

Berczy Elgin (ZA/SU 18 235522) and Berczy Warden (ZA/SU 18 235516) April 21 Development Services Committee (DSC) Comments Response Matrix

Issue	Comment	Applicants Response	Staff Comments
<p>Heritage <u>(Matter considered resolved)</u></p>	<ul style="list-style-type: none"> For Berczy Elgin, DSC would like to see assurances (financial or otherwise) that barn wood will be repurposed 	<p>This matter was approved at Heritage Markham in May 2019, where Staff accepted a letter from Charlotte Frisby confirming her family’s intention to salvage the barn material for their new home.</p>	<p>For the Berczy Elgin Holdings Inc. application, the following draft plan condition has been added:</p> <p>“14.9 The Owner shall covenant and agree in the subdivision agreement to arrange and implement the salvage of the lumber from the 1912 Frisby Barn, preferably by the Frisby family for a future new residence, secured through the Letter of Credit provided for in 14.5 (d);”</p> <p>This condition has the effect of securing the reuse of the barn wood through a Letter of Credit required to be posted by the Owner before execution of the subdivision agreement.</p>
<p>Zoning <u>(Matter considered resolved)</u></p>	<ul style="list-style-type: none"> Seeking increase in townhouse minimum lot frontages from 13ft to 15 ft. (i.e. 4.15m to 4.5m) Seeking increase in side yard and front yard setbacks 	<p>The Zoning By-law amendment is subject to further refinement and will come back to Council for approval in the future, separate from the draft plan of subdivision.</p> <p>Units within both draft plans of subdivision are no less than 4.5m wide. However, tolerance is needed in the by-law since townhouse lots are not subdivided until after they are partially constructed (through part-lot control exemption). The minimum can be increased to 4.4m, to provide less tolerance. The front yard setback of 0.6m and side yard setbacks for townhouse units are consistent with the parent City of Markham Zoning By-law 177-96 for laneway accessed townhouse dwellings.</p> <p>Overall, in order to meet the density requirements of the Council approved Secondary Plan and maintain affordability, units need to be sized accordingly.</p>	<p>For both applications, the zoning by-laws will include the following:</p> <p><u>Minimum Lot Frontage</u> A minimum 4.5m lot frontage for all townhouses, as shown on the draft plans.</p> <p><u>Side Yard Setbacks</u> No amendments to the side yard setbacks for townhouses and single detached dwellings.</p> <p>For single detached dwellings, the minimum side yard setbacks are 1.2m and 0.6m.</p> <p>For townhouse dwellings, the minimum side yard setbacks are 0m for an interior unit, 1.2m for an end unit and 2.4m for the exterior side yard.</p> <p><u>Front Yard Setbacks</u> No amendments to the required front yard setbacks for townhouses or single-detached dwellings. For single detached dwellings, the minimum front yard setback is 3.0m. For the lane based townhouses, the minimum front yard setback is 0.6m.</p>
<p>Senior Friendly Housing <u>(Matter considered resolved)</u></p>	<p>Securing age-friendly and accessible design housing within the proposed subdivisions, including requirements for a minimum percentage of walk-out units, purpose-built second suites, and units with master bedrooms at grade</p>	<p>In other examples of senior-friendly housing, access requirements have been limited to a maximum of 2 risers. Due to the average finished grade of both properties, and requirements for windows in basements under the Ontario Building Code, the level of the main floor is typically a minimum of approximately 0.55 metres above the average finished lot grade on a split-draining lot (this requires up to 2 risers at the entrance). On front-draining lots, the level of the main floor is even higher relative to the lot elevation at the front of the house. This means that a minimum of 2 risers</p>	<p>For both applications, the following draft plan condition have been added:</p> <p>“The Architectural Control Guidelines shall include provisions requiring a minimum of 5% of the low rise product be limited to having 2 risers or less at the front entrance.”</p> <p>This condition will imbed the riser requirement in the Architectural Control Guidelines. It will be incumbent on the Control Architect to ensure this</p>

