

SUBJECT: Information Report
46 Main Street North, Markham Village
Site Plan Application SC 99 020198
Ravina Condo Living

PREPARED BY: Regan Hutcheson, Manager, Heritage Planning, ext. 2080

REVIEWED BY: Ron Blake, Senior Development Manager, ext. 2600

RECOMMENDATION:

- 1) That the staff report titled “Information Report 46 Main Street North, Markham Village, Site Plan Application SC 99 020198 Ravina Condo Living”, dated June 11, 2018, received.

PURPOSE:

The purpose of this report is to provide an update on the development approved at 46 Main Street North (Ravina Condo Living) and address specific issues that have been raised.

BACKGROUND:**The development of 46 Main Street North has been approved by Council**

This development was approved through Official Plan and Zoning By-law amendments and Site Plan Approval on May 23, 2000 after extensive public information meetings with local residents. The proposed development is a five storey, 62 units residential structure with two levels of underground parking located behind the Wedding Cake House (48 Main St. N) and the Barkey Rowhouses/ Folco’s Restaurant (40 Main St. N).

Site Plan and Elevation drawings are provide in Appendix ‘A’. A brief chronology of the development history is attached as Appendix ‘B’.

New owner is proceeding with the development

The property was recently sold to a new owner (Greystar Developments Inc.) who is proceeding with the development. Staff has been undertaking a review of documents related to engineering matters and upon acceptance, will be forwarding a Site Plan Agreement to the owner for execution.

Council has requested that staff provide additional information

In May 2016, Councillor Rea expressed concerns with the application and requested information on a number of issues including the original date of approval, width of driveway access, parking for construction workers and potential damage to a boulevard streetlight. Staff prepared a memo to Development Services Committee held on June 20, 2016 providing the requested information which is attached as Appendix ‘C’.

At the Development Services Committee meeting on June 20, 2016, the Committee discussed the matters identified in the staff memo. Staff advised that a meeting could be convened with the new owner to discuss issues as there may be an opportunity to address

reasonable matters of concern. Staff was directed to arrange a meeting with the applicant, Deputy Mayor Heath, Regional Councillor Armstrong, Councillor Rea, interested parties and staff.

The meeting was held on June 28, 2016 and included the owner and project architect, Ward Councillor, Deputy Mayor, Director of Planning, the Deputy Director of Engineering, Manager of Heritage Planning, Senior Planner- Urban Design and the Supervisor of Traffic Operations. The issues discussed included:

- Outstanding engineering related requirements;
- Driveway width/Access to site
- Alternative access to site/ Access during road closures
- Protection of heritage buildings
- Construction traffic and parking
- Traffic Study
- Church issues

Information on these issues is provided in this report.

On July 7, 2016 Councillor Rea and the Manager of Heritage Planning met with the owner of the property and representatives of adjacent properties (St Andrews Church- 32 Main Street N and 52 Main Street N). The discussion focussed on the validity of certain letters of permission between property owners and development related matters (i.e. tie backs, crane swing, insurance).

At the Development Services Committee on October 16, 2017, staff was asked to provide an update to Committee on conditions of Site Plan approval with respect to the Construction Agreement for the development and posting warning signs that the street will be closed during construction. Information on this matter is provided in this report.

At the Development Services Committee on December 11, 2017, the Committee requested confirmation from the Fire Department regarding adequate access for emergency vehicles prior to the Site Plan being finalized. Information on this matter is provided in this report.

OPTIONS/ DISCUSSION:

Staff has provided a response on each of the identified issues.

-

Approval Date

- The project was approved by Council in 2000 with final approved drawings submitted to staff in 2005, 2014 and 2018.
- Contrary to current practices which limits site plan approval to three years, when this project was approved in 2000, there was no such limitation on the approval.
- The draft Site Plan Agreement is being prepared.

