



Report to: Council

Date of Meeting: December 11, 2007

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**SUBJECT:**                      **Application for Hold (H) Removal  
Ruland Properties Inc. (The Remington Group)  
Verdale Apartment Buildings  
Markham Centre  
ZA 07 124478**

**PREPARED BY:**              Richard Kendall, Manager of Development, Central District,  
Extension 6588

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**RECOMMENDATION:**

That the report dated December 11, 2007 entitled Application for Hold (H) Removal, Ruland Properties Inc. (The Remington Group), Verdale Apartment Buildings, Markham Centre ZA 07 124478 be received;

That the Hold Removal By-law attached to this report as Appendix A be enacted;

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

**EXECUTIVE SUMMARY:**

Not applicable

**FINANCIAL CONSIDERATIONS:**

Not applicable

**PURPOSE:**

The purpose of this report is to recommend the enactment of a by-law to lift the Holding (H) provisions to facilitate the start of construction of the Verdale apartment project within Phase 1 of the Remington Group's Downtown Markham project.

**BACKGROUND:**

In June, 2007, Council considered a report entitled "Application for Site Plan Control Approval - Ruland Properties Inc. (The Remington Group), Phase I Verdale Apartment Buildings, Markham Centre". The report recommended endorsement of the application for site plan control approval for three apartment buildings 6 and 10 storeys in height containing a total of 421 units. At that time concerns were identified with respect to certain design elements in the project and with the colour palette proposed for the materials. As a result of the pending summer recess, Council referred the application to the Unionville Sub-Committee and delegated the authority to act on the recommendations of the Sub-Committee to the Chief Administrative Officer under By-law 4-2000.

The Sub-Committee meeting was held at the beginning of July. At that time the Sub-Committee recommended that the implementation of the recommendations contained in the staff report be subject to staff's approval of the final brick colour to be used on the exterior of the buildings, as well as the detail articulation for the design of the balconies.

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Since that time the Remington Group has been working with staff and the local Councillor to finalize the design. The local Councillor has now advised that the materials are acceptable and staff support endorsement of the site plan application.

**OPTIONS/ DISCUSSION:**

The Markham Centre By-law contains a series of Hold removal conditions intended to ensure such matters as the orderly sequence of development; the execution of appropriate agreements; the completion of required studies; and, available servicing capacity, are addressed. The applicant is a member of the Markham Centre Landowners Group, allocation is available for this project, and the subdivision agreement has been executed by the applicant. The site plan agreement however has not been finalized. Consequently, staff support the lifting of the (H) for the three Verdale apartment buildings at this time, subject to the Building Department issuing only conditional building permits. This will facilitate the lengthy excavation and construction of the garage structures in advance of the site plan agreement being finalized.

It is recommended that once site plans have been endorsed by the Director of Planning and Urban Design, the following clauses be incorporated into the conditional building permits for these buildings. These conditions must be fulfilled prior to their occupancy:

- Subdivision agreement is registered
- Site plan agreements have been executed and registered
- Any required minor variances, consents and or easements have been granted
- Approvals have been obtained from departments and outside agencies
- The Town receives a certificate from the Trustee confirming that all amounts owing by Ruland under the Cost Sharing Agreement have been paid
- Ruland execute an undertaking committing to execute the required agreements and to not compel the Town to issue full Building Permits until such time as the above conditions have been met.

**FINANCIAL TEMPLATE:**

Not applicable

**ENVIRONMENTAL CONSIDERATIONS:**

Not applicable

**ACCESSIBILITY CONSIDERATIONS:**

Not applicable

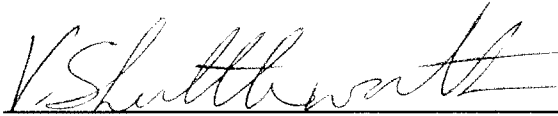
**ENGAGE 21<sup>ST</sup> CONSIDERATIONS:**

The proposal aligns with the following key Town of Markham Corporate Goals: Managed Growth, Quality Community and Infrastructure Management.

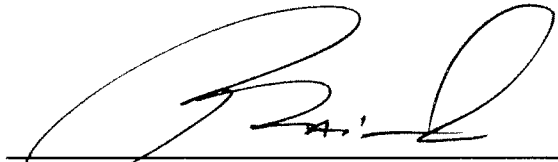
**BUSINESS UNITS CONSULTED AND AFFECTED:**

Not applicable

**RECOMMENDED BY:**



Valerie Shuttleworth, M.C.I.P., R.P.P.  
Director of Planning & Urban Design



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

**ATTACHMENTS:**

1. Draft By-law to lift the Hold (H)

Q:\Development\Planning\Teams\Markham Centre\Coordinator\Remington\Verdale Site Plan\Report to Lift the Verdale H.doc

## EXPLANATORY NOTE

### **BY-LAW NO. 2007-XXX**

A by-law to amend By-law 2004-196, as amended.

Ruland Properties Inc.  
North of Enterprise Boulevard east of Rouge Valley Drive  
Part of Lots 8 & 9, Concession 5  
Markham Centre

### LANDS AFFECTED

This by-law applies to the approximately 0.82 ha (2.02 acres) of the Ruland Properties lands north of Enterprise Boulevard, east of Rouge Valley Drive (as outlined in Schedule A of this By-law).

### EXISTING ZONING

The lands are zoned Markham Centre Downtown Two (Hold) [MC-D2 (H1 and H2)] under By-law 2004-196, as amended.

### PURPOSE OF THE BY-LAW

The purpose of the proposed amendment is to remove Holding Provisions (H1 and H2) to permit the lands to be developed in accordance with the applicable zone standards. The Holding provisions require the Owner to execute various agreements and submit necessary studies. Council has authorized the enactment of a by-law to remove the Holding (H) provisions to facilitate the issuance of conditional building permits subject to the Owner providing an undertaking to the Town committing to execute the required agreements and to not compel issuance of a full Building permit until the conditions have been met.

