



Report to: Development Services Committee

Report Date: June 23, 2015

SUBJECT: RECOMMENDATION REPORT
Site plan application submitted by the Catholic Cemeteries Catholic and Funeral Services - Archdiocese of Toronto (CCFS), to permit a mausoleum at the Holy Cross Cemetery at 211 Langstaff Road

FILE NO: SC 15 243928

PREPARED BY: Geoff Day, MCIP, RPP – Senior Planner, West Development District

REVIEWED BY: Dave Miller, MCIP, RPP – Manager, West Development District

RECOMMENDATION:

1. That the site plan application (SC 15 243928) submitted by the Catholic Cemeteries Catholic and Funeral Services - Archdiocese of Toronto (CCFS), to permit a proposed Phase 1 mausoleum at Holy Cross Cemetery at 211 Langstaff Road, be endorsed in principle, subject to the conditions in Appendix 'C';
2. That site plan endorsement and approval be delegated to the Director of Planning and Urban Design or designate, and that Site Plan Approval be issued following execution of a Site Plan Agreement. (Site Plan Approval is issued only when the Director has signed the plan);
3. That the 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;
4. And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report presents an overview and evaluation of the application for Site Plan Approval for a proposed mausoleum at 211 Langstaff Road.

BACKGROUND:

The Holy Cross Cemetery under the management of the Catholic Cemeteries Catholic and Funeral Services - Archdiocese of Toronto (CCFS) is located on the east side of Yonge Street to Bayview Avenue, south of Highway 407, municipally known as 8361 Yonge Street, (from Yonge Street to the CN Rail Line) and 211 Langstaff Road (from the CN Rail Line to Bayview Avenue (Figure 1). Rural industrial properties within the Langstaff Gateway Secondary Plan area are located to the north and residential properties to the south.

An existing 13,000 m² (140,000 ft²) mausoleum and a 4,562 m² (49,107 ft²) funeral home are located on the property at 211 Langstaff Road. The remainder of the lands are intended for in-ground burial plots.

Official Plan and Zoning

The subject lands are designated Institutional – Cemetery in the Thornhill Secondary Plan, which forms part of the current approved Official Plan. This designation is intended for lands which are used, or intended to be used, for cemetery purposes customarily associated with the internment of the dead, including mausolea, columbaria and crematoria. In the new Markham Official Plan 2014 (not yet in force), the lands are designated Private Open Space. This designation provides for cemetery uses and uses associated with a cemetery including mausoleums, columbaria, crematoriums and funeral homes.

The subject lands are zoned Special Use (O2) by By-law 2150, as amended, which permits cemeteries and hospitals.

Proposal

CCFS has applied for site plan approval to construct a second mausoleum on the subject lands. The mausoleum will be constructed in three (3) phases. Phase 1 of the mausoleum (subject to this approval) has a proposed gross floor area of 9,550m² (102,800ft²) and a height of 23.8m (78 feet). Phase 1 also includes 54 parking spaces. The combined gross floor area of the three phases is 26,174² (281,744ft²), with 130 parking spaces. Phases 2 and 3 will require future site plan and minor variance applications (see Figures 4 and 6).

OPTIONS/ DISCUSSION:**Minor variance application submitted and deferred by Committee of Adjustment**

CCFS applied for minor variances (A/31/15) to By-law 2150, as amended for the phase 1 component of the mausoleum building as follows:

- a) to permit a parking standard of 1 space per 48 square metres of net floor area (54 parking spaces), whereas the By-law requires 1 parking space per 25 square metres of net floor area (102 parking spaces); and,
- b) to permit a maximum building height of 23.8m (78 feet); whereas, the By-law permits a maximum building height of 12.2m (40 feet).

On April 22, 2015, the Committee of Adjustment deferred hearing the minor variance application to June 10, 2015. The deferral was at the request of the Local Ward Councillor, who wanted to ensure that the area residents had an opportunity to understand the variances being proposed in the context of the site plan application.

Community Meeting held

The local councillor hosted a non-statutory community meeting on May 14, 2015. CCFS's agent presented the proposal, which also included a brief history of the property, and presentation of a conceptual long term master plan. The master plan was presented for information only. CCFS is not seeking endorsement or approval of the master plan concept as part of this site plan application.

