



Report to: Development Services Committee

Report Date: September 24, 2013

SUBJECT:

RECOMMENDATION REPORT

Application for Site Plan Control Approval
Ruland Properties Inc. (The Remington Group)
Proposed Office Building
North west quadrant of Birchmount Road and Highway 407
Markham Centre
SC 13 125581

PREPARED BY:

Richard Kendall, Manager of Development, Central District
Extension 6588

RECOMMENDATION:

- 1) That the Recommendation Report titled "Application for Site Plan Control Approval Ruland Properties Inc. (The Remington Group) – Proposed Office Building" be received;
- 2) That the application for Site Plan Control Approval by Ruland Properties Inc. for a proposed 33,268 square metre, 12 storey office building with ancillary retail be endorsed in principle, subject to the conditions attached as Appendix A;
- 3) That Site Plan Control Approval be delegated to the Director of Planning and Urban Design or designate, to be issued following execution of a Site Plan Agreement. Site Plan Control Approval is issued only when the Director or designate has signed the site plan;
- 4) That the Trustee for the Markham Centre Landowners Group confirm the applicant has met their financial obligations to the Group with respect to these lands;
- 5) That Council authorize the enactment of a by-law to remove the Hold (H) provisions on the subject lands upon execution of the Site Plan Agreement to the satisfaction of the Commissioner of Development Services and City Solicitor;
- 6) That the Site Plan Agreement address the future use and ownership of the strip of land between Highway 407 and future Frontage Street to the satisfaction of the City (14.0m Ministry of Transportation set-back from the Highway 407 right-of-way), and that Council authorize staff to accept title to these lands, free of costs and encumbrances, in the event that the Site Plan Agreement identifies a municipal interest in acquiring such lands;
- 7) 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 discuss and make recommendations on an application for Site Plan Control Approval by Ruland Properties Inc. for a 33,268 square metre (358,105 square feet), 12 storey office building with ancillary retail within the northwest quadrant of Birchmount Road and Highway 407.

BACKGROUND:

The vacant, 0.7 hectare (1.7 acre) property ([Google Map Link](#)) on which the office building is located, is within the first phase of the Remington Group's Downtown Markham project, at the northwest corner of Birchmount Road and Highway 407 (Figure 3). This office parcel forms part of a larger 12.85 ha (31.8 acre) block which extends from Warden Avenue east to Birchmount Road and from Enterprise Boulevard south to Highway 407. Presently, this block contains the Worley Parsons building (formerly Motorola) and the Honeywell building. The site plan application contemplates that the balance of the block will be used for interim surface parking (Figure 5), until additional development occurs which will then create the opportunity to consolidate the surface parking within a structure(s) (Figure 10).

OPTIONS/ DISCUSSION:

The proposed building is to be adjacent to Birchmount Road. A new private, internal road is proposed to the north of the building, while the future Frontage Street, a public road which will eventually continue east to connect with lands in the vicinity of the mobility hub, will be located to the south of the building. Both streets are proposed to be signalized at Birchmount Road. The private street to the north will align with the access to the cinema/retail complex under construction on the east side of Birchmount Road (Figure 5).

Through this process the applicants are proposing to dedicate to the City the residual lands on the south side of Frontage Street which comprise the required 14 metre setback from the MTO right-of-way. These lands could form a landscaped buffer from the highway and the landscaping of these lands by the developer will be addressed as part of the design of Frontage Street. The potential merit of acceptance of these lands in public ownership will require further discussions between the applicant, Development Services, Operations and Legal staff, prior to a final determination being made and prior to Site Plan Approval. The Site Plan Agreement will address the future use and ownership of these lands and any associated conditions and maintenance arrangements.

Parking will be accessed via the internal street network and reciprocal easements may be required for access and parking between this parcel and the Worley Parsons/Honeywell sites, owned by the applicant, and to connect to the existing entrance to the block on Enterprise Boulevard until the balance of this local street network is completed.

The ground floor of the building will have an area of approximately 3,453 square metres (37,169 square feet) and will accommodate lobby, office, mechanical areas, bike storage and change rooms, and 443 square metres of ancillary retail area. Typical upper floors would have an area of approximately 2,709 square metres (29,160 square feet). Service/loading functions will be at the west side on the building, away from Birchmount Road. Internal garbage/compactor rooms will be located at-grade. A lay-by/drop-off area is proposed on the private street, adjacent to the main entrance on the north side of the building (Figure 4).

The applicants will be seeking LEED Certification, and have confirmed that the building will be connected to Markham District Energy. Opportunities are being explored for a green roof component on the second floor of the building and negotiations are underway for a shuttle service to the closest subway stop for the building's employees during morning and evening rush.

The existing, interim surface parking lot which serves the Honeywell building is proposed to be expanded and merged with the surface parking proposed for this building (Figure 5). The expanded parking lot will feature an enlarged and relocated bioswale, as well as the installation of temporary and permanent storm runoff infiltration and oil grit separators to manage stormwater at-source to meet the City's and Toronto and Region Conservation Authority stormwater quality and quantity targets. A cistern will also be installed to harvest rainwater for irrigation and grey water usage. The sustainability and TDM measures discussed in this report are conditions of site plan approval.

Building materials will consist of a combination of curtain wall glass, insulated and coloured spandrel panels, and concrete panels at grade in the vicinity of the service areas (Figures 6, 7, 8 & 9). Given the use of glass within this project, the applicants are exploring a number of strategies to incorporate bird friendly elements into the design. In addition, a comprehensive lighting plan will be required to ensure dark sky objectives.

In order to meet the end-user's tight timelines, due to an expiring lease, construction is scheduled to commence in January, 2014, with building completion and occupancy scheduled for early 2016. This timing should coincide with the opening of other projects in the area, but will likely necessitate the commencement of site servicing, road construction and other works immediately by the developer, subject to appropriate on-site and off-site pre-servicing agreements.

This office building will accommodate some 2,000 to 2,500 employees which will generate a significant number of trips. In order to be consistent with the transportation vision for Markham Centre and other intensification areas of the City, the use of transit, active transportation, and carpooling instead of private vehicles with single occupancy will be strongly encouraged. To achieve this vision, improved transit services, pedestrian friendly streetscape, cycling facilities, and Travel Demand Management (TDM) programmes will be considered to support this application.

Zoning

The site is zoned "Markham Centre Downtown One – Hold (MC-D1 [H 1, 2 & 5])" in the Markham Centre Zoning By-law (No. 2004-196). At 12 storeys, the proposal exceeds the 31 metre (approximately 7 storey) height permissions in the by-law and the applicants will be seeking a minor variance. This is a significant office building for Markham Centre and will serve as an important statement at the entrance to the downtown. Potential variances relating to loading space location, parking requirements (temporary and permanent) and certain setback conditions may also be required. Additional information has been requested to better determine project compliance. Appropriate

zoning relief is a condition of Site Plan Approval. The Hold (H) would be lifted upon the issuance of Site Plan Approval.

