



EXPLANATORY NOTE

BY-LAW 2013-45

A By-law to amend By-law 108-81, as amended.

**2145312 Ont. Inc.
1 Steelcase Road West
Part of Lots 1 and 2, Concession 3**

Lands Affected

The By-law amendment applies to 12 ha. (30 acres) of land located at the southwest corner of Woodbine Avenue and Steelcase Road West.

Existing Zoning

The lands are presently zoned Select Industrial (M) by By-law 108-81, as amended.

Purpose and Effect

The purpose of the by-law amendment is to rezone the lands to Business Corridor Hold One [(H1) B.C.], Business Corridor Hold Two [(H2) B.C.] and Business Corridor Hold Three [(H3) B.C.] and establish site specific development standards.

As outlined in the by-law amendment, certain conditions will have to be satisfied prior to the removal of the Hold (H) provisions. Following removal of the Hold (H) provisions, in sequence from (H1) to (H3), development of the lands will be allowed in phases.



BY-LAW 2013-45

A By-law to amend By-law 108-81, as amended
(1 Steelcase Road West)

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

1.0 That By-law 108-81, as amended, be and the same is hereby further amended as follows:

1.1 By repealing By-law 58-82, amending By-law 108-81.

1.2 By rezoning the lands identified on Schedule "A" attached hereto from Select Industrial (M) to Business Corridor Hold One [(H1) B.C.], Business Corridor Hold Two [(H2) B.C.] and Business Corridor Hold Three [(H3) B.C.] as shown on Schedule 'A' attached hereto.

1.3 By adding to Section 8 – Exceptions, the following new subsection:

"2145312 Ontario Inc. – 1 Steelcase Road West

8.13 Notwithstanding any other provisions of By-law 108-81, as amended, the provisions in this Section shall apply to those lands municipally known as 1 Steelcase Road West, as shown on Schedule 'A' attached to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

8.13.1 Use Definitions

The following definitions apply to the lands outlined on Schedule 'A' attached hereto. For the purpose of this By-law, where other terms have not been specifically defined within By-law 108-81, as amended, the definitions of By-law 28-97, as amended, shall apply.

- a. *"Drive-Through Service Facility"* means a building or structure or part thereof where goods and/or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk, where goods, money or materials are exchanged. Kiosks within a parking garage or associated with a surface parking area are not considered to be drive-through service uses.
- b. *"Outdoor Storage"* means an area of land used in conjunction with a business located within a building or structure on the same lot, for the storage of goods and materials.
- c. *"Outdoor Display and Sales Area"* means outdoor open space area where produce or merchandise is displayed and/or sold and/or where services are provided in conjunction with a business located within a building or structure on the same lot.

- d. "Hotel" means a *premises* that contains rooms with no private cooking facilities that are rented on a temporary basis to the public, and which may also contain a public dining area, meeting rooms and *accessory* banquet facilities.

8.13.2 Uses Permitted

- *Banks and Financial institutions;*
- *Business offices;*
- *Commercial fitness centres;*
- *Data processing and related facilities*
- *Dry Cleaning establishments;*
- *Hotels*
- *Medical offices;*
- *Personal service shops;*
- *Places of entertainment;*
- *Recreational establishments;*
- *Repair shops;*
- *Research and training centres*
- *Restaurants;*
- *Restaurants, fast food;*
- *Restaurants, take-out;*
- *Retail stores;*
- *Schools, commercial;*
- *Supermarkets;*
- *Warehouse and related distribution centre.*

8.13.3 Zone Standards

The following specific zone standards apply:

- a) Maximum HEIGHT of building or structure - 100 metres
- b) Minimum YARD adjoining a Street or highway – 3 metres
- c) Minimum LANDSCAPED OPEN SPACE abutting STREET LINES - 3 metres
- d) Maximum permitted projections:
Encroachments into the permitted yard setbacks shall be as follows:

| Structure | Maximum Permitted Projection |
|---|---|
| Eaves, cornices, ornamental or architectural elements, light fixtures, balustrades, mullions, window sills, and bay windows | Maximum projection of 0.3 metres into the required yard setback |
| Canopies and awnings | Maximum projection of 2.4 metres into the required yard setback |

8.13.4 Special Site Provisions

The following additional provisions apply:

- a) Maximum FLOOR AREA RATIO in Phases 1A, 1B and 2 - 105%
- b) Maximum GROSS FLOOR AREA of all permitted uses, excluding offices, in Phase 1A - 20,000m²
- c) Minimum GROSS FLOOR AREA of OFFICE SPACE in

Phase 1A - 7,500m²

- d) Maximum GROSS FLOOR AREA of all permitted uses, excluding offices, in Phases 1A and 1B - 60,820m²
- e) Minimum GROSS FLOOR AREA of OFFICE SPACE in Phases 1A and 1B - 22,497m²
- f) Minimum GROSS FLOOR AREA of HOTEL in Phase 2 – 11,055m²
- g) Minimum GROSS FLOOR AREA of OFFICE SPACE in Phases 1A, 1B and 2 – 52,302m²
- h) Maximum GROSS FLOOR AREA of RETAIL STORES shall not exceed 50% of all GROSS FLOOR AREA on the lot with the exception of Phases 1A and 1B
- i) GROSS FLOOR AREA of RETAIL STORES in Phase 2 – 0m²
- j) Maximum GROSS FLOOR AREA for an individual RETAIL STORE - 6,000m²
- k) For the purposes of this By-law, the lands shown on Schedule “A” shall be considered one lot.
- l) Notwithstanding 8.13.3c), the minimum required width of a LANDSCAPED OPEN SPACE strip between Steelcase Road West and onsite parking existing on the property on the date of passing of this By-law is 0.0 metres.
- m) Notwithstanding 8.13.3c), the minimum required width of a LANDSCAPED OPEN SPACE strip between Idema Road and onsite ramps or driveways existing on the property on the date of passing of this By-law is 0.0 metres.
- n) Notwithstanding the Hold (H) provisions established in this By-law, those uses existing on the property on the date of passing of this By-law shall continue to be permitted.
- o) *Outdoor storage* and *Outdoor display and sales* are not permitted.
- p) The establishment of a *drive-through service facility* associated with any use is not permitted.
- q) Nothing in this By-law shall be interpreted to prevent the construction of an underground *parking garage* for the purposes of *motor vehicle* parking on any portion of the lands identified on Schedule A to this By-law.”

2.0 Holding Provisions

- 2.1 For the purpose of this By-law, Hold One (H1), Hold Two (H2) and Hold Three (H3) zones are hereby established and are identified on Schedule “A” after the zoning symbol.
- 2.2 No person shall hereafter use, erect or alter any building or structure within each phase of development for the purposes permitted under this by-law, until an amendment to this by-law to remove the Hold (H) that applies to that phase has come into effect pursuant to the provisions of Section 36 of the Planning Act.
- 2.3 Underground parking garages are permitted to be constructed prior to the removal of the Hold (H) provisions.
- 2.4 Zoning By-law Amendments to remove the Hold One (H1), Hold Two (H2) and Hold Three (H3) symbols from the Zoning on 1 Steelcase Road West shall not be passed

until the following conditions have been met to the satisfaction of the City of Markham and York Region as applicable:

a) Conditions for Removing the Hold One (H1) Provision (Phase 1A):

- preparation of a Traffic Demand Management Plan by the developer, to the satisfaction of the City of Markham in consultation with the Region of York;
- preparation of a Water Analysis by the developer, to the satisfaction of the City of Markham;
- provision of documentation by the developer, that sanitary flows generated from the Phase 1A development do not exceed the pre-development flow rates, to the satisfaction of the City of Markham;
- approval of the Traffic Impact Study, to the satisfaction of the Director of Engineering in consultation with the Region of York and the City of Toronto;
- site plan approval, including a comprehensive block plan;
- execution of a site plan agreement between the City and the developer requiring, among other things, the following:

Provision of a minimum of 7,500m² of gross floor area for business offices and/or medical offices in Phase 1A, with such Site Plan Agreement requiring the issuance of a building permit for a minimum of 7,500m² of gross floor area for business offices and/or medical offices prior to, or concurrent with, the issuance of any building permit or other suitable evidence of occupancy, for retail gross floor area in Phase 1A.

Upon the lifting of the Hold One (H1) provision:

a maximum of 20,000m² of gross floor area devoted to all permitted uses, excluding offices, shall be permitted and a minimum of 7,500m² of gross floor area devoted to office uses shall be required.

b) Conditions for Removing the Hold Two (H2) Provision (Phase 1B):

- removal of the Hold One (H1) provision on the property;
- preparation of an updated Traffic Demand Management Plan by the developer, if required, to the satisfaction of the City of Markham in consultation with the Region of York;
- preparation of a Water Analysis by the developer, to the satisfaction of the City of Markham;
- provision of documentation by the developer, that sanitary flows generated from the Phase 1B development do not exceed the pre-development flow rates, to the satisfaction of the City of Markham;
- approval of the Traffic Impact Study, to the satisfaction of the Director of Engineering in consultation with the Region of York and the City of Toronto;
- site plan approval, including revisions to the comprehensive block plan, if required;

- execution of a site plan agreement between the City and the developer requiring, among other things, the following:

Provision of a minimum of 14,997m² of gross floor area for business offices and/or medical offices in Phase 1B, with such Site Plan Agreement requiring the issuance of a building permit for a minimum of 14,997m² of gross floor area for business offices and/or medical offices prior to, or concurrent with, the issuance of any building permit for retail gross floor area in Phase 1B.

Upon the lifting of the Hold Two (H2) provision:

a maximum of 60,820m² of gross floor area devoted to all permitted uses, excluding offices, shall be permitted and a minimum of 22,497m² of gross floor area devoted to office uses shall be required.

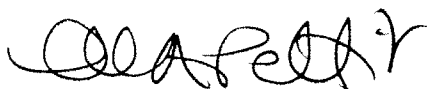
c) Conditions for Removing the Hold Three (H3) Provision (Phase 2):

- removal of the Hold Two (H2) provision on the property;
- preparation of an updated Transportation Impact Study by the developer documenting traffic impacts and associated infrastructure improvement requirements, to the satisfaction of the City of Markham in consultation with the Region of York and City of Toronto;
- preparation of a traffic study by the developer examining the potential of a partial interchange from Highway 404 to the satisfaction of the City of Markham in consultation with the Region of York and City of Toronto;
- completion of required downstream sanitary sewer improvements, to the satisfaction of the City of Markham;
- the developer's payment of its proportionate share of all downstream infrastructure improvements;
- site plan approval and execution of a site plan agreement amendment

Upon the lifting of the Hold Three (H3) provision, full build out of the property shall be permitted.

3.0 All other provisions of By-law 108-81, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

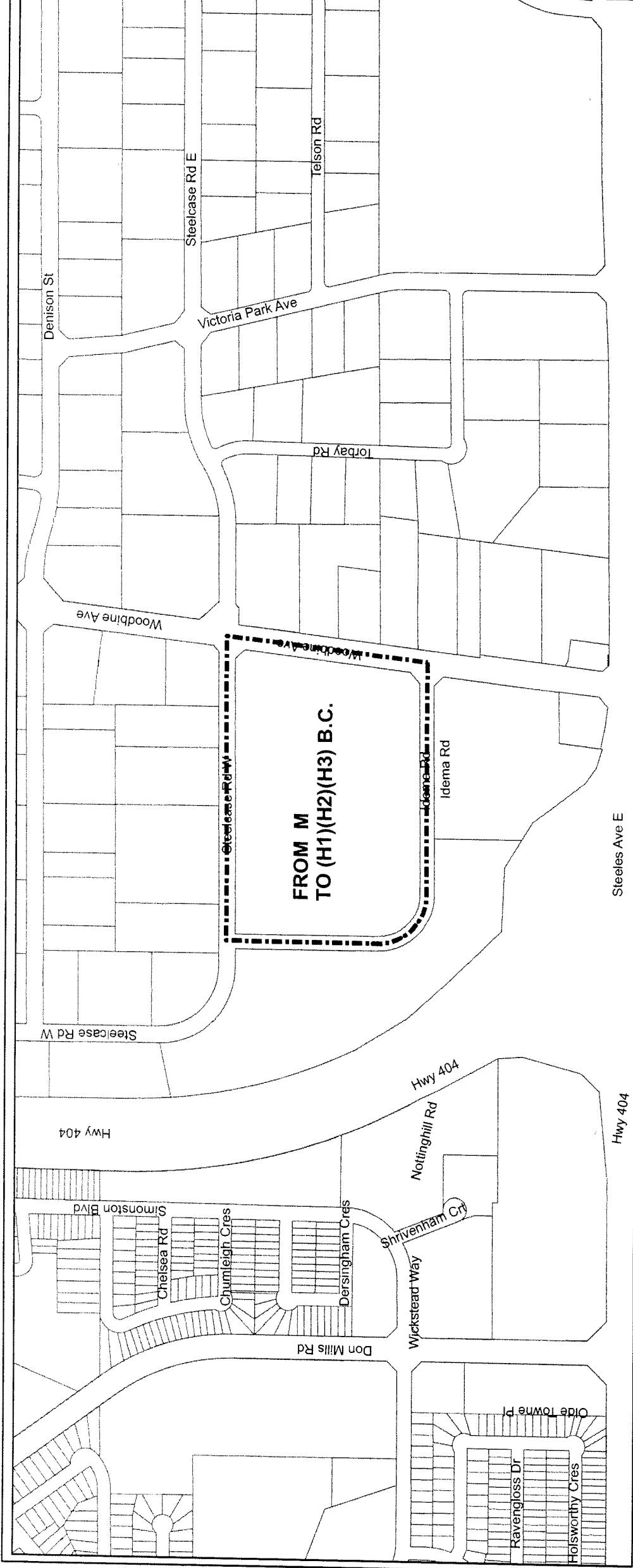
READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
16TH DAY OF APRIL, 2013.



MARTHA PETTIT
ACTING CITY CLERK



FRANK SCARPITTI
MAYOR



BY-LAW SCHEDULE 'A' TO AMEND BY-LAW 108-81



BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE



SELECT INDUSTRIAL



BUSINESS CORRIDOR



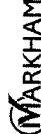
HOLDING PROVISION ONE



HOLDING PROVISION TWO



HOLDING PROVISION THREE



DEVELOPMENT SERVICES COMMISSION

BY-LAW AMENDMENT No. 2013-45 PASSED APRIL 16, 2013

Paul Scapitto

(MAYOR)

Debra Bell

(CLERK)



Drawn By: CPW

Checked By: GS

DATE: 03/01/2013

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