Outstanding Engineering Requirements

- Construction Management Plan
 - The necessary documents related to construction management and traffic control have been submitted to the satisfaction of the Engineering Department.
 - This includes:
 - provision for an access and dust control fence around the entire site perimeter including a swing gate at the driveway entrance,
 - traffic control signage and locations, with requirement for traffic control person to be present to direct motorists during construction vehicle maneuvering, and a paid duty officer for in-bound tractor trailer movements.
 - all in-bound and out-bound construction vehicles to use Highway 7.
 - temporary removal of the boulevard tree to the north of the driveway, replacement of tree to the satisfaction of Urban Design staff at the completion of construction, requirement for protecting the strata cells under the boulevard (to be addressed by the contractor at time of construction).
 - Extension of existing curb cut limits to accommodate truck movements. This would require further approval from the City to undertake work on alterations to the Main Street streetscape.
 - Contractor parking: designated parking for construction personnel and workers is being arranged and it is expected to be at 16 Water Street, a five minute walk north of the site. Once underground parking is constructed on the site (estimated by the owner to be 4-6 months, workers will then park on site. Prior to that, there will be 5-8 vehicles accessing the site (there are five vehicle spaces available at 46 Main Street North which will be allocated to workers).
 - The City will also require a letter of credit to protect for any damage to the streetscape.
- Traffic Control Plan
 - Originally a separate traffic control plan was requested
 - The requirements associated with this plan have been included in the Construction Management Plan.
- Communications Plan
 - Originally a communications plan was requested prior to the execution of a Site Plan Agreement to ensure that the public, businesses and staff are informed of major construction activities associated with the development. However, based on past experience, this type of document cannot be developed in any meaningful form prior to the Site Plan Agreement as it is too early in the process.
 - Engineering has indicated that a communications plan could be provided prior to the issuance of a Road Occupancy Permit for the project.

-
- TDM Requirements
 - Engineering has indicated that the obligations for TDM requirements will be included in the Site Plan Agreement.
 - Permission Letters
 - In consultation with Legal Services and the Building Department, the City does not rely on the provision of permission letters from adjacent property owners before proceeding with site plan approval or the issuance of a building permit. It should be noted that approval of a project under Section 41 of the Planning Act (Site Plan Approval) or the issuance of a building permit pursuant to the Building Code Act does not give any form of permission to encroach on private lands for such purposes as tie-backs related to foundation work or crane swings.
 - The applicant should still be securing permission from adjacent property owners if they wish to undertake any work affecting these properties, however, this is a private matter and the City does not get involved in the process or need to receive copies of this type of correspondence.
 - The City will insert wording in the Site Plan Agreement indicating that the plans are approved, but it is the owner's responsibility to secure any necessary agreements or permission from adjacent and/or impacted property owners.

Driveway width/Access to site

- This matter was addressed in the staff memo to Development Services Committee in June 2016.
- The existing driveway (6.0m in width) fronting onto Main Street North is the property's only legal frontage and only access to a public right-of-way, it will permit two way traffic, and it was approved by Council as the access to this project.
- A pedestrian access route (secured through an easement) connecting the project to the Main Street sidewalk is located north of the Wedding Cake House (48 Main Street North).
- Fire and Emergency Services – see separate section.
- Staff consulted with the previous Director of Building Standards regarding the driveway from a building/construction perspective who noted that the situation is not unusual especially in more urban areas where intensification is occurring. Many properties on Markham's main streets are accessed through a single driveway.

Alternative access to site

- Councillor Rea has indicated that a second or alternate access to the site is desired.
- The building design as approved by Council, has one underground garage entrance at the front of the property in proximity to the existing driveway on Main Street.
- Planning staff and applicants have explored other potential access opportunities, but none of the adjacent properties were interested in providing assistance either for construction access or on a permanent basis.

Access to site during road closures

- A few times a year, Main Street is closed for festivals which would affect access to and from the property (similar to the Sierra Development to the north).

