



Report to: Development Services Committee

Report Date: September 13, 2011

SUBJECT: Recommendation Report
King David Inc. and Monarch Developments – Garden Court
Applications for Zoning By-law Amendment and Site Plan Approval for the
development of an 88 unit condominium townhouse development and 4 storey
186 unit condominium apartment building
10350 Woodbine Avenue
File No's: ZA 10 130576, SC 11 110282 & SC 11 117381

PREPARED BY: Geoff Day MCIP, RPP – Senior Planner, West Development District
REVIEWED BY: Ron Blake MCIP, RPP – Development Manager –West Development District

RECOMMENDATION

1. THAT the report dated September 13, 2011, entitled “Recommendation Report King David Inc. and Monarch Developments - Garden Court - Applications for Zoning By-law Amendment and Site Plan Approval for the development of an 88 unit condominium townhouse development and 4 storey 186 unit condominium apartment building - 10350 Woodbine Avenue File No's: ZA 10 130576, SC 11 110282 & SC 11 117381” be received;
2. THAT the record of the public meeting held on May 24, 2011, relating to the applications for Zoning By-law Amendments and Site Plan by King David Inc. and Monarch Developments, 10350 Woodbine Avenue - Cathedral Community, be received;
3. THAT Site Plan Approval for an 88 unit condominium townhouse development and 4 storey condominium apartment building be delegated to Staff for endorsement subject to conditions of site plan approval as identified in Appendices ‘A’ and ‘B’ to this report;
4. THAT the draft amendments to Zoning By-laws 304-87, as amended and 177-96, as amended, attached to this report as Appendices ‘C’ and ‘D’ be finalized and enacted;
5. THAT servicing allocation for an 88 unit condominium townhouse development and 4 storey 186 unit condominium apartment building (670.4 pop.) be granted to the subject lands from the total allocation for the Cathedral Community, assigned in accordance with the January 18, 2011 report on servicing allocation;
6. THAT the Town reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner;
7. THAT the Region of York be advised of the servicing allocation for this development;
8. AND THAT the site plan approval will lapse after a period of three years commencing on the date of issuance of the site plan endorsement, in the event that a site plan agreement is not executed within that period;
9. AND FURTHER THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report presents an overview and evaluation of the proposed site plan applications submitted by Monarch Construction. The report also includes draft zoning by-law amendments attached as appendices A & B submitted by King David Inc., to permit the proposed development. The report recommends approval of the draft zoning by-laws and endorsement of the site plan applications, subject to conditions.

BACKGROUND

Location

The subject lands are bounded on the north by a linear open space block that accommodates a stream. Further to the north, is Betty Roman Boulevard and an existing low density residential subdivision. To the east, is the presently un-built Prince Regent Street, and open space lands containing a future linear park block and stormwater management pond. To the south, is the Cathedral of the Transfiguration and surrounding the Cathedral are lands designated for medium and high density residential and mixed uses. To the west, is a parcel of land that was recently conveyed to Crown of Markham Inc., to be incorporated into a low density residential subdivision (Figures 1-3).

Existing Official Plan and Zoning By-law

The subject lands are designated Urban Residential Medium Density in the Cathedral Secondary Plan. The housing types provided for within these designations include townhouses and apartments. The Medium Density designation provides for a 'community wide' average net site density range between 37.1 and 79.9 units per hectare (13 to 25 units per acre).

The lands are currently zoned Agricultural One [A1] by By-law 304-87. Amendments are required to delete these lands from By-law 304-87 and incorporate them into appropriate zones in By-law 177-96, as amended (Figure 2).

PROPOSAL:

In addition to the zoning by-law amendment application to accommodate Phases 1 & 2, Monarch Developments have submitted applications for Site Plan Approval for Phases 1 & 2 consisting of 88 three storey condominium townhouse units accessed by private lanes and a 4 storey 186 unit condominium building with structured parking below grade. (Figures 4-7).

Phase 1

The townhouse designs are in a contemporary Georgian style clad in brick with colour selections which have been approved by the control architect. The colour selections are consistent with, and complementary to, the colours schemes found in the area. Twenty-two (22) visitor parking spaces are proposed around the perimeter of the three private lanes (Figures 4&6). Staff have successfully been working with the applicant on the built form and configuration of the lanes and visitor parking to present a more urban condition. A linear water feature containing pedestrian linkages, pathways and soft landscaped areas are proposed to bisect the townhouse development. These open space areas will function as private passive and active amenity areas for the condominium residents. On July 18, 2011, Monarch Developments confirmed the completion of the control architect's review. Figures 5&6 incorporate the required revisions.

