



Report to: Development Services Committee

Report Date: June 28, 2011

SUBJECT:

RECOMMENDATION REPORT

Application for Site Plan Control Approval
Ruland Properties Inc. (The Remington Group)
Phase 2 Retail Programme,
North east quadrant of Enterprise Boulevard and Birchmount
Road
Markham Centre
SC 11 117165

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) – Phase 2 Retail Programme" be received;
- 2) That the application for Site Plan Control Approval by Ruland Properties Inc. for the proposed phase 2 retail buildings 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 Council grant servicing allocation for the 224 residential units within this project, subject to the Owner providing a release from the Trustee for the Markham Centre Landowners Group confirming and assigning available servicing allocation, and confirming that 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 the Town Solicitor; and
- 6) 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 their Phase 2 retail buildings at the northeast corner of Enterprise Boulevard and Birchmount Road.

BACKGROUND:

The vacant, 1.29 hectare (3.2 acre) property is located within the second phase of the Remington Group's Downtown Markham project, at the northeast corner of Birchmount Road and Enterprise Boulevard (Figure 3).

In June, 2010, the applicants presented their phase 1 retail concept to Development Services Committee, and discussed the evolution of their retail programme in the context of a comprehensive review they have commenced of the easterly portion of their precinct plan to better align with the emerging Mobility Hub at the Unionville GO Station. Their first retail phase consists of two buildings (L & M) accommodating a variety of uses including retail, restaurant, office and cinema. Total commercial floor area for the Phase 1 buildings is approximately 25,750 square metres (277,180 square feet) (Figure 4).

OPTIONS/ DISCUSSION:

The third and fourth buildings within Remington's retail precinct (J & K), which are the subject of this Phase 2 application, comprise the block on the north side of Enterprise Boulevard bounded by the Civic Mall and dedicated transitway to the north, Birchmount Road to the west and the future Market Drive to the east (Figure 4).

These buildings will accommodate a variety of retail, restaurant, spa, hotel and residential uses. In addition, a portion of the ground floor, next to the Civic Mall, has been identified as potential live/work or interim community space. The westerly building (J) will be 14 storeys and contain 180 hotel suites, 110 residential units and approximately 4,320 square metres (46,500 square feet) of retail and restaurant uses (Figures 5 and 6).

The ground floor of Building K will be a combination of base building stone and metal defining large retail openings and distinct entrances for the hotel (on Enterprise Boulevard) and for the residential (on Birchmount Road), including custom canopies and signage. The 'podium' floors (2 to 6) will be curtain wall with a variety of patterns and window glazing colours. The residential condominium will make use of expansive glazing, precast concrete and crisp cantilevered balconies. The design intent is for the 8 storeys of condominium to "perch" lightly on top of the podium.

A roof garden is proposed above the hotel lobby portion, with a green roof and outdoor amenity space proposed on the 7th level 'wings' of the building (Figure 8).

Building K will be 9 storeys and feature 114 dwelling units, and 4,830 square metres (52,000 square feet) of retail and restaurant uses. Parking will consist of one level below grade across the combined site, and 6 levels of above grade structure within Building K, behind the uses fronting onto Enterprise Boulevard. An outdoor rooftop garden is proposed at the 7th level, above the parking structure component of the building (Figure 8).

There will be two levels of retail beginning at grade with a significant set back from the property/street line to create a broad street 'terrace' to support restaurants, cafes and enhanced landscape. The base building architecture will be stone and metal cladding to

complement the Buildings L + M on the south side of the street, and frame large openings to be filled in by the retail/restaurant tenants. Above the second level will be 'loft style' residential condominiums with interior clear floor heights of 3.0 metres (10 feet). The south elevation will have continuous balconies faced with a traditional brick colour outer screen with large openings intended to be reminiscent of traditional loft style buildings.

