



Report to: Development Services Committee

Report Date: December 5, 2016

SUBJECT: Recommendation Report
Wismer Markham (Commercial) Developments Inc. c/o
Aspen Ridge Homes
Application for Site Plan Approval for a condominium
townhouse and mid-rise residential development (Phase 1) at
1735 Bur Oak Avenue (south-west corner of Bur Oak Avenue
and Markham Road).

File No: SC 13 125328

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

REVIEWED BY: Sally Campbell, M.C.I.P., R.P.P. Ext. 2645
Manager, East District

RECOMMENDATION:

- 1) That the report titled "Recommendation Report, Wismer Markham (Commercial) Developments Inc. c/o Aspen Ridge Homes, Application for Site Plan Approval for a condominium townhouse and mid-rise residential development (Phase 1) at 1735 Bur Oak Avenue (south-west corner of Bur Oak Avenue and Markham Road), File No: SC 13 125328," be received;
- 2) That the Site Plan application (SC 13 125328) submitted by Wismer Markham (Commercial) Developments Inc. c/o Aspen Ridge Homes, to facilitate a condominium townhouse and mid-rise development (Phase 1) be endorsed in principle, subject to the conditions in Appendix 'A';
- 3) That this endorsement shall lapse and site plan approval will not be issued, after a period of three (3) years commencing on December 5th, 2016 in the event the site plan agreement is not executed within that time period;
- 4) That Council assign servicing allocation for 32 townhouse units and 81 midrise units (Phase 1) to the proposed development and advise York Region;
- 5) That the City reserves the right to revoke or reallocate servicing allocation should this development not proceed in a timely manner;
- 6) And that Staff be authorized to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report discusses and recommends endorsement in principle of a site plan application submitted by Wismer Markham (Commercial) Developments Inc. c/o Aspen Ridge Homes to facilitate a condominium townhouse and mid-rise residential development (Phase 1) at 1735 Bur Oak Avenue.

BACKGROUND:**Process to date and next steps**

- Subject property was pre-zoned July 2003 as part of a comprehensive zoning exercise for the west side of the Markham Road corridor.
- Site plan application was submitted December 2013.
- Community Information Meeting held on November 4th, 2015.
- Recommendation Report to be considered by Development Services Committee on the date of this report.
- Minor variance application to the Committee of Adjustment (see page 5).
- Issuance of site plan endorsement by Staff.
- Execution of the site plan agreement.
- Issuance of site plan approval.
- Submission of condominium applications.

Subject property and area context

The subject property is approximately 1.74 hectares (4.3 acres) and is located at the south-west corner of Bur Oak Avenue and Markham Road (see Figure 1). The subject property is currently vacant and is the last remaining developable parcel of land on the west side of Markham Road between Bur Oak Avenue and Edward Jeffreys Avenue. There are high density mixed use buildings, townhouses and a public park to the south of the subject property. There is residential development, including single and semi-detached homes which immediately abut the subject property to the west. The Mount Joy GO Station as well as industrial and commercial development are located across the street on the east side of Markham Road. There is also commercial development across the street on the north side of Bur Oak Avenue (see Figure 3).

Proposed townhouse and mid-rise residential development will comprise Phase 1

The Owner anticipates developing the subject property in two (2) phases. The future second phase will front onto Markham Road and is not the subject of any current development applications at this time. Phase 1, which is the subject of this report and site plan application will extend to the west property line and occupies approximately 1.22 hectares (3 acres) of the larger parcel. The proposed development is comprised of townhouses and two (2) - mid-rise buildings accessed by private condominium driveways. Battista Perri Drive (a public street) will be extended from the south through the subject property to connect with Bur Oak Avenue (see Figure 4).

West Parcel (west of the Battista Perri Drive extension) (see Figures 4, 6 & 8)

- Parcel is approximately 0.64 hectares (1.59 acres).
- Four (4) townhouse blocks consisting of 28 townhouses.

- Eight (8) visitor parking spaces (including 1 visitor parking space for Block 5 on the east parcel) which complies with the City's parking requirement.
- 317.7 m² (3420 ft²) of private outdoor amenity area including a 74.2 m² (799 ft²) playground.
- Townhouses fronting Bur Oak Avenue and central to the west parcel will be three (3) storeys.
- Townhouses along the southerly property line will be two (2) storeys.
- A private one-way driveway will service these townhouses.
- FSI (Floor Space Index) of 0.85.
- Lot coverage of approximately 35%.
- All of the townhouses will have three (3) bedrooms.
- Width of the internal three (3) storey townhouses is 4.5 metres (14.76 feet) with some end units being 6 metres (19.7 feet) wide.
- Width of each of the two (2) storey townhouses is 6.1 metres (20 feet).
- Each townhouse will have a single car garage and single car parking on the driveway.

East Parcel (east of Battista Perri Drive extension (see Figure 4, 5 & 7)

Townhouses

- 1 block of townhouses with 4 units.
- Three (3) storeys.
- Each internal townhouse unit will be 4.5 metres (14.76 feet) wide.
- The end unit facing the Battista Perri Drive extension will be 6 metres (19.7 feet).
- Single car garages and single car parking on the driveway.
- 1 visitor parking space provided on the west parcel.

