

**SUBJECT:** RECOMMENDATION REPORT  
Linvest Properties (Cornell) Limited  
Application for site plan approval to permit a retail  
commercial centre at the southeast corner of Highway 7 and  
Bur Oak Avenue in Cornell Centre.  
File Number: SC 13 126638

**PREPARED BY:** Sally Campbell, MCIP, RPP, MRTPI, Acting Development  
Manager, East District, ext. 2645

**REVIEWED BY:** Ron Blake, MCIP, RPP, Acting Senior Development  
Manager, ext. 2600

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**RECOMMENDATION:**

- 1) That the staff report dated September 22, 2015, "Linvest Properties (Cornell) Limited, Application for site plan approval to permit a retail commercial centre at the southeast corner of Highway 7 and Bur Oak Avenue in Cornell Centre. File Number: SC 13-126638" be received;
- 2) That the site plan application be endorsed in principle, subject to addressing the conditions outlined in the staff report to the satisfaction of the Director of Planning and Urban Design;
- 3) That site plan approval be delegated to the Director of Planning and Urban Design, or designate, to be issued when the following conditions have been met:
  - Plan of Subdivision 19TM-06012 has been registered.
  - The Owner has entered into a site plan agreement with the City containing all standard and special provisions and requirements of the City and public agencies.
  - The Holding provision has been removed from the zoning of the subject lands in accordance with the provisions of the by-law.
- 4) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

This report provides an update on the proposed retail commercial development, by Lindvest Properties (Cornell) Limited, at the southeast corner of Highway 7 and Bur Oak Avenue since the matter was last before Development Services Committee on June 17, 2014. This report also seeks Committee's endorsement in principle of the site plan application and requests that site plan approval be delegated to the Director of Planning and Urban Design, or his designate, following execution of the site plan agreement. Development Services Committee endorsement will enable the applicant to finalize engineering details, based on the site plan and elevations that accompany this report and

to secure potential building tenants. The final technical review will be completed by staff before issuing site plan approval.

**BACKGROUND:**

A staff report on applications for Official Plan and Zoning By-law amendment to facilitate the proposed retail commercial development was received at Development Services Committee (DSC) at the June 17, 2014 meeting. At the subsequent DSC Public Meeting a resolution to forward both Official Plan and Zoning By-law amendments to Council for adoption, once finalized, was passed. The OPA and By-law have not yet been sent to Council for adoption. As discussed later in this report they can now be finalized with the endorsement of the site plan. At the June 17, 2014 meeting, DSC requested that the site plan application be brought back to Committee for approval when the conditions set out in Appendix 'A' of the June 17, 2014 report had been resolved. The 2014 Appendix 'A' is attached to this report for reference and this report provides an update in that regard.

**Site location and area context**

The subject lands are identified as Block 4 on approved draft plan of subdivision 19TM-06012 and are located on the south side of Highway 7 East, east of Bur Oak Avenue. The subject lands are bordered to the west by the existing residential neighbourhood of Grand Cornell, which is separated from the subject lands by the existing drainage channel and future Bur Oak Avenue right of way. To the south is a mature woodlot, a wetland feature and future development lands and to the east and north, across highway 7, are future development lands within the Cornell Centre community. The total area of Block 4 is approximately 20.33 acres (8.21 ha) (Figures 1, 2 and 3).

**Proposed retail commercial centre**

The site plan application (SC 13 126638) proposes to develop the entire site with the exception of a 1.25 ha (3.1 ac) block at the south east corner of the site that was originally reserved for a possible future VIVA Transit Terminal. The Region of York has since secured an alternative location for the Transit Terminal on the north side of Highway 7, closer to Markham Stouffville Hospital. This reserved block will therefore likely be the subject of a future phase of retail / commercial or office development, which would require a separate site plan application.

The current site plan application for a retail commercial centre anchored by a supermarket consists of the following components:

- a) A range of retail buildings with a total gross floor area of approximately 16,194 m<sup>2</sup> (174,3935 ft<sup>2</sup>) consisting of nineteen (19) retail commercial buildings, some of which are stand-alone premises and others which are multi-unit buildings;
- b) A 5,827 m<sup>2</sup> (62,723 ft<sup>2</sup>) stand-alone supermarket at the southern portion of the site;
- c) A 5 storey office building, with a gross floor area of approximately, 4,506 m<sup>2</sup> (48,500 ft<sup>2</sup>) and underground parking, at the corner of Highway 7 & and Bur Oak Avenue;
- d) A private east-west driveway through the middle of the site, linking the future southerly extensions of Bur Oak Avenue and Cornell Centre Boulevard located on either side of the commercial block;

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- e) A private north-south driveway through the middle of the site extending from Highway 7 to an urban square north of the adjacent woodlot;
  - f) A total of 930 car parking spaces are provided in accordance with the site specific by-law requirement for parking, 175 of which would be located underground as part of the 5 storey office building. 48 accessible parking spaces are provided and bicycle racks for 50 bikes.

An Urban Design Brief submitted in support of the proposed development promotes high quality architectural form and pedestrian comfort based on the following objectives:

- Strong built-form relationships to the street and compatibility with the existing and planned pattern of built-form;
- Architectural treatment (pedestrian-related / human scale of building architecture);
- Improved landscaping (to screen parking and to enhance streetscape);
- Creating pedestrian connections to the City's trail system; and,
- Developing strong built form elements along Highway 7 through the use of a combination of built form and landscaping.

Staff have continued to work with the applicant to finalize the site plan and elevations to address matters raised by the Mayor and Councilors last year and to resolve the issues identified in Appendix 'A' to the June 17, 2014 report. Appendix 'A' (copy attached) has been updated to indicate if and how matters have been addressed. Where an item remains unresolved, this matter will be a condition of staff endorsement. A site plan agreement will not be entered into until the conditions are addressed to the satisfaction of the appropriate City department.

### **Official Plan and Zoning**

The in-force Official Plan (1987), as amended designates the subject lands "Commercial" and "Open Space". The 2014 Official Plan, not yet in-force designates the lands "Mixed Use Mid Rise". The Cornell Secondary Plan (OPA No.168) designates the lands "Avenue Seven Corridor – Mixed Residential" and "Community Amenity Area – Cornell Centre".

The Official Plan Amendment application approved by Committee in June 2014, allows stand alone retail and office uses within the northerly portion of the property whereas these uses were previously permitted only as part of a mixed use building including mandatory high density residential uses. The June 2014 OPA still allows the high density residential. However, it is no longer mandatory.

The subject lands are part of the larger Cornell Centre key development area and are subject to the Cornell Centre Secondary Plan update, which is currently underway. The draft land use policies contemplate future mixed-use development whereby residential uses will be mandatory if and when the site is redeveloped. The draft Secondary Plan policies also provide for a future public east-west road connection.