Departmental / Agency Comments

Supporting studies have been submitted or are underway. These include a Traffic Impact Study, Grading and Site Servicing, Stormwater Management and signalized intersection design. The portion of Frontage Street, immediately adjacent to the building, will eventually be dedicated to the City, along with appropriate day-light triangles/turning radii/easements and right-of-way requirements along Birchmount Road.

A temporary turning circle and/or public access easements may be required at the westerly termination of Frontage Street until the remaining lands are available to extend the road. Provision for the dedication and construction of Frontage Street and the associated intersection improvements are conditions of Site Plan Approval. Staff will report back on any construction agreement(s) and/or front ending agreement(s) for the delivery of any municipal infrastructure on public lands, which may be necessary to support this site plan application.

The applicant is preparing a comprehensive Transportation Demand Management (TDM) Plan for "Downtown Markham" which could be implemented, as appropriate, on a site-by-site basis. Potential TDM measures (both short and long term) for this project include shared parking arrangements, bicycle parking and shower facilities, dedicated carpool parking spaces, shuttle bus and transit display information. Longer term TDM measures under consideration include Bike Share and Car Share stations, and reduced parking.

The applicants are designing the parking lot to meet the Markham Centre office parking standard of 1 space per 37 square metres of floor area, which will generate a demand for approximately 736 spaces (Figure 5). The Markham Centre parking strategy and By-law contemplates that the majority of these spaces will, in the long term, be accommodated within a parking structure (Figure 10). The strategy also recognizes that it may not be feasible to build the necessary parking structures at the outset of development and anticipates that as an interim condition, certain required parking spaces could be provided at-grade until such time as there is a critical mass of development and transit infrastructure in place to support structured parking and a lower parking rate. Minor variances will be required to allow the surface parking in the interim, and conditions/limitations will be imposed which will allow the City to revisit this matter, after an initial period of up to 5 years, or in the event another development is proposed within this block.

Although the proposed building would be a slab-on-grade construction (without any basement nor underground parking), the owner has been requested to confirm that there are no shoring tie-backs into the City's existing and future rights-of-way, or alternatively the owner will be required to enter into a Shoring Encroachment Agreement with the City. Additional municipal services (sanitary, storm and water) may be required for the building and will have to be constructed by the developer to municipal standards.

The final plans will be required to address Fire Department requirements, including Fire Access Route design details. The final plans must confirm compliance with the Buttonville Airport Zoning Regulations. Permits will also be required from the Ministry of Transportation and Toronto and Region Conservation Authority.

The applicant is a member of the Markham Centre Landowners Group and although servicing allocation is not required for this project, confirmation from the trustee that the applicant has met their group agreement obligations will be required before site plan approval.

Staff will continue to work with the applicant

The treatment of the temporary surface parking area on the future development portions of the block will need to be finalized, as will the pedestrian walkways/connections through the parking lot and perimeter landscape treatment. Given the high number of employees anticipated in this building, sidewalks and streetscape treatments along Enterprise Boulevard and Birchmount Road will need to be completed to provide direct connections to transit stations and other amenities within the plan area, per Markham Centre streetscape standards.

The applicant is developing a comprehensive public art brief for their entire Downtown Markham project. Public art should be incorporated into the development and staff will continue to explore opportunities with the applicant for this project.

Markham Centre Advisory

The applicant is tentatively scheduled to present this proposal to the Markham Centre Advisory on October 24, 2013, for consideration and evaluation against the Performance Measures Document.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not applicable at this time.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable at this time.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The application aligns with the City's strategic priority of Growth Management. Similar to other projects within their development, the applicants will be seeking L.E.E.D. Certification and will be connecting to Markham District Energy, consistent with the City's environmental objectives. Transit connectivity and Travel Demand Management initiatives are to be pursued consistent with Council's strategy to encourage other modes of transportation.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to applicable departments and agencies for comment, and their requirements have been addressed as conditions to Site Plan Approval.

RECOMMENDED BY:



Rino Mostacci, M.C.I.P., R.P.P.
Director of Planning and Design



James Baird, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

Appendix A – Conditions of Site Plan Approval

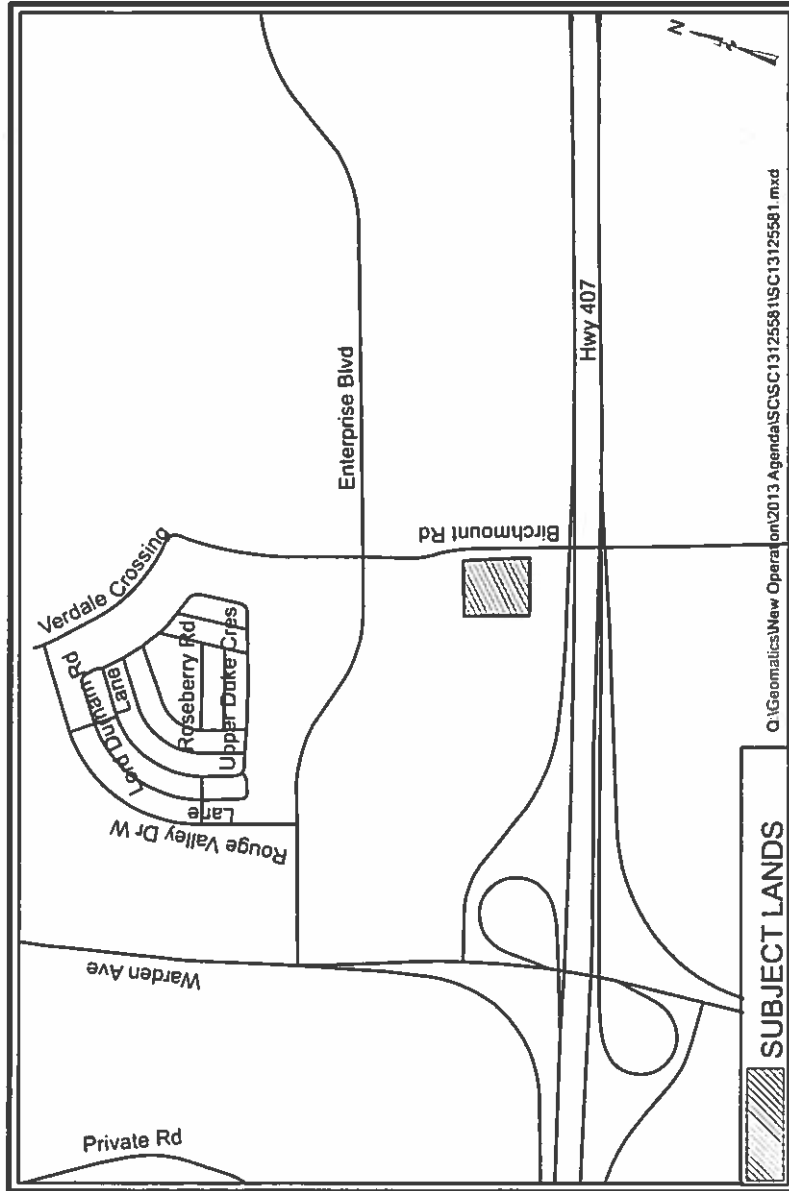
- Figure 1: Site Location
- Figure 2: Area Context / Zoning
- Figure 3: Air Photo
- Figure 4: Site Plan
- Figure 5: Contextual Site Plan
- Figure 6: Elevations (North)
- Figure 7: Elevations (South)
- Figure 8: Elevations (West & East)
- Figure 9: Perspective Looking South West
- Figure 10: Comprehensive Block Plan

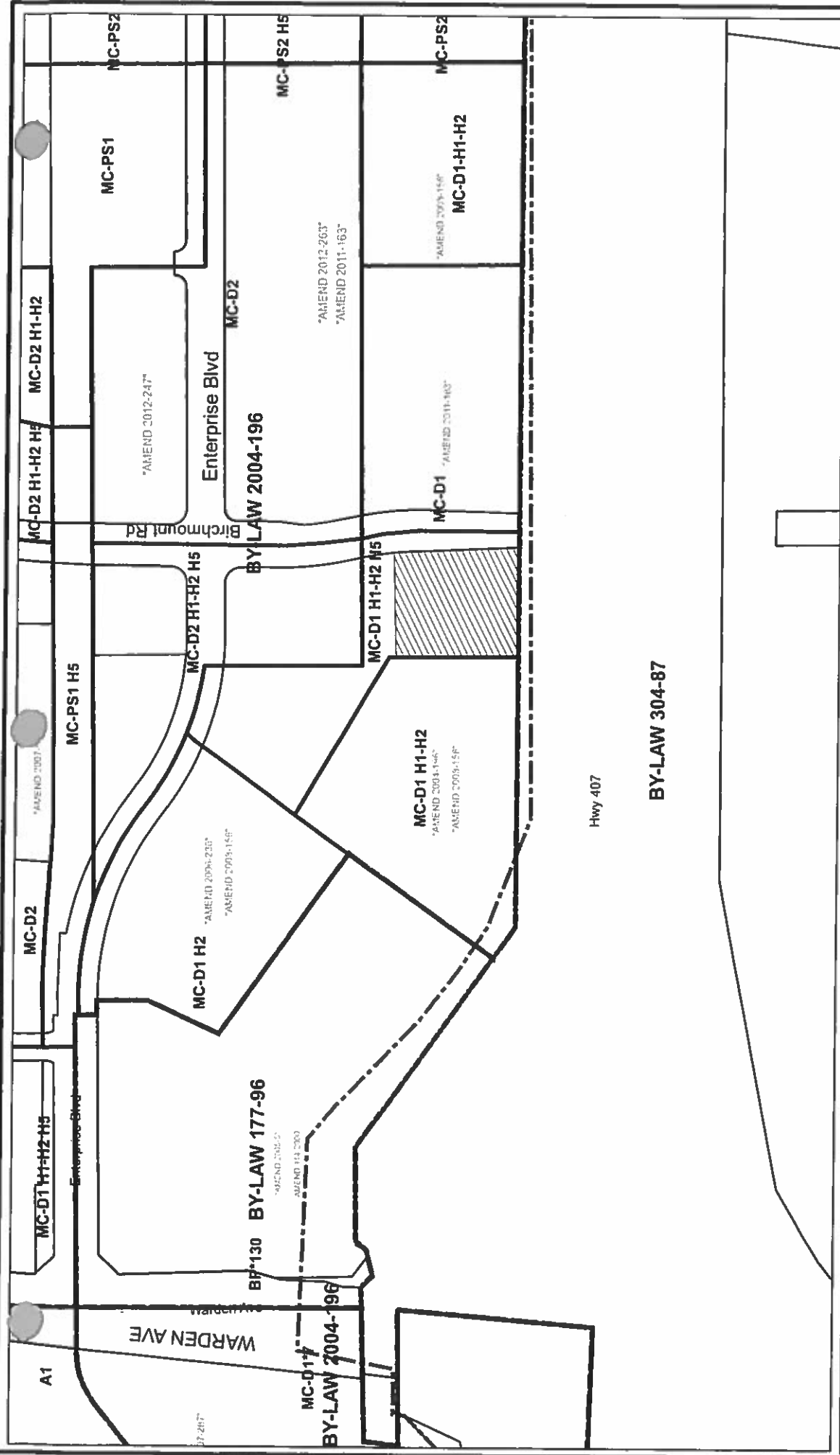
APPENDIX A – CONDITIONS OF SITE PLAN APPROVAL

1. That prior to final site plan approval the Owner revise the site plan to comply with the applicable zoning, or obtain appropriate by-law relief to accommodate the building programme. Conditions of the minor variances for the surface parking to include an initial time limit of period of up to 5 years, or sooner in the event another development is proposed within this block;
2. That prior to final site plan approval the Owner provide necessary road right-of-way widening/dedications, easements respecting public access and shared access/parking and potential servicing connections through the subject lands (if required) to the satisfaction of the Commissioner of Development Services and the City Solicitor;
3. That prior to site plan approval, the Owner shall submit final drawings including, but not limited to, site plans (which include transformer locations, freestanding and building mounted service elements [including Siamese connections], and bike parking) and elevation drawings, floor plans, grading, servicing and engineering drawings that comply with all requirements of the City and authorized public agencies, to the satisfaction of the Commissioner of Development Services. The final plans shall incorporate appropriate Fatal Light Awareness Programme (FLAP) components, to the satisfaction of the City;
4. That prior to final site plan approval the Owner shall submit a Landscape Plan for the building site and associated parking lots, and Streetscape Plan (including sidewalks along Enterprise Boulevard and Birchmount Road), prepared by a Landscape Architect, having O.A.L.A. membership, along with a detailed lighting submission, for approval by the Commissioner of Development Services, or designate;
5. That prior to Site Plan Approval, the Owner enter into a Site Plan Agreement with the City, containing all standard and special provisions and requirements of the City and other public agencies, including provisions to ensure that any restaurant use is equipped with odour control units;
6. That the Owner satisfy any parkland and/or cash-in-lieu of parkland obligations for the development, to the satisfaction of the Commissioner of Development Services;
7. That the Owner pay its proportionate share of development charges in accordance with applicable Development Charge By-laws;
8. That the location, size and construction of all refuse storage areas and recycling facilities, and arrangements for waste collection be to the satisfaction of Markham's Waste Management Department;
9. That provision for Fire Routes, yard hydrants, Siamese connections and other emergency access requirements be to the satisfaction of the Fire Department;

10. That provision for snow removal and storage, sidewalk alignment and maintenance be to the satisfaction of the General Manager of Operations and Director of Engineering;
11. That the Owner provide and implement detailed Grading/Drainage, Servicing and Stormwater Management plans, to the satisfaction of the Director of Engineering;
12. That the Owner confirm that there are no shoring tie-backs into the City's right of way or alternatively enter into an appropriate encroachment agreement, to the satisfaction of the Director of Engineering;
13. That the Owner comply with all requirements of the City and authorized public agencies, including MTO/407 Consortium and TRCA, to the satisfaction of the Commissioner of Development Services;
14. That the Owner provide confirmation that height and lighting of the buildings meets the requirements of Transport Canada;
15. That the Owner provide and implement a TDM plan which clearly identifies measures to promote alternative modes to the single occupant vehicle, to the satisfaction of the Director of Engineering;
16. That provision for the dedication and construction of Frontage Street and the associated intersection improvements, including any temporary turning circles, be to the satisfaction of the Director of Engineering;
17. That the Owner submit the design of Birchmount Road to the satisfaction of the Director of Engineering and convey additional right-of-way to the City at no cost to the City;
18. That the Owner provide environmental site assessment reports for City's peer review, pays for the peer review costs and City's administrative fees, provides a Record of Site Condition for all lands to be conveyed to the City, in accordance with the Environmental Protection Act and its regulations and to the satisfaction of the Director of Engineering;
19. That the Owner submit a Construction Management Plan to address issues related to temporary construction encroachment of rights-of-way, workers parking, construction access points, material storage etc. for review and approval by the Director of Engineering, in consultation with the Director of Operations;
20. That the Owner submit traffic studies to demonstrate the safe operations of Birchmount Road with the proposed signalized intersections at the proposed private street and proposed Frontage Street to the satisfaction of the Director of Engineering;

21. That the Owner design, submit for review and approval, pays for and constructs all off-site municipal infrastructure required for this development including, but not limited to, Frontage Street (both west and east side of Birchmount Road, Birchmount Road widening, new municipal services, signalized intersections, boulevard and streetscape; permanent sidewalk on south side of Enterprise Boulevard from the Enterprise Boulevard VIVA station to the site to the satisfaction of the Director of Engineering;
22. That the Owner submit a servicing study for review and approval to demonstrate that there is adequate municipal service capacities for this site and adjacent blocks;
23. That the Owner operate and maintain, including winter maintenance, portions of Frontage Road to the satisfaction of the Director of Engineering, until assumption of the Frontage Road by the City;
24. That the Owner respond to comments made by the Markham Centre Advisory and provide and implement a comprehensive Green Infrastructure plan, including LEED certification, and connections to the District Energy network, to the satisfaction of the Commissioner of Development Services;
25. That should the Owner participate in the enhanced hoarding programme, the Mayor and Clerk be authorized to enter into a Hoarding Agreement with the Owner;
26. That the Owner continue to work with staff on an appropriate public art component for this project; and,
27. That this endorsement shall lapse and site plan approval will not be issued after a period of three years commencing September 24, 2013, in the event that the site plan agreement is not executed within that period.





AREA CONTEXT / ZONING

APPLICANT: RULAND PROPERTIES INC.
7980 BIRCHMOUNT ROAD

FILE No. SC. 13125581 (RK)

Q:\Geomatics\New Operation\2013 Agenda\SC\SC13125581\SC13125581.mxd

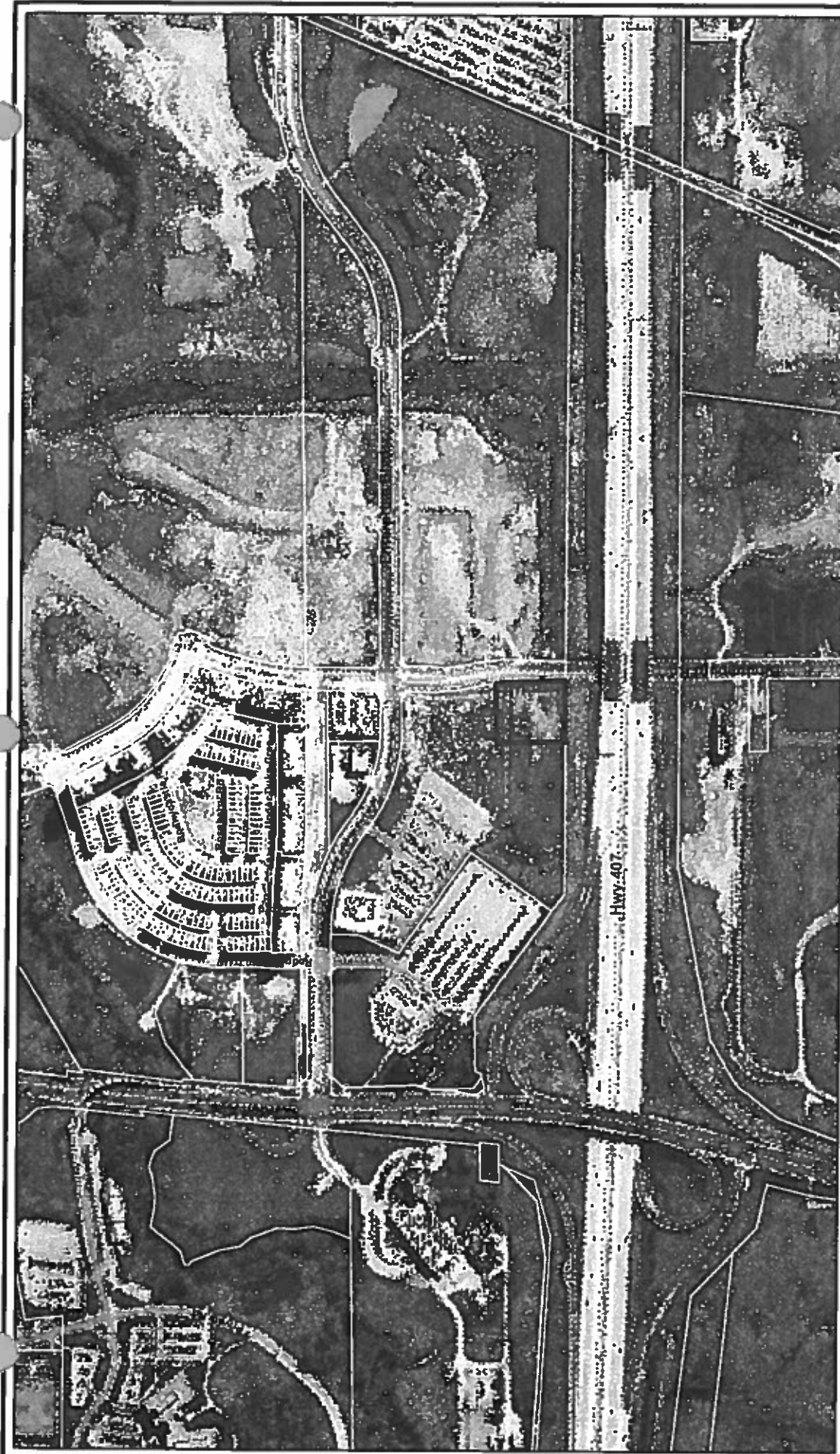
MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: RK

