

SUBJECT:**RECOMMENDATION REPORT**

Monarch Berczy Glen Development Ltd.

Applications for Draft Plan of Subdivision 19TM-18005 and Zoning By-law Amendment to permit 159 detached units, 44 lane based townhouses, 84 back-to-back townhouses, 28 street townhouses, 2 residential part lots and one heritage dwelling at 3319 Elgin Mills Road East (Ward 2)

File No. SU/ZA 18 181743 (001)

Mattamy Walmark Development Ltd., Mattamy (Monarch) Ltd., E.M.K. Construction Ltd. and Treelawn Construction Ltd.

Applications for Draft Plan of Subdivision 19TM-18004 and Zoning By-law Amendment to permit 257 detached units, 264 lane based townhouses, 110 back-to-back townhouses, 97 street townhouses and 16 residential part lots at 10521 Woodbine Avenue (Ward 2)

File No. SU/ZA 18 181743 (002)

PREPARED BY:

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Senior Planner, North District

RECOMMENDATION:

- 1) That the report titled “RECOMMENDATION REPORT, Monarch Berczy Glen Development Group Ltd., Applications for Draft Plan of Subdivision 19TM-18005 and Zoning By-law Amendment to permit 159 detached units, 44 lane based townhouses, 84 back-to-back townhouses, 28 street townhouses, two residential part lots and one heritage dwelling at 3319 Elgin Mills Road East (Ward 2) and Mattamy Walmark Development Ltd., Mattamy (Monarch) Ltd., E.M.K. Construction Ltd. and Treelawn Construction Ltd., Applications for Draft Plan of Subdivision 19TM-18004 and Zoning By-law Amendment to permit 257 detached units, 264 lane based townhouses, 110 back-to-back townhouses, 97 street townhouses and 16 residential part lots at 10521 Woodbine Avenue (Ward 2)”, be received.
- 2) THAT the record of the Public Meeting held on June 18, 2018, regarding the Applications for a Draft Plan of Subdivisions, and Zoning By-law Amendment by Monarch Berczy Glen Development Group Ltd. (19TM-18004) and Mattamy Walmark Development Limited, Mattamy (Monarch) Ltd., E.M.K. Construction Ltd. and Treelawn Construction Ltd. (19TM-18005), at 3319 Elgin Mills and 10521 Woodbine Avenue, be received;
- 3) That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be

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- permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council;
- 4) That staff be authorized to finalize the content of the zoning by-law amendment with the applicants, in consultation with applicable public agencies and in accordance with this report;
 - 5) That the draft Zoning By-law Amendment attached as Appendix 'A' submitted by Monarch Berczy Glen Development Ltd. and Mattamy Walmark Development Limited, Mattamy (Monarch) Ltd., E.M.K. Construction Ltd. and Treelawn Construction Ltd., to amend Zoning By-law 177-96, as amended be brought forward to a future Council meeting and enacted without further notice once the by-law has been finalized;
 - 6) That Draft Plans of Subdivision 19TM-18004 and 19TM-18005 submitted by Monarch Berczy Glen Development Ltd. and Mattamy Walmark Development Limited, Mattamy (Monarch) Ltd., E.M.K. Construction Ltd. and Treelawn Construction Ltd., be approved subject to the conditions outlined in Appendix 'B' and Appendix 'C';
 - 7) That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft approval, subject to the conditions set out in Appendix 'B' and Appendix 'C' and as may be amended by the Director of Planning and Urban Design;
 - 8) That the draft plan approval for Draft Plan of Subdivisions 19TM-18004 and 19TM-18005 will lapse after a period of three (3) years from the date of Council approval in the event that a subdivision agreement is not executed within that period;
 - 9) That Council assign servicing allocation for up to 1053 dwelling units for Draft Plan of Subdivisions 19TM-18004 and 19TM-18005; and
 - 10) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

This report recommends approval of applications submitted by Monarch Berczy Glen Development Group Ltd. ('Mattamy – Roman') and Mattamy Walmark Development Ltd., Mattamy (Monarch) Ltd., E.M.K. Construction Ltd. and Treelawn Construction Ltd. ('Mattamy – Rinas') for draft plans of subdivisions (19TM-18004 and 19TM-18005) and an implementing zoning by-law amendment. The two draft plans are adjacent to each other and are located east of the Ontario Hydro corridor south of Elgin Mills Road East (Figures 1 – 3) and are part of the Berczy Glen Secondary Plan area.

Approval of the Mattamy – Roman applications will permit a residential development comprised of 159 detached units, 44 lane based townhouses, 84 back-to-back townhouses, 28 street townhouses, two residential part lots and one heritage dwelling that will be preserved in situ, park blocks and two stormwater management ponds at 3319 Elgin Mills

Road East. Approval of the Mattamy – Rinas applications will permit 257 detached units, 264 lane based townhouses, 110 back-to-back townhouses, 97 street townhouses, 16 residential part lots, park blocks and a secondary school part block at 10521 Woodbine Avenue.