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The subject lands are zoned Community Amenity One under By-law 177-96, as amended, subject to a number of exceptions and a hold provision. The Zoning By-law Amendment application approved by Committee in June 2014 will facilitate the proposed development and will implement the aforementioned Official Plan Amendment. However, neither the Official Plan Amendment nor the Zoning By-law were advanced to Council for enactment last year in order that development standards contained in the Zoning By-law Amendment could be accurately drafted to implement the subject site plan and avoid the need for further amendment or minor variance. The site specific policies and development standards have now been refined to ensure they reflect the proposed retail commercial site plan and elevations which are the subject of this report. The Official Plan Amendment and corresponding Zoning By-law will now be finalized and sent to Council for adoption.

### **OPTIONS/DISCUSSIONS**

On May 29, 2014 conceptual elevations only were provided and these were presented to DSC on June 17, 2014. The site plan submission including supporting plans, reports and design guidelines therefore required updating, to allow a fulsome review by staff. A detailed site plan, elevations of most buildings and an updated Urban Design Brief were submitted in February 2015 and the balance of the elevation drawings was provided in August 2015. However, acceptable engineering submissions have not yet been received, the requirement for which will be a condition of endorsement together with other technical reports, which is typical of the site plan endorsement process.

### **Urban design, built form and architectural design has largely been addressed**

The proposed site plan has been laid out in a grid-like system of internal driveways (see Figure 4). The east-west private driveway will have a paved surface of 7.5 metres (24ft) and will maintain a continuous 1.5 metre (5ft) wide concrete sidewalk and a landscape boulevard ranging between 2 metres (6ft) and 3.5 metres (11ft) wide. The landscape boulevard will include trees and raised planters to enhance pedestrian safety and comfort. A comprehensive network of pedestrian walkways will provide improved opportunities for people walking from store to store rather than driving and includes easy access to the development from Highway 7. The central piazza area is completely pedestrianized and provides for meeting, outdoor dining as well as allowing views through to the woodlot to the south and provides pedestrian access to the public trail system.

### **Buildings fronting Highway 7, Bur Oak Avenue and future William Forster Road establish a street edge.**

The plan places the majority of the buildings along public street frontages while locating the tallest building to address the corner of Highway 7 and Bur Oak. The proposed five storey office building at this corner will be physically connected to the multi-unit building further along Highway 7 to strengthen the street edge. A similar treatment has been used at the east corner of the site whereby two premises have been linked. Other buildings across the Highway 7 frontage are generally single pads separated by small parking courts which allow for views into the development. These views to the interior of the site can be important to support the retail and commercial businesses that do not have Highway 7 frontage.

**Architectural style results in a distinctive retail commercial development**

The built form will be in keeping with the existing low rise residential neighbourhood to the west and future low rise development planned for the lands to the east, which are currently vacant. The tallest building is sited at the important Bur Oak / Highway 7 intersection and the bulkiest building, the grocery anchor store, is located toward the rear (south) of the site where an appropriate transition can be planned for as development to the south is contemplated.

All single storey buildings have been designed with two-storey massing and roof lines are well articulated to provide variety and break down the longer facades.

Where building entrances are not directly located to front Highway 7 the entrances are generally located in the flankage elevation and the remaining elevations designed with windows and other architectural features to create interest and animate all sides of the building. It is acknowledged that the financial institutions can be less flexible in terms of adopting the distinctive architectural style of the overall development. In this case the architect has attempted to introduce some common materials and brick colour to provide some continuity of design.

**Woodlot limits to south of the subject lands have been defined**

The woodlot immediately south of the subject lands is designated as an Environmental Protection Area in both the current Official Plan and the Cornell Secondary Plan. The Regional Official Plan and the 2014 Official Plan identify this feature as a significant woodlot. A minimum 10 metre buffer is provided as determined at the time of the draft plan approval of Block 4 (19TM-06012) in 2007. The buffer block has been the subject of much examination during the course of the application to ensure accurate delineation with which all parties now agree. In addition to the 10 metre buffer staff have secured a further 4 metres, which will provide a block for a future multi-use pathway beyond the subject site, which through subsequent development approvals will connect Bur Oak Avenue to William Forster Road.

The buffer limits for the remainder of the woodlot will be determined through the review of future planning applications.

**Water balance to protect the wetland south of the woodlot**

An area of wetland is located towards the south west limit of the existing woodlot, south of the subject lands. The areas to the north and west sides of the woodlot and the west side of the woodlot itself are thought to convey ground water and overland flow to feed the wetland. The Ministry of Natural Resources and Forests is currently investigating the provincial importance of the wetland, if any. The TRCA has continued to request additional information to ensure that the proposed development will not have a negative impact on the wetland and the woodlot system that supports it, particularly as it relates to maintaining the current water balance of the wetland.

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Based on what is known to date TRCA and City staff are of the opinion that appropriate water balance can be achieved. However, the details of exactly how and where such water balance should be provided and controlled in perpetuity have not been established or agreed to and this issue is required to be resolved prior to registration of Block 4 and prior to staff site plan endorsement being issued.

As noted in the June 17, 2014 report, water table depths mean that dewatering and a "Permit To Take Water" (PTTW) from the Ministry of the Environment may be required during construction. Mitigation measures and a dewatering management plan may be required for this site to ensure the water balance of the wetland is maintained.

**Details relating to lighting, signage, noise attenuation, and screening, bird friendly and sustainable design have now been provided.**

When the site plan was last presented to DSC in June 2014 many of the finer details required during application review, such as lighting, bird friendly and sustainable design had not been submitted and were listed at that time as matters required to be resolved before site plan endorsement. The updated Urban Design Brief has captured many of these aspects and provides direction on dark sky lighting approaches for the exterior and interior lighting to balance bird friendly requirements with pedestrian safety considerations. Loading areas will be located away from public views and screened by wing walls, which will appear to provide a continuation of the building façade while screening these service areas. A 2.4 metre high masonry wall is proposed for the south side of the grocery store to screen the loading and garbage areas and provide noise attenuation. The central pedestrian piazza area mentioned earlier also allows for low impact development opportunities, such as infiltration galleries to ensure storm water is better controlled on site before infiltrating into the ground water system.

Signage areas for store names are indicated on the building elevations to ensure a consistent approach to the height and extent of signs. In addition to this standard signage, graphic panels displaying generic lifestyle imagery are included. While staff support the use of these graphics a part of the overall architectural design of the project, a sign variance application will be required in the future, as these panels project above the roof line in some instances and therefore do not comply with the current Sign By-law 2002-94, as amended.

