

SUBJECT: 1826997 Ontario Inc. (Times Group Inc.)
3989 Highway 7 (south side, west of Birchmount Road)
Application for site plan approval for a high density
residential development
File No. SC 12 108133

PREPARED BY: Scott Heaslip, Senior Project Coordinator,
Central District, ext. 3140

REVIEWED BY: Richard Kendall, Manager,
Central District, ext. 6588

RECOMMENDATION:

1. That the staff report dated September 11, 2012 titled “1826997 Ontario Inc. (Times Group Inc.), 3989 Highway 7 (south side, west of Birchmount Road), Application for site plan approval for a high density residential development,” be received.
2. That the application be endorsed, in principle.
3. That site plan approval be delegated to the Director of Planning and Urban Design, or his designate, to be issued (Site Plan Approval is issued only when the Director or his designate has signed the site plan “approved”) when the following conditions have been met:
 - Phase 2 of plan of subdivision 19TM-070003 has been registered.
 - The Owner has entered into a site plan agreement with the City and the Region of York containing all standard and special provisions and requirements of the City and public agencies and the provisions outlined in Appendix ‘A’ to the September 11, 2012 staff report.
 - The trustee for the Markham Centre Landowners Group has advised the City in writing that the required servicing allocation for the proposed development or any proposed phase thereof, is available and has been assigned to 1826997 Ontario Inc. (Times Group Inc.).
 - The trustee for the Markham Centre Landowners Group has advised the City in writing that the Owner is in good standing with the group.
4. That prior to the Director of Planning and Urban Design endorsing the site plan, the applicant shall submit final confirmation of the 40% (201 units) servicing allocation credits from the Region of York under their “Sustainable Development Through LEED policy.”
5. That conditional 2015 servicing allocation for 302 units be granted from the Regional allocation to Markham, subject to written confirmation from the Trustee of the Markham Centre Landowners Group.

6. That the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner.
7. That the Owner provide the City with the required payment of 60% planning processing fees in accordance with the City's applicable Fee By-law.
8. That site plan endorsement shall lapse after a period of three (3) years from the date of endorsement in the event that the site plan agreement is not executed within that period.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to recommend endorsement, in principle, of an application for site plan approval of a high density residential development in the Times Uptown Markham development.

BACKGROUND:

Subject Lands (Figures 1, 3 and 4)

The subject lands have an area of 1.04 hectares (2.58 acres), and are located on the south side of Highway 7, one block west of Birchmount Road. The lands are vacant and contain no vegetation.

To the east across Markham Uptown Drive is a mixed use development, also by the Times Group, under construction. To the south across Rouge Side Promenade are park blocks and the Rouge River. To the west is a park block. To the north across Highway 7 are vacant lands which are subject to applications for mid-rise residential developments.

Official Plan and Zoning (Figure 2)

The subject lands are designated "Commercial – Community Amenity Area" in the Official Plan. They are further designated "Community Amenity Area – Major Urban Place" in the Markham Centre Secondary Plan.

The lands are zoned "Markham Centre – Downtown Two (Hold 1 Hold 2) "(MC-D2*11(H1H2) by by-law 2004-196, as amended.

Proposal (Figures 5, 6 and 7)

The proposed development consists of two residential buildings accommodating a total of 503 apartment units.

The northerly building comprises an 8-storey section across the Highway 7 frontage, a 3-storey section extending down Markham Uptown Drive, and a 6-storey section extending

down the adjoining park block. This building will accommodate 195 apartment units (30 1-bedroom, 140 one-bedroom plus den, 21 two-bedroom, and 4-two bedroom plus den).

The southerly building comprises a 20-storey tower and an 8-storey section extending across the Rougeside Promenade frontage, with a 3-storey section extending up Markham Uptown Drive and a 6-storey section extending up the adjoining park block. A rooftop patio is proposed on the 8-storey section overlooking the Rouge River valleylands. This building will accommodate 308 apartment units (1 bachelor, 70 one-bedroom, 166 one-bedroom plus den, 52 two-bedroom, and 19 two-bedroom plus den).

