

1221 Markham Rd - Rezoning Application - Preliminary Report

Date:	January 22, 2008
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 38 – Scarborough Centre
Reference Number:	07 288612 ESC 38 OZ

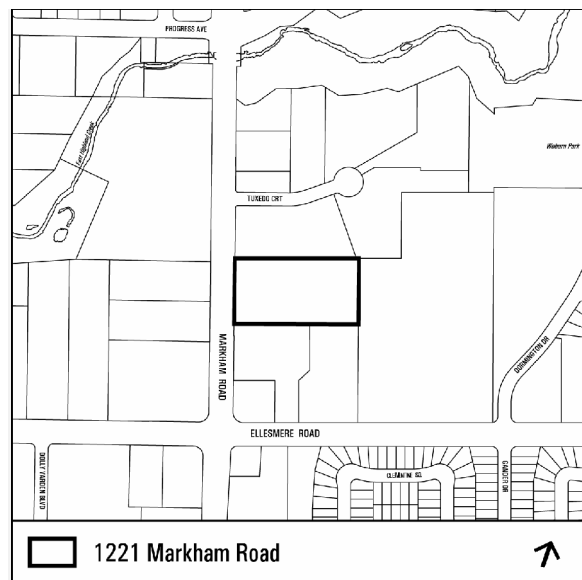
SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes a zoning by-law amendment to permit a mixed use development containing 1,217 residential condominium units (seniors apartments, apartments and stacked townhouses) and commercial uses (retail, restaurant and offices), in six buildings ranging in height from 4 to 32 storeys, at 1221 Markham Rd.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

A community consultation meeting and community working group meetings if appropriate, will be scheduled once a revised proposal is submitted which achieves a level of compatibility with the surrounding context. A final report will be prepared and a public meeting will be scheduled once all identified issues have been satisfactorily resolved and all required information is provided.



RECOMMENDATIONS

The City Planning Division recommends that:

1. The applicant be requested to revise the proposal to address the concerns expressed in this report including reductions in density, height, and number of dwelling units, and improved massing. Staff be directed to schedule a community consultation meeting together with the Ward Councillor once a revised proposal is submitted which achieves a level of compatibility with the surrounding context.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The current Community Commercial (CC) zoning of the property was established in 1980 by By-law 18846, amending the Woburn Community Zoning By-law, allowing a gross floor area of up to 25% of the lot area. By-law 20285 enacted in 1983 and By-law 22313 enacted in 1988, amended the exception provisions to permit a gross floor area of up to 100% of the lot area.

ISSUE BACKGROUND

Proposal

The applicant has applied for an amendment to the Woburn Community Zoning By-law No. 9510 to permit the redevelopment of the site with 1,217 residential condominium units and supporting commercial uses, at a density of 5.67 times the lot area. The Application Data Sheet (Attachment 4) sets out the project data.

The proposal includes four apartment buildings with 4 floors of stacked townhouses at their bases (a basement and 3 storeys above). Buildings A and B have total heights of 31 storeys, Building C a total height of 32 storeys, and Building D a total height of 17 storeys. The proposal also includes two stand-alone 4-storey stacked townhouse buildings (Buildings E and F).

The proposed condominium units include 1,119 apartments (including 336 seniors apartments in Building A, 336 apartments in Building B, 348 apartments in Building C, and 99 duplex apartments in Building D), and 98 stacked townhouses (including 10 units

in Building A, 20 units in each of Buildings B and C, and 16 units in each of Buildings D, E and F). The proposed apartments include a mixture of 1, 2 and 3 bedroom units, with the exception of the seniors units which are all 1 and 2 bedroom units. The stacked townhouses are all 2 bedroom units.

The seniors component in Building A is intended to operate as retirement accommodation, with a common dining room, kitchen and lobby/lounge area located on the third floor, and a limited food preparation area within each of the units. The amenity space proposed for this building includes second floor exercise and recreation rooms.

