



By-law 2021-XX

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

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

1. That By-law 2004-196, as amended, is hereby further amended as follows:
 - 1.1 Notwithstanding Schedules E2, E3 and E4, the provisions of Schedules E5, E6 and E7 shall apply to the lands denoted on Schedule “A”.
2. By deleting Section 6.9 in its entirety and replacing it with a new Section 6.9 that shall apply to the lands denoted on Schedule “A”:

**6.9 Rockport (Unionville) Inc.
Lands Zoned MC-D2 – North of Enterprise Boulevard on the west
side of Bill Crothers Drive**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *9 (Exception 9) on Schedule E5 to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

6.9.1 a) Uses Permitted

The following are the only uses permitted in the Markham Centre – Downtown Two *9 (MC-D2*9) zone:

- i) *Dwelling, apartment*
- ii) *Private academic accommodations*
- iii) *Parking garage*
- iv) *College*
- v) *University*
- vi) *Retirement home and associated accessory uses*

b) Accessory Uses Permitted

The following uses are permitted in the Markham Centre – Downtown Two *9 (MC-D2*9) zone, as accessory to a *college, university, or private academic accommodations*:

- i) *Retail store*
- ii) *Business office*
- iii) *Medical office*

6.9.2 Zone Standards

- a) Minimum landscape strip along the southerly *lot line* – 0 m

6.9.3 Special Parking Provision

The following special parking provision shall apply:

- a) A minimum of 1 *parking spaces* per 100 square metres of *net floor area* for *business office and retail stores* accessory to a *college, university, or private academic accommodations*.
- b) No *parking spaces* are required for *accessory uses* to a *college or university*, including *gymnasiums, meeting rooms, or classrooms*.

- c) A minimum of 1 *parking spaces* per 67 square metres of *net floor area* for *medical office* accessory to a *college, university, or private academic accommodations*.
- d) A minimum of 0.05 *parking spaces* per bed in a *private academic accommodations*.
- e) A minimum of 0.8 *parking spaces* per apartment *dwelling unit* and a maximum 1 *parking spaces* per apartment *dwelling unit*, plus 0.2 *parking spaces* per apartment *dwelling unit* for visitors.

6.9.4 Special Site Provisions

- a) Special provision (7) to Table A1 of By-law 2004-196 shall not apply.

6.9.5 Special Loading Provision

The following loading provisions shall apply to a *college, university, or private academic accommodations*:

- a) A minimum of 3 *loading spaces* shall be provided on the *lot*. One (1) *loading space* shall be a minimum of 10.0 metres long, 3.5 metres wide and have a vertical clearance of 6.1 metres, and two (2) *loading spaces* shall be a minimum of 6.0 metres long, 3.5 metres wide and have a vertical clearance of 3.0 metres.
- b) Provision 4.7 of By-law 2004-196 shall not apply.

6.9.6 Definitions

For the purposes of this exception the following definitions shall apply:

- a) “Private Academic Accommodations” means a *building* to be primarily rented on the basis of bedroom accommodations to students or employees of a post-secondary education institution, and may include common areas, dining areas, food preparation facilities and catering services, administration space, or other *accessory uses*. Bedroom accommodations may have access to private or shared kitchen facilities.

3. By deleting Section 2.6.9 in its entirety and replacing it with a new Section 2.6.9 that shall apply to the lands denoted on Schedule “A”:

2.6.9 Holding Provisions (H9) – Phase 3

For any uses other than a *college, university, or private academic accommodations*, the following Holding Provisions pursuant to Section 36 of the *Planning Act* shall apply:

- a) Holding Provision denoted by the symbol (H9) on Schedule X4 to By-law 2004-196, as amended, shall only be removed when the following conditions have been met, to the satisfaction of the City:
 - i) The Owner shall prepare and submit a Water Supply Analysis in consideration of the conclusions and suggestions identified in the Water Systems Analysis, prepared by FP&P and HydraTek & Associates dated May 27, 2020, to determine what is required to provide water services for the development of the lands without causing adverse impacts in the water supply system.
 - ii) The Owner shall identify the recommendations and the necessary works to mitigate any impacts identified in the Water Supply Analysis and the deficiencies identified in Water Supply Analysis, prepared by FP&P and HydraTek & Associates, dated May 27, 2020.
 - iii) The Owner shall execute an agreement with the City securing the provision of, water service

infrastructure improvements identified by the above-noted Water Demand Analysis related to the development of the lands.

- iv) The Owner shall submit a revised Transportation Impact Assessment (TIA) which includes, but is not limited to, the review of the driveway operations and parking assessment, to the satisfaction of the Director of Engineering.
- v) The Owner shall submit a revised Transportation Demand Management (TDM) Plan, to the satisfaction of the Director of Engineering and in consultation with York Region.

4. 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 on June 29, 2021.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



Explanatory Note

By-law 2021-XX

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

Rockport (Unionville) Inc.

North of Enterprise Boulevard and on the west of Bill Crothers Drive

Lands Affected

This By-law Amendment applies to the 0.26 hectare (0.64 acre) parcel of land located north of Enterprise Boulevard and on the west side of Bill Crothers Drive.

Existing Zoning

The lands are zoned “Markham Centre-Downtown Two *9 (Hold 9)” (MC-D2 (H9)) by By-law 2004-196, as amended by site-specific By-law 2010-48, which restricts the permitted uses to a retirement home and associated accessory uses.

Purpose and Effect

The purpose of this by-law amendment is to amend the site-specific use permissions and development standards contained in By-law 2010-48.

The effect of this By-law Amendment is to permit a 32-storey private academic accommodations as defined herein, consisting of a maximum 500 beds (within approximately 322 units), together with accessory uses to a college, university, or private academic accommodations, and site-specific parking and loading provisions. In addition, and as part of the listed conditions of the Holding Provisions (H9), the effect of this By-law Amendment also permits a high-density residential development that accommodates a maximum of 200 dwelling units should a private academic accommodations not be achieved on the lands.

Note Regarding Further Planning Applications on this Property

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.