The first phase of each of the two draft plans (See Figure 6) are proposed to incorporate geothermal heating and cooling systems that will provide several benefits such as greater energy efficiency, increased energy savings to consumers, reduced maintenance costs and reduced greenhouse gas emissions. The owners have indicated that upon completion of the pilot, the model may be applied to future phases of the development.

Staff are satisfied with the lot pattern, and are of the opinion that the Draft Plan of Subdivision and implementing Zoning By-law amendment are consistent with City policy, Regional and Provincial Policy and therefore recommend approval of the applications.

PURPOSE:

The purpose of this report is to provide an overview, evaluation and recommendation of the applications for Draft Plan of Subdivision and Zoning By-law Amendment (the “Applications”) submitted by Monarch Berczy Glen Development Ltd. (“Mattamy-Roman”) and Mattamy Walmark Development Ltd., Mattamy (Monarch) Ltd., E.M.K. Construction Ltd. and Treelawn Construction Ltd. (“Mattamy-Rinas” lands), collectively referred as the “Owners.”

PROCESS TO DATE:

- May 4, 2018 - applications deemed complete
- May 28, 2018 - Preliminary Report to Development Services Committee
- June 19, 2018 - Statutory Public Meeting

BACKGROUND:**The properties are located in Markham’s North District and within the Future Urban Area**

Markham’s North District (the Future Urban Area/FUA), shown in Figure 8, consists of 1,300 ha of land of which 975 ha are developable. The District comprises of four secondary plan blocks (Berczy Glen, Angus Glen, Robinson Glen and the Employment Block/Victoria Glen), all separated by regional roads. The lands subject to these applications (collectively referred to as the “subject lands”) are located within the Berczy Glen block and consists of two properties with a combined area of approximately 70 ha.

The Mattamy-Roman Lands

The Mattamy-Roman lands consists of approximately 26 ha and is located on the south side of Elgin Mills Road, east of the Ontario Hydro Corridor and is bisected by the Greenway. The existing surrounding lands uses include:

- To the immediate west is a north/south Hydro corridor and further west is the Victoria Square community and the Cathedral East community.

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- To the north, across Elgin Mills Road, is the Future Employment/Victoria Glen Secondary Plan Areas that are part of the Future Urban Area (FUA). Currently the block comprises rural residential and agricultural uses, but the Conceptual Master Plan (CMP) for the FUA identifies the majority of the lands for employment uses with a small area of low density residential (Victoria Glen). Development of these lands is subject to approval of a Secondary Plan and additional planning approvals. The applicants for Victoria Glen have submitted a Secondary Plan application that is currently being processed.
 - To the east, are lands zoned agriculture and open space and lands designated future residential lands in the Berczy Glen Block.
 - To the south are lands currently zoned agriculture and open space. This includes lands designated future residential lands owned by Mattamy-Rinas that are the subject of the other zoning by-law amendment and draft plan of subdivision applications addressed in this report.

The Mattamy-Rinas Lands

The Mattamy-Rinas lands consist of approximately 44 ha situated adjacent to the south boundary of the Mattamy-Roman lands. As in the Mattamy-Roman lands, the Greenway bisects the lands. The existing surrounding lands uses include:

- To the immediate west is a north/south Hydro corridor and further west is the Cathedral East community
- To the north are lands designated for future residential development owned by Mattamy-Roman.
- To the east, are lands zoned agriculture and open space and lands designated future residential lands in the Berczy Glen Block.
- To the south are lands zoned agriculture and open space to be developed for low density in the Berczy Glen Secondary Plan block.

This report considers the Owners' proposals for two draft plans of subdivision and associated zoning by-law amendment

The proposed development of the Mattamy – Roman and the Mattamy - Rinas lands consists of proposed low-rise residential units of varying built forms, parks, school block, municipal infrastructure, roads and open spaces (collectively referred to as “the development”), as summarized below in Table 1 (Mattamy-Roman) and Table 2 (Mattamy-Rinas):

TABLE 1: Summary of Draft Plans of Subdivision	
Mattamy - Roman Lands	
Land Use	Hectares (Acres)
Single detached residential (159 units)	5.09 (12.5)
Rear lane townhouses (44 units)	0.61 (1.5)
Back-to-back townhouses (84 units)	0.94 (2.3)
Street townhouses (28 units)	0.67 (1.6)
Heritage dwelling (one unit)	0.11 (0.27)
Residential reserve (one unit)	0.06 (0.14)
Park	1.18 (2.9)
Open Space	0.03 (0.074)
Walkway	0.03 (0.074)
Greenway System	8.70 (21.49)
Stormwater Management Facilities	2.60 (6.4)
Road widening	0.45 (1.11)
0.3 metre reserves	0.02 (0.04)
Collector/Local Roads/Laneways	5.61 (13.8)
Gross Area	26.1 (64.4)
Net Area	7.48
Total Residential Units	317
Density	42.37 uph

