

**SUBJECT:** RECOMMENDATION REPORT  
Flato Towers (SKS) Inc.  
Site plan application to facilitate a 15-storey mixed use  
building at 9582 Highway 48.

File No: SC 12 124456

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

**REVIEWED BY:** Dave Miller, M.C.I.P., R.P.P. ext. 4960  
Manager, East District

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**RECOMMENDATION:**

- 1) That the report dated May 7, 2013 titled "RECOMMENDATION REPORT, Flato Towers (SKS) Inc., Site plan application to facilitate a 15-storey mixed use building at 9582 Highway 48, File No: SC 12 124456," be received;
- 2) That the Site Plan application (SC 12 124456) submitted by Flato Towers (SKS) Inc. to facilitate a 15-storey mixed use building at 9582 Highway 48 be endorsed in principle, subject to the conditions attached as Appendix 'A';
- 3) That Site Plan Approval (SC 12 124456) be delegated to the Director of Planning and Urban Design or his designate, to be issued following execution of a site plan agreement;
- 4) 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;
- 5) That pre-2011 servicing allocation for a population of 276.9 people (122 apartment units) be assigned to the proposed development with the additional servicing allocation for a population of 147.6 people (65 apartment units) to be obtained through the Region of York under their "Sustainable Development Through LEED" Program;
- 6) That prior to the Director of Planning and Urban Design approving the site plan, the applicant shall submit to the City final confirmation of the 35% (65 units) servicing allocation credits from the Region of York under their "Sustainable Development Through LEED" Program;
- 7) That the City reserves the right to revoke to revoke or reallocate servicing allocation should the development not proceed in a timely manner;

- 8) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

The purpose of this report is to recommend approval of the site plan application submitted by Flato Towers (SKS) Inc. for a 15-storey mixed use building consisting of 187 units with non-residential uses at grade for 9582 Highway 48.

**BACKGROUND:****Property and Area Context**

9582 Highway 48 (the “subject property”) is located on the west side of Highway 48, between Edward Jeffreys Avenue and Bur Oak Avenue in the Wismer Commons community and is approximately 0.445 hectare (1.1 acre). The subject property was initially part of a larger 1.59 hectares (3.95 acres) parcel of land which was the subject of draft plan of subdivision and rezoning applications. The draft plan of subdivision created a park block on the westerly portion of the site, new public roads, 20 townhouses and the high density block fronting onto Highway 48 which is the subject of the current application. The high density block has since been severed from the larger property. The rezoning to permit the proposed high density development was approved in June 2010.

An 18-storey mixed use building proposed for the property immediately to the south (9560 Highway 48) (formerly Great Eldin Developments) was endorsed by Committee in September 2012. To the south of 9560 Highway 48, north of Edward Jeffreys Avenue, there will be two (2) high density mixed use buildings proposed by Anagni Homes. The first of these is a 20-storey mixed use building which is near completion, located at the north-west corner of Edward Jeffreys Avenue and Highway 48. The second mixed use building proposed by Anagni Homes is 18-storeys high and will be located immediately north of their 20-storey building and it was endorsed by Committee in September 2012.

The property located at the south-west corner of Bur Oak Avenue and Highway 48, immediately north of the subject property is currently vacant and zoned to permit a building up to approximately 10 storeys (30 metres) in height. There are no current development applications for this property, however, it is anticipated that a taller building with higher density similar to what is being proposed and approved to the south, will be proposed on that site. To the east, across Highway 48, are industrial and commercial uses, and the Mount Joy GO Station (Figure 3). Bell Canada currently has utility equipment and a related lease, located at the north-east corner of the subject land as well as a related easement. This equipment is part of Bell’s network to provide service to the homes and businesses in the area.

**Proposed 15-storey mixed use building**

In June 2010, Development Services Committee approved a draft plan of subdivision to allow for this high density block, a park block, road blocks and 20 townhouses. The plan

of subdivision has since been registered. The subject land was also rezoned in June 2010 to permit the townhouse development and an 18-storey high mixed use building with a maximum of 220 apartment units. Since that time plans for the high density mixed use development has been revised and a 15-storey mixed use building containing 187 apartment units is currently proposed.