-
- Options to address this situation include: 1) negotiating alternative routes on private properties to avoid Main Street; or 2) leaving a small portion of Main Street open to vehicular traffic between the driveway at 60 Main Street N (Sierra) and the driveway of the subject property to allow access to Centre Street.
 - In examining both options, staff believe that the best and most viable approach would be the second option (leaving a small portion of the street open to vehicular traffic to allow owners to exit and return as needed).
 - Staff will also ensure that purchasers of units in the Ravina Development are notified that access to and from the site will be affected during annual street closures (through the Condo declaration)

Fire and Emergency Services Access

- On February 19, 2015, the Markham Fire and Emergency Services indicated that they had reviewed and accepted a drawing, with noted access route deficiencies, prepared by and endorsed by BA Group concerning emergency services access to the site, and had given their approval. Staff noted that the items identified as obstructions (light post, curbing and tree) are to be relocated if damaged as a result of construction and Fire Department operations. The draft Site Plan Agreement notes that remediation would be the responsibility of the owner of 46 Main Street North.
- However, more recently, Fire and Emergency Services expressed concerns regarding the obstructions as they could potentially impact response time in emergency situations.
- Staff discussed this matter with the current owner and he has agreed to assume the responsibility and cost to relocate the tree located north of the driveway, the light pole located south of the driveway and extend the driveway curb cut as part of this development project which will resolve the issues originally identified by Fire and Emergency Services and bring the fire access route into compliance with the Ontario Building Code.

Protection of heritage buildings

- Staff have required the introduction of a number of measures to protect the two heritage building from delivery trucks during the construction phase and once it becomes the permanent vehicular access.
- Bollards have been installed along the driveway, and hoarding is to come.
- Each building was documented by Terra Probe to identify existing conditions prior to development.
- Foundations enhancements have been undertaken to address vibration issues.
- The Site Plan Agreement will address on-going visual monitoring of the foundation walls and vibration monitoring of 48 Main Street North and 40 Main Street North (if permission is granted by the owner).

Construction traffic and parking

- Construction traffic and parking is addressed in the Construction Management Plan.

Traffic Study

- A study was completed when the development was approved, and Engineering Department has indicated that a new study is not warranted given the number of units in the development.

Adjacent Church

- St Andrews Church (32 Main Street North) want to ensure that its property is protected during construction.
- The Site Plan Agreement will include a commitment by the owner to:
 - Include a warning clause in future agreements of purchase and sale and the condominium declaration regarding the sounding of church bells.
 - Repair damage to the church parking lot caused by the development, and
 - Repair and/or replace any damage to existing landscape treatment along the south property boundary of the church property caused by the development

RECOMMENDATION

It is recommended that the update be received as information. Staff will be finalizing the Site Plan Agreement for execution between the applicant and the City.

FINANCIAL CONSIDERATIONS

Not applicable

HUMAN RESOURCES CONSIDERATIONS

Not applicable

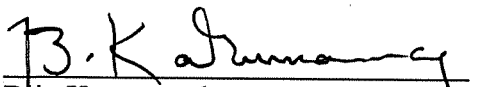
ALIGNMENT WITH STRATEGIC PRIORITIES:

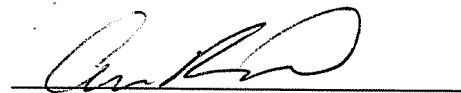
Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Staff has consulted with Legal Services, Engineering and Building Departments.

RECOMMENDED BY:


Biju Karumanchery, RPP, MCIP
Director, Planning and Urban Design


Arvin Prasad, MPA, RPP, MCIP,
Commissioner of Development
Services

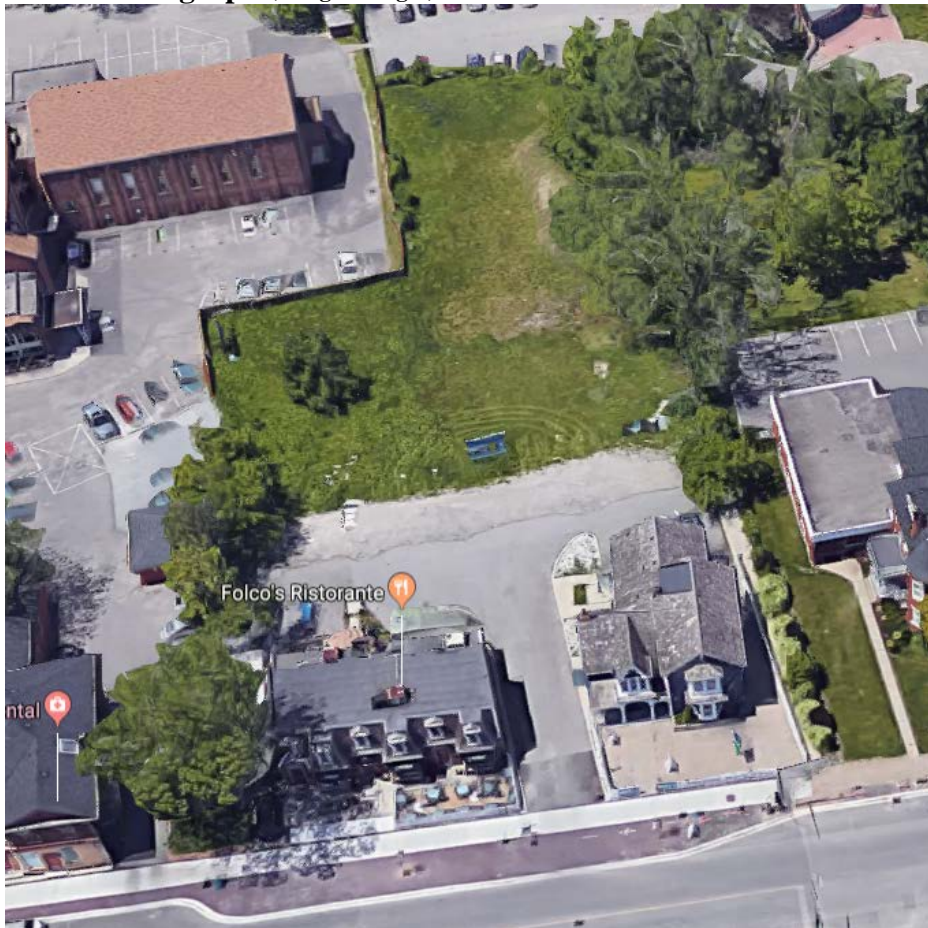
ATTACHMENTS:

Appendix 'A' Site Plan and Elevation Drawings
Appendix 'B' Brief Chronology of Application

