



Explanatory Note

By-law 2018-134

A By-law to amend By-law 122-72 and By-law 2004-196, as amended

OnePiece (MS) Developments Inc.

North side of Enterprise Boulevard, west of Main Street Unionville

Lands Affected

The proposed by-law amendment applies to a 2.06 ha (5.08 acre) property located on the north side of Enterprise Boulevard, west of Main Street Unionville.

Existing Zoning

The lands are zoned “Rural Residential One” (RR1) and “Highway Commercial” (C3) by By-law 122-72,

Purpose and Effect

The purpose of this by-law amendment is to delete the subject lands from the designated area of By-law 122-72, incorporate them into the designated area of By-law 2004-196, and zone them “Markham Centre Downtown Two *28 (Hold) [MC-D2 *28(H)]”, “Markham Centre Public Space One *29” (MC-PS1*29), “Markham Centre Public Space One” (MC-PS1), and “Markham Centre Public Space Two” (MC-PS2), incorporating site specific development standards.

The effect of this by-law amendment is to permit a proposed development accommodating approximately 673 residential units and up to 1700 square metres of retail uses in 29 and 33 storey buildings.

Note Regarding Further Planning Applications on this Property

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.



By-law 2018-134

A By-law to amend By-laws 122-72 and 2004-196, as amended
(to delete lands from the designated area of By-law 122-72 and
incorporate them into the designated area of By-law 2004-196)

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

1. That By-law 122-72, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated area of By-law 122-72, as amended.
2. That By-law 2004-196, as amended, is hereby further amended as follows:
 - 2.1 By expanding the designated area of By-law 2004-196, as amended, to include the lands shown on Schedule 'A' attached hereto.
 - 2.2 By zoning the lands outlined on Schedule 'A' attached, as follows:
 - Markham Centre Downtown Two *28 (Hold) [MC-D2*28 (H)]
 - Markham Centre Public Space One *29 (MC-PS1*29)
 - Markham Centre Public Space One (MC-PS1)
 - Markham Centre Public Space Two (MC-PS2)As shown on Schedule M1 attached hereto.
 - 2.3 By amending Section 1.2 of By-law 2004-196, as amended, by adding the symbols "M1 to M4" 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, K1 to K4, L1 to L4".
 - 2.4 By amending Section 2.2 of By-law 2004-196, as amended, by adding the symbol "M1" at the end of the sentence "Schedules A1, B1, C1, D1, E1, F1, G1, H1, I1, J1, K1, L1".
 - 2.5 By amending Section 2.6 of By-law 2004-196, as amended, by adding the symbol "X11" at the end of the sentence "Schedules X1, X2, X3, X4, X5, X6, X7, X8, X9, X10".
 - 2.6 By adding the following new subsection 6.28 (*28) to Section 6 – Exceptions to By-law 2004-196:

6.28 OnePiece (MS) Developments
Lands Zoned MC-D2 – North of Enterprise Boulevard,
west of Main Street Unionville

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *28 (Exception 28) 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.

6.28.1 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 curved corner or 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.

6.28.2 Special Parking Provision

The following special parking provision shall apply:

- a) The *parking space* requirement for *Apartment Dwellings* shall be as follows:

A minimum of 0.9 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.
- b) 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 6.28.2(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.

6.28.3 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 'X11' attached hereto when all of the following criteria have been met:

- i. Appropriate water supplies and sewage capacity are available, and have been allocated by Council and/or the Developers Group to support the development.

- ii. 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.
- iii. 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.
- iv. The Owner has entered into a Section 37 Agreement with the City 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.
- v. Any other agreement identified as being required by Council has been entered into that satisfies all of the conditions of the City.
- vi. The Owner has entered into a site plan agreement with the City, including provisions to secure the installation of the external sanitary sewer and storm water management infrastructure required to support the development, and Site Plan Approval has been granted by the City.

Driveways and underground parking garages are permitted to be constructed prior to the removal of the Holding provision 'H'.

- 1.7 By adding the following new subsection 6.29 (*29) to Section 6 – Exceptions to By-law 2004-196:

6.29 Public park block on the north side of Enterprise Boulevard, west of Bill Crothers Drive.

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *29 (Exception 29) 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.