It is anticipated that the building will be comprised of 50 one-bedroom units, 73 one-bedroom plus den units and 64 two-bedroom units. The one-bedroom and one-bedroom plus den units will have approximate areas of 53 square metres (570 square feet) and 60 square metres (646 square feet) respectively. The two-bedroom units will range from approximately 76 to 93 square metres (818 to 1000 square feet). There will be five (5) commercial/retail units on the ground floor of the proposed building with approximately 280 square metres (3,013 square feet) of commercial/retail space in total. The total gross floor area (GFA) of the building will be approximately 22,418 square metres (241,305 square feet).

The primary access to the site will be from Orca Drive located on the west side of the subject land. There will be an interim right-in, right-out access on Highway 48 and this matter is discussed later in this report. The entrance to the underground parking garage, which will have two (2) levels of parking, is near the north-west corner of the site, readily accessed from Orca Drive. There will be surface parking for both the commercial uses and residential visitors. Twenty eight (28) storage lockers and 49 residential bicycle parking spaces will be provided in the underground parking levels. 12 visitor bicycle parking spaces will be provided at grade exterior to the proposed building.

### **Official Plan and Zoning**

9582 Highway 48 is designated "Major Commercial" in both the Official Plan and Wismer Commons Secondary Plan (OPA 37) (the "Secondary Plan"). The "Major Commercial" designation contemplates a wide range of commercial, retail and service uses. Medium and high density residential uses can also be considered for lands designated "Major Commercial" subject to review of a specific development proposal and rezoning. The Official Plan allows for the proposed development.

The subject land is zoned "Community Amenity One \*413 (Holding One) [CA1\*413 (H1)]" under By-law 177-96, as amended. The zoning would permit a mixed use apartment building of up to 18 storeys with a maximum of 220 apartment units. The proposed 15-storey development, 187 unit development is therefore permitted by the current zoning. Confirmation of servicing allocation and execution of a site plan agreement are conditions for removing the Hold provision.

### **Community Information Meeting and Statutory Public Meeting to consider the rezoning application held**

A community information meeting was held on September 17, 2009. Approximately 10 members of the public attended the meeting but no significant issues were raised. The statutory Public Meeting for the rezoning application to permit townhouses and high density mixed use development on the subject land was held on October 20, 2009 and the

amending zoning by-law was enacted on June 22, 2010. One resident who resides on Hammersly Boulevard within the low density area to the west, attended the meeting and expressed concern with respect to a high density apartment building at this location.

**OPTIONS/ DISCUSSION:****The City's Growth Management Strategy anticipates intensification in the Highway 48 Corridor**

The City of Markham has undertaken an extensive and detailed review, including public consultation, to devise a growth strategy for the City in response to Provincial legislation, specifically the Provincial Growth Plan, and the new Region of York Official Plan both of which require sustainable residential and employment intensification within current settlement areas. The largest proportion of intensification will be directed to Regional Centres and Key Development Areas (KDA). Intensification outside of the Regional Centres and KDA, such as the Highway 48 Corridor, is anticipated to absorb approximately 21% of the total future intensification growth. The City's strategy identifies the Highway 48 Corridor as a residential intensification area. Under-utilized land and improvements to the road network, within and around the Highway 48 Corridor, provide intensification opportunities within this Corridor at strategic locations, including the subject land.

**The proposed development is generally consistent with the City's emerging vision for the Highway 48 Corridor**

The subject land is located within what is referred to as the Highway 48 Corridor which includes those lands on the east and west sides of Highway 48 between 16<sup>th</sup> Avenue and Major Mackenzie Drive. In 2005 Committee endorsed the Highway 48 Urban Design Study which provides development guidelines for the lands located within the Highway 48 Corridor. In October 2008, a more recent staff concept for the lands on the west side of Highway 48 between Edward Jeffreys Avenue and Bur Oak Avenue was presented to Committee establishing road and block patterns, as well as built form. The concept included the introduction of a north-south public street accessing Bur Oak Avenue with an east-west connection to Highway 48 (Battista Perri Drive), community parkland including the Matrondola woodlot, high density mixed use development fronting onto Highway 48, and centrally located medium density development. The emerging vision for the Highway 48 Corridor is to provide active, pedestrian friendly and well defined streets with buildings incorporating both vertical and horizontal mix of uses while providing for intensification opportunities. The proposed development is consistent with the vision for the Highway 48 Corridor.