Two (2) Mid-rise buildings

- Four (4) storeys each.
- Total of 81 apartment units.
- GFA (Gross Floor Area) of Building A is 3,246 m² (34,938 ft²).
- GFA of Building B is 4,033 m² (43,408 ft²).
- FSI (Floor Space Index) of townhouses and mid-rise buildings on the east parcel is 1.38.
- Mix of one (1) and two (2) bedroom units (more than half will be 2-bedroom units) and a couple of three (3) bedroom units.
- One (1) level underground parking garage providing a total of 122 parking spaces (including 20 visitor parking spaces) which complies with the City's parking requirement.

Snow clearing will be the responsibility of a private contractor for the proposed condominium development.

Official Plan and Zoning

The subject property is designated "Major Commercial Area" in the City's in-force Official Plan (Revised 1987), as amended and in the Wismer Commons Secondary Plan.

The “Major Commercial Area” designation provides for a range of commercial as well as medium and high density residential uses including the proposed townhouses and mid-rise buildings. The Wismer Commons Secondary Plan also provides for a maximum floor space index (FSI) of 1.75. The proposed development conforms to the City’s in-force Official Plan (Revised 1987), as amended and the Wismer Commons Secondary Plan.

The subject property is designated “Mixed Use High Rise” in the City’s 2014 Official Plan (as partially approved by the OMB on October 30, 2015 and May 26, 2016) (the “City’s 2014 Official Plan”). The “Mixed Use High Rise” designation contemplates apartment and multi-storey mixed use buildings as well as townhouses. The maximum overall density allowed is up to a 3.0 FSI (Floor Space Index). The proposed Phase 1 development has regard for the City’s 2014 Official Plan.

The subject property is zoned “Major Commercial *188 (MJC*188)” in Zoning By-law 177-96, as amended, which permits the proposed townhouses and mid-rise buildings. Detailed site-specific development standards were also implemented when the subject property and immediate area were rezoned to implement the Markham Road Corridor Study (June 2003) and the landowner’s previous vision for the subject property. Minor variances to the current site-specific zone standards will be required to permit the proposed development as discussed later in the report.

Public Consultation

Site plan applications are not subject to a statutory public process, however the Ward Councillor held a community information meeting on November 4th, 2015.

Approximately 10 residents attended. There were no specific concerns expressed respecting the proposed development.

OPTIONS/ DISCUSSION:

The proposed development provides for the extension of Battista Perri Drive

In October 2008, Staff presented a concept plan to Development Services Committee for the lands located on the west side of Markham Road between Edward Jefferys Avenue and Bur Oak Avenue. This concept plan showed among other things, improvements to the public road network by adding a north-south public road connecting Bur Oak Avenue with an east-west road to Markham Road to enhance connectivity and access through the area in anticipation of future intensification. Portions of Battista Perri Drive were conveyed to the City previously from other developments to the south of the subject property. Initially, the applicant did not propose extending Battista Perri Drive from the south through the subject property to Bur Oak Avenue. After several discussions with Staff, the applicant agreed to revise the site plan and will be conveying and building the last remaining section of right-of-way required to complete the Battista Perri Drive extension to Bur Oak Avenue as a condition of site plan approval. The right-of-way will be 17m wide including a sidewalk along the east side, which will align with the existing sidewalk on Battista Perri Drive (see Figure 4).

The built form and elevations are appropriate

The built form and placement of the Phase 1 townhouse blocks and mid-rise buildings provides an appropriate presence along the Bur Oak Avenue frontage and provides good transition from the taller Phase 2 buildings anticipated at the intersection of Markham Road and Bur Oak Avenue to the low rise built form to the west including singles, semis and townhouses (see Figure 9). The building elevations make a positive gesture to its high visibility location by articulating its vertical façade to balance the strong horizontal lines created by the balconies and rooflines. These features are emphasized by using different materials and colours for each of these elements. The use of fibre cement board panels as the main exterior cladding material is softened by the use of brick. Staff have asked for greater use of brick as an exterior material to lessen the impact of the fibre cement board cladding. The ramp to the underground parking is tucked between the mid-rise buildings and therefore shielded from view from the public street.

Appropriate easements need to be obtained

All of the townhouse blocks both east and west of the Battista Perri Drive extension will be overseen by one (1) standard condominium whilst the mid-rise buildings will be overseen by a different condominium corporation. The residents of the townhouses on the east parcel access their driveways by way of the private driveway which will be overseen by a separate condominium corporation. The appropriate easement needs to be obtained to allow these residents permanent access to their driveways (see Appendix 'A').

Minor variances required

The applicant is required to obtain minor variance approval for certain matters, including but not limited to the following:

- Reduction of the minimum side yard setback between the townhouses and the west property line from 7.5m to 3m and 1.5m;
- Reduction of the minimum landscape strip adjacent to a residential zone from 3m to 0.3m along the west property line adjacent to the visitors parking spaces.
- Increase height within 40m of a residential zone from 13m to 14m for the townhouses and from 13m to 20m for the mid-rise building.
- Reduction of the minimum setback for the upper floors of the mid-rise building fronting onto Bur Oak Avenue from 9m to 3m.
- Reduction of internal townhouse unit widths from 5.4 m to 4.5m.
- Reduction of end townhouse unit widths from 6.7m to 6m.
- Reduction of corner townhouse unit widths from 7.9m to 6m.

Interface with the future public park and development to the south

There will be a retaining wall which will be approximately 0.6 metres (1.97 feet) at its lowest point and approximately 2.2 metres (7.2 feet) at its highest point along the south property line behind the townhouses which will back onto the future park (see Figure 8). The retaining wall is being proposed because the grading on the subject property is higher than the grading on the future park. Staff are working with the applicant on opportunities to reduce or remove the retaining wall by appropriately coordinating the grading between

the future park and subject property. This will provide an improved interface between the proposed development and the future park. Any changes to the retaining wall and grading should be resolved prior to issuance of site plan endorsement (see Appendix 'A').

The grading constraints on the subject property as well as the future public park to the south restricts the ability to provide a walkway along the west property line connecting the future park to the proposed development. That location may also not provide the safest environment for a connection to the park as it will be located between the privacy fences of the proposed townhouses and the existing homes to the west; contrary to the principles of CPTED (Crime Prevention Through Environmental Design). As an alternative, Staff will examine the feasibility of incorporating a walkway connection at the north east corner of the future park and along Battista Perri Drive at such time as the park is under design. Staff will have further discussions with the applicant on providing a distinctive surface treatment through the use of paving materials along the private street within the west parcel to connect to any future walkway to the park. The use of pavers in this manner will also assist in delineating areas for pedestrians to walk along the private street safely in the absence of formal sidewalks and will reinforce the design as a shared street.

The south wall of the underground parking garage to the mid-rise buildings will be exposed because there is a grade change from the Battista Perri Drive extension towards Markham Road (see Figure 7). The extent of the exposed wall ranges from approximately 0.15 metres (0.5 feet) to 2.75 metres (9 feet). Staff are working with the applicant on effectively screening the exposed wall and making it more visually appealing with the use of landscaping treatment to screen it from the residential development to the south which consist of townhouses and apartment buildings. Staff will also pursue opportunities for additional tree planting and landscaping within the City's boulevard along Orca Drive which will help screen the exposed parking garage. Staff are working with the applicant on eliminating the need for a retaining wall on Orca Drive south of the mid-rise building by appropriately grading the subject property in relation to Orca Drive. The landscape plans and elevation drawings will need to be revised to reflect the upgraded treatment of the exposed underground parking garage prior to site plan endorsement (see Appendix 'A'). These conditions result from the need for the site grading to work between existing fixed points, such as the northerly terminus of the existing Battista Perri Drive, the grades of existing residential yards to the west, and south, and the existing grades on Bur Oak Avenue and Markham Road.

Sustainability initiatives

The applicant will be implementing the following sustainable initiatives (see Appendix 'B'):

- Toilets will be water sense certified;
- High efficiency gas furnace;
- Energy star certified fridge and dishwasher;
- Engineered hardwood flooring which uses 30% less lumber than traditional solid wood floors;
- Low VOC paint;

- Large portion of ARH structural steel is processed where scrap metal is used as raw material in the steel fusion and refining process for new steel;
- Upgraded lighting (i.e. pot lights) are Energy Star approved LED;
- Design studio carries a variety of 35oz broadloom carpeting (upgrade) that is made from 100% recycled pop bottles; and
- Trex composite material used for exterior wood finishes is made from approximately 50% recycled and/or reclaimed plastics and approximately 50% reclaimed wood.
- The building elevations will also be reviewed against the City's bird friendly guidelines.

Staff are continuing to explore the opportunity for the Owner to provide electrical conduits from the hydro panel to the roofs of the proposed townhouses for potential future solar panels.

Cash-in-lieu of parkland and Developers Group clearance

Matters involving sharing the common costs of development within the Wismer Commons Secondary Plan Area is administered by the Wismer Developers Group. One of the common costs includes parkland dedication. The landowner had already contributed through the Developers Group parkland dedication at the 2% rate when the lands were slated for commercial development. The difference for the residential component will have to be provided to the City as cash in lieu of parkland. The Owner will be required to provide written clearance from the Developers Group that he/she is a member in good standing prior to execution of the site plan agreement (see Appendix 'A'). The provision of cash in lieu of parkland to the City is acceptable in this case, as the Wismer Commons community is already well-served in terms of overall parkland provision, including a future neighbourhood park abutting the subject lands to the south. Wismer Commons Community Park is a five minute walk to the west along Bur Oak Avenue.

Public art contribution

The Owner has agreed to provide a contribution towards the City's public art program.

CONCLUSION:

The proposed development is appropriate and will provide the last remaining parcel of land to complete Battista Perri Drive which will be beneficial to the community. It is recommended that the site plan be endorsed in principle subject to the conditions identified in Appendix 'A'.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

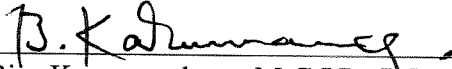
ALIGNMENT WITH STRATEGIC PRIORITIES:

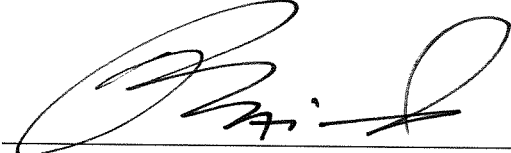
The proposed development aligns with the strategic priorities for creating a safe and sustainable community, managing the road network, encouraging compact development and growth management.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various departments and external agencies and their requirements and comments have been incorporated into the proposed development.