**Future Development Block**

The applicant's architect has demonstrated conceptually that the block originally reserved for a potential Transit Terminal can be developed for retail, service and office uses, as permitted under the zoning in a similar style to the subject development. However, any development on this block would require review under site plan control.

**FINANCIAL CONSIDERATIONS AND TEMPLATE:** (external link)

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

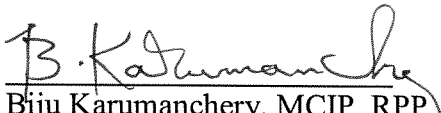
**ALIGNMENT WITH STRATEGIC PRIORITIES:**

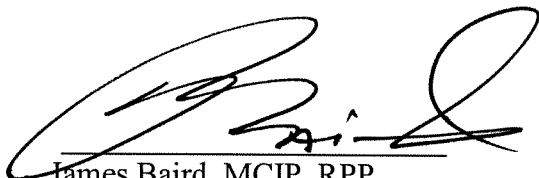
The proposed development applications have been reviewed in the context of the City's strategic priority of Growth Management.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various City Departments and external agencies and still require some further review. Any conditions and requirements received will be reviewed and if appropriate, incorporated into the site plan conditions, should the planning application be approved.

**RECOMMENDED BY:**

  
Biju Karumanchery, MCIP, RPP  
Director of Planning & Urban Design

  
James Baird, MCIP, RPP  
Commissioner of Development Services

**ATTACHMENTS:**

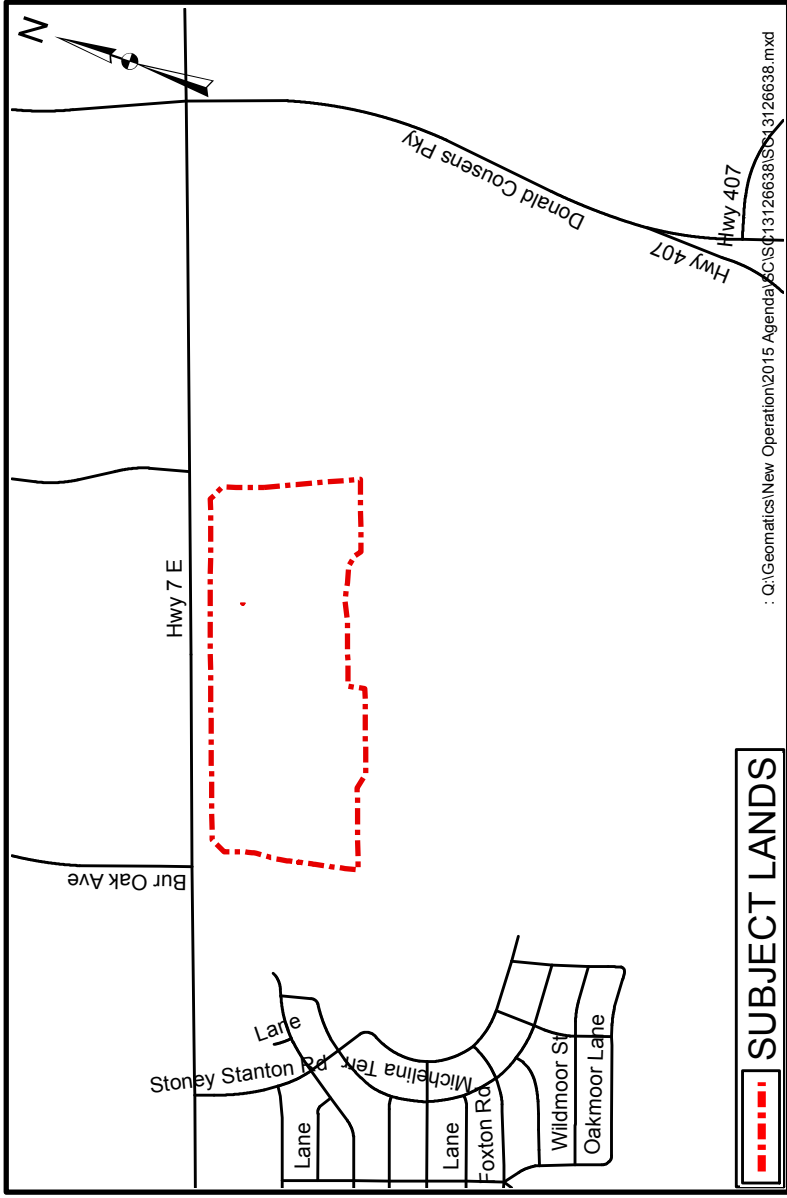
- Figure 1: Location Map
- Figure 2: Area Context/Zoning
- Figure 3: Aerial Photo
- Figure 4: Site Plan
- Figure 5: Elevations
- Figure 6: Elevations
- Figure 7: Elevations
- Figure 8: Elevations
- Figure 9: Elevations
- Figure 10: Elevations
- Figure 11: Elevations
- Appendix 'A' – updated list of outstanding matters

Owner:

Linvest Properties (Cornell) Limited      Tel: 416-635-7520  
3625 Dufferin Street, Suite 405      Fax: 416-630-3095  
Toronto, ON M5J 2T9

Agent:

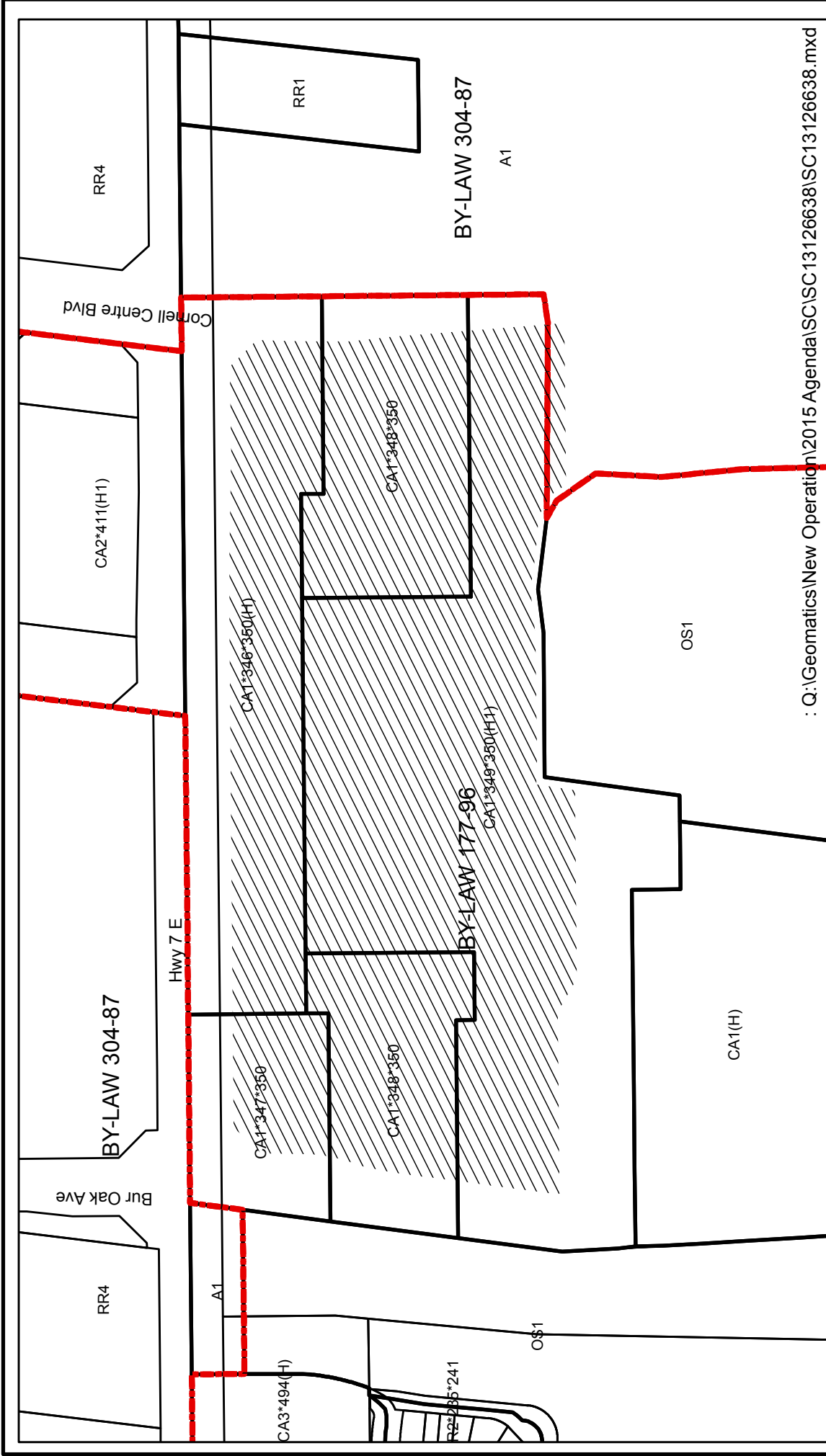
Bousfields Inc.      Tel: 416-947-9744  
c/o Lindsay Dale-Harris      Fax: 416-947-0781  
3 Church Street, Suite 200  
Toronto, ON, M5E 1M2



 SUBJECT LANDS

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# AREA CONTEXT/ZONING

APPLICANT: LINDVEST PROPERTIES (CORNELL) LIMITED

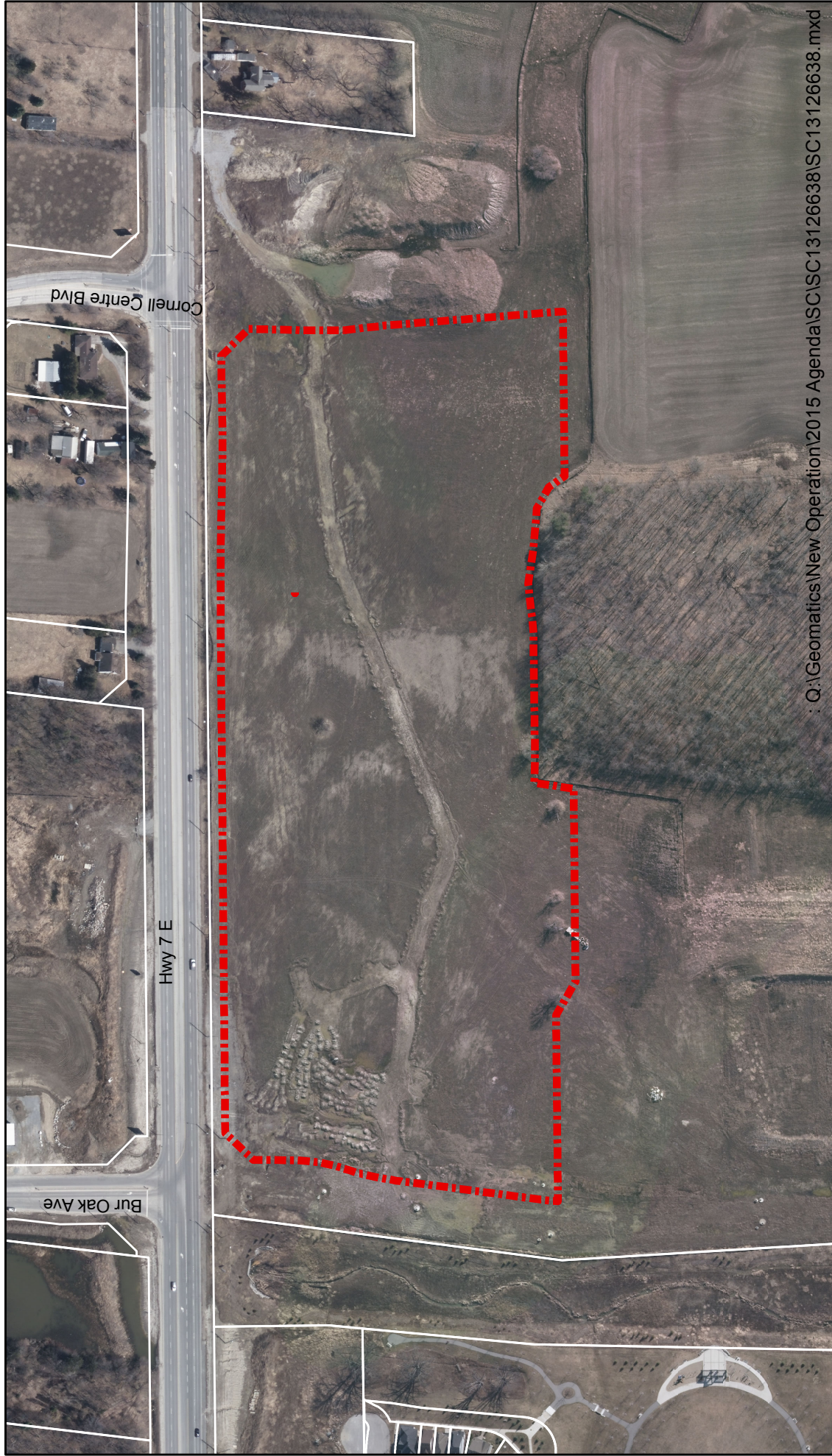
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FIGURE No. 2