The parking structure component, on the north side, adjacent to the Civic Mall (Simcoe Promenade) will take design clues from the south elevation of the building, with traditional masonry and stone (precast) storefront framing at grade. The actual garage façade treatment will be brick vertical piers with opaque contemporary/industrial style windows and some free open areas. The intent is to make the façade appear as a 'downtown urban' building with an animated base at the street while allowing for maximum light and air into the parking levels above.

A third residential building is anticipated on this block (at the very north east corner) as part of a future application (Figures 5 and 7). As an interim condition, a surface parking lot is proposed on this portion of the site. The applicants are also proposing to pre-build a component of the parking required for the future residential building within the parking structure of Building K, as part of this application. These spaces will accommodate current retail and restaurant clients and then transition to residential as the site evolves.

Primary vehicular access to the site will be via Enterprise Boulevard which will lead to the hotel courtyard and drop off, loading spaces, as well as to the ramps to above and below grade parking. This access will terminate at the Civic Mall linear park, providing an opportunity for a future pedestrian link to the north, as well as to the south and the main cinema entrance on the opposite side of Enterprise Boulevard. A secondary drive is proposed off Market Drive connecting the main drive, the interim surface parking and a lay-by loading space (Figure 7).

Waste handling and loading will be interior to the block, with pick up from the east/west driveway. Garbage rooms will be located at-grade, in the garage or possibly both (eg. at grade for retail and below grade for residential). Once the program for the building is finalized, the waste streams (organics, recycling, etc.) will be calculated to determine compactor size, number of bins and storage capacity required.

Zoning

The vacant lands are zoned "Markham Centre Downtown Two – Hold (MC-D2 [H]) in the Markham Centre Zoning By-law (No. 2004-196). The proposal generally complies with the relevant zoning policies however, potential variances relating to height requirements at the intersection, loading space location, parking requirements and certain setback conditions may be required. Additional information has been requested to better determine project compliance. Appropriate zoning relief (if required) is a condition of Site Plan Approval. The Hold (H) would be lifted upon the issuance of Site Plan Approval.

Staff will continue to work with the applicant

There are a number of technical issues to be fully resolved and staff will work with the applicant to address the nature of the access into the site from Enterprise Boulevard and opportunities for a pedestrian crossing. The design and programming of space along the north elevations will need to be flexible to reflect the potential evolving character of the Civic Mall.

The current plan provides for at-grade restaurant/retail space associated with Building J and live/work or possibly community space within the lower floors of Building K. Presently, the Civic Mall is reserved for a linear park and dedicated transitway. Through work being undertaken by Calthorpe Associates and Adamson Architects additional road connections could be introduced to this space.

If the Civic Mall becomes a street with car traffic, the uses, massing and elevation treatment along the north façade of the block may need to be considered from a different viewpoint. In addition, the new street will provide a more urban frontage to the future block on the north side of the Civic Mall, thereby allowing the buildings lining it to be more normal in terms of land use and built form. Remington will need to keep this in mind as future phases are being planned. The potential for the Civic Mall to become a street will be the subject of future reports to Committee as work on the Remington Precinct and Mobility Hub plans progress.

In the interim, the treatment of the temporary surface parking area on the future development phase portion of the site will need to be finalized, as will the potential programming opportunities for the live/work space in the base of building K. The phasing of the future building and edge treatment of the current buildings needs to be accommodated within the current and evolving context.

As the specific programming requirements of the tenants and hotel operator are identified and finalized, staff will work with the applicant to ensure: appropriate building elevations and articulation; bird fatalities are minimized; active facades at street level; building entrances address major street frontages; and, access is provided directly at grade. Staff will also continue to work with the applicant to ensure the roads accommodate sidewalks and street trees per Markham Centre streetscape standards and that bike storage locations are identified.

Public art should be incorporated into the development and staff have had initial discussions about possible public art opportunities as part of this and other phases of the development and will continue to explore the options with the applicant.

Departmental / Agency Comments

The final plans will be required to address Fire Department requirements, including Fire Access Route design details. The final plans must also confirm compliance with the Buttonville Airport Zoning Regulations.