		<p>would be required to get to the main floor level, making front draining lots not feasible for accessibility options.</p> <p>We can also advertise the senior's friendly options for different unit types in the sales office. Providing rough-ins in every unit is not a feasible solution, as it will significantly decrease affordability. In order to be inclusive we need to provide a multitude of options for purchasers (including main floor bedrooms and rough-ins for retrofits), so that they may customize to their individual needs.</p>	<p>requirement is being met before stamped plans are submitted to the City for building permit approval.</p> <p>In addition, the applicant will advertise the senior friendly options for different unit types in the sales office (including main floor bedrooms and rough-ins for retrofits such as elevators).</p>
<p>Section 37 <u>(Matter considered resolved)</u></p>	<ul style="list-style-type: none"> Leveraging section 37 contributions for public leisure space such as seniors recreation facilities and day-care centres 	<p>Recreation facilities are programmed by the City of Markham and have been planned block wide as part of the North Markham FUA. A large community facility (over 100,000 sq. ft.) exists within the Angus Glen Block to the east, within 2.5km or less of both draft plans, as shown in the Council Approved North Markham FUA Conceptual Master Plan and the 2019 Integrated Leisure Master Plan.</p>	<p>The City has a Council approved public art policy. A Council resolution was passed which allows the City to use Section 37 to collect financial contributions from low rise developments, for the sole purpose of funding public art.</p> <p>Planning for community facilities and amenities was done through the Future Urban Area Conceptual Master Plan process. Staff's preference is for community facilities to be planned and coordinated to concentrate amenities, as opposed to having smaller facilities dispersed throughout the City.</p>
<p>Purpose Built Rental Housing <u>(Matter considered resolved)</u></p>	<ul style="list-style-type: none"> Securing a minimum percentage of purpose-built rental housing units within the proposed subdivisions 	<p>DG Group has confirmed that 5% of low rise units (excluding medium density and mixed-use blocks) will have built-in secondary suites, in addition to the fact that they are permitted as of right in the zoning for all homebuyers and offered as options in all units which can accommodate the requirements such as a second access and parking, so that the buyer has the power to choose.</p> <p>Options to include purpose-built rental units can be re-visited in the residential mid-rise and mid-rise mixed-use blocks which are subject to site plan approval.</p>	<p>To secure 5% of low rise units containing a secondary suite in both plans (53 secondary suites total), for both applications, the following draft plan condition has been added:</p> <p>"That the Owner covenants and agrees to provide 5% of the low rise units with built-in secondary suites, to the satisfaction of the Director of Planning and Urban Design."</p> <p>The applicant has indicated that purpose-built rental units can be re-visited in the residential mid-rise and mid-rise mixed-use blocks during Site Plan Approval.</p>
<p>Canada Post <u>(Matter considered resolved)</u></p>	<ul style="list-style-type: none"> Concerned with location of mailboxes within the subdivisions. Preference would be to have them at the entrance to subdivisions 	<p>The City in consultation with Canada Post selects the most appropriate locations for centralized mail facilities.</p>	<p>Staff have met with Canada Post to discuss the location guidelines and approval process with respect to community mailboxes.</p> <p>The developer consults with Canada Post to determine the appropriate locations based on Canada Post Site Selection Guide. When the locations are determined, they are indicated on the composite utility plan, which is then submitted to the City for final approval. This process is reflected in the draft plan of subdivision conditions for each of the respective plans.</p> <p>Generally, Canada Post is able to provide 48 addresses per mailbox. For Berczy Elgin this would require +/- 16 mailboxes and +/- 18 mailboxes for Berczy Warden. Locating this many mailboxes at community entrances would prove challenging.</p> <p>Based on these estimates and discussions with Canada Post, Staff recommend the mailboxes be dispersed throughout the community in close</p>