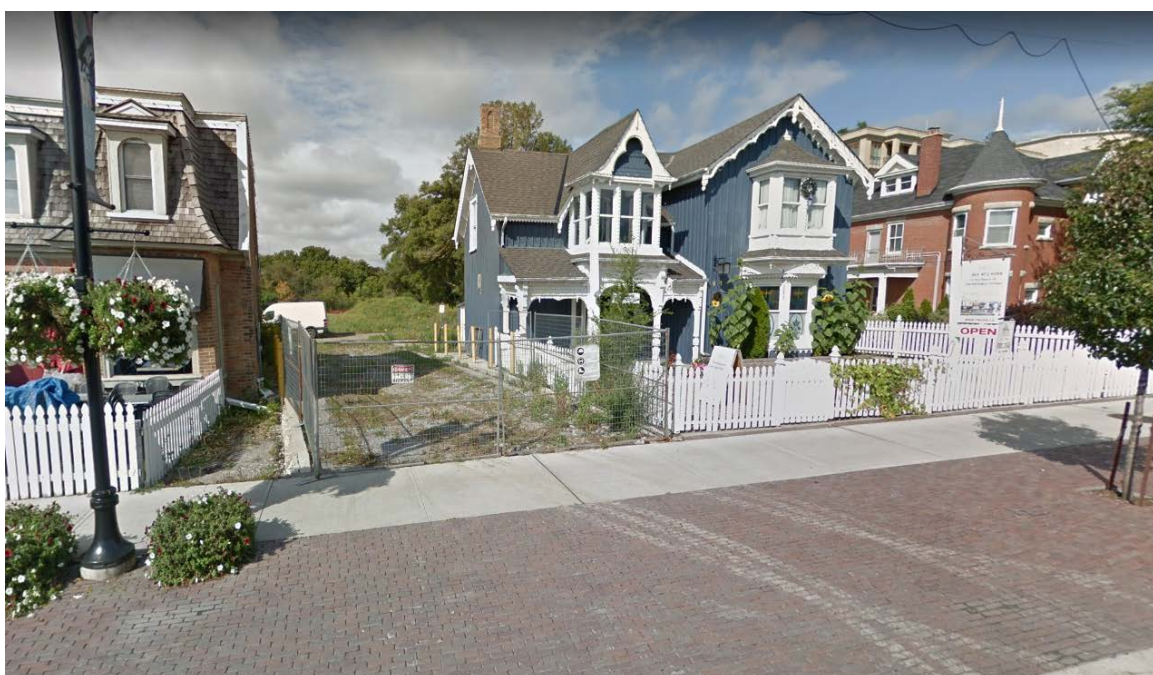
Location









Aerial Photograph (Google Images)



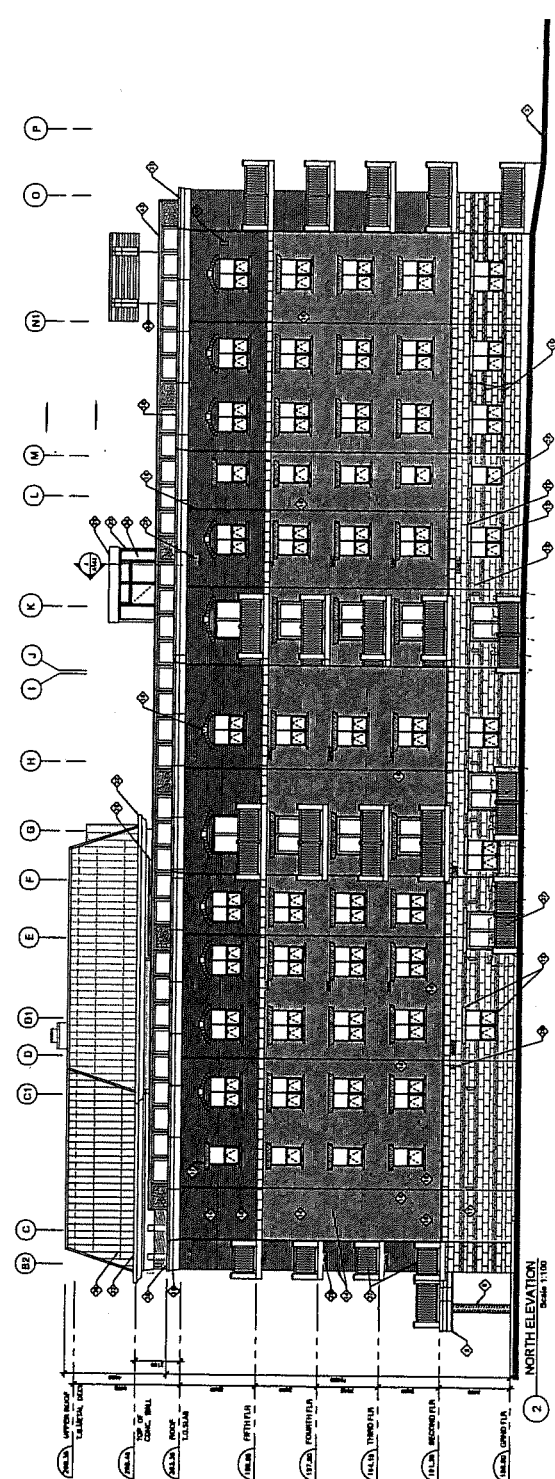
Streetscape Photo: Frontage of Property (Google Images)

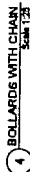
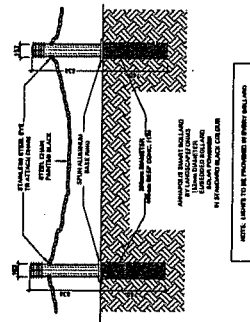
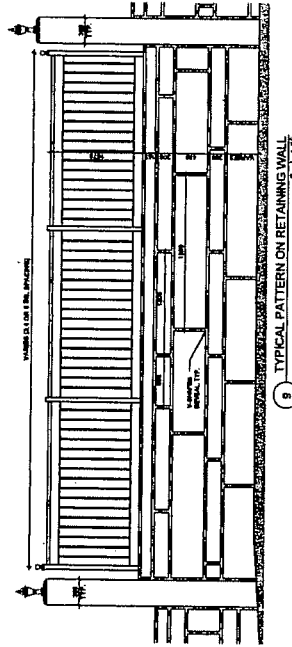
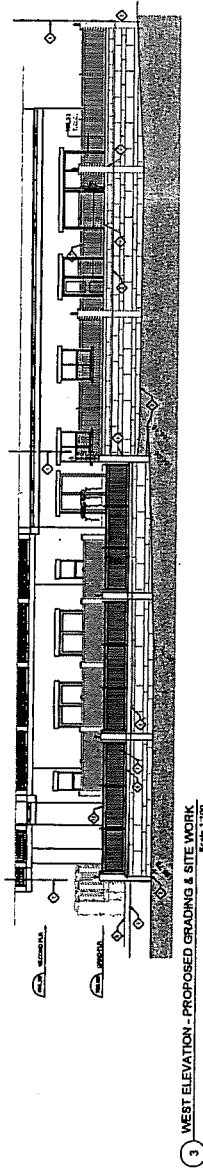
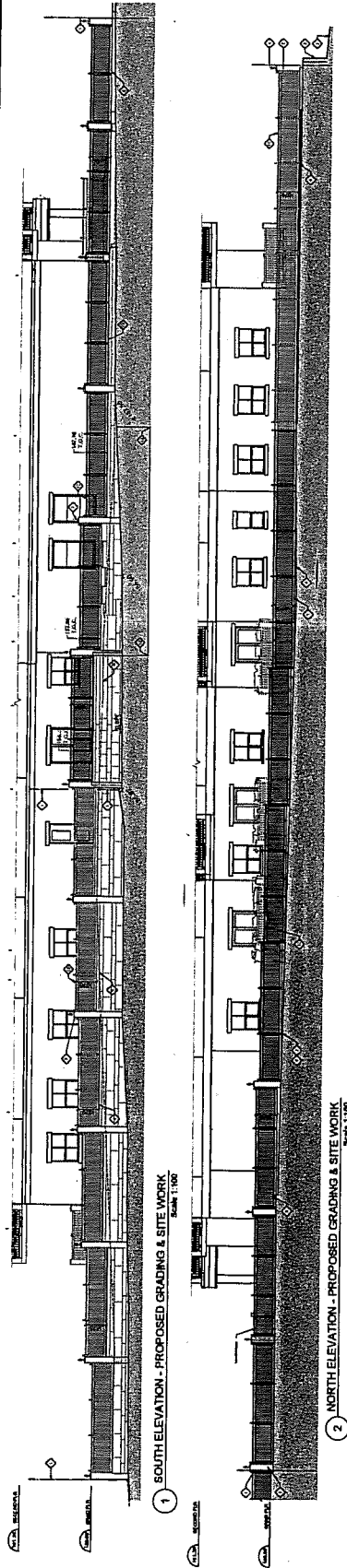


Design by	J.A.
Drawn by	
Checked by	J.A.
Scaled	175%
Date	
Project No.	1401
Revision No.	B5

	ANALYTICAL PLATE
	BLOCK TYPE 1
	BLOCK TYPE 2
	EXTENSION WALL INCIDENT BOMB LIGHT FIXTURE
	EXTENSION WALL INCIDENT FIRE EXTINGUISHER, GUN IN THE HAND-INCIDENT
	RADIANT LIGHT FIXTURE

MAILED BY: J. W. BROWN





GENERAL NOTES:

1. METAL FRAMES ARE OF CONSTRUCTION SUITABLE TO BE SUBJECTED WITH HIGH-QUALITY BRICKED MASS TO THE FULL DESIGN LOADS WITHOUT EXCESSIVE DEFLECTIONS AND IN COMPLIANCE WITH CURRENT CODES.
2. PROTECTIVE ALL-WATERING MAINTAIN THE EXISTENCE CONDITIONS, IMPROVE AND MAINTAIN GOOD ALL-AFFECTED QUALITY.
3. ALL BUILDINGS ARE PROVIDED WITH 11mm MINIMUM SLAB THICKNESS FOR FLOORING.