The first two floors of the buildings will be differentiated from the floors above through the use of architectural concrete panels as the primary facing material. The upper floors will be primarily faced with medium red brick with vertical pre-cast concrete banding to articulate the buildings. The tops of the buildings will be accentuated with pre-cast concrete elements, which will also screen the rooftop mechanical equipment.

OPTIONS/ DISCUSSION:

Proposed development complies with zoning by-law and is consistent with City's built form objectives

The proposed development is street related and incorporates mid-rise (3-8 storey) podiums along the street and park frontages, ensuring a comfortable human scale, enhanced by a high quality public realm, including generous sidewalks. With the exception of a small number of visitor parking spaces, all of the parking will be located in a three level underground parking garage.

The development was presented to the Markham Centre Advisory on March 29, 2012. The Advisory rated the development "on target" with the Markham Centre Performance Measures document.

Extensive environmental and sustainability package proposed

The proposed development will:

- be LEED Gold certified.
- be connected to District Energy.
- incorporate a state-of-the-art storm water management system that will enhance the water balance while achieving quality objectives through the use of underground infiltration and detention and infiltration galleries and other techniques.
- incorporate bicycle storage facilities.
- incorporate car share facilities.
- incorporate extensive green roof areas.

Staff will ensure that appropriate Fatal Light Awareness Program (FLAP) measures are incorporated into the final project plans.

Allocation needs to be confirmed

Written confirmation from the trustee for the Markham Centre Landowners Group of assignment of sufficient allocation and meeting group obligations will be required prior to removal of the holding provision from the zoning and the issuance of building permits (including conditional permits).

Subdivision needs to be registered

The subject lands are within Phase 2 of the Times Uptown Markham development. The City is currently finalizing a subdivision agreement for Phase 2. A full building permit cannot be issued for the proposed development until after registration of the plan of subdivision and execution of the required site plan agreement.

Section 37 contribution has been finalized

The Times Group has entered into a Section 37 Agreement with the City for the Markham Uptown development. This agreement, dated September 24, 2010, requires the following:

- an initial cash payment of \$2 million, payable prior to the issuance of the first residential building permit.
- subsequent cash payments totaling of \$4 million, calculated on a per unit basis and payable prior to the issuance building permits for each individual development.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development supports a number of the City's Strategic Priorities, as follows:

Growth Management - intensification along a transit corridor
and transportation/transit

Environmental focus - see Environmental and Sustainability Initiatives, above

BUSINESS UNITS CONSULTED AND AFFECTED:

The proposed development has been circulated to internal City departments and external agencies for review and comment.

RECOMMENDED BY:



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



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

ATTACHMENTS:

- Figure 1 - Location Map
 - Figure 2 - Area Context/Zoning
 - Figure 3 - Air Photo
 - Figure 4 - Draft approved plan of subdivision
 - Figure 5 - Site Plan
 - Figure 6 - Elevations
 - Figure 7 - Rendering
- Appendix 'A' - Conditions of Site Plan Approval

APPENDIX A

Conditions of Site Plan Approval Times Group Inc. 3989 Highway 7 East (South side of Highway 7, west of Markham Uptown Drive) Markham Centre Community

Prior to the execution of the site plan agreement, the Owner shall submit:

1. site plans, elevation drawings (including building materials, colours and details), underground parking garage layout plans, grading, servicing and engineering drawings that comply with all requirements of the City, the Markham Centre Advisory, and authorized public agencies, to the satisfaction of the Director of Planning and Urban Design. The final plans shall incorporate appropriate Fatal Light Awareness Program (FLAP) components to ensure more bird friendly buildings, to the satisfaction of the City.
2. landscape plans, including streetscape details, prepared by a Landscape Architect having membership with the Ontario Association of Landscape Architects.
3. a storm water management report and a functional servicing report.
4. a geotechnical report.

