



## MEMORANDUM

DATE: June 24, 2014

TO: Mayor and Members of Council

FROM: Jim Baird, M.C.I.P., R.P.P.  
Commissioner of Development Services

PREPARED BY: Sabrina Bordone, M.C.I.P., R.P.P.  
Planner, Central District

REVIEWED BY: Richard Kendall, M.C.I.P., R.P.P.  
Manager, Central District

RE: **Hold Removal By-law  
Ruland Properties Inc.  
162 Enterprise Boulevard & 8080 Birchmount Road  
Blocks 44 & 43, 65M 4060  
Planning File: ZA 13 125296**

A handwritten signature in black ink, appearing to read 'Jim Baird', located to the right of the 'FROM' field.

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The applicant has submitted a site plan application to permit the development of a carousel and accessory uses and addition to an existing presentation centre that will function as a service room for the carousel (including mechanical, garage and washrooms). The subject lands are situated at the northwest corner of Enterprise Boulevard and Birchmount Road, municipally known as 162 Enterprise Boulevard & 8080 Birchmount Road, within Markham Centre.

The zoning by-law applied to the subject lands includes holding provisions to prohibit construction until certain conditions have been met, including execution of a site plan agreement, provision of additional parking and appropriate phasing of development. Council endorsed the project on June 18, 2013 and preparation of a site plan agreement is underway. However, it is unlikely that the site plan agreement will be executed in time to fully satisfy the conditions for hold removal before Council breaks for the summer.

To avoid delaying commencement of construction until September, staff support removing the holding provision at this time. The applicant has provided an Undertaking agreeing not to compel the City of Markham to issue a full building permit for the subject lands until the site plan control agreement has been fully executed and registered on title.



## **EXPLANATORY NOTE**

### **BY-LAW 2014-**

#### **A By-law to amend By-law 2004-196, as amended**

**Ruland Properties Inc.  
162 Enterprise Boulevard & 8080 Birchmount Road  
Blocks 44 & 43, 65M 4060**

#### **Lands Affected**

The proposed by-law amendment applies to approximately 1.1 ha. (2.7 ac.) of land on the northwest corner of Enterprise Boulevard and Birchmount Road within Markham Centre.

#### **Existing Zoning**

The lands are presently zoned Markham Centre Downtown Two (Hold) [MC-D2 (H1, H2 & H5)] under By-law 2004-196, as amended.

#### **Purpose and Effect**

The purpose of this by-law is to rezone the lands from Markham Centre Downtown Two (Hold) [MC-D2 (H1, H2 & H5)] to Markham Centre Downtown Two (MC-D2) in order to remove the Holding zoning provisions from the subject lands.

The effect of this by-law is that construction of a carousel and accessory uses and addition to an existing presentation centre that will function as a service room for the carousel (including mechanical, garage and washrooms), will be permitted.



# BY-LAW 2014-

**A By-law to amend By-law 2004-196, as amended**  
(to remove the Holding (H1, H2 and H5) zoning provisions)

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM  
HEREBY ENACTS AS FOLLOWS:

1. By-law 2004-196, as amended, is hereby further amended as follows:
  - 1.1 By rezoning the lands:

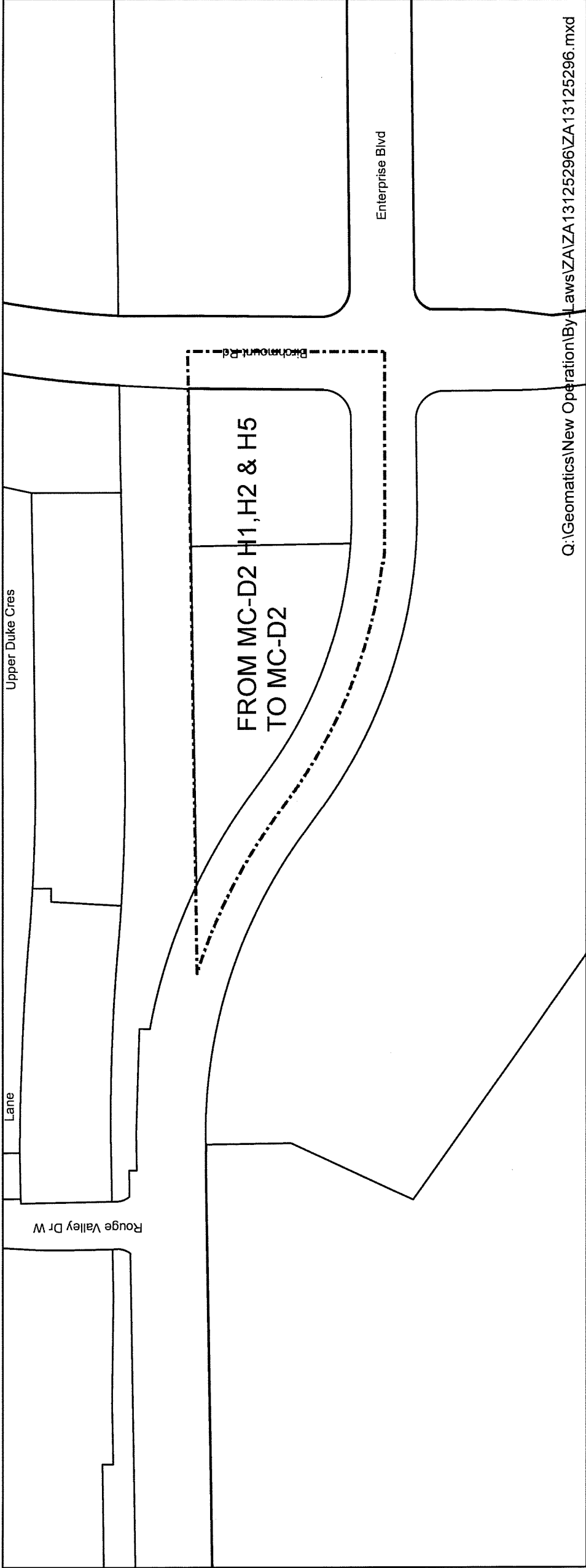
from Markham Centre Downtown Two (Hold) [MC-D2 (H1, H2 & H5)]  
to Markham Centre Downtown Two (MC-D2)

as shown on Schedule 'A' attached hereto.
2. All other provisions of By-law 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  
 , 2014.

KIMBERLEY KITTERINGHAM,  
CITY CLERK

FRANK SCARPITTI,  
MAYOR



# BY-LAW SCHEDULE " A " TO BY-LAW

## AMENDING BY-LAW 2004-196 DATED

 BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

☒ MC-D2 MARKHAM CENTRE-DOWNTOWN TWO

☐ (H) HOLDING PROVISION