Buildings B and C are linked by a joint entrance hall. The amenity areas proposed for these buildings include ground floor “grand halls”, as well as gyms, lounges, libraries, party rooms, recreation/game/meeting rooms and guest suites on the second and third floors. Building D does not contain any common amenity areas. The top levels of townhouse Buildings E and F are partial fourth storeys with laundry facilities and roof terraces.

The proposal includes a total of 4,038.19 square metres of commercial uses in Buildings A and D. Building A is proposed to include a 1,046.74 square metre restaurant on the ground floor, and a total of 1,847.7 square metres of office space on the second and third floors. Building D is proposed to include 498.85 square metres of retail space on the ground floor, and a total of 644.9 square metres of office space on the second and third floors.

Three internally linked driveways are proposed to serve the site, with two main accesses to Markham Road and a third one-way exit at the south boundary of the site. Three levels of underground parking are proposed (1,303 spaces) as well as surface parking (107 spaces), comprising a total proposed parking supply of 1,410 spaces.

Site and Surrounding Area

The site is rectangular in shape and is located on the east side of Markham Road, north of Ellesmere Road. The property has a frontage of approximately 100 metres on Markham Road, and a lot area of approximately 18,980 square metres (4.7 acres). The property is currently developed with a 1-storey commercial plaza with a large surface parking lot on its south side. The Super Buffet restaurant is the anchor tenant. Other tenants include smaller restaurants, medical and dental offices, a laundry/dry cleaner and assorted retail stores. The existing plaza would be demolished to accommodate the proposed mixed use development.

Development in the vicinity of the site can be described as follows:

North: five 15-storey apartment buildings at 10 - 50 Tuxedo Court, child care centre at 22 Tuxedo Court, party hall/retail stores at 42 Tuxedo Court, restaurant, supermarket on Markham Road, 13 storey apartment building at 1275 Markham Road;

South: 16-storey apartment buildings at 2180 and 2190 Ellesmere Road, automotive service station;

East: Woburn Collegiate Institute and Woburn Junior Public School, Woburn Park, St. Thomas More Catholic Church and school; and

West: Scarboro Gospel Temple (under construction), low rise industrial and office buildings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated Mixed Use Areas in the Toronto Official Plan. Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

Development within the Mixed Use Areas will create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community. New buildings are to be located and massed to provide a transition between areas of different development intensity and scale, maintain sunlight and minimize any additional shadowing and uncomfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. Developments in Mixed Use Areas are to have access to schools, parks, community centres, libraries, and childcare; take advantage of nearby transit services; provide good site access and circulation and an adequate supply of parking for residents and visitors, provide indoor and outdoor recreation space for building residents, and locate and screen service areas to minimize the impact on adjacent streets and residences.

The Built Form policies of the Official Plan specify that new development be located and organized to fit with its context, and be massed to limit impacts on neighbouring streets, parks, open spaces, and properties by creating appropriate transitions in scale to

neighbouring buildings, providing for adequate light and privacy, and limiting shadowing and uncomfortable wind conditions. Taller buildings are to be located to ensure adequate access to sky view. Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development and each resident will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

The Tall Buildings policies of the Official Plan apply with respect to this proposal and seek to ensure that the proposed building and site design will contribute to and reinforce the overall City structure, including its relationship to its existing and/or planned context and the provision of high quality, comfortable and usable publicly accessible open space areas.

The Housing policies of the Official Plan support a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

The Community Services and Facilities policies of the Official Plan state that strategies for providing new social infrastructure or improving existing community service facilities will be developed for areas that are inadequately serviced or experiencing major growth or change, and will be informed through the preparation of a community services strategy. The community services strategy will include a demographic profile of area residents, an inventory of existing services, identification of existing capacity and service gaps in local facilities, identification of local priorities, a recommended range of services and co-location opportunities, and identification of funding strategies. The inclusion of community service facilities are encouraged in all significant private sector development.

The Official Plan provides for the use of Section 37 of the Planning Act to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan.

Staff will review the proposal against the policies of the Official Plan.