TABLE 2: Summary of Draft Plans of Subdivision	
Mattamy – Rinas Lands	
Land Use	Hectares (Acres)
Single detached residential (257 units)	8.29 (20.48)
Rear lane townhouses (264 units)	3.25 (8.03)
Back-to-back townhouses (110)	1.24 (3.06)
Street Townhouses (97)	2.26 (5.58)
Residential reserve (8 units)	0.81 (2.00)
Community Park	1.04 (2.56)
Parkette (2)	0.56 (1.38)
Open Space (3)	0.08 (0.19)
Six-metre walkway (3)	0.04 (0.09)

TABLE 1: Summary of Draft Plans of Subdivision	
Mattamy - Roman Lands	
Land Use	Hectares (Acres)
Greenway System (2)	11.57 (28.58)
Secondary School (1)	2.46 (6.07)
0.3 metre reserves (19)	0
Collector/Local Roads/Laneways	12.76 (31.52)
Gross Area	44.42 (109.71)
Total Residential Units	736
Density Low Rise – Minimum density – 25 units per net hectare/Maximum density – 45 units per net hectare	41.8 upnh
Density Mid Rise 1 – Minimum density – 40 upnh/Maximum density 70 upnh	61.1 upnh

The Owners propose Geo-exchange technology in the Phase 1 development

The Owners seek to advance the City's and their sustainability agendas with a community scale geothermal project to demonstrate how low carbon homes and new district energy systems can be competitive. The Owners collaborated with Enwave (a subsidiary of Brookfield Infrastructure) to design, build and operate a geothermal heating and cooling district system that can achieve all of the heating and cooling requirements that natural gas furnaces and electric air conditioners currently provide.

The development will support a district energy system for Phase 1 of both draft plans (the lands on the west side of the Greenway System, see Figure 6) to service 331 units as a pilot neighbourhood project. The system utilizes a combination of deep wells and horizontal pipes to exchange thermal energy with the ground and the district system. A common ambient pipe buried underneath the community and connected to each home, similar to all other services (e.g. water, gas, electricity, etc.), would deliver heating and cooling at the neighbourhood level. Geo-exchange works on the same principles as a refrigerator or air conditioner. Tubes filled with a water-based liquid absorb heat from beneath the ground to help heat the homes in the winter and absorb heat from the homes and inject it back into the ground to cool the homes in the summer. Enwave will maintain and operate the system.

The City intends to enter into a Municipal Access Agreement or License Agreement with Enwave for their use of the ROW and other City lands. To date, Enwave and Mattamy have collaborated with the City to minimize and mitigate any impacts to our infrastructure.

Mattamy and Enwave are large and respected businesses in their sectors and they intend to stand behind this system and are looking at this as a scalable opportunity for future developments

The community scale model has several benefits including, but not limited to the following:

- a) greater energy efficiency through optimization

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- b) increased energy savings to consumers
 - c) reduced maintenance costs
 - d) reduced greenhouse gas emissions.

Upon completion of the geothermal technology pilot, the model may be applied to future phases of the development.

A separate confidential report is being forwarded to General Committee on the geothermal-based community energy system

A separate confidential report co-authored by the Sustainability and Asset Management, Legal and Operations Departments is being prepared to provide an update to Council on the issues that were identified in a previous Council report dated September 12, 2018 on the geothermal-based community energy system pilot project.

PLANNING POLICY AND REGULATORY CONTEXT:

The development is subject to a planning policy framework established by the Province, York Region and the City of Markham under the *Planning Act*. The following section describes how the Proposal meets the respective policies and regulations.

The development is consistent with the Provincial Policy Statement, 2014 (the “PPS”)

The PPS provides direction on matters of Provincial interest including land use planning and development. The PPS provides the direction for the efficient use of land and development patterns, which support sustainability by promoting strong, livable, healthy and resilient communities, while protecting the environment and public health and encouraging safety and economic growth.

The subject lands are located within a defined settlement area and designated for development in both the York Region and City of Markham Official Plans. Consistent with the policies of the PPS, the development promotes density that efficiently uses, land and resources and supports alternative transportation modes, incorporates a range and mix of housing styles, protects a listed heritage dwelling and achieves efficiency by utilizing a master planned road and servicing network. Staff are satisfied that the Proposal is consistent with the PPS.

The development conforms to the Provincial Growth Plan for the Greater Golden Horseshoe, 2017 (the “Growth Plan”)

The Growth Plan provides a framework for implementing the Province’s vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wise use of natural resources and optimizing the use of existing and new infrastructure to support growth in a compact, efficient form.

The subject lands are located within a Designated Greenfield Area (DGA) of the Growth Plan, 2017. DGA lands are planned for development and are required to accommodate forecasted growth to the horizon of the Growth Plan. Staff are of the opinion that the Proposal conforms to the Growth Plan, 2017, as it is located within a DGA, promotes a

diverse mix of land uses, provides a range and mix of housing types, and supports the achievement of a compact community.

