

EXPLANATORY NOTE

BY-LAW NO. 2024-_____

A By-law to amend By-law 304-87 and 177-96, as amended.

**1000503212 Ontario Incorporated
7960 Reesor Road, Markham**

LANDS AFFECTED

The lands have an area of approximately 3.47 hectares (8.6 acres), located at the northeast corner of Sevendale Drive and Donald Cousens Parkway and west of the Canadian Pacific Rail Corridor. The lands are municipally known as 7960 Reesor Road.

EXISTING ZONING

The lands are currently zoned Agriculture One Zone (A1) in By-law 304-87, as amended.

PURPOSE AND EFFECT

The purpose and effect of this By-law is to delete the lands from the designated area of By-law 304-87, incorporate them into the designated area of By-law 177-96, and zone them Business Park (BP) and Greenway (G) to facilitate an industrial development, the adaptive reuse of a heritage building as a restaurant, and the detailed delineation of environmental features and hazards on the lands.



BY-LAW 2024-_____

A By-law to amend By-law 304-87, as amended
(to delete lands from the designated area of By-law 304-87)

and to amend By-law 177-96, as amended
(to incorporate the lands into the designated area of By-law 177-96, as amended)

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

1. That By-law 304-87, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated area of By-law 304-87, 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 the lands shown on Schedule 'A' attached hereto.
 - b) By rezoning the lands outlined on Schedule 'A' attached hereto:
From:
Agriculture One (A1) Zone (By-law 304-87)
To:
Business Park Exception*758 (Hold) (BP*758 (H)) Zone (By-law 177-96)
Greenway (G) Zone (By-law 177-96)
 - c) By adding the following subsection to Section 7 – EXCEPTIONS:

| Exception 7.758 | 1000503212 Ontario Incorporated | Parent Zone BP |
|------------------------|------------------------------------|---------------------------------|
| File PLAN 24 163734 | 7960 Reesor Road, Markham | Amending By-law 2024- XXX |

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *758 on Schedule "A" to this By-law.

7.758.1 Additional Permitted Uses

The following are the additional permitted uses:

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| a) | <i>Cannabis Establishment</i> |
| b) | <i>Commercial Fitness Centre</i> |
| c) | <i>Craft Brewery</i> |
| d) | <i>Repair Shop</i> |

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| e) | <i>Veterinary Clinic</i> |
| 7.758.2 Only permitted uses within a Heritage Building | |
| The following are the only permitted uses within a Heritage Building | |
| a) | <i>Business Office</i> |
| b) | <i>Financial Institution</i> |
| c) | <i>Commercial fitness centre</i> |
| d) | <i>Hotel</i> |
| e) | <i>Personal service shop</i> |
| f) | <i>Restaurant</i> |
| g) | <i>Retail store</i> |
| h) | <i>Art studio</i> |
| i) | <i>Child care centre</i> |
| j) | <i>Commercial school</i> |
| k) | <i>Respite day program establishment</i> |
| l) | <i>Banquet Hall</i> |
| 7.758.3 Special Zone Standards | |
| The following special zone standards shall apply: | |
| a) | For the purposes of this By-law, the “ <i>front lot line</i> ” shall mean the <i>lot line</i> along Donald Cousens Parkway. |
| b) | For the purposes of this By-law the following definitions apply: “ <i>Cannabis Establishment</i> ” shall mean, a use where the production, cultivation, processing, research, or analytical testing, of cannabis is carried out in a wholly enclosed <i>building</i> , subject to regulations under the Federal Cannabis Act and the Food and Drugs Act, as amended. “ <i>Craft Brewery</i> ” shall mean a brewery, winery, or distilling establishment where the fermentation or distillation of grains, fruits or other agricultural products is carried out, and which alcoholic beverages may be packaged and sold for distribution, retail, or wholesale. The establishment may include tours, hospitality and tasting areas, by-the-glass sales and may be used in conjunction with a <i>restaurant</i> . |
| c) | <i>A craft brewery, financial institutions, commercial fitness centres, personal service shops, retail stores, restaurant, and repair shops</i> are permitted provided they do not exceed a maximum of 15% of the <i>gross floor area</i> of all buildings on the lot. |
| d) | <i>Retail stores and repair shops</i> are permitted accessory to a permitted industrial use provided it does not exceed a maximum of 15% of net floor area of the principal use |
| e) | <i>A craft brewery, financial institutions, commercial fitness centres, personal service shops, retail stores, restaurant, and repair shops</i> that are not located within a heritage building must be located within a building containing office or industrial uses |
| f) | <i>Commercial parking lots and accessory outdoor storage</i> are not permitted |
| g) | <i>Outdoor display and sales area</i> is permitted accessory to a <i>retail store</i> |
| h) | <i>Drive-through service facilities</i> are not permitted |
| i) | Minimum required <i>lot area</i> – 0.4 ha |
| j) | <i>Front Yard</i> : i. Minimum - 3.0 metres ii. Maximum – 19 metres |
| k) | Minimum <i>height</i> within 12 metres of any <i>lot line</i> that serves as the boundary of a <i>street</i> - 6.0 metres |
| l) | Minimum Setback to Sevendale Drive – 1.5 metres |