Phase II

On May 19, 2011 a site plan application for Phase II was submitted. Phase II comprises a 4 storey 186 unit condominium building with structured parking below grade. The materials are comprised of a combination of architectural stone along the base of the building, brick and stucco. The colours will

be a warm palette of golden, yellow, and beige tones. The architecture of the building, its massing, detail and minimal building setbacks are consistent with buildings found in classic European Cathedral towns, as well as the vision of the Residential Medium Density Housing area set out in the Cathedral Community Design Plan. Vehicular access will be exclusively from the rear of the building with the underground parking area accessed internally from the laneways shared with the Phase I townhouse component. Proposed is a central pedestrian linkage from Prince Regent Street through the central archway feature of the building and opening into the linear water feature amenity area (Figure 7). This design provides an interesting and attractive view corridor from the Prince Regent Street frontage.

The proposed unit breakdown and parking assignment for Phase II are provided as follows:

Unit Type	Units	Proposed Rate	Parking Spaces
1 bedroom & 1 bedroom + den	64	1 space per unit	64
2 bedroom & 2 bedroom + den	104	1 space per unit	104
3 bedroom	18	2 spaces per unit	36
Visitor Parking		0.2 spaces per unit	38
TOTAL	186		242

- 204 resident parking spaces provided
- 38 visitor parking spaces provided
- 242 total parking spaces provided
- The proposed parking assignment equates to an average of 1.3 spaces per unit

LEED® Silver development

Through Council's mandate of March 25, 2008, all new medium density residential developments shall, at the minimum, be LEED® Silver. Monarch Developments have committed to this mandate. Sustainable highlights of this development are as follows:

- Water efficient landscaping;
- Low emitting materials including sealants, paints and flooring systems;
- Energy efficient lighting;
- Low emissivity windows and high efficiency furnaces;
- Heat Island Effect reduction;
- Water Use Reduction through energy efficient (low flow) systems.

Environmental Initiatives

The Fatal Light Awareness Program (FLAP) strives to reduce migratory bird collisions with buildings brightly lit at night and their reflective windows by day. A criterion of FLAP is the promotion of 'dark skies'. The Owner has advised that all lighting will be directional in nature thereby reducing any potential negative effects that the illumination of the site may cause. It is expected that the Owner will incorporate a 'bird friendly' design by implementing additional FLAP criteria. Therefore, prior to Site Plan Approval, Staff will require a submission of 'bird friendly' design measures for approval, to the satisfaction of the Commissioner of Development Services.

OPTIONS/DISCUSSION:

Severance of lands

In October of 2010, an application by King David Inc., to sever and convey the subject lands to Monarch Developments was submitted to the Committee of Adjustment for consideration. The severance was approved by the Committee of Adjustment in November 2010 subject to King David Inc. entering into a "Conveyance of Future Road and Construction Agreement" with the Town regarding the timing and construction of the two roads abutting the subject lands (Prince Regent Street and the eastward extension of Anthony Roman Avenue abutting the south side of this site). On April 12, 2011, the Mayor and Clerk were authorized by Council to enter into said agreement. On July 6, 2011, the "Conveyance of Future Road and Construction Agreement" was fully executed. This agreement will ensure that the roads are constructed with the development of the Garden Court site.

Allocation is available

The proposed 88 townhouses units and 186 apartment units (for a total population of 670.4), have been assigned servicing allocation by the Trustee for the West Cathedral Landowners Group. The Town has assigned this allocation through the report entitled, "Servicing Allocation Update", approved by Council on January 25, 2011, and is confirming this allocation with site plan approval.

A statutory Public Meeting was held on May 24, 2011

A statutory Public Meeting was held on May 24, 2011, to consider the proposed rezoning and site plan applications. The following matters were raised by several area residents and the local Ward Councilor with respect to the proposed development:

- 1.) Matters relating to the appropriateness of the proposed density for this development, the proposed four storey height, traffic impacts and existing sightlines to the Cathedral from the lands to the north;
- 2.) Timing of mixed use and commercial areas as well as infrastructure projects including future walkways, parks, belvederes (an architectural structure situated in a specific location to take advantage of area vistas), and gardens.
- 3.) Timing of development immediately surrounding the Cathedral.