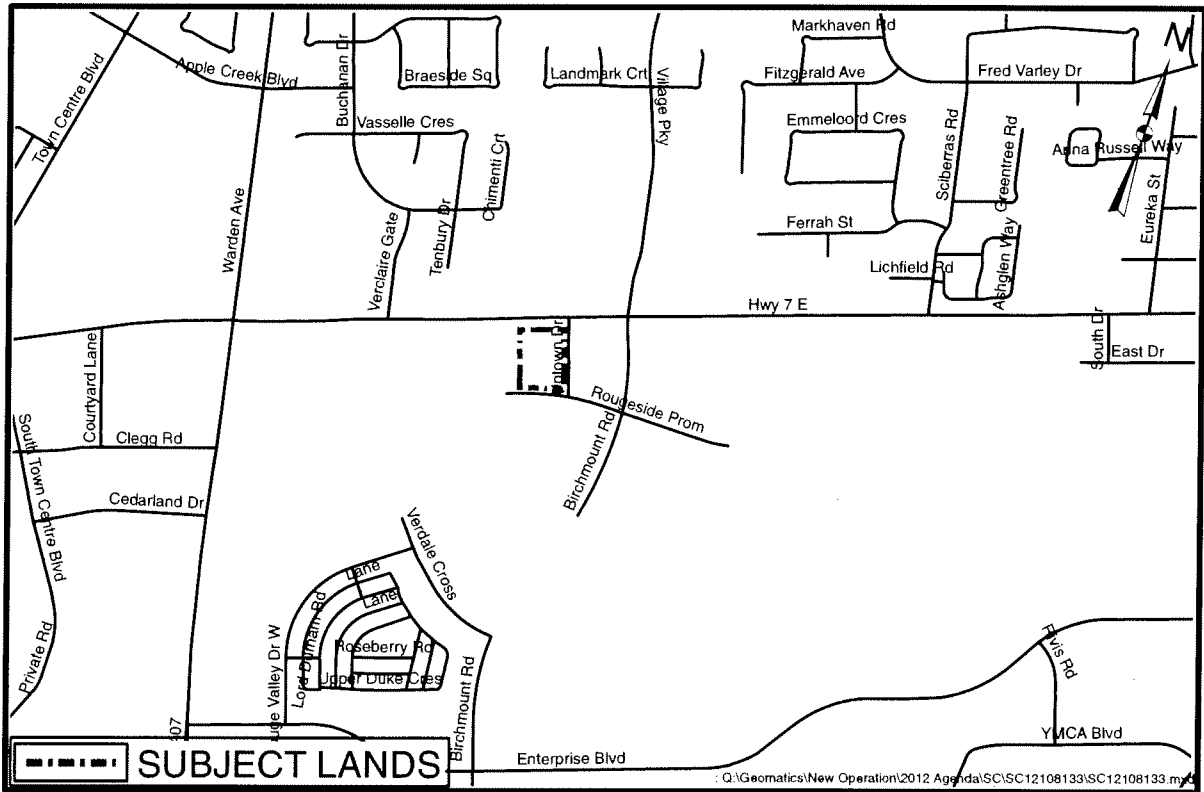
for endorsement or approval by the City.

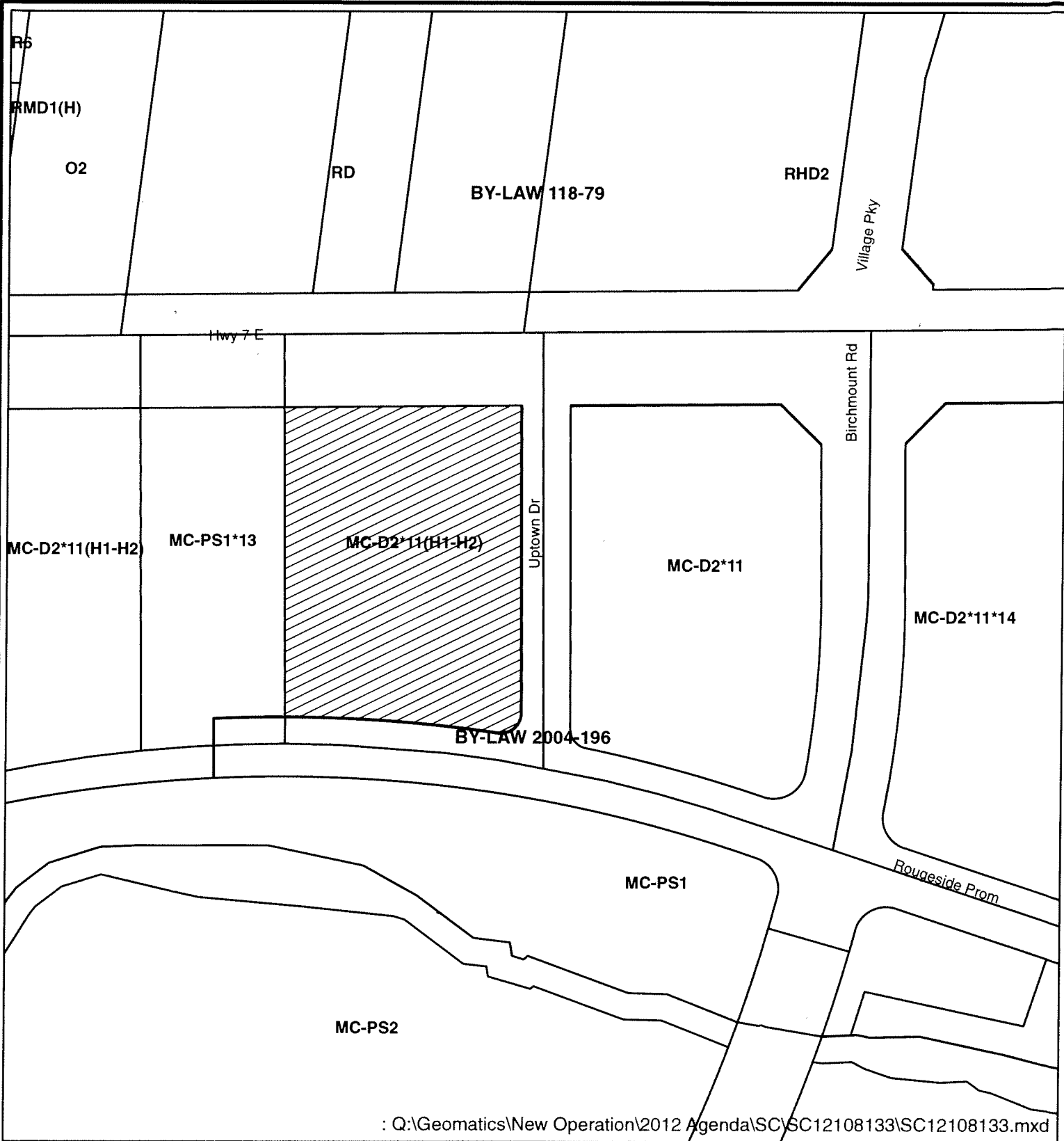
The Owner shall enter into a Site Plan Agreement with the City and the Region of York, containing all standard and special provisions and requirements of the City, the Region and other public agencies including, but not limited to, the following:

1. Provisions for the payment by the Owner of all applicable fees, recoveries, development charges, parkland dedications (including cash-in-lieu) and financial obligations related to applicable Developers Group Agreements.
2. That the location, size and construction of all refuse storage areas and recycling facilities, and arrangements for waste collection be to the satisfaction of the City of Markham Waste Management Department.
3. That the site be designed to ensure that there is no permanent underground encroachment into any municipal road right-of-way.
4. That the Owner shall provide and implement a comprehensive Green Infrastructure plan to the satisfaction of the Director of Planning and Urban Design. The plan shall include the following minimum elements - LEED gold certification, green roof technology on the lower building elements, connection to the District Energy network, incorporation of car sharing facilities, and the provision of bicycle storage facilities.
5. Provisions to ensure implementation of the recommendations of the approved reports.
6. Provisions to secure implementation of the of the approved Transportation Demand Management (TDM) plan.
7. Provisions for satisfying all requirements of City departments and public agencies.