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| m) | Maximum depth of <i>parking area</i> in <i>front yard</i> – n/a |
| n) | Maximum depth of <i>parking area</i> in <i>exterior side yard</i> – n/a |
| o) | <p><i>Landscaping Strip:</i></p> <ul style="list-style-type: none"> i. Minimum required width of <i>landscaping</i> adjacent to the <i>front lot line</i> – 3.0 metres ii. Minimum required width of <i>landscaping</i> adjacent to any <i>lot line</i> other than the <i>front lot line</i> – 1.0 metre |
| p) | Maximum <i>floor space index</i> (FSI) – n/a |
| q) | Section 6.21 b) of By-law 177-96, shall not apply. |
| r) | <p>Minimum Required <i>Parking Spaces:</i></p> <p>The minimum number of <i>parking spaces</i> shall be calculated in accordance with the following:</p> <ul style="list-style-type: none"> i. <i>Business Office</i> – 1 <i>parking space</i> for every 35 square metres <i>net floor area</i> ii. <i>Cannabis Establishment</i> – 2 <i>parking spaces</i> per premises, plus 1 <i>parking space</i> per 100 square metres <i>net floor area</i> iii. <i>Craft Brewery</i> – 2 <i>parking spaces</i> per premises, plus 1 <i>parking space</i> per 100 square metres <i>net floor area</i> iv. <i>Hotel</i> – 0.85 <i>parking spaces</i> for each guest room plus 1 <i>parking space</i> for every 10 square metres <i>net floor area</i> devoted to accessory <i>restaurants, banquet halls, trade and convention centres, or meeting rooms</i> v. <i>Industrial Use</i> – 2 <i>parking spaces</i> per premises, plus 1 <i>parking space</i> for every 200 square metres of <i>gross floor area</i> vi. <i>Personal Service Shop</i> – 1 <i>parking space</i> for every 30 square metres <i>net floor area</i> vii. <i>Service and Repair Establishment</i> – 1 <i>parking space</i> for every 30 square metres <i>net floor area</i> viii. <i>Veterinary Clinic</i> – 1 <i>parking space</i> for every 30 square metres <i>net floor area</i> |
| s) | <p>Accessible <i>Parking Spaces:</i></p> <p>Accessible <i>parking spaces</i> shall be providing in accordance with the following:</p> <ul style="list-style-type: none"> i. The minimum number of accessible <i>parking spaces</i> shall be 2% of the total required. <i>parking spaces</i>, plus 2 spaces; of which 50% of the accessible <i>parking spaces</i> shall be 'Type A' accessible <i>parking spaces</i> and 50% of the accessible <i>parking spaces</i> shall be 'Type B' accessible <i>parking spaces</i>; ii. 'Type A' accessible <i>parking spaces</i> shall have a width of not less than 3.40 metres and a length not less than 5.80 metres; iii. 'Type B' accessible <i>parking spaces</i> shall have a width of not less than 2.40 metres and a length not less than 5.80 metres; iv. A 'Type A' and 'Type B' accessible <i>parking space</i> shall have a 1.5 metre wide access aisle adjacent to the accessible <i>parking space</i>. The 1.5 metre wide access aisle adjacent to an accessible <i>parking space</i> may be shared between two adjacent accessible <i>parking spaces</i>. v. Where more than 6 accessible <i>parking spaces</i> are required by this Bylaw, a minimum of one (1) accessible <i>parking space</i> shall also contain an <i>electric vehicle charging station</i>. |
| t) | <p><i>Loading Spaces</i></p> <p><i>Loading spaces</i> shall be provided in accordance with the following:</p> <ul style="list-style-type: none"> i. The minimum number of <i>loading spaces</i>: <ul style="list-style-type: none"> a. 2 <i>loading spaces</i>, measuring a minimum of 3.5 metres in width and 10.0 metres in length with a minimum vertical clearance of 4.5 metres. |