RECOMMENDED BY:


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


Jim Baird, 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: | Site Plan |
| Figure 5: | Building A- Phase 1- Midrise Elevations (Bur Oak Frontage) |
| Figure 6: | Blocks 1 &2 – Phase 1- Townhouse Elevations (Bur Oak Frontage) |
| Figure 7: | South Mid-Rise Building B Elevations |
| Figure 8: | South Townhouse Block 4 Elevations |
| Figure 9: | Rendering Bur Oak Streetscape |
| Appendix 'A': | Site Plan Conditions |
| Appendix 'B': | Sustainable Initiatives |

AGENT CONTACT INFORMATION:

Maria-Christina Fiorucci
Project Coordinator
Aspen Ridge Homes
29 Floral Parkway
Concord, ON, L4K 5C5
Tel: 905-669-9292
Email: MFiorucci@AspenRidgeHomes.com

APPENDIX 'A'
SITE PLAN CONDITIONS
WISMER MARKHAM (COMMERCIAL) DEVELOPMENTS INC.
1735 BUR OAK AVENUE
SC 13 125328

That prior to site plan endorsement:

1. The Owner shall satisfy all City Department technical requirements to the satisfaction of the Director of Planning and Urban Design.
2. The Owner revises the landscape plan and elevation drawings to reflect agreed upon screening and landscaping treatment, to the satisfaction of the Director of Planning and Urban Design.
3. The Owner revises the grading plan, site plan and elevation drawings if needed to reflect any agreed upon changes to the retaining wall along the south-west portion of the property line.
4. Revisions to the building elevations/ landscape plan to incorporate landscaping treatment to screen the exposed parking garage of mid-rise Building B be provided to the satisfaction of the Director of Planning and Urban Design.
5. Revisions to the site plan and/or landscape plan to incorporate pavers or other materials throughout the private street on the west parcel, be provided to the satisfaction of the Director of Planning and Urban Design, if required.

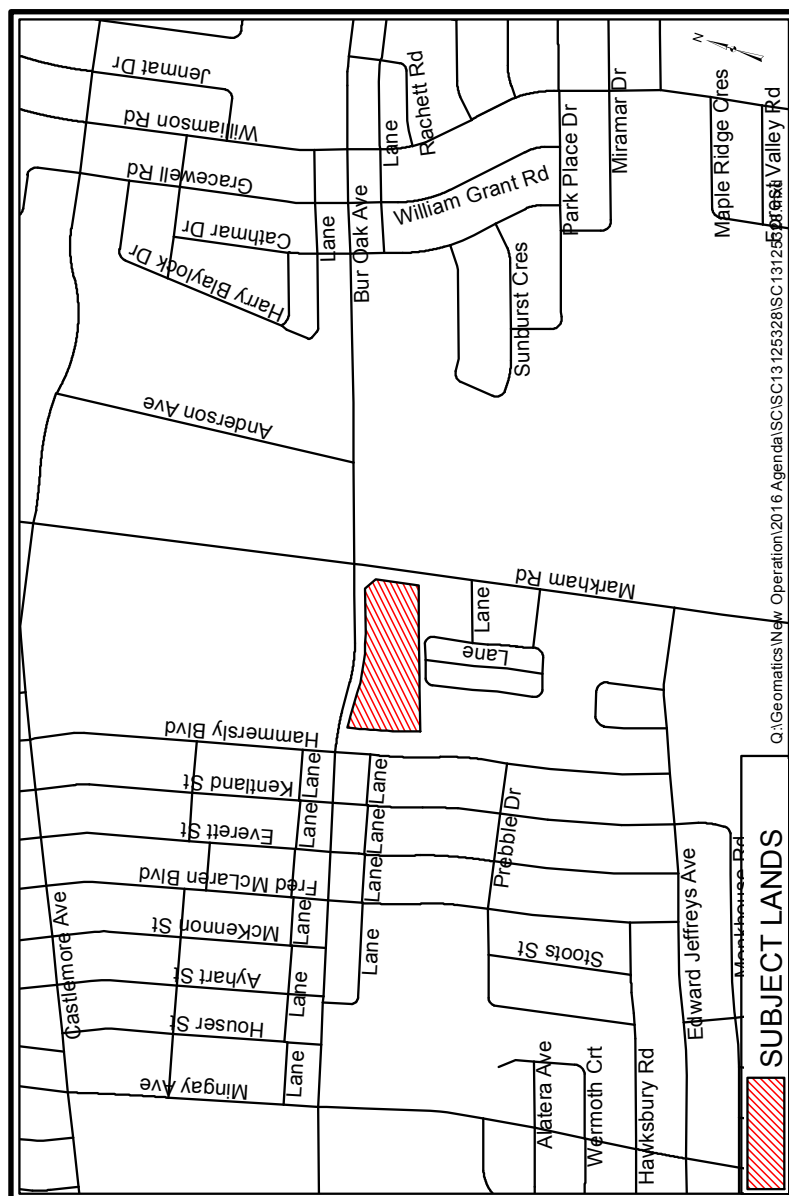
That the Owner shall enter into a Site Plan Agreement with the City, containing all standards and special provisions and requirements of the City and external agencies, including but not limited to:

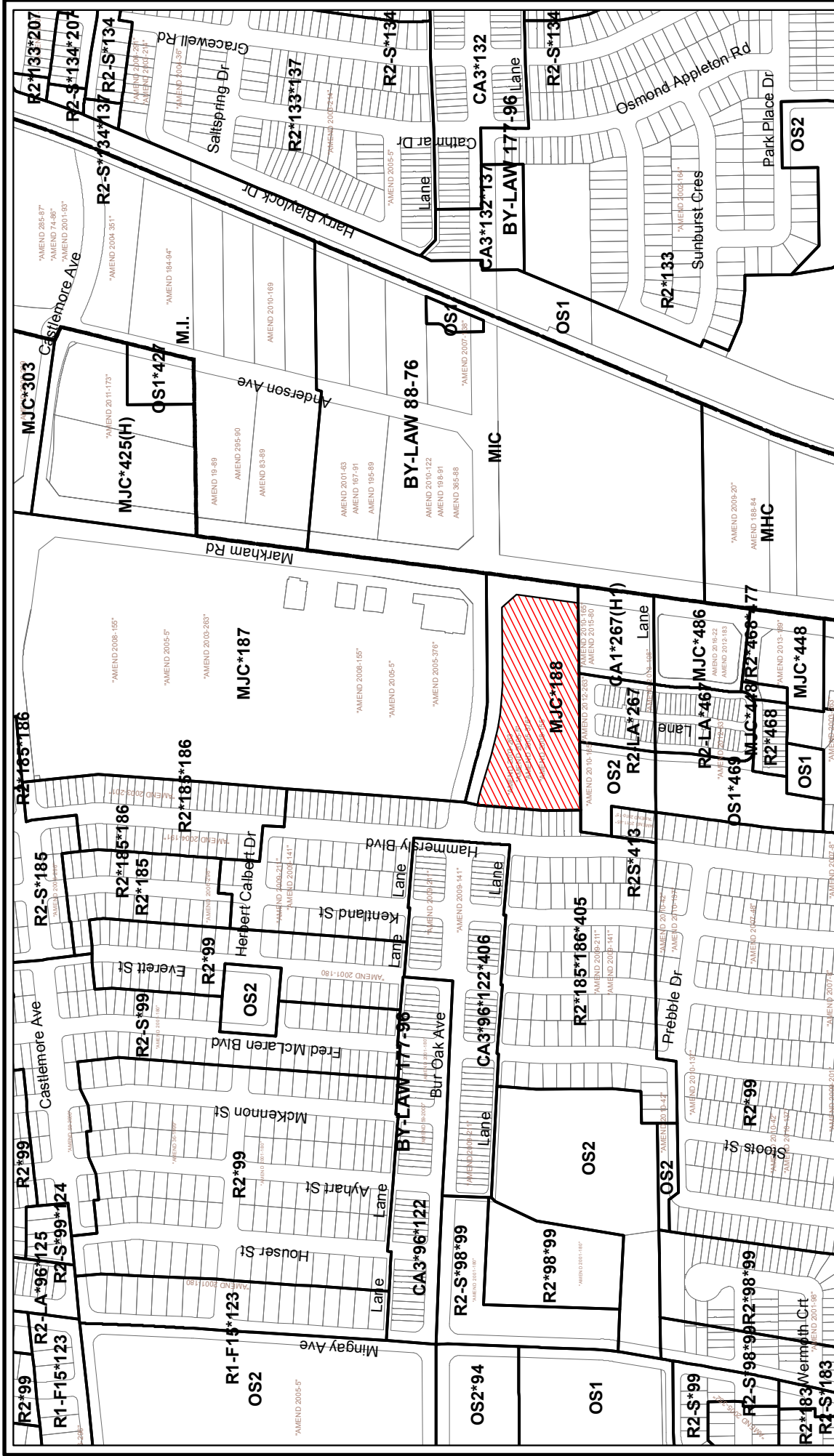
1. Provisions for the payment by the Owner of all applicable fees, recoveries, development charges, provision of parkland dedication (including cash-in-lieu of parkland), public art contribution, and any other financial obligations and securities.
2. That the Owner agrees to implement any agreed upon Bird Friendly Measures to the satisfaction of the Director of Planning and Urban Design.
3. That the Owner agrees to implement the Transportation Demand Management Plan and provide the respective Letter of Credit.
4. That the Owner agrees to implement the sustainable initiatives attached as Appendix 'B' to the satisfaction of the Director of Planning and Urban Design.

That prior to execution of the Site Plan Agreement:

1. The Owner shall submit final site plans, building elevations, engineering drawings, lighting plans, landscape plans and tree preservation plans, along with any other drawings, plans, studies, reports which are required to comply with the requirements of the City and external agencies, to the satisfaction of the Commissioner of Development Services.

2. The Owner shall obtain and provide any necessary easements for access and any other purposes to the satisfaction of the Director of Planning and Urban Design.
3. The Owner provides written clearance from the Trustee of the Wismer Developers Group that all relevant obligations have been fulfilled.






AREA CONTEXT / ZONING

APPLICANT: WISMER MARKHAM (COMMERCIAL) DEVELOPMENTS INC.
1735 BUR OAK AVENUE

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 SUBJECT LANDS



AIR PHOTO (2016)

APPLICANT: WISMER MARKHAM (COMMERCIAL) DEVELOPMENTS INC.
1735 BUR OAK AVENUE

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MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SM

DATE: 03/11/2016

FIGURE No. 3

WEST PARCEL

Bur Oak Avenue

EAST PARCEL

FUTURE PHASE 2
LANDS

Building A
4 Storeys + Mech.