			proximity to the dwellings they are serving in accordance with the Canada Post Site Selection Guide. Staff will continue to work with Canada Post to review the locations when approving the composite utility plan.
Tree replacement <u>(Matter considered resolved)</u>	Increasing compensation requirements for the loss of mature trees, including the planting of backyard trees where feasible	<p>Tree replacement is being undertaken in accordance with City of Markham standards or higher. Tree removal and replacement have been determined based on the City of Markham's Trees for Tomorrow (2009) document following the Council of Tree and Landscape Appraisers (CTLA) Guide for Plant Appraisers (2000). A detailed Arborist Report was prepared by a Certified Arborist for each site. Recommendations for removals and compensation are made within these reports in accordance with the aforementioned City standards.</p> <p>In addition to trees being located within boulevards, trees and various other plantings will be provided within the stormwater management blocks, contributing to the overall number of trees planted within the draft plans.</p> <p>The only opportunity to accommodate a tree in a backyard is in the middle of the backyard due to the location of drainage infrastructure, and this location is not practical for many residents who want to enjoy the outdoor amenity space. Residents may not wish to have a large tree located in their backyard, particularly in denser neighbourhoods where yards are typically smaller. It is ultimately a homeowner's preference whether they would like trees in their back yard or not.</p>	<p>Based on the Arborist Report submitted for Berczy Warden and using the subdivision compensation method of 2:1 + the appraisal value for trees over 40 DBH, the compensation value would be approximately \$530,000. Conversely using the infill development replacement method, the compensation value drops to \$316,800. Staff therefore recommend the subdivision compensation method continue to apply. Staff will continue to work with the Owner to determine the appropriate locations for compensation plantings.</p> <p>The City, led by the Operations department, is currently undertaking an update to the tree by-law and consolidation of tree compensation requirements to ensure all City departments use the same tree compensation method.</p>
Fire (Sprinkler Requirements) <u>(Matter considered resolved)</u>	<ul style="list-style-type: none"> Investigating opportunities for the installation of residential fire sprinkler protection systems 	Ontario Building Code requirements guide the use of sprinkler systems.	<p>Typically, 2 storey single detached dwellings do not require sprinkler systems based on the Ontario Building Code (OBC) requirements. Outfitting these types of units with sprinkler systems is usually considered an alternative compliance solution due to changes in design (i.e. limited access, principal entrances facing a park/ amenity space, longer lane lengths, detached garages, etc.)</p> <p>The applicant has advised the townhouse blocks have attached garages, and lane lengths generally appear ~90m long with principal entrances facing public streets, which does not require automatic sprinkler systems installed for alternative compliance.</p> <p>It is the Owners responsibility to design in conformance with the OBC.</p>
Cycling Facilities <u>(Matter considered resolved)</u>	<ul style="list-style-type: none"> Clarification as to where they will be located and whether they would be separated or contained within Multi Use Pathways 	All cycling facilities are shown on Appendix D of the Council approved Berczy Glen Secondary Plan (cycling facilities provided on all collector roads).	<p>The City requires in-boulevard multiuse pathway (MUP) on both sides of all collector roads, as per Map SP6 of the Secondary Plan, to connect directly to various community amenities, parks and schools; trails and pathways in the greenways; as well as future cycling facilities in the boundary roads (namely Elgin Mills Road East and Warden Avenue).</p> <p>In addition, the City will require that all local roads adjacent to the Berczy Creek are connected to the trail system within the greenways. A local road</p>

