



Explanatory Note

By-law 2014-104

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

Markham Centre Development Corporation

South side of Enterprise Drive between Rivis Road and the GO Rail Line

Lands Affected

The proposed by-law amendment applies to a 2.65 ha (6.5 acre) vacant parcel of land on the south side of Enterprise Drive between Rivis Road and the GO Rail Line.

Existing Zoning

The lands were previously zoned “Agricultural and Single Family Rural Residential” (RR4) Zone by By-law 122-72, as amended. The lands were deleted from the designated area of By-law 122-72 by a previous by-law amendment.

Purpose and Effect

The purpose of this by-law amendment is to incorporate the lands into the designated area of Zoning By-law No. 2004-196, as amended, and zone them “Markham Centre Downtown Two,” incorporating site specific use permissions and development standards.

The effect of this by-law amendment is that a proposed high-density mixed-use development accommodating approximately 1400 residential units, 3200 square metres of street related commercial uses and an office building will be permitted.



By-law 2014-104

A By-law to amend By-law 2004-196, as amended
(to incorporate lands into the designated area of By-law 2004-196)

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

1. Zoning By-law 2004-196, as amended, be and the same is hereby further amended as follows:

1.1 By expanding the designated area of By-law 2004-196, as amended, to include the lands shown on Schedule 'A' attached hereto.

1.2 By zoning the lands:

- (i) Markham Centre Downtown Two *24 (Hold)
- MC-D2*24 (H)

As shown on Schedule 'K1' attached hereto;

1.3 By amending Section 1.2 of By-law 2004-196, as amended, by adding the symbols "K1 to K4" at the end of the sentence "Schedules A1 to A4, B1 to B4, C1 to C4, D1 to D4, E1 to E4, F1 to F4, G1 to G4, H1 to H4, I1 to I4, J1 to J4".

1.4 By amending Section 2.2 of By-law 2004-196, as amended, by adding the symbol "K1" at the end of the sentence "Schedules A1, B1, C1, D1, E1, F1, G1, H1, I1, J1".

1.5 By amending Sections 2.6, 2.6.1 and 2.6.2 of By-law 2004-196, as amended, by adding the symbol "X9" at the end of the sentence "Schedules X1, X2, X3, X4, X5, X6, X7, X8".

1.6 By adding the following new subsection 6.24 (*24) to Section 6 – Exceptions to By-law 2004-196:

**6.24 Markham Centre Development Corporation
Lands Zoned MC-D2 - South side of Enterprise Boulevard
between Ravis Road and GO Rail Line**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *24 (Exception 24) 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.

6.24.1 Special Site Provisions

The following special site provisions shall apply:

- a) *Dwelling units* are permitted on any *storey*, including the first *storey*, of an *apartment building*.
- b) Special Provision (2) to Table A1 shall not apply.

- c) In the case of a *corner lot* with a daylighting triangle, the *exterior side lot line* shall be deemed to extend to its hypothetical point of intersection with the extension of the *front lot line* for the purposes of calculating minimum and maximum *setbacks* from *streetlines*. Notwithstanding the above, in no case shall any *building* or *structure* extend into the *public street* right of way.
- d) Awnings are permitted to extend to any *streetline* or *lot line*.

6.24.2 Special Parking Provision

The following special parking provision shall apply:

- a) The *parking space* requirement for *Apartment Dwellings* and *Multiple Dwellings* shall be as follows:
A minimum of 0.8 parking space per *dwelling unit* and a maximum of 1 *parking space* per *dwelling unit* plus 0.15 *parking spaces* per *dwelling unit* for visitors. The provision of additional *parking spaces* is not permitted. A maximum of 10 of the *parking spaces* required shall be located in a surface parking area.
- b) The parking space requirement for *retirement homes* shall be as follows:
A maximum of 0.4 *parking spaces* per *retirement home* room/unit. The provision of additional *parking spaces* is not permitted.
- c) Where development of a *lot* is phased, the number of *parking spaces* provided in a *parking garage* on the *lot* during the earlier phase(s) may exceed the maximum number permitted under Section 6.24.2(a), provided that the total number of *parking spaces* on the *lot* shall at no time exceed the maximum number that would be permitted if all approved *dwelling units* and other uses were constructed in a single phase.