Staff are satisfied the proposed development conforms to the Growth Plan for the Greater Golden Horseshoe Area (2017)

The development conforms to the Greenbelt Plan

The Greenbelt Plan “identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions occurring on the landscape.” The Greenbelt Plan is applicable to lands in the Berczy Creek corridor that runs in a north/south direction bisecting the subject lands. These lands are designated “Protected Countryside” and “Natural Heritage System” in the Greenbelt Plan.

Development in the Natural Heritage System is limited. Proposed uses are limited to public infrastructure. The proposed draft plans include one stormwater management facility (and part of another one), geothermal infrastructure, a trail system and a collector road crossing. The applicant’s supporting studies, particularly the Subwatershed and the MESP, demonstrate that there are no impacts anticipated on the natural heritage or hydrologic features or functions.

The development has regard to Section 51(24) of the *Planning Act*

The *Planning Act* sets out the criteria to which a draft plan of subdivision must have regard. Consideration has been given to all criteria, including the suitability of the land for the purpose proposed, dimensions and shape of the proposed lots, conservation of natural resources and flood control, adequacy of school sites, highways and the extent to which the plan’s design optimizes the available supply, means of supplying, efficient use and conservation of energy.

The development conforms to the York Region Official Plan (“YROP”) 2010

The YROP includes policies to guide land use planning consistent with the requirements of the Growth Plan to encourage high quality urban design, attractive buildings, landscaping and public streetscapes. It designates the subject lands ‘Urban Area’ on Map 1 - Regional Structure, which permits a range of uses including those proposed in the development. The development achieves the density targets required by the YROP, promotes a diverse mix of land uses, protects the listed heritage structure and provides a range and mix of housing types.

The development conforms to the Markham Official Plan 2014 (“MOP 2014”), and the Berczy Glen Secondary Plan (BGSP)

The MOP 2014, as partially approved on November 24, 2017 and further updated on April 9, 2018, designates the subject lands “Future Neighbourhood Area” and “Greenway”. It provides direction for the development of a Conceptual Master Plan for the entire FUA lands as the basis for the development of Secondary Plans, specifically the Berczy Glen Secondary Plan (the “BGSP”) (Figure 8).

Council adopted the BGSP on November 27, 2018. Following the adoption, the Berczy Glen Landowners Group formally requested a modification to the BGSP, to be considered prior to York Region's approval of the plan. The requested modification was to provide for back-to-back townhouses in the "Residential Low Rise" designation, which the MOP 2014 permits only in the "Residential Mid Rise" designation and specifically excluded from the "Residential Low Rise" designation. Following a detailed review of this request, Development Services Committee recommended the modification, which York Region incorporated into their July 4, 2019, Regional Council report.

The BGSP designates the Mattamy-Roman lands "Residential Low Rise" and "Greenway" and designates the Mattamy-Rinas lands "Residential Low Rise", "Residential Mid Rise 1" and "Greenway." The BGSP contains minimum density targets, minimum building heights and specific development criteria associated with each land use. The BGSP has a minimum density for the Low Rise designation of 25 units per net hectare and a maximum density of 45 units per net hectare. The Mid Rise 1 designation has a minimum density of 40 units per net hectare and a maximum density of 70 units per net hectare. The density for the Mattamy-Roman subdivision is 42.37 units per net hectare and the Mattamy-Rinas subdivision has a density of 41.8 units per net hectare for the Low Rise designation and 61.1 units per net hectare for the Mid Rise 1 designation. The Mattamy-Roman and Mattamy-Rinas draft plans comply with the minimum and maximum densities.

The Owners propose back-to-back townhouses

Both draft plans include back-to-back townhouses, a form permitted by the Secondary Plan in the Residential Low Rise designation. The Mattamy-Roman plan has 86 back-to-back townhouse units and the Mattamy Rinas plan has 112 back-to-back townhouse units (See Figure 6).

Back-to-back townhouses have direct access to grade and are similar to traditional townhouses with the garage along the front. The units in a back-to-back townhouse model share walls on the side and the back. Back-to-back townhouses do not have a rear yard amenity space. The amenity space is usually a rooftop terrace or balcony facing the street. As with standard street townhouses with garages facing the street, the lot widths should be large enough to ensure the accommodation of on-street parking, street trees, and private amenity space. The pairing of garages and driveways will be required to maximize available planting area and street parking along the frontage.

The Owners propose to zone the subject lands to reflect the BGSP

The Mattamy-Roman lands and the Mattamy-Rinas lands are zoned Agriculture One Zone (A1) and Open Space One (O1) by By-law 304-87, as amended (See Figure 2). To facilitate implementation of the draft plans of subdivision, the zoning by-law amendment application proposes to re-zone the two properties from the Agricultural zoning in By-law 304-87 to appropriate zone categories under By-law 177-96, as amended, including any special provisions to reflect the BGSP (see Appendix 'A').