Staff have reviewed the above matters and provide the following responses:

- 1.) The subject property has been designated Medium Density Residential in the Cathedral Secondary Plan up to and including the most recent significant amendment to the Plan in 2004 (through OPA 123). The Medium Density designation provides for the uses and heights contemplated in the proposal. The Secondary Plan's net site density range for the Medium Density designation is 37.1 to 79.9 units per hectare (13 to 25 units per acre) which is intended to be calculated as an average of all the medium density designations in the Cathedral community. The table below identifies the actual densities of Phases I and II independently and combined. Collectively, the net density of Phases I and II is 86.16 units per hectare.

	PHASE I		PHASE II		TOTAL	
Site Area:	2.21ha	5.46ac	0.97ha	2.4ac	3.18ha	7.86ac
Units						
Townhouse Units:	88		0			88
Apartment Units:	0		186			186
Total Residential Units:						274

Equivalent Population:	248.16		422.22			670.38
Net Residential Density Target range from Secondary Plan (expressed as units per hectare):	37.1-79.9		37.1-79.9			
Net Residential Density: (expressed as units per hectare)	39.82		191.75			AVG. 86.16

However, the Secondary Plan specifies that densities are determined by taking the average net density of all units in the Medium Density Housing Category within the entire Secondary Plan area. This provision allows for some flexibility in the Secondary Plan area where greater densities, where appropriate, may be provided on some sites and lesser densities on other sites.

Staff have undertaken an analysis of all approved Medium Density areas within the Secondary Plan to date (Figure 8). It has been determined that all of the medium density lands approved to date, including the subject site, result in an average net density of 37.15 units per hectare which is within the net density range for the Medium Density designation as set out in the Secondary Plan.

When the Secondary Plan was amended in 2004, the overall road network was revised due to the inclusion of the Woodbine Avenue By-pass. At that time, a comprehensive traffic study was undertaken to confirm that the new road network could accommodate the anticipated densities prescribed by the revised Secondary Plan. Engineering Staff have reviewed the proposal and are of the opinion that the existing and envisioned road network can accommodate the additional traffic generated by Phases I & II of this development.

Section 3.1 of the adopted Community Design Plan identifies a built form and massing that is consistent with the proposed 4 storey apartment building component. It is the opinion of Staff that the proposed height will not compromise sight lines to the Cathedral from the north or the view corridor looking south along Prince Regent Street (Figure 3).

- 2.) On the same evening that these applications were presented before the Development Services Committee, a statutory Public Meeting was also held to obtain public input for re-zoning and subdivision approval by Crown of Markham Inc who are developing a site on the west side of the Cathedral along High Street. These applications propose townhouse and medium density live-work units on lands immediately to the south-west of the lands subject to this report. The Committee resolved that the proposal was appropriate and the zoning by-laws were adopted by Council on June 28, 2011. The permitted uses included the following non-residential uses:

- art galleries
- bake shops
- business offices
- community centres
- commercial fitness centres
- convenience retail stores
- day nurseries
- financial institutions
- home occupations
- libraries
- medical offices
- non-profit fitness centres
- personal service shops
- private clubs
- private home daycare
- repair shops
- restaurants
- restaurants, take-out
- retail stores
- schools, commercial
- supermarkets

These applications represent the 1st Phase of the mixed-use development in the Cathedral Precinct area. As additional lands are developed within the area surrounding the Cathedral, Staff will continue to work with landowners and stakeholders to ensure that the vision of the Cathedral Community is achieved. This vision includes additional commercial, retail and mixed use nodes, a continuous pedestrian system, open space areas, parks and public passive and active outdoor amenity areas.

- 3.) Section 6.2 of the Secondary Plan identifies that all lands to be developed within the Secondary Plan area shall be subject to a development phasing plan. Further, King David Inc., has advised that:

“the development of the Secondary Plan area was deliberately phased in order for the lower density residential to be completed first to provide the population base to support the retail, employment and other proposed amenities.”

Staff support this strategy.

Design matters identified have been addressed

Urban Design Staff have worked closely with the both King David Inc. and Monarch Developments and are satisfied with the proposed development, subject to the Owner entering into Site Plan Agreement(s) and obtaining Site Plan Approval(s).

Parkland Dedication

The proposed number of residential units identified in this development does not exceed the number of units estimated for this site in the Cathedral West Parks Agreement. No additional parkland dedication will be required for this site.