6.24.3 Special Holding Provisions

The following special holding provisions shall apply:

Holding provision 'H' shall only be lifted on all or part of the lands shown on Schedule 'X9' attached hereto when all of the following criteria have been met:

- i. An Environmental Assessment for the relocation of the existing watercourse located within the area shown in hatching on Schedule X9 to an alignment outside the designated area of this by-law has been approved by the City

and the Toronto and Region Conservation Authority, and the tributary has been relocated in accordance with the approved Environmental Assessment.

- ii. The horizontal and vertical alignment of the roads adjoining the designated area of this by-law has been finalized and any lands required from within the designated area of this by-law for the adjoining roads have been conveyed to the City.
- iii. The conceptual design of the Markham Centre Mobility Hub Station, including a potential public transit connection through the designated area of this by-law, has been confirmed to the satisfaction of Metrolinx, York Region and the City in accordance with an approved environmental assessment, approved amendments thereto, or other satisfactory arrangement, and arrangements have been made for the conveyance to the City or other public authority of any lands and/or easements within the designated area of this by-law which are required to provide access to the station.
- iv. Metrolinx has confirmed that the Owner has entered into a development agreement or other satisfactory arrangement with Metrolinx that satisfies all conditions of Metrolinx.
- v. A traffic impact study and a TDM (Travel Demand Management) plan have been approved by the City of Markham and York Region within the prior 6 months for the lands from which the holding provision is to be removed, and the Owner has entered into a development agreement, which may form part of a site plan agreement, to secure any improvements to transportation infrastructure recommended by these studies, including right-of-way and pavement widenings and off-site improvements.
- vi. Appropriate water supplies and sewage capacity are available, and have been allocated by Council and/or the Developers Group to support the development.
- vii. A developers group agreement or other cost sharing arrangement for community infrastructure and facilities has been entered into to the satisfaction of the City's Commissioner of Development Services and the City Solicitor.
- viii. Execution of a Section 37 Agreement between the City and the Owner pursuant to Section 37 of the Planning Act and in accordance with the City's Official Plan policies regarding Section 37 contributions, to the satisfaction of the City.

- ix. Any other agreement identified as being required by Council has been entered into that satisfies all of the conditions of the City.
- x. Site Plan Approval has been granted by the City.

- 1.7 By adding the following schedules to By-law 2004-196, as amended Schedule K1, K2, K3, K4 and X9.
- 2. All other provisions of By-law 2004-196, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

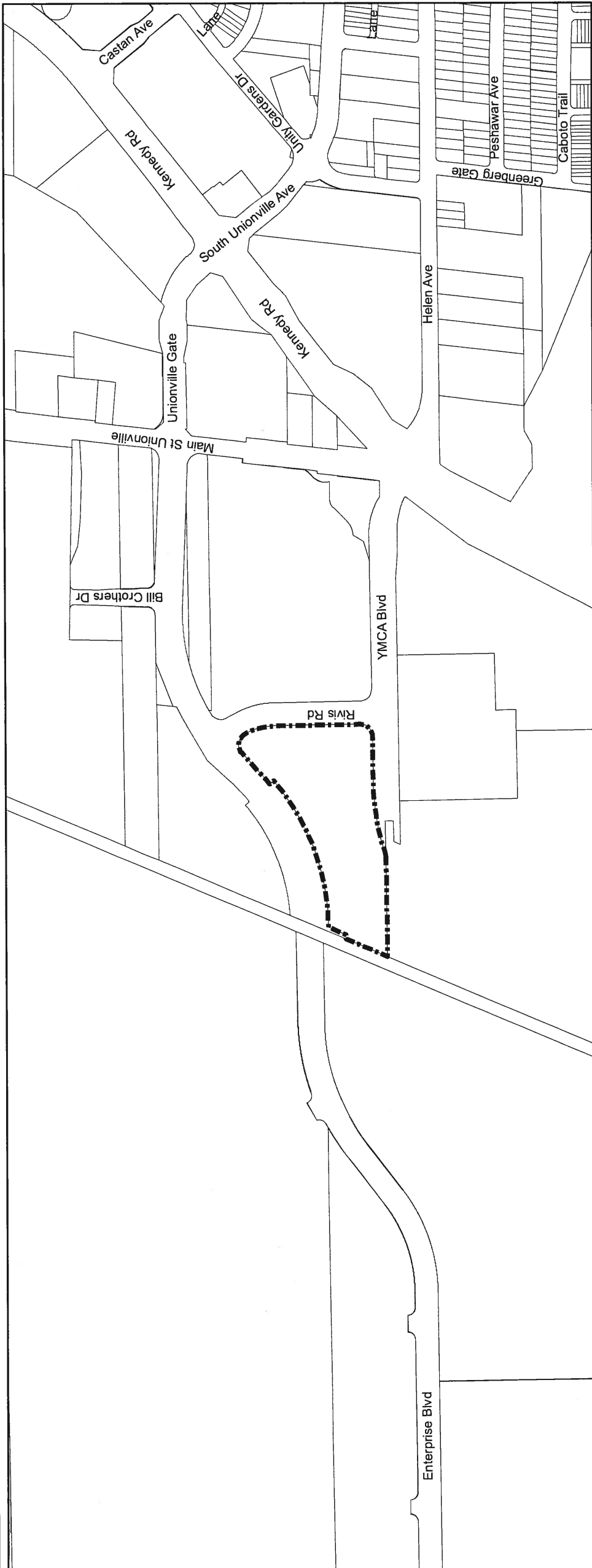
Read a first, second, and third time and passed on June 24, 2014.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor

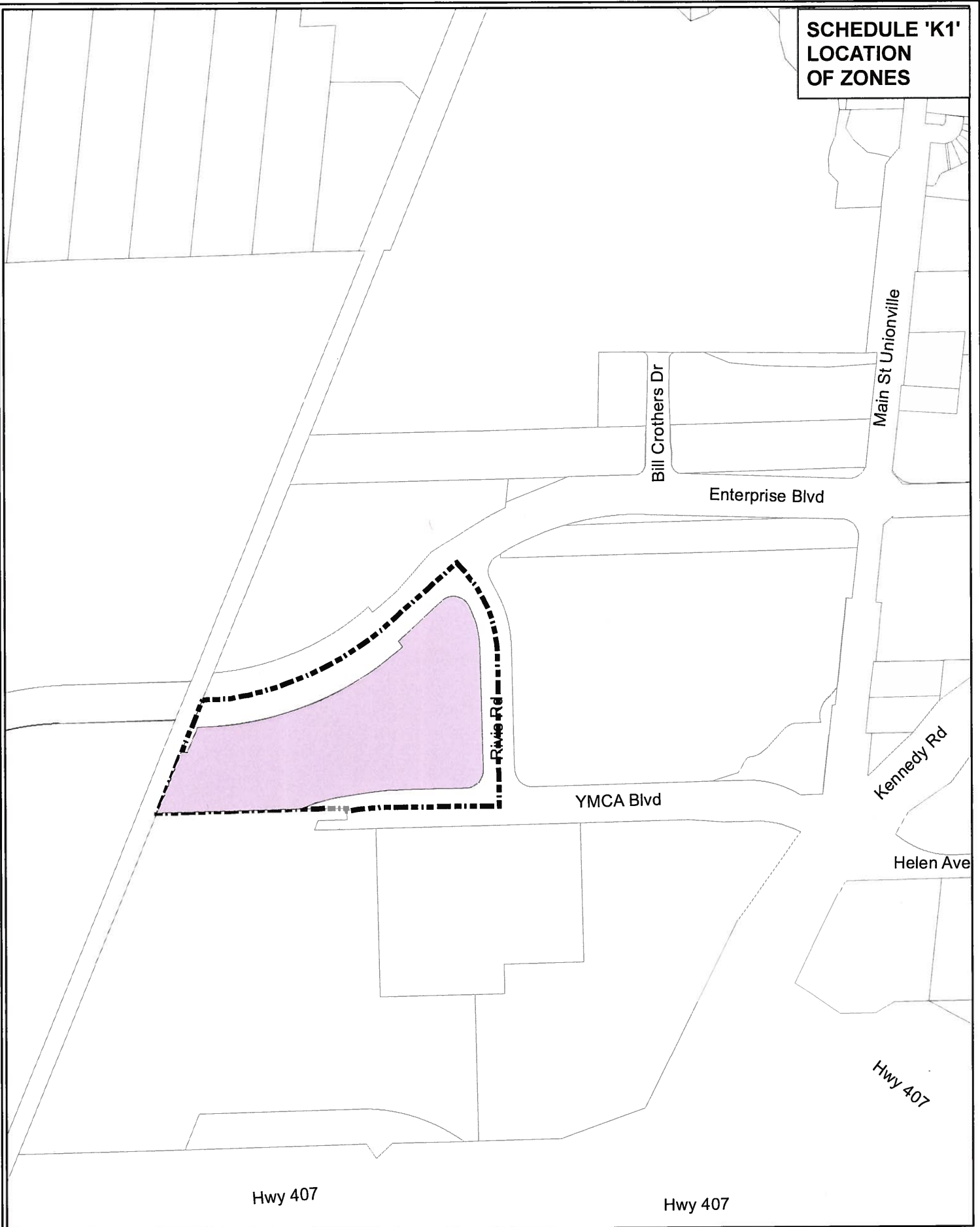


BY-LAW SCHEDULE 'A' TO BY-LAW 2014-104


AMENDING BY-LAW 2004-196 DATED June 24, 2014

 BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE



**SCHEDULE 'K1'
LOCATION
OF ZONES**

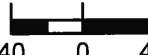


BY-LAW SCHEDULE 'K1' TO AMEND BY-LAW 2004-196

-  BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
 MC-D2*24

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BY-LAW AMENDMENT No. **2014-104** PASSED **June 24, 2014**
 (MAYOR)  (CLERK)

