



Explanatory Note

By-law 2014-138

A By-law to amend By-laws 122-72, 165-80, 304-87, 177-96 and 2004-196, as amended (Public Uses provisions applying to lands within Markham Centre)

Markham Centre

Lands Affected

This by-law applies to all lands within the boundaries of Official Plan Amendment No. 21 (the Markham Centre Secondary Plan).

Existing Zoning

The subject lands are zoned in a variety of designations under By-laws 122-72, 165-80, 304-87, 177-96 and 2004-196, as amended.

Purpose and Effect

The purpose of this by-law amendment is to revise the City's zoning by-laws, as they apply to the lands within Markham Centre; to introduce definitions for "Colleges" and "Universities", and to permit provincially funded colleges and universities as public uses.

The effect of this by-law amendment is that provincially funded colleges and universities will be defined, and will be permitted to be located within Markham Centre as a public use, with greater flexibility regarding the location and design of their facilities, including the provision of parking. Residences and dormitories associated with colleges and universities will only be permitted upon lands where the current zoning already permits residential uses as a primary use.



By-law 2014-138

A By-law to amend
By-laws 122-72, 165-80, 304-87, 177-96 and 2004-196, as amended,
(as they apply to the Markham Centre community)

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

1. By-law 122-72, as amended, is hereby further amended as follows:

1.1 By adding the following to the end of Section 5.9:

“Notwithstanding any other provisions of this By-law, a *college* or a *university* shall be permitted on any lands located within the boundary shown on Schedule ‘A’ attached to By-law 2014-138; provided that it is in general conformity with the character of the area. The location and amount of parking to be provided for such uses shall be determined to the satisfaction of the City prior to Site Plan Approval. Parking may be provided both on-site and off-site in the vicinity of the college or university.

Residential uses associated with a *college* or *university* are permitted only in a zone where residential uses are permitted as a primary use.”

1.2 By adding the following definitions to Section 2:

“*COLLEGE*

Means a publicly funded or publicly assisted college that receives ongoing operating funding and/or grants from the Province of Ontario, and including any accessory and/or ancillary uses thereto.”

“*UNIVERSITY*

Means a publicly funded or publicly assisted university that receives ongoing operating funding and/or grants from the Province of Ontario, and including any accessory and/or ancillary uses thereto.”

2. By-law 165-80, as amended, is hereby further amended as follows:

2.1 By adding the following to subsection 4.3.2 after item (b):

“(c) Notwithstanding any other provisions of this By-law, a *college* or a *university* shall be permitted on any lands located within the boundary shown on Schedule ‘A’ attached to By-law 2014-138; provided that it is in general conformity with the character of the area. The location and amount of parking to be provided for such uses shall be determined to the satisfaction of the City prior to Site Plan Approval. Parking may be provided both on-site and off-site in the vicinity of the college or university.

(d) Residential uses associated with a *college* or *university* are permitted only in a zone where residential uses are permitted as a primary use.”

2.2 By adding the following definitions to Section 2:

“COLLEGE

Means a publicly funded or publicly assisted college that receives ongoing operating funding and/or grants from the Province of Ontario, and including any accessory and/or ancillary uses thereto.”

“UNIVERSITY

Means a publicly funded or publicly assisted university that receives ongoing operating funding and/or grants from the Province of Ontario, and including any accessory and/or ancillary uses thereto.”

3. By-law 304-87, as amended, is hereby further as follows:

3.1 By adding the following to subsection 5.3.2 after item (b):

“(c) “Notwithstanding any other provisions of this By-law, a *college* or a *university* shall be permitted on any lands located within the boundary shown on Schedule ‘A’ attached to By-law 2014-138; provided that it is in general conformity with the character of the area. The location and amount of parking to be provided for such uses shall be determined to the satisfaction of the City prior to Site Plan Approval. Parking may be provided both on-site and off-site in the vicinity of the college or university.

(d) Residential uses associated with a *college* or *university* are permitted only in a zone where residential uses are permitted as a primary use.”

3.2 By adding the following definitions to Section 2:

“COLLEGE

Means a publicly funded or publicly assisted college that receives ongoing operating funding and/or grants from the Province of Ontario, and including any accessory and/or ancillary uses thereto.”

“UNIVERSITY

Means a publicly funded or publicly assisted university that receives ongoing operating funding and/or grants from the Province of Ontario, and including any accessory and/or ancillary uses thereto.”

4. By-law 177-96, as amended, is hereby further amended as follows:

4.1 By adding the following to subsection 5.21 after item (b):

“Notwithstanding any other provisions of this By-law, a *college* or a *university* shall be permitted on any lands located within the boundary shown on Schedule ‘A’ attached to By-law 2014-138; provided that it is in general conformity with the character of the area. The location and amount of parking to be provided for such uses shall be determined to the satisfaction of the City prior to Site Plan Approval. Parking may be provided both on-site and off-site in the vicinity of the college or university.

Residential uses associated with a *college* or *university* are permitted only in a zone where residential uses are permitted as a primary use.”