**The site plan and building elevations are appropriate**

The Secondary Plan and Zoning By-law permits a maximum Floor Space Index (FSI) of 1.75. The FSI is calculated over both the high density and medium density blocks as specified in the applicable zoning. The resulting FSI for the proposed 15 storey mixed use building and the townhouse development to the west is 1.6. The scale and massing of the proposed building is compatible with development in the surrounding area and reinforces the block and street pattern envisioned for this area. The overall site design

and circulation functions effectively and consideration will be given to integrate this proposal with future development to the north. The setbacks are comparable to other proposed high density developments in the immediate area. The perimeter landscaping is sufficient to enhance the streetscapes (Figure 4).

The architectural style has been detailed in a simple, clean, traditional manner. The exterior building materials have been selected for sustainability and durability. The main materials are precast concrete and window wall. The precast will be warm and stone like and the window wall will be clear tinted glazing with a traditional bronze colour for the window mullions. The building's massing is symmetrically arranged around a strong central axis. The central axis is created by projecting balconies with glass guard rails against the solid precast and punch window bays. A 2-storey mechanical penthouse with architectural details helps further heighten the central bay as a visual marker. The massing of the tower begins to lighten and reduce in scale by stepping the upper penthouse floors and creating glass corners on the ends of the building (Figure 5). The proposed development creates a unique style while integrating into the new urban neighbourhood along the Highway 48 Corridor.

As a LEED Silver project, sustainable design solutions have been carefully incorporated into the building design. The sustainable design features include the following:

1. Refuelling stations for 7 plug-in hybrid vehicles will be provided along with car share and parking for at least 60 bicycles.
2. Heat island effect will be minimized with a high albedo roof and by placing most on-site parking below grade.
3. Light pollution from both interior and exterior light fixtures will be minimized.
4. No potable water will be used for irrigation. Plants will be irrigated with harvested rainwater only.
5. Low flow fixture and dual flush toilets combined with water submetering result in over 50% water use reduction.
6. Energy efficient envelope, HVAC systems, and lighting contribute to at least 30% energy use reduction compared to MNECB.
7. At least 20% recycled content and 30% regional material content will be targeted.
8. Low VOC adhesives, sealants, paints, coatings, and flooring products will be utilized.

This development is conveniently located across the street from Mount Joy GO Station which will encourage the use of mass transit and reduce local traffic demand. As well, a new public park will be built to the west of the building to further enrich the new urban community. Bird friendly concepts of outdoor lighting and glazing systems will be incorporated and will reduce glare and the negative effects of light pollution on the environment.

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**Site access**

An interim vehicular access will be provided on Highway 48 until the property to the north develops, at which time access to/from Highway 48 to this site will be through the property to the north. The Owner of this site will be required to close the temporary access at that time. The proponent is required to prepare a “future” site plan demonstrating how the ultimate future site plan will function once the interim access is closed (see Appendix ‘A’). The two (2) accesses on Orca Drive are permanent and will remain unchanged.

**Transportation Demand Management (TDM)**

The proponent has provided a Transportation Demand Management (TDM) Plan which surpasses other TDM Plans provided in support of other high density mixed use developments along the Highway 48 Corridor. Some of the key points of the TDM Plan include:

1. Unbundling of parking so that a purchaser has the choice of purchasing a unit without a parking space.
2. Full subsidized Car Share for a minimum of 2 years.
3. PRESTO card equivalent to \$115.00/month plus the initial cost of a PRESTO card for the duration of 6 months to all unit purchasers.
4. Partner with adjacent developers and YRT to provide a transit shelter.
5. Information package including transportation information to all new residents, requesting that the condominium corporation board/management implement and maintain bulletin boards with transportation options, including necessary infrastructure including a transportation bulletin board and an electronic display monitor in the lobby of the building, where the electronic display information is provided by York Region/ Smart Commute.
6. Shared parking between non-residential uses and residential visitor parking which has the potential to lower the parking requirement for the proposed development.
7. Providing appropriate pedestrian connections.

A minor variance to reduce the number of parking spaces required for the proposed development was approved in February of this year. The TDM Plan provided sufficient justification for the reduction in required parking from 290 parking spaces to 234 parking spaces. In addition, other factors such as the availability of transit within walking distance of the development site, opportunity for shared parking between different uses that require parking at different times of the day, and employment and retail opportunities within walking distance of the subject land all provide support for a parking reduction for the proposed development.

**Servicing allocation is available for the proposed development**

Pre-2011 servicing allocation is available for 122 residential apartment units. The Owner has committed to achieving minimum LEED Silver for the proposed development. 35% of the total 187 units (65 units) will receive servicing allocation through the Region of York LEED Benefit Program. Staff are requesting through this report that the proposed development be assigned pre- 2011 servicing allocation for 122 apartment units and that

the Owner provide written confirmation, prior to site plan approval, from the Region of York for the remaining 35% (65 apartment units) servicing allocation credits.

**Metrolinx**

Given that the subject land is located within 300 metres (984 feet) of the GO Stouffville Rail Corridor the proponent is required to prepare a noise study for the proposed development to be submitted to GO Transit (Metrolinx). The proponent is also required to include a warning clause in all development agreements, agreements of purchase and sale or lease for all residential units within 300 metres of the rail corridor noting that Metrolinx will not be responsible for any complaints or claims arising from the use of its facilities and/or its operations. The Owner is also required to grant Metrolinx an environmental easement for operational emissions, registered on title against the proposed residential dwellings in favour of Metrolinx.

**CONCLUSION:**

The proposed site plan and building elevations are appropriate and as a result Staff recommend that the site plan be endorsed in principle subject to the conditions attached as Appendix 'A', and that pre-2011 servicing allocation for 122 residential apartment units be assigned to the proposed development with the remaining 65 units receiving allocation through the Region of York LEED Benefit Program.

**FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposed development has been considered in the context of the City's strategic priorities and aligns with Growth Management, Transportation and Transit and the Environment priorities.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

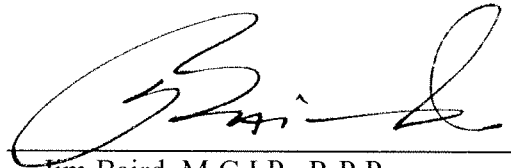
The applications have been circulated to various City departments and external agencies and their requirements have been reflected in this report as well as the conditions of site plan approval.

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**RECOMMENDED BY:**



Rino Mostacci, 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:          | Proposed Site Plan           |
| Figure 5:          | Proposed Building Elevations |
| Coloured Rendering |                              |
| Appendix 'A':      | Site Plan Conditions         |

**CONTACT INFORMATION:**

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**APPENDIX 'A'**  
**SITE PLAN CONDITIONS**  
**9582 HIGHWAY 48**  
**FLATO TOWERS (SKS) INC.**

That prior to Site Plan Endorsement:

1. The Owner submit to the City, a “future” site plan for inclusion in the Site Plan Approval, showing the elimination of the interim access on Highway 48, access to the property to the north and relocation of parking spaces to the satisfaction of the Commissioner of Development Services.

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 the following:

1. Provisions for the payment by the Owner of all applicable fees, recoveries, development charges, provision of parkland dedication or cash-in-lieu of parkland, and any other financial obligation.
2. That the Owner provides written confirmation from a qualified LEED consultant certifying that the proposed development has achieved minimum LEED Silver, to the satisfaction of the Commissioner of Development Services.
3. That the Owner agrees to implement the Sustainability Measures, to the satisfaction of the Commissioner of Development Services.
4. That the Owner agrees to implement the Transportation Demand Management Plan to the satisfaction of the Director of Engineering.
5. That the Owner agrees to implement three-stream waste reduction to the satisfaction of the City.