Zoning

The subject property is zoned Community Commercial (CC), and is subject to Exception 57 which permits only specific commercial uses including banks and financial institutions, business and professional offices, personal service shops, places of entertainment and recreation, restaurants and retail stores not exceeding 1,400 square metres per individual store, as well as signs. The gross floor area of offices is limited to 100% of the lot area, and other uses to 25% of the lot area.

Site Plan Control

The property is subject to site plan control. An application has not yet been submitted.

Tree Preservation

The applicant has submitted a Preliminary Arborist Report recommending the removal of a number of trees along the north and south boundaries of the site, which has been forwarded to Urban Forestry for review. A detailed Tree Preservation Plan should be submitted.

Reasons for the Application

A zoning by-law amendment is required to permit residential uses, and to establish appropriate performance standards for the redevelopment of the site.

COMMENTS

Issues to be Resolved

Density, Height, Massing

The existing context of the development site includes a range of apartment towers with heights of 13 to 16 storeys. The density of 5.67 times the lot area, and the proposed heights of 31 and 32 storeys, are significantly out of character with the surrounding context. The proposed scale of development is more typical of Centres. The Centres are four key locations identified in the City's Official Plan and all are located on the rapid transit system. The heights of the three tallest buildings are similar to those permitted in the Scarborough Centre, which is intended to be an urban focal point for eastern Toronto, and where tall buildings are permitted to visually reinforce the civic importance of the Centre and define its image.

Appropriate transitions to the adjacent development must be achieved. The applicant should be requested to revise the proposal to reduce the proposed density, height, and number of dwelling units, and revise the massing of the proposal. The applicant has been requested to submit a computer generated building mass model, to assist in the evaluation of the height and massing of the proposal and its relationship to its context. The design of the tall buildings will also be evaluated against the Tall Building design guidelines.

Site Organization

The placement of buildings in relation to the on-site vehicular and pedestrian circulations will be explored to ensure the production of a site plan which is coherent and comprehensible to both residents and visitors alike. The organization of the site in relation to the organization of the adjacent developments will also be reviewed to ensure that coherent and comprehensive development can take place on this stretch of Markham Road.

Green Development Standard

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Development Standard, adopted by City Council in July

2006. The applicant has been requested to submit a completed Green Development Standard Checklist.

Landscaping

Opportunities to increase both the amount of landscaped open space and the proposed planting will be explored.

Sun/Shadow and Wind

The applicant has submitted a Sun/Shadow Study. Staff will review the shadowing impacts of the proposed buildings on nearby residential properties and the public street. The applicant should submit a pedestrian level wind study once the building massing and height issues have been addressed.

Traffic Impact, Access, Parking

The applicant has submitted a Traffic Impact Study which identifies minor traffic improvements necessary to mitigate the impacts of the proposed development. This report has been circulated to the appropriate City divisions and agencies for review, to determine whether it adequately addresses the impacts of the proposed development, when considered in combination with anticipated traffic growth in the area.

The application proposes a parking supply of 1,410 spaces to serve the proposed 1,217 residential units plus associated commercial space. Staff will be considering the appropriate parking supply rate and overall number of spaces for a revised proposal in response to the issues raised in this report. In addition, staff will be reviewing access, loading, and vehicular and pedestrian circulation.

Servicing

An Engineering Report has been submitted in support of the application. The report concludes that the site can be serviced by municipal stormwater and sanitary services. The report has been circulated to the Technical Services Division for review and comment.

Community Services and Facilities

The application has been circulated to the School Boards, the Library Board, and Parks, Forestry and Recreation.

Council adopted the Toronto Strong Neighbourhoods Strategy in 2005, and identified thirteen neighbourhoods in the City as having priority for targeted investment in services and facilities. Although not located in a priority area itself, the subject site is in the vicinity of five Priority Neighbourhood Areas, the two closest being Malvern, east of Markham Road and south of Finch Avenue East, and Kingston-Galloway, east of Scarborough Golf Club Road, north and south of Lawrence Avenue East. The applicant has been requested to submit a Community Services and Facilities Study with a detailed evaluation of the available services and service gaps in the surrounding area, so that strategies to strengthen and support the social infrastructure can be identified.

