



Explanatory Note

By-law 2021-52

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.



By-law 2021-52

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.

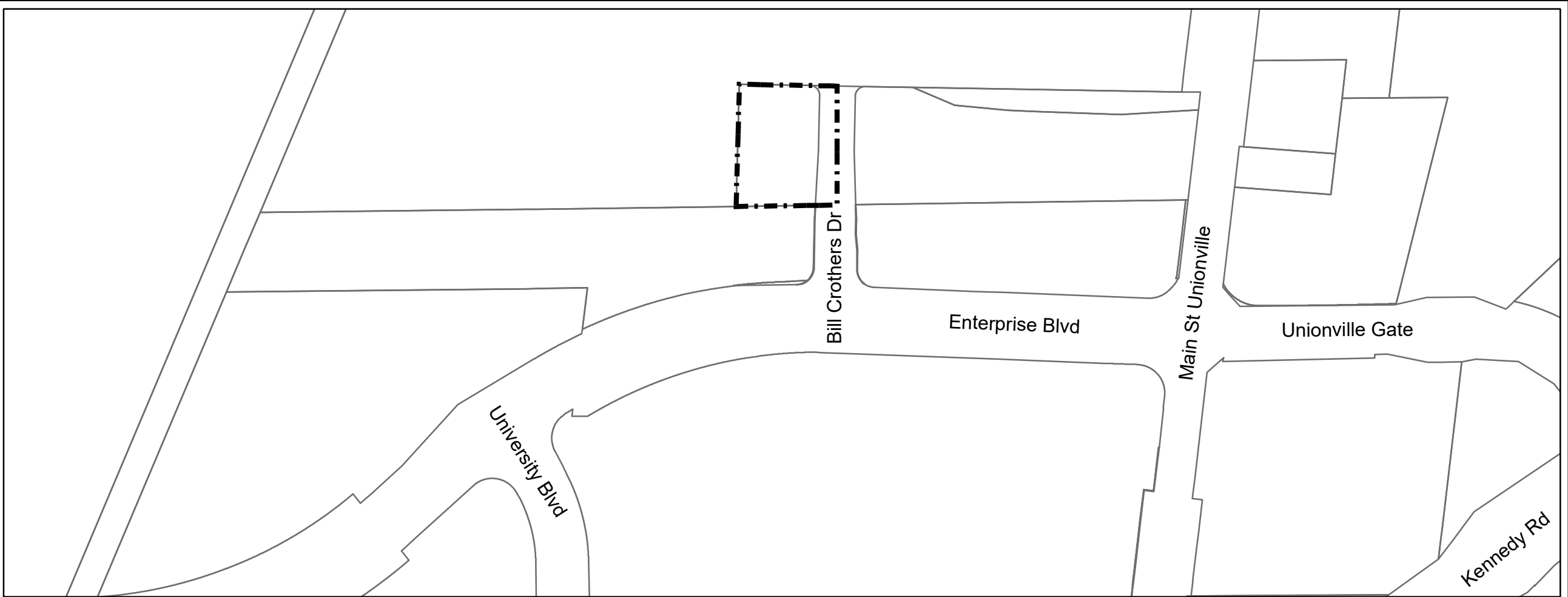
Read a first, second, and third time and passed on June 29, 2021.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor



SCHEDULE "A" TO BY-LAW 2021-52

AMENDING BY-LAW 2004-196 DATED JUNE 29, 2021



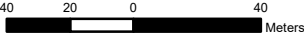
BOUNDARY OF AREA COVERED BY THIS SCHEDULE



THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.



