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**SUBJECT:**                      **Recommendation Report**  
                                 **Wykland Estates Inc. (Mattamy Homes Corporation)**  
                                 Site Plan Approval Application for a proposed mixed-use 6-storey condominium apartment building and ten stacked townhouse dwellings on the east side of Bur Oak Avenue, north of Highway 7.

File: SC 15 149133

**PREPARED BY:**              Stephen Corr, ext 2624  
                                 Planner II, East District

**REVIEWED BY:**              Sally Campbell, MCIP, RPP, ext 2645  
                                 Manager, East District

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**RECOMMENDATION:**

- 1) That the report titled "RECOMMENDATION REPORT, Wykland Estates Inc. (Mattamy Homes Corporation), Site Plan Approval Application for a proposed mixed use 6-storey condominium apartment building and ten stacked townhouse dwellings on the east side of Bur Oak Avenue, north of Highway 7, File SC 15 149133, dated June 14, 2016, be received;
- 2) That the presentation by Wykland Estates (Mattamy Homes Corporation) regarding the proposed residential condominium development consisting of a mixed use six-storey condominium apartment building and ten stacked townhouse dwellings, be received;
- 3) That the Site Plan application (SC 15 149133) submitted by Wykland Estates Inc. (Mattamy Homes Corporation) to facilitate a residential condominium development consisting of a mixed-use six-storey condominium apartment building and ten stacked townhouse dwellings be endorsed in principle, subject to the conditions attached as Appendix 'A'
- 4) That Site Plan Approval (SC 15 149133) be delegated to the Director of Planning and Urban Design or his designate; not to be issued prior to the execution of a site plan agreement and Section 37 Agreement;
- 5) That site plan endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that a site plan agreement is not executed within that period;
- 6) That the City's 2009 Policy requiring all High Density residential developments to achieve at least LEED Silver, be waived, subject to the implementation of the sustainability initiatives outlined in this report, to the satisfaction of the Commissioner of Development Services;

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- 7) That the Draft Zoning By-law Amendment attached as Appendix 'B', be finalized and enacted without further notice,
  - 8) That the Mayor and Clerk be authorized to execute a Section 37 Agreement with the owner;
  - 9) And that Staff be authorized and directed to do all things necessary to give effect to this resolution

### **EXECUTIVE SUMMARY**

This report recommends Development Services Committee's (DSC) endorsement of a site plan application submitted by Wykland Estates Inc. (Mattamy Homes Corporation) for a proposed 6-storey mixed use building and 10 unit stacked townhouse building on the east side of Bur Oak Avenue, north of Highway 7 in Cornell Centre. The proposed 6-storey mixed use building contains 128 apartment units and 7 commercial units at grade, fronting Bur Oak Avenue. This report also recommends that final site plan approval be delegated to the Director of Planning and Urban Design, and that a Zoning By-law Amendment (previously endorsed by DSC for approval) be adopted, to rezone the subject lands, a park block, potential future Catholic high school and public elementary school blocks, and an adjacent development block anticipated to be developed with a similar mixed use building.

The Subject lands are identified as being within the Cornell Centre Key Development Area in the 2014 Official Plan (partially approved October, 2015). Until an updated secondary plan is approved for the Cornell Centre Key Development Area lands, the provisions of the Official Plan (Revised 1987), as amended, and current Cornell Secondary Plan apply to the subject lands. Under the Official Plan (Revised 1987) and Cornell Secondary Plan, the site is Designated "Commercial" and "Community Amenity Area – Bur Oak Corridor Cornell Centre", which provides for medium and high density housing in the form of multiple unit (stacked townhouse) and apartment buildings. The proposed development conforms to the Cornell Secondary Plan with respect to the contemplated land use, building height and density.

The subject lands are zoned Rural Residential Four (RR4) under By-law 304-87, as amended, which permits one single detached dwelling on a large rural lot. Development Services Committee endorsed approval of a Zoning By-law Amendment for the subject lands, as well as for an adjacent midrise development block and school and park blocks in October 2015; however the final Zoning By-law was not advanced to Council for approval at that time.

Staff are of the opinion that the proposed development is appropriate for the site and will achieve a mixed use building as contemplated in the Cornell Secondary Plan, including provisions for commercial uses at grade along Bur Oak Avenue. Staff are currently completing the technical review of the site plan application, and are satisfied with the Parking Justification and Traffic Impact studies submitted in support of the proposal. Staff are of the opinion that the proposed development will not result in any adverse

impact on surrounding land uses. The applicant is proposing to incorporate a number of sustainable design features as part of the proposed mixed-use building, as well as Transit Demand Management (TDM) initiatives to reduce car dependency, including a dedicated parking space for a car share programme. Staff therefore recommend that the site plan be endorsed in principle, and that final site plan approval be delegated to the Director of Planning and Urban Design following execution of the site plan agreement. The applicant will be obligated to satisfy the site plan conditions outlined in Appendix 'A' prior to obtaining site plan endorsement and approval.

**PURPOSE:**

In accordance with Section 2 (a)(iii) of the City of Markham Delegation By-law 2002-02, as amended, the approval authority for this site plan application lies with Development Services Committee for a proposed residential building greater than 4-storeys in height.

The purpose of this report is to recommend endorsement of the site plan application submitted by Wykland Estates Inc. (Mattamy Homes Corporation) for a mixed-use residential condominium apartment building and stacked townhouse dwellings on the east side of Bur Oak Avenue, north of Highway 7 (See Figures 1, 2 and 3). This report also seeks delegation of final Site Plan Approval to the Director of Planning and Urban Design following the execution of a site plan agreement.

An implementing Zoning By-law Amendment for the proposed development was endorsed for approval by Development Services Committee on October 5, 2015. This was part of Committee's approval of Draft Plan of Subdivision 19TM-14010, which contemplated midrise mixed use buildings fronting Bur Oak Avenue, stacked and street townhouse dwellings, parks and potential future Catholic high school and public elementary school blocks. The Zoning By-law Amendment for the townhouse blocks on the Draft Plan was forwarded to Council and approved on October 13, 2015. The Zoning By-law as it applies to the mid-rise blocks (including the subject lands), and to the school and park blocks was deferred so that the Zoning By-law would reflect lot boundary adjustments anticipated prior to final registration of the Plan of Subdivision, as well as the development proposed through this site plan control application. This report also brings forward the Zoning By-law Amendment (Appendix 'B') to facilitate the developments described above. Figure 4 shows the location of lands to be rezoned.