			<p>within the Berczy Warden draft plan will also be upgraded to include MUP as it provides a continuous interconnection between Warden Avenue and two parks.</p> <p>Figure 5.7a below from the Berczy Glen Community Design Plan identifies the conceptual trail and cycling network.</p>
<p>Fences <u>(Matter considered resolved)</u></p>	<ul style="list-style-type: none"> Clarifying ownership details for fences abutting private properties through Agreements of Purchase and Sale to mitigate potential confusion regarding maintenance responsibilities 	<p>We will adhere to the approved City of Markham standard on fencing.</p>	<p>Following internal discussion, including staff from Operations, the draft plan condition relating to fencing backing onto or flanking Open Space Blocks, Greenway, Park Blocks, School Blocks, or Stormwater Management Blocks, has been revised to require fencing to be placed, two (2'') inches from the property line, on the public property.</p> <p>It now reads as follows:</p> <p>“For all lots backing or flanking onto an Open Space Block , Greenway, Park Block, School Block or SWM Block, provide 1.5m high galvanized steel chain-link fence to be placed on the public property, two (2'') inches from the property line, as determined appropriate by the Director Planning;”</p> <p>This condition has the effect of controlling access to publicly owned lands and avoiding confusion over whose responsibility maintenance of the fence is. In addition, the type of material required has been changed from black vinyl chain-link to galvanized steel chain-link for improved durability and longevity.</p>
<p>Back-to-Back Townhouses <u>(Matter considered resolved)</u></p>	<ul style="list-style-type: none"> Where are the back-to-back units proposed, and will they come back to Council prior to approval? 	<p>Back-to-back units are located within the Berczy Warden plan. There are a total of 72 back-to-back units accommodated in 6 blocks, located one block south of Street ‘1’, immediately west of the Mixed-Use Mid-Rise block that is located at Street ‘1’ and Warden Avenue. These units are subject to a future “townhouse siting approval process” led by the Urban Design Department. It is a detailed internal review process which does not go back to Council. All townhouses, including back-to-back townhouses, are subject to the North Markham Urban Design Guidelines, the Berczy Glen Community Design Plan, and an architectural control process to ensure the built form is appropriate based on the Council approved vision for this community.</p>	<p>The 72 back-to-back townhouse units in the Berczy Warden draft plan are proposed in the ‘Residential Low Rise’ designation, as permitted in the Secondary Plan (via an amendment prior to final approval). The Berczy Glen Secondary Plan outlines a set of criteria for back-to-backs in the low-rise designation. The Secondary Plan criteria and Staff’s evaluation of each is outlined below:</p> <ul style="list-style-type: none"> Appropriate site location in terms of proximity to transit The back-to-back blocks (Blocks 252-257) are located less than 100m from collector road Street ‘1’, which will have transit, as well as in close proximity to Warden Avenue. Appropriate lot widths to ensure the provision of on-street parking, street trees, and private amenity space The by-law proposes a minimum lot frontage of 6.7m for interior units and 8.1m for exterior units. Planning and Urban Design Staff are satisfied that these standards will provide for adequate on-street parking, street trees and private amenity space. The proposed built form fronts on to a public road All 72 units’ front on to a public road. The density of the proposal is consistent with the density range established in Section 8.2.1.4 of this Secondary Plan

			<p>The back-to-back units are included within the 'Residential Low Rise' density calculation. The proposed density is 44.84 units per net hectare and the Secondary Plan density range is 25-45 units per net hectares.</p> <ul style="list-style-type: none">- The proposed back to back townhouses are located in close proximity to public parks, where feasible <p>The back-to-back units are all within 500m of the Neighbourhood Park (Block 308). The units closest to the Neighbourhood Park are located less than 100m from the Park. The units farthest from the Neighbourhood Park are located ~100m from a smaller park (Block 307).</p> <p>The back-to-back townhouses will be required to go through the Townhouse Siting Approval process as governed by the Site Plan Control By-law 262-94. The Townhouse Siting Approval process is administered by the Urban Design Department, and does not require Council approval.</p>
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LEGEND

-  Berczy Glen Subject Lands
-  Existing Off-Road Trail
-  Existing MUP/Bike Lane
-  Proposed Off-Road Trail
-  Proposed MUP/Bike Lane
-  Shared Roadway
-  Existing Transit
-  Proposed Transit
-  Potential Trailhead Location



Figure 5.7a - Berczy Glen
Conceptual Trail & Cycling Network
(NTS)

