

EXPLANATORY NOTE

BY-LAW NO. 2024-XX

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

Times Group Corporation

Block 46 and Part of Blocks 45 and 49, Plan 65M-3226

South of Highway 7, between Bayview Avenue and Saddlecreek Drive

PLAN 20 128679

LANDS AFFECTED

This by-law applies to properties located on the south side of Highway 7, between Bayview Avenue and Saddle Creek Drive measuring approximately 3.2 hectares (8.0 acres).

EXISTING ZONING

The subject lands are zoned Business Park*34 [BP*34 (H)] Zone, Business Park*36*49 [BP*36*49 (H)] Zone, Business Corridor*37 [BC*37 (H)] Zone, Business Corridor*37*49 [BC*37*49 (H)] Zone, and Residential Two – Lane Access*583 [R2-LA*583] Zone under Bylaw 177-96, 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:

Business Park*34 [BP*34 (H)] Zone
Business Park*36*49 [BP*36*49 (H)] Zone
Business Corridor*37 [BC*37 (H)] Zone
Business Corridor*37*49 [BC*37*49 (H)] Zone
Residential Two – Lane Access*583 [R2-LA*583] Zone

to:

Community Amenity Two *776 Hold [CA2*776 (H)] Zone
Community Amenity Two *777 Hold [CA2*777 (H)] Zone
Business Park*36*49 Hold [BP*36*49] Zone
Open Space One (OS1) Zone
Open Space Two (OS2) Zone

in order to permit a high density mixed-use development on the lands comprised of six apartment towers with heights ranging between 34 and 50 storeys joined by podiums. The development also includes two parks and a school block. This zoning bylaw amendment also includes site-specific provisions to permit the development of a supermarket within the Leitchcroft community.

BY-LAW 2024-XX**A by-law to amend 177-96, as amended.**

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

1. THAT Zoning By-law 177-96, as amended, is hereby further amended as it applies to the lands outlined on Schedule 'A', as follows:

1.1 By rezoning the lands outlined on Schedule 'A' attached hereto

from:

Business Park*34 [BP*34 (H)] Zone

Business Park*36*49 [BP*36*49 (H)] Zone

Business Corridor*37 [BC*37 (H)] Zone

Business Corridor*37*49 [BC*37*49 (H)] Zone

Residential Two – Lane Access*583 [R2-LA*583] Zone

to:

Community Amenity Two *776 Hold [CA2*776 (H)] Zone

Community Amenity Two *777 Hold [CA2*777 (H)] Zone

Business Park*36*49 [BP*36*49] Zone

Open Space One (OS1) Zone

Open Space Two (OS2) Zone

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

Exception 7.776	Times Group Corporation South of Highway 7, between Bayview Avenue and South Park Road	Parent Zone CA2
File ZA 20 128679		Amending By-law 2024-XX
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *X1 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.		
7.776.1 Special Zone Standards		
The CA2 Zone standards in Table B7 do not apply. The following special zone standards shall apply:		
a)	The lot line abutting Highway 7 shall be deemed to be the front lot line	
b)	Maximum <i>building height</i> – 143 metres	
c)	Maximum number of <i>dwelling units</i> – 1,175	
d)	Minimum <i>front yard</i> – 1.0 metres	
f)	Minimum <i>exterior side yard</i> – 1.0 metres	
g)	Minimum <i>rear yard</i> – 2.0 metres	
h)	Minimum setback from a daylighting triangle – 0.0 m	
i)	Minimum <i>landscaped open space</i> – 5%	
j)	Maximum <i>Floor Space Index</i> – 10.7	
k)	Encroachments into all yards by architectural features, terraces, roof overhangs, eaves, cornices, sills, rainwater leaders, canopies, porches, architectural wing walls, ramps, retaining walls, shafts, balconies, underground cellars, underground parking garage, underground storage lockers, underground bicycle racks and rooms, underground mechanical and service rooms, stairs and landings shall be set back 0.0 metres from any <i>lot line</i> .	
l)	In the calculation of height, mechanical features, such as but not limited to structures containing the equipment necessary to control an elevator, and any ornamental roof construction features including towers, steeples, parapets or cupolas are permitted to project a maximum of 8.0 metres above the highest point of the roof surface, regardless of the height of the building.	
m)	The minimum permitted podium height along Highway 7 to a depth of 10.5 metres shall be 10.5 metres; and the maximum permitted podium height shall be 4 storeys.	
n)	The minimum first storey height for any commercial uses along Highway 7 to a depth of 7.5 metres (excluding parking for commercial uses) along Highway 7 shall be 7.5 metres and the portion of the first storey above 4.2 metres shall not be deemed an additional storey.	

