



BY-LAW 2023-113

A By-law to amend the Markham Centre Zoning By-law 2004-196, as amended by By-laws 2005-197 and 2012-28, as amended

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

1. That By-law 2004-196, as amended by By-laws 2005-197 and 2012-28, is hereby further amended as follows:

- 1.1 By rezoning the lands outlined on Schedule 'A', attached hereto as follows:

From:

Markham Centre Downtown One - MC-D1

Markham Centre Downtown One *4 – MC-D1*4

To:

Markham Centre Downtown Two*4 (Hold) - MC-D2*4(H) Zone

- 1.2 By deleting Section 6.4 from Section 6 – Exceptions to By-law 2004-196 and replacing it with the following subsection:

- 1.3 For the purposes of this By-law, the following definitions apply:

Bicycle Parking Space, Long-term means a space within a *building* or *structure* designed for the storage of bicycles equipped with a rack or stand designed to lock the wheel and frame of a bicycle, or within a locked room for the exclusive use of parking bicycles.

Bicycle Parking Space, Short-term means a space that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle, that is available for use by the general public.

- 1.4 By adding the following subsection 6.4 (*4) to Section 6 - Exceptions to By-law 2004-196:

6.4 MC-D2 zoned lands on the north side of Clegg Road, between South Town Centre Boulevard and Rodick Road, municipally known as 100 and 110 Clegg Road

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *4 (Exception 4) on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

6.4.1 Special Site Provisions

The following special site provisions shall apply:

- a) *Dwelling units* are permitted on any *storey*, including the *first storey*, of an *apartment building*.

- b) Special Provision (2), (3) and (7) to Table A1 shall not apply.
- c) A *parking garage* is permitted below grade on any portion of the lot, including beneath the park.
- d) Required setback provisions shall not apply to the daylighting triangle.

6.4.2 Special Parking Provision

The following special parking provision shall apply:

- a) The *parking space* requirement for *Apartment Dwellings* shall be as follows:
 - i) A minimum of 0.8 *parking spaces* per *dwelling unit* and a maximum of 1.2 parking spaces per *dwelling unit* plus 0.10 parking spaces per *dwelling unit* for visitors. The provision of additional parking spaces is not permitted.
- b) A minimum of 1 parking space per 30 square metres of *Net Floor Area* ("NFA") for non-residential uses.
- c) Where development of a *lot* is phased, the number of *parking spaces* provided in a *parking garage* on the lot during the earlier phase(s) may exceed the maximum number permitted provided that the total number of *parking spaces* on the *lot* shall at not time exceed the maximum number that would be permitted if the entire development was constructed in a single phase.
- d) Minimum bicycle parking requirements:
 - i) For residential uses, the following bicycle parking rates shall be provided:
 - a. *Long-term Bicycle Parking Space*: 0.5 spaces per *dwelling unit*
 - b. *Short-term Bicycle Parking Space*: 0.1 spaces per *dwelling unit*
 - ii) For *business offices* and *medical offices*, the following bicycle parking rates shall be provided:
 - a. *Long-term Bicycle Parking Space*: 0.15 spaces per 100m² *gross floor area*
 - b. *Short-term Bicycle Parking Space*: 0.1 spaces per 100m² *gross floor area* or a minimum of 6 spaces
 - iii) For all other non-residential uses, the following bicycle parking rates shall be provided:
 - a. *Long-term Bicycle Parking Space*: 0.1 spaces per 100m² *gross floor area*
 - b. *Short-term Bicycle Parking Space*: 0.15 spaces per 100m² of *gross floor area* or a minimum of 6 spaces

- e) A bicycle parking space shall be a minimum of 1.8 metres, by 0.6 metres, by 1.2 metres
- f) A minimum of three (3) parking spaces shall be designated as a car share space in addition to the requirements of 6.4.2 a)
- g) A minimum of one bike repair station per building, which may include an area for bicycle repairs and maintenance, work space, a repair stand, an air pump for inflating bicycle tires, and a set of repair tools.

6.4.3 Special Holding Provisions

The following special holding provisions shall apply to the entirety of the lands shown on Schedule 'A' attached hereto:

Holding provision "H*" shall only be lifted on all or part of the lands shown on Schedule 'X3' hereto when all of the following criteria outlined have been met:

- a) The 25 affordable housing units be secured through an agreement with the City. The units are to be provided in Area 1 as shown on Schedule 'C3'.
- b) A subdivision agreement, and any other agreement identified as being required in that subdivision agreement or by Council has been entered into that satisfies all of the conditions of the City.
- c) An agreement related to municipal infrastructure and servicing has been entered into between the City and the Owner, to the satisfaction of the Director of Engineering or designate.
- d) Submission of the following studies for the review and approval by the City and York Region:
 - i. Functional Servicing Report, to the satisfaction of the Director of Engineering or designate;
 - ii. Updated Transportation Impact Study, Functional Traffic Design Study and Transportation Demand Management Plan to the satisfaction of the Director of Engineering or designate.
- b) For *buildings* that exceed the Toronto/Buttonsville *height* restrictions, the Toronto/Buttonsville Airport Zoning Regulations (SOR /88-148) have been repealed or the height restriction on the lands or portions thereof are no longer in force and effect'.
- c) That Council assign servicing allocation for a maximum of 2,850 residential units, and that York Region be advised that servicing allocation for 2,850 residential units has been granted.

- 1.5 By deleting Schedules C1, C2, C3, C4 and X3 and replacing them with Schedules C1, C2, C3, C4 and X3 attached hereto.

2. All other provisions of By-law XXXX, 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 28, 2023.

Kimberley Kitteringham
City Clerk

AMANDA File No.: PLAN 21 180462

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2023-113

A By-law to amend the Markham Centre Zoning By-law 2004-196, as amended by By-laws 2005-197 and 2012-28, as amended

100 and 110 Clegg Road

PLAN 65M2668 BLK 13 PT BLK 1 RP 65R32098 PARTS 5 AND 9 TO 1

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 4.36 hectares (10.77 acres), which is located on the north side of Clegg Road Street, west of South Town Centre Boulevard, south of Highway 7 E, and municipally known as 100 and 110 Clegg Road.

Existing Zoning

The Subject Lands are currently zoned as Markham Centre Downtown One (MC-D1) and Markham Centre Downtown One *4 (MC-D1*4) under By-law 2004-196, as amended.

Purpose and Effect

The purpose and effect of this By-law is to amend By-law 2004-196, as amended, is to rezone the Subject Lands as follows:

From:

Markham Centre Downtown One - MC-D1

Markham Centre Downtown One *4 – MC-D1*4

To:

**Markham Centre Downtown Two*4 (Hold) - MC-D2*4 (H)
Zone**

and to permit the majority of the Subject Lands to be developed with a phased high density mixed-use residential development with site-specific development standards.