DATE: 04/09/2010

FIGURE No. 2



AIR PHOTO

APPLICANT: RULAND PROPERTIES INC.
7980 BIRCHMOUNT ROAD

FILE No. SC. 13125581 (RK)

Q:\Geomatics\New Operations\2013 Agenda\SC\13125581\SC13125581.mxd

MARKHAM DEVELOPMENT SERVICES COMMISSION

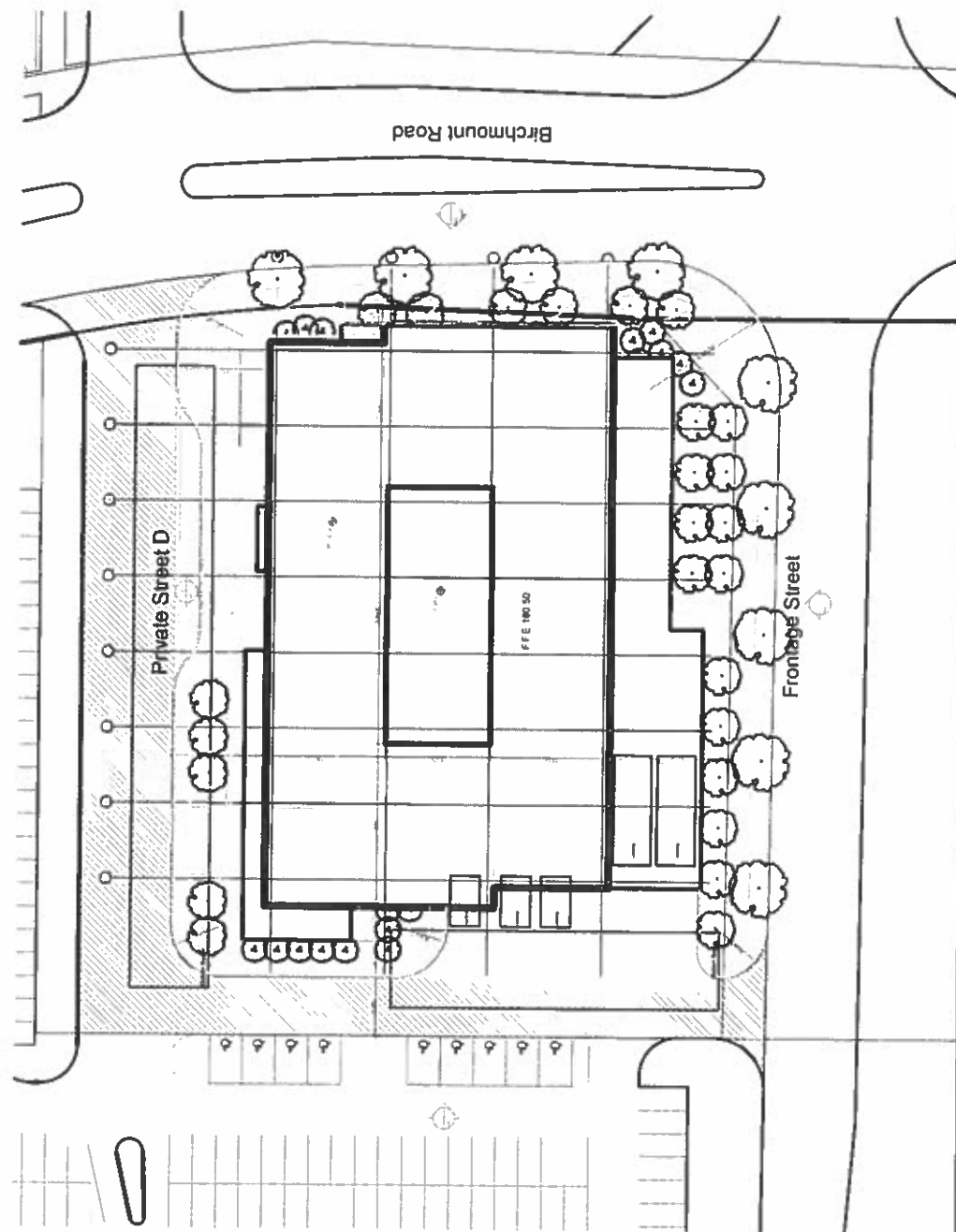
 SUBJECT LANDS

Drawn By: CPW

Checked By: RK

DATE: 04/09/2010

FIGURE No. 3

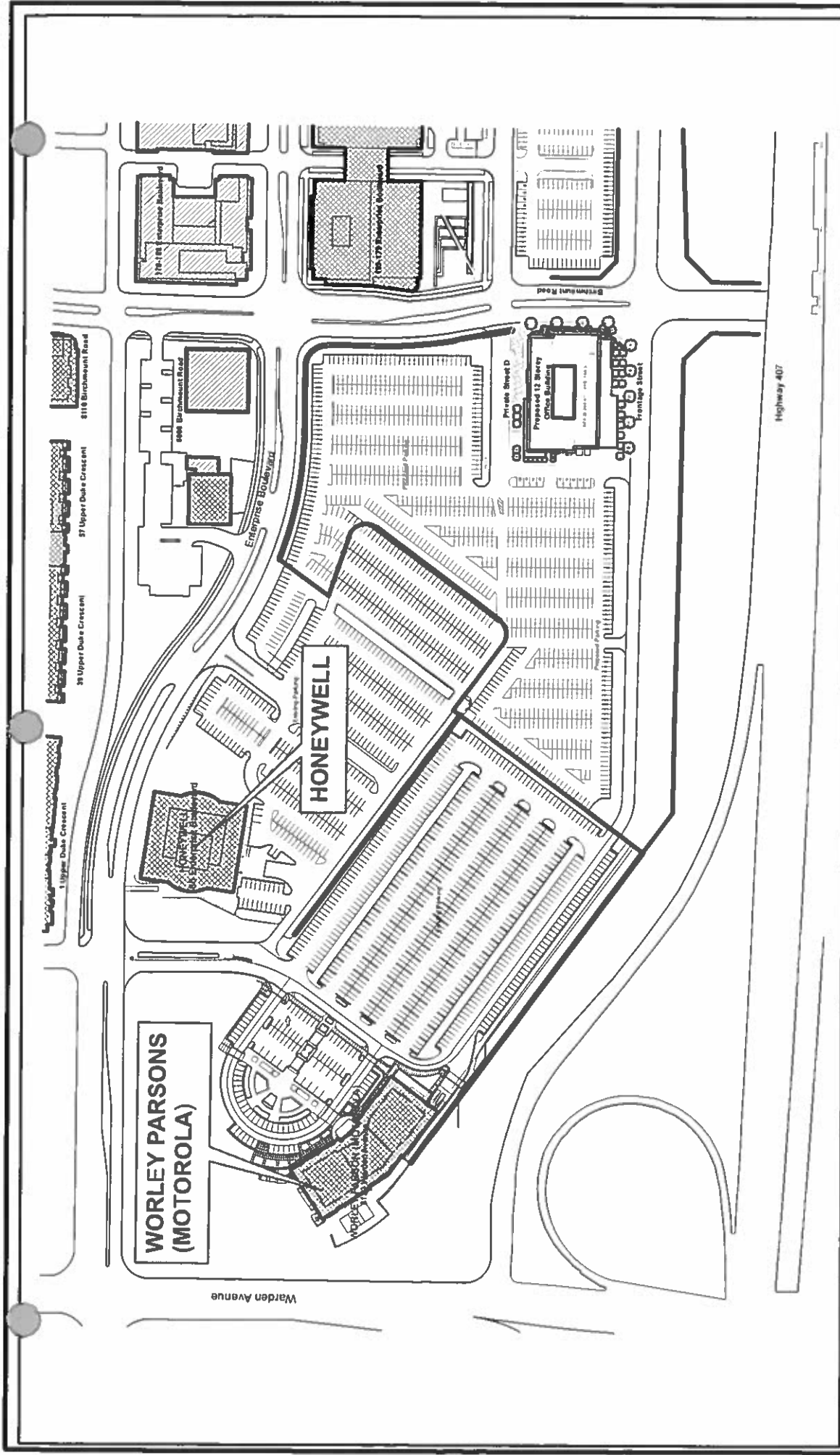


SITE PLAN

APPLICANT: RULAND PROPERTIES INC.
7980 BIRCHMOUNT ROAD

FILE No. SC. 13125581 (RK)

Q:\Geomatics\New Operation\2013 Agenda\SCSC13125581\SC13125581.mxd

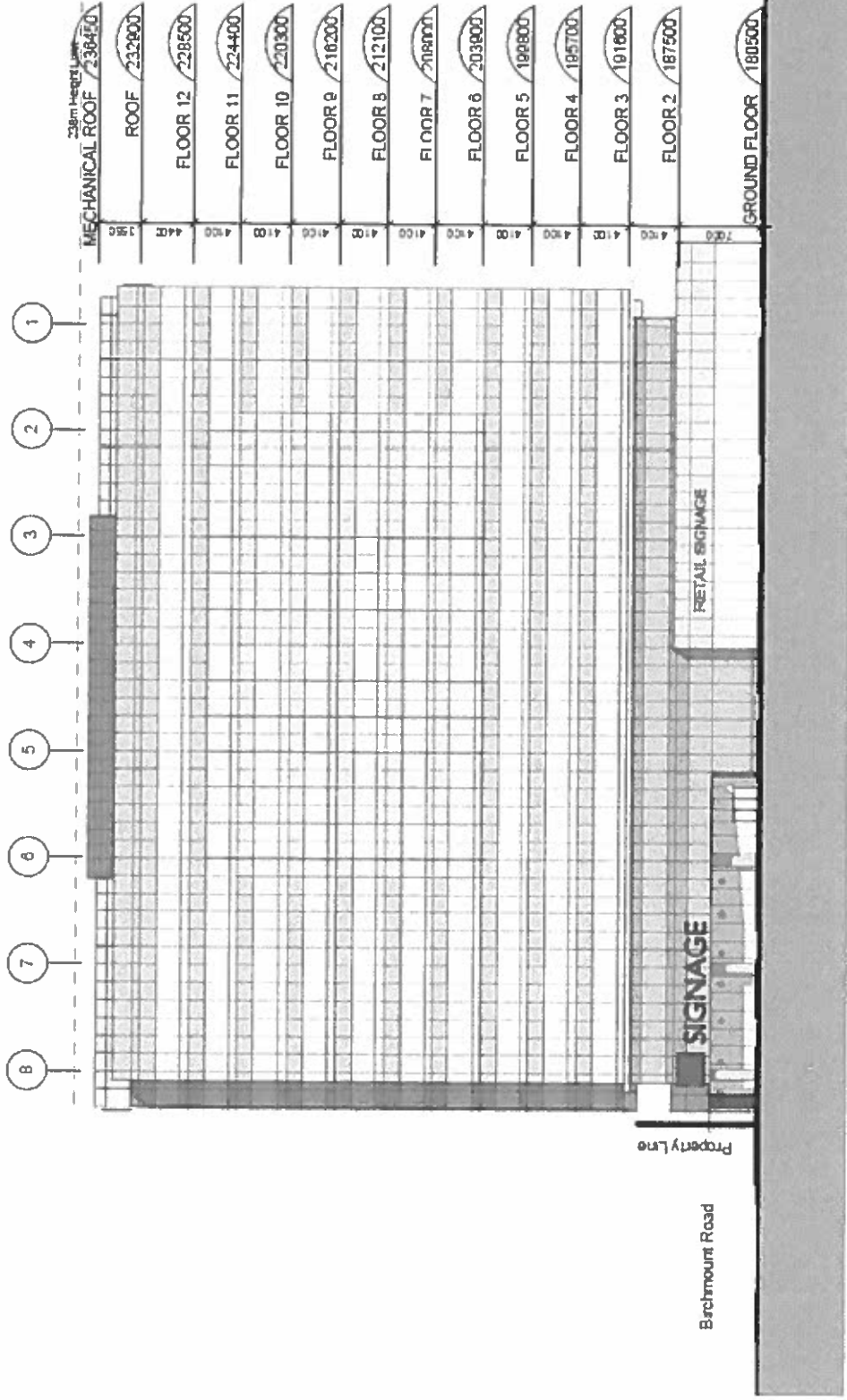


CONTEXTUAL SITE PLAN

APPLICANT: RULAND PROPERTIES INC.
7980 BIRCHMOUNT ROAD

FILE No. SC. 13125581 (RK)

Q:\Geomatics\New Operation\2013 Agenda\SC\13125581\SC13125581.mxd



ELEVATION (North)

