



MEMORANDUM

To: Mayor and Members of Council

From: Arvin Prasad, Commissioner, Development Services

Prepared by: Melissa Leung, Planner, Central District

Date: February 7, 2022

**Re: Ruland Properties Inc.
Request for hold removal and assignment of additional servicing allocation
for a mixed-use high-rise development locate**

RECOMMENDATION:

- 1) That the memorandum titled “MEMORANDUM, Ruland Properties Inc. (The Remington Group), Request for hold removal and assignment of additional servicing allocation for a mixed-use high-rise development located east of Birchmount Road, in the future south-west corner of Verdale Crossing and Andre De Grasse Street at 8119 Birchmount Road, File Nos: HOLD 19 180694, SC 16 116738 (HS1) and SC 18 180694 (HS2) (Ward 3)” be received;
- 2) That the application submitted by Ruland Properties Inc. (The Remington Group) to remove the hold provision (HOLD 19 180694) be approved and the draft Hold Removal By-law attached hereto as Appendix A be enacted without further notice;
- 3) That servicing allocation assigned to Phase 1, HS1 (SC 16 116738) be increased from 620 dwelling units to 759 dwelling units;
- 4) That servicing allocation assigned to Phase 2, HS2 (SC 18 180694) be increased from 454 dwelling units to 506 dwelling units;
- 5) That the City reserves the right to revoke or reallocate servicing allocation should the proposed development not proceed in a timely manner; and,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

BACKGROUND:

The 1.86 ha (4.6 ac) subject lands are located within the second phase of the Remington Group’s Downtown Markham project, on the west side of Andre De Grasse Street, north of Enterprise

Boulevard and south of the future extension of Verdale Crossing (the “Subject Lands”), as shown on Figures 1 and 2.

The Subject Lands are currently being developed in two phases. The first phase (“HS1”) represents approximately 1.38 ha (3.4 ac) of the western portion and the second phase (“HS2”) represents approximately 0.48 ha (1.2 ac) of the eastern portion of the Subject Lands. HS1 consists of three buildings (16, 16, and 10 storeys) with 759 units and 8,606 m² (92,634 ft²) of retail and is currently under construction. The construction also includes the shared underground parking garage structure with HS2.

THE PROPOSED DEVELOPMENT

HS1 Development Services Committee (the “DSC”) Endorsement

In April 2017, the DSC endorsed, in principle, the HS1 site plan application to facilitate a mixed-use development consisting of two 16-storey and one eight-storey apartment buildings (Buildings A, B, and C) with 620 residential units and approximately 18,442 m² (198,508 ft²) of retail and restaurant uses (the “Original HS1 Development”). The issuance of Site Plan Approval was delegated to the Director of Planning and Urban Design with servicing allocation for 620 dwelling units.

Due to circumstances that affected the retail viability of the Original HS1 Development, the Owner submitted a revised site plan for staff endorsement in August 2019 (the “Revised HS1 Development”), as shown in Figure 3. The Revised HS1 Development generally remains consistent with the Original HS1 Development, except for the following changes:

- i) The third floor retail concourse that spanned the entire podium for Buildings A and B has been removed and replaced with two levels of residential units, which resulted in a reduced retail area from 18,442 m² (198,508 ft²) to 6,505 m² (70,019 ft²);
- ii) The height of Building C has been increased from 8 to 10-storeys; and
- iii) The total residential units increased by 139 units for a total increase from 620 to 759 units, resulting from the reduction in retail area in Buildings A and B and increase in height of Building C.

HS2 Council Approval for Proposed Heights

In June 2018, the Owner received Council approval for a site-specific Zoning By-law for the proposed height of 24 and 38-storeys for HS2. Council subsequently enacted Zoning By-law 2019-5 in December 2018, to permit the proposed heights.

HS2 DSC Endorsement

Subsequent to Council approval, the Owner received approval from NavCanada, Transport Canada and the Buttonville Airport operators for building height permissions of 25-storeys

(Building D) and 27-storeys (Building E) consisting of 454 residential units with 563 m² (6,060 ft²) of retail and restaurant uses (the “Original HS2 Development”). The DSC endorsed, in principle, the site plan application for the Original HS2 Development in December 2018. The issuance of Site Plan Approval was delegated to the Director of Planning and Urban Design with servicing allocation for 454 dwelling units.

Following DSC’s endorsement for HS2, the Owner received new approvals from NavCanada, Transport Canada, and the Buttonville Airport operators for a 30-storey building height for Building E, which enabled them to submit revised plans (the “Revised HS2 Development”). The Revised HS2 Development now consists of two buildings with heights of 25-storeys (Building D) and 30-storeys (Building E), 506 residential units and a total gross floor area 41,944 m² (451,481 ft²), which includes 557 m² (5,995 ft²) of retail and restaurant uses.

The overall layout of the Revised HS2 Development, as shown in Figure 4, generally remains consistent with the Original HS2 Development, except for the following changes:

- a) The total Gross Floor Area of retail and restaurant uses has been slightly reduced from 563 m² (6,060 ft²) to 557 m² (5,995 ft²);
- b) The height of Building E has been increased from 27 to 30-storeys; and
- c) The total residential units increased from 454 to 506 units, an additional 52 units, resulting from the increase height permissions.

ADDITIONAL SERVICING ALLOCATION REQUIRED FOR HS1 AND HS2

For the reasons outlined above, the Revised HS1 Development and the Revised HS2 Development requires the assignment of an additional 139 and 52 units of servicing allocation, respectively. Staff notes that servicing is available from City reserves to facilitate both phases of development.

HOLD REMOVAL FOR HS2

The zoning of the HS2 lands are subject to Holding Provisions (H12) to be removed once certain conditions have been fulfilled, including assignment of servicing allocation, execution of a Site Plan Agreement, and issuance of Site Plan Approval.

The Owner is in the process of applying for a Conditional Building Permit, which cannot be issued until the Holding Provisions have been removed. The Owner has entered into an Undertaking with the City to ensure that full Building Permits are not pursued until the Site Plan Agreement has been executed and Site Plan Approval has been issued.

CONCLUSION

The revisions made to both the HS1 and HS2 developments are appropriate and the overall massing and layout are consistent with the original approvals. Consequently, Staff recommends

that servicing allocation be increase from 620 dwelling units to 759 dwelling units for HS1 and from 454 to 506 units for HS2.

Staff support removing the Holding Provision that apply to HS2 at this time to allow below grade construction work to proceed and avoid undue construction delays.

ATTACHMENTS:

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: HS1 Site Plan

Figure 4: HS2 Site Plan