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MARKHAM DEVELOPMENT SERVICES COMMISSION

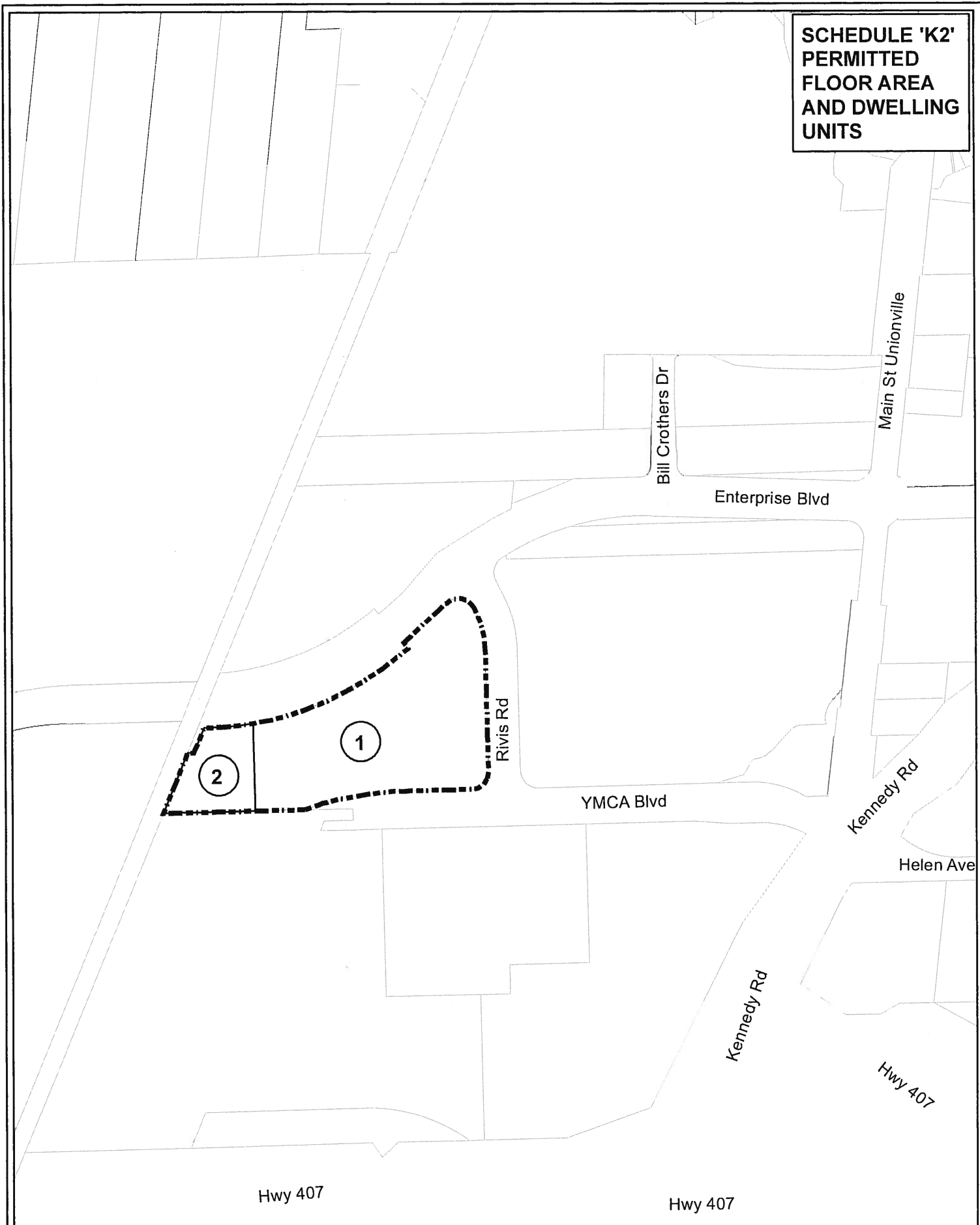
Drawn By: CPW

Checked By: SH

DATE: 29/05/2014

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

SCHEDULE 'K2'
PERMITTED
FLOOR AREA
AND DWELLING
UNITS


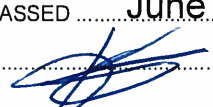


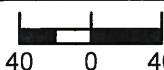
BY-LAW SCHEDULE 'K2' TO AMEND BY-LAW 2004-196

 BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

Number on Schedule K2	Net Floor Area (M2)	Maximum number of Dwelling Units
1	Residential Maximum 132,000 Non-Residential Maximum 4,000	1410
2	Non-Residential Minimum 10,000 Non-Residential Maximum 20,000	0

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BY-LAW AMENDMENT No. **2014-104** PASSED **June 24, 2014**
 (MAYOR)  (CLERK)

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DEVELOPMENT SERVICES COMMISSION

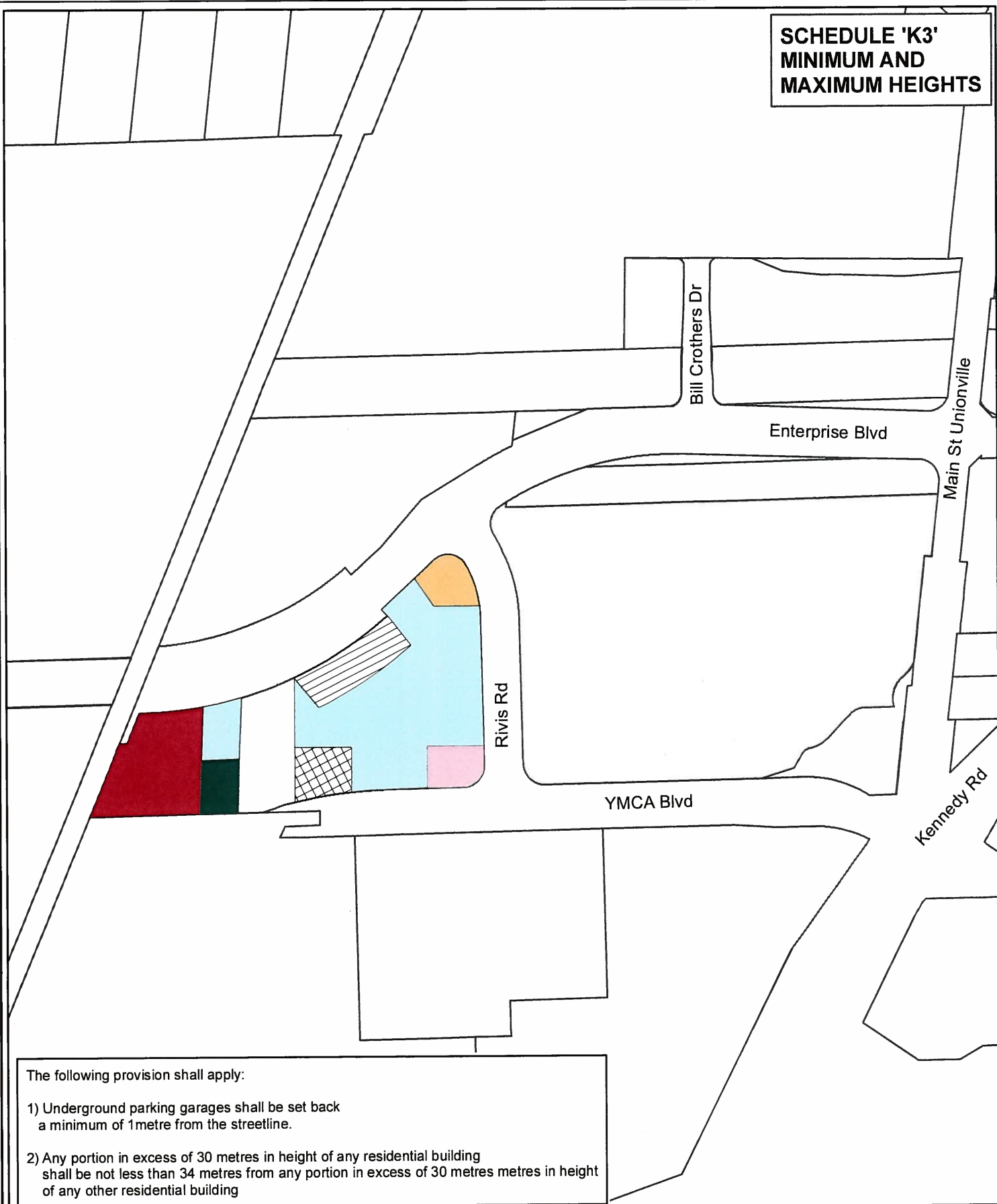
Drawn By: CPW

Checked By: SH

DATE: 29/05/2014

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

SCHEDULE 'K3'
MINIMUM AND
MAXIMUM HEIGHTS



The following provision shall apply:

1) Underground parking garages shall be set back a minimum of 1metre from the streetline.

2) Any portion in excess of 30 metres in height of any residential building shall be not less than 34 metres from any portion in excess of 30 metres in height of any other residential building


BY-LAW SCHEDULE 'K3' TO AMEND BY-LAW 2004-196

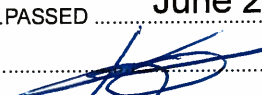
-----	BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE		
	MIN 12m - MAX - 15 STOREYS		MIN 12m - MAX - 30 STOREYS
	MIN 12m - MAX - 35 STOREYS		MIN 12m - MAX - 39 STOREYS
	MIN 12m - MAX - 32 STOREYS		MIN 12m - MAX - 6 STOREYS
	MIN 12m - MAX - 10 STOREYS		


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BY-LAW AMENDMENT No. 2014-104

PASSED June 24, 2014

 (MAYOR)

 (CLERK)

 MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

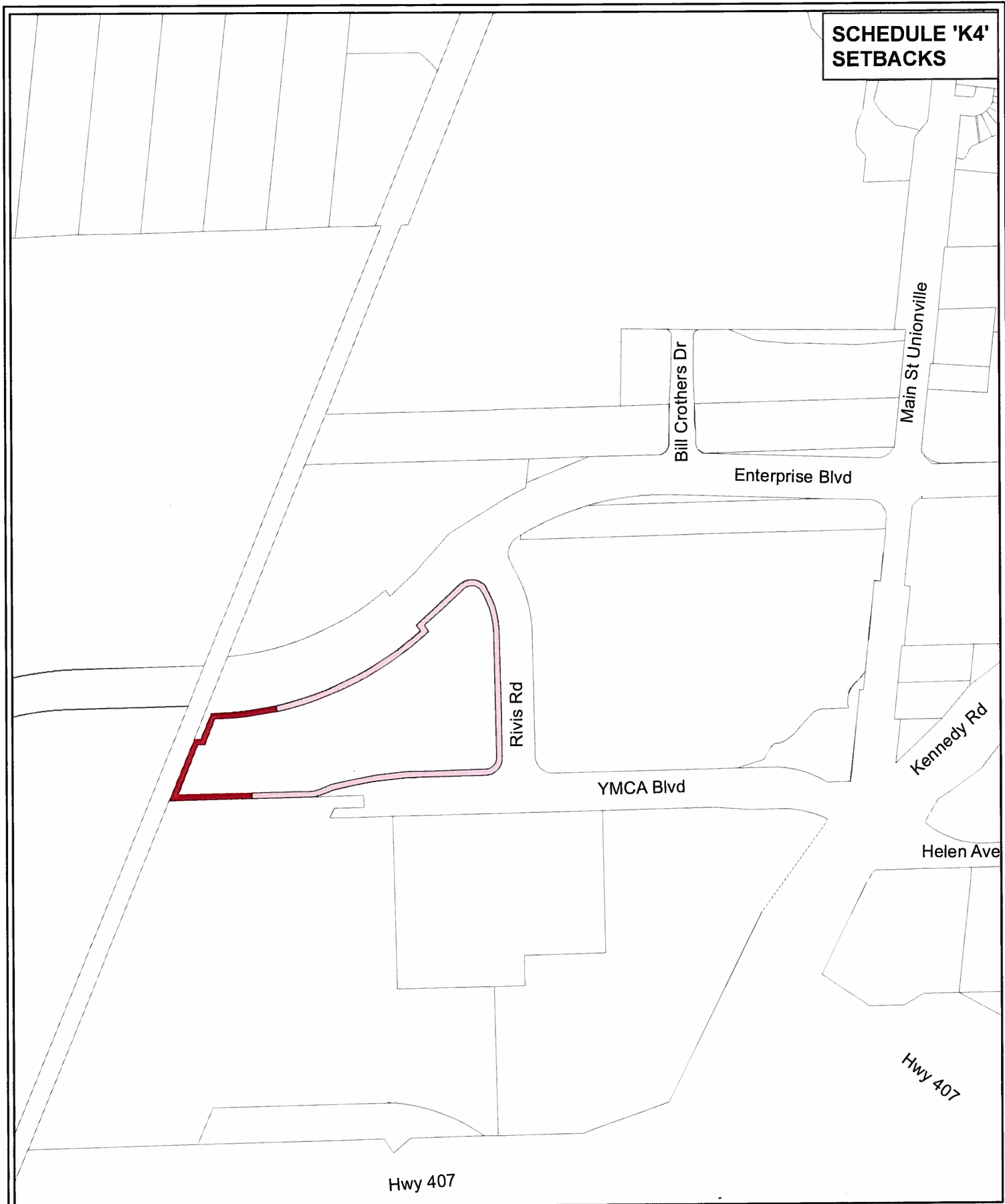
Checked By: SH

DATE: 29/08/2013

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Meters

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



BY-LAW SCHEDULE 'K4' TO AMEND BY-LAW 2004-196

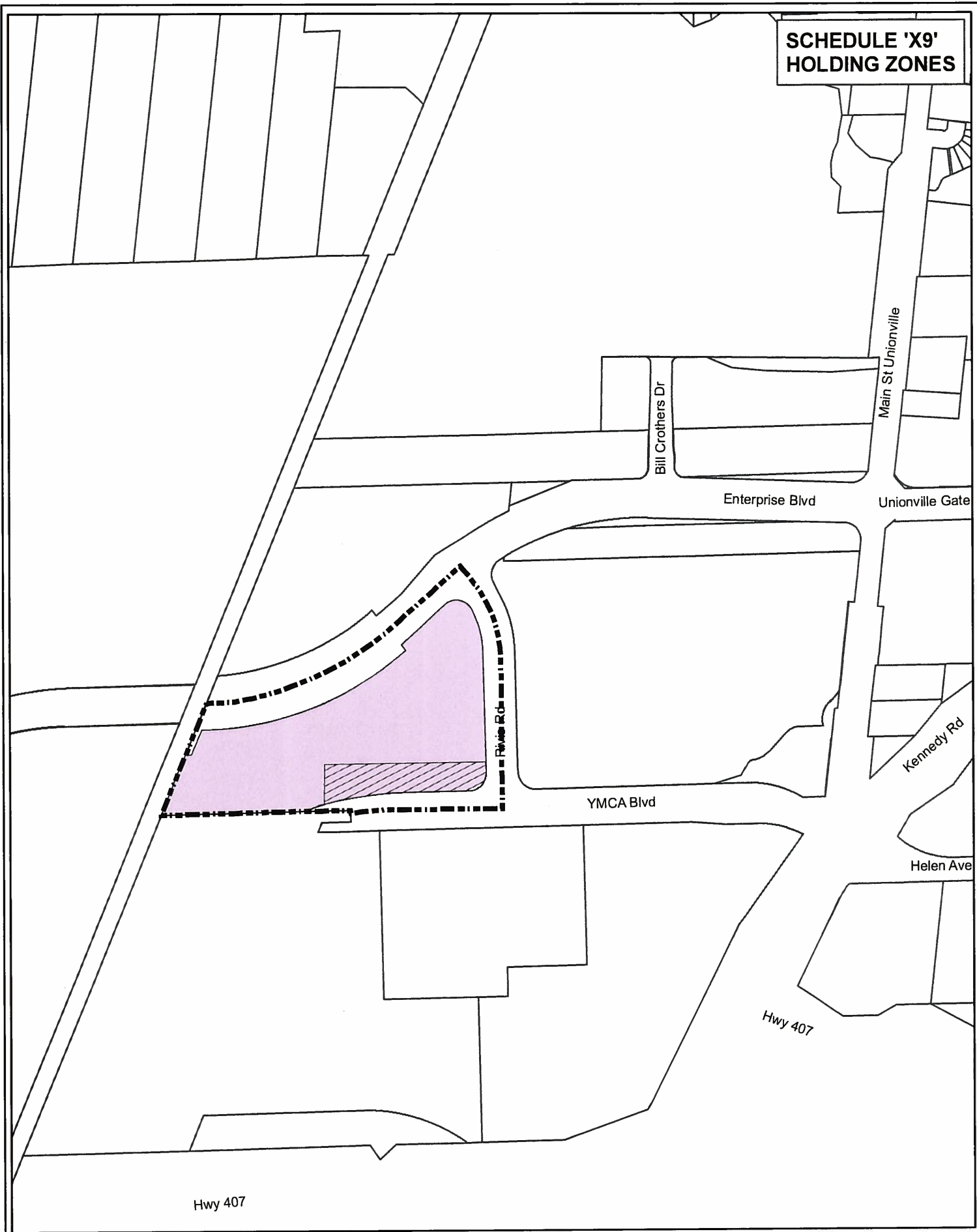
- BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE**
- The Minimum building setback shall be 2 metres except where any part of any dwelling unit within the first storey of a building is located within 10 metres of the streetline or exterior lot line, the minimum building setback shall be 3 metres.
- The Minimum building setback shall be 0 metres

The following provision shall apply:
1) Underground parking garages shall be set back a minimum of 1 metre from the streetline.

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BY-LAW AMENDMENT No. 2014-104	PASSED June 24, 2014	
(MAYOR)	(CLERK)	
MARKHAM DEVELOPMENT SERVICES COMMISSION	Drawn By: CPW Checked By: SH	DATE: 29/08/2013

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BY-LAW SCHEDULE 'X9' TO AMEND BY-LAW 2004-196

- BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
- HOLDING ZONE
- REFER TO SECTION 6.24.3i OF THE BY-LAW

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BY-LAW AMENDMENT No.	2014-104	PASSED	June 24, 2014	
		(MAYOR)		(CLERK)
MARKHAM DEVELOPMENT SERVICES COMMISSION		Drawn By: CPW	Checked By: SH	DATE: 29/05/2014

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