DISCUSSION:**Hydro One – Hydro Corridor**

The Mattamy-Rinas draft plan is proposing a local road connection/extension through the Hydro Corridor to the Cathedral East community via Rinas Avenue. The applicants are working with Hydro One to transfer the lands for the right-of-way (ROW) directly from Ontario Infrastructure and Lands Corporation to the City of Markham. The Engineering Department has incorporated a draft condition that requires the sale of the lands from Hydro to the owner followed by the transfer to the City for the ROW for the Rinas Avenue extension prior to final approval of the first phase of the plan of subdivision.

Fire Department requires two means of access for Phase One

The Owner intends to develop the lots west of the Greenway in both of the Mattamy-Roman and Mattamy-Rinas draft plans as Phase One (see Figure 6). The Fire Department requires the construction of the Rinas Avenue extension from the Cathedral East community and the access from Street A to Elgin Mills in order to provide two means of access, independent of one another into the development prior to any occupancy.

A secondary access or provisions for sprinkler systems is required for all units on Street 'H' due to the length of Street 'H'. In addition, the Owners are required to provide a secondary vehicular access for the Mattamy-Roman lands, in order for the lands on the east side of the Greenway to be developed. The draft plan conditions include require that the plans are revised to comply with these requirements.

Parkland Obligations

The Berczy Glen Community Design Plan, together with the Secondary Plan, identify the locations and sizes of parks in the Berczy Glen community. Planning for parks and open spaces within the Berczy Glen community was done during the Secondary Plan process to ensure an integrated and comprehensive approach that considers linkages and connectivity, facility requirements, and interface conditions. The interconnected system of parks and open spaces was designed to provide a range of passive and active recreation opportunities within walking distance of all neighbourhoods.

The parks proposed for the Berczy Glen Secondary Plan area consist of one Community Park, three Neighbourhood Parks, and ten Parkettes/Urban Parkettes. The Berczy Glen Community Design Plan and Secondary Plan identify the requirement for three parkettes on the Mattamy-Roman property and one parkette and a portion of the six hectare Community Park to be provided on the Mattamy-Rinas property.

In accordance with the City's Parkland Dedication By-law 195-90 and the Planning Act, R.S.O. 1990, c.P.13, as amended, the parkland requirement for the Mattamy – Roman proposal is 1.070 ha and for the Mattamy – Rinas proposal is 2.490 ha. The parkland calculations for these two proposals is based on the greater of 1 hectare per 300 units or 5% of land area capped at 1.2141ha/1000 pop.

The Mattamy-Roman proposal includes three parkettes dispersed throughout the plan, totalling 1.18 ha. (see Figure 4). This proposal meets the parkland requirement of 1.070 ha and the intent of the Community Design Plan and Secondary Plan.

The Mattamy-Rinas proposal includes one parkette and a Community Park part block, totalling 1.6 ha. (see Figure 5). Based on the number of units proposed, the property has a parkland deficiency of 0.79 ha. Additionally, the proposal shows that the Community Park, which traverses three different properties, will be 5.61 ha in size; however, the Secondary Plan requires a minimum 6 ha Community Park, resulting in a deficiency of 0.39 ha.

It is Staff's opinion that a Master Parks Agreement be required to ensure parkland dedication in the Berczy Glen community meets the intent of the Community Design Plan and Secondary Plan, and the requirement of the City's Parkland Dedication By-law. Staff have incorporated a draft condition reserving the right to require any one of (or combination of) either a Master Parks Agreement or revise the plan providing additional land dedication, prior to release of the Phase One lands for registration.

The Owners will convey the Greenway blocks (Figure 4 and 5) to the City as part of the publically owned natural heritage buffer that would connect to the surrounding lands for the construction of walkways and trails. The conveyance of these lands are not eligible as parkland dedication credits.

Protection and Enhancement of the Greenway System

The applicants have submitted an Environmental Impact Study (EIS) to provide recommendations on the protection and enhancement of the Greenway System. The EIS identified potential environmental impacts around residential backlotting, removal of non-native vegetation and placement of underground geothermal infrastructure. Staff have reviewed the EIS and are satisfied that these impacts either are temporary construction-related impacts or can be mitigated through appropriate ecological restoration and tree planting. Based on discussions with City and TRCA staff, the applicant proposes to implement a comprehensive replanting and restoration program as a condition of approval. Staff will be working with the applicant on the details of the restoration program to achieve an overall net environmental benefit to the Greenway System. The Greenway System lands will be conveyed into public ownership for their long-term protection and stewardship.

Integration and treatment of cultural heritage resources

A Heritage Impact Assessment has been submitted with the Mattamy-Roman draft plan and concluded that the Thomas Frisby Jr. House (c. 1915) is of cultural heritage value or interest. The dwelling is located on the south side of Elgin Mills Road East, just east of the Hydro Corridor. It is listed on the Markham Register of Property of Cultural Heritage Value or Interest and is included as a cultural heritage resource in the Berczy Glen Secondary Plan.