4.2 By adding the following definitions to Section 6:

“COLLEGE

Means a publicly funded or publicly assisted college that receives ongoing operating funding and/or grants from the Province of Ontario, and including any accessory and/or ancillary uses thereto.”

“UNIVERSITY

Means a publicly funded or publicly assisted university that receives ongoing operating funding and/or grants from the Province of Ontario, and including any accessory and/or ancillary uses thereto.”

5. By-law 2004-196, as amended, is hereby further amended as follows:

5.1 By adding the following to subsection 4.16 after item (b):

“Notwithstanding any other provisions of this By-law, a *college* or a *university* shall be permitted on any lands located within the boundary shown on Schedule ‘A’ attached to By-law 2014-138; provided that it is in general conformity with the character of the area. The location and amount of parking to be provided for such uses shall be determined to the satisfaction of the City prior to Site Plan Approval. Parking may be provided both on-site and off-site in the vicinity of the college or university.

Residential uses associated with a *college* or *university* are permitted only in a zone where residential uses are permitted as a primary use.”

5.2 By adding the following definitions to Section 4:

“COLLEGE

Means a publicly funded or publicly assisted college that receives ongoing operating funding and/or grants from the Province of Ontario, and including any accessory and/or ancillary uses thereto.”

“UNIVERSITY


Means a publicly funded or publicly assisted university that receives ongoing operating funding and/or grants from the Province of Ontario, and including any accessory and/or ancillary uses thereto.”

6. The provisions of the Parking By-law 28-97 shall not apply to any lands located within the boundary shown on Schedule ‘A’ attached to By-law 2014-138 in respect of a *college* or a *university*.
7. All other provisions of By-laws 122-72, 165-80, 304-87, 177-96 and 2004-196, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

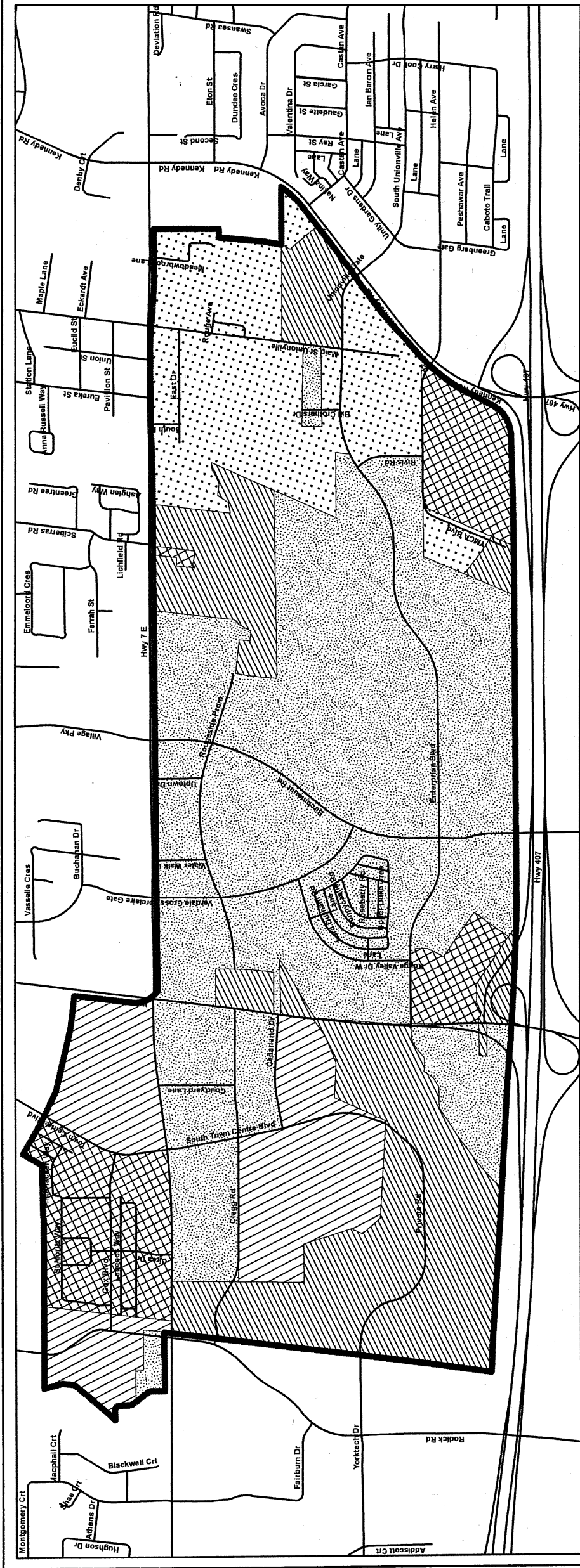
Read a first, second, and third time and passed on September 10, 2014.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor



Legend

- 2004-196
- 304-87
- 177-96
- 165-80
- 122-72

BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

BY-LAW SCHEDULE "A" TO BY-LAW 2014-138
AMENDING BY-LAWS 122-72,165-80,177-96,304-87,2004-196 DATED Sept. 10, 2014

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office