

ISSUE DATE:

July 21, 2010



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

RECEIVED

JUL 22 2010

TOWN OF MARKHAM  
CLERKS DEPT. PL090728

copy: Legal  
Scott Heasley  
Jim Baird  
Lucy

Times Group Inc. has appealed to the Ontario Municipal Board under subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from the failure of the Town of Markham to make a decision respecting a proposed plan of subdivision on a 35.74 hectare (88.31 acres) parcel land composed of Part of Lot 10, Concession 5, in the Town of Markham and geographically located south of Highway 7 and east of Warden Avenue to permit the development consisting of a broad range of higher density residential, commercial, employment and supporting uses to include 8.02 hectares (19.8 acres) of parkland, 8.11 hectares (20.04 acres) of valleyland, 4.41 hectares (10.9 acres) of roads, 15.2 hectares (37.6 acres) of developable land accommodating a series of residential buildings ranging from 6 to 20 storeys consisting of approximately 4,777 residential units, a 14-storey office building to contain 23,225 metres (250,000 square feet), 11,148 square metres (120,000 square feet) of retail and other commercial uses, a 0.87 hectare (2.1 acre) public elementary school site and a 0.6 hectare (1.48 acre) place of worship site

Town of Markham File No. SU 07 133313

O.M.B. Case No. PL090728

O.M.B. File No. PL090729

BEFORE:

D.R. GRANGER  
VICE-CHAIR

) Wednesday, the 21<sup>st</sup> day of  
)  
) July, 2010

**THIS MATTER** having come on for public hearing and the Ontario Municipal Board (the "Board"), in accordance with its Decision issued on May 19, 2010, having withheld its Order until this day pending notification that pre-conditions 5.3 and 34.1, as set out in Exhibit No. 8, have been cleared respectively by the Town of Markham and the Regional Municipality of York;

**THE BOARD ORDERS** that the appeal with respect to the Draft Plan of Subdivision is allowed and the draft plan presented as Exhibit No. 7, prepared by Malone Given Parsons Ltd., revised May 12, 2010, for Part of Lot 10, Concession 5, former Township

of Markham, is approved subject to the fulfillment of the conditions as number corrected between Times Group Inc. and the Town of Markham and submitted to the Board in replacement of Exhibit No. 8;

**AND THE BOARD ORDERS** that pursuant to subsection 51(56.1) of the *Planning Act*, the Town of Markham shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of subdivision for the purposes of subsection 51(58) of the *Act*. In the event that there are any difficulties implementing any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Board may be spoken to.

A handwritten signature in black ink, appearing to read 'Pelkewitz', is written over a faint, rectangular, textured background.

SECRETARY

ISSUE DATE:

May 19, 2010



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

RECEIVED

MAY 20 2010

TOWN OF MARKHAM  
CLERKS DEPT.

PL090728

copy: Legal  
Scott Heaslip  
Jim Baird  
Lucy

Times Group Inc. has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 304-87, as amended, of the Town of Markham to rezone a 35.74 hectare (88.31 acres) parcel of land located south of Highway 7 and east of Warden Avenue from "Agricultural One" and "Open Space One" to be zoned under the Markham Centre Zoning By-law 2004-196 to permit the development consisting of a broad range of higher density residential, commercial, employment and supporting uses to include 8.02 hectares (19.8 acres) of parkland, 8.11 hectares (20.04 acres) of valleyland, 4.41 hectares (10.9 acres) of roads, 15.2 hectares (37.6 acres) of developable land accommodating a series of residential buildings ranging from 6 to 20 storeys consisting of approximately 4,777 residential units, a 14-storey office building to contain 23,225 metres (250,000 square feet), 11,148 square metres (120,000 square feet) of retail and other commercial uses, a 0.87 hectare (2.1 acre) public elementary school site and a 0.6 hectare (1.48 acre) place of worship site  
Town of Markham File No. ZA 07 133350

O.M.B. Case No. PL090728

O.M.B. File No. PL090728

Times Group Inc. has appealed to the Ontario Municipal Board under subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from the failure of the Town of Markham to make a decision respecting a proposed plan of subdivision on a 35.74 hectare (88.31 acres) parcel land composed of Part of Lot 10, Concession 5, in the Town of Markham and geographically located south of Highway 7 and east of Warden Avenue to permit the development consisting of a broad range of higher density residential, commercial, employment and supporting uses to include 8.02 hectares (19.8 acres) of parkland, 8.11 hectares (20.04 acres) of valleyland, 4.41 hectares (10.9 acres) of roads, 15.2 hectares (37.6 acres) of developable land accommodating a series of residential buildings ranging from 6 to 20 storeys consisting of approximately 4,777 residential units, a 14-storey office building to contain 23,225 metres (250,000 square feet), 11,148 square metres (120,000 square feet) of retail and other commercial uses, a 0.87 hectare (2.1 acre) public elementary school site and a 0.6 hectare (1.48 acre) place of worship site

Town of Markham File No. SU 07 133313

O.M.B. Case No. PL090728

O.M.B. File No. PL090729

RECEIVED

MAY 20 2010

TOWN OF MARKHAM  
CLERKS DEPT.

## APPEARANCES:

### Parties

Times Group Inc.

Aryeh Construction Ltd.

### Counsel\*/Agent

I. Kagan\*

L. Townsend\*

Town of Markham	C. Lyons* and I. Andres*
Region of York	R. Miller* and B. Montgomery*
Toronto and Region Conservation Authority	Q. Hanchard
York Region District School Board	J. Peake
Sheridan Nurseries Limited	S. Rogers*
Ruland Properties Inc.	B. Horosko* and C. Facciolo*
Unionville Ratepayers Association	H. Eaglesham and P. Miasek
Markham Centre Landowners Group Inc.	S. Snider*

**DECISION DELIVERED BY D. R. GRANGER AND PARTIAL AND  
CONTINGENT ORDER OF THE BOARD**

This is the hearing of the appeals by Times Group Inc. (Times) from the refusal of the Council of the Town of Markham (Town) to enact a proposed amendment to By-law 304-87, as amended by By-law 2004-196, (By-law) and from the Town's failure to make a decision respecting a proposed plan of subdivision to permit a higher density mixed residential and commercial office/retail development, that includes new roads, an elementary school, a place of worship, park lands and valley lands (Times Proposal) on a 35.74-hectare site at the southeast intersection of Warden Avenue and Highway No. 7 (Times Property).