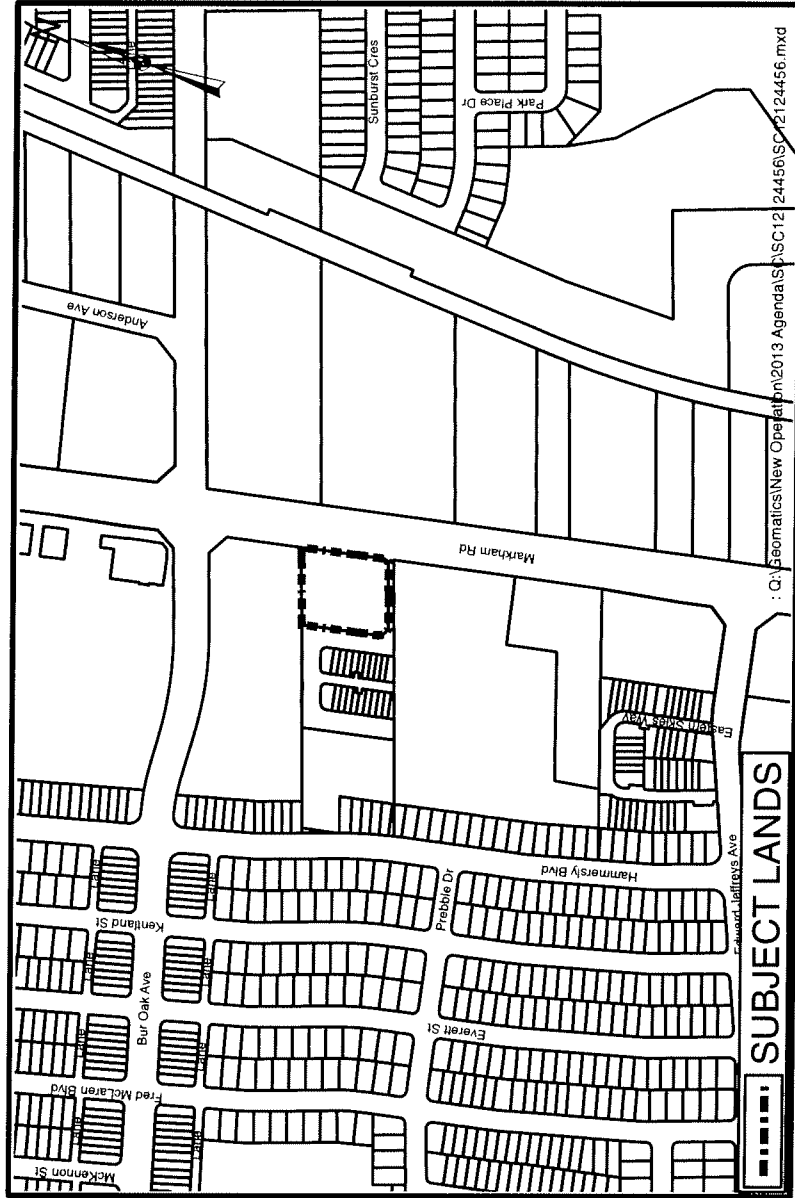
That prior to execution of a Site Plan Agreement:

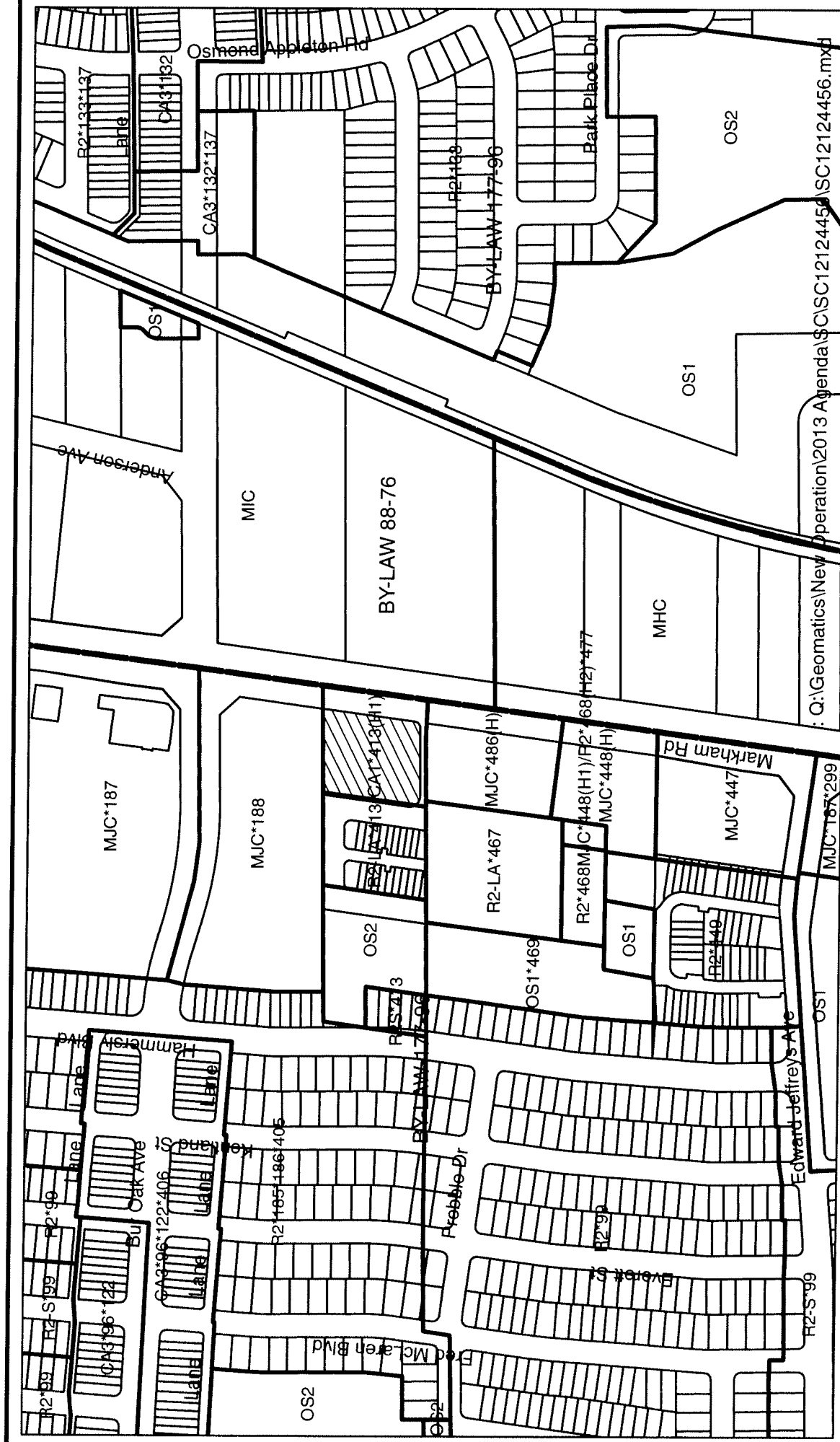
1. The Owner shall submit final site plan, building elevations, underground parking garage layout plans, engineering drawings, lighting plan and photometrics, landscape plans, along with any other plans, studies and reports which are required to comply with the requirements of the City and external agencies, to the satisfaction of the Commissioner of Development Services.
2. The Owner shall submit final plans which incorporate appropriate Fatal Light Awareness Program (FLAP) components to ensure that the building is bird-friendly.

That prior to issuance of Site Plan Approval:

1. The Owner shall submit to the City, final confirmation of the 35% (65 apartment units) servicing allocation credits from the Region of York under their “Sustainable Development Through LEED” Program, to the satisfaction of the Commissioner of Development Services.
2. Written clearance from Metrolinx to the satisfaction of the Commissioner of Development Services advising that their conditions have been fulfilled.

3. That the Owner provides a clearance letter from the Trustee of the Wismer Commons Developers Group to the satisfaction of the Commissioner of Development Services, stating that all Group obligations for the proposed development have been met.



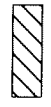


# AREA CONTEXT / ZONING

APPLICANT: FLATO TOWERS (SKS) INC.