**BACKGROUND:**

The subject lands are located on the east side of Bur Oak Avenue, north of Highway 7 and south of Church Street, within Cornell Centre (See Figures 1, 2 and 3). A temporary Mattamy Homes Sales centre is currently located on the subject lands.

The surrounding context is as follows:

- Abutting lands to the north, south and east are also owned by Wykland Estates Inc. (Mattamy Homes Corporation) and are part of Draft Approved Plan of Subdivision 19TM-14010. These lands are to be developed with mid-rise mixed use buildings fronting Bur Oak, lane-based townhouses and stacked townhouses, as well as parks and a potential future Catholic high school and public elementary school.

- Further to the north, is the existing residential community of Cornell, which is generally characterized by low rise single/ semi-detached dwellings and townhomes;
- To the west and northwest (across Bur Oak Avenue), is the Cornell Community Centre, library and Fire Hall, with Markham Stouffville Hospital and the proposed York Regional Transit bus terminal beyond, as well as other vacant lands designated for future medium to high density mixed use development;

## PROPOSAL

Wykland Estates Inc. (Mattamy Homes Corporation) has submitted a Site Plan application proposing a mixed-use six-storey residential condominium apartment building and ten stacked townhouse dwellings on the subject lands. This development, if approved, will be the first six-storey wood construction building in the municipality since the Ontario Building Code was amended in January 2015 to permit the use of wood in buildings up to six storeys in height.

The proposed apartment building is 'L' shaped and is oriented towards Bur Oak Avenue and Arthur Bonner Avenue along the west and south sides of the building, respectively. It contains seven commercial units at grade fronting Bur Oak Avenue and 128 apartment dwelling units. The stacked townhouse building is located on the east side of the property. The proposed site plan is shown in Figure 5. The total Floor Space Index for the site, including both the six-storey and the stacked townhouse buildings, is 2.38 FSI. The development includes one level of underground parking containing 159 parking spaces for the apartment building. The underground parking garage includes areas for waste storage, mechanical rooms, bicycle racks, and storage lockers. A total of 20 surface parking spaces (including two accessible spaces) are proposed for the apartment building. Additionally, two parking spaces are provided for each stacked townhouse dwelling on private driveways and garages at the rear (west side) of the stacked townhouse building. A wood-framed gazebo and landscaped area at the northwest side of the site provides an outdoor amenity space and pedestrian connection to Bur Oak Avenue. An outdoor amenity area for the apartment building is located on the ground level, adjacent to the south flankage street.

The 6-storey wood-framed apartment building will have a maximum height of 22.35 m (73.3 ft), measured to the highest point of the structure. The exterior façade comprises concrete and masonry treatments consisting of cement and brick veneer, with an exterior-insulated-finishing-system (EIFS) on the upper 2 ½ levels. The balconies consist of a floor to ceiling glazing system which opens and closes to provide three-season amenity space for units on floors 2 through 6. Renderings of the proposed apartment building elevations are shown in Figure 6. Staff have worked with the applicant on the proposed apartment building elevations, which has resulted in the following changes to the original proposal:

- Increasing the height of the signage panel above the ground floor units to support retail / commercial uses at grade and to strengthen the visual distinction between these units and the residential units above;

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- Selecting building materials and colours to give the visual impression of a building that has strong vertical elements and a defined base, middle and top, including a more prominent and uniform roof edge.
  - Reducing the height of rooftop mechanical equipment, stair and elevator bulkheads.
  - Unifying the residential balcony projections or pods, including their colour treatment to create a calmer and more cohesive elevation.

The stacked townhouse building is 3 storeys in height, with roof-top terraces. The maximum height of this building is 11.9 m (39.1 ft). The exterior materials of the stacked townhouse building are similar to the apartment building and comprise composite panels, brick veneer and EIFS on the top floor. The proposed stacked townhouse elevations are shown in Figure 7.

## **OFFICIAL PLAN AND ZONING**

### In-Force Official Plan (revised 1987) and Existing Cornell Secondary Plan

- Designated “Commercial” and “Community Amenity Area – Bur Oak Corridor Cornell Centre”, which is intended to accommodate medium and high density housing in the form of multiple unit (stacked townhouse) and apartment buildings.
- The contemplated built form within this designation is building heights ranging between 4 and 6 storeys, with a minimum density of 1.5 FSI.
- Site Specific policies contained in section 6.3.3.2 a) and b) of the secondary plan are applicable to the subject blocks requiring that at least 55% of the gross ground floor area of the building contain non-residential uses only, and that individual retail premises generally not exceed a Gross Floor Area (GFA) of 500 m<sup>2</sup>.

The GFA policy requirement noted above is intended to ensure that the Bur Oak Avenue street frontage is an animated commercial corridor. Staff are satisfied that the proposed development meets the intent of the Official Plan as the provision of seven non-residential units ensures commercial uses along Bur Oak Avenue and achieves the minimum requirement of 55% of total GFA for the units fronting Bur Oak Avenue. Further, the implementing Zoning By-law (Schedule ‘B’) will permit non-residential uses within all ground floor units in the event that market demand for retail / commercial uses increases over time. Staff will work with the applicant on a future condominium application (to be submitted) to ensure appropriate provisions are put in place in the condominium documents so that other ground floor units with direct street frontage may transition into non-residential uses in the future.

### 2014 Official Plan (partially approved Oct. 2015) and Cornell Secondary Plan Update

The Subject lands are within the Cornell Centre Key Development Area. Until an updated secondary plan is approved for the Cornell Centre Key Development Area lands, the provisions of the Official Plan (Revised 1987), as amended, and current Cornell Secondary Plan shall apply to the subject lands.

### Current Zoning

The subject lands are zoned Rural Residential Four (RR4) under By-law 304-87, as amended, which permits one single detached dwelling on a large rural lot. As noted,

Development Services Committee endorsed approval of a Zoning By-law Amendment for the subject lands, as well as for an adjacent midrise development block and school and park blocks in October 2015; however the final Zoning By-law was not advanced to Council for approval at that time (See Figure 4).

The Zoning By-law amendment, attached as Schedule 'B', will rezone the subject lands to a Community Amenity (CA) designation under By-law 177-96, as amended. This will incorporate site specific parking and development standards to facilitate the proposed 6-storey mixed use and stacked townhouse buildings.

The Zoning By-law Amendment will rezone the adjacent development block to the north with a similar zoning designation to permit another similar 6-storey mixed use midrise building. The school blocks created through approval of draft plan of subdivision 19TM-14010 will be zoned Open Space Two (OS2) under By-law 177-96, as amended, to permit the potential future secondary and elementary schools and the Park Block will be zoned Open Space One (OS1) to permit a community park.

#### **OPTIONS/ DISCUSSION:**

##### **Servicing Allocation, Cost Sharing Obligations and Subdivision Approval**

Servicing Allocation for the 128 apartment dwellings in the mixed-use building and 10 unit stacked townhouse building was confirmed through approval of the Draft Plan of Subdivision. Clearance from the Trustee of the Cornell Developers Group regarding any financial cost sharing obligations will be required prior to registration of the plan of subdivision, and prior to the issuance of site plan approval (See Appendix 'A'). The applicant anticipates registering the Plan of Subdivision 19TM-14010 in the summer of 2016. Site Plan Approval can only be issued following registration of the Plan of Subdivision and after execution of a site plan agreement.

##### **Region of York Approval**

In a letter dated October 6, 2015, the Region of York indicated they have no objection to approval of the site plan application, on the condition that the Region's Site Plan Application review fees are paid by the applicant. Confirmation from the Region that this condition has been satisfied is a requirement to be fulfilled prior to Site Plan Endorsement (Appendix 'A').

##### **Toronto Region Conservation Authority (TRCA) Approval**

In an email dated April 5, 2016, the TRCA identified that its conditions of Draft Plan approval relating to achieving appropriate water balance and infiltration for lands within Draft Approved Plan of Subdivision 19TM-14010 (including the subject lands) shall be addressed by the applicant. The TRCA has requested that this matter be resolved prior to the issuance of site plan endorsement by City staff and accordingly this is included as condition to be met prior to endorsement, as per Appendix 'A'.

##### **Parking and Transportation Demand Management (TDM)**

A Transportation Impact Study was submitted in support of the proposed development, which has been deemed to be acceptable by Transportation Engineering Staff. Staff are

of the opinion that the proposed development will not negatively impact the surrounding area with respect to traffic infiltration or site access.

City of Markham Parking Standards By-law 28-97, as amended, requires apartment dwellings and multiple dwellings (i.e. stacked townhouses) to provide a minimum of 1.25 parking spaces per unit, plus an additional 0.25 spaces per unit for visitor parking. While sufficient parking is provided for the 10 unit stacked townhouse building, the applicant is proposing to reduce the required parking for the mixed use apartment building by approximately 30 parking spaces. The applicant proposes parking rates of 1.1 spaces per apartment unit, with an additional 0.15 spaces per unit allocated as visitor parking. Parking for non-residential uses will be required at 1 space per 30 m<sup>2</sup> of Net Floor Area, which is a typical requirement for commercial uses such as retail stores and offices in the City's Parking Standards By-law. The applicant also proposes a portion of the required visitor parking and non-residential parking be shared. A total of 199 parking spaces are provided on site, (representing a net reduction of 30 spaces), allocated as follows:

- 20 spaces for the stacked townhouse units within private garages and on private driveways;
- 146 spaces for occupants of apartment units;
- 32 shared spaces for commercial use and visitor parking for the mixed use apartment building; and
- 1 space allocated for a car share service.

A parking justification study has been submitted to justify the parking being proposed, which is based on sales information in which unit purchasers have opted to buy only one parking space for the majority of units. Surveys to assess visitor and commercial parking demands were conducted at other mixed use building sites within the City, and concluded that the mix of visitor and commercial parking was sufficient for this development. The parking justification study is acceptable to Transportation Engineering staff. It should be noted that while the cross-section of Bur Oak Avenue adjacent to the building is currently being designed, it is anticipated that this street section will contain on-street parking that will further assist in supporting commercial uses within the building. Staff are of the opinion that the proposed amount of onsite parking will be adequate to accommodate the proposed development.

The applicant will also be required to implement Transportation Demand Management (TDM) strategies as part of the proposed development, which is a condition of Site Plan Approval (Appendix 'A'). As part of their TDM measures, the applicant proposes to provide YRT/Viva transit information and one-month passes, long term storage for bicycle parking and a dedicated parking space for car sharing. A full list of TDM measures is provided in Appendix 'D'.

#### **Proposed Site Plan, building elevations and landscaping are appropriate**

The proposed mixed use building will provide a strong building edge along the Bur Oak Avenue frontage, particularly with the provision of seven commercial units that will animate this commercial 'main street', as intended in the Cornell Secondary Plan. The proposed stacked townhouse building on the east side of the site is compatible with the

built form of abutting residential development, providing an appropriate transition. The applicant has responded to staff comments on the proposed building elevations and has made revisions related to commercial unit design and other components such as vertical elements and the colour and type of materials to be used in the exterior treatment. Urban Design staff are generally satisfied with the proposed elevations, however they have expressed concern over the use of EIFS on the top 2 ½ storeys with respect to long term maintenance and appearance. The applicant contends that EIFS will be used only in specific areas, and that concerns over maintenance and weathering can be mitigated by ensuring that the product is installed correctly. The applicant will provide additional clarification on this matter in their presentation to Development Services Committee.

To date, City staff and external agencies have reviewed the second submission of the site plan application and comments provided to the applicant have been technical in nature and will be required to be addressed prior to Site Plan endorsement (See Appendix 'A'). These outstanding matters relate to final acceptance of the Engineering submission for grading and servicing, functional servicing report and erosion and sediment control plans. The Urban Design group is responsible for final review and approval of the landscape plans and exterior materials prior to execution of the site plan agreement. Notwithstanding these comments, staff are satisfied with the layout and configuration of the proposed site plan, including site access and circulation, provision for onsite parking fire access route, waste collection, private amenity space and the location of landscaped areas. Winter maintenance on site will be required to be provided by the Condominium Corporation for this site.

### **Sustainability initiatives**

In 2009, Council adopted a policy requiring high density residential developments to achieve LEED silver, as a minimum. Since 2009 there have been advancements in sustainable building design, including the use of wood in mid-rise buildings and the construction methods that have been employed in developments, such as the Greenlife projects by Delridge Homes. Consequently, Development Services Committee has been asked to approve medium and high rise developments that incorporate alternative sustainable design components without requiring LEED certification. In this instance Wykland Estates Inc. (Mattamy Homes Corporation) is proposing several sustainable features as part of the proposed development, which includes, but is not limited to the following:

- A wood frame building structure, which is a carbon neutral renewable organic building material;
- Mechanical and Electrical systems that are at least 15% more efficient than current Ontario Building Code requirements;
- Water efficient fixtures to reduce potable water consumption by at least 30%;
- Long term bicycle parking for residents and short term bicycle parking for visitors;
- Low Emission Vehicle parking spaces which provide electrical vehicle charging stations;
- Car sharing



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- Drought tolerant and native landscape plantings within at least 50% of the sites landscaped areas;
  - Compliance with City of Markham bird friendly and dark sky guidelines. In this regard the buildings will be required to conform to the City of Markham bird friendly guidelines, as per Appendix 'A';
  - Waste storage areas for household hazardous waste and sorting for 3-stream waste collection (organics, recyclables and household waste)

A full list of the proposed sustainable features has been provided by the applicant and is included as Appendix 'C'. Should Development Services Committee agree that these sustainable features are appropriate and endorse the site plan, Staff will ensure they are incorporated as part of the approval of the Site Plan Control application.

Staff also acknowledge that the proposed development represents sustainable planning in accordance with the emerging official plan policies and principles of the Greenprint in terms of creating complete communities. The proposal delivers a compact urban development, a range of housing choices, local commercial opportunities and is located within walking and cycling distance to a range of other community facilities and public transportation.

### **Section 37 Agreement and Public Art**

Section 37 of the Planning Act allows municipalities to grant increases in height and/or density in return for additional services, facilities and other community benefits. It is appropriate to consider a Section 37 contribution for community benefits, including public art, for the proposed development (Appendix 'A'). A further Section 37 Agreement for the adjacent development block to the north will be required prior to approval of a future site plan application for those lands, as a condition of site plan approval. Provisions to require a Section 37 Agreement for each block have been included in the Draft Zoning By-law (Appendix 'B').

### **CONCLUSION**

Based on the discussion above staff recommend the site plan application submitted by Wykland Estates Inc. (Mattamy Homes Corporation) be endorsed in principle, subject to the Site Plan Conditions attached as Appendix 'A', and that final approval of the Site Plan be delegated to the Director of Planning and Urban Design. Prior to issuance of site plan endorsement the applicant will be required to address any outstanding technical comments provided by staff and external agencies, including the Region of York and Toronto Region Conservation Authority. Staff also recommend that the implementing Zoning By-law, attached as Appendix 'B', and previously endorsed by Development Services Committee for approval, be forwarded to Council for enactment. Approval of the Zoning By-law will facilitate the proposed development on the subject lands, a similar mid rise development block to the north, a future park and a potential Catholic high school and public elementary school within the associated approved Draft Plan of Subdivision.

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**FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not Applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not Applicable.

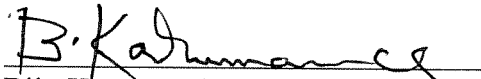
**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The application has been considered within the context of the City's growth management and strategic priorities to create a safe and sustainable community.

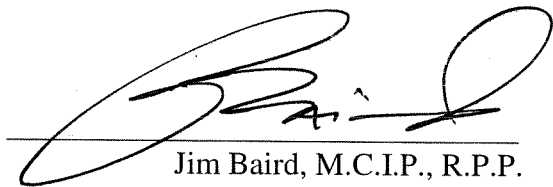
**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various City departments and external agencies, and their comments have been taken into consideration in this report and/or in the conditions of approval.

**RECOMMENDED BY:**



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



Jim Baird, M.C.I.P., R.P.P.  
Commissioner of Development

**ATTACHMENTS:**

- Figure 1 – Site Location Map
- Figure 2 – Area Context/Zoning
- Figure 3 – Aerial Photograph
- Figure 4 – Site Plan (concept)
- Figure 5 – Building Elevations (apartment building)
- Figure 6 – Building Elevations (stacked townhouse building).
- Figure 7 – Location of Lands to be Rezoned
- Appendix 'A' – Conditions of Site Plan Endorsement
- Appendix 'B' – Draft Zoning By-law Amendment
- Appendix 'C' – Sustainable Design Features
- Appendix 'D' – Transit Demand Management Initiatives

**OWNER/APPLICANT:**

c/o David Albanese, MBA, P.ENG.  
Project Manager, Land Development  
Mattamy Development Corporation  
david.albanese@mattamycorp.com

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Appendix 'A'  
Site Plan Conditions  
Wykland Estates Inc. (Mattamy Homes Corporation)  
East Side of Bur Oak Avenue, north of Highway 7  
SC 15 149133

That prior to Site Plan Endorsement:

1. The Owner shall provide a clearance letter from the Region of York advising that the site plan review fees have been paid to the satisfaction of the Region.
2. The Owner shall provide a clearance letter from the Toronto Region Conservation Authority advising that the water balance issues with respect to the review of Draft Approved Plan of Subdivision 19TM-14010 and as it relates to the subject development block have been resolved.
3. That any outstanding City staff comments related to the technical review of the site plan application be addressed to the satisfaction of the Director of Planning and Urban Design or his designate, including final approval of a traffic impact study, building elevations and landscaping drawings.

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 and any other financial obligations and securities.
2. Provisions to satisfy all of the Region of York requirements
3. Provisions to satisfy all of the Toronto Region Conservation Authority requirements.
4. That the Owner agrees to implement Bird Friendly measures and Dark Sky lighting to the satisfaction of the Director of Planning and Urban Design.
5. That the Owner agrees to implement the Transportation Demand Management Plan and provide the respective Letter of Credit to the satisfaction of the Director of Engineering.
6. That the Owner agrees to implement the sustainable design features attached as Appendix 'C', to the satisfaction of the Director of Planning and Urban Design.

That prior to the execution of the Site Plan Agreement and issuance of Site Plan Approval:

1. The Owner shall submit final site plans, building elevations, engineering drawings, lighting plans, landscape 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 Director of Planning and Urban Design.
2. That the Owner executes a Section 37 agreement with the City, including provisions for Public Art, to the satisfaction of the Director of Planning and Urban Design.
3. That the Owner executes the Subdivision Agreement and registers the final 65M-Plan for Draft Approved Plan of Subdivision 19TM-14010, to the satisfaction of the Director of Planning and Urban Design.



**EXPLANATORY NOTE**

**BY-LAW 2016-\_\_\_\_**

**A By-law to amend By-law 304-87, as amended**

(to delete lands from the designated area of By-law 304-87)

**and to amend By-law 177-96, as amended**

(to incorporate lands into the designated area of By-law 177-96)

**Wykland Estates Inc. (Mattamy Cornell Centre)**

**East side of Bur Oak Avenue, north of Highway 7**

**Lands Affected**

The proposed by-law amendment applies to parcels of land which are located on the east side of Bur Oak Avenue, north of Highway 7 and south of Church Street within Cornell Centre. These parcels are within Draft Approved Plan of Subdivision 19TM-14101 and include:

- Two blocks fronting Bur Oak Avenue with a combined area of 1.07 ha (2.63 ac) to be developed with mixed use midrise apartment buildings and stacked townhouses;
- One block fronting Bur Oak Avenue with an area of 6.4 ha (15.8 ac) to be developed with a potential future Catholic high school;
- One block on the east side of Cornell Centre Boulevard with an area of 5.2 ha (12.7 ac) to be developed as a community park; and
- One block on the east side of Cornell Centre Boulevard with an area of 1.4 ha (3.5 ac) to be developed with a future public elementary school.

**Existing Zoning**

The subject lands are zoned Agricultural One (A1) and Rural Residential Four (RR4) under By-law 304-87, as amended.

**Purpose and Effect**

The purpose of this By-law is to remove the subject lands from the designated area of By-law 304-87, as amended, to be incorporated into the designated area of By-law 177-96, as amended by rezoning them into the following zone categories:

Community Amenity One*547(Hold)	CA1*547(H)
Community Amenity One*547*555	CA1*547*555
Open Space One	OS1
Open Space Two	OS2

The effect of this by-law is to permit mixed use mid rise apartment buildings and stacked townhouses on the lands zoned Community Amenity One\*547 and Community Amenity One \*547\*555 (CA1\*547 and CA1\*547\*555), a community park on the lands zoned Open Space One (OS1), and a potential Catholic high school and public elementary school on the on the lands zoned Open Space Two (OS2).



**BY-LAW 2016-\_\_\_\_\_**

**A By-law to amend By-law 304-87, as amended**  
*(to delete lands from the designated area of By-law 304-87)*  
**and to amend By-law 177-96, as amended**  
*(to incorporate lands into the designated area of By-law 177-96, as amended)*

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The Council of the Corporation of the City of Markham hereby enacts as follows:

- 1. That By-law 304-87, as amended, is hereby further amended by deleting the lands shown on Schedule ‘A’ attached hereto, from the designated area of By-law 304-87, as amended.
- 2. That By-law 177-96, as amended, is hereby further amended as follows:
  - 2.1 By expanding the designated area of By-law 177-96, as amended, to include the lands shown on Schedule ‘A’ attached hereto.
  - 2.2 By zoning the lands outlined on Schedule ‘A’ attached hereto as follows:

**Community Amenity One\*547(Hold) [CA1\*547(H)] Zone**  
**Community Amenity One\*547\*555 (CA1\*547\*555) Zone**  
**Open Space One (OS1) Zone**  
**Open Space Two (OS2) Zone**

- 2.3 By adding the following subsections to Section 7 – EXCEPTIONS:

**“7.547 Wykland Estates Inc. (Mattamy Cornell Centre)**  
**East side of Bur Oak Avenue, north of Highway 7**

Notwithstanding any other provisions of By-law 177-96, as amended, the provisions in this Section shall apply to those lands denoted by symbol \*547 on Schedule ‘A’ to this By-law.

**7.547.1 Only Permitted Uses**  
Only the following uses are permitted:

Residential Uses:

- a) *Apartment Dwellings;*
- b) *Multiple Dwellings*
- c) *Home Occupations*
- d) *Private Home Day Care*

Non-Residential Uses:

- e) *Art Galleries;*
- f) *Business Offices*
- g) *Commercial Fitness Centres;*
- h) *Financial Institutions*
- i) *Medical Offices*
- j) *Personal Service Shops*
- k) *Repair Shops;*
- l) *Restaurants;*
- m) *Retail Stores;*
- n) *School, Commercial;*
- o) *Sales Office; and*
- p) *Take Out restaurants.*

#### **7.547.2 Special Zone Provisions**

The following special zone provisions shall apply:

- a) The Bur Oak Avenue *streetline* is deemed to be the *front lot line*;
- b) Non-residential uses are permitted only in the *first storey* of a *building* containing *apartment dwellings*;
- c) A minimum of 55% of the *Gross Floor Area* of units fronting Bur Oak Avenue shall contain non-residential uses;
- d) Minimum *Front Yard* – 0.0 metres;
- e) Minimum *Rear Yard* for an apartment *building* – 0.0 metres;
- f) Minimum *Rear Yard* for a *building* containing *multiple dwellings* – 1.0 metre;
- g) Minimum *Interior Yard* for an *apartment building* or building containing *multiple dwellings* – 10.0 metres;
- h) Minimum *Flankage Yard* – 0.0 metres;
- i) Access to the below grade *parking garage* is not permitted from Bur Oak Avenue;
- j) Minimum *Height* of an apartment *building* – 18.0 metres;
- k) Maximum *Height* of an apartment *building* – 24.0 metres;
- l) Minimum *Height* of a *building* containing *multiple dwellings* – 8.5 metres;
- m) Maximum *Height* of a building containing *multiple dwellings* – 13.0 metres;
- n) Minimum *Floor Space Index* 1.9;
- o) Minimum *Landscaped Open Space* – 10%; and
- p) *Loading Spaces* are not required.”

#### **“7.555 Wykland Estates Inc. (Mattamy Cornell Centre) East side of Bur Oak Avenue, north of Highway 7**

Notwithstanding any other provisions of By-law 177-96, as amended, the provisions in this Section shall apply to those lands denoted by symbol \*555 on Schedule ‘A’ to this By-law.

#### **7.555.1 Special Zone Provisions**

The following special zone provisions apply:

- a) Minimum number of *parking spaces* for an *apartment dwelling* – 1.1 *parking spaces* per unit;
- b) Minimum number of *parking spaces* for visitor and non-residential uses within a *building* containing *apartment dwellings* – 32 spaces;
- c) Minimum number of *parking spaces* for multiple units – 1.5 *parking spaces* per unit; and
- d) Required Parking for multiple units may be provided in tandem and located on a *Driveway* and within a *private garage*.”

3. SECTION 37 AGREEMENT

3.1 Part 1

The applicant shall be required to enter into a Section 37 Agreement to secure the provision of community facilities and services by the City for the lands shown as Part 1 on Schedule ‘A’ to this By-law.

4. HOLD (H) PROVISION

4.1 Part 2

For the purposes of this By-law, a Hold (H) provision is hereby established and is identified on lands shown as Part 2 on Schedule ‘A’ attached hereto by the letter (H) in parenthesis following the zoning symbol.

No person shall hereafter erect or alter any building or structure on lands subject to the Hold (H) provision for the purpose permitted under this By-law until amendment(s) to this By-law to remove the letter (H) have come into effect pursuant to the provisions of Section 36 of the Planning Act.

Prior to removing the Hold (H) provision the following condition must be met to the satisfaction of the City of Markham:

- i) The applicant shall be required to enter into a Section 37 Agreement to secure the provision of community facilities and services to the City.

Read and first, second and third time and passed on \_\_\_\_\_, 2016.

---

Kimberley Kitteringham  
City Clerk

---

Frank Scarpitti  
Mayor







2171 Avenue Road, Suite 302  
 Toronto, Ontario. M5M 4B4  
 Tel: 416-322-6334  
 Fax: 416-322-7294

## CORNELL SUSTAINABILITY FEATURES

### ARCHITECTURAL

- A1. Long-term parking in a secure bicycle parking facility.
- A2. Short-term bicycle parking in a highly visible and publicly accessible location.
- A3. Safe, accessible pedestrian routes that connect with off-site pedestrian networks and priority destinations.
- A4. Pedestrian clearway at least 2.0 m wide to accommodate pedestrian flow.
- A5. Covered outdoor waiting areas.
- A6. Waste collection & sorting: Providing a tri-waste sorting system.
- A7. Waste storage spaces: Providing an easily accessible waste storage room.
- A8. Bulky waste: Providing a minimum of 10 m<sup>2</sup> for bulky items and additional diversion programs.
- A9. Opaque building materials: At least 50% of the exterior surface of the building will be non-reflective opaque materials.
- A10. Household hazardous waste: Provide a dedicated collection area or room.
- A11. Bird Friendly Glazing as per City of Markham guidelines
- A12. Wood Framed built-form, a Carbon neutral building product.

### ELECTRICAL

- E1. Pedestrian scale lighting.
- E2. Building designed to achieve at least 15% energy efficiency improvement over the current Ontario Building Code.
- E3. Exterior lighting: Shield all exterior light fixtures.
- E4. Enhanced LEV spaces: Electrical provision for future electric vehicle charging.

### MECHANICAL

- M1. Water Efficient Fixtures: Reduce potable water consumption by at least 30% using efficient water fixtures and appliances.
- M2. Building designed to achieve at least 15% energy efficiency improvement over the current Ontario Building Code.

### LANDSCAPING

- L1. Shade within 5 years of construction.
- L2. Drought-tolerant landscapes: Water efficient plant material provided for at least 50% of landscaped site area.



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- L3. Tree protection: Adherence to the Tree Protection Policy and Specifications for Construction near Trees.
- L4. Street tree retention: Protect and retain all trees adjacent to City streets and roadways and City-owned Parkland.
- L5. Trees along street frontages: Plant large shade trees along all street frontages.
- L6. Watering program: Provide a watering program for trees for at least the first 2 years after planting.
- L7. Biodiversity in landscapes: Plant landscaped site area using a minimum of 50% native species.
- L8. Invasive species: No invasive species on properties along streets abutting ravines and natural areas.

#### **SITE SERVICES**

- SS1. Adherence to *Erosion and Sediment Control Guidelines for Urban Construction*

#### **BUILDING SYSTEMS**

- B1. Construction waste: Recycle at least 75% of non-hazardous construction and demolition debris.
- B2. Recycled content: Ensure that at least 20% construction materials comprise recycled content.



# MEMO

7880 Keele Street  
 Vaughan, ON L4K 4G7  
 Telephone: 905.907.8871  
 Fax: 905.907.8300

<b>To:</b>	Stephen Corr, Planner II, East District
<b>CC:</b>	David Albanese, Dave Dekort
<b>From:</b>	Andrew Eldebs
<b>Date:</b>	May 31, 2016
<b>Re:</b>	<b>SC15-149133 – Mattamy Cornell Centre Midrise TDM</b>

Dear Stephen,

Please find below a description of TDM measures that Mattamy will be implementing as part of the Site Plan application noted above. The TDM measures being implemented address all latest TDM comments made by Fion Ho of the City of Markham Transportation Department.

## 1. **Bicycle Parking**

Mattamy will provide short term and long term bicycle parking facilities as part of the Site Plan to support the City's cycling network.

- Mattamy will provide secure long term bicycle parking in an enclosed underground parking garage with access restricted to all except residents and tenants.
- Mattamy will provide short term above ground bicycle parking to accommodate residential and commercial visitors who travel by bicycle.

## 2. **Transportation Education**

Mattamy will work with the City of Markham and Region of York to implement transportation programs, in an effort to achieve the City's and Region's transportation objectives.

- Mattamy will provide new residents with the opportunity to participate in a monitoring program to evaluate the success of the proposed TDM measures and to determine future enhancement. Mattamy will distribute travel surveys (provided by the City or Region) to new residents at the time of occupancy, and will conduct a follow-up survey with all residents after two years of full occupancy.
- Mattamy will work with York Region and York Region Transit to implement the Transit Incentive Program and deliver New Resident Information Packages to all new residents. Mattamy will coordinate with York Region and York Region Transit to determine the best way to deliver, promote and partner on the program to achieve desired goals and implement the program to the new residents and tenants.
- Mattamy will distribute a 1 month transit pass (Presto card), provided by the Region of York, to all residents of the 145 units within the Site Plan.

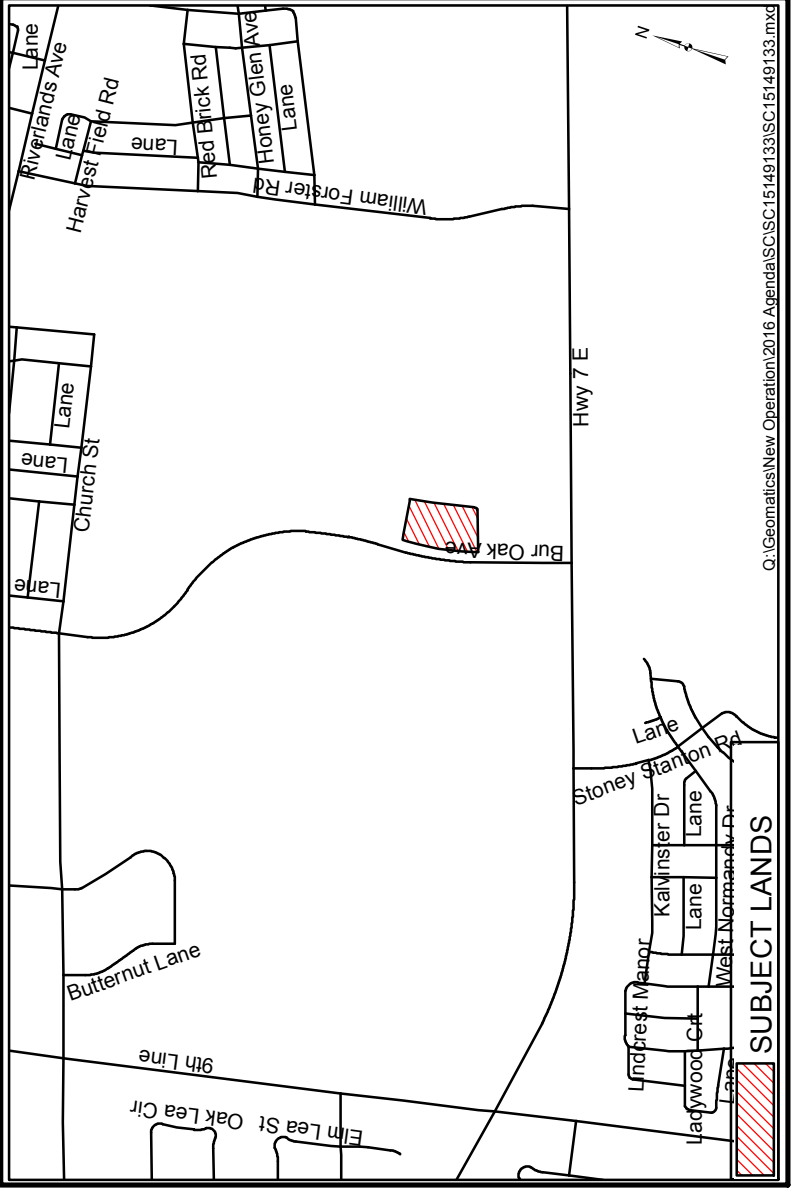
3. **Car Share**

Mattamy will provide one car share space on site. A 2-year car share membership will also be provided to every unit within the 6-storey building.


Should you require any further information or clarification, please do not hesitate to contact me.

Thanks,

Andrew Eldebs, EIT  
Land Development Project Coordinator  
O: (905) 907-8871  
C: (647) 248-6581  
[Andrew.Eldebs@MattamyCorp.com](mailto:Andrew.Eldebs@MattamyCorp.com)





 SUBJECT LANDS

# AREA CONTEXT / ZONING

APPLICANT: WYKLAND ESTATES INC. (MATTAMY CORNELL CENTRE)  
BUR OAK AVE.

FILE No. SC. 15149133 (SC)

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 MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SC

DATE: 05/05/2016

**FIGURE No. 2**





# AIR PHOTO 2015

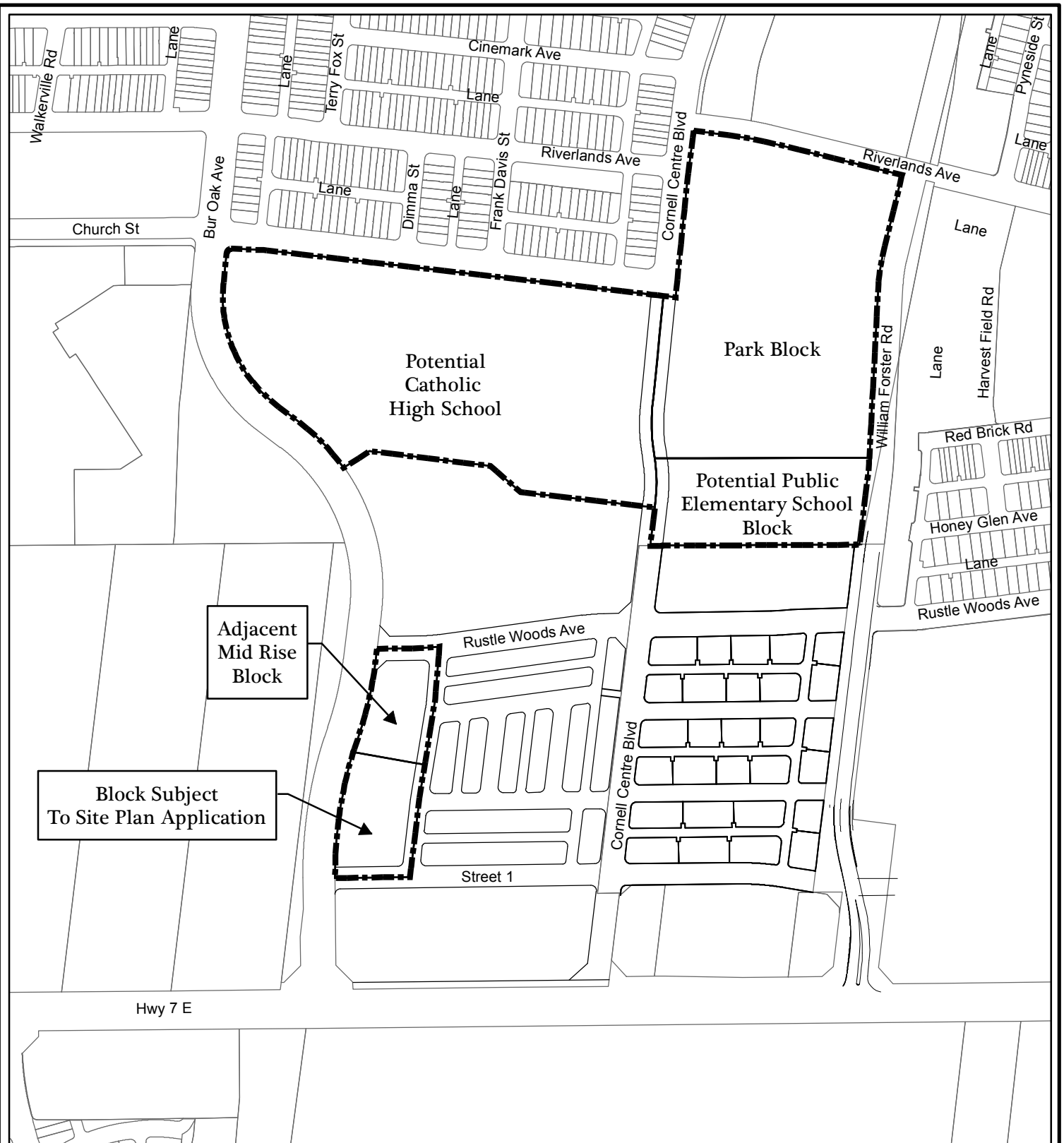
APPLICANT: WYKLAND ESTATES INC. (MATTAMY CORNELL CENTRE)  
BUR OAK AVE.

 SUBJECT LANDS

FILE No. SC. 15149133 (SC)

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# LOCATION OF LANDS BEING REZONED

APPLICANT: WYKLAND ESTATES INC. (MATTAMY CORNELL CENTRE)  
BUR OAK AVE.

FILE No. SC. 15149133 (SC)

--- SUBJECT LANDS

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DATE: 06/05/2016



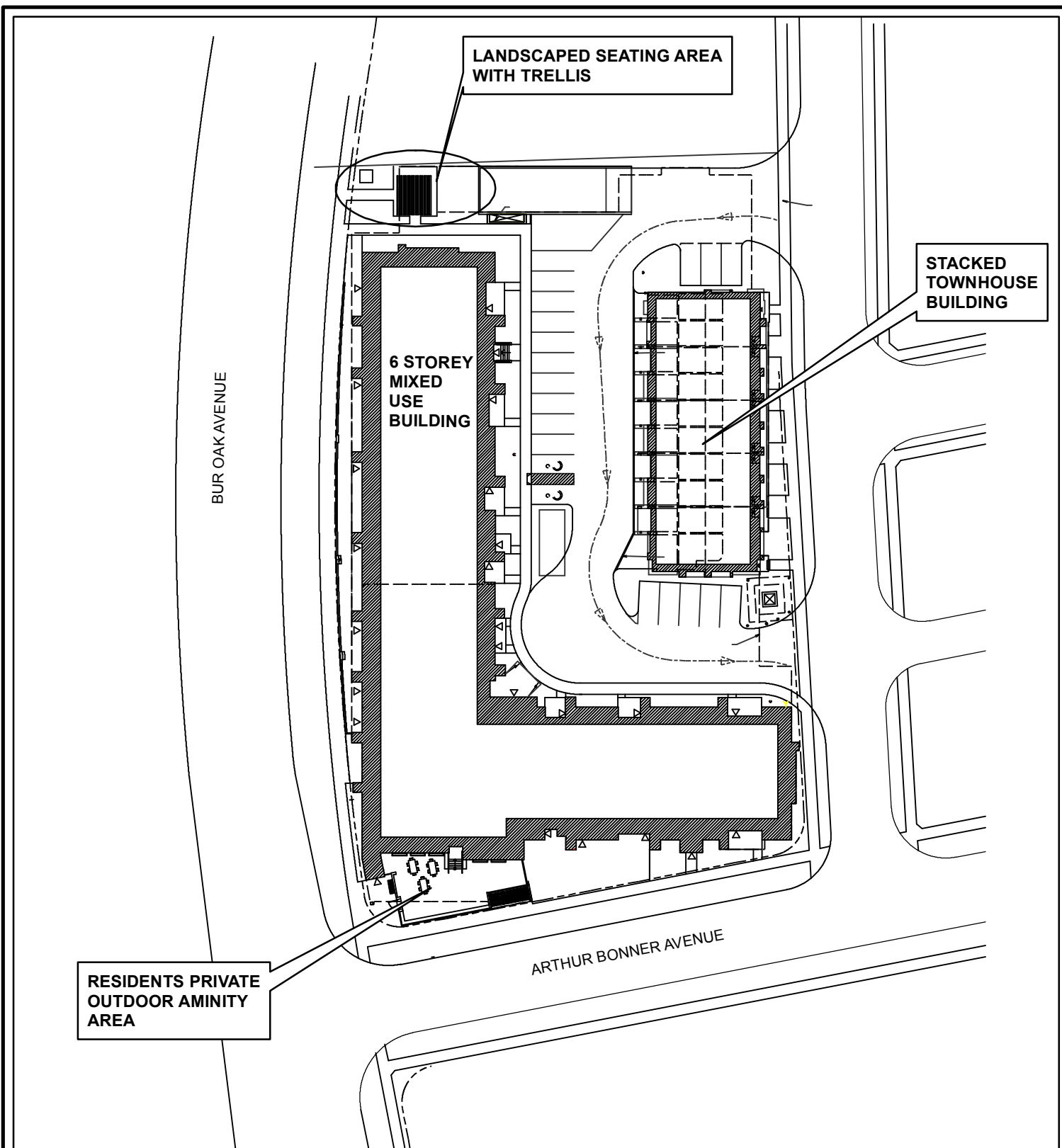
DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SC

FIGURE No. 4





# SITE PLAN

APPLICANT: WYKLAND ESTATES INC. (MATTAMY CORNELL CENTRE)  
BUR OAK AVE.

FILE No. SC. 15149133 (SC)

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DATE: 06/05/2016



DEVELOPMENT SERVICES COMMISSION

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FIGURE No. 5



# MIXED USE ELEVATIONS

APPLICANT: WYKLAND ESTATES INC. (MATTAMY CORNELL CENTRE)  
 BUR OAK AVE.

FILE No. SC. 15149133 (SC)

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# STACKED TOWNHOUSE ELEVATIONS

APPLICANT: WYKLAND ESTATES INC. (MATTAMY CORNELL CENTRE)  
BUR OAK AVE.

FILE No. SC. 15149133 (SC)

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