The heritage dwelling is proposed to remain on its original site and is shown on a large corner lot adjacent to the park block. The applicant has submitted Architectural Design Guidelines that addresses the heritage building. Heritage Markham supports the retention of the Thomas Frisby Jr. House on its original site. Heritage staff requested that the

standard heritage conditions of draft approval be included. The Owner has addressed the preservation of the heritage dwelling in a well-considered manner that is consistent with the heritage policies of the 2014 Official Plan. The location of the park block to the west of the heritage dwelling lot will provide excellent spatial context and will enable the preservation of some of the mature trees that surround the former farmhouse. Heritage Markham supported the Mattamy-Roman draft plan of subdivision, which included the retention of the Thomas Frisby Jr. House on its original site.

Community Energy Plan (CEP)

A CEP for Berczy Glen Secondary Plan is finalized, but is a living document and will be updated as needed over time. The CEP for the Secondary Plan will identify and advance sustainable development practices as they relate to energy use and generation within the Berczy Glen Secondary Plan area. Recommendations of the CEP will be reflected in planning policies, community design elements and practices within the future Berczy Glen community and will be implemented through the development review process.

Sustainability Checklist

The Mattamy-Roman and Mattamy-Rinas draft plans will feature efficient and resilient development to support a healthy, livable and safe community in accordance with directions of the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe and the applicable sustainable development policies of the York Region Official Plan (2012, as amended) and Markham's 2014 Official Plan. A Sustainable Development Checklist has been prepared by the applicants to outline how the proposed development addresses the policy framework in respect to the City's sustainability and resiliency objectives. The checklist addresses community design, built form, natural heritage and open space systems, diversity of uses and housing options, access to services and amenities, active transportation and access/use of planned public transit, and community awareness and innovation. Among other sustainable development features, portions of the draft plans will accommodate a number of innovative features, such as, but not limited to:

- a community scale thermal energy system fed by geothermal energy;
- high energy efficiency building design; and
- potential for solar power generation by provision of building design features to facilitate generation and use of solar energy.

Community Design Plan

The Community Design Plan (CDP) was submitted as part of the Official Plan Amendment application for the Berczy Glen Secondary Plan. The draft plans of subdivision are required to comply with the provisions of the CDP. The Berczy Glen CDP sets out to achieve a coordinated approach to urban design throughout the community. The CDP recognizes the existing Greenway system as an essential structural component of the new community. It ensures adequate preservation, restoration, enhancement and integration of the greenway system within residential neighbourhoods, parks and open space system. It also preserves public views and access to the greenway, where appropriate, through design elements. The CDP provides design guidance that will support building walkable, bicycle-friendly, connected, transit supportive, vibrant and sustainable neighbourhoods in Berczy Glen. Among other things, the guidelines provides direction related to streetscape, parks

and open space, cultural heritage, building typology and mix, lotting pattern, sustainability features, gateways, and special community and landmark features. Staff have evaluated the proposal in the context of the guidelines and are of the opinion that the proposal aligns with the guidelines in the CDP.

As a condition of draft approval, the CDP requires the Owner to retain a design consultant to prepare architectural control guidelines to the satisfaction of the City prior to execution of the subdivision agreement. The architectural control guidelines will be prepared for all residential subdivisions, including all new ground-related residential low and mid-rise developments. These guidelines are based on the City's Generic Architectural Control Guidelines (2001) that provides design guidance on matters related to site planning principles for priority locations, community streetscapes, including building types, variety and setbacks, design guidelines for various building types and architectural features, and design guidelines for garages and driveways. Architectural control guidelines will ensure that the elevations of the proposed townhouses and single detached dwellings are designed in a manner that incorporates the requirements and criteria of the guidelines. This ensures that the physical elements of the dwellings visible from the public realm contribute to the development of a sense of place and address components such as the location of main entrances and porches, roof slopes, corner lot architecture and materials. Building permit applications will only be accepted and processed when drawings are stamped and signed by the Design Control Architect to ensure that the dwellings have been designed in accordance with the approved Architectural Control Guidelines.

Master Environmental Servicing Plan (MESP) for the Berczy Glen Secondary Plan

The Master Environmental Servicing Plan (MESP) has been prepared in support of the Berczy Glen Secondary Plan application. The MESP assesses a range of environmental and engineering matters associated with the development of lands in the BGSP area. It outlines existing conditions relating to surface water, groundwater, terrestrial and aquatic resources. It defines the Berczy Glen Greenway System, assesses and recommends stormwater management (SWM), site grading, transportation, water and wastewater servicing requirements. The MESP also identifies potential impacts and mitigation measures, including conceptual design requirements for SWM ponds, Low Impact Development (LID) measures, site grading, management of headwater drainage features (HDFs), wetland water balance, Berczy Creek road crossing designs and restoration/enhancement recommendations.