Building 8
+ Mech.

Playground

FUTURE PUBLIC PARK

Orca Drive

Markham Road

SITE PLAN

APPLICANT: WISMER MARKHAM (COMMERCIAL) DEVELOPMENTS INC.
1735 BUR OAK AVENUE

FILE No. SC.13125328 (SM)

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MARKHAM DEVELOPMENT SERVICES COMMISSION

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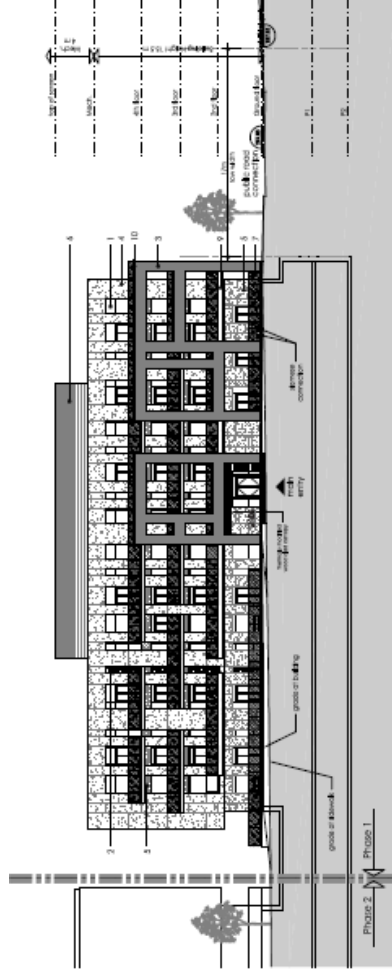
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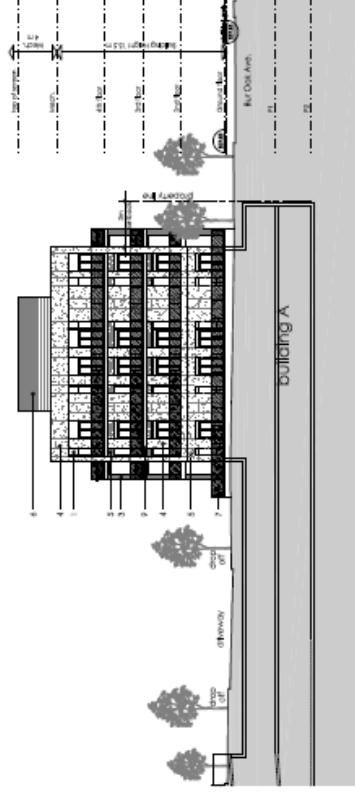
FIGURE No.4

--- SUBJECT LANDS





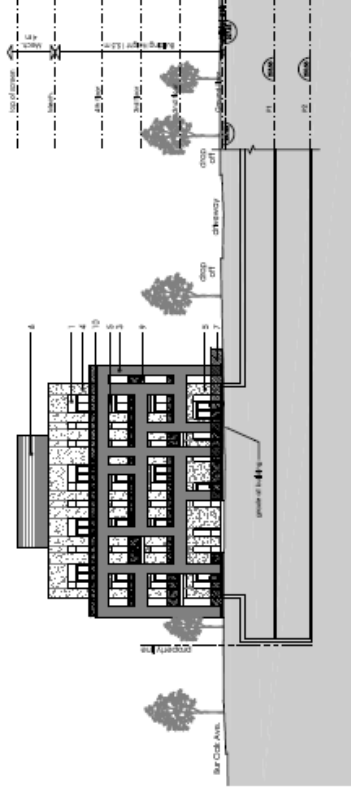
north elevation



east elevation



south elevation



west elevation

BUILDING 'A' - PHASE 1 - MIDRISE ELEVATIONS (Bur Oak Frontage)

APPLICANT: WISMER MARKHAM (COMMERCIAL) DEVELOPMENTS INC.
1735 BUR OAK AVENUE

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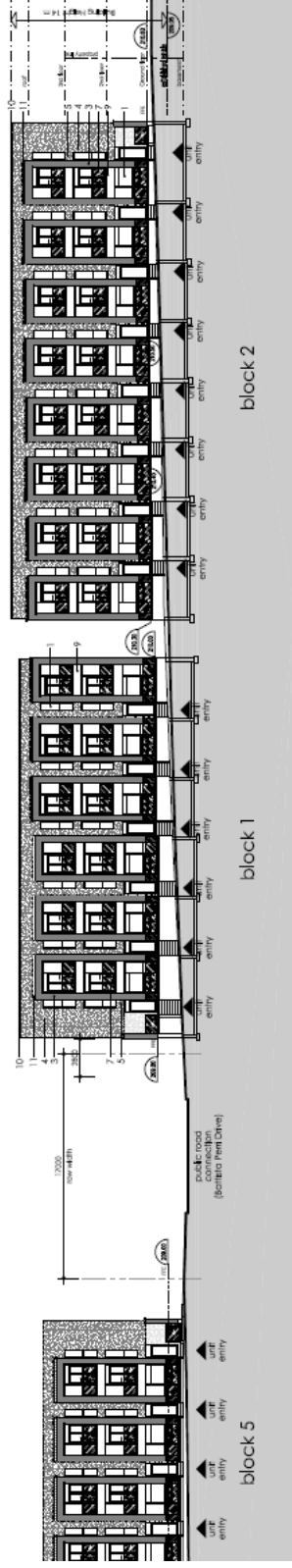
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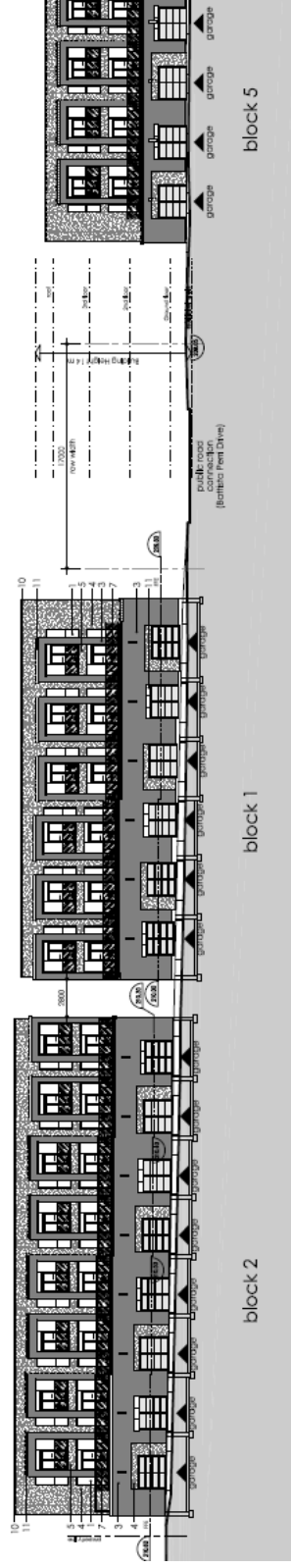
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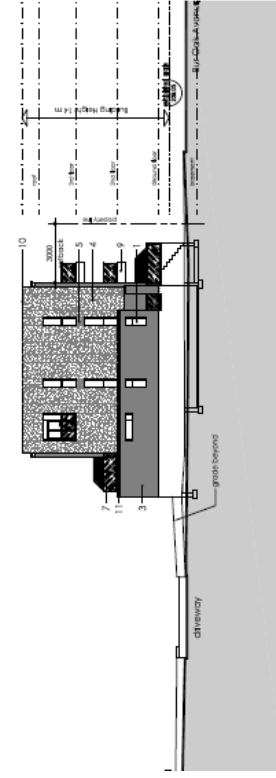
FIGURE No.5



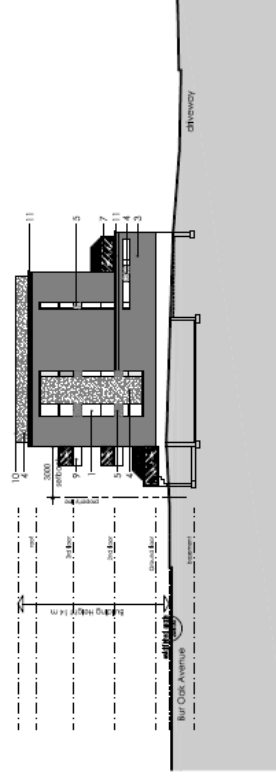
north elevation



south elevation



external elevation (block 1 east & block 2 west)



internal elevation (block 1 west & block 2 east)

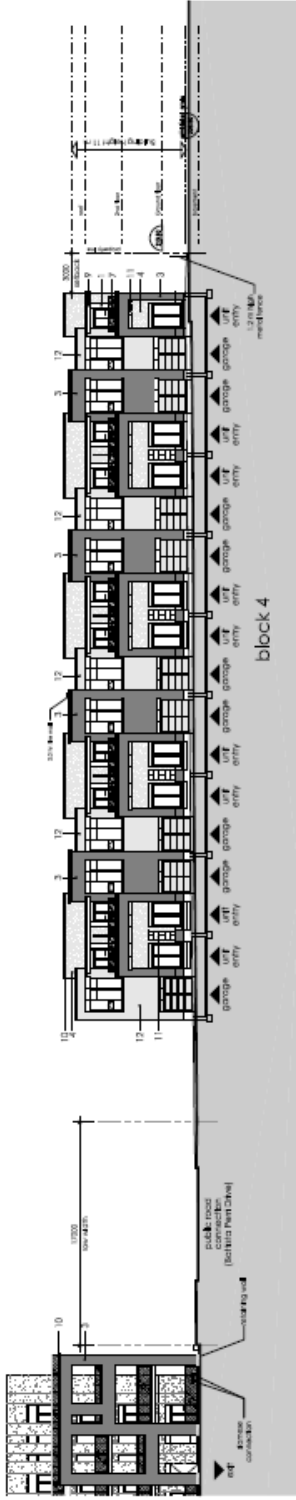
BLKS 1&2 PHASE 1 - TOWNHOUSE ELEVATIONS (Bur Oak Frontage)

APPLICANT: WISMER MARKHAM (COMMERCIAL) DEVELOPMENTS INC.

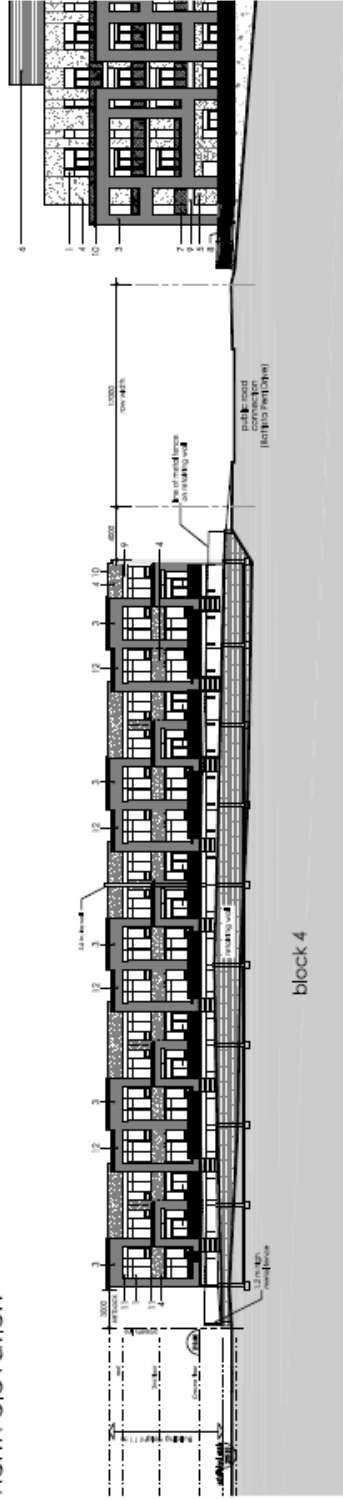
1735 BUR OAK AVENUE

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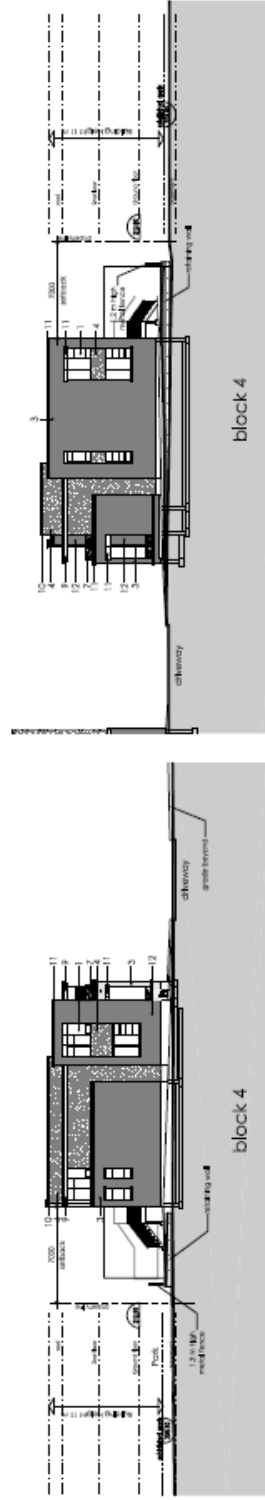
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north elevation



south elevation



east elevation

west elevation

SOUTH TOWNHOUSE BLOCK 4 ELEVATIONS

APPLICANT: WISMER MARKHAM (COMMERCIAL) DEVELOPMENTS INC.
1735 BUR OAK AVENUE

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RENDERING OF THE BUR OAK STREETSCAPE

APPLICANT: WISMER MARKHAM (COMMERCIAL) DEVELOPMENTS INC.
1735 BUR OAK AVENUE

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DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SM

DATE: 03/11/2016

FIGURE No.9

Appendix B

August 8, 2016

Stacia Muradali
Planning and Urban Design Department
City of Markham
101 Town Centre Blvd
Markham, ON, L3R 9W3

Dear Stacia:

**RE: Site Plan Control Application
Wismer Markham (Commercial) Developments Inc.
1735 Bur Oak Avenue, Markham
Application No. 13-125328-000-00 SC
List of Sustainable Features**

As requested, below is the list of Sustainable Features for the townhomes in this development:

Lighting:

All ARH fixtures (non-Energy Star) have CFL bulbs. All design studio upgraded lighting (ie. pot lights) are Energy Star approved LED

Toilets:

Water Sense Certified, High Efficiency Toilet

Furnace:

High Efficiency Gas Furnace with ECM Motor

Hot Water:

Energy Star Certified, exceeding NRCan energy efficiency standards

Appliances:

Energy Star Certified Fridge & Dishwasher

Flooring:

Engineered Hardwood Flooring which uses 30% less lumber than traditional solid wood floors

Paint:

Low VOC Paint

Structural Steel:

A large portion of ARH structural steel is processed where scrap metal is used as raw material in the steel fusion and refining process for new steel

...continued

Broadloom:

Design Studio carries a variety of 35oz broadloom (upgrade) that is made from 100% recycled pop bottles

Trex Decking (Covered Balconies):

Trex composite material is made from approximately 50% recycled and/or reclaimed plastics and approximately 50% reclaimed wood

We trust that the above and enclosed is satisfactory. Please contact us should there be any questions or concerns.

Sincerely,

ASPEN RIDGE HOMES

Maria-Christina Fiorucci
Project Coordinator

Encl.