CONCLUSION:

Staff recommend that Council approve the proposed rezoning application and endorse the site plan applications.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

There are no financial matters to be considered in this report.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed applications will align with the Town's strategic priorities of Growth Management by implementing the proposed development in coordination with available servicing allocation.

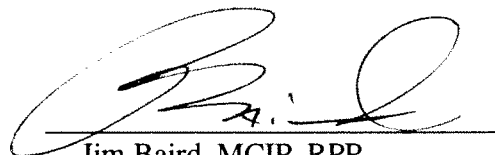
BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to all relevant agencies and departments. Their comments have been incorporated into the review process and this report as appropriate.

RECOMMENDED BY:



Rino Mostacci, MCIP, RPP
Director, Planning and Urban Design



Jim Baird, MCIP, RPP
Commissioner, Development Services

ATTACHMENTS:

Appendix 'A': Endorsed Site Plan Conditions – Phase I
Appendix 'B': Endorsed Site Plan Conditions – Phase II
Appendix 'C': Draft Zoning By-law 304-87
Appendix 'D': Draft Zoning By-law 177-96

Figure 1: Location Map
Figure 2: Area Context
Figure 3: Air Photo
Figure 4: Draft Endorsed Site Plan Phases I & II
Figure 5: Draft Endorsed Elevations Phase I
Figure 6: Draft Endorsed Elevations Phase I cont'd
Figure 7: Draft Elevations Phase II
Figure 8: Approved Medium Density lands within the Secondary Plan

APPLICANT / AGENT:

Owner/Agent:

Mark Resnick
Monarch Corporation
2550 Victoria Park Avenue, Suite 200
Toronto, Ontario
M2J 5A9

Helen Roman-Barber
King David Developments Corporation
212 King Street West, Suite 204
Toronto, Ontario
M5H 1K5

APPENDIX A

Endorsed Site Plan Conditions – Phase I

1. That the Owner enter into a site plan agreement with the Town containing all the standard and special provisions and requirements of the Town and public agencies;

NOTE: Site Plan Approval is issued only when the Director of Planning & Urban Design or designate has signed the plans “approved” following the execution of a site plan agreement;

2. That Landscape Plans, prepared by a Landscape Architect having O.A.L.A. membership, be submitted to the satisfaction of the Director of Planning and Urban Design;
3. That prior to the execution of the Site Plan Agreement, the Owner shall submit final drawings, and comply with all requirements of the Town and public agencies;
4. That the Site Plan Agreement shall:
 - a) provide for payment by the Owner of all applicable fees, recoveries and development charges;
 - b) contain provisions for satisfying Town Departments including all requirements of the Director of Engineering, the Fire Department, Waste Management and Roads;
5. And further that this endorsement shall lapse and final approval will not be issued, after a period of three years commencing September 13, 2011, in the event the site plan agreement is not executed within that period.

APPENDIX B

Endorsed Site Plan Conditions – Phase II

1. That the Owner enter into a site plan agreement with the Town containing all the standard and special provisions and requirements of the Town and public agencies;

NOTE: Site Plan Approval is issued only when the Director of Planning & Urban Design or designate has signed the plans “approved” following the execution of a site plan agreement;

2. That Landscape Plans, prepared by a Landscape Architect having O.A.L.A. membership, be submitted to the satisfaction of the Director of Planning and Urban Design;
3. That prior to the execution of the Site Plan Agreement, the Owner shall submit final drawings, and comply with all requirements of the Town and public agencies;
4. That the Site Plan Agreement shall:
 - c) provide for payment by the Owner of all applicable fees, recoveries and development charges; and,
 - d) contain provisions for satisfying Town Departments including all requirements of the Director of Engineering, the Fire Department, Waste Management and Roads;
5. That the Site Plan Agreement shall contain a clause whereby the Owner agrees to achieve LEED Silver and provide written confirmation from a certified LEED consultant upon completion of construction of the proposed development, that LEED Silver has been achieved, to the satisfaction of the Commissioner of Development Services;
6. And that prior to Site Plan Approval, Staff will require a submission of ‘bird friendly’ design measures for approval, to the satisfaction of the Commissioner of Development Services;
7. And further that this endorsement shall lapse and final approval will not be issued, after a period of three years commencing September 13, 2011, in the event the site plan agreement is not executed within that period.