DEVELOPMENT SERVICES COMMISSION



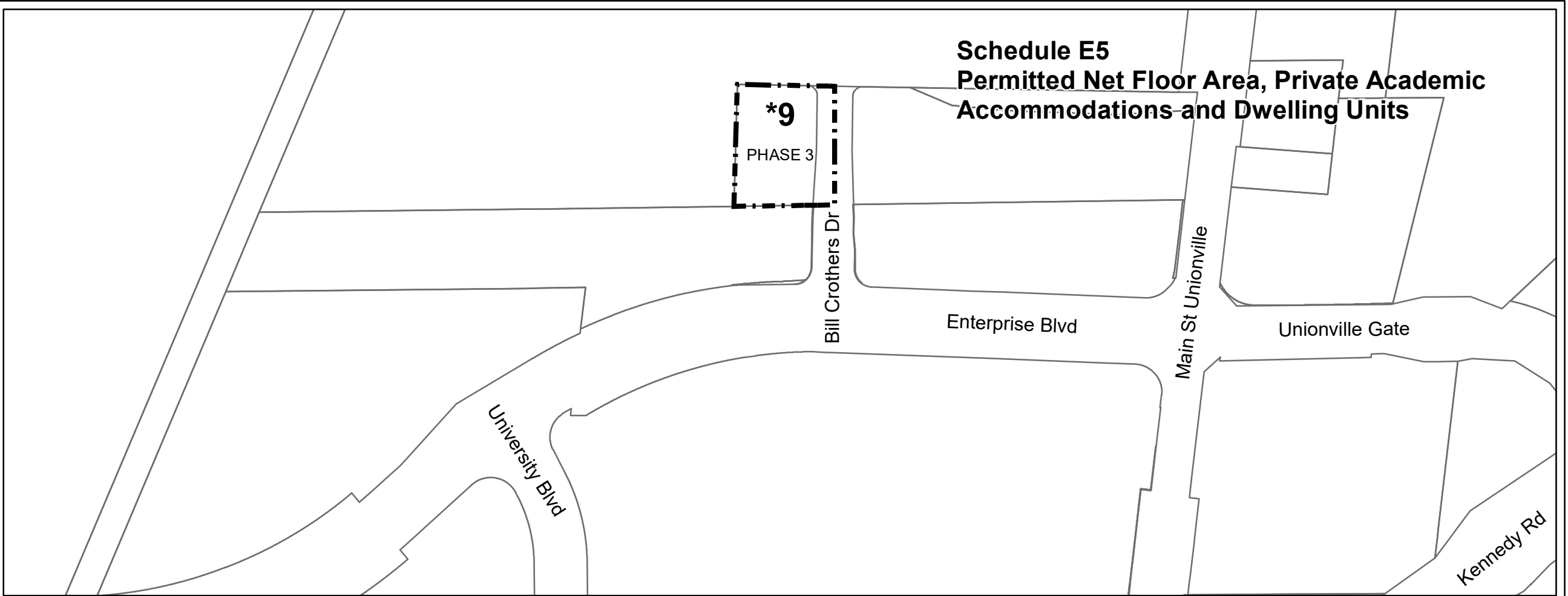
Drawn By: RT

Checked By: SB

DATE: 11/06/2021

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office

Q:\Geomatics\New Operation\By-Laws\PLAN\PLAN20_129430\Schedules.mxd



SCHEDULE "E5" TO BY-LAW 2021-52

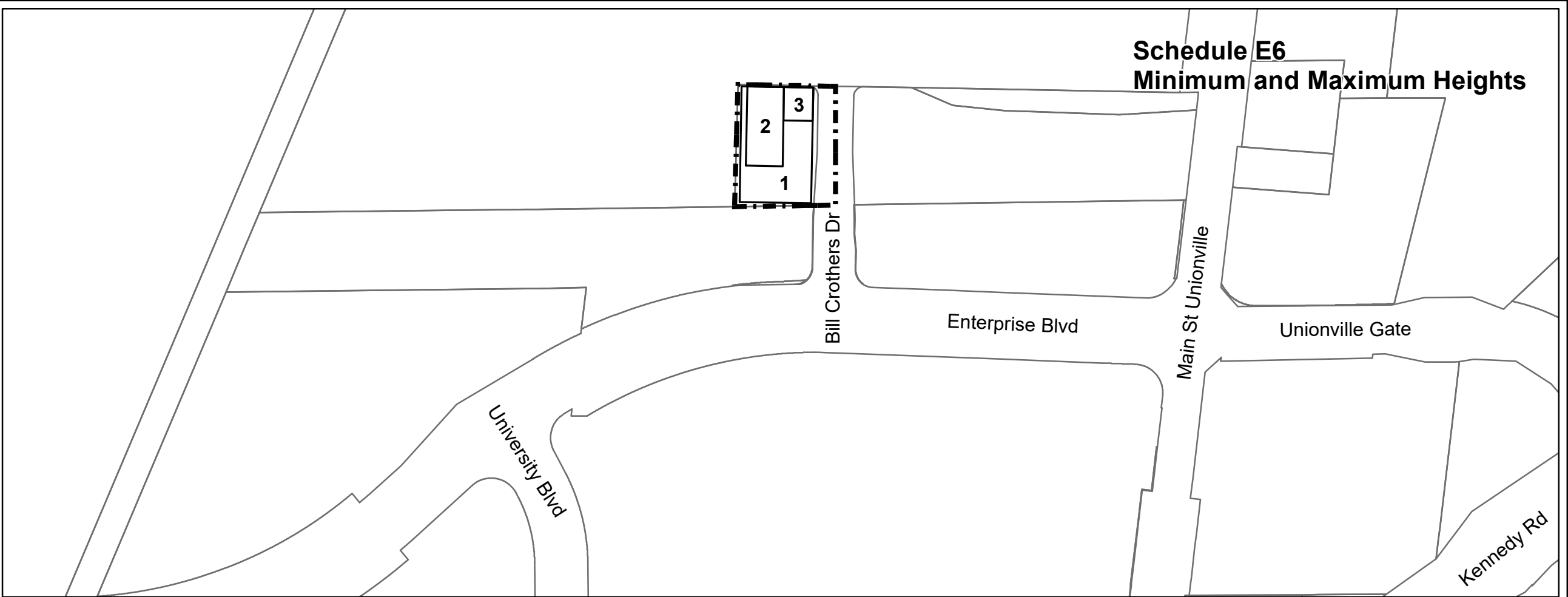
AMENDING BY-LAW 2004-196 DATED JUNE 29, 2021



NUMBER ON SCHEDULE E5	MAXIMUM NET FLOOR AREA (m2)	NUMBER OF BEDS IN A PRIVATE ACADEMIC ACCOMMODATION	MAXIMUM NUMBER OF APARTMENT DWELLING UNITS
9	26,500	Minimum 200 Maximum 500	200

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by -law, the information contained in the text of the zoning by -law of the municipality shall be deemed accurate.



**Schedule E6
Minimum and Maximum Heights**

Maximum Height C.G.D. of any part of any building	
1	209m C.G.D.
2	302m C.G.D.
3	269m C.G.D.

The following provisions shall apply:

The maximum heights identified in areas 1, 2 and 3 above is measured to the highest point of the roof structure or the parapet, whichever is the greater. The following elements are permitted to project above the maximum heights identified in areas 1, 2 and 3 above:

- elevator overruns, mechanical penthouse, mechanical equipment and any associated enclosure structures to a maximum of 7.0 metres
- parapets, fences, guard rails, railings and dividers, eaves, screens, stairs, vents and architectural features to a maximum of 3.0 metres

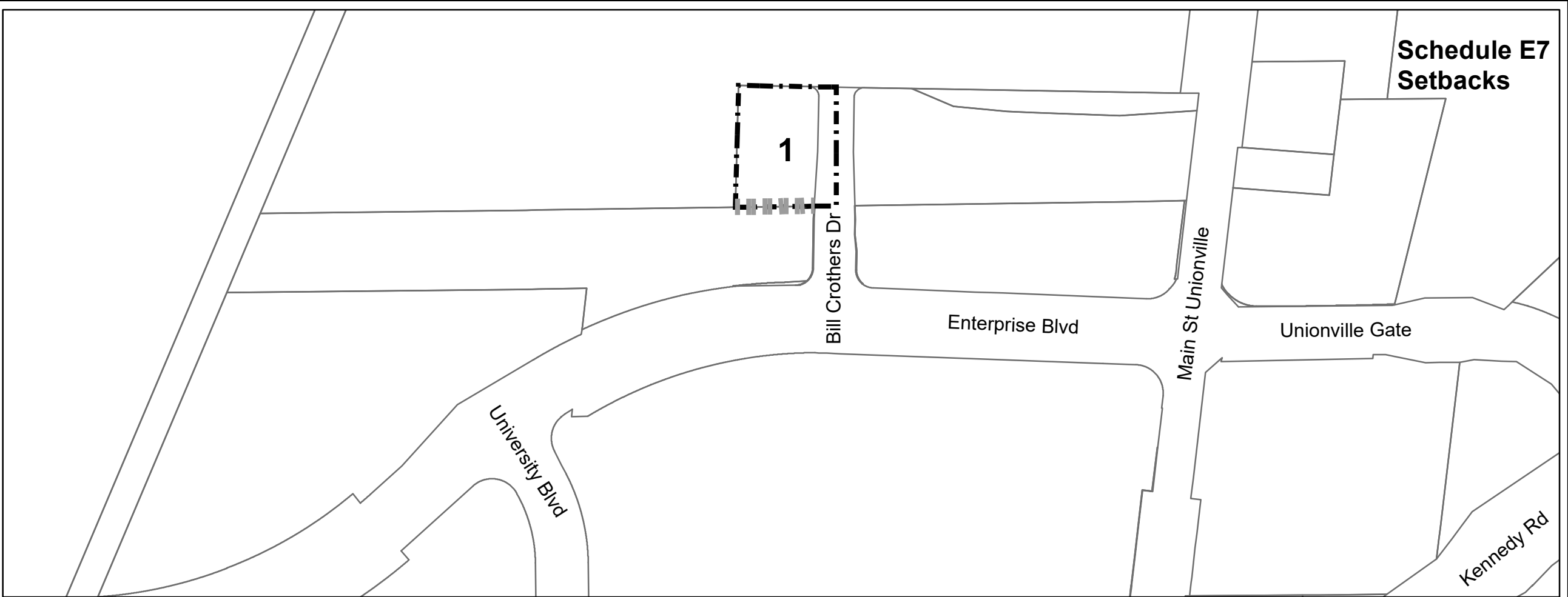
SCHEDULE "E6" TO BY-LAW 2021-52

AMENDING BY-LAW 2004-196 DATED JUNE 29, 2021

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

For the purposed of this by-law, established grade shall mean an elevation of 174.66 metres Canadian Geodetic Datum (C.G.D.).

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by -law, the information contained in the text of the zoning by -law of the municipality shall be deemed accurate.



Schedule E7 Setbacks

1

Bill Crothers Dr

Enterprise Blvd

Main St Unionville

Unionville Gate

University Blvd

Kennedy Rd

Minimum setback from the south lot line to any portion of a building or structure located above 209m C.G.D. - 22.0m (*1) (*2)

- Minimum setback from the west lot line - 4.0m (*1) (*2)
- Minimum setback from Bill Crothers Dr. - 4.0m (*1) (*2)
- Minimum setback from the north lot line - 3.0m (*1) (*2)
- Minimum setback from the south lot line to any portion of a building or structure located below 209m C.G.D. - 3.0m (*1) (*2)

The following elements are permitted to encroach into the permitted yard setbacks identified in Condition 1 above:
light fixtures, ornamental elements, parapets, art and landscape features, pillars, terraces, window sills, planters,
ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, screens,
site servicing features, awnings and canopies, and parking garage ramps and associated structures.

The following provisions shall apply:
*1 Balconies can encroach a maximum of 2.0m into the required setback
*2 Stairs and ramps are permitted to encroach to the property line

SCHEDULE "E7" TO BY-LAW 2021-52

AMENDING BY-LAW 2004-196 DATED JUNE 29, 2021



BOUNDARY OF AREA COVERED BY THIS SCHEDULE

For the purposes of this by-law, established grade shall mean an elevation of 174.66 metres Canadian Geodetic Datum (C.G.D.).

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by -law, the information contained in the text of the zoning by -law of the municipality shall be deemed accurate.