# AIR PHOTO 2014

APPLICANT: LINDVEST PROPERTIES (CORNELL) LIMITED

FILE No: SC13126638

 SUBJECT LANDS



DATE: 09/09/15

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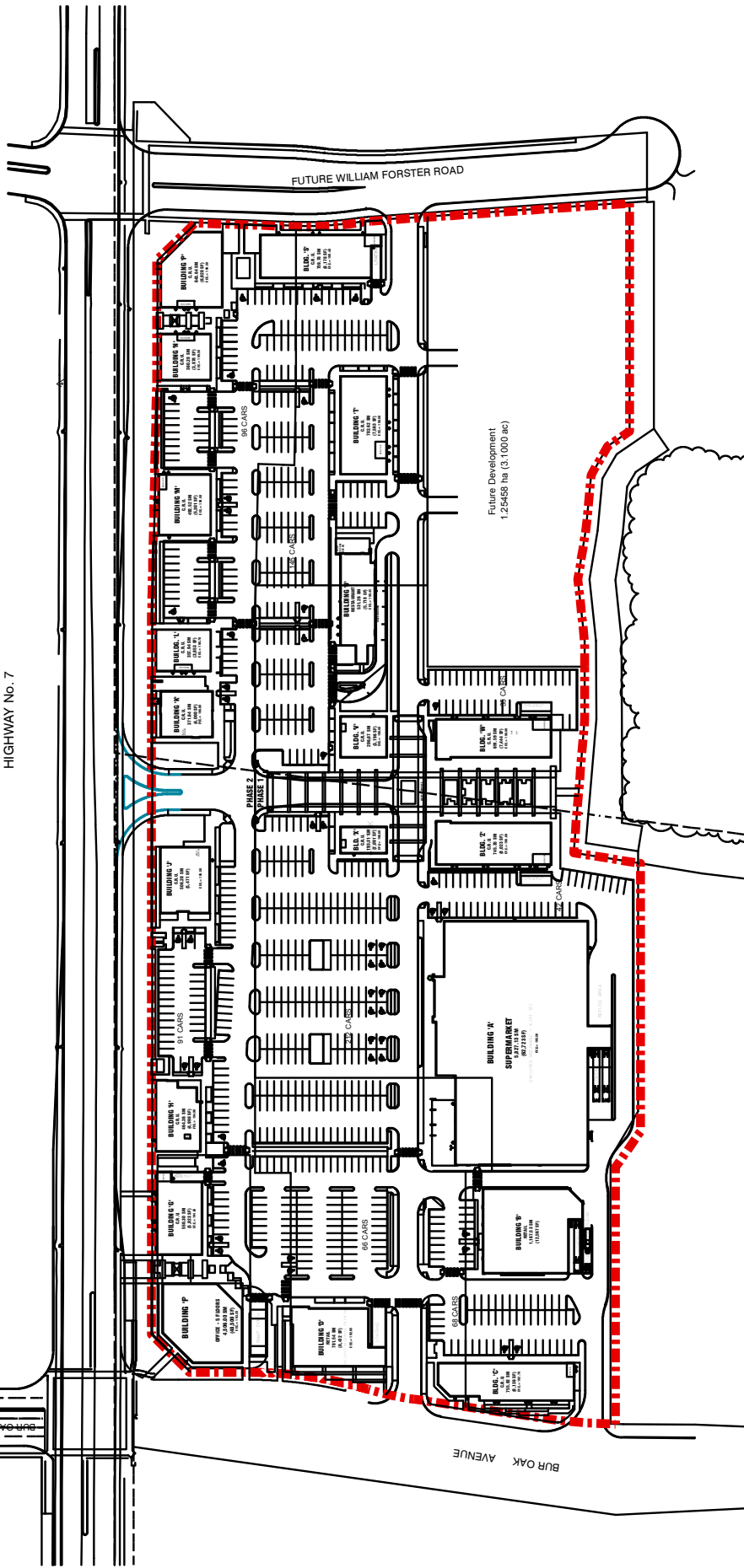
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 DEVELOPMENT SERVICES COMMISSION

FIGURE No. 3



HIGHWAY No. 7



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# SITE PLAN

APPLICANT: LINDVEST PROPERTIES (CORNELL) LIMITED

 SUBJECT LANDS

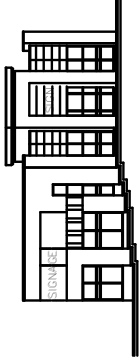
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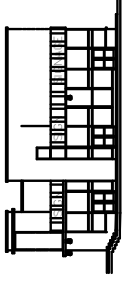


BUILDING P AND N - NORTH ELEVATION

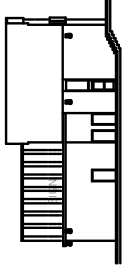
BUILDING P AND N - SOUTH ELEVATION



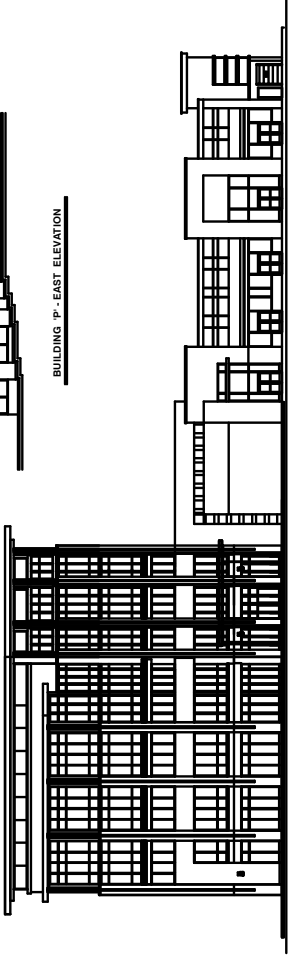
BUILDING P - EAST ELEVATION



BUILDING N - WEST ELEVATION

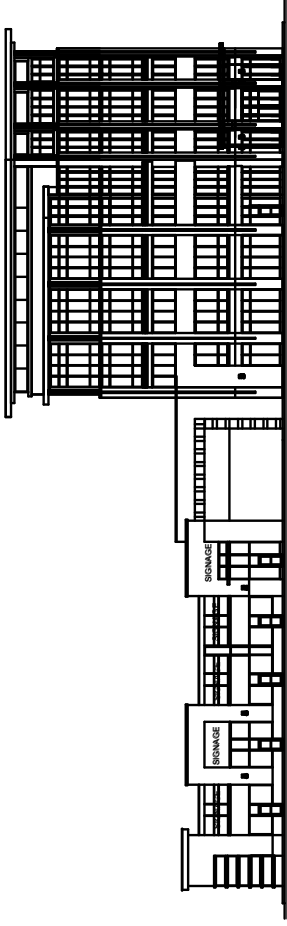
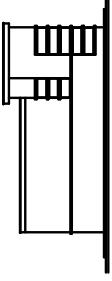