6.29.1 Special Site Provision

The following additional use is permitted:

Parking garages, constructed completely below the established grade, including associated ventilation shafts and housings, stairways and other similar facilities associated with below grade parking garages that extend from below the established grade.

- 1.8 By adding the following schedules to By-law 2004-196, as amended:
Schedule M1, M2, M3, M4 and X11.
2. All other provisions of By-law 2004-196, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

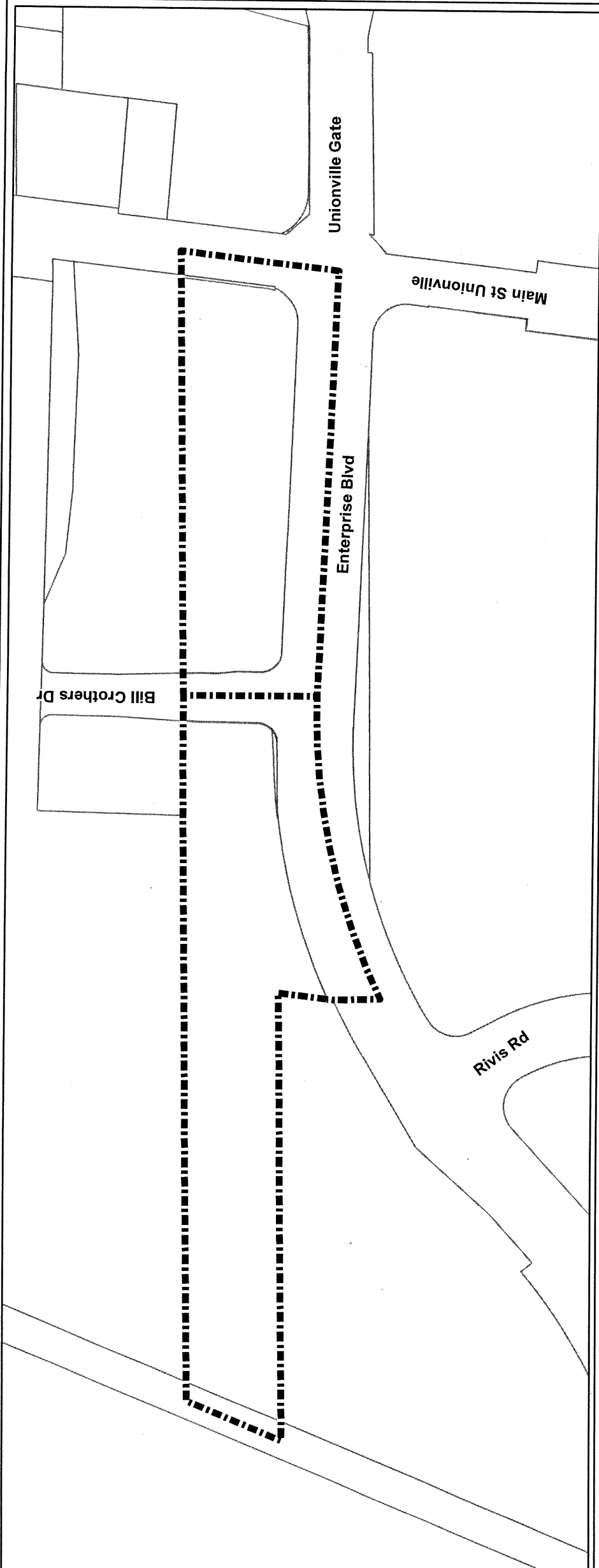
Read a first, second, and third time and passed on September 12, 2018.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor



SCHEDULE "A" TO BY-LAW 2018-134

AMENDING BY-LAWS 122-72 AND 2004-196 DATED SEPTEMBER 12, 2018



BOUNDARY OF AREA COVERED BY THIS SCHEDULE

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.



MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: LW

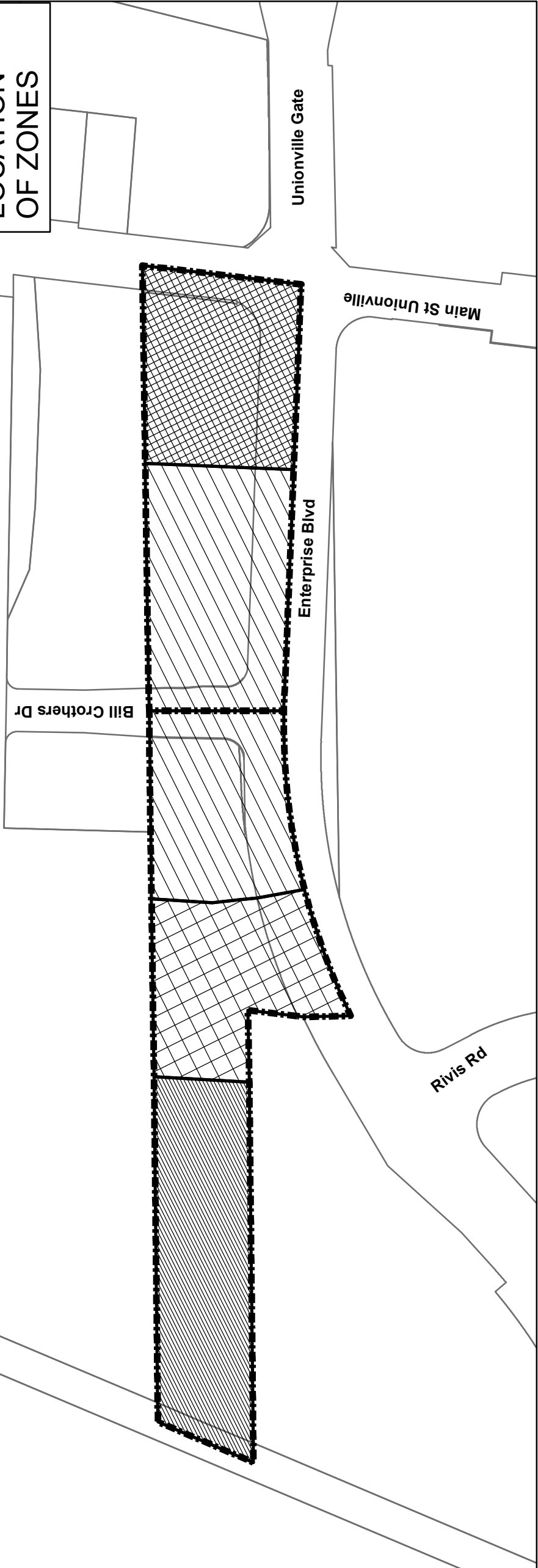
Checked By: SH

Date: 27/08/2018

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


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**SCHEDULE M1
LOCATION
OF ZONES**



**SCHEDULE "M1" TO BY-LAW 2018-134
AMENDING BY-LAW 2004-196 DATED SEPTEMBER 12, 2018**

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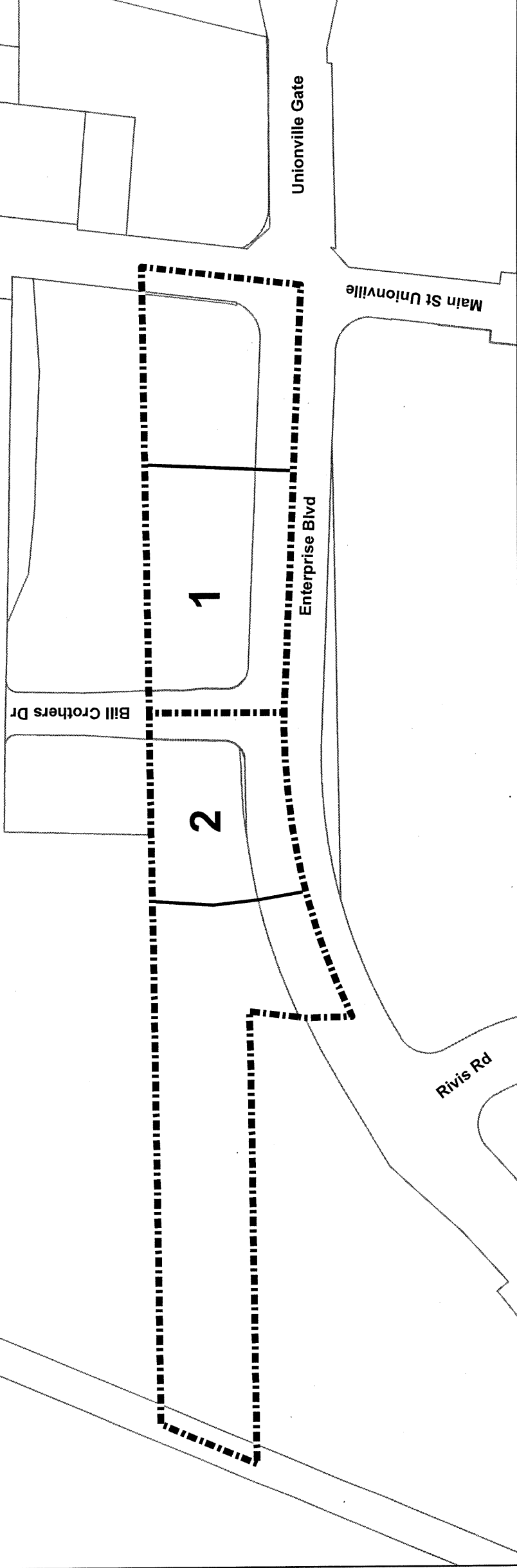
- BOUNDARY OF AREA COVERED BY THIS SCHEDULE**
 **BOUNDARY OF ZONE DESIGNATION(S)**
-  MC-D2*28
 -  MC-PSI
 -  MC-PSI*29
 -  MC-PS2



MARKHAM DEVELOPMENT SERVICES COMMISSION Drawn By: LW Checked By: SH Date: 04/09/2018

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office Q:\Geomatics\New Operation\By-Laws\ZA\ZA16119946\ZA16119946.mxd

**SCHEDULE M2
MAXIMUM PERMITTED NET FLOOR AREA AND DWELLING UNITS**



**SCHEDULE "M2" TO BY-LAW 2018-134
AMENDING BY-LAW 2004-196 DATED SEPTEMBER 12, 2018**



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Number on Schedule M2	Maximum net floor area (M2)	Maximum number of dwelling units
1	Non-Residential - 1,000	311
2	Non-Residential - 700	362



Drawn By: LW

Checked By: SH

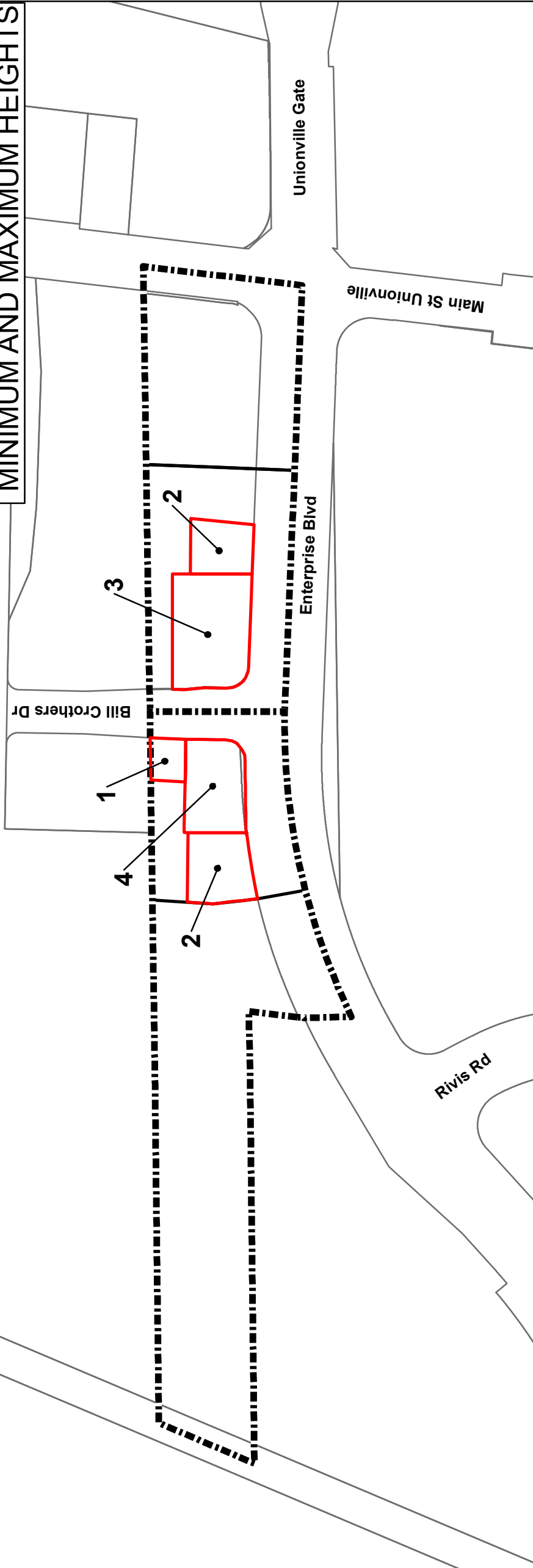
Date: 31/08/2018

MARKHAM DEVELOPMENT SERVICES COMMISSION

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

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**SCHEDULE M3
MINIMUM AND MAXIMUM HEIGHTS**



Maximum height G.S.C (Geological Survey of Canada) of any part of any building or structure	
1	201 metres
2	210 metres
3	281 metres
4	293 metres

The following provisions shall apply:

- 1) The minimum building height is 3 storeys

**SCHEDULE "M3" TO BY-LAW 2018-134
AMENDING BY-LAW 2004-196 DATED SEPTEMBER 12, 2018**

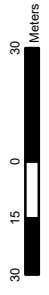


BOUNDARY OF AREA COVERED BY THIS SCHEDULE

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DEVELOPMENT SERVICES COMMISSION



Drawn By: LW

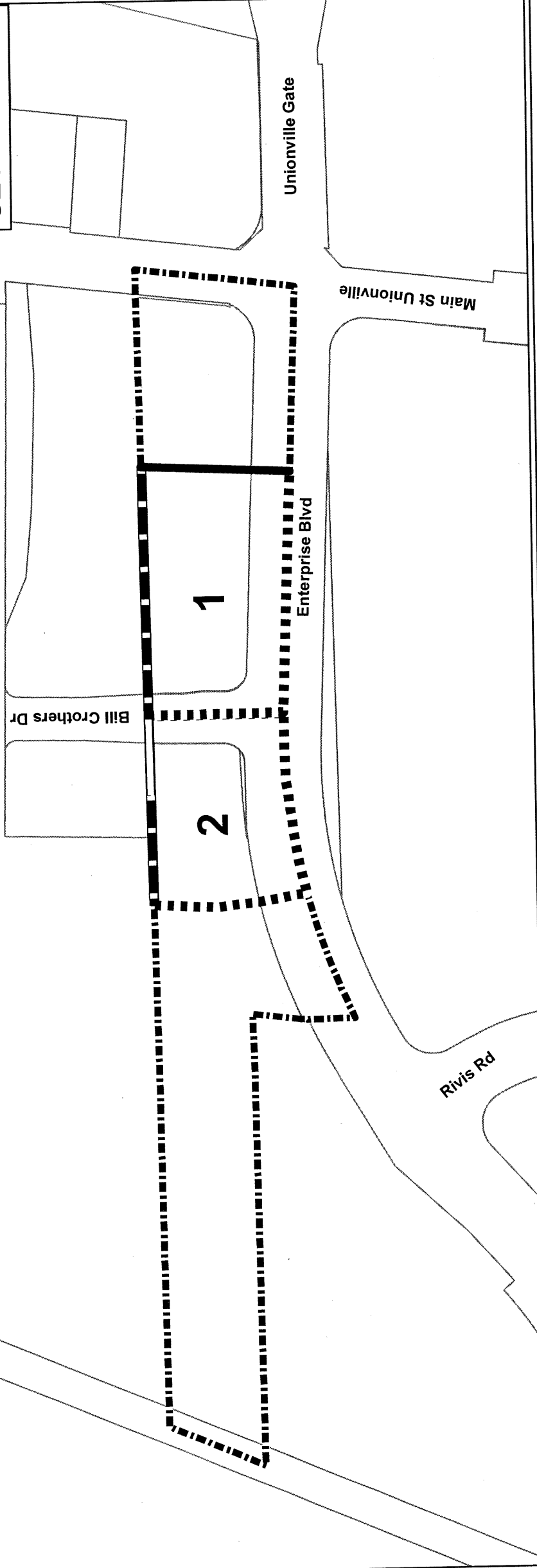
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Date: 11/09/2018

