



Report to: Development Services Committee

Meeting Date: May 13th, 2019

SUBJECT: PRELIMINARY REPORT, Bur Oak (ARH) Developments Inc., Zoning By-law Amendment to permit a 20-storey apartment building a 1709 Bur Oak Avenue(south-west corner of Bur Oak Avenue and Markham Road)), Ward 4, File No: ZA 258912

PREPARED BY: Stacia Muradali, M.C.I.P., R.P.P.
Senior Planner, East District, Ext. 2008

REVIEWED BY: Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager, Ext. 2600

RECOMMENDATION:

- 1) That the report titled “PRELIMINARY REPORT, Bur Oak (ARH) Developments Inc., Zoning By-law Amendment application to permit a 20-storey apartment building at 1709 Bur Oak Avenue (south-west corner of Bur Oak Avenue and Markham Road), Ward 4, File No: ZA 18 258912”, be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE: The purpose of this report is to provide preliminary information on the applications by Bur Oak (ARH) Developments Inc. to amend the zoning by-law and for site plan approval to allow a 20-storey apartment building at 1709 Bur Oak Avenue. This report contains general information in regards to applicable OP or other policies as well as other issues and the report should not be taken as Staff’s opinion or recommendation on the application.

Zoning By-law amendment application deemed complete

The zoning by-law amendment application was deemed complete on January 18th, 2019 for circulation purposes. The materials have been circulated to all City staff and external agencies for review.

Next steps

1. Statutory Public Meeting tentatively scheduled for May 21st, 2019.
2. Recommendation Report on the zoning by-law amendment and site plan applications when appropriate and after at minimum, the draft vision for the Markham Road/ Mount Joy Corridor Secondary Plan has been accepted by Council (discussed later in this report).
3. Enactment of the zoning by-law if approved by Council.
4. Issuance of site plan endorsement.

5. Execution of the site plan agreement and issuance of site plan approval.
6. Submission of a condominium application.

Please note that the applicant has submitted a site plan application which is under review and will be addressed in detail in the Recommendation Report.

BACKGROUND:

Subject site and area context

The subject site (1709 Bur Oak Avenue) is located at the south-west corner of Bur Oak Avenue and Markham Road and is approximately 0.36 hectares (0.9 acres) (Figure 1). The subject site is currently part of a larger property which extends westward and the overall size of the larger property including the subject site is approximately 1.74 hectares (4.3 acres). A site plan application (SC 13 125328) was approved in December 2017 to allow the development of townhouses, two (2) mid rise buildings and the extension of Battista Perri Drive through the remainder of the overall property to the west of the subject site. Eventually, once the plan of condominium is established on the remainder of the overall land, the subject site will become a separate parcel.

There is commercial development to the north across Bur Oak Avenue, the Mount Joy GO Station, industrial and commercial development and the Rail Corridor to the east across Markham Road. There are 14-20 storey mixed use buildings, townhouses and a future park to the south and residential development to the west of the subject site (Figure 3). There is a 10 metre servicing easement owned by the City along the entire frontage of the subject site on Markham Road.

Proposed development

A 20-storey residential building, with a total gross floor area (GFA) of approximately 21,169 square metres (227,861.12 square feet) is proposed (Figure 4). The building will contain 242 residential units. There will be indoor and outdoor amenity space. The applicant is proposing to design an outdoor amenity area along Markham Road. The proposed building will share the underground parking garage with the Phase 1 development to the west. The proposed development will also share the private driveway located on the Phase 1 land to access Battista Perri Drive. There is no proposed vehicular access on Markham Road. The proposed conceptual renderings are attached (Figure 5). The applicant is proposing to provide 285 parking spaces, the majority of which will be provided in an underground parking garage. A parking reduction will be required as 367 parking spaces is required by the City's parking by-law. This will result in a 57 parking space deficiency for residents, and 25 parking space deficiency for visitors.

Provincial policy context

Provincial Policy Statement, 2014 (PPS, 2014)

The proposed zoning by-law amendment and site plan will be evaluated against the PPS, 2014 especially in terms of managing and directing land use to achieve efficient and resilient development and land use patterns. Specifically, the following will be evaluated:

- Promoting efficient development and land use patterns;
- Accommodating an appropriate range and mix of residential, employment,

- institutional, recreational, park and open space, and other uses to meet long term needs;
- Improving accessibility for persons with disabilities and older persons; and
 - Integrating servicing, transportation and land use considerations.

Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan, 2017)

The proposed zoning by-law amendment and site plan will be evaluated against the Growth Plan, 2017 especially in terms of supporting the achievement of complete communities that:

- Feature a diverse mix of land uses;
- Provide a diverse range and mix of housing options;
- Expand convenient access to a range of transportation options, public service facilities, and an appropriate supply of publicly-accessible open spaces, parks, trails and recreational facilities; and
- Integrate green infrastructure and low impact development.

The applicant is required to demonstrate how they are achieving the overall objectives of the PPS, 2014 and the Growth Plan, 2017. Staff will work with the applicant to ensure that these objectives are achieved and implemented in the amending zoning by-law and site plan.

York Region Official Plan

The subject site is located within the “Urban Area” in the York Region Official Plan (2010), as amended (“Region Official Plan”). One of the objectives of the Region’s Official Plan is to ensure that buildings throughout York Region achieve a high level of water and energy conservation performance as a key component of sustainable communities by:

- Achieving energy efficiency levels that exceed the Ontario Building Code (OBC) for residential buildings;
- Achieving 10% greater water conservation than the (OBC) for all new buildings;
- Encouraging new buildings to be designed and certified to LEED Silver, Gold or Platinum;
- Encouraging enhanced indoor air quality in buildings and the use of environmentally preferable materials in all new development;
- Requiring the installation of rainwater harvesting systems on all new residential buildings for outdoor irrigation and outdoor water use;
- Encouraging the use of water conserving, drought resistant landscaping;
- Encouraging local heat island effects mitigation in all development; and
- Encouraging the use of locally/ regionally sourced building materials.

Official Plan and Zoning

The subject land is shown as “Mixed Use High Rise” in the City’s 2014 Official Plan (as partially approved on November 24th, 2017 and further updated on April 9th, 2018) (the

“City’s 2014 Official Plan”). The subject land is located within the Markham Road/ Mount Joy Corridor (“Mount Joy Corridor”). The City’s 2014 Official Plan requires a new Secondary Plan for the Mount Joy Corridor (the “Secondary Plan”). The Secondary Plan will incorporate a land use planning study, transportation study and municipal servicing study which will ultimately inform opportunities and constraints facing development and growth along the Mount Joy Corridor. One of the main components of the Secondary Plan’s land use planning study is to determine if and how much to increase population and employment density, and the services and community amenities which are needed to support the population (both residential and employment).

Until the Secondary Plan is approved, the policies of the City’s Official Plan (Revised 1987), as amended, including the Wismer Commons Secondary Plan shall apply. The Official Plan (Revised 1987), as amended, designates the subject land “Major Commercial Area” which provides for a diverse range of retail, service, community, institutional and recreational uses. Medium and high density residential uses, if appropriate, may be allowed subject to a specific development proposal and rezoning. The “Major Commercial Area” designation in the Wismer Commons Secondary Plan allows a maximum floor space index (FSI) of 1.75, however, the applicable zoning permits a maximum FSI of 2.0.

The subject land is zoned “Major Commercial *188 (MJC*188)” (Figure 2) which permits a range of commercial uses and medium and high density residential uses. An amendment to the existing zoning is required to change some of the site-specific development standards including increasing the permitted height, increasing the Floor Space Index (FSI), reducing the required parking for both residents and visitors, and implementing setbacks specific to the proposed development.

OPTIONS/ DISCUSSION:

The following is a preliminary summary of concerns/issues raised to date. Other matters as identified through the detailed review of these applications will be discussed in a future recommendation report. Some of the issues identified include but are not limited to:

1. Recent applications for high density developments in the Mount Joy Corridor have not been advancing beyond the statutory Public Meeting until the draft vision for the Secondary Plan has been accepted by Council. This is important because the Mount Joy Corridor has and continues to experience growth through primarily medium and high density developments. The Secondary Plan allows the City to comprehensively plan for growth in the area and to ensure that the transportation and municipal services infrastructure, community services including parks, community and recreational facilities and schools etc., needed to serve the population (both residential and employment) are provided.
2. Review of the appropriateness of the proposed zoning by-law amendment

- including compatibility with existing and planned land uses, the appropriateness of the proposed density and development in the context of the Secondary Plan, and appropriateness of the proposed parking reduction is on-going.
3. The downstream sanitary system has capacity constraints to service the subject site and other proposed development sites along the Mount Joy Corridor. These servicing constraints will be examined and addressed as part of the Secondary Plan exercise.
 4. Appropriate Section 37 contributions, including public art contributions, remain to be finalized for implementation through the amending zoning by-law.
 5. The proposed development is required to achieve minimum LEED Silver.
 6. Review of the site plan layout, building elevations and building materials, interface with surrounding development, landscaping, application of bird-friendly guidelines, amenity space and parking configuration, treatment of the existing servicing easement along the Markham Road frontage, and determination of the appropriate amount of parkland dedication among other things is on-going.
 7. Comments from external agencies including Metrolinx must be addressed.
 8. A Holding (H) provision may be required subject to confirmation that the downstream sanitary system along the Mount Joy Corridor has available capacity to service the proposed development.
 9. Analysis of the proposed parking reduction from 367 parking spaces to 285 is being undertaken and review of the parking justification study submitted by the applicant.
 10. Demonstration of conformity of the proposed development with the provincial and regional planning policy context.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The applications are being considered within the context of the City's safe and sustainable community strategic priority.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various departments and external agencies and are currently under review. All conditions and requirements received will be reviewed

and if appropriate, will be incorporated into the proposed amendment and site plan conditions.

RECOMMENDED BY:

Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager

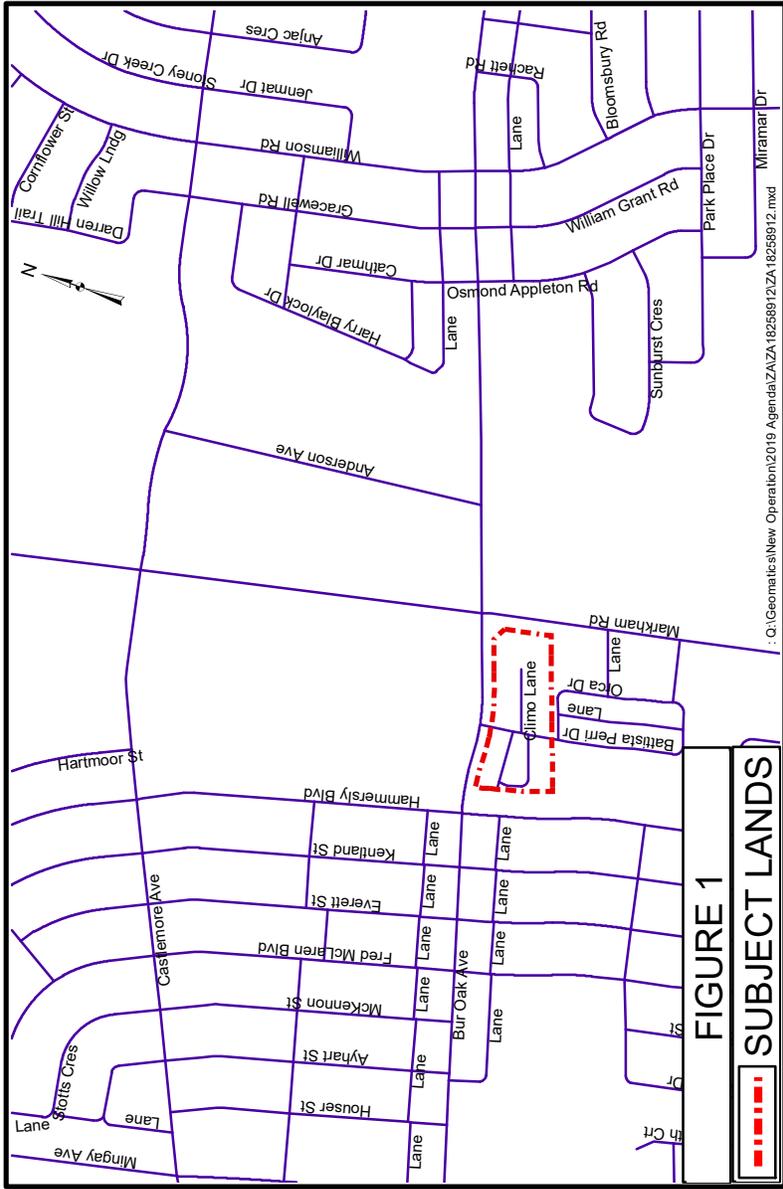
Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

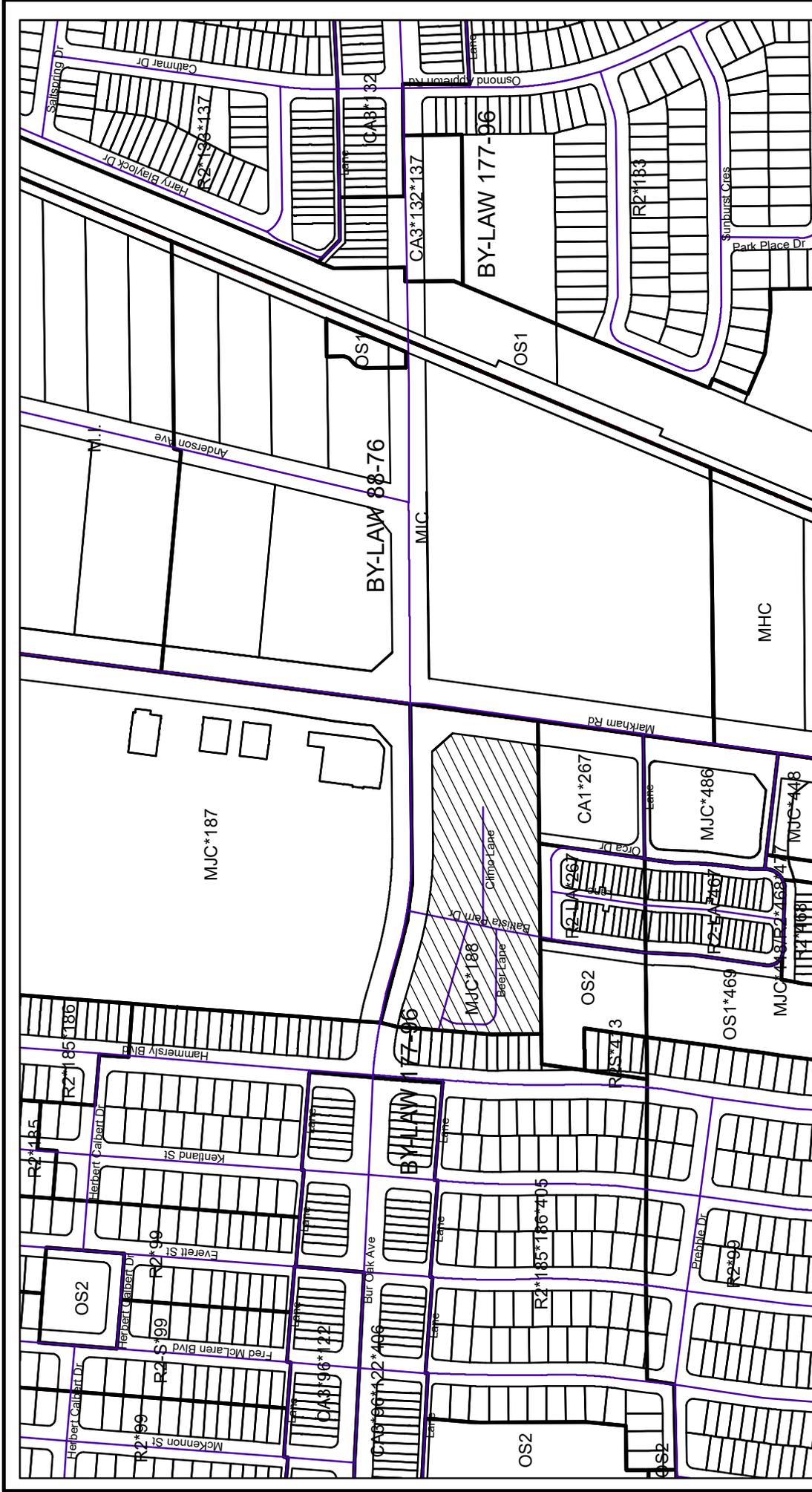
ATTACHMENTS:

- Figure 1: Location Map
- Figure 2: Area Context/ Zoning
- Figure 3: Air Photo
- Figure 4: Proposed Site Plan
- Figure 5: Proposed Renderings

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AREA CONTEXT/ZONING

APPLICANT: BUR OAK (ARH) DEVELOPMENTS INC.
1709 BUR OAK AVENUE

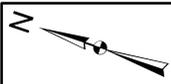
▨ SUBJECT LANDS

FILE No: ZA18258912(SM)

DATE:03/21/19



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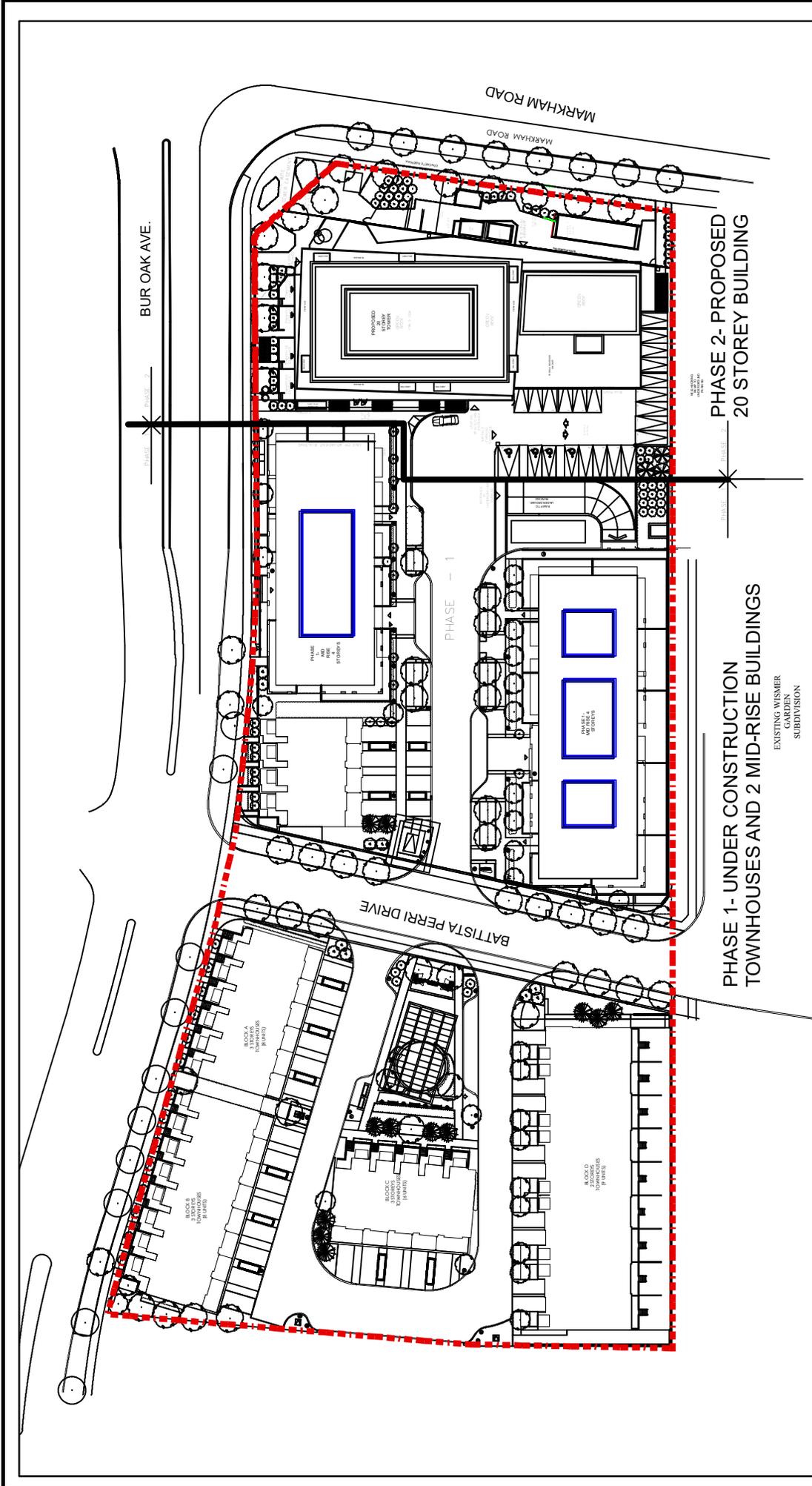
AIR PHOTO 2018

APPLICANT: BUR OAK (ARH) DEVELOPMENTS INC.
 1709 BUR OAK AVENUE

FILE No: ZA18258912(SM)

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SITE PLAN

APPLICANT: BUR OAK (ARH) DEVELOPMENTS INC.
1709 BUR OAK AVENUE

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FIGURE No. 4



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CONCEPTUAL RENDERING

APPLICANT: BUR OAK (ARH) DEVELOPMENTS INC.
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