The first submission of the Berczy Glen MESP was dated October 2017. Since then, two comment response documents, dated March 2019 and September 2019, have been submitted to the City to address some of the City's comments. The September 2019 comment response document is currently being reviewed by City departments. The Engineering Department has incorporated a draft condition requiring that the Berczy Glen MESP be accepted by the City to the satisfaction of the Commissioner of Development Services prior to final approval of the Mattamy-Roman and Mattamy-Rinas draft plans of subdivision.

Future Urban Area Collector Road Network Class Environmental Assessment (EA)

The City of Markham undertook the Future Urban Area Conceptual Master Plan (2017) Volume 2 – Transportation, Water and Wastewater Master Plan in accordance with the Municipal Class Environmental Assessments process, satisfying Class EA Phase 1 (Identify the Problem/Opportunity) and Class EA Phase 2 (Identify Alternative Solutions and Establish Preferred Solution) which included the Elgin Mills Road corridor.

The participating FUA landowners are now undertaking the remaining Class EA Phase 3 (Examine Alternative Methods of Implementing the Preferred Solution) and Class EA Phase 4 (Prepare an Environmental Study Report) on an individual block by block basis.

The Mattamy-Roman property has two collector roads and the Mattamy-Rinas property has three collector roads proposed. The alignment of the collector roads will be confirmed through Phases 3 and 4 of the ongoing FUA Collector Roads Class EA (Berczy Glen block).

Environmental Assessment only for Elgin Mills Road corridor

With the anticipated development in the Future Urban Area, it is expected that a number of regional and municipal roads and intersections are required to be built or widened in order to accommodate the projected population growth. The following are the arterial/collector roads identified for improvements as part of the FUA, and the current road jurisdiction.

- Elgin Mills Road – Victoria Square Boulevard to approximately 1000m east of Kennedy Road (currently City of Markham, future York Region)
- Warden Avenue – Major Mackenzie Drive East to 19th Avenue (York Region)
- Kennedy Road – Major Mackenzie Drive East to Elgin Mills Road East (York Region)
- 19th Avenue – east of Woodbine Avenue to Warden Avenue (City of Markham)

With the City having completed Phase 1 and 2 of the Municipal Class Environmental Assessment, the City is now carrying out the remaining Class EA Phase 3 (Identify Alternative Design Concepts for the Preferred solution) and Class EA Phase 4 (Prepare an Environmental Study Report) for Elgin Mills Road.

Public Consultation

A Public Meeting was held on June 19, 2018. Matters with respect to the original draft plans of subdivision were identified through written correspondence and questions that arose at the public meeting. Issues raised included infiltration into existing neighbourhoods, traffic, loss of greenspace, construction traffic and noise, well water being impacted and secondary suites/seniors housing (See Table 3).

TABLE 3: Comments Received	
Issue/Concern	Response
Extension of Stony Hill Blvd into the Berczy Glen Secondary Plan area will	The Berczy Glen Secondary Plan area is part of the FUA. Planning for the FUA

TABLE 3: Comments Received	
Issue/Concern	Response
increase traffic congestion and road safety in the adjacent neighbourhood.	included the development of a Conceptual Master Plan (CMP) that lays out the planning framework for the area. Development of the CMP included public and stakeholder consultations and analysis of land uses, municipal servicing infrastructure including transportation networks. In addition to that analysis, the City's Official Plan policy is to have two collector roads each in the north south and east west directions to provide sufficient capacity for traffic demand to move in and out of the new development areas. The transportation analysis implements this policy. Both Stoney Hill Blvd. and Vine Cliff Blvd. are proposed to be extended into the Berczy Glen Secondary Plan area. It was always the intent that Stoney Hill Blvd and Vine Cliff Blvd (both collectors) would be extended. This expands the collector road network in the most efficient way and improves options for transit services, walking and cycling opportunities. Rinas Avenue is also proposed to be extended into the area, but is a local road.
Traffic congestion on Elgin Mills Road which is only two lanes.	As a condition of draft approval the applicant is required to provide a phasing plan that will indicate what infrastructure (roads) will be improved/widened. Draft conditions have been included to ensure that the development will be phased to coincide with the infrastructure improvements (widening of regional roads).
Loss of greenspace.	It is the intent of the 2014 Official Plan that the lands within the FUA be designated for development (Future Neighbourhood Areas and Future Employment Areas). However, the Greenway System within the Berczy Glen Secondary Plan Area will be protected in order to maintain and enhance, as a permanent landscape, an interconnected system of natural open space.