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| | <ul style="list-style-type: none"> ii. Where a <i>loading space</i> is located partially or wholly within a <i>building</i>, the minimum vertical clearance shall be increased to 6.1 metres. iii. A <i>loading space</i> shall not be permitted in the <i>front yard</i> or between the main wall closest to the <i>exterior lot line</i> and the <i>exterior side lot line</i>. iv. Access to <i>loading spaces</i> must be by means of a drive aisle or parking aisle that is at least 6.0 metres wide within the <i>lot</i> on which the loading spaces are located. <p>All vehicular movements required to access the <i>loading space</i> must be on private property.</p> |
| u) | Notwithstanding any further division or partition of the lands subject to this Section, all lands zoned within Exception 758 shall be deemed to be one lot for the purposes of this By-Law |
| v) | Special provision 3 of table A4 shall not apply |
| w) | <p>Temporary tents, marquees and similar structures are permitted to be erected in any non-residential <i>zone</i> for a temporary period not exceeding 12 weeks in any calendar year subject to the following provisions:</p> <ul style="list-style-type: none"> i. Shall not be located in any <i>landscaping strip</i>; and ii. Shall not occupy a required accessible <i>parking space</i> or electric vehicle level 2 charging ready parking space |
| x) | <p>A <i>building</i> or <i>structure</i> or deep wastes collection receptacle used for the storage of waste generated by a permitted use shall be permitted provided the <i>building structure</i> or waste receptacle</p> <ul style="list-style-type: none"> i. Is located within the <i>interior side yard</i> or <i>rear yard</i>; ii. Is located no closer to any <i>lot line</i> than the required for an <i>accessory building</i> or <i>structure</i> in this By-law; iii. Does not occupy any required <i>parking spaces</i> and the access to these <i>parking spaces</i>; and, iv. Is not located within any required minimum <i>landscaping strip</i> |

3. Holding Provision

For the purposes of this By-law, a Holding (H) provision is hereby established and is identified on Schedule 'A' attached hereto by the letter (H) in parenthesis following the zoning symbol.

No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H) provision for the purpose permitted under this By-law until amendment(s) to this By-law to remove the letter (H) have come into effect pursuant to the provisions of Section 36 of the Planning Act.

Prior to removing the Holding (H) provision the following conditions must be met to the satisfaction of the City of Markham:

- i) The Owner shall submit and obtain approval for a Draft Plan of Subdivision application for the proposed development, prior to the submission of a Site Plan Application, to the satisfaction to the Director of Planning and Urban Design
- ii) The Owner shall prepare and submit, to the satisfaction of York Region and the City of Markham's Director of Engineering, a Functional Design **including supporting analysis** that explores site access and public road alignment options for the adjacent property to the north (TACC land).
- iii) The Owner shall evaluate and recommend appropriate transportation improvements, if any, based on the updated Transportation Impact Study. The Owner shall prepare and confirm the plans to implement the identified transportation improvements, to the satisfaction of the Director of Engineering.
- iv) The Hold Provision on the Heritage Building shall not be released until the following is undertaken:

The Owner obtains a Major Heritage Permit that includes a comprehensive Conservation Plan, satisfactory to the Manager, Heritage Planning.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor