

SUBJECT: RECOMMENDATION REPORT
Sheridan Nurseries Limited
4077/4101 Highway 7 (South side of Highway 7, east of Birchmount Road)
Applications for draft plan of subdivision and rezoning to permit a mixed-use development
Files: ZA 12 111289 and SU 12 111289

PREPARED BY: Scott Heaslip, Senior Project Coordinator
Central District, Ext. 3140

REVIEWED BY: Richard Kendall, Manager
Central District, Ext. 6588

RECOMMENDATION:

- 1) That the report dated January 21, 2014 titled "Recommendation Report, Sheridan Nurseries Limited, 4077/4101 Highway 7, Applications for draft plan of subdivision and rezoning to permit a mixed-use development," be received.
- 2) That the record of the Public Meeting held on May 21, 2013 regarding the applications for approval of Draft Plan of Subdivision and implementing Zoning By-law be received.
- 3) That Council endorse the precinct plan, dated August 2013, prepared by Lind Urban Land Management and others for the Sheridan Nurseries lands, attached as Appendix 'A'.
- 4) That the application submitted by Sheridan Nurseries Limited to amend Zoning By-law 304-87 and By-law 2004-196, as amended, be approved and the draft by-laws attached as Appendix 'B' be finalized and enacted without further notice.
- 5) That the modeling forecasts for Markham Centre be updated to reflect the increased residential unit count resulting from the approval of the proposed development.
- 6) That the draft plan of subdivision 19TM-12008 submitted by Sheridan Nurseries Limited, be draft approved subject to the conditions outlined in Appendix 'C'.
- 7) That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out in Appendix 'C' as may be amended by the Director of Planning and Urban Design.
- 8) That draft plan approval for plan of subdivision 19TM-12008 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period.
- 9) That the name "Sheridan Street" be reserved for the north-south local road running along the west side of the property.

- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

The subject property has an area of 4.32 hectares (10.7 acres) and is located on the south side of Highway 7, east of Village Parkway/Birchmount Road. The property is occupied by a Sheridan Nurseries garden centre (Figures 2 and 3).

Sheridan Nurseries has applied for draft plan of subdivision approval and implementing zoning to permit a mixed-use development accommodating up to 1225 residential units and 4900 square metres (52,750 square feet) of commercial uses, two park blocks, a valleyland block (Rouge River valleylands), and portions of three streets. (Figures 3 and 4).

The proposed development is consistent with the policies of the 1987 Official Plan and the Markham Centre Secondary Plan and with the policy direction of the new Official Plan.

The development program has been refined and the technical requirements of City departments and public agencies have been addressed to the satisfaction of staff.

Staff recommend approval of the proposed draft plan of subdivision and implementing zoning. The zoning by-law includes holding provisions to secure a number of items including approval of transportation impact studies and transportation demand management (TDM) programs in support of each phase of development, and execution of a Section 37 agreement(s).

PURPOSE:

The purpose of this report is to recommend endorsement of a precinct plan and approval of applications for draft plan of subdivision and implementing zoning to permit a mixed-use development on the south side of Highway 7, east of Birchmount Road.

BACKGROUND:

Subject property and Area Context (Figures 2 and 3)

The subject property has an area of 4.32 hectares (10.7 acres) and is located on the south side of Highway 7, east of Village Parkway/Birchmount Road. The property is occupied by a garden centre.

To the west is the recently constructed Times Uptown Square Shopping Centre, anchored by a Whole Foods Supermarket. To the north across Highway 7 are Volvo and Audi car dealerships and an older house which has been converted to office use. To the east are several homes on large rural residential lots fronting on Highway 7. To the south is a recently constructed storm water management pond located on lands purchased by the City from Sheridan Nurseries for this purpose, and the valley of the Rouge River.

Proposal (Figures 4 and 5)

Sheridan Nurseries Limited has applied for draft plan of subdivision approval and implementing zoning to permit a mixed-use development.