TABLE 3: Comments Received	
Issue/Concern	Response
Construction traffic.	The Engineering Department will designate the construction accesses in the subdivision agreement to help alleviate construction vehicles impacting existing neighbourhoods.
Concern of well water being impacted.	The Engineering Department is including a draft condition that the Owner shall prepare a Well Monitoring Program and Mitigation Plan for any active wells found within 500 metres of the Zone of Influence (ZOI) prior to any site alteration activities. This will ensure that wells within the ZOI will not be impacted by the Mattamy developments.
Inquiry regarding a road in the Hydro Corridor	A local road connection/extension through the Hydro Corridor to the Cathedral East community via Rinas Aveune is proposed. The applicants are working with Hydro One to transfer the lands for the right-of-way (ROW) directly from Ontario Infrastructure and Lands Corporation to the City of Markham. The transfer of the lands for the road is a condition of draft approval.
Secondary suites	Mattamy has developed a list of options that they will be offering to all their purchasers at the time of sale that address any needs regarding aging in place and accessibility.
Concern that new homes will pave the entire front yard.	Driveway By-law does not allow homeowners to pave the entire front yard for parking.

Seniors Housing and Purpose Built Secondary Suites

The Planning Act, as amended by The Strong Communities Through Affordable Housing Act (Bill 140), requires municipalities to pass zoning by-laws permitting Secondary Suites in detached, semi-detached and townhouses, as well as in ancillary structures. The effect of these legislative changes is to identify affordable housing as a matter of provincial interest with Secondary Suites playing a key role in the provision of affordable housing.

Mattamy has developed a list of options that they will be offering to all their purchasers at the time of sale that address any needs regarding aging in place and accessibility. They will be offering ramps to purchasers (where applicable and suitable with site specific constraints). In addition, purchasers can customize the house to meet their needs. Available floor plans including bedrooms on the main living floor or ground floor of the house which is offered on both versions of their proposed rear-lane townhome models, as well as the 38 foot single detached dwelling.

The 38 foot model will have an option for a raised basement with larger windows. The basements will have accessible mechanical, plumbing and electrical for future secondary suites. Mattamy will also be providing options for a secondary access, providing for a secondary suite that is a self-contained accessory dwelling unit. Secondary suites would provide for affordable rental/home ownership and housing for seniors.

Servicing Allocation

The City confirms availability of sufficient servicing allocation available from Council's current allocation reserve to accommodate the development. The City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner.

The Owners continue to collaborate with the Engineering and Water Works Department to finalize the servicing configuration for the subject lands. Final approval of the servicing configuration remains an aspect of the technical submission to the Engineering Department following draft approval, including final acceptance of the Functional Servicing Report. The Engineering Department has provided relevant draft conditions in Appendix 'B' and 'C'.

Berczy Glen Developers Group (the "Developers Group") Obligations

The BGSP seamlessly integrates the locations of public infrastructure (roads, stormwater management facilities) and the provisions of other community facilities (parks, roads, road improvements, servicing) in the plan, regardless of property boundaries. To ensure all affected property owners contribute equitably towards the public infrastructure and provisions of other community facilities, a draft plan condition requiring all Owners in the BGSP to enter into the Berczy Glen Developers Group Agreement has been incorporated into the conditions. With servicing allocation availability confirmed, the Developers Group also tracks servicing allocation among group members.

Section 37 Contributions for Public Art

As part of the zoning by-law amendments approval to intensify the subject lands with residential development the Owners will be asked to provide financial contributions towards public art, pursuant to Section 37 of the *Planning Act*. This requirement is included in the draft zoning by-law amendment, attached as Appendix 'A'.

CONCLUSION:

Staff have reviewed the proposals and determined that the development is consistent with the policies of the PPS, conforms to the Growth Plan and the YROP, and implements the BGSP. Staff are satisfied that the development represents good planning for the reasons identified in this report, and support the approval of the draft conditions included in Appendix 'B', 'C' and the recommendations of this report.

Staff are finalizing the content of the zoning by-law amendment with the applicant, in consultation with applicable public agencies/City departments and in accordance with this report. Staff therefore recommend that the zoning by-law be brought forward to a future Council meeting once the by-law has been finalized.

FINANCIAL CONSIDERATIONS:

Not Applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed applications have been reviewed in the context of the City's Strategic Priorities of Safe Sustainable and Complete Community.

BUSINESS UNITS CONSULTED AND AFFECTED:

These applications have been circulated to various departments and external agencies and their comments have been addressed. Where necessary the requirements of the City and external agencies have been incorporated into draft plan conditions.

Biju Karumanchery, M.C.I.P., R.P.P.
Director of Planning and
Urban Design Services

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

ATTACHMENTS:

Figure 1 – Location Map

Figure 2 – Area Context/Zoning

Figure 3 – Air Photo

Figure 4 – Proposed Draft Plan of Subdivision – Mattamy-Roman

Figure 5 – Proposed Draft Plan of Subdivision – Mattamy-Rinas

Figure 6 – Proposed Composite Lotting Plan/Phasing Plan

Figure 7 – 2014 Official Plan Map 3 Extract – Land Use Plan

Figure 8 – Berczy Glen Secondary Plan Extract – Detailed Land Use

Appendix 'A' – Zoning By-law Amendment

Appendix 'B' – Draft Plan of Subdivision Conditions – Mattamy-Roman

Appendix 'C' – Draft Plan of Subdivision Conditions – Mattamy-Rinas

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