BUILDING N - EAST ELEVATION



BUILDING F AND G - SOUTH ELEVATION

BUILDING AND G - EAST ELEVATION



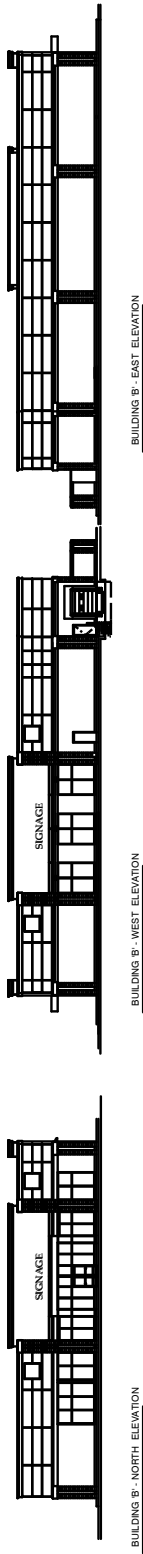
BUILDING F AND G - NORTH ELEVATION

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# PROPOSED ELEVATIONS

APPLICANT: LINDVEST PROPERTIES (CORNELL) LIMITED

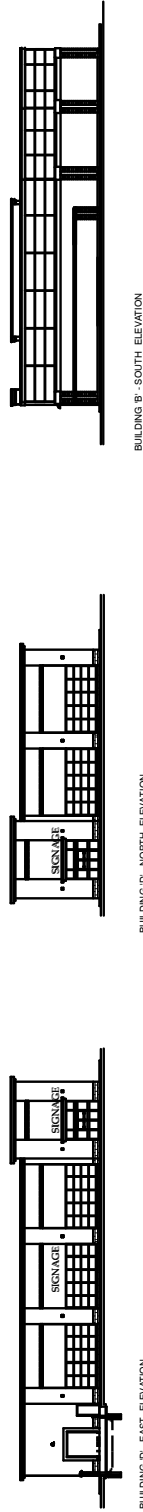
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BUILDING B - EAST ELEVATION

BUILDING B - WEST ELEVATION

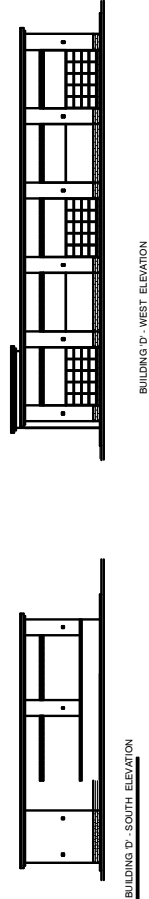
BUILDING B - NORTH ELEVATION



BUILDING D - SOUTH ELEVATION

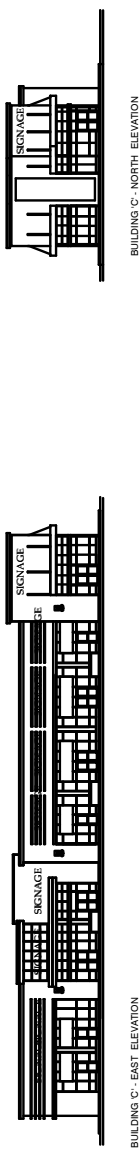
BUILDING D - NORTH ELEVATION

BUILDING D - EAST ELEVATION



BUILDING D - WEST ELEVATION

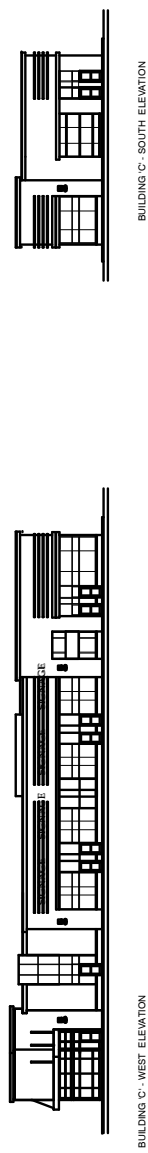
BUILDING D - SOUTH ELEVATION



BUILDING C - NORTH ELEVATION

BUILDING C - EAST ELEVATION

BUILDING C - SOUTH ELEVATION



BUILDING C - SOUTH ELEVATION

BUILDING C - WEST ELEVATION

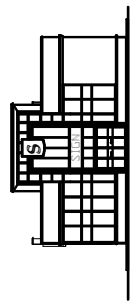
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# PROPOSED ELEVATIONS

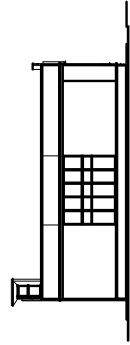
APPLICANT: LINDVEST PROPERTIES (CORNELL) LIMITED

FILE No: SC13126638

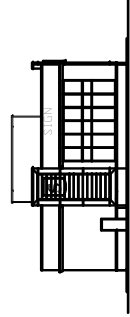
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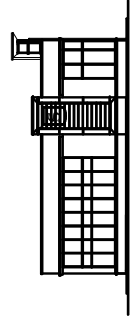
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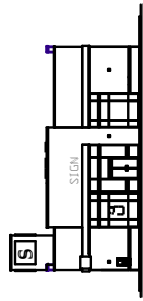
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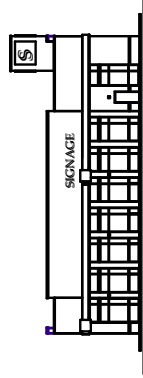
BUILDING K - NORTH ELEVATION



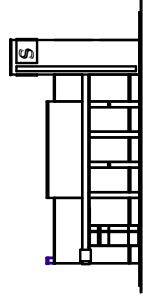
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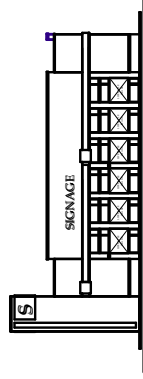
BUILDING J - WEST ELEVATION



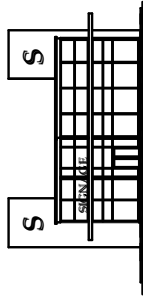
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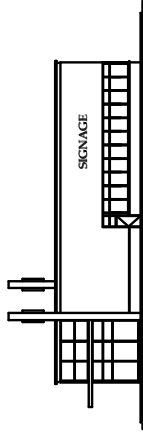
BUILDING J - EAST ELEVATION



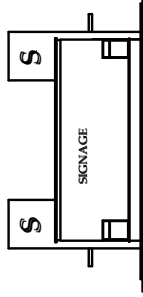
BUILDING J - NORTH ELEVATION



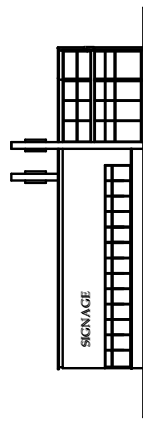
BUILDING H - EAST ELEVATION



BUILDING H - NORTH ELEVATION



BUILDING H - WEST ELEVATION



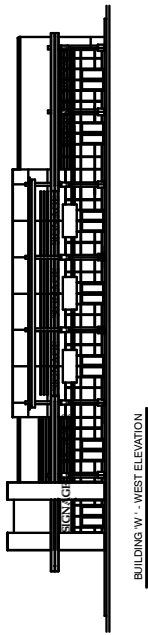
BUILDING H - SOUTH ELEVATION

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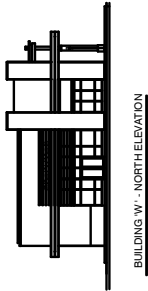
# PROPOSED ELEVATIONS

APPLICANT: LINDVEST PROPERTIES (CORNELL) LIMITED

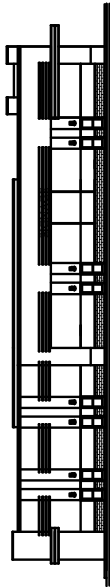
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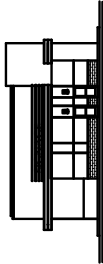
BUILDING W - WEST ELEVATION



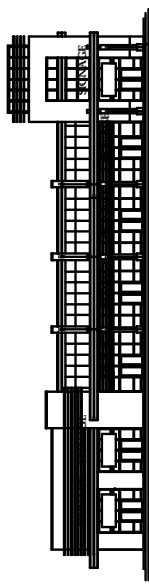
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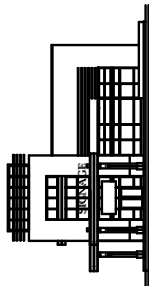
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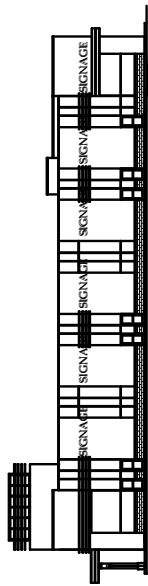
BUILDING W - SOUTH ELEVATION



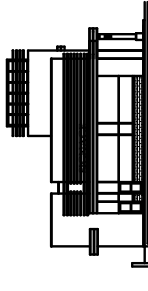
BUILDING Z - EAST ELEVATION



BUILDING Z - NORTH ELEVATION



BUILDING Z - WEST ELEVATION



BUILDING Z - SOUTH ELEVATION

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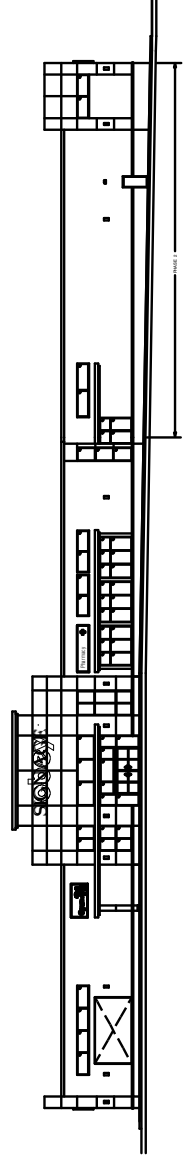
# PROPOSED ELEVATIONS

APPLICANT: LINDVEST PROPERTIES (CORNELL) LIMITED

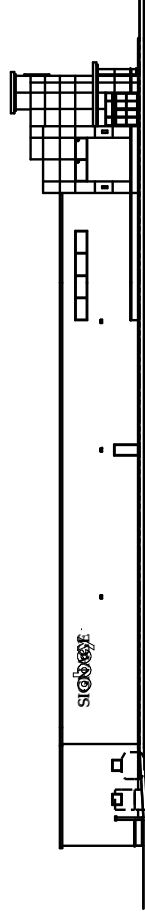
FILE No: SC13126638

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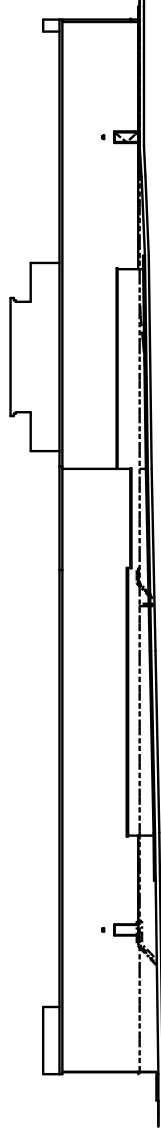
FIGURE No. 8



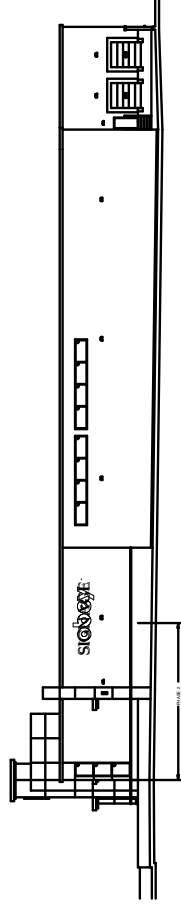
BUILDING A - NORTH ELEVATION



BUILDING A - EAST ELEVATION



BUILDING A - SOUTH ELEVATION



BUILDING A - WEST ELEVATION

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# PROPOSED ELEVATIONS

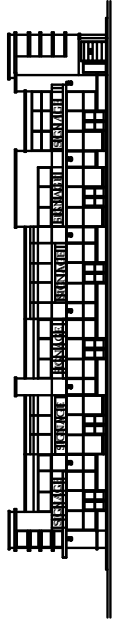
APPLICANT: LINDVEST PROPERTIES (CORNELL) LIMITED

FILE No: SC13126638

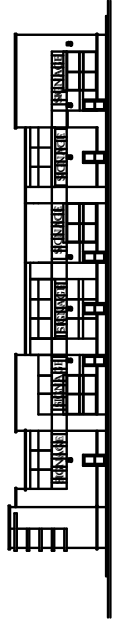
DATE: 09/09/15

FIGURE No. 9

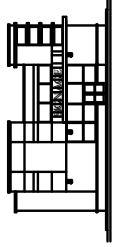




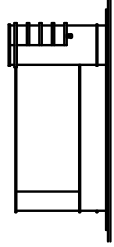
BUILDING S - WEST ELEVATION



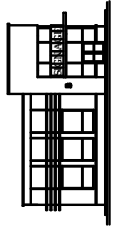
BUILDING S - EAST ELEVATION



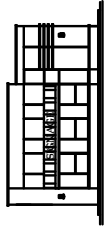
BUILDING S - NORTH ELEVATION



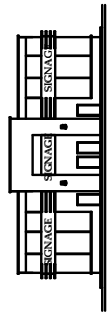
BUILDING S - SOUTH ELEVATION



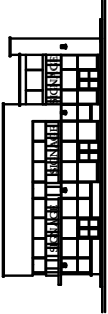
BUILDING L - SOUTH ELEVATION



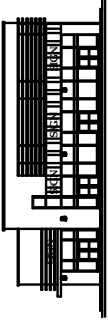
BUILDING L - NORTH ELEVATION



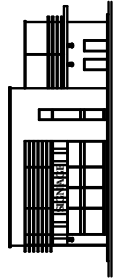
BUILDING L - WEST ELEVATION



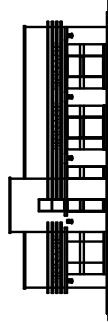
BUILDING L - EAST ELEVATION



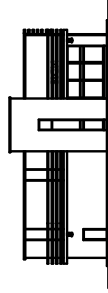
BUILDING M - SOUTH ELEVATION



BUILDING M - EAST ELEVATION



BUILDING M - NORTH ELEVATION



BUILDING M - WEST ELEVATION

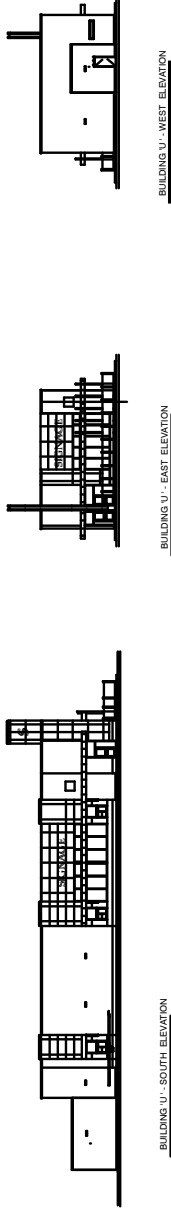
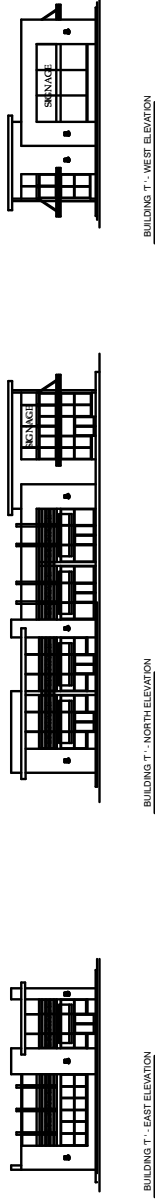
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# PROPOSED ELEVATIONS

APPLICANT: LINDVEST PROPERTIES (CORNELL) LIMITED

FILE No: SC13126638

DATE: 09/09/15



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# PROPOSED ELEVATIONS

APPLICANT: LINDVEST PROPERTIES (CORNELL) LIMITED

FILE No: SC13126638

**APPENDIX 'A' - UPDATED**  
**Lindvest Properties (Cornell) Ltd.**  
**Block 4, 19TM-06012.**  
**SC 13 126638**

1. The June 17, 2014 Development Services Report included as Appendix 'A' a comprehensive list of outstanding matters that were required to be addressed by the applicant prior to site plan endorsement being issued. Those matters have now largely been resolved. The following represents an updated list of matters that remain outstanding. City staff will continue to work with the applicant to resolve these issues prior to formal Site Plan Endorsement being issued.
  - a) The outstanding studies listed below are required for review and approval, to the satisfaction of the Director of Planning and Urban Design and/or the Director of Engineering, and applicable public agencies:
    - i) Traffic Impact Study, Functional Transportation Design Study and Transportation Demand Management Plan. *First review complete, City comments provided and awaiting response from applicant.*
    - ii) Updated Servicing and Stormwater Management Report. *Outstanding.*
    - iii) Updated Geotechnical Report. *Outstanding.*
    - iv) Hydrogeological Report may be required if dewatering is required
    - v) Updated Engineering Drawings. *Outstanding.*
    - vi) Noise Study. *Provided for review, City comments need addressing.*
  - b) Clearance from the Toronto and Region Conservation Authority indicating that the site plan, stormwater management, geotechnical and hydrogeological reports are satisfactory and that issues related to water balance of the woodlot/wetland have been resolved.
  - c) Clearance letter has been received from the Region of York indicating that the site plan/elevations are satisfactory and that site plan endorsement can be issued by the City.
  - d) Updated landscape plan, prepared by a landscape architect having O.A.L.A. membership, to the satisfaction of the Director of Planning and Urban Design. *Conceptual landscape plan provided and requires updating to reflect latest site plan.*
  - e) An Illumination Plan will be required for review and approval, prepared by a qualified consultant, to the satisfaction of the Director of Planning and Urban Design, and such Illumination Plan shall be subject to peer review at no cost to the City.
2. Following Site Plan Endorsement and completion of all technical review of plans and reports, the Owner shall enter into a Site Plan Agreement with the City, containing all standards and special provisions and requirements of the City and external agencies, including but not limited to the following:
  - a) Provision for the payment by the Owner of all applicable fees, recoveries, development charges and any other financial obligations, including public art contribution;

- b) Provisions for satisfying all requirements of the City and external agencies; and
  - c) The Owner shall acknowledge that the buffer limit applied from the south property line, to protect the significant woodlot/wetland south of the property, is specific to this development application and that buffer limits surrounding the remainder of the woodlot will be determined through the review of future planning applications.
3. The Owner acknowledges and understands that when the City issues site plan endorsement; the Owner has three years from the date of site plan endorsement to execute a site plan agreement. The site plan endorsement shall lapse and site plan approval will not be issued if a site plan agreement is not executed within three years of site plan endorsement.

Prior to the execution of a Site Plan Agreement

The Owner shall submit final site plan, elevations, underground parking garage layout plans, engineering drawings, lighting plan, landscape plans, and any other plans, studies and reports which are required to comply with the requirements of the City and external agencies, to the satisfaction of the Director of Planning and Urban Design, prior to the submission of a building permit application for individual buildings.

Prior to Site Plan Approval

Site plan approval is issued only when the Director has signed the site plan. Site plan approval will only be issued by the Director of Planning and Urban Design, or designate, when the following conditions have been met:

- a) Registration of Block 4 (19TM-06012);
- b) Site Plan Agreement has been executed;
- c) Clearance from the Region of York and Toronto and Region Conservation Authority indicating that the site plan/elevations are acceptable; and
- d) Payment of planning and engineering processing fees in accordance with the City's applicable Fee By-law.

Site plan approval is issued only when the Director or his designate has signed the site plan.