Sheridan's draft plan includes:

- A section of Rougeside Promenade, an east-west collector road which will eventually extend from Warden Avenue to Sciberras Road along the north side of the Rouge River valleyland.
- The easterly portion of the right-of-way of a north-south local street. The westerly portion of the right-of-way of this road is provided on the Times Uptown Markham plan of subdivision.
- The westerly portion of the right-of-way of a potential future north-south local road which is set up to eventually be shared with the adjoining property to the east when that property is developed.
- Four development blocks (Blocks 1, 2, 3 and 5) having a combined area of 2.4 hectares (5.9 acres), accommodating up to 1225 residential units, with provision for up to 4900 square metres (52,750 square feet) of commercial uses on the ground floor level of the buildings.
- A 0.51 hectare (1.3 acre) park block (Block 4) adjoining the development blocks.
- A 0.25 hectare (0.62 acre) park block (Block 6) between Rougeside Promenade and the Rouge River valleyland.
- A 0.24 hectare (0.6 acre) open space block (Block 7) (Rouge River valleylands), which is proposed to be conveyed to the City. These lands would not be credited as parkland dedication.

Sheridan has not advised when they expect to proceed with the proposed development and has not applied for site plan approval for any of the development blocks within the draft plan.

OPTIONS/ DISCUSSION:

The proposed development is consistent with the policies of the 1987 Official Plan and the Markham Centre Secondary Plan

Sheridan's applications were submitted under the 1987 Official Plan and are subject to the policies of this Official Plan.

The majority of the subject property is designated "Commercial" in the 1987 Official Plan and "Community Amenity Area - General" in the Markham Centre Secondary Plan (OPA 21).

Lands in the "Community Amenity Area - General" designation are intended to develop with a mix of residential, commercial, employment and community uses in a pedestrian friendly manner. Density, building height and other development parameters are to be determined through a precinct plan process. The proposed development is consistent with the planned function of this designation.

A small area at the rear of the property, which is within the floodplain of the Rouge River, is designated "Hazard Lands" in the Official Plan and in the Markham Centre Secondary Plan. These lands will be conveyed to the City upon registration of the subdivision.

The development is consistent with the policy direction of the new Official Plan

The policies of the new Official Plan, which was adopted by Markham Council on December 10, 2013, provide that until approval of an updated secondary plan pursuant to the policies of the new Official Plan, the policies of the current secondary plan (OPA 21) continue to apply.

The new Official Plan identifies the Sheridan property as being within an "Intensification Area" and within a "Regional Centre." The majority of the property is designated "Mixed Use High Rise." Lands in this designation are priority locations for development where the greatest levels of intensification are intended to take place within Markham. These areas are intended to provide retail and service functions for large populations intermixed with high intensity residential uses. A narrow corridor adjacent to Highway 7 is designated "Mixed Use Mid Rise." This designation permits the same range of uses as the "Mixed Use High Rise," but at a lower maximum height and density. The portion of the property within the floodplain of the Rouge River is designated "Greenway." The proposed development is generally consistent with the policy direction of the draft new Official Plan.

The development is consistent with the vision for this area

The proposed development extends the street and block and built form pattern established by the Times Uptown Markham development to the west, which consists of a highly connected, fine grained street grid comprising a series of small blocks terminating at a single loaded collector road (Rougeside Promenade) along the valley frontage, a mid rise character along Highway 7, and taller building elements to the south focused on the valley corridor.

The development will deliver a section of Rougeside Promenade (a key collector road which will eventually extend from Warden Avenue east to Sciberras Road), two public park blocks and a section of Rouge River valleyland.

The requested commercial use permissions (up to 4900 square metres or 52,750 square feet within the ground floor level of the buildings) will provide the opportunity to incorporate a significant commercial component into the development.

