

## **EXPLANATORY NOTE**

### **BY-LAW 2012-138**

#### **A By-law to amend By-law 165-80**

King Square Ltd.  
9390 Woodbine Avenue

#### **LANDS AFFECTED**

The by-law applies to lands located on the north west corner of Markland Street and Woodbine Avenue in the Woodbine North Community.

#### **EXISTING ZONING**

The lands subject to this By-law are presently zoned Select Industrial and Limited Commercial (170%) (H) [M.C. (170%) (H)]

#### **PURPOSE AND EFFECT OF THE BY-LAW**

The purpose and effect of this By-law is to remove, from the eastern portion of the lands, an additional portion of the H provision currently appended to the zoning, to permit the Phase 1 development, consisting of high density, mixed use retail, restaurant, convention centre and office uses. A By-law to remove the H provision over a portion of the lot, to permit the Phase 1 development, was enacted in December 2011. The purpose of this By-law is to refine the boundary of the remaining H provision appended to the zoning, to more accurately reflect the configuration of the future Phase 2 development.

The following conditions must be met prior to removal of the H provision:

- i. Submission of municipal servicing and transportation impact studies to the satisfaction of the Director of Engineering in consultation with York Region;
- ii. Execution of a site plan agreement between the Town and the owner;
- iii. Submission to the satisfaction of the director of Engineering in consultation with York Region, of either:
  - o A detailed phasing plan for the proposed development, supported by a transportation impact study, identifying the amount of development that can be supported by existing transportation infrastructure, plus a detailed strategy for delivering the additional transportation infrastructure required for full build-out of development; or;
  - o A detailed strategy for delivering the additional transportation infrastructure required to support full build-out of the development in a single phase;
- iv. Execution of one or more Development Agreements between the Town, the Owner, and where applicable, York Region, relating to the construction, financing and implementation of required off-site servicing and transportation infrastructure improvements, and including financial securities to the satisfaction of the Town.

The owner has submitted municipal servicing and transportation studies in support of the Phase 1 development. The site plan has been endorsed and the agreement will be executed prior to site plan approval. The applicant has submitted a phasing plan and has demonstrated that the proposed Phase 1 development can be supported by existing transportation infrastructure. Development Agreement(s) relating to the construction and implementation of off-site servicing and transportation improvements are not required to implement the Phase 1 development.

The effect of the By-law will be to permit the Phase 1 development totalling 31,900 m<sup>2</sup> of gross floor area, consisting of 21,633 m<sup>2</sup> of retail and restaurant uses; 5,700 m<sup>2</sup> of office; 2,321 m<sup>2</sup> of convention centre; 929 m<sup>2</sup> private club; and 1,317 m<sup>2</sup> of below-ground storage and maintenance space, in a new three-storey building fronting Markland Street and Woodbine Avenue.



## BY-LAW 2012-138

*A by-law to amend By-law 165-80, as amended, to remove  
the (H) holding provision from a portion of Blocks 1 and 2 Plan 65M-3925*

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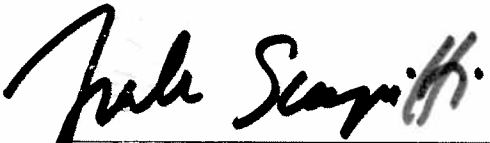
THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM  
HEREBY ENACTS AS FOLLOWS:

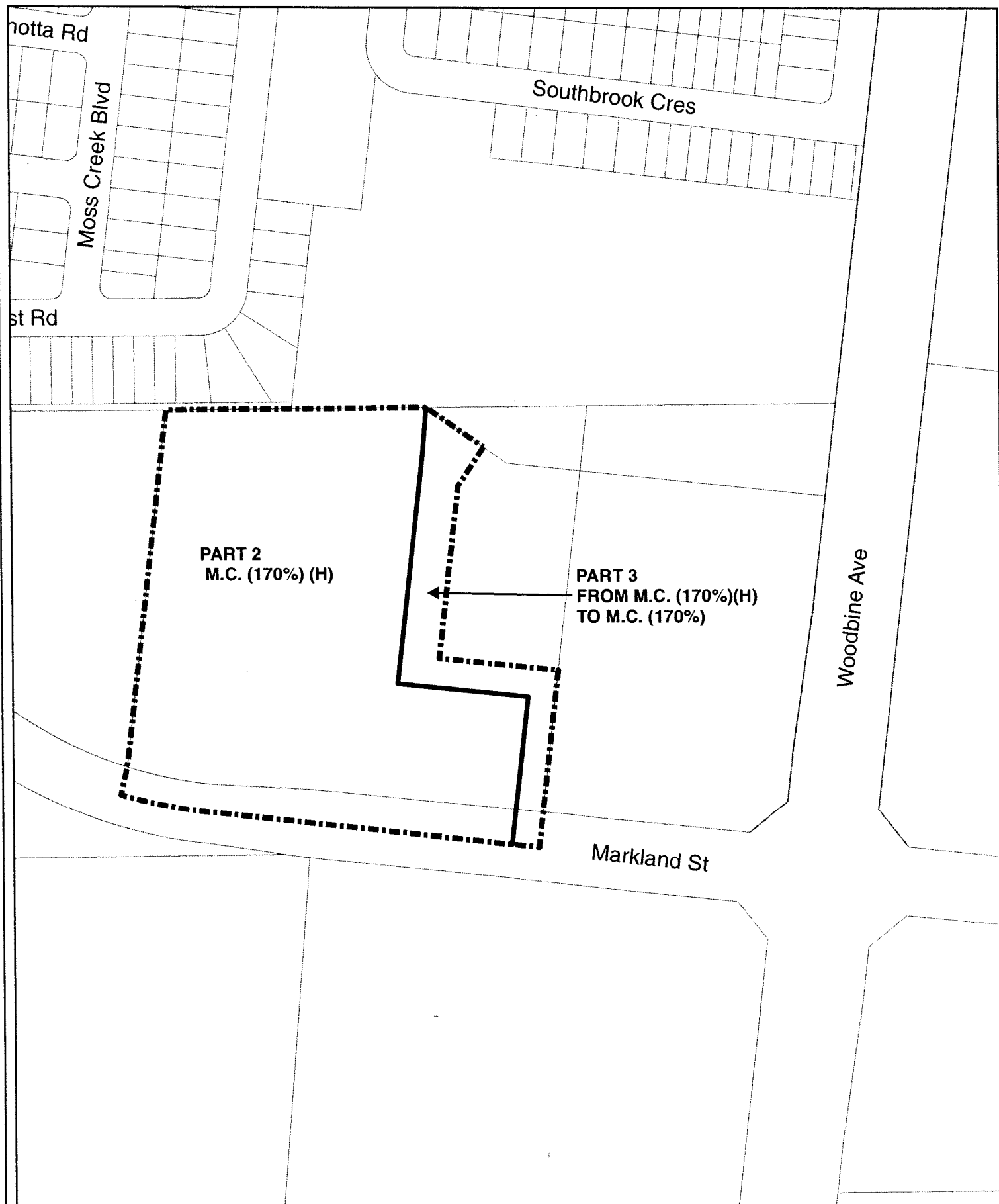
1. That By-law 165-80, as amended, is hereby further amended as follows:
  - 1.1 By rezoning only the lands shown as Part 3 on Schedule 'A' attached hereto, as follows:

From Select Industrial And Limited Commercial (170%) (H) [M.C. (170%) (H).  
To Select Industrial And Limited Commercial (170%) [M.C.] (170%)
  - 1.2 The lands shown as Part 2 on Schedule 'A' attached hereto remain subject to the provisions of the H symbol set out in By-law 2009-116, as amended.
2. All other provisions of By-law 165-80, 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  
12<sup>TH</sup> DAY OF JUNE, 2012.

  
KIMBERLEY KITTERINGHAM  
TOWN CLERK

  
FRANK SCARPITTI  
MAYOR



## BY-LAW SCHEDULE "A " TO AMEND BY-LAW 165-80



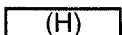
BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE



BOUNDARY OF ZONE DESIGNATION(S)



SELECT INDUSTRIAL WITH LIMITED COMMERCIAL



HOLDING PROVISION

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BY-LAW AMENDMENT No. 2012-138 PASSED JUNE 12, 2012

*John S. Smith*

(MAYOR)

*[Signature]*

(CLERK)



DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: RB

DATE: 06/08/2012

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