KEY NOTES:

- | | | | |
|---|---|----|-----------------------------|
| 1 | PERIMETER LINE | 11 | CONCRETE PLASTER |
| 2 | INTERIOR WALLING AT ADJACENT LOT | 12 | INSULATED TRANSFORMERS |
| 3 | CONCRETE INTERIOR WALL | 13 | METAL PLUMB |
| 4 | PREPARED SOLIDCORE | 14 | METAL BRASSWARE |
| 5 | ADJACENT LOCAL INTERCOM | 15 | CONCRETE PLASTER |
| 6 | ADJACENT INTERCOM WALL W/ BRASSWARE LINES | 16 | CONCRETE PLASTER BRASSWARE |
| 7 | CONCRETE PAINT | 17 | BRASSWARE FILLING OTHER, IN |
| 8 | CONCRETE CLING | 18 | CLING AT INTERCOM WALL, IN |

[illegible][illegible][illegible]

Greystar[®]
 1000 Oakleaf Drive East
 Atlanta, GA 30328
 404.521.2200

Development Approval History

- Official Plan Amendment, Rezoning and Site Plan Approval was approved by Markham Council on May 23, 2000 after extensive public information meetings with local residents (the building originally was 8 storeys and was revised over a series of community meetings to the current 5 storeys). At that time, the owner was **Oxford Hills Developments (Markham) Limited**.
- The Official Plan Amendment was adopted and changed the land use designation from Main Street Commercial to High Density II Residential in order to permit the development of a 5 storey apartment building with not more than 62 units. Also a site specific Zoning By-law Amendment was enacted to allow the identified development. Contrary to today's approval process, the Site Plan Application was approved subject to certain conditions to be addressed, but approval was not tied to any timeframe.
- In mid-2003, the property was sold to **Colonia Treuhand Ltd. (Clemens Sels)**.
- Extensive consultation/meetings were held with affected neighbouring properties (St Andrews Church, 42 Main Street, 52 Main St N- Cattanach Hindson, and 48 Main Street N) to address conditions and issues related to the project.
- Colonia Treuhand prepared revised drawings and addressed all the conditions of approval. The plans were taken to Council by the Director Planning for information purposes in 2004.
- In January 2005, the Planning Director signed the final site plan approval drawings. A Site Plan Agreement was prepared, but was never executed by the owner. Issues related to cash in lieu of parkland dedication were indicated as the reason the project did not proceed.
- In 2011, a new owner (**1849098 Ontario Inc. – Lance Gao, President**) purchased the property on the condition that the plans already approved could be re-activated. The new owner intended to generally implement the approved plans with only minor alterations to the design, and a recirculation process was initiated. All internal departments were circulated the revised plans and any newly identified issues were to be addressed by the applicant. Heritage Markham Committee was also circulated the plans as the property is in the Markham Village Heritage Conservation District.
- The owner worked with staff on a number of issues including: servicing and stormwater management, addressing the needs of adjacent property owners regarding maintaining access, as well as preparing plans for material storage, construction staging and parking, etc. The owner also purchased the Wedding Cake House property (48 Main St N) and intended to use it as a construction office for the project.
- On October 23, 2014, in accordance with the original approval of the site plan application by Council on May 23, 2000 and Site Plan Approval Delegation By-law 2002-202, the application to construct a 5 storey, 5,490 sq m residential condominium building was endorsed by the City's Planning Department subject to conditions, including that the owner enter into a Site Plan Agreement.
- 1849098 Ontario Inc. worked with City officials to resolve issues, but due to a number of circumstances, did not enter into a Site Plan Agreement with the City.

- The property and project was sold in March 2016 to Greystar Developments Inc. which intends to enter into a Site Plan Agreement with the City and proceed with the development.
- At present, the City is addressing outstanding engineering matters through a review of recently submitted documents such as a Construction Management Plan. A revised Site Plan Agreement is being prepared.

Q:\Development\Heritage\PROPERTY\MAINSTN\046\2018\Chronology Appendix.doc