7.776.2	Special Parking Provisions
The following parking provisions apply:	
a)	A minimum of one loading space is required.

Exception 7.777	Times Group Corporation South of Highway 7, between Bayview Avenue and South Park Road	Parent Zone CA2
File ZA 20 128679		Amending By-law 2024-XX
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *X2 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.		
7.777.1 Special Zone Standards		
The CA2 Zone standards in Table B7 do not apply. The following special zone standards shall apply:		
a)	The lot line abutting South Park Road shall be deemed to be the front lot line	
b)	Maximum <i>building height</i> – 165 metres	
c)	Maximum number of <i>dwelling units</i> – 1,440	
d)	Minimum <i>front yard</i> – 1.5 metres	
e)	Minimum <i>interior side yard</i> – 5.0 metres	
f)	Minimum <i>rear yard</i> – 14.0 metres	
g)	Minimum <i>landscaped open space</i> – 25%	
h)	Maximum <i>Floor Space Index</i> – 8.7	
i)	Encroachments into all yards by architectural features, terraces, roof overhangs, eaves, cornices, sills, rainwater leaders, canopies, porches, architectural wing walls, ramps, retaining walls, shafts, balconies, underground cellars, underground parking garage, underground storage lockers, underground bicycle racks & rooms, underground service & mechanical rooms, stairs and landings shall be set back 0.0 metres from any <i>lot line</i> .	
j)	In the calculation of height, mechanical features, such as but not limited to structures containing the equipment necessary to control an elevator, and any ornamental roof construction features including towers, steeples, parapets or cupolas are permitted to project a maximum of 8.0 metres above the highest point of the roof surface, regardless of the height of the building.	

1.1 By adding the following subsections to Section 2.5 – HOLDING PROVISIONS:

“Holding Provision in the Leitchcroft Community (By-law 2024-XX)

The Holding provision (H) applying to those lands within the Leitchcroft Community as shown on Schedule A1, shall not be lifted until the following conditions have been met:

- i) The Owner is required to make satisfactory arrangements, including execution of Site Plan Agreement (or Development Agreement or any other such agreement to the satisfaction of the City) for construction of municipal road and services at no cost to the City and provide financial securities, submit detailed engineering drawings, pay required fees in accordance with the latest Fee By-law, provide insurance, as required, to the satisfaction of Director of Engineering;
- ii) Update the Transportation Impact Study prepared by NexTrans (dated October 2023) to the satisfaction of the City; and,
- iii) The Owner is required to demonstrate that construction has commenced on Part of Block 45 prior to applying for any above grade building permits for any other portion of Blocks 46 and 49.

1.2 By deleting and replacing 'Section 7.36.1 Additional permitted uses' to state the following:

- a) *Art galleries*
- b) *Commercial fitness centres*
- c) *Libraries*
- d) *Museums, private*
- e) *Places of amusement*
- f) *Private clubs*
- g) *Restaurants, take-out*
- h) *Retail store*
- i) *Schools, commercial*
- j) *theatres*
- k) *Supermarket*
- l) *Pharmacy*

Provided that:

- i) there is no outdoor storage and outdoor display and sales
- ii) A supermarket shall have a minimum Gross Floor Area of 2,787 square metres.

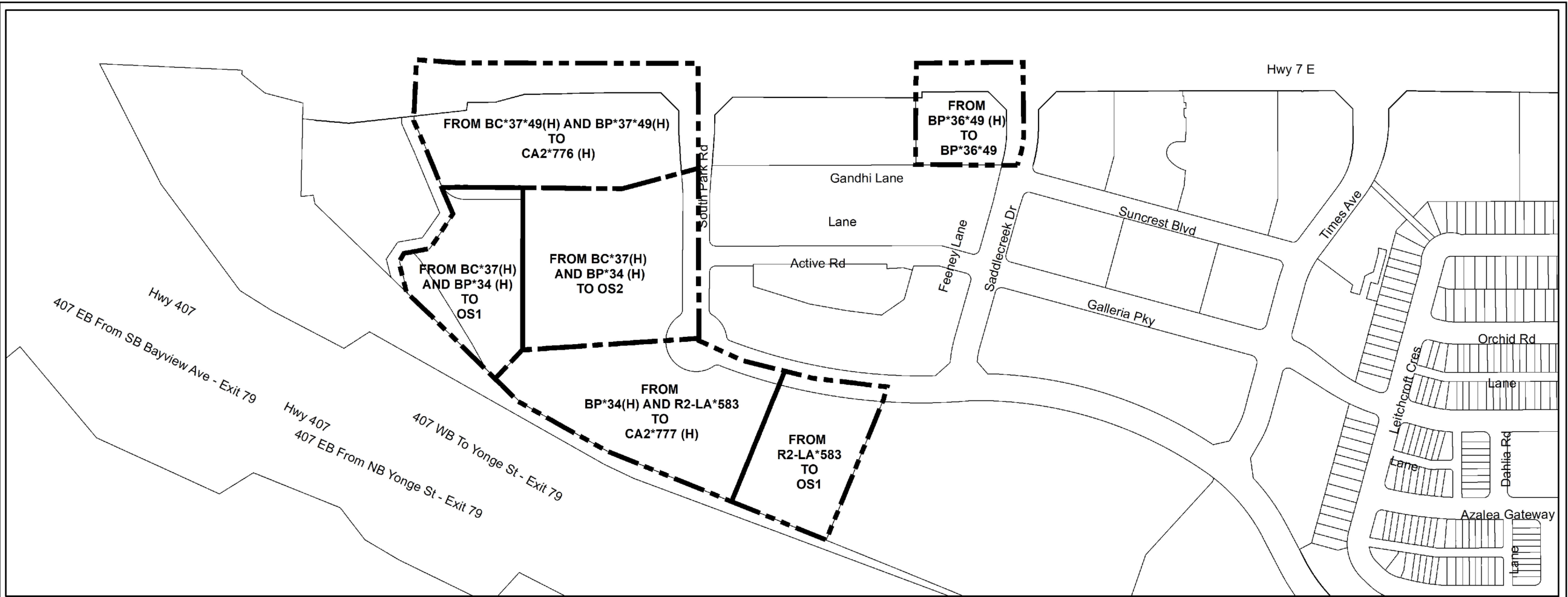
1.3 Section 7.36.2 f) is deleted.

2. All other provisions of By-law 177-66, as amended not inconsistent with the provisions of this by-law shall continue to apply.

Read and first, second and third time and passed on November ____ 2024.

Kimberly Kitteringham City
Clerk


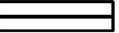
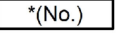
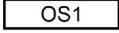
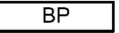
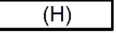
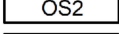
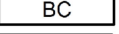
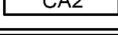
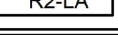
Frank Scarpitti Mayor



SCHEDULE 'A' TO BY-LAW

AMENDING BY-LAW 177-96 DATED



 BOUNDARY OF AREA COVERED BY THIS SCHEDULE	 BOUNDARY OF ZONE DESIGNATION(S)	 EXCEPTION ZONE
 OPEN SPACE ONE	 BUSINESS PARK	 HOLDING PROVISION
 OPEN SPACE TWO	 BUSINESS CORRIDOR	
 COMMUNITY AMENITY TWO	 RESIDENTIAL TWO - LANE ACCESS	

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.