



BY-LAW 2023-155

**A By-law to amend By-law 122-72, as amended
 (to delete lands from the designated areas of By-law 122-72)
 and to amend By-law 177-96, as amended
 (to incorporate lands into the designated area of By-law 177-96)**

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That By-law 122-72, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated areas of By-law 122-72, as amended.
2. That By-law 177-96, as amended, is hereby further amended as follows:
 - a. By expanding the designated area of By-law 177-96, as amended, to include additional lands as shown on Schedule "A" attached hereto.
 - b. That By-law 177-96, as amended, is hereby further amended as it applies to the lands outlined on Schedule 'A' as follows:

from:

Mixed Use Heritage Main Street (HMS) Zone (By-law 122-72)

to:

Community Amenity Area 2 (CA2*732) Zone (By-law 177-96)

- 1.2 By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 7.732	Unionville Development 2021 Inc. 162-186 Main Street Unionville Markham Ontario	Parent Zone CA2
File PLAN.22.254227		Amending By-law 2023-155
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *732 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.		
7.732.1 Only Permitted Uses		
a)	<i>Museums</i>	
b)	<i>Supermarket</i>	
c)	<i>Custom Art or Craft Workshop or Studio</i>	
d)	<i>Outdoor Display and Sales Area</i>	
e)	<i>Hotel</i>	
f)	<i>Theatre</i>	
g)	<i>Retail Store</i>	
h)	<i>Personal Service Shop</i>	
i)	<i>Restaurant</i>	
j)	<i>Art Gallery</i>	
k)	<i>Library</i>	
l)	<i>Business Office</i>	
m)	<i>Commercial Fitness Centre</i>	
n)	<i>Commercial School</i>	
o)	<i>Non-Profit Fitness Centre</i>	
p)	<i>Apartment Dwelling</i>	
q)	<i>Municipal Parking Lot</i>	

7.732.2 Prohibited Uses	
a)	<i>Restaurant</i> , take out
b)	Drive-Through Service Facility
c)	Nightclub
d)	Adult Video Outlet
e)	Adult Goods
f)	Adult Entertainment Parlour
7.732.3 Special Zone Standards	
The following special zone standards shall apply:	
a)	Notwithstanding any further division or partition of the land subject to this Section, all lands zoned with Exception *732 shall be deemed to be one lot for the purposes of this By-law and all zone standards are applicable to the lands zoned with Exception *732 as a whole and not to any subdivided part thereof.
b)	For the purposes of this By-law, the provisions of Table B7 do not apply.
c)	Special provision 1, 2, 3, and 8 of Table A2 shall not apply
d)	For the purposes of this By-law, the lot line abutting Main Street Unionville shall be deemed to be the <i>Front Lot Line</i> .
e)	Notwithstanding the definition in Section 3, <i>Outdoor Display and Sales Areas</i> are permitted not in conjunction with a <i>use</i> located within a <i>building</i> or <i>structure</i> on a <i>lot</i> , and may be permitted as a <i>primary use</i> on a <i>lot</i> .
f)	Theatre uses shall only be used for dramatic, musical, or live performances.
g)	<i>Business Offices, Commercial Schools, Commercial Fitness Centres, and Non-Profit Fitness Centres</i> shall not be located within the first storey of a building, within 10 metres of the Main Street Unionville <i>streetline</i>
h)	Minimum Non-Residential <i>GFA</i> – 2,000 square metres
i)	Minimum <i>Lot Frontage</i> 60 metres
j)	Minimum <i>Lot Area</i> 0.6 hectares
k)	Minimum <i>Front Yard</i> – 0.0 metres
l)	Minimum <i>Rear Yard</i> - 2.0 metres
m)	Minimum setback to a <i>lane</i> – 0.0 metres
n)	Minimum <i>Interior Side Yard</i> <ul style="list-style-type: none"> i) 2.0 metres ii) North <i>interior side yard</i> – 0.0 metres
o)	<i>Decks, porches, patios, balconies, verandas, pilasters, cornices, eaves, canopy, overhang, bay or box windows, and steps</i> may encroach into any required <i>yard</i> up to any property line.
p)	Maximum <i>Height</i> – the lesser of 20.0 metres or 4 <i>storeys</i> .
q)	Maximum Number of <i>Dwelling Units</i> - 70
r)	Maximum <i>FSI</i> – 2.0
s)	Minimum number of <i>parking spaces</i> <ul style="list-style-type: none"> i) 0.8 per <i>Dwelling Unit</i> ii) 0.15 per <i>Dwelling Unit</i> for visitor <i>parking</i>
t)	Minimum number of <i>parking spaces</i> for non-residential uses: <ul style="list-style-type: none"> i) Notwithstanding the provisions of by-law 28-97, for this first 2880 square metres of non-residential uses, including a maximum 650 square metres of <i>restaurant</i> – 42 <i>parking spaces</i> ii) For any non-residential area greater than 2880 square metres – 1 spaces per 74 square metres of <i>gross floor area</i>.
u)	Minimum <i>bicycle parking space</i> requirements: <p>Residential:</p> <ul style="list-style-type: none"> i) <i>Long-term Bicycle Parking Space</i>: 0.4 spaces per <i>dwelling unit</i> ii) <i>Short-term Bicycle Parking Space</i>: 0.08 spaces per <i>dwelling unit</i> <p>All other non-residential uses:</p> <ul style="list-style-type: none"> i) <i>Bicycle Parking Space</i>: the greater of 0.08 spaces per 100m² of <i>net floor area</i> or 3 spaces
v)	For the purpose of this by-law, a <i>Bicycle Parking Space</i> means space that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle.

	<p>A Long-term <i>Bicycle Parking Space</i> means a <i>Bicycle Parking Space</i> within a <i>building</i> or <i>structure</i> designed for use by the residents or occupants of a building</p> <p>A Short-term <i>Bicycle Parking Space</i>, means a <i>Bicycle Parking Space</i> located in a publicly accessible indoor or outdoor facility and is available for use by the general public.</p>
w)	<p>The minimum dimensions of a horizontal <i>bicycle parking space</i> shall be: Minimum length of 1.8 metres; Minimum width of 0.6 metres; and Minimum vertical clearance of 1.2 metres.</p>
x)	<p>The minimum dimensions of a vertical <i>bicycle parking space</i> shall be: Minimum vertical clearance of 1.9 metres; Minimum width of 0.6 metres; and Minimum horizontal clearance from the wall of 1.2 metres.</p>
y)	<p>Only one (1) <i>loading space</i> is required.</p>
z)	<p>For the purpose of this by-law, required parking may be located offsite on adjacent property provided it is located below grade</p>
aa)	<p>For the purpose of this by-law, a floor containing a rooftop mechanical penthouse, and no living space shall not be deemed to be a <i>storey</i>.</p>

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2023-155

A By-law to amend By-laws 122-72 as amended and 177-96 as amended

**Unionville Development 2021 Inc.
162-186 Main Street Unionville
Markham Ontario
ZA 22 254227**

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 0.62 hectares (1.53 acres), which is located north of Fred Varley Drive and west of Main Street Unionville in the Unionville Community.

Existing Zoning

The subject lands are zoned Mixed Use Heritage Main Street (HMS) Zone under By-law 122-72, as amended.

Purpose and Effect

The purpose and effect of this By-law is to rezone the subject lands under By-law 177-96, as amended as follows:

from:

Mixed Use Heritage Main Street (HMS) Zone (By-law 122-72)

to:

Community Amenity Area 2 (CA2*732) Zone (By-law 177-96)

in order to permit mixed use development of 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.