The Engineering Department has requested additional material including: confirmation of the alignment of Market Drive; an up-date to the traffic study for the left turn movement into the site from Enterprise Boulevard; a Site Servicing and Grading Plan; an up-dated Stormwater Management report for onsite drainage; and, a noise study. The owner has also been requested to confirm that there are no shoring tie-backs into the Town's right of way, or alternatively enter into a Shoring Encroachment Agreement. Watermain and Service connection testing will be required given the new connections proposed.

The applicant is member of the Markham Centre Landowners Group and servicing Allocation is available as part of an earlier assignment to this project. Confirmation from the trustee that the applicant has met their group agreement obligations will be required before site plan approval.

Markham Centre Advisory

The applicant provided a preliminary overview of this proposal to the Markham Centre Advisory in April, 2011. The Advisory was very supportive of the proposal which reflected a truly mixed-use building. Prior to Site Plan Control Approval the application will formally be presented to the Markham Centre Advisory for consideration and evaluation against the Performance Measures Document.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable at this time.

HUMAN RESOURCES CONSIDERATIONS

Not applicable at this time.

ALIGNMENT WITH STRATEGIC PRIORITIES:

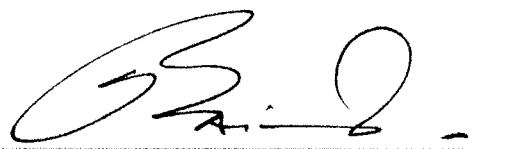
The application aligns with the Town's strategic priorities of Growth Management and Transportation/Transit. Similar to other projects within their project, the applicants will be seeking L.E.E.D. silver certification for their residential component, consistent with the Town's environmental objectives.

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 or will be addressed through the registration of the phase 2 subdivision.

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: Block / Key Plan
- Figure 5: Site Plan
- Figure 6: Schematic Massing View
- Figure 7: Ground Floor Plan
- Figure 8: Schematic Looking North East
- Figure 9: Perspective Looking North East
- Figure 10: Perspective Looking South East

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;
2. That prior to final site plan approval the Owner provide necessary easements respecting public access and servicing connections through the subject lands (if required) to the satisfaction of the Commissioner of Development Services and the Town Solicitor;
3. That prior to final 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 provide for bike parking) and elevation drawings, floor plans, shading diagram for adjacent public spaces, an underground parking layout plan, grading, servicing and engineering drawings that comply with all requirements of the Town 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 Town
4. That prior to final site plan approval the Owner shall submit a Landscape Plan and Streetscape Plan, including a detailed lighting submission, prepared by a Landscape Architect, having O.A.L.A. membership for approval by the Commissioner of Development Services;
5. That the Owner enter into a Site Plan Agreement with the Town, containing all standard and special provisions and requirements of the Town and other public agencies, including provisions to ensure that any restaurant use is equipped with odour control units, prior to final site plan approval;
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 Area Specific 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 the Town of Markham Waste Management Department;
9. That provisions 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 Town's right of way or alternatively enter into an appropriate encroachment agreement, and confirm the proposed property limits between private and public roads within the plan to the satisfaction of the Director of Engineering;
14. That the Owner comply with all requirements of the Town and authorized public agencies, including MTO/407 Consortium and TRCA, to the satisfaction of the Commissioner of Development Services;
15. That the Owner provide confirmation that height and lighting of the buildings meets the requirements of Transport Canada, including any applicable warning clauses;
16. That the Owner provide and implement a TDM plan which clearly identifies measures to promote alternative modes to the single occupant vehicle;
17. That the Owner respond to comments made by the Markham Centre Advisory and provide and implement a comprehensive Green Infrastructure plan, including LEED Silver for the residential component, and connections to the District Energy network, to the satisfaction of the Commissioner of Development Services;
18. 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;
19. That the Owner continue to work with staff on an appropriate public art component for this project;
20. That this endorsement shall lapse and site plan approval will not be issued after a period of three years commencing June 28, 2011, in the event that the site plan agreement is not executed within that period.