The development program has been refined to the satisfaction of staff

Sheridan Nurseries and their consulting team have worked constructively with City Design, Planning and Engineering staff to refine the precinct plan, draft plan of subdivision and built form program. Significant improvements have been made to the concept plan (Figure 4) since submission, including:

- A 0.51 hectare (1.3 acre) park block has been introduced on the north side of Rougeside Promenade. This park will provide opportunities for both passive and active recreation for residents of the proposed development and the east portion of the Times (Uptown Markham) development. This park will be located directly opposite an existing woodlot on

the south side of the road, visually extending the woodlot and the Rouge River valleyland across the street into the proposed development. (Figure 4)

- The alignment of Rougeside Promenade across the Sheridan lands has been refined to increase the setback of the road from the valley edge and minimize the potential impact on the woodlot on the adjoining property to the east. This alignment accommodates for the future eastward extension of Rougeside Promenade to future Sciberras Road.
- The built form program has been reworked to address the incorporation of the park block.

The building height program is acceptable

The building height program for the lands on the south side of Highway 7 was established through the Times Uptown Markham approvals. It consists of mid-rise (8-storey) buildings along the Highway 7 frontage transitioning up to 20 storey tower elements anchored by 2-6 storey podiums to the south, focused on the Rouge River valley corridor.

The building height program proposed for the Sheridan property is consistent with that of Times Uptown Markham, with the following exceptions:

- The buildings fronting onto Highway 7 are proposed to have a maximum height of 6 storeys, whereas in the adjacent portion of the Times subdivision, the buildings fronting on Highway 7 will be 8 storeys. The reduction to 6-storeys responds to the lower building heights on the north side of Highway 7 as it approaches old Unionville.
- The applicant is proposing one 25-storey building at the rear of the property on the inside of a tight curve on Rougeside Promenade. The introduction of one taller “landmark” building at this prominent location is intended to provide an opportunity for a building with distinctive architecture set apart from the other buildings in the community.

The precinct plan has been refined to the satisfaction of staff

In Markham Centre, the street and block pattern, detailed distribution of land uses (including parkland, if required), types, heights, locations and character of buildings, streetscape components, infrastructure requirements, sustainability requirements, open space typology and character, provisions for public art, etc. are confirmed through Precinct Plan studies, to be approved by Council prior to development occurring. Precinct Plans assist in determining the appropriate zoning controls, and subdivision and infrastructure requirements.

The draft precinct plan, attached as Appendix ‘A,’ which was prepared in consultation with City Design, Planning and Engineering staff, is essentially an extension of the precinct plan for the adjacent Times (Uptown Markham) development. It is acceptable and recommended for endorsement. Any substantive changes to the Precinct Plan would require the approval of City Council.

Transportation and traffic impact have been addressed

The Markham Centre community is based on a concept of multi-modal transportation that encourages pedestrians, cyclists and public transit. The proposed development will contribute to the achievement of this objective through the provision of transit supportive densities, a highly connected and pedestrian friendly street pattern, and the provision of bicycle facilities on most streets.

The traffic impact study submitted in support of the proposed development confirms that the development is consistent with the other transit supportive developments within Markham Centre and can be supported by the planned transportation infrastructure (transit, pedestrian, cycling and roads) in the vicinity.

It is anticipated that the proposed development will build out in phases over a number of years. Improvements to local transportation infrastructure required to support each phase of development will need to be determined by monitoring studies. The owner will be required to submit a traffic impact study and a TDM (Travel Demand Management) plan to the satisfaction of the City, and to enter into an agreement(s) with the City to secure any required improvements to transportation infrastructure (e.g. right-of-way and lane widenings and improvements to pedestrian and bicycle infrastructure), prior to the lifting of the holding provision from the zoning for each phase.

It should be noted that the overarching Markham Centre Transportation Study is recommending a pedestrian/cycling bridge crossing of the Rouge River in the vicinity of this site which would provide a safe, direct walking/cycling route from the proposed and nearby developments to the Unionville GO Station (proposed Markham Centre Mobility Hub). York Region will also be widening this section of Highway 7 to 6 lanes, including an off-road bicycling facility.