APPLICANT: RULAND PROPERTIES INC.
7980 BIRCHMOUNT ROAD

FILE No. SC. 13125581 (RK)

Q:\Geomatics\New Operation\2013 Agendas\SCSC13125581\SC13125581.mxd

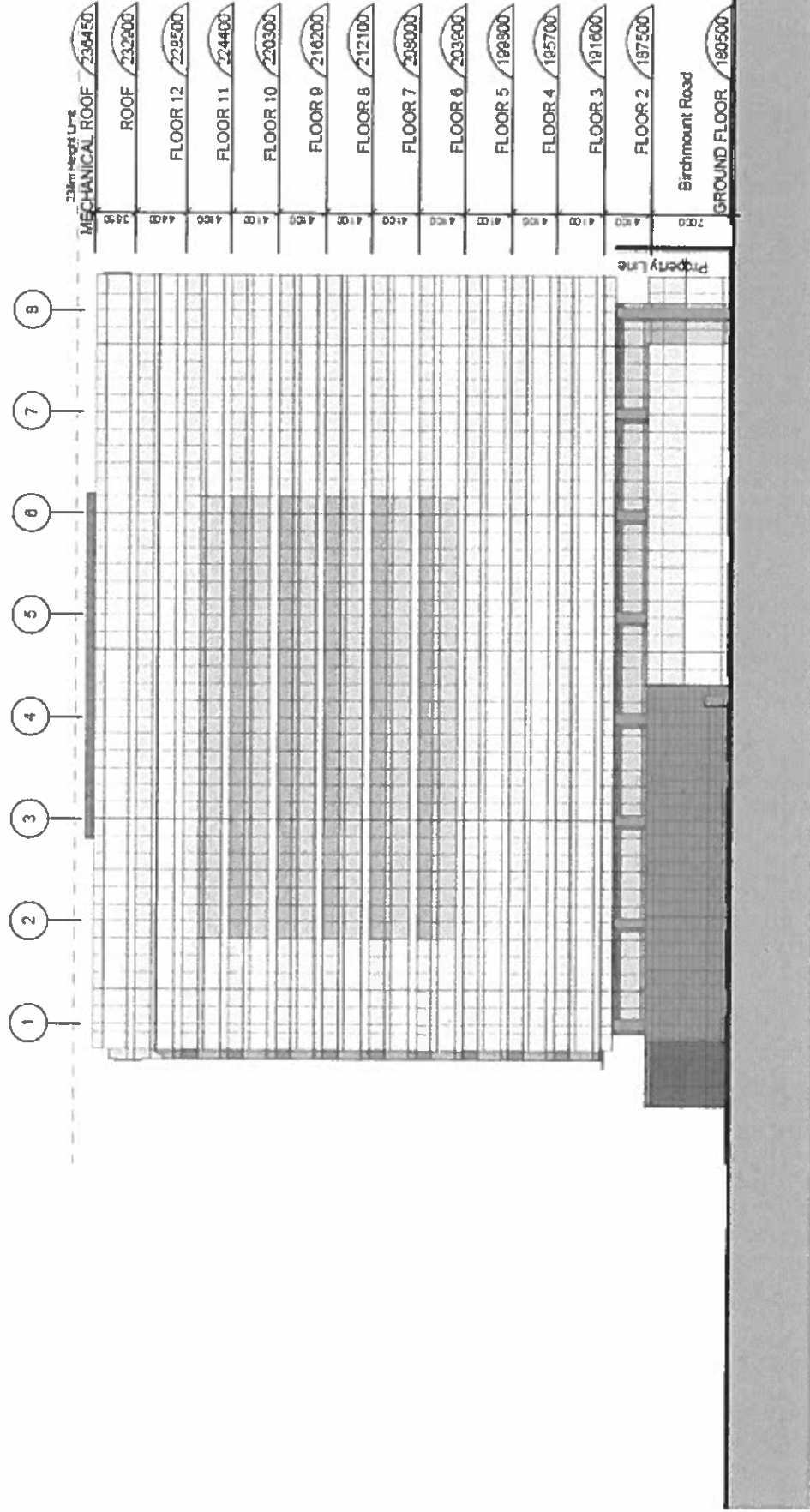
MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: RK

DATE: 04/09/2010

FIGURE No. 6



ELEVATION (South)

APPLICANT: RULAND PROPERTIES INC.
7980 BIRCHMOUNT ROAD

FILE No. SC. 13125581 (RK)

O:\Geomatics\New Operation\2013 Agenda\SC\SC13125581\SC13125581.mxd

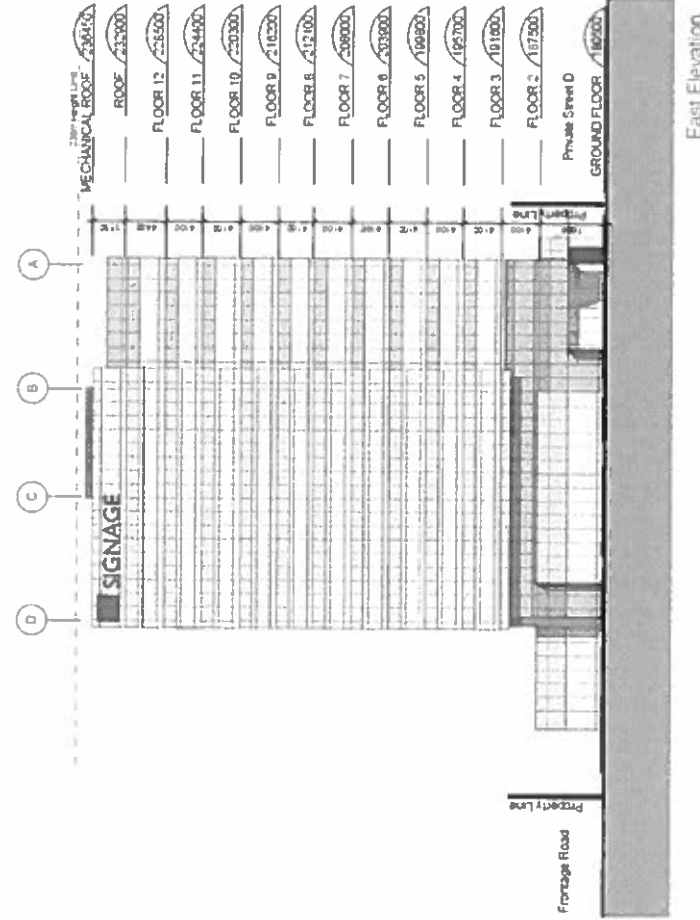
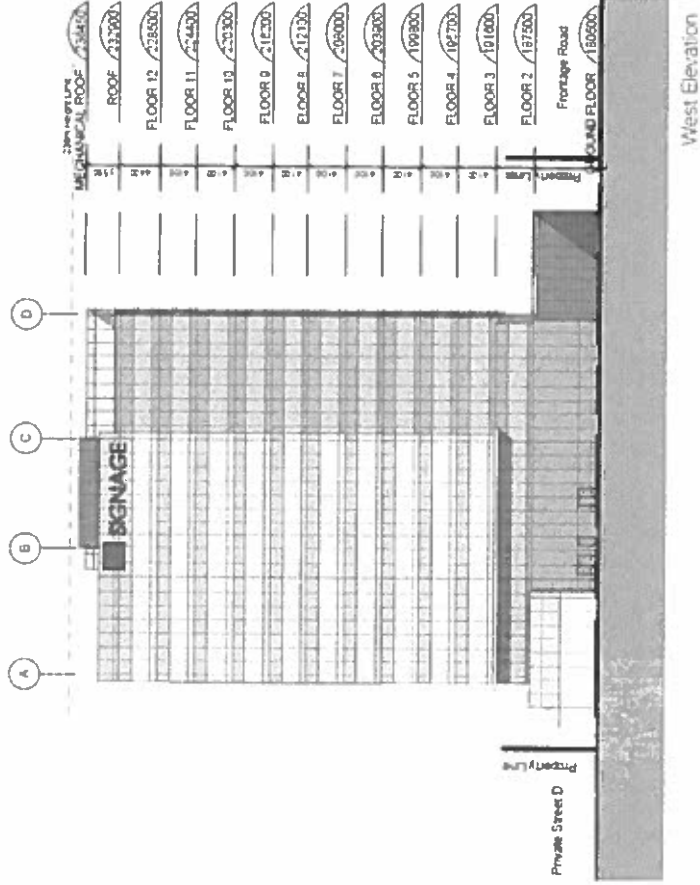
MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: RK

DATE: 04/09/2010

FIGURE No. 7



ELEVATIONS (West & East)

APPLICANT: RULAND PROPERTIES INC.
7980 BIRCHMOUNT ROAD

FILE No. SC. 13125581 (RK)

Q:\Geomatics\New Operation\2013 Agenda\SC13125581\SC13125581.mxd

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: RK

DATE: 04/09/2010

FIGURE No. 8



PERSPECTIVE LOOKING SOUTH WEST

APPLICANT: RULAND PROPERTIES INC.
7980 BIRCHMOUNT ROAD

FILE No. SC. 13125581 (RK)

Q:\Geomatics\New Operation\2013 Agenda\SC\13125581\SC\13125581.mxd

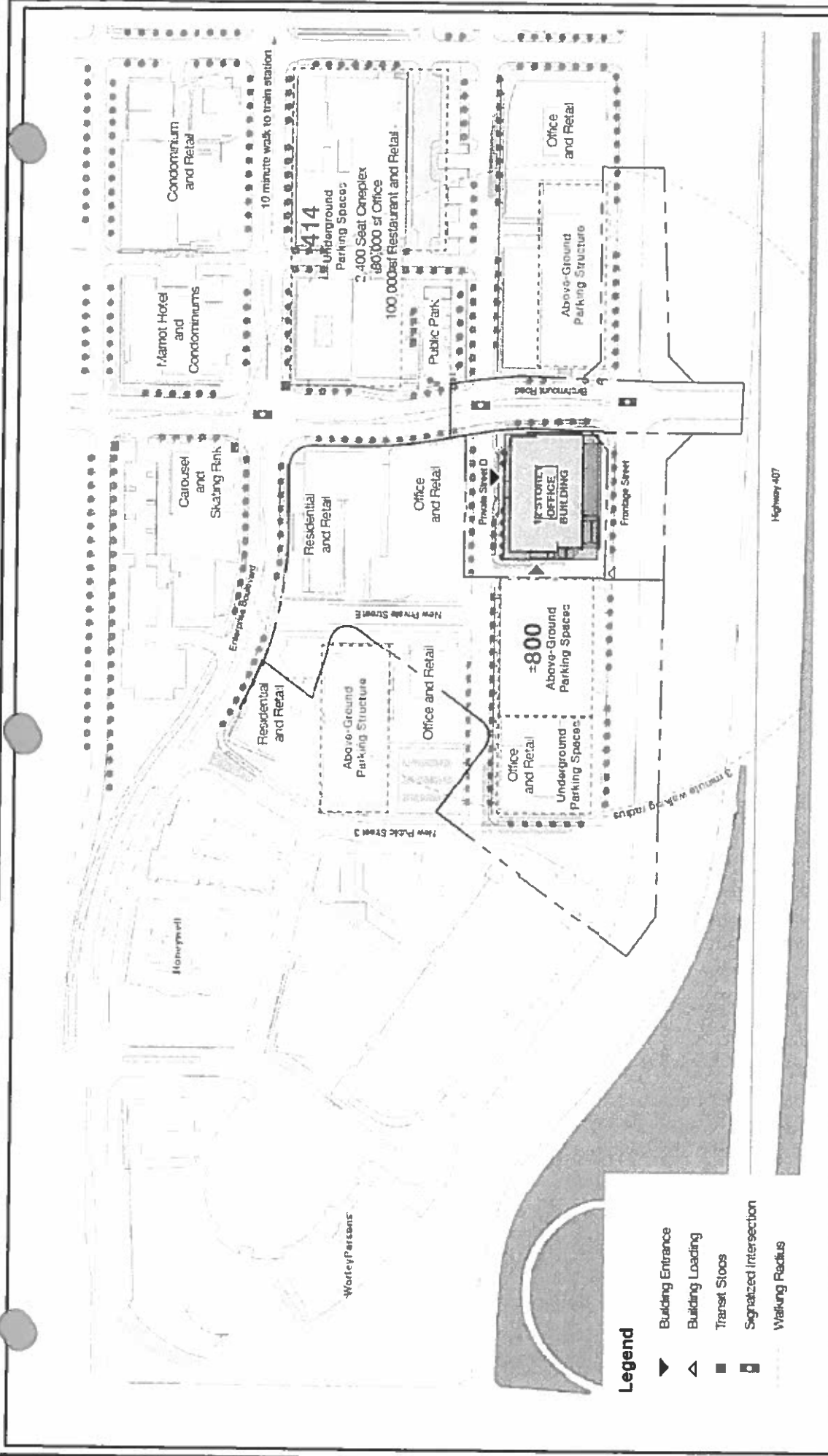
MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: RK

DATE: 04/09/2010

FIGURE No. 9



COMPREHENSIVE BLOCK PLAN

APPLICANT: RULAND PROPERTIES INC.
7980 BIRCHMOUNT ROAD

FILE No. SC. 13125581 (RK)

Q:\Geomatics\New Operation\2013 Agendal\SC\SC13125581\SC13125581.mxd