### EFFECT OF THE BY-LAW

The effect of the proposed amendment is to permit the construction of three residential buildings 10 storeys in height.



## BY-LAW 2007-XXX

*A by-law to amend By-law 2004-196, as amended  
(To remove the Holding (H1 and H2) zoning provisions)*

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THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM  
HEREBY ENACTS AS FOLLOWS:

1. By-law 2004-196, as amended, is hereby further amended as follows:
  - 1.1 By rezoning the lands outlined on Schedule 'A' hereto from:  
  
Markham Centre Downtown Two (Hold) [MC-D2 (H1 and H2)] to  
Markham Centre Downtown Two (MC-D2)
2. All other provisions of By-law 2004-196, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

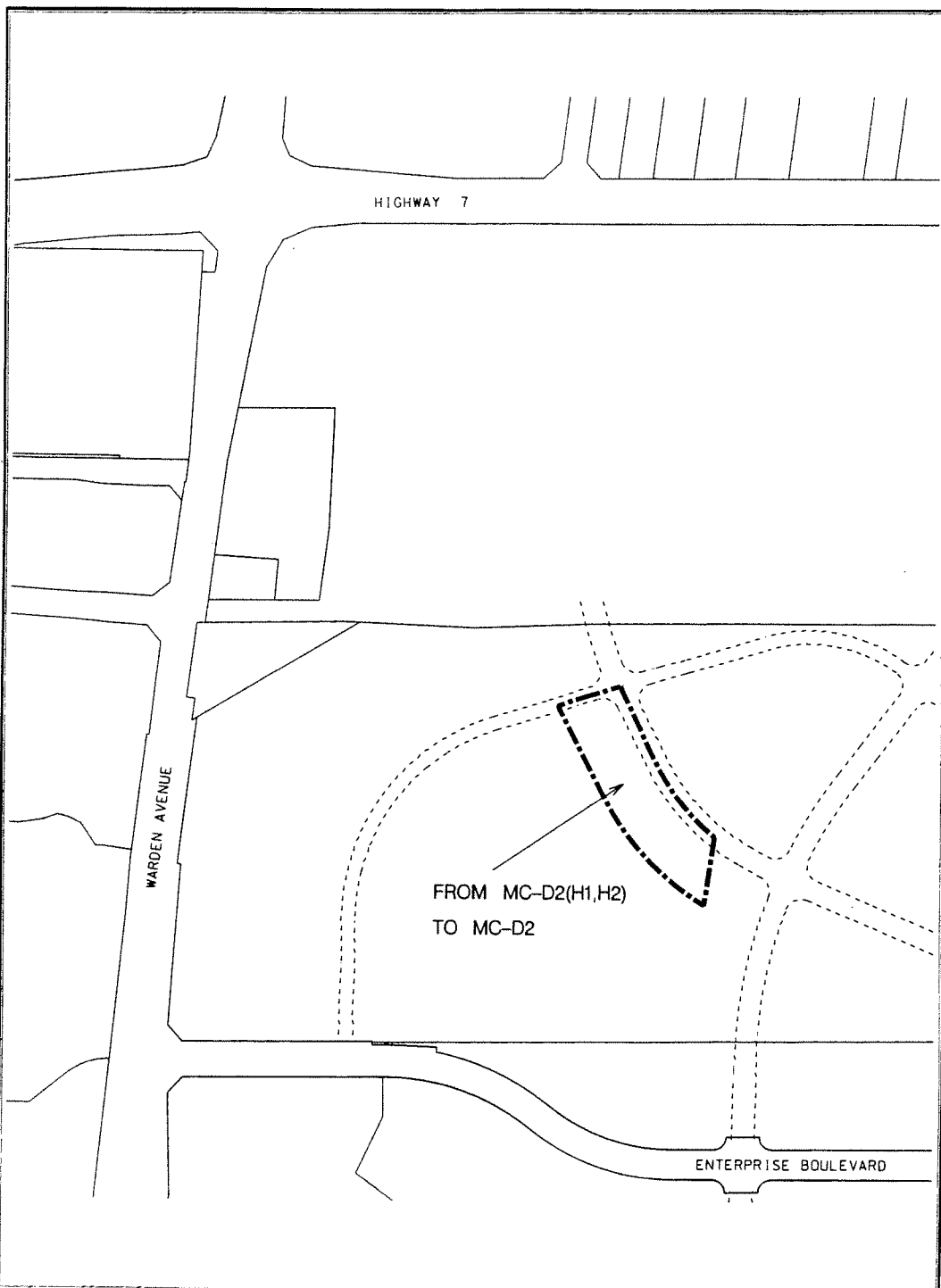
READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
XX<sup>TH</sup> DAY OF XXXX, 2007.

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SHEILA BIRRELL  
TOWN CLERK

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FRANK SCARPITTI  
MAYOR



DEVELOPMENT SERVICES COMMISSION

# A BY-LAW TO AMEND BY-LAW 2004-196



BOUNDARY OF AREA COVERED BY THIS BY-LAW

MC-D2

MARKHAM CENTRE DOWNTOWN TWO

H1 H2

HOLDING PROVISION

THIS IS SCHEDULE 'A' TO BY-LAW .....  
PASSED THIS ..... DAY .....

.....MAYOR

.....CLERK

NOTE: 1) DIMENSIONS ARE IN METRES  
2) REFERENCE SHOULD BE MADE TO  
THE ORIGINAL BY-LAW LODGED IN  
THE OFFICE OF THE CLERK

SCALE 1: 5000

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