At the commencement of the hearing, the Board was informed of a settlement of the dispute between Times, the Town and the Region of York (Region) subject to agreed conditions of Draft Plan of Subdivision Approval from the Town, Region, Toronto and Region Conservation Authority and the York Region District School Board.

J. Kirk, on behalf of Times, presented expert land use planning evidence and opinion in support of the settled Proposal including a revised By-law Amendment and Proposed Plan of Subdivision. He confirmed his opinion that the required planning instruments were consistent with the Provincial Policy Statement (PPS) and conformed

to the Growth Plan for the Greater Golden Horseshoe (GP), Region of York Official Plan (ROP), Town Official Plan (OP) and the Markham Centre Secondary Plan, including the implementing of all eleven principles set out in OP Amendment No. 21 (OPA 21) for the Markham Centre area.

Area resident C. Bergauer-Free presented her concerns regarding the Proposal including availability of water, maintenance of sanitary sewers, pollution of the natural Rouge River valley system, air pollution, adequacy of public transit, availability of adequate parking, wind, shadow and television signal transmission effects from tall buildings, noise and light pollution, adequacy of emergency services and adequacy of recreational and library services.

In reply to the concerns outlined by Ms Bergauer-Free, D. Richardson provided expert transportation engineering evidence and opinion, S. Schaefer provided expert civil engineering evidence and opinion and J. Kirk provided additional expert land use planning evidence and opinion all in support of the Proposal. They confirmed that no public agencies responsible for the areas of concern set out by Ms Bergauer-Free objected to the Proposal as now proposed and now subject to the conditions as agreed between the Parties.

The Parties then requested the Board stand down to allow the completion of the final form of the By-law Amendment, Draft plan of Subdivision (including resolutions related to the abutting Aryeh property) and Conditions of Draft Plan Approval. The Board agreed.

Upon reconvening, the Board was presented with a final form of the By-law Amendment as Exhibit No. 9, the final form of the Proposed Draft Plan of Subdivision as Exhibit No. 7 (Subdivision) and final Conditions of Draft Plan Approval (Conditions) as Exhibit No. 8.

The land use planner for the applicant confirmed the Subdivision being in full compliance with the criteria set out in subsection 51(24) of the *Planning Act* that the Conditions were reasonable and relevant pursuant to subsection 51(25) of the *Planning Act* and that the By-law Amendment conforms to the in-force and applicable Town OP. He confirmed his opinion that the final required planning instruments were consistent with the Provincial Policy Statement (PPS) and conformed to the Growth Plan for the

Greater Golden Horseshoe (GP), Region of York Official Plan (ROP), Town Official Plan (OP) and the Markham Centre Secondary Plan, including the implementing of all eleven principles set out in OP Amendment No. 21 (OPA 21) for the Markham Centre area.

The Board was informed of one outstanding issue requiring adjudication.

The Applicant seeks a maximum parking requirement in the By-law Amendment for apartment dwellings and multiple dwellings of 1.1 parking spaces per dwelling unit plus 0.1 parking spaces per dwelling unit for visitors.

The Town seeks to uphold the existing Markham Centre By-law requirement of 1 parking space per dwelling unit plus 0.2 parking spaces per dwelling unit for visitors.

Save this parking issue, the Board adopts and relies upon the evidence and opinion of the land use planner for the Applicant that was not contradicted. The revised proposal represents the implementation of the Council approved Precinct Plan for this area of Markham Centre. The revised Proposal results from an extensive open, public planning approval process fully endorsed by the Town Council. All commenting agencies, including the School Board and Conservation Authority, are now supporting the revised Proposal. All abutting property owners have also expressed satisfaction with the revised Proposal.

With respect to the issues raised by Ms Bergauer-Free, the Board is satisfied that the public interest has been well represented by the Town, Region, Conservation Authority and School Board with no other government agencies registering similar concern. There has been no evidence presented to contradict that of the experts in attendance.

With respect to the parking issue, the Board heard further transportation engineering/planning evidence and opinion from D. Richardson, on behalf of the Applicant, and transportation engineering/planning evidence and opinion from B. Hollingworth, on behalf of the Town. Both were well-qualified and had extensive experience relevant to the issue at hand.

Having considered the parking evidence and opinions presented, including the able submissions of both Counsel, the Board finds that the parking requirements should

not deviate from those set out in the existing Town requirements at this time. The standards should remain as set out in the proposed By-law Amendment presented as Exhibit No. 9.

There was no dispute of the long-term trend towards the reduction of parking requirements in urban areas planned for higher-density development that is well-served by public transit. Markham Centre, that includes the Subject Property, meets that requirement.

Times has, to its credit, relied on its experience with another of its buildings in the Markham Centre area to justify the change in acknowledgment of the demands of its buying public. It posits that owners may wish to own more than one vehicle, especially multi-bedroom unit owners, and that fact does not necessarily equate to any increase in automobile use or peak hour traffic as at its existing building that enjoys a parking standard of 1.1 parking spaces per unit plus .15 spaces per unit for visitors. The transportation engineer/planner for the applicant was forthright in his admission that to fully understand automobile use in the existing building would require more extensive detailed study above the simple parking survey undertaken to date.

The Town, on the other hand, relies on the undisputed fact that parking requirements are trending down. In its opinion, to increase parking space ownership in high-density areas flies in the face of discouraging automobile use. The present Town standard has been in place since 2004. The Town anticipates addressing updated parking standards resulting from a comprehensive review later this year. The Town did have to acknowledge that By-law variances in the Markham Centre area have been granted, as late as the year 2007, that permit standards similar to those now requested by the Applicant. There was no evidence of any of these decisions being appealed to the Board.

In the circumstances of this case, the Board finds that the standard to be set for one of the largest remaining blocks of the Markham Centre area should not provide for any increase in owner parking spaces than presently exists. The Board acknowledges that further detailed and comprehensive studies may further refine specific parking requirements and this decision is not intended to prejudice the ability to consider site-specific variances subject to a more comprehensive and detailed analysis.

Counsel for the Applicant characterized this as a friendly dispute with both Parties wanting to do the right thing. The Board finds that the broader good, in this case, is served by not increasing the number of owner parking spaces in this high-density core urban area that is well-served by existing transit and committed to have further improved rapid transit in the not-too-distant future. This is a GP identified urban growth centre with the highest proposed density in the Region. Support for major transit infrastructure must be planned for and accommodated.

Save this issue, the Board must acknowledge the outstanding efforts of all of the Parties in resolving the land use planning for one of the most important urban development areas in the Town of Markham and Region of York. This was no small task and involved the cooperation and hard work of a myriad of public agencies, private land owners and area residents and businesses. Well done.

In conclusion, the appeals by Times are allowed.

The Board Orders that the By-law is amended in the manner as set out in Exhibit No. 9. The Board authorizes the Town Clerk to assign a number to this By-law Amendment for record keeping purposes.

The Draft Plan of Subdivision presented as Exhibit No. 7, prepared by Malone Given Parsons Ltd., revised May 12, 2010, for Part of Lot 10 Concession 5, former Township of Markham, is approved subject to the fulfillment of the conditions as number corrected between the Applicant and Town and submitted to the Board in replacement of Exhibit No. 8. The Board will withhold its Order in that regard pending notification that pre-conditions 5.3 and 34.1 (as set out in Exhibit No. 8 and as may be number corrected between the Applicant and Town) have been cleared to the satisfaction of the Town within 30 days of the issuing of this decision. The Board may be spoken to should difficulties arise in that regard.

Upon the issuing of the Board's final Order regarding the Draft Plan of Subdivision, the Board Orders that pursuant to subsection 51(56.1) of the *Planning Act*, the Town of Markham will have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of subdivision for the purposes of subsection 51(58) of the *Act*. In the event that there are any difficulties implementing



any of the conditions of draft plan approval, or if any changes are required to be made to the draft plan, the Board may be spoken to.

The Board so Orders.

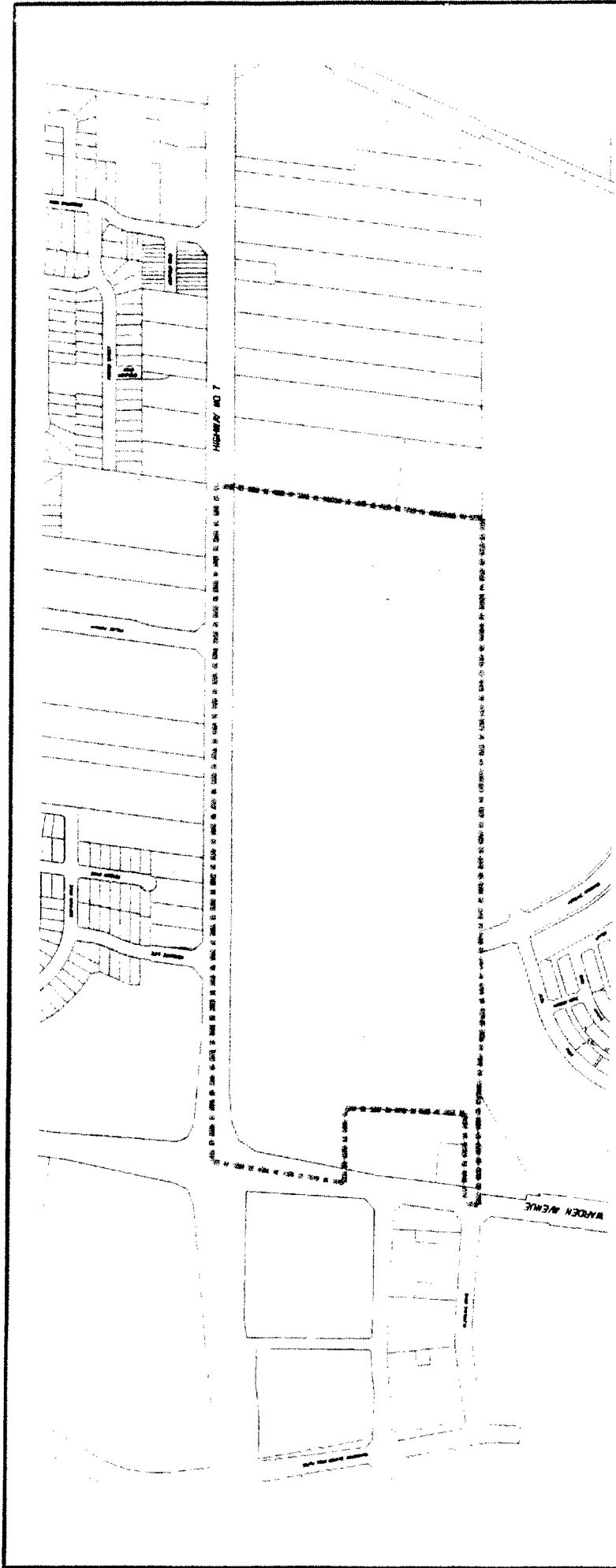
"D. R. Granger"

D. R. GRANGER  
VICE CHAIR

A By-law to amend By-law 304-87, as amended,

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

1. By-law 304-87, as amended, is hereby further amended by deleting the lands identified as Part of Lot 10, Concession 5 as shown on Schedule 'A' attached hereto from the designated area of By-law 304-87, as amended.
2. This By-law shall not come into effect until By-law 2010-XXXX amending By-law 2004-196, as amended, comes into effect, and the lands as shown on Schedule 'A' attached hereto, are incorporated into the designated area of By-law 2004-196, as amended.
3. All other provisions of By-law 304-87, as amended, not inconsistent with the provisions of this By-law shall continue to apply.



DEVELOPMENT SERVICES COMMISSION

# A BY-LAW TO AMEND BY-LAW

304-87

THIS IS SCHEDULE 'A' TO BY-LAW  
PASSED THIS ..... DAY .....

..... MAYOR

..... CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW

NOTE: 1) DIMENSIONS ARE IN METRES  
2) REFERENCE SHOULD BE MADE TO  
THE ORIGINAL BY-LAW LODGED IN  
THE OFFICE OF THE CLERK

SCALE 1:

A by-law to amend the Markham Centre  
Zoning By-law 2004-196, as amended

---

THE COUNCIL OF THE CORPORATION OF THE TOWN 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 those lands comprising Part of Lot 10, Concession 5, as more particularly outlined on Schedule 'A' hereto.

1.2 By zoning the lands:

Markham Centre Downtown Two \*11 (Hold 1 Hold 2)  
- MC-D2\*11 (H1 H2)  
Markham Centre Downtown Two \*11\*14 (Hold 1 Hold 2)  
- MC-D1\*11\*14 (H1 H2)  
Markham Centre Downtown Five \*12 - MC-D5\*12  
Markham Centre Public Space One - MC-PS1  
Markham Centre Public Space One \*13 - MC-PS1\*13  
Markham Centre Public Space Two - MC-PS2

as shown on Schedule 'F1' attached hereto.

1.3 By amending Section 1.2 of By-law 2004-196, as amended, by deleting the words "Schedules A1 to A4, B1 to B4, C1 to C4, D1 to D4 and E1 to E4" and replacing them with the words "Schedules A1 to A4, B1 to B4, C1 to C4, D1 to D4, E1 to E4 and F1 to F4."

1.4 By amending Section 2.2 of By-law 2004-196, as amended, by replacing the words "Schedules A1, B1, C1, D1 and E1" and replacing them with the words "Schedules A1, B1, C1, D1, E1 and F1."

1.5 By amending Sections 2.6, 2.6.1 and 2.6.2 of By-law 2004-196, as amended, by replacing all references to "Schedules X1, X2, X3 and X4" with "Schedules X1, X2, X3, X4 and X5."

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

**6.11 Special Provisions – Lands south side of Highway 7, east of Warden Avenue.**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*11 (Exception 11) 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.

**6.11.1 Special Uses Provisions**

The following special use provisions shall apply:

a) The following additional uses are permitted:

- *Schools, Public*
- *Home occupations* within the first and second

*storeys of apartment buildings.*

#### 6.11.2 Special Site Provisions

The following additional provisions apply:

- a) *Dwelling units* are permitted on any *storey*, including the first *storey*, of an *apartment building*, except in the area shown in hatching on Schedule F2. Notwithstanding this provision, lobbies and other areas used to access residential uses are permitted within the first *storey* of *buildings* in the area shown in hatching on schedule F2.
- b) Special Provision (2) to Table A1 shall not apply.
- c) The minimum height of the first *storey* shall be 3.6 metres, with that height being measured from the floor of the first *storey* to the floor of the *storey* above.
- d) 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.
- e) Awnings are permitted to extend to any *streetline* or *lot line*.
- f) Notwithstanding the provisions of Section 4.6 of By-law 2004-196, a *building* or *structure* may be erected on a *lot* or parcel that fronts on and is accessed by a *private street* within a Plan of Condominium that either provides direct access to a *public street* or which connects with other *private streets* within a Plan of Condominium or other Plans of Condominium to access a *public street*.

#### 6.11.3 Special Parking Provisions

The following special parking provisions 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 0.2 *parking spaces* per *dwelling unit* for visitors. The provision of additional *parking spaces* is not permitted. A maximum of 5% of the *parking spaces* required may be located in a *surface parking area*.
- b) A *premises* that includes both a residential and commercial *uses* shall provide parking at the residential rate only provided that the

commercial component does not exceed 50% of the *floor area* of the *premises*.

#### 6.11.4 Special Holding Provision

The following special holding provision shall apply:

- a) Holding provision H1 shall only be lifted when the applicable criteria outlined in Section 2.6.1 and the following provisions have been met:
  - A developers group agreement or other cost sharing arrangement for community infrastructure and facilities has been entered into to the satisfaction of the Town's Commissioner of Development Services and the Town Solicitor.
  - Execution of a Section 37 Agreement between the Town and the Owner regarding a contribution by the Owner in the amount of \$6,000,000 pursuant to Section 37 of the Planning Act and in accordance with the Town's Official Plan policies regarding Section 37 contributions, to the satisfaction of the Town.

- 1.7 By adding the following new subsection to **Section 6 – Exceptions** to By-law 2004-196:

#### 6.12 School site south of Highway 7 and east of Warden Avenue

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*12 (Exception 12) 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.

##### 6.12.1 Special Site Provision

- a) Only the following uses are permitted:
  - *Schools, Public*
  - *Parks*
  - *Day Nurseries*
- b) Section 4.14.8 shall not apply.
- c) Special Provision (2) to Table A1 shall not apply.

- 1.8 By adding the following new subsection to **Section 6 – Exceptions** to By-law 2004-196:

#### 6.13 Public parks south of Highway 7, east of Warden Avenue.

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*13 (Exception 13) 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.

#### 6.13.1 Special Site Provision

- a) The following additional use is permitted:

*Parking garages* constructed completely below the *established grade*, including associated ventilation shafts and housing and similar facilities associated with below grade *parking garages*.

- 1.9 By adding the following new subsection 6.14 (\*14) to Section 6 – Exceptions:

#### **6.14 Special provisions – interim commercial development southeast of Highway 7 and Birchmount Road**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*14 (Exception 14) 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.

##### 6.14.1 Additional Permitted Use

- a) The following additional use is permitted:

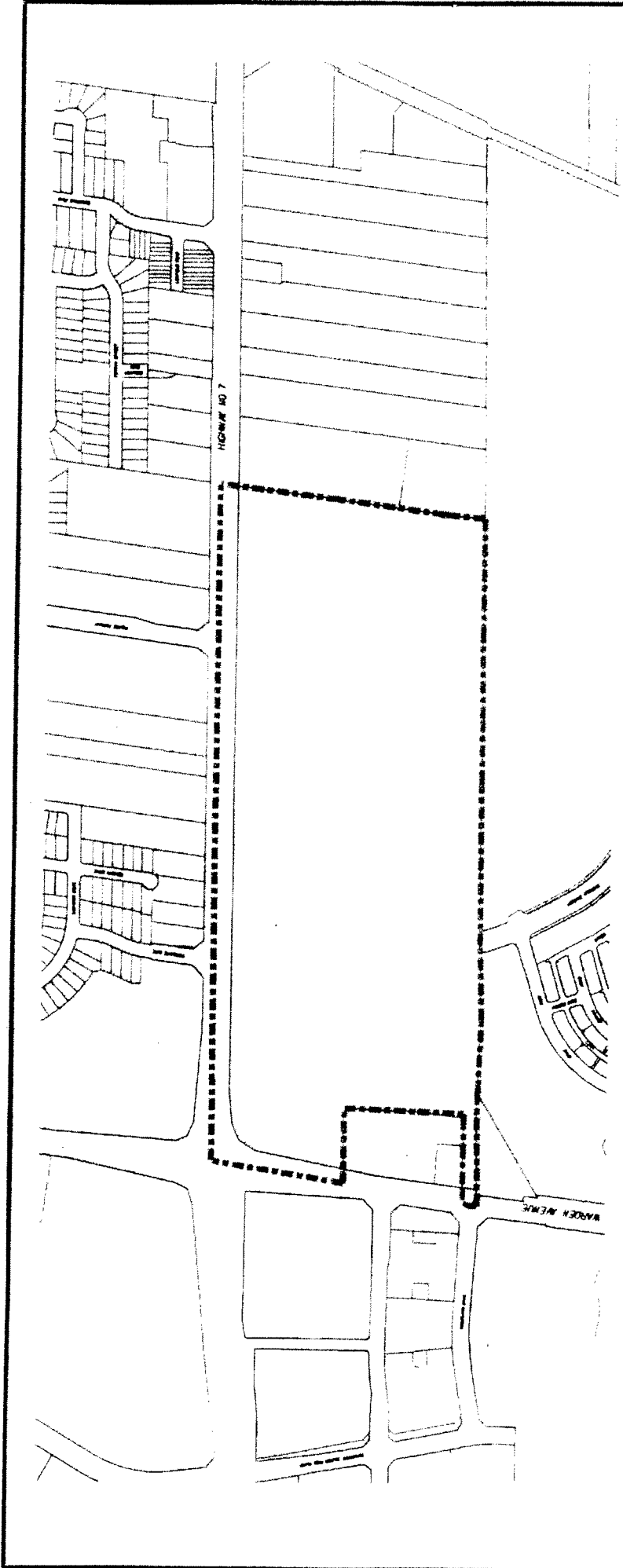
One (1) *supermarket* with a maximum permitted net floor area of 4000 square metres.

##### 6.14.2 Special Use Provision

- a) Special Provision (2) to Table A1 shall not apply.
- b) The minimum *net floor area* of any *building* identified on Schedule F2 as being subject to this sub-section shall be 1670 square metres.
- c) Notwithstanding the provisions of Section 4.14.1 and 4.14.2 of By-law 2004-196, there is no limit on the number of *parking spaces* to be established, provided the minimum parking requirements for non-residential uses are met. In addition, there is no restriction on the location of *parking spaces* for non-residential uses.
- d) Section 4.14.8 shall not apply.

- 1.10 By adding the following schedules to By-law 2004-196, as amended Schedule F1, F2, F3, F4 and X5.

2. All other provisions of By-law 2004-196, as amended, not inconsistent with the provisions of this by-law shall continue to apply.



DEVELOPMENT SERVICES COMMISSION


# A BY-LAW TO AMEND BY-LAW

2004-196

THIS IS SCHEDULE 'A' TO BY-LAW  
PASSED THIS ..... DAY .....

MAYOR

CLERK

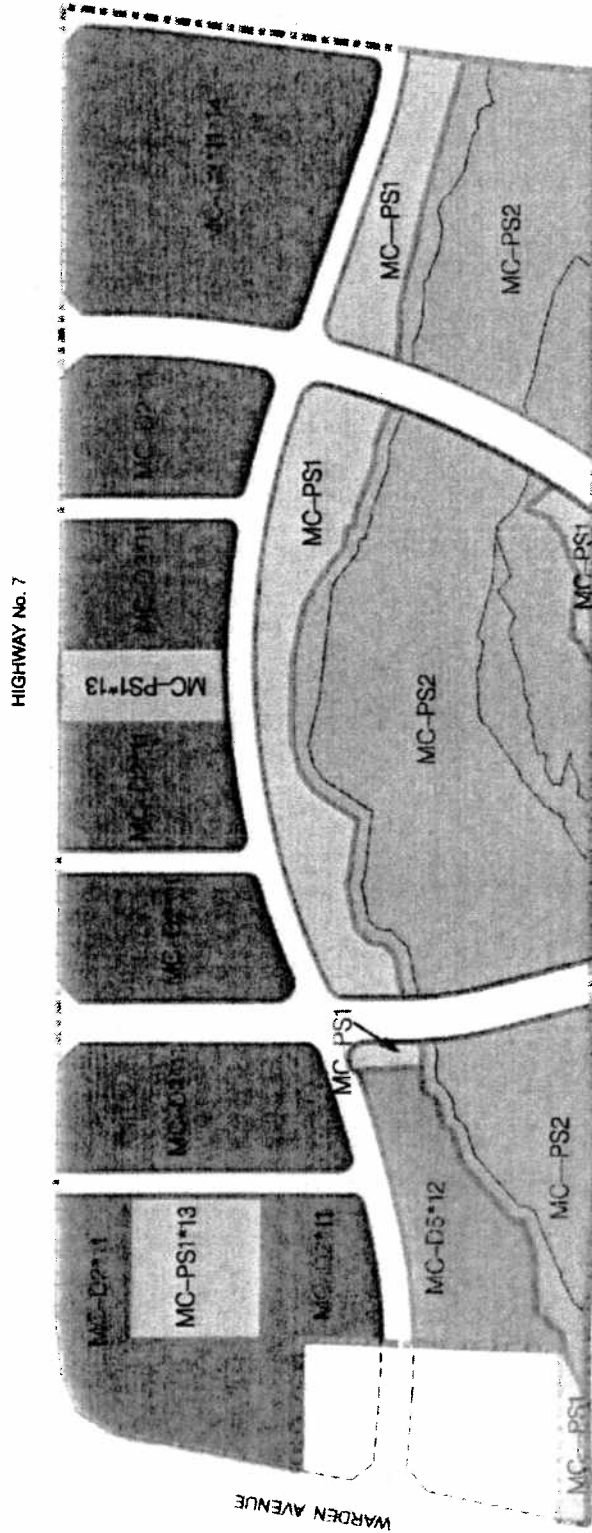
 BOUNDARY OF AREA COVERED BY THIS BY-LAW

NOTE. 1) DIMENSIONS ARE IN METRES  
2) REFERENCE SHOULD BE MADE TO  
THE ORIGINAL BY-LAW LODGED IN  
THE OFFICE OF THE CLERK

SCALE 1:



# Schedule F1 Location of Zones



## A BY-LAW TO AMEND BY-LAW 2004-196

MARKHAM DEVELOPMENT SERVICES COMMISSION

THIS IS SCHEDULE 'F1' TO BY-LAW

PASSED

MAYOR

CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW

ZONE BOUNDARY

MC-D2 ZONE

MC-D5 ZONE

MC-PS2

MC-PS1

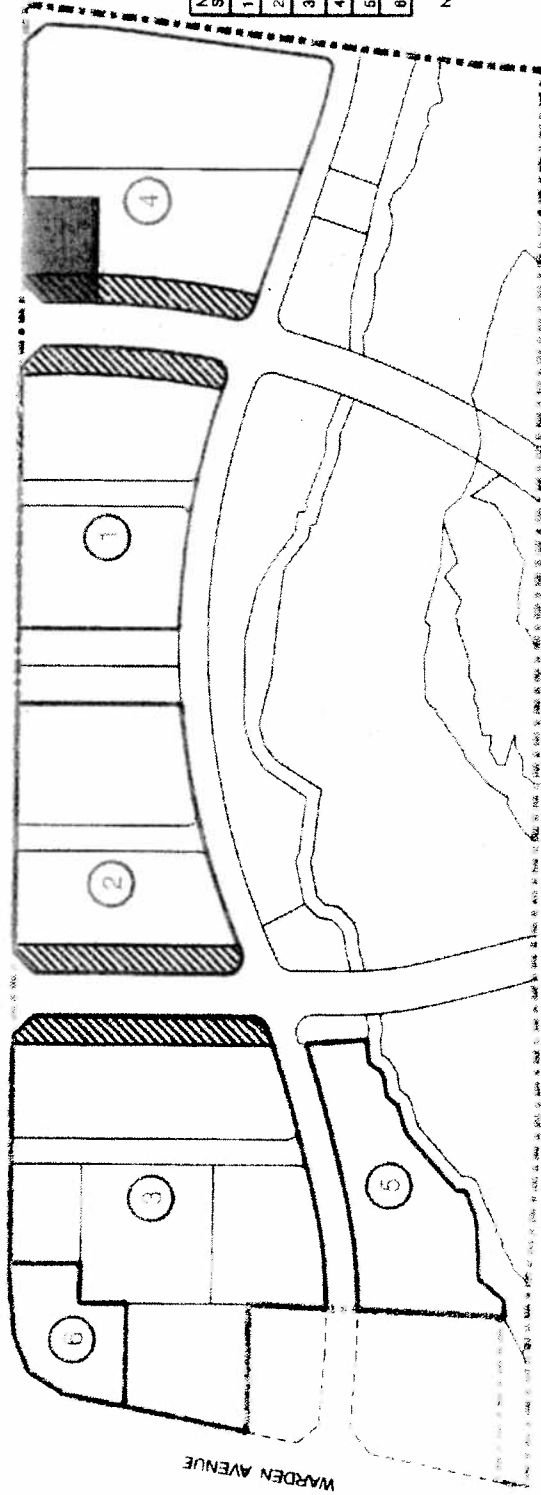
REFER TO SECTION 6 OF THE BY-LAW

NOTE: REFERENCE SHOULD BE MADE TO THE ORIGINAL BY-LAW LODGED IN THE OFFICE OF THE CLERK



# Schedule F2 Permitted net floor area & dwelling units.

HIGHWAY No. 7



Number on Schedule F2	Maximum Net Floor Area (M2)	Maximum Number of Dwelling Units
1	non-residential 2000	1150
2	non-residential 2200	1300
3	non-residential 4500	2400
4	non-residential 12000	500
5	n/a	0
6	non-residential 50000	0

Note: The maximum number of dwelling units in areas 1, 2, 3 and 4 combined shall be 4500



DEVELOPMENT SERVICES COMMISSION

## A BY-LAW TO AMEND BY-LAW 2004-196

THIS IS SCHEDULE 'F2' TO BY-LAW

PASSED

MAYOR

CLERK

DATE: 12/05/2010

BOUNDARY OF AREA COVERED BY THIS BY-LAW



REFER TO SECTION 6.11.2(a) OF THE BY-LAW



REFER TO SECTION 6.14.2(a) OF THE BY-LAW

NOTE: REFERENCE SHOULD BE MADE TO  
THE ORIGINAL BY-LAW LODGED IN  
THE OFFICE OF THE CLERK



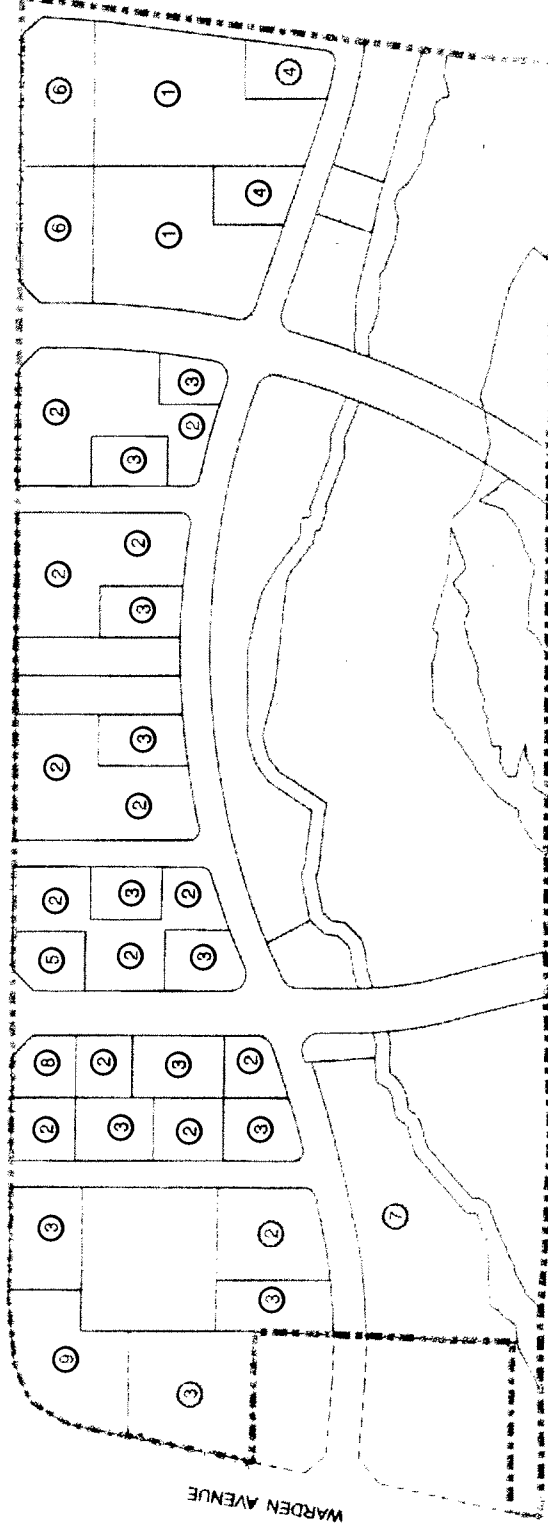
ZA07133350SCH'F2'.dgn 12/05/2010 11:11:46 AM

# Schedule F3 Minimum & Maximum Building Heights

The following provisions also apply:

- 1) Notwithstanding any of the height permissions shown on this schedule, no part of any building shall have a height greater than 228.00 G.S.C. (Geodetic Survey of Canada).
- 2) For any portion of a residential building with a height of greater than 30.0 m, the maximum height for each storey shall be 7.00 m, not including bascule areas.
- 3) Any portion in excess of 50 metres in height of any residential building shall be not less than 24 metres from the boundary line of any lot or 30 metres in height of any other residential building.

HIGHWAY NO. 7



DEVELOPMENT SERVICES COMMISSION

## A BY-LAW TO AMEND BY-LAW 2004-196

THIS IS SCHEDULE 'F3' TO BY-LAW

PASSED

MAYOR

CLERK

### BOUNDARY OF AREA COVERED BY THIS BY-LAW

1	MIN 5.0 m - MAX 30.0m	4	MIN 5.0 m - MAX 50.0m	7	MIN 6.0m - MAX 15m
2	MIN 6.0 m - MAX 30.0m	5	MIN 6.0 m - MAX 50.0m	8	MIN 6.0 m - MAX 55.0m
3	MIN 6.0 m - MAX 60.0m	6	MIN 7.0 m - MAX 30.0m	9	MIN 30.0 m - MAX 60.0m

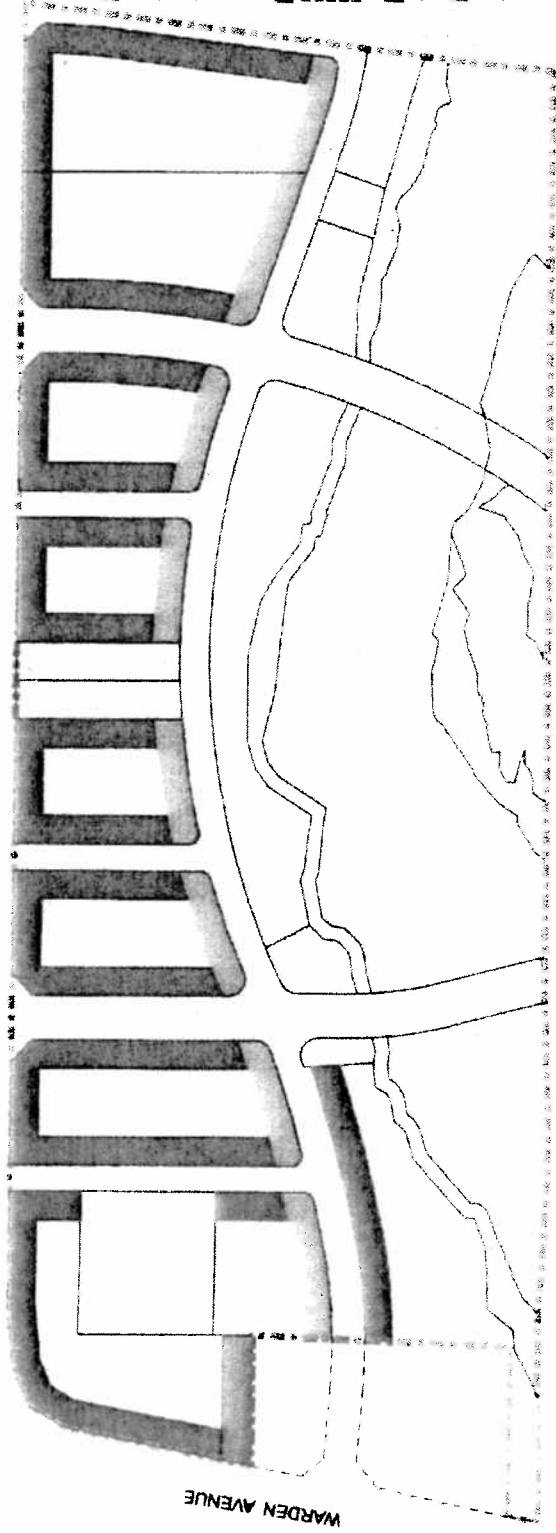
NOTE: REFERENCE SHOULD BE MADE TO  
THE ORIGINAL BY-LAW LODGED IN  
THE OFFICE OF THE CLERK



ZA07133350SCHF3' dgn 11/05/2010 2:58:08 PM

# Schedule F4 Setbacks

HIGHWAY No. 7



No building shall be located any closer than 4.0 metres from the street line. The minimum setback from the street line shall be increased to 8.0 metres for any portion of the first storey that is occupied by the whole or part of a dwelling unit that is located within 10 metres of the street line. A portion of a building unit in the first storey is located within 10 metres of the street line if the building is located within 10 metres of the street line. A portion of a building unit of the whole or part of a dwelling unit may be located no closer than 3.0 metres from the street line.

No building shall be located any closer than 2.0 metres from the street line. The minimum setback from the street line shall be increased to 3.0 metres for any portion of the first storey that is occupied by the whole or part of a dwelling unit that is located within 10 metres of the street line.

The minimum setback from the street line shall be 0.0 metres.

The minimum setback from the street line shall be 6 metres. Any portion of a building unit in the first storey that is located within 20 metres from the street line shall be located no closer than 20 metres from the street line.



## A BY-LAW TO AMEND BY-LAW 2004-196

DEVELOPMENT SERVICES COMMISSION

THIS IS SCHEDULE 'E' TO BY-LAW

PASSED

MAYOR

CLERK

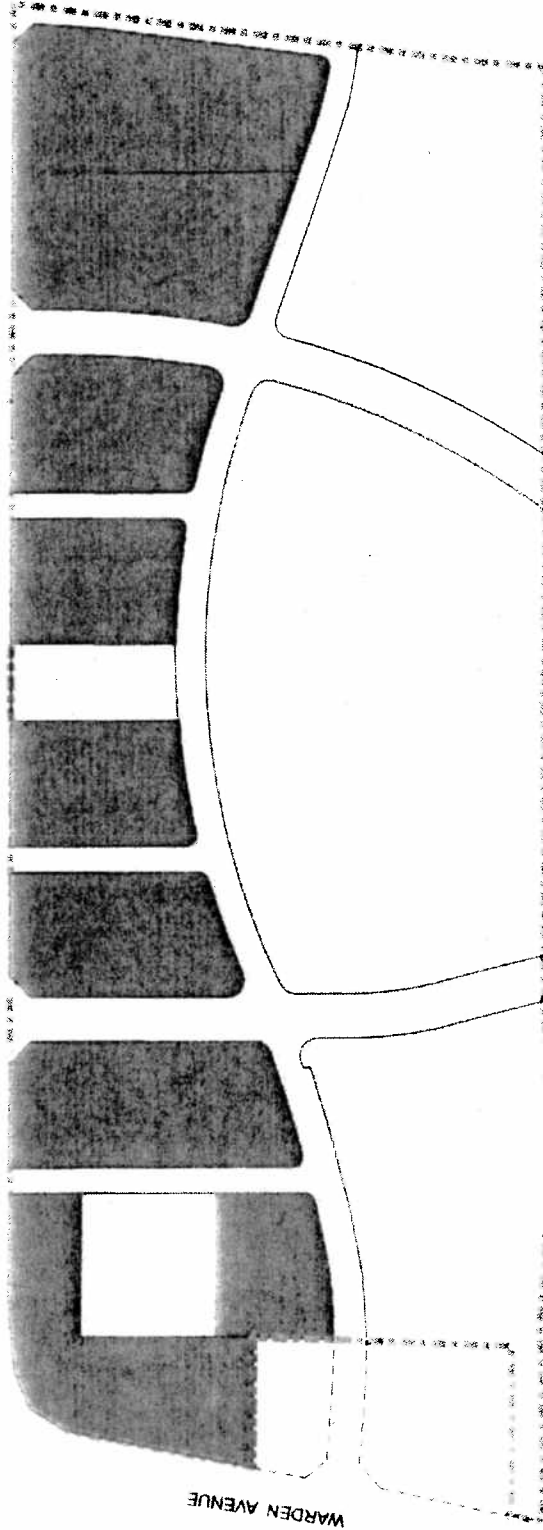
BOUNDARY OF AREA COVERED BY THIS BY-LAW

NOTE: REFERENCE SHOULD BE MADE TO THE ORIGINAL BY-LAW LODGED IN THE OFFICE OF THE CLERK



# Schedule X5 Holding Zones

HIGHWAY No. 7



## A BY-LAW TO AMEND BY-LAW 2004-196

DEVELOPMENT SERVICES COMMISSION

THIS IS SCHEDULE X5 TO BY-LAW

PASSED

MAYOR

CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW



H1 & H2

NOTE: REFERENCE SHOULD BE MADE TO  
THE ORIGINAL BY-LAW LODGED IN  
THE OFFICE OF THE CLERK



ZA0713350SCHX5 dgn 11/05/2010 2:58:49 PM