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





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**SCHEDULE M4
SETBACKS**



**SCHEDULE "M4" TO BY-LAW 2018-134
AMENDING BY-LAW 2004-196 DATED SEPTEMBER 12, 2018**

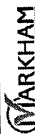
 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

-  - The minimum setback to the first storey above grade shall be 9 metres
-  - The minimum setback to the first storey above grade shall be 0.5 metres
-  - The minimum setback to the first storey above grade shall be 2.1 metres
-  - The minimum setback to the first storey above grade shall be 1 metre

The following provisions shall apply:

- 1) Balconies and any storeys above the first storey may encroach a maximum of 2 metres into a required setback
- 2) Underground parking garages shall be set back a minimum of 0.9 metres from the north lot line of the parcel east of Bill Crothers Drive and a minimum of 0.5 metres from any other streetline or lot line
- 3) Awnings and canopies are permitted to extend to any other streetline or lot line

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DEVELOPMENT SERVICES COMMISSION

Drawn By: LW

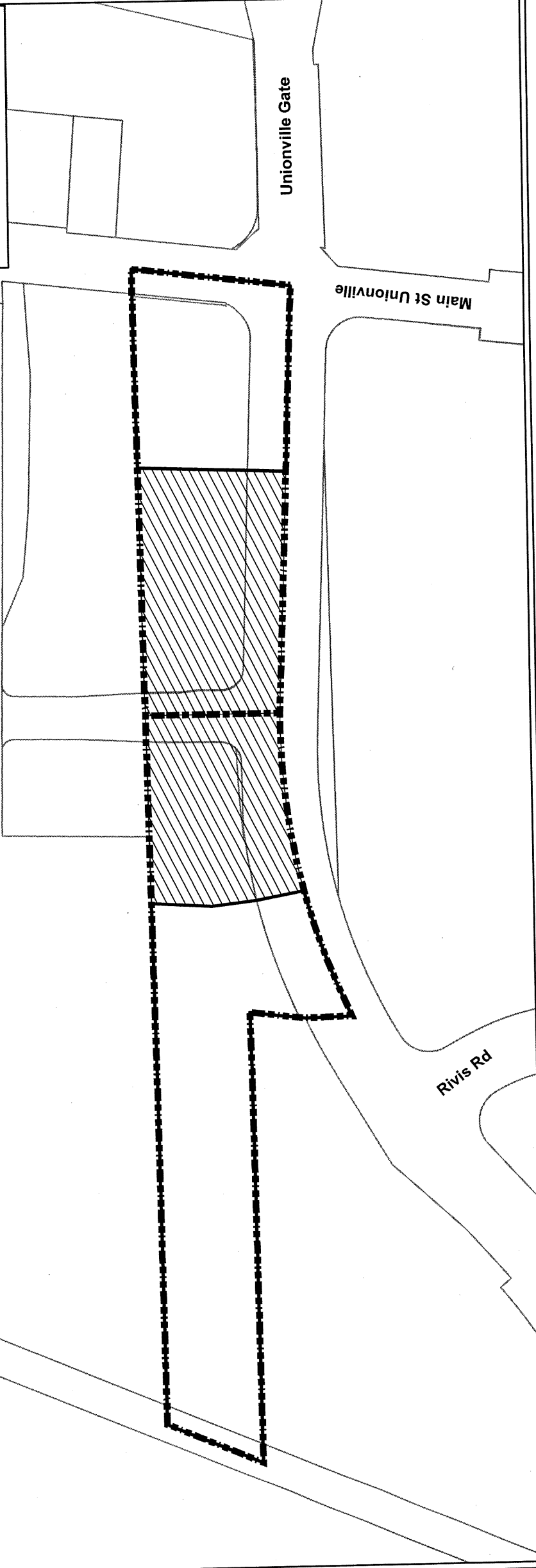
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Date: 10/09/2018

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**SCHEDULE 'X11'
HOLDING ZONES**



**SCHEDULE "X11" TO BY-LAