



Report to: Development Services Committee

Report Date: January 17, 2011

SUBJECT: RECOMMENDATION REPORT
Amica (Swan Lake) Corporation
Applications to amend the Secondary Plan and Zoning By-law and for site plan approval to permit a retirement residence at 6380 16th Avenue and to facilitate alterations to the existing retirement residence at 6360 16th Avenue, in the Swan Lake community.

File Nos: OP 09 118339, ZA 09 118346, SC 09 125517 & SC 09 125867

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

REVIEWED BY: Dave Miller, Ext. 4960
Manager, East District

RECOMMENDATION:

- 1) That the report titled "RECOMMENDATION REPORT, Amica (Swan Lake) Corporation, Application to amend the Secondary Plan and Zoning By-law and for site plan approval to permit a retirement residence at 6380 16th Avenue and to facilitate alterations to the existing retirement residence at 6360 16th Avenue, in the Swan Lake community, File Nos: OP 09 118339, ZA 09 118346, SC 09 125517 & SC 09 125867" dated January 17, 2012, be received;
- 2) That the record of the Public Meeting held on November 3, 2009 regarding the applications to amend the Swan Lake Secondary Plan and Zoning By-law 177-96, as amended, be received;
- 3) That the application submitted by Amica (Swan Lake) Corporation to amend the Swan Lake Secondary Plan (OPA 17) (OP 09 118339) to permit a retirement residence at 6380 16th Avenue, be approved, and the draft Official Plan Amendment attached as Appendix 'C' be finalized and adopted without further notice;
- 4) That the application submitted by Amica (Swan Lake) Corporation to amend Zoning By-law 177-96, as amended (ZA 09 118346) to permit a retirement residence at 6380 16th Avenue, be approved, and the draft By-law attached as Appendix 'D' be finalized and enacted without further notice;
- 5) That the site plan application submitted by Amica (Swan Lake) Corporation (SC 09 125517) to permit a new retirement residence at 6380 16th Avenue (Phase 2), be endorsed in principle, subject to the conditions attached as Appendix 'A';

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- 6) That Site Plan Approval (SC 09 125517) 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 has signed the Site Plan;
 - 7) That the site plan application submitted by Amica (Swan Lake) Corporation (SC 09 125867) to make alterations to the existing retirement residence at 6360 16th Avenue (Phase 1), be endorsed in principle, subject to the conditions attached as Appendix 'B';
 - 8) That Site Plan Approval (SC 09 125867) 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 has signed the Site Plan;
 - 9) That conditional 2011 servicing allocation for 26 apartment units be assigned to the proposed development, subject to written confirmation from the Trustee of Landowners Group that servicing allocation is available from the 2011/2012 sewer and water allocation previously assigned to Swan Lake;
 - 10) That the Town reserves the right to revoke or reallocate the servicing allocation should development not proceed in a timely manner;
 - 11) 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 discuss and recommend approval of applications submitted by Amica (Swan Lake) Corporation to amend the Swan Lake Secondary (OPA 17) and Zoning By-law 177-96, as amended, and for site plan approval, to allow a new retirement residence at 6380 16th Avenue and to make alterations to the existing retirement residence at 6360 16th Avenue.

BACKGROUND:**Subject lands and area context**

6380 16th Avenue (the "Phase 2 land") is located on the north side of 16th Avenue, west of Swan Lake Boulevard, east of Highway 48, on the southern edge of the Swan Lake community (Figure 1). The Phase 2 land and surrounding lands had previously been used as a sand and gravel quarry and a waste disposal site. There is an existing 4-storey retirement residence which is owned and operated by Amica Corporation, located on 6360 16th Avenue (the "Phase 1 lands"). 6360 16th Avenue is approximately 0.94 hectares (2.3 acres) and the existing building is approximately 10,501 square metres (113,032 square feet) and consists of 114 units. 6380 16th Avenue is presently vacant except

for a temporary sales pavilion and a one-storey structure in the northerly portion of the site with no significant vegetation or natural features. 6380 16th Avenue is approximately 1.7 hectares (4.2 acres).

Immediately to the north of the subject lands is Swan Lake. To the west, is the 'Grove' property which is located at the north-east corner of 16th Avenue and Williamson, which currently contains a heritage house. There is a townhouse development proposed for the 'Grove' property. To the east of Swan Lake Boulevard is a neighbourhood commercial development, and to the south across 16th Avenue is a low density residential community and a commercial/retail development.

Statutory public meeting held

The statutory public meeting was held on November 3, 2009. There were no comments from residents. There were comments from Committee members regarding the proposed building height, setbacks and the importance of maintaining public access to Swan Lake. Since that time, the applicant has been working with Town staff to resolve the environmental constraints on the subject lands. The Owner has also revised the original application in response to market conditions.

Revised application proposes a 3-storey phased retirement home development

The Daniels Corporation, submitted applications for Secondary Plan and Zoning By-law amendments and site plan approval in 2009, on behalf of Amica (Swan Lake) Corporation. The original proposal was to allow the construction of a 4-storey, 135 unit retirement home at the north-west corner of 16th Avenue and Swan Lake Boulevard.

The Owner has since revised his plan and is proposing a 3-storey retirement home (Phase 2) (Figure 4). Phase 2 will have a gross floor area of approximately 8,007 square metres (86,186 square feet). Of the proposed 76 units, 26 units will have full, on-suite kitchens and will require servicing allocation. The remaining 50 units will rely on the common dining room for meals. A number of amenities such as pool and lounge, dining room, tea room, fitness centre, beauty salon, library, workshop, theatre, and laundry will be provided on the ground floor of the new building. The suite mix is comprised of 4 studios, 67 one-bedroom suites, and 5 two-bedroom suites. All of the suites will be independent living suites and will operate as rental units. 51 parking spaces will be provided for this phase of development.

Conceptual plans have been submitted for Phase 3 of development which will consist of a 3-storey addition along the Swan Lake Boulevard frontage. The gross floor area of Phase 3 is anticipated to be approximately 1,596 square metres (17,179 square feet), and comprised of 36 units. Site plan approval however, is for Phase 2 only and the Owner will be required to apply for site plan approval for Phase 3 or any other future development of the subject lands.

The Owner has also submitted a site plan application for the existing retirement residence (Phase 1) immediately to the west of the proposed new building, to allow for a re-configuration of the internal roads to provide vehicular access to the existing and

proposed buildings. The existing parking garage ramp will be re-located to allow for an expanded underground parking garage which will provide parking for both buildings. A new central main entrance and 1-storey addition connecting the existing building with the new building are also proposed as part of this site plan application. Vehicular access for both buildings will be from Swan Lake Boulevard. There is an existing access on 16th Avenue between both buildings which will continue to function solely as a service access.

Official Plan and Zoning

The Phase 2 land is designated “Urban Residential” in the Town’s Official Plan and “Neighbourhood Commercial” in the Swan Lake Secondary Plan (OPA 17). The “Neighbourhood Commercial” designation allows residential uses, subject to a location above the ground floor. An amendment to the Secondary Plan is therefore required to allow residential units to be provided on the ground floor of the new building, subject to a review of a specific development proposal and rezoning.

6380 16th is zoned “Neighbourhood Commercial One *3 (NC1*3)” which permits a variety of commercial uses. An amendment to the zoning by-law is required to permit the proposed development.

Neighbourhood Commercial Strategy for the New Urban Areas

A report titled “Neighbourhood Commercial Strategy for the New Urban Areas”, dated April 5, 2005, identifies 6380 16th Avenue as 1 of 2 sites in the Swan Lake Planning District proposed to retain and implement the current policies and zoning for commercial uses. The second site is located on the east side of Swan Lake Boulevard which has a recently constructed commercial/retail development.

OPTIONS/ DISCUSSION:

Public access to Swan Lake and parkland dedication

Staff have had discussions with Amica to secure public access to Swan Lake and to provide another link towards achieving a continuous public trail and parkland around Swan Lake. Due to the history of land contamination on the subject and surrounding lands, staff recommend that ownership of the land not be assumed by the Town, but that public access be secured through an easement (Figure 4). The trail design, construction and maintenance will be the responsibility of the Town and the space will function as if in public ownership, but if any future liability results from the former contamination, the remediation would be Amica’s responsibility.

Based on initial discussions, the applicant will be giving the Town a public access strata easement over approximately a minimum of 0.07 hectares (0.17 acres) of land abutting Swan Lake, for a walkway and public access to Swan Lake. These lands are located along the northern edge of 6380 16th Avenue and the public access easement will be approximately 10 metres (32.8 feet) wide. The lands over which the easement will apply may be adjusted to correspond with the parkland dedication requirements, otherwise the applicant will be required to pay cash-in-lieu of parkland.

The depth of the strata easement will be determined based on soil testing which the applicant will be required to undertake. Staff are working with the applicant to ensure an appropriate relationship and treatment between the lands for public use and the lands for private use.

Town will convey an easement to Amica for encroachment of parking spaces

Amica proposes 11 guest parking spaces along the northerly portion of the Phase 1 lands. Some of the proposed parking spaces encroach over a portion of Town lands between the Amica property line and the existing walkway. The Town will convey an easement to Amica to allow the encroachment of the parking spaces and a snow storage area of approximately 120 square metres (1,291 square feet) (Figure 4).

The proposed amendments for 6380 16th Avenue are appropriate

The existing “Neighbourhood Commercial” Secondary Plan designation allows for residential uses located above the ground floor. The proposed amendment will also allow residential units to be located on the ground floor of the retirement residence, in addition to the second and third floors. The applicant has requested a re-designation of 6380 16th Avenue to “Medium Density (II) Housing” which will be the same as the designation on the abutting Amica site. In addition to the residential uses allowed by “Medium Density (II) Housing”, the amendment will allow compatible neighbourhood commercial uses and will designate lands adjacent to the lake area “Open Space”. This is being done so that the site retains the potential to accommodate some form of commercial development fronting onto Swan Lake Boulevard, either within a stand-alone building or integrated into a future addition. The area is currently served by existing retail and commercial uses located on the east side of Swan Lake Boulevard, on the south-east corner of Mintleaf Crescent and 16th Avenue, and along Highway 48 which is in close proximity to the subject lands.

The amending By-law will re-zone 6380 16th Avenue from a “Neighbourhood Commercial” zone to a “Residential” zone similar to Phase 1, with site-specific development standards such as building setbacks, parking requirements, landscape requirements, maximum height and gross floor area and site-specific neighbourhood commercial land uses in addition to the proposed retirement residential uses, including retail and service uses, offices and banks. The public use areas adjacent to Swan Lake will be zoned “Open Space”. A Hold (H) provision will be placed on the remaining portion of lands which will be undeveloped. The Owner will be required to make an application and obtain site plan approval for development of the remainder of the lands (Phase 3) or any new development to ensure appropriate interface and compatibility with the public use areas, and an appropriate streetscape and built form along Swan Lake Boulevard, and compatibility with the proposed retirement residence.

Technical studies are acceptable to the Town

The Owner has submitted a stormwater management report, environmental site assessment report, servicing and grading plans, noise study, geotechnical study, landscape plans, waterbalance assessment, sediment and erosion control plan, transportation and parking utilization study in support of their applications. These reports

have been reviewed by staff and they are generally acceptable subject to some minor revisions to the satisfaction of the Town.

This site is part of a former waste disposal site that received construction debris from the Markville Mall construction site, and required decommissioning. The Owner has submitted studies to ensure that the affected lands are decommissioned in an appropriate manner to accommodate the proposed retirement residence, to the satisfaction of the Town.

The Owner's environmental consultant has also examined methane gas levels at this site which are above the acceptable threshold. The Owner is required to install methane ventilation systems and barriers as part of the proposed development, which is similar to what was incorporated into the existing development (Phase 1). In accordance with the Ministry of Environment (MOE) requirements, a Certificate of Withdrawal is required to be issued by the MOE once it is satisfied that the decommissioning requirements have been fulfilled. This cannot be done until the Phase 2 building is constructed and the venting system monitored and certified by the Owner's environmental engineer.

Staff have reviewed the transportation study submitted by the applicant. The transportation study assessed traffic and parking characteristics associated with the development and it has been accepted by staff. 51 parking spaces are proposed for Phase 2 at a parking rate of 0.67 spaces per unit to accommodate staff, residents and visitors. This will result in a parking shortfall of 8 spaces. There will be an overall parking supply for Phases 1 and 2 of 121 parking spaces which has been demonstrated to be sufficient to accommodate future parking demand.

Servicing allocation is required for a portion of the proposed development

Servicing allocation is typically not required for retirement homes that do not have individual kitchens in each unit. In this instance, 26 units are proposed to have in-suite kitchens and therefore require servicing allocation. The staff report titled "Servicing Allocation Update" dated January 18, 2011, identifies that conditional 2013 servicing allocation is available for the proposed development.

The proposed development will be LEED certified

The applicant has committed to achieving LEED certification for the proposed development. The applicant has provided staff with a list of credit targets which include the following:

- Site selection
- Public transit access
- Heat island effect, non-roof
- Indoor water use reduction
- Optimize energy performance
- Elimination of HCFCs
- Construction waste diversion
- Recycled content materials

-
- Regional materials
 - Low-emitting adhesives and sealants
 - Low-emitting paints and coatings
 - Low-emitting carpets
 - Indoor chemical and pollutant source control

The building elevations are acceptable and extensive landscaping is proposed

The proposed development comprises a 3-storey building with approximately 73 metres (240 feet) façade fronting onto 16th Avenue. Each end of this main façade would be terminated by a corner feature achieved through a series of projections, window features and pitching of roof lines. The scale and massing of the proposed building is comparable to that of the existing adjacent retirement residence to which the new building would be attached via a single storey link. Whilst the architectural style of the proposed building is not identical to the existing building, it is compatible in terms of the roof height and pitch, the visual proportions and rhythm and use of complementary masonry and stucco. The applicant has consulted with Urban Design staff and the Town Architect on the design of the building and made improvements to the design of the proposed building which Staff are satisfied with subject to minor revisions relating to the treatment of several flat roof window projections currently proposed at the third floor level. The suggested changes include providing modest pitched roofs over these window bays and incorporating a similar pitched, hipped roof cap at the east and west corners of the building to reflect this feature which is seen in the design of the existing residence.

The landscape concept shows extensive tree planting along the 16th Avenue frontage with sugar maples, as well as significant landscaping of the private garden areas to the north and along Swan Lake Boulevard. Staff will continue to work with the applicant on species selection and technical details in certain locations, especially as it relates to treatment of the area adjacent to the proposed public use areas and walkway around Swan Lake. The landscape plans are considered acceptable in principle.

Region of York requirements

16th Avenue is under the jurisdiction of the Region of York. The Region of York has reviewed the applications and have advised that they have no objections to the approval of the applications. A 43 metre right-of-way for this section of 16th Avenue is being protected by the Region. The Region has also restricted access to/from 16th Avenue to right-in, right-out movements only. Full movement access will therefore be restricted to Swan Lake Boulevard. The Owner will be required to satisfy all of the Region of York conditions prior to issuance of site plan approval.

CONCLUSION:

It is recommended that the applications to amend the Swan Lake Secondary Plan and Zoning By-law 177-96, as amended be approved and the site plan for Phase 2 (proposed new building) and the existing retirement residence be endorsed in principle subject to the conditions outlined in Appendix 'A' and 'B'. The proposed development provides an expanded inventory of seniors' housing in the community, and utilizes and integrates an undeveloped parcel of land with an expanded array of services.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development will assist in completing the trail network and public access to Swan Lake as well as managing growth in an efficient manner and providing residential facilities and amenities for seniors.

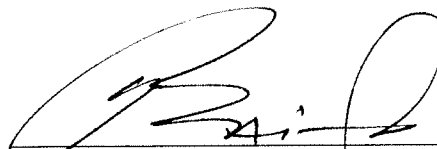
BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various Town departments and external agencies and their requirements have been incorporated within the proposed development.

RECOMMENDED BY:



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



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: Site Plan
Figure 5: Building Elevations
Coloured Rendering

Appendix A: Site plan conditions Phase 2
Appendix B: Site plan conditions Phase 1
Appendix C: Draft Official Plan Amendment
Appendix D: Draft Zoning By-law

AGENT/CONTACT INFORMATION:

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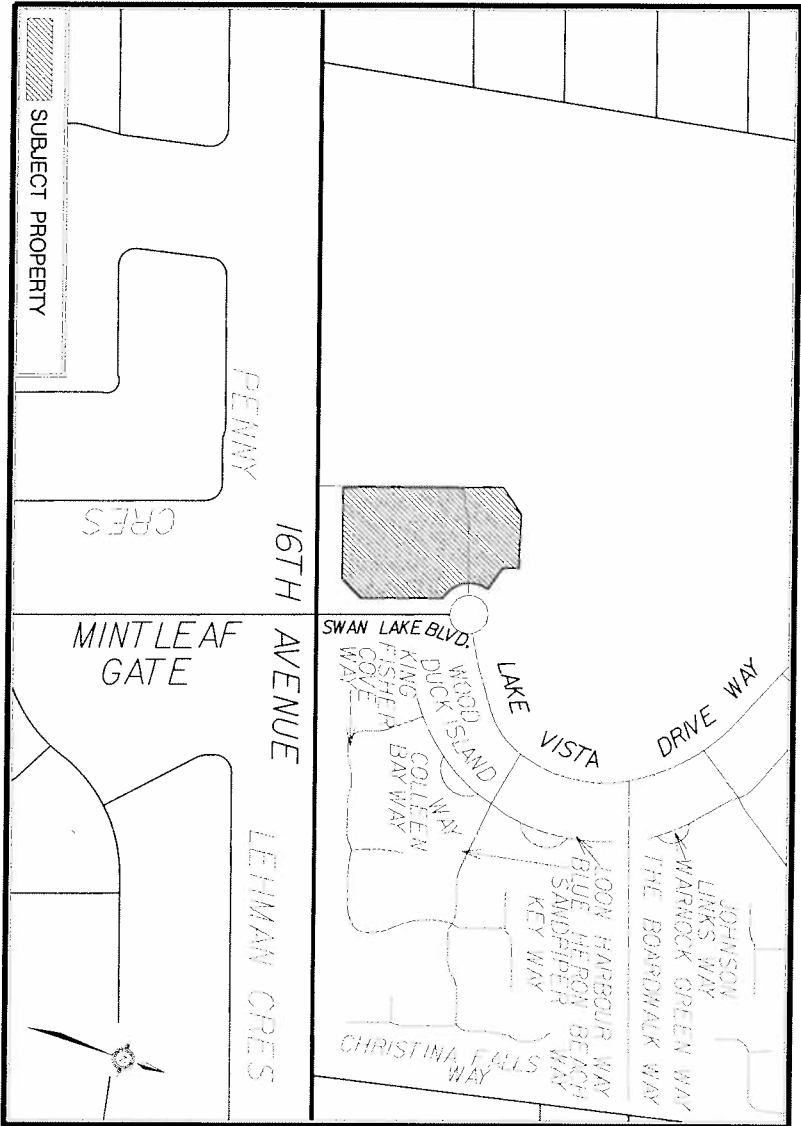
APPENDIX 'A'
SITE PLAN CONDITIONS
SC 09 125517
PHASE 2 (6380 16th Avenue)

1. That prior to site plan endorsement:
 - a) That the Owner adjusts the public access easement to reflect the parkland dedication requirements, and revises the site plan, if required, to the satisfaction of the Director of Planning and Urban Design.
2. That the Owner enters into a site plan agreement with the Town of Markham, containing all standard and special provisions and requirements of the Town and other public agencies including but not limited to:
 - a) Provision for the payment by the Owner of all applicable fees, recoveries, development charges, and cash-in-lieu of parkland dedication;
 - b) Provisions for satisfying all Town departments and external agencies (Region of York) requirements;
 - c) Provision to ensure that the Owner achieves LEED certification and verification from a LEED consultant, to the satisfaction of the Town;
 - d) Provision to ensure that the Owner retains a qualified consultant to design a methane gas ventilation system which will be submitted for peer review to the satisfaction of the Director of Engineering, and subject to approval from the Ministry of the Environment;
 - e) Provision to ensure that the Owner submits building elevations and complies with FLAP guidelines to the satisfaction of the Director of Planning and Urban Design, prior to site plan approval; and
 - f) Provision to ensure that all Region of York requirements are satisfied.
3. That prior to execution of the site plan agreement:
 - a) The Owner submits revised technical studies and reports if necessary, and final drawings including, but not limited to, engineering drawings, tree inventory and preservation plan, landscape plan, lighting plan, landscape plan, building elevations and site plan incorporating all of the Town department and external agencies revisions and requirements, to the satisfaction of the Town (Commissioner of Development Services);
 - b) The Owner conveys a strata public access easement over lands adjacent to Swan Lake, to the satisfaction of the Town Solicitor; and
 - c) The Owner demonstrates, to the satisfaction of the Director of Engineering, that appropriate easements have been established for shared access, servicing, parking and other matters deemed necessary.

4. That prior to site plan approval:
 - a) The Owner executes a site plan agreement with the Town and any other required agreements with the Region.

APPENDIX 'B'
SITE PLAN CONDITIONS
SC 09 125867
PHASE 1 (6360 16th Avenue)

1. That the Owner enters into a site plan agreement with the Town of Markham, containing all standard and special provisions and requirements of the Town and other public agencies including but not limited to:
 - a) Provision for the payment by the Owner of all applicable fees, recoveries, development charges, and cash-in-lieu of parkland dedication; and
 - b) Provisions for satisfying all Town departments and external agencies requirements.
2. That prior to execution of the site plan agreement:
 - a) The Owner submits revised technical studies and reports if necessary, and final drawings including but not limited to, engineering drawings, building elevations and site plan incorporating all of the Town department and external agencies revisions and requirements to the satisfaction of the Town (Commissioner of Development Services);
 - b) An easement for parking purposes is obtained from the Town, to the satisfaction of the Town Solicitor;
 - c) The Owner demonstrates to the satisfaction of the Director of Engineering, that appropriate easements have been established for shared access, servicing, parking and other matters deemed necessary.
3. That prior to site plan approval:
 - a) The Owner executes an amendment to the existing site plan agreement with the Town.





AREA CONTEXT /ZONING

APPLICANT: AMICA (SWAN LAKE) CORPORATION
6380 16TH AVENUE

FILE No: ZA. 09118346 & OP. 09118339 (EM)



DEVELOPMENT SERVICES COMMISSION



SUBJECT PROPERTY

DATE: 09/08/12

DRAWN BY: CPW CHECKED BY: EM SCALE 1:

FIGURE No.2

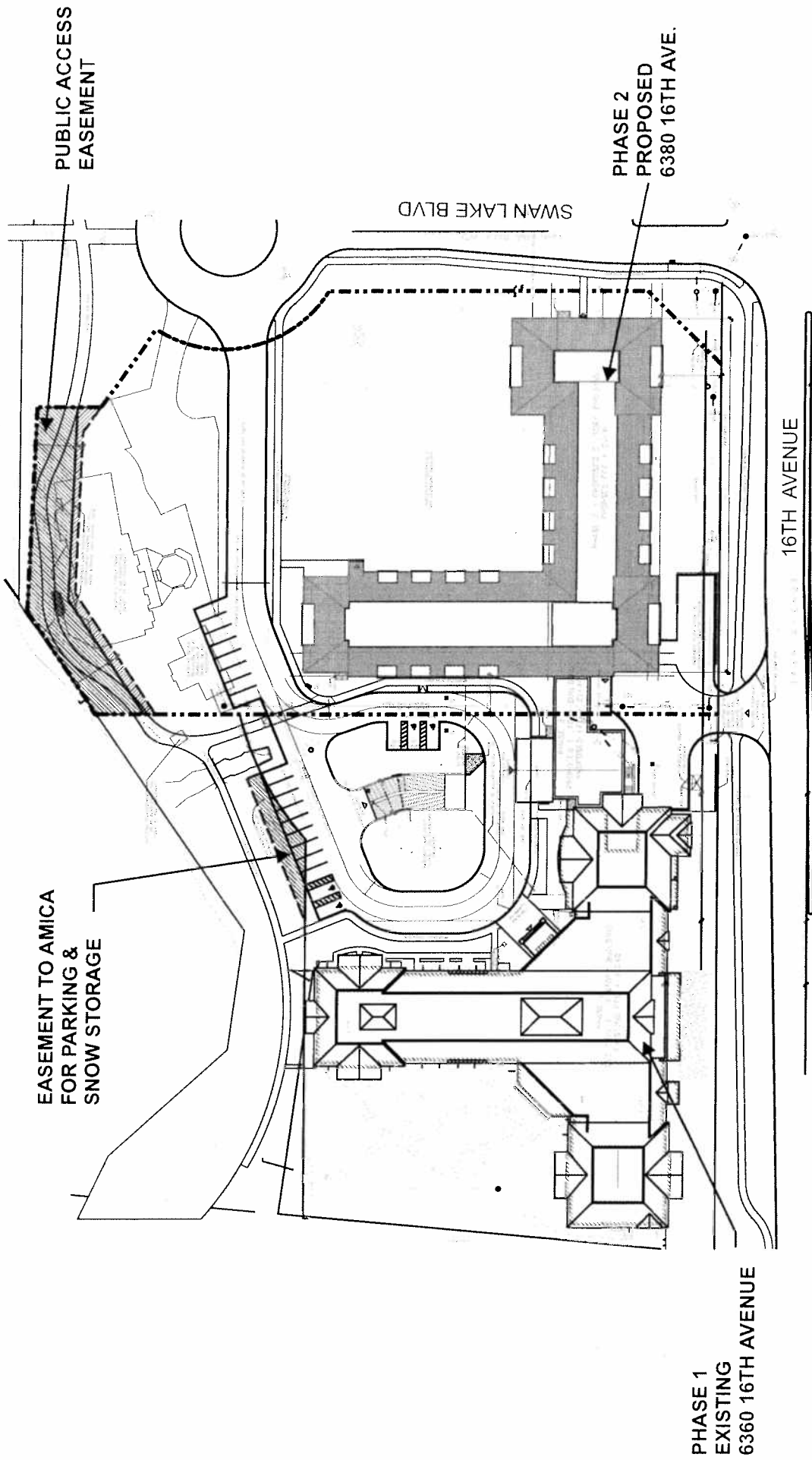


AIR PHOTO (2011)

APPLICANT: AMICA (SWAN LAKE) CORPORATION
6380 16TH AVENUE

FILE No. ZA. 09118346 & OP. 09118339 (SM)

— SUBJECT LANDS



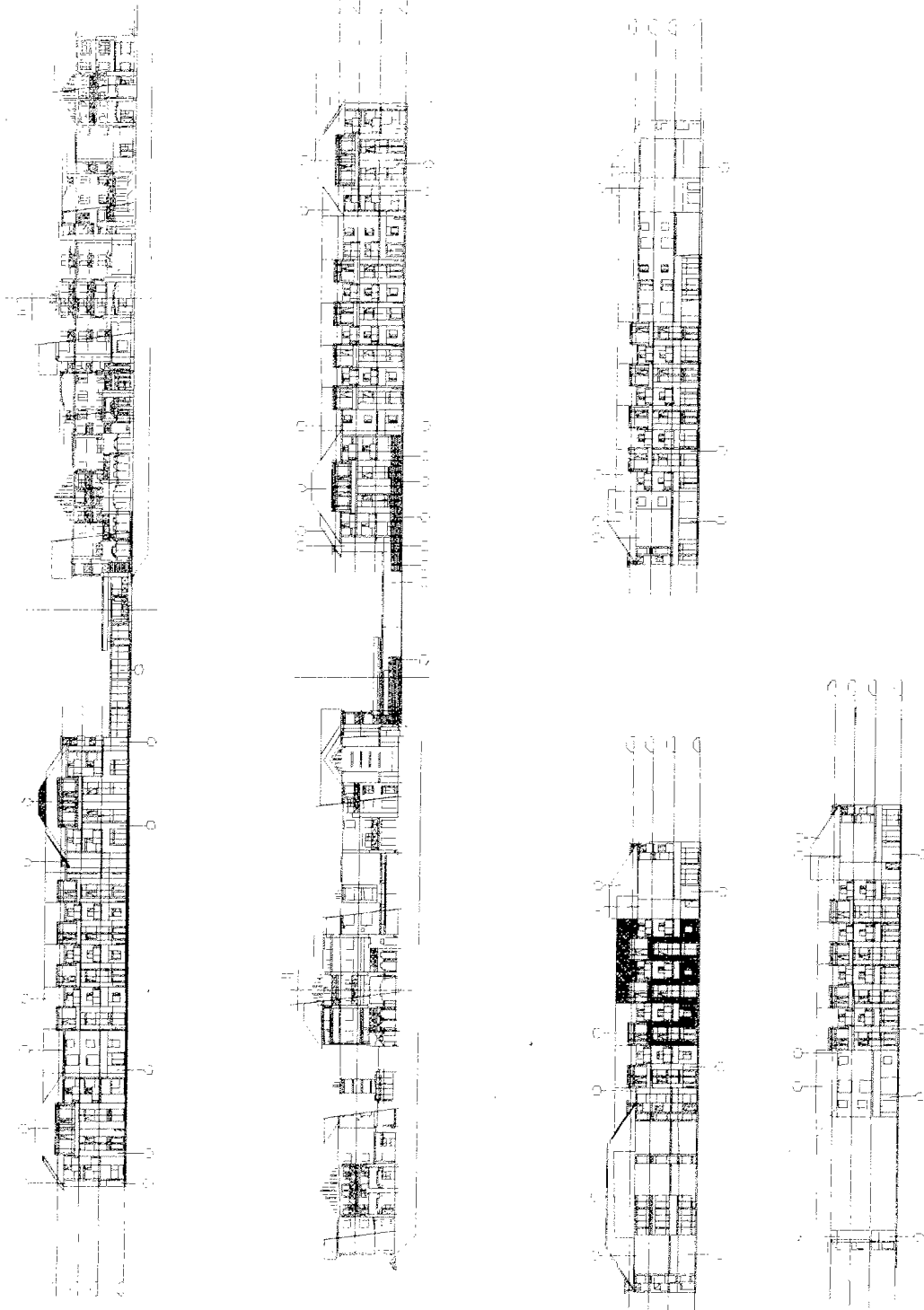
SITE PLAN

APPLICANT: AMICA (SWAN LAKE) CORPORATION
6380 16TH AVENUE

FILE No. ZA. 09118346 & OP. 09118339 (SM)

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ELEVATIONS

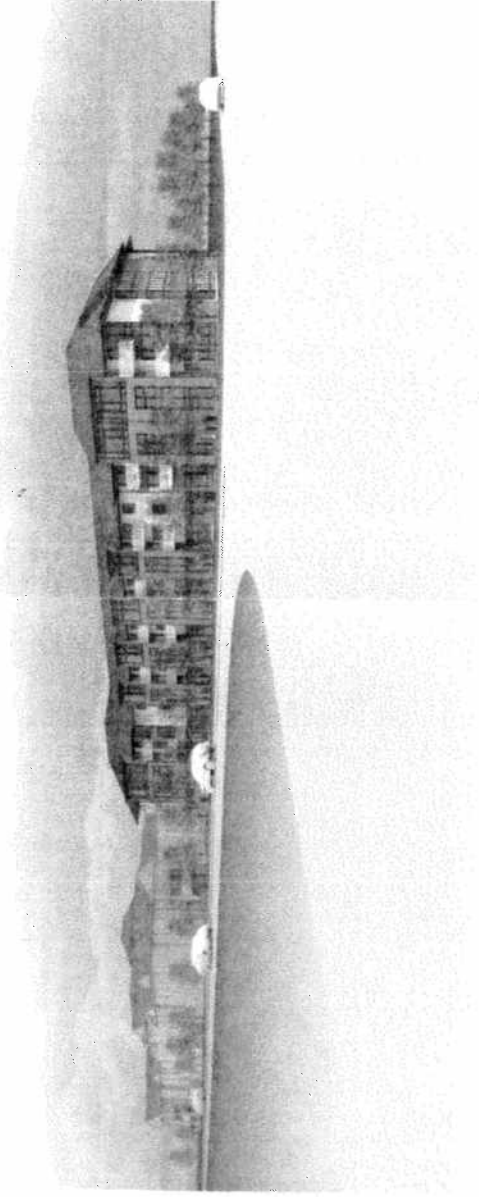
APPLICANT: AMICA (SWAN LAKE) CORPORATION
6380 16TH AVENUE

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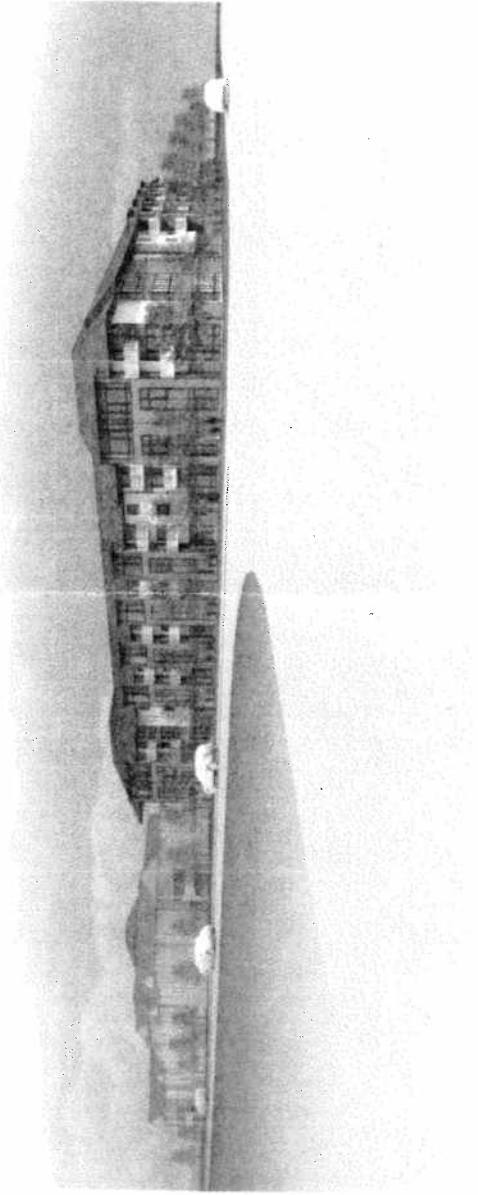
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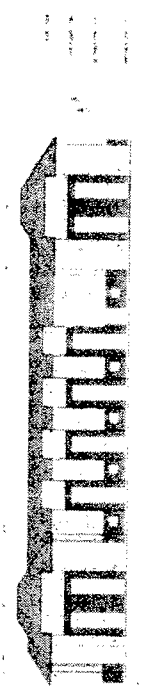


PERSPECTIVE PHASE 2

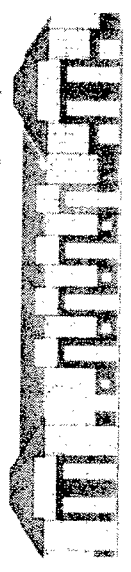


PERSPECTIVE PHASE 3

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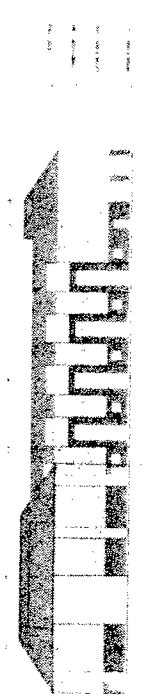
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NORTH ELEVATION
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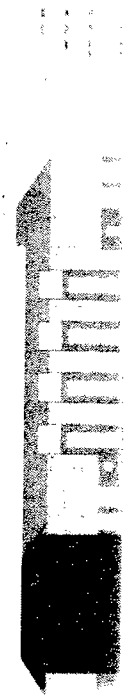
EAST ELEVATION



EAST ELEVATION
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WEST ELEVATION
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