Public Meeting

The statutory public meeting to consider the subject applications was held on May 21, 2013. A number of written submissions were received, primarily expressing concerns regarding density and traffic impact; however there were no comments from the audience during the meeting

Section 37 contribution will be required

The proposed development includes a greater number of residential units and taller buildings than originally contemplated at this location when the Secondary Plan (OPA 21) was adopted in 1994. In the circumstances it is appropriate to require a Section 37 contribution for community benefits. The draft zoning by-law amendment requires execution of a Section 37 Agreement between the City and the Owner prior to hold removal to secure a per unit contribution of \$1445 (2014 dollars), with provisions for indexing to the future rate of inflation. Insofar that the Secondary Plan did not establish a specific density target for the subject property, a total unit or gross density formula is being applied in calculating the applicable Section 37 payments, rather than a net density increase approach. This per unit contribution is consistent with the Section 37 payment by the Times Group for their adjacent Uptown Markham development, accounting for inflation. The recommended per unit amount is in 2014 dollars, with provision to be made for future indexing to the rate of inflation in future years, depending on the timing of payment as site plans are approved for individual blocks.

The development will be required to incorporate environmental initiatives

The conditions of draft approval require the following measures to be incorporated into all developments within the draft plan:

- minimum LEED Silver certification (or equivalent)
- connection to District Energy
- TDM program, to the satisfaction of the City
- “Bird friendly” building design

These requirements are outlined in the Precinct Plan (Appendix 'B') and conditions of draft approval (Appendix 'C'), and will be secured in the subdivision agreement.

The proposed development was presented to the Markham Centre Advisory for information on April 25, 2013. All future site plan applications within the draft plan will be required to be presented to the Markham Centre Advisory for review against the Performance Measures Document prior to site plan approval by the City.

Proposed zoning by-law amendment

The draft zoning by-law amendments (Appendix 'B') delete the subject lands from the designated area of the City's rural area by-law (#304-87), incorporate them into the Markham Centre Zoning By-law (#2004-196) and incorporate zoning standards securing the proposed density and built form program.

The zoning is subject to holding provisions to secure a number of items, including:

- Approval by the City and the Region of York of transportation impact studies and transportation demand management (TDM) programs in support of each phase of development.
- Registration of the plan of subdivision, or each phase thereof.
- Allocation of servicing by the City and the Markham Centre Landowners Group.
- Execution of a Section 37 agreement(s).
- Execution of site plan agreements.

Street name

The applicant has requested that the north-south local road on the west side of the property be named "Sheridan Street" to recognize the long standing presence of the Sheridan Nurseries garden centre at this location. This name has been cleared by the Fire Department and York Region, and is acceptable.

Modeling forecasts for Markham Centre need to be updated to incorporate proposed development

Modeling undertaken in 2009 for Markham Centre in support of the City's growth management strategy included 872 units for the lands on the south side of Highway 7, east of the Times Uptown Markham development, with no specific distribution to individual properties. These forecasts will need to be updated to reflect the increased residential unit count proposed by the applicant.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable at this time.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development proposed development would support a number of the City's Strategic Priorities, including:

Growth Management - Intensification and transit oriented development in the


vicinity of the proposed Unionville Mobility Hub.

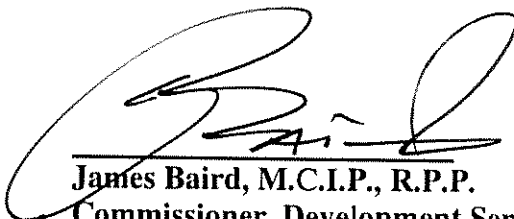
- Environmental focus
- In accordance with Council policy and the Markham Centre Performance Measures document, all buildings within this draft plan will be required to be LEED certified, connected to Markham District Energy and incorporate appropriate TDM programs.

BUSINESS UNITS CONSULTED AND AFFECTED:

The subject applications were circulated to City departments and public agencies for review and comment. The requirements of the departments and agencies have been addressed in the plans and conditions of draft approval.

RECOMMENDED BY:


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


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

ATTACHMENTS:

Figure 1 - Location Map

Figure 2 - Area Context/Zoning

Figure 3 - Air Photo

Figure 4 - Concept Plan

Figure 5 - Draft Plan of Subdivision

Appendix A - Draft precinct plan

Appendix B - Draft zoning by-law amendments

Appendix C - Conditions of draft approval

Applicant/Agent:

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