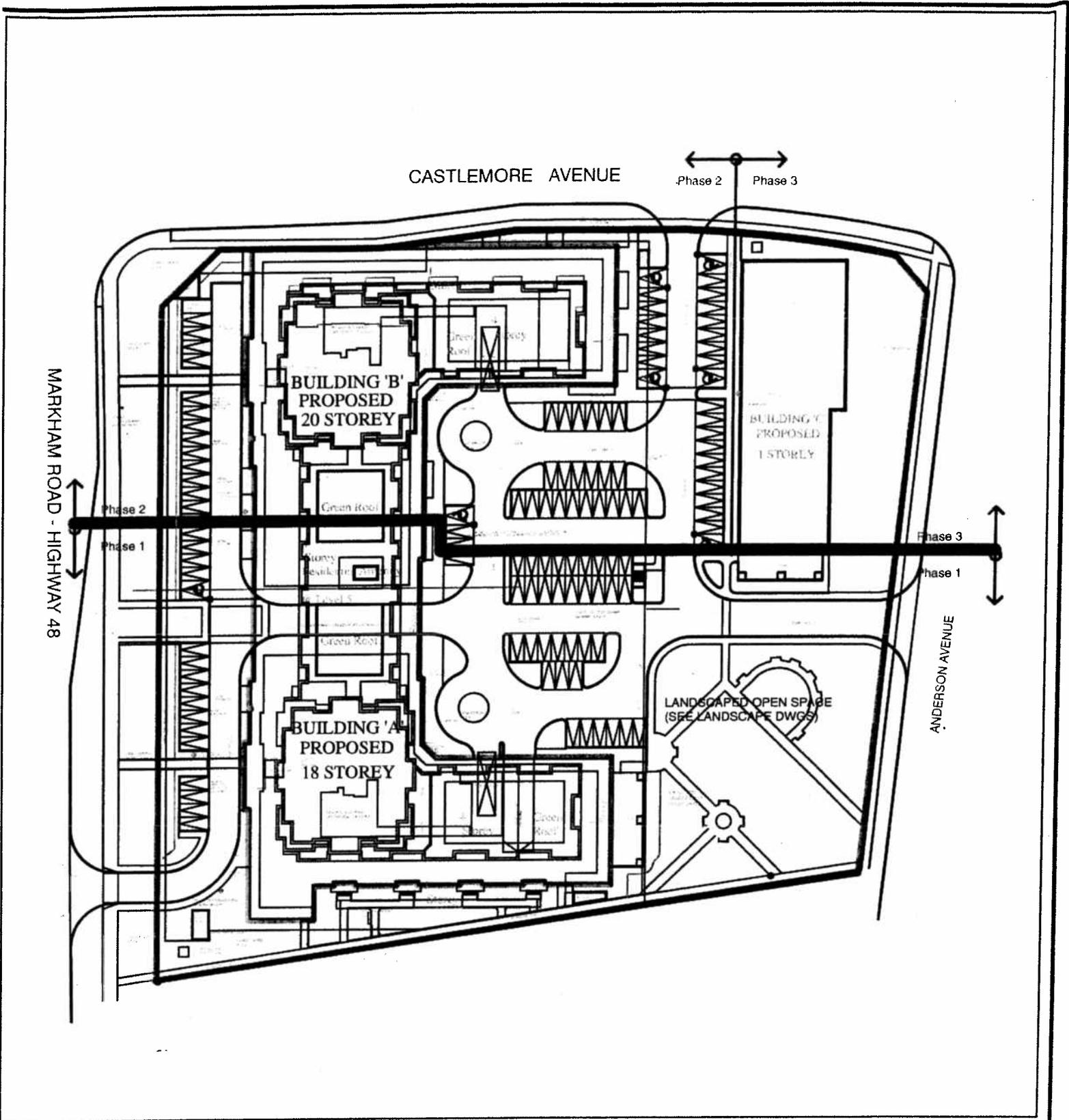
APPLICANT: CEDARDALE MARKHAM INC
9809 HIGHWAY 48

FILE No. SC09129428 (SM)



--- SUBJECT LANDS

DATE: 05/04/12



SITE PLAN

APPLICANT: CEDARDALE MARKHAM INC
9809 HIGHWAY 48

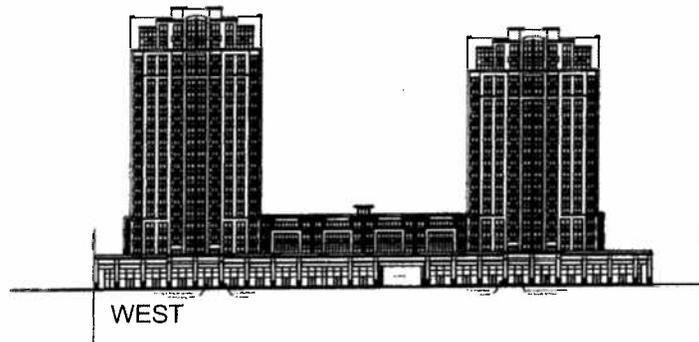
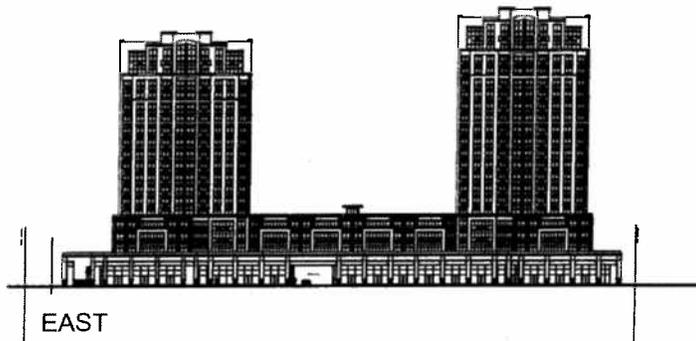
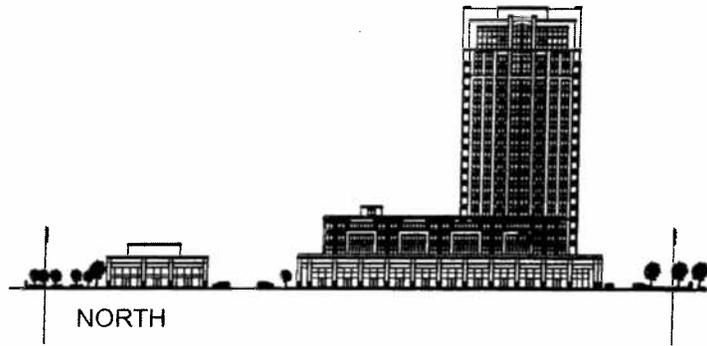
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DATE: 05/04/12



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ELEVATIONS

APPLICANT: CEDARDALE MARKHAM INC.
9809 HIGHWAY 48

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DATE: 05/04/12

