



BY-LAW 2023-154

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 TOWN 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 *17 (Hold 1)(Hold 10) – MC-D1*17(H1)(H10)

To:
Markham Centre Downtown Two *17 (Hold) – MC-D2*17(H)
 - 1.2 By deleting Schedules C1, C2, C3, C4 and X3 and replacing them with Schedules C1, C2, C3, C4 and X3 attached hereto.
 - 1.3 By deleting Section 6.17 from Section 6 – Exceptions to By-law 2004-196 and replacing it with the following subsection 6.17 (*17):

6.17 Lands at the south-west corner of Highway 7 and South Town Centre Boulevard, municipally known as 3505 and 3555 Highway 7 East

Notwithstanding any other provisions of this By-law, the following provisions shall apply to those lands denoted by the symbol *17 (Exception 17) 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.

6.17.1 Definitions

For the purpose 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 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.

Gross Floor Area means the aggregate of the areas of each floor of a building or structure above or below

grade, measured between the exterior faces of the exterior walls of the building or structure, or where there are common walls between uses or buildings or structures; measured to the centre-line of a common wall. The calculation of gross floor area excludes the areas of each floor used, or designed or intended for the parking of motor vehicles, unless the parking of motor vehicles is the principal use of a building or structure.

Notwithstanding the definition of *storey* in Section 3, any floor containing a rooftop mechanical penthouse and no living space shall not be deemed a *storey*. Any *storey* greater than 4.2 metres in height shall not be deemed an additional *storey*.

6.17.2 Special Site Provisions

The following special site provisions shall apply:

- a) Established grade is measured from the average geodetic elevation of the *lot line* abutting Highway 7.
- b) Special Provisions (2) and (3) to Table A1 shall not apply.
- c) Special Provision (7) to Table A1 shall only apply to the *lot line* abutting Highway 7.
- d) No Building Setback is required from a daylight triangle(s).
- e) Awnings are permitted to extend to any streetline or lot line.

6.17.3 Special Parking Provisions

The following special parking provisions shall apply:

- a) The *parking space* requirement for *Apartment Dwellings* shall be as follows:
 - (i) A minimum of 0.6 *parking spaces* per *dwelling unit* plus 0.10 parking spaces per *dwelling unit* for visitors.
- b) A minimum of 1 parking space per 100 square metres of *gross floor area* for non-residential uses is required
- c) Structured parking will be permitted above-grade and integrated into the building podium(s) up to a maximum of 3-storeys above established grade provided that the exterior facade of the parking structure facing Highway 7 is lined with commercial and/or residential uses.
- d) Where development of a *lot* is phased, the number of *parking spaces* provided 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 no time exceed the maximum number that would be permitted if all approved *dwelling units* and other uses were constructed in a single phase.
- e) Minimum bicycle parking requirements:
 - i) *Residential*:

- a. Long-term *Bicycle Parking Space*:
0.8 spaces per *dwelling unit*
- b. Short-term *Bicycle Parking Space*:
0.2 spaces per *dwelling unit*

ii) All other non-*residential* uses:

- a. Long-term *Bicycle Parking Space*:
0.2 spaces per 100m² *gross floor area*
- b. Short-term *Bicycle Parking Space*:
the greater of 0.15 spaces per 100m² of *gross floor area* or 6 spaces

f) Short-term *Bicycle Parking Spaces* may be provided in publicly accessible indoor or outdoor facilities.

g) The minimum dimensions of a horizontal bicycle parking space shall be:

- i) Minimum length of 1.8 metres;
- ii) Minimum width of 0.6 metres; and
- iii) Minimum vertical clearance of 1.2 metres.

h) The minimum dimensions of a vertical bicycle parking space shall be:

- i) Minimum vertical clearance of 1.9 metres;
- ii) Minimum width of 0.6 metres; and
- iii) Minimum horizontal clearance from the wall of 1.2 metres.

i) If a stacked bicycle parking space is provided, the minimum vertical clearance for each bicycle parking space shall be 1.2 metres.

j) A minimum of two (2) parking spaces shall be designated as a car share space in addition to the requirements of 6.17.2 a) and b).

k) A minimum of one bike repair station shall be provided 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.

6.17.4 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) 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.

b) Water Supply:

- 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; and
- 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.

c) Sanitary Capacity:

- i) The Owner shall prepare and submit a Sanitary Capacity Analysis to determine what is required to provide sanitary services for the development of the lands without causing adverse impacts in the sanitary sewer system;
- ii) The Owner shall identify the recommendations and the necessary works to mitigate any impacts identified in the Sanitary Capacity Analysis; and
- iii) The Owner shall execute an agreement with the City securing the provision of, sanitary service infrastructure improvements identified by the above-noted Sanitary Capacity Analysis related to the development of the lands.

d) That appropriate water supplies and sewage capacity are available, and that Council assign servicing allocation for a maximum of 1,250 residential units to support the development, and that York Region be advised that servicing allocation for 1,250 residential units has been granted.

e) 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 including a Phasing Assessment/Plan, Functional Traffic Design Study and

Transportation Demand Management Plan
to the satisfaction of the Director of
Engineering or designate.

f) For buildings that exceed the
Toronto/Buttonville height restrictions, the
Toronto/Buttonville 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.

2. All other provisions of By-law 2004-196, as amended, not inconsistent with
the provisions of this by-law continue to apply.

Read a first, second and third time and passed on November 1, 2023

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2023-154

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

**3505 and 3555 Highway 7 E
PLAN 65M2668 PT BLK 1 RP 65R32098 PARTS 1 TO 4 AND 6 TO 8**

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 1.1 hectares (2.72 acres), which is located on the southwest corner of Highway 7 East and South Town Centre Boulevard, and municipally known as 3505 and 3555 Highway (the “Subject Lands”).

Existing Zoning

The Subject Lands are currently zoned as “Markham Centre Downtown One *17 (Hold) - MC-D1*17(H1)(H10)” 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, to rezone the Subject Lands as follows:

From:

Markham Centre Downtown One *17 (Hold 1)(Hold 10) – MC-D1*17(H1)(H10)

To:

Markham Centre Downtown Two *17 (Hold) – MC-D2*17(H)

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