8. Provisions to ensure implementation of the recommendations of an Environmental Noise and Vibration Feasibility Study.
9. That the Owner comply with all requirements of the City and authorized public agencies, including Power Stream to the satisfaction of the Commissioner of Development Services.
10. That the Owner provide provided confirmation the height of the buildings meets the requirements of Transport Canada, including applicable warning clauses.

File path: Amanda\File 12 108133\Documents\Recommendation Report





AREA CONTEXT/ZONING

APPLICANT: 1826997 ONTATIO INC. (TIMES GROUP INC.)
3989 HIGHWAY 7

FILE No. SC12108133(SH)

 SUBJECT LANDS

DATE: 08/17/12



DEVELOPMENT SERVICES COMMISSION

Drawn By: DD

Checked By: SH

FIGURE No. 2





AIR PHOTO 2011

APPLICANT: 1826997 ONTATIO INC. (TIMES GROUP INC.)
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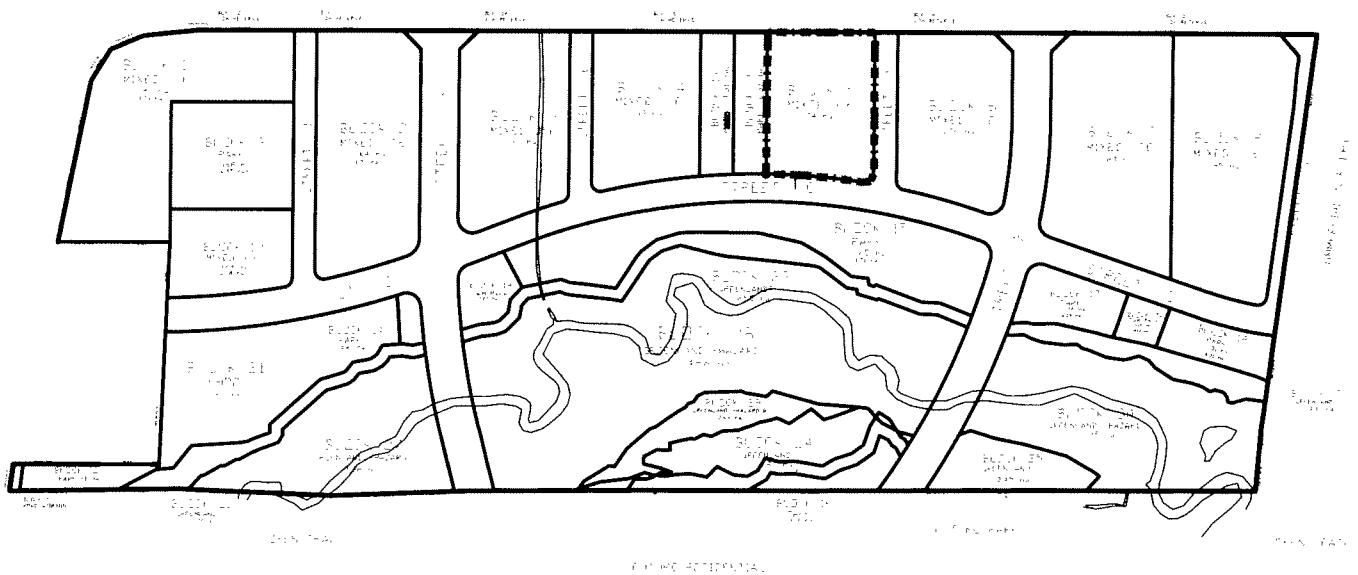
DEVELOPMENT SERVICES COMMISSION

Drawn By: DD

Checked By: SH

FIGURE No. 3





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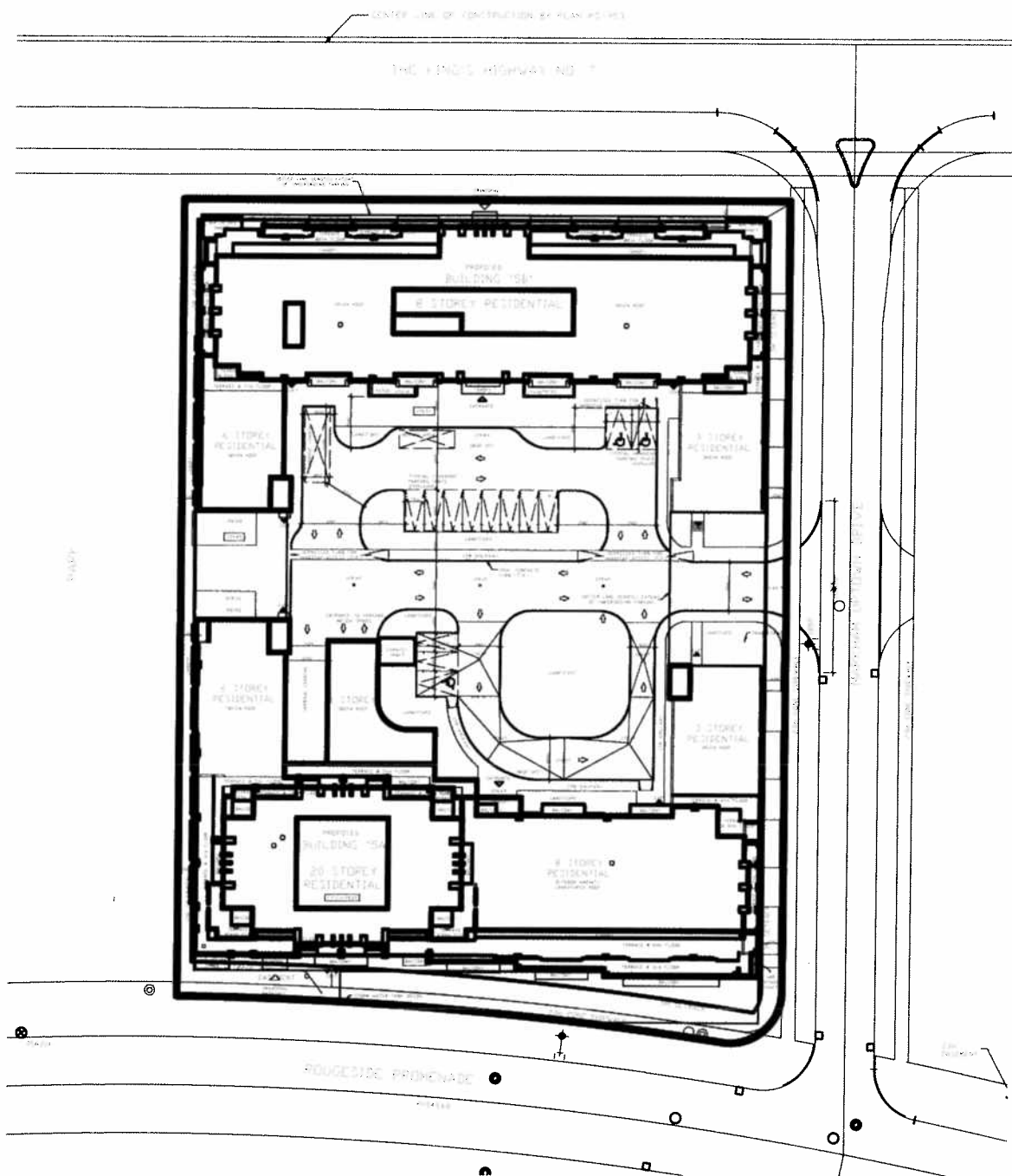
DRAFT APPROVED PLAN OF SUBDIVISION

