

## **EXPLANATORY NOTE**

### **BY-LAW NO. 2024-217**

**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 2024-217****A by-law to amend 177-96, as amended.**

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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 2024-217
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.		
<b>7.776.1 Special Zone Standards</b>		
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.	

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

<b>Exception 7.777</b>	<b>Times Group Corporation South of Highway 7, between Bayview Avenue and South Park Road</b>	<b>Parent Zone CA2</b>
File ZA 20 128679		Amending By-law 2024-217
<p>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.</p>		
<b>7.777.1 Special Zone Standards</b>		
<p>The CA2 Zone standards in Table B7 do not apply. The following special zone standards shall apply:</p>		
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 2024-217)

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 December 4, 2024.

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Kimberley Kitteringham City  
Clerk

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Frank Scarpitti Mayor