9582 HIGHWAY 48

FILE No. SC12124456(SM)

 SUBJECT LANDS


DATE:04/09/13

FIGURE No. 2



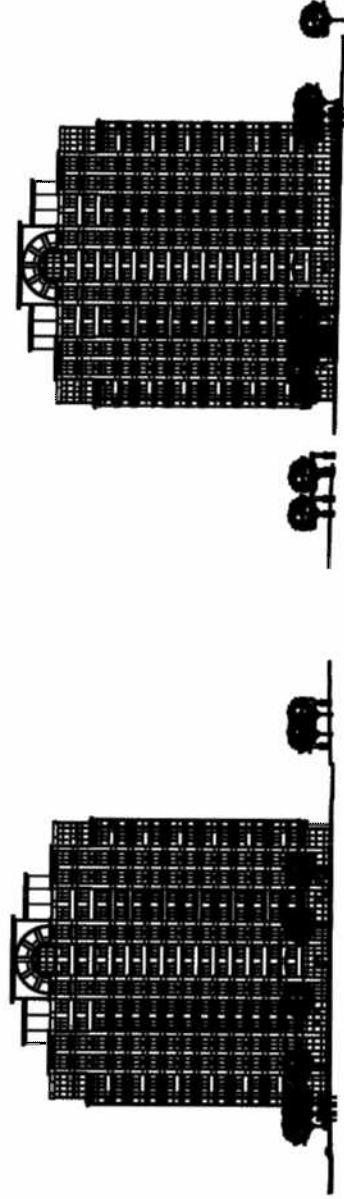
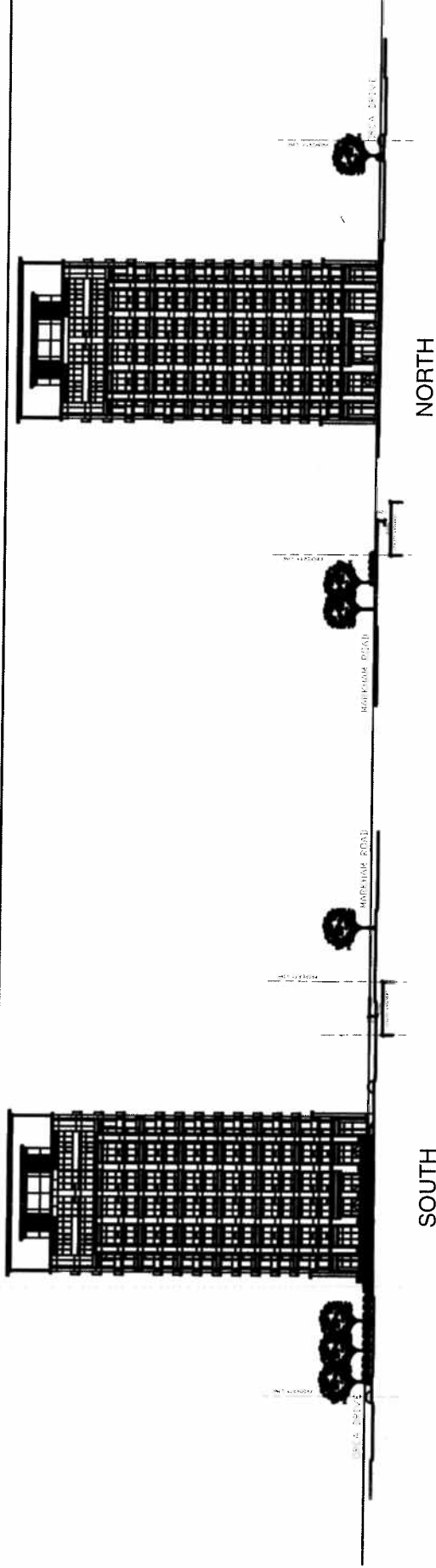
**AIR PHOTO 2011**  
APPLICANT: FLATO TOWERS (SKS) INC.  
9582 HIGHWAY 48

FILE No. SC12124456(SM)

 SUBJECT LANDS







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# ELEVATIONS

APPLICANT: FLATO TOWERS (SKS) INC.  
9582 HIGHWAY 48

FILE No. SC12124456(SM)





FLATO TOWERS  
MARKHAM, ONTARIO