APPLICANT: 1826997 ONTATIO INC. (TIMES GROUP INC.)
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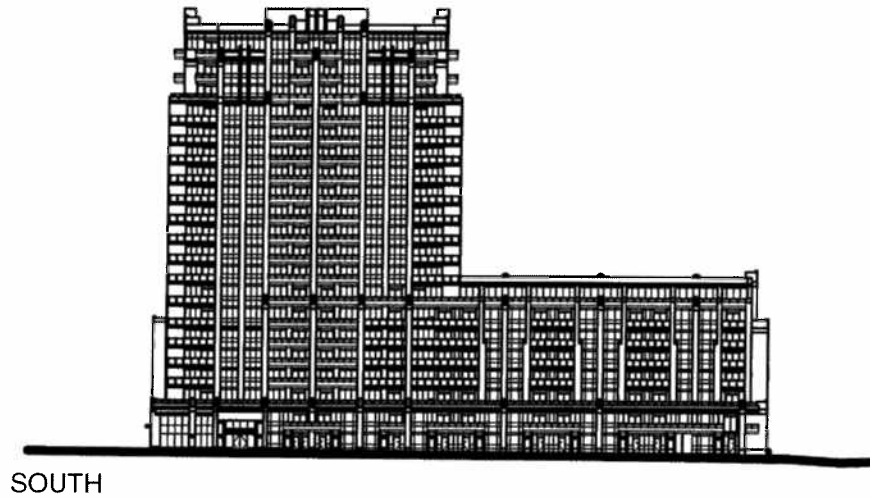
SITE PLAN

APPLICANT: 1826997 ONTARIO INC. (TIMES GROUP INC.)
3989 HIGHWAY 7

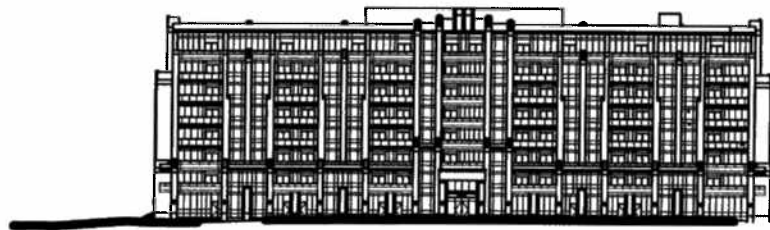
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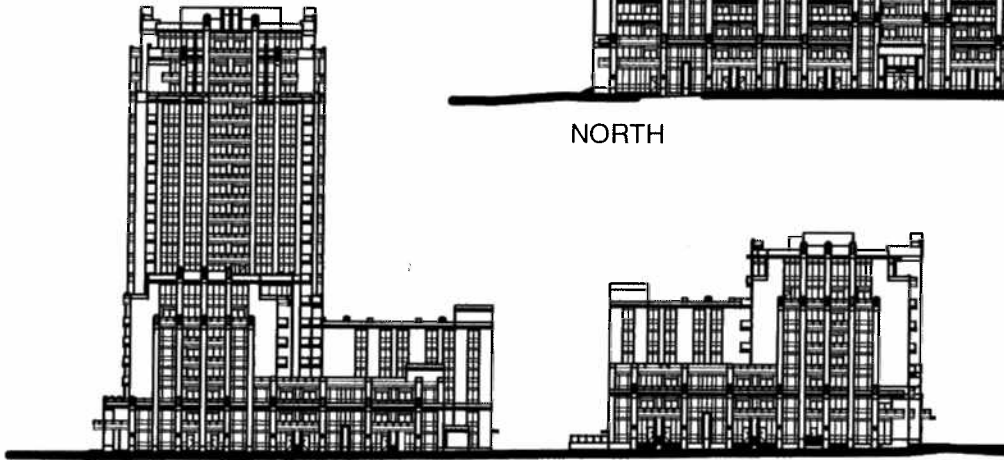
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SOUTH



NORTH



EAST



WEST

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ELEVATIONS

APPLICANT: 1826997 ONTARIO INC. (TIMES GROUP INC.)
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RENDERING

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