Community Benefits & Use of Section 37 of the Planning Act

Opportunities to provide community benefits either on-site or in close proximity to the site will be examined as part of this application for an increase in density and height.

Community Consultation

The applicant held a Community Open House for residents of the area northeast of Ellesmere Road and Markham Road on October 3, 2007, and advises that the comments expressed concerned traffic volumes, aesthetics and tenure. The applicant advises that these comments have been taken into consideration in the formulation of the application to the City.

In 2002, Official Plan Amendment and Rezoning Application TF CMB 2002 0007 was submitted proposing to intensify the abutting property directly to the north at 10 Tuxedo Court with the addition of a 12-storey rental apartment building with 117 units and including 186 square metres of storefront community service space, at an overall density of approximately 2.38 times the lot area. This application was the subject of several community meetings, and concern from residents of the neighbourhood to the east of Dormington Drive, including the Woburn Seven Oaks Community Association. The proposal was withdrawn by the applicant prior to the Public Meeting and the file was closed in 2003.

The previous proposal for 10 Tuxedo Court was relatively modest in scale and generally in keeping with the character of the area and yet it raised significant concerns with respect to its implications for the surrounding neighbourhoods. This current application is proposing the introduction of significant numbers of new buildings and residential units at an intensity well above the surrounding existing development and at a scale more typical of development in Centres.

In view of the strong community interest in the former application for 10 Tuxedo Court directly to the north, and the range of potential community issues and impacts identified, a community working group should be considered as a component of the community consultation for this proposal. However, before any community consultation meetings are scheduled, the applicant should reduce the density and height of the proposal, reduce the number of dwelling units, and revise the massing, to reflect a development which is more in keeping and compatible with the scale of development in the surrounding area.

Additional Issues

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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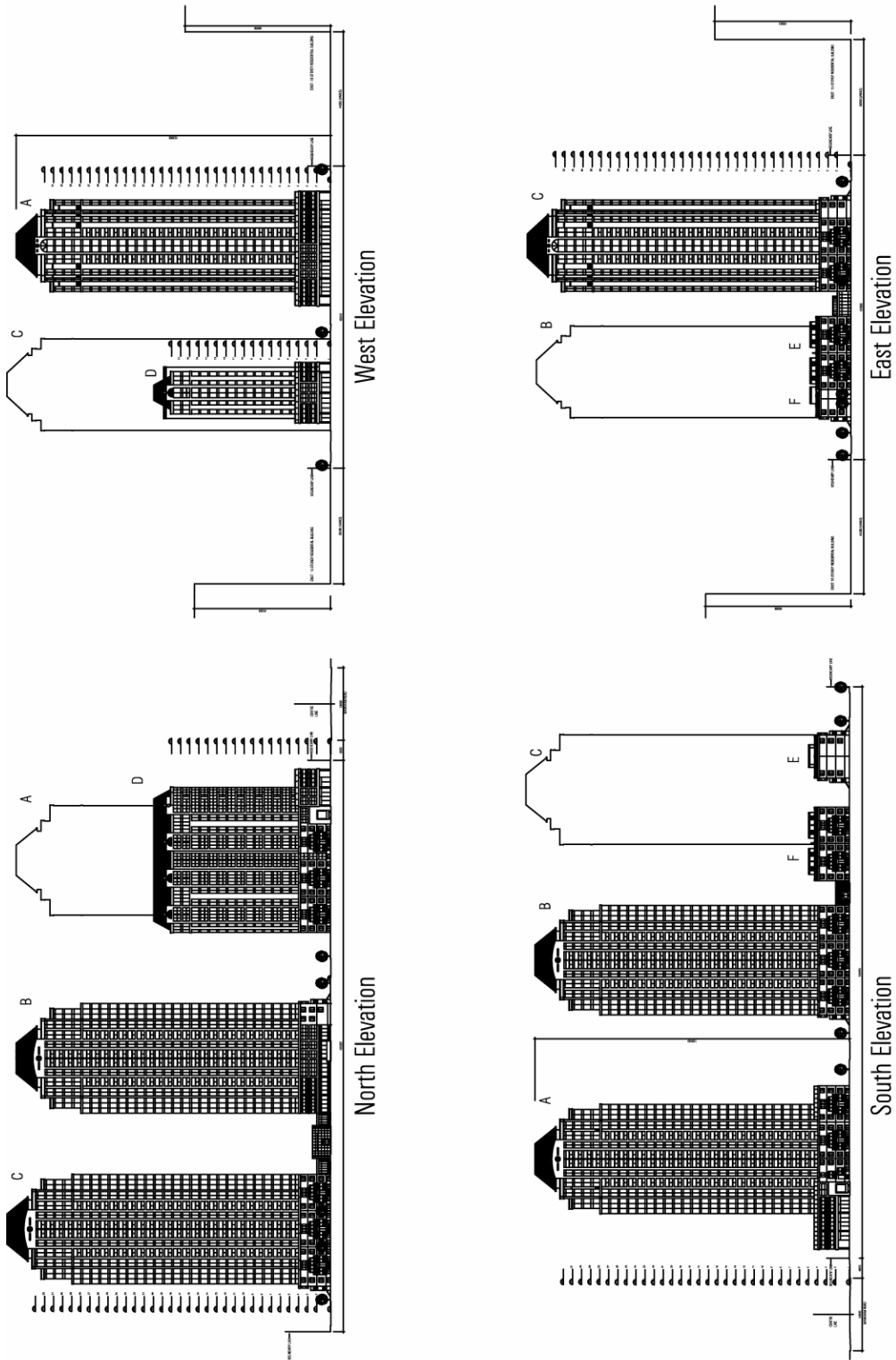
SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet

Attachment 2: Elevations



1221 Markham Road

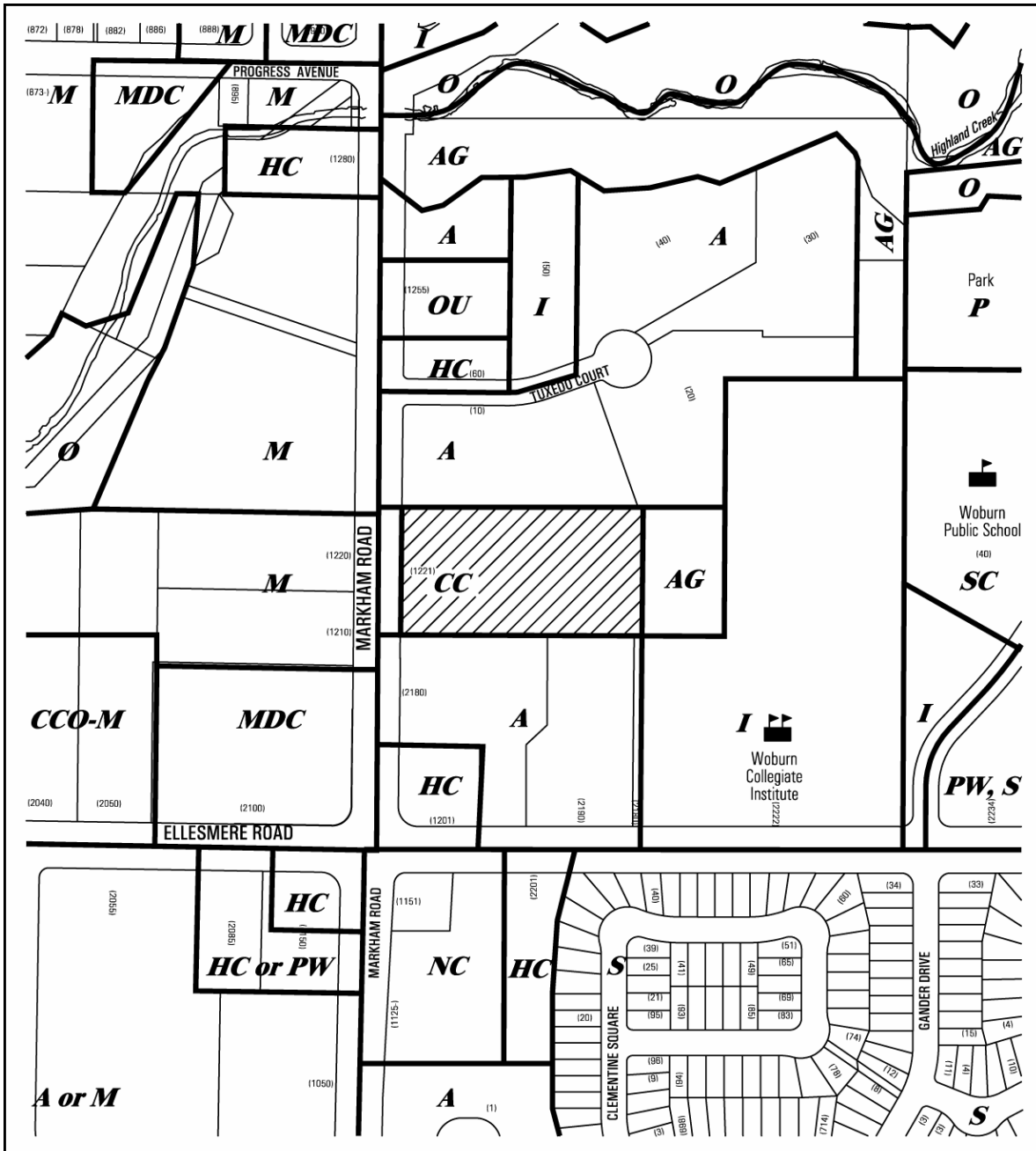
Elevation Plans

Applicant's Submitted Drawing

Not to Scale
01/11/08

File # 07-288612 0Z

Attachment 3: Zoning



Toronto City Planning Division
Zoning

1221 Markham Road
 File # 07-288612 0Z

S Single-Family Residential	NC Neighbourhood Commercial	M Industrial Zone	Woburn Com. & Progress Emp. Bylaws
A Apartment Residential	CC Community Commercial	MDC Industrial District Commercial Zone	Not to Scale
I Institutional	HC Highway Commercial	P Park	01/11/08
SC School	OU Offices	O Open Spaces Zone	
PW Place(s) of Worship	CCO City Centre Office Zone	AG Agricultural	



Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	07 288612 ESC 38 OZ
Details	Rezoning, Standard	Application Date:	December 20, 2007

Municipal Address: 1221 MARKHAM RD 1A/14
 Location Description: CON 2 PT LT18 **GRID E3803
 Project Description: Mixed use development containing 1,217 residential condominium units (336 seniors apartments, 684 apartments, 99 duplex apartments and 98 stacked townhouses) and 4,038.19 square metres of commercial uses (retail, restaurant and offices), in six buildings ranging in height from 4 to 32 storeys.

Applicant:	Agent:	Architect:	Owner:
MAY LUONG		FRANCIS LEUNG ARCHITECT	KINGSBERG MONETARY CORPORATION

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CC-Community Commercial	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	18980.2	Height:	Storeys:	32
Frontage (m):	99.99		Metres:	97.5
Depth (m):	190			
Total Ground Floor Area (sq. m):	6095			Total
Total Residential GFA (sq. m):	103544.45		Parking Spaces:	1410
Total Non-Residential GFA (sq. m):	4038.19		Loading Docks	4
Total GFA (sq. m):	107582.64			
Lot Coverage Ratio (%):	32.11			
Floor Space Index:	5.67			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	103544.45
Bachelor:	0	Retail GFA (sq. m):	1545.59
1 Bedroom:	0	Office GFA (sq. m):	2492.6
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	1217		

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