The residents' main concerns and Staff's response (in italics) included:

- 1) Whether there will be sufficient landscaping to effectively screen the new mausoleum from the residential community to the south;

CCFS have committed to plant additional trees along the south property line (an excerpt of the commitment letter provided to Staff is attached as Appendix 'A'). City Staff will work with CCFS to determine the number, location and appropriate species to be planted.

- 2) The potential for flooding during a significant storm event;

The City's Engineering Department is reviewing the Stormwater Management Plan and all associated Grading Plans. The Site Plan Agreement will include provisions to ensure the proper connections to municipal sewers are in place and that the on-site stormwater management system is sufficient to ensure there are no negative impacts onto the neighbouring properties.

- 3) The proposed building height. (The height to the top of the cross is approximately 31.6m (103'8") high. The dome and cross are not included in the height as defined in the zoning by-law);

The wall of the mausoleum that is facing the residential lands is approximately 100.6m (330ft) long. Ninety percent (90%) of this length is 18.9m (62ft) high which is 1.5m (5ft) taller than the existing mausoleum to the east. The structural base around the dome has a height from average grade of 23.8m (78ft). It is approximately 9.45m (31ft) or 10% of the length of the entire building (Figure 6). The dome itself and cross are architectural features and are not included in the calculation of building height under the by-law.

- 4) That there is no economic benefit to the City in approving the minor variances requested as CCFS is a tax exempt organization;

The City of Markham does not distinguish between non-profit, tax exempt, regular business owners or private residents when reviewing and evaluating minor variance applications. Planning Staff evaluate and make recommendations based on the planning merits of the proposal.

- 5) Concerns over dust and noise during construction;

CCFS has committed to the mitigation of dust during the construction period. Further, a clause will be included in the Site Plan Agreement requiring that an interim granular surface be applied to the construction areas to prevent dust from fouling the surrounding lands.

- 6) The applicant was asked if a compromise could be made with respect to the building height;

CCFS has advised that due to the floor to ceiling heights needed to accommodate the four storey building, the height requested was necessary.

- 7) Concerns over the construction hours and total length of time it will take to build the mausoleum.

Schedule 2 of the City's Noise By-law 2003-137, as amended prohibits the operation of any equipment in connection with construction between 7:00 pm. and 7:00 am from Monday to Saturday, all day Sundays and Statutory Holidays. In addition, CCFS has indicated that it will provide the area residents with a hotline number and e-mail address for all cemetery complaints. All complaints received will be responded to within 48 hours. Staff are of the opinion that all complaints received should be responded to within 24 hours. Staff will ask that the commitment letter be amended committing to this change in response time.

Minor Variance application – June 10, 2015

In addition to the Staff comments relating to height discussed in point 3 above, Staff are also of the opinion that the proposed variance to permit a reduction in the required number of parking spaces is supportable, as additional parking can be accommodated along the private roads within the cemetery lands.

The Committee of Adjustment approved the minor variance on June 10, 2015, subject to conditions of approval which are attached in Appendix 'B'.

Urban Design Staff are satisfied with proposed phase 1 mausoleum

The proposed mausoleum is to be built in a similar architectural style as the existing mausoleum. Urban Design Staff have reviewed the proposal and are satisfied with the siting of the building, as well as the building materials and architectural features being proposed.

Environmental Initiatives

CCFS has committed to a number of sustainability initiatives including:

- 1) Polyurethane spray insulation, acts as a vapour and air barrier, eliminates any thermal bridges and maintains a constant ambient temperature;
- 2) The 'cold roof' is an elastomeric membrane with white gravel to reduce heat gain and heat island;
- 3) Double glazed low E argon windows;
- 4) Interior lighting is sensor monitored and activated only in the presence of human activity to reduce energy consumption;
- 5) The inside temperature is maintained at approximately 55 F and 78 F, winter and summer, respectively;
- 6) Energy efficient HVAC system;
- 7) Low flow sanitary fixtures;

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- 8) High energy efficient hot water tanks;
 - 9) LED lighting and provisions for solar panels;
 - 10) Drought resistance plants, shrubs and trees;
 - 11) Diversion/recycling of qualifying construction waste;
 - 12) Deciduous trees strategically located in parking lot areas reduce the heat island effect;
 - 13) One (1) percent building coverage and the storm water management ponds both promote water balance through overland sheet flow and surface water infiltration and ground water recharge; and,
 - 14) A photometric/lighting design that conforms to the City's 'Dark Skies' specifications.

CONCLUSION:

Staff are satisfied with the proposal and recommend that the Site Plan be endorsed, subject to the conditions outlined in this report.

FINANCIAL TEMPLATE (external link):

Not applicable.

ENVIRONMENTAL CONSIDERATIONS:

Not applicable.

ACCESSIBILITY CONSIDERATIONS:

The site plan identifies six accessible spaces and a barrier free main entrance to the proposed mausoleum.

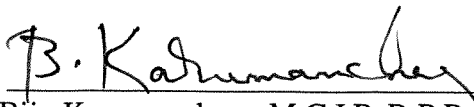
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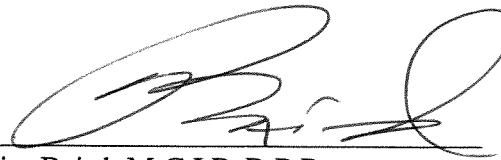
The proposed mausoleum provides a community service to the residents Markham. Providing for an additional mausoleum on the cemetery lands is an efficient use of the existing infrastructure and may be considered a component of Managed Growth.

BUSINESS UNITS CONSULTED AND AFFECTED:

The proposal has been circulated to other City Departments and their comments have been incorporated into this report and the conditions of approval.

RECOMMENDED BY:


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


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

ATTACHMENTS:

Figure 1 - Location Map

Figure 2 - Air Photo

Figure 3 - Area Context and Zoning

Figure 4 - Site Plan

Figure 5 - Elevations

Figure 6 – Building Height

Appendix 'A' – Excerpt of commitment letter

Appendix 'B' – Conditions associated with Minor Variance approval

Appendix 'C' – Conditions of Site Plan Approval

AGENT

Augusta National Inc.

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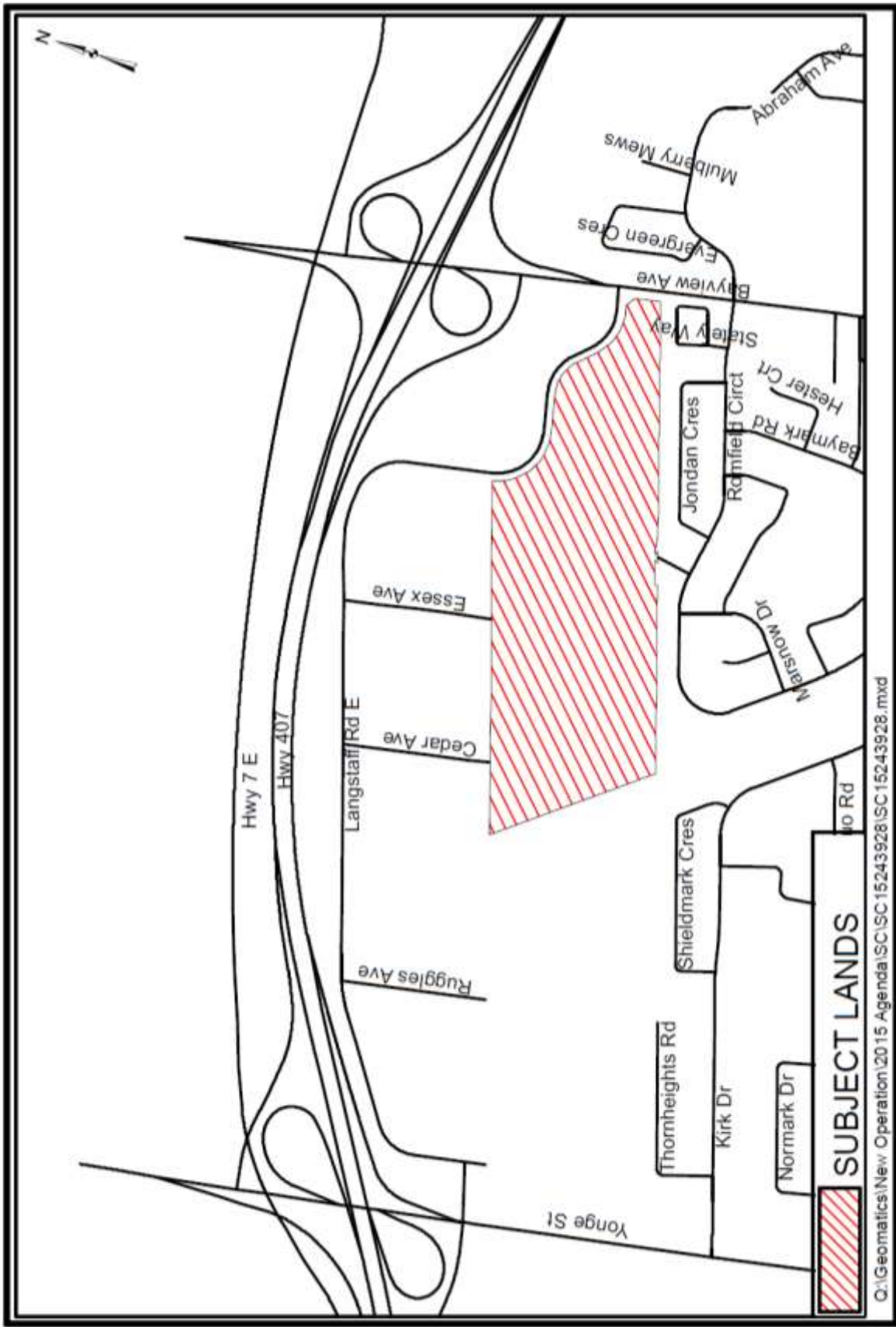
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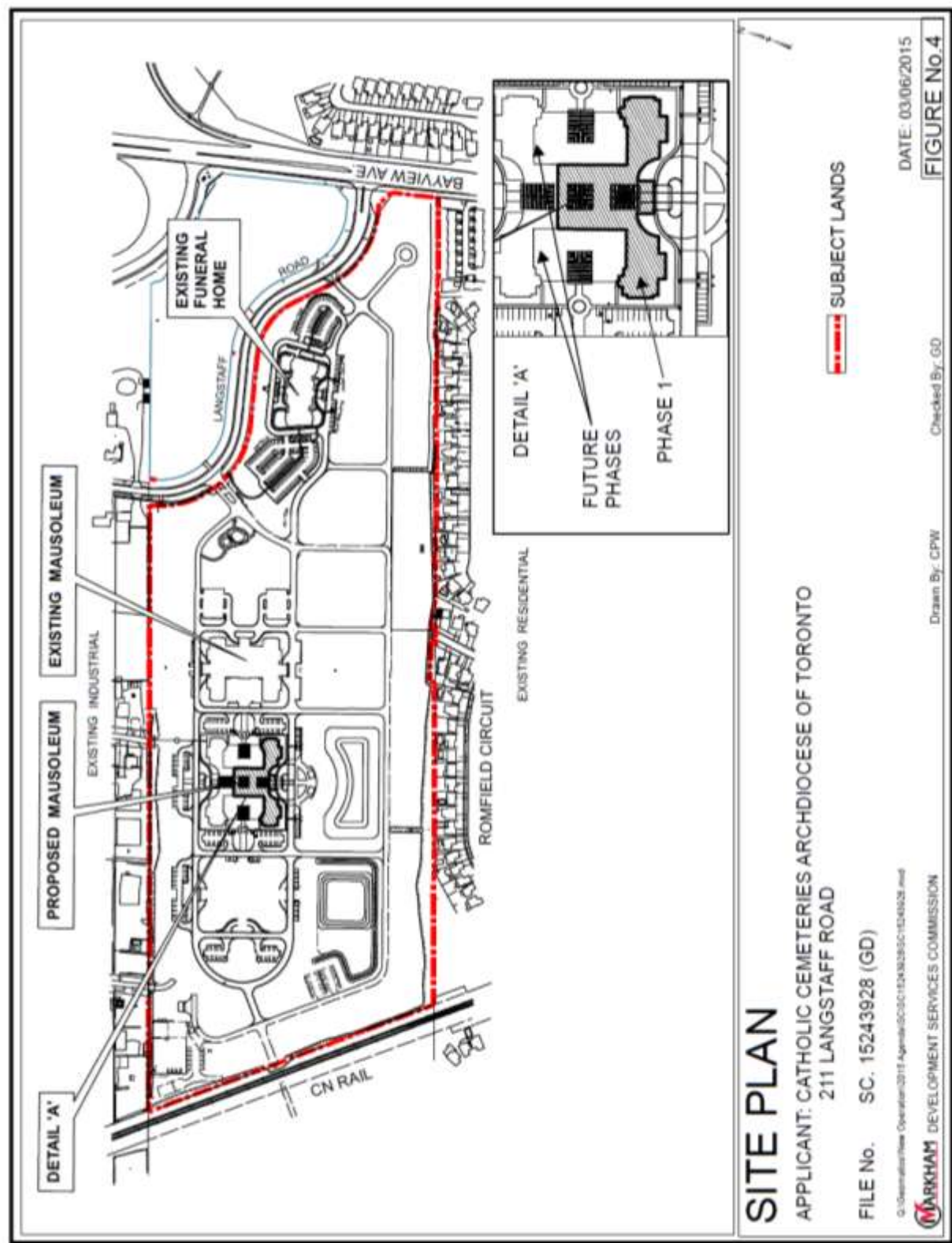
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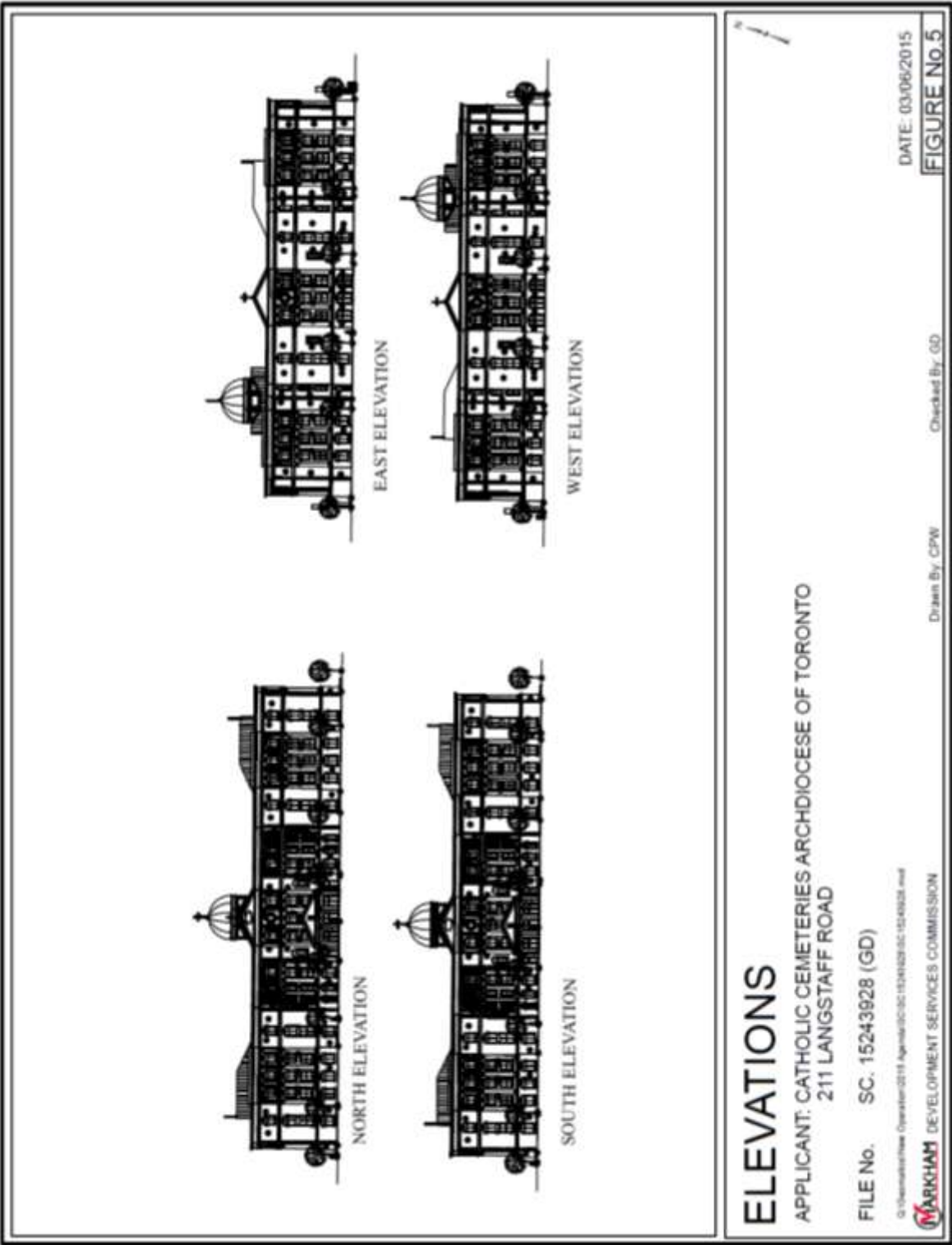
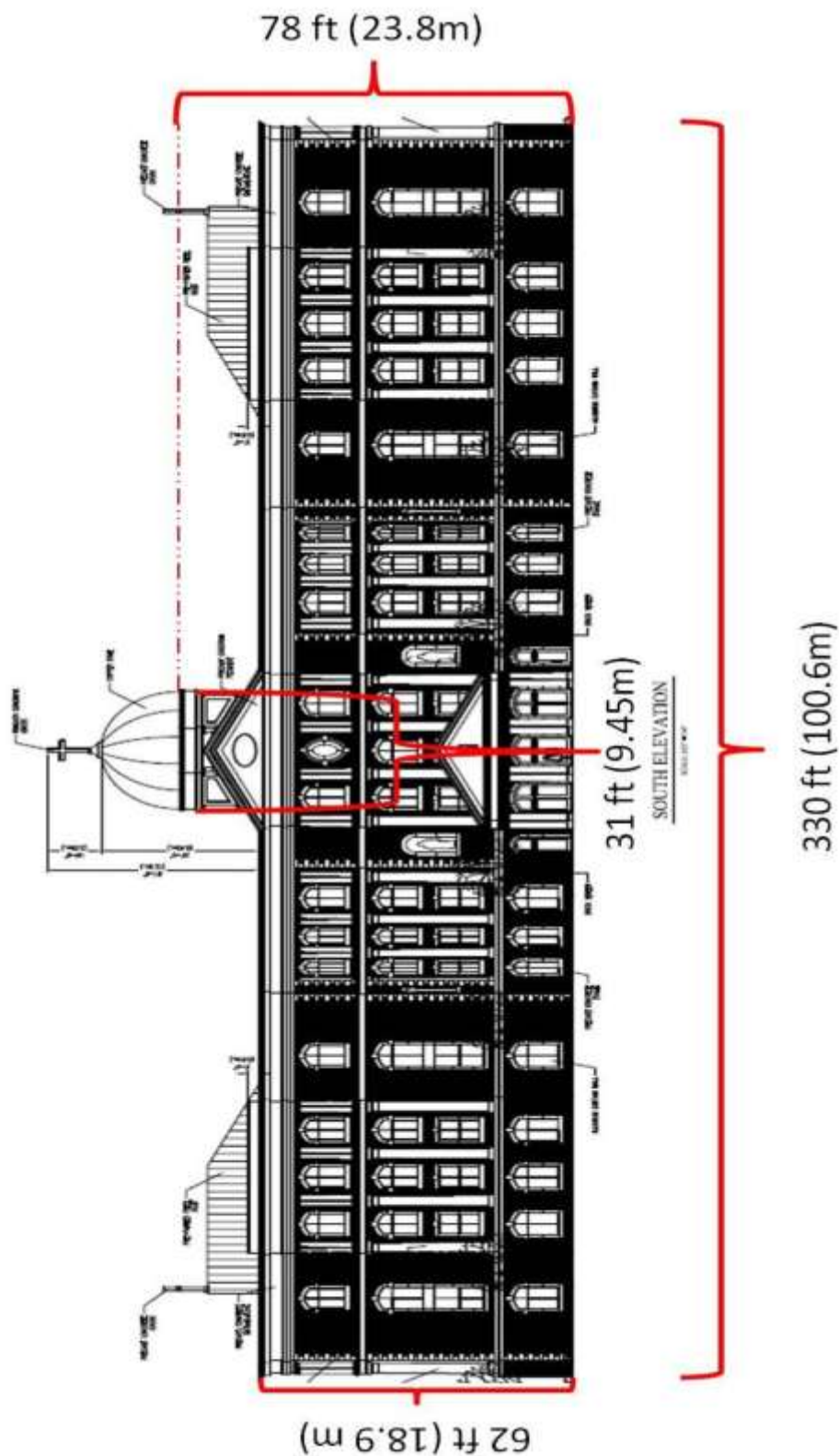


Figure 6



Appendix 'A' - Excerpt of commitment letter

- CCFS will commit to a schedule to inspect the cemetery property fence lines and do the necessary clean up were deemed appropriate on a monthly basis.
- CCFS will provide the adjoining property residents with a hotline phone number and e-mail address for all cemetery complaints. Any complaints received will be responded to within 48 hours.
- CCFS will ensure no cemetery grave excavation work will start before 7:00 am unless there is an emergency situation for doing so.
- CCFS will plant additional trees along the south property line where it is deemed necessary and appropriate to do so.
- CCFS will host a residents' tour of Holy Cross Cemetery to include Holy Family Mausoleum and Holy Cross Funeral Home.
- CCFS will commit to the mitigation of noise and dust during the earthwork construction period for Holy Trinity Mausoleum.

Appendix 'B' - Conditions associated with Minor Variance approval

1. The variances apply only to the proposed development as long as it remains;
2. That the variances apply to Phase 1 of the subject development with a maximum gross floor area of 9,550m² and net floor area of 2,554m², and in substantial conformity with the plans attached as Appendix 'A' to [Markham Planning Staff Report dated June 1, 2015], to the satisfaction of the Director of Planning and Urban Design or designate;
3. That the owner obtain Site Plan endorsement for the proposed development.

Appendix 'C' – Conditions of Site Plan Approval

Conditions of Site Plan Approval

1. That the Owner enter into a site plan agreement with the City containing all the standard and special provisions and requirements of the City and public agencies;

NOTE: Site Plan Approval is issued only when the Director of Planning & Urban Design or designate has signed the plans "approved" following the execution of a site plan agreement;

2. That a Landscape Plan, prepared by a Landscape Architect having O.A.L.A. membership, be submitted to the satisfaction of the Director of Planning and Urban Design;
3. That prior to the execution of the Site Plan Agreement, the Owner shall:
 - a) submit final drawings, and comply with all requirements of the City and public agencies including revisions (if necessary) to implement the recommendations of all required reports and studies;
 - b) An amendment to the commitment letter requiring a 24 hour response time for all complaints received.
4. That prior to Site Plan Approval, Staff will require a submission of 'bird friendly' design measures for approval, to the satisfaction of the Commissioner of Development Services.
5. That the Site Plan Agreement shall:
 - a) provide for payment by the Owner of all applicable fees, recoveries and development charges;
 - b) contain provisions for satisfying City Departments including all requirements of the Director of Engineering, Fire Department, Urban Design and Waste Management;
 - c) contain a clause whereby the Owner agrees to implement the sustainable measures as identified in this recommendation report, dated June 23, 2015.

Written confirmation of these measures shall be provided by the Owner upon completion of construction of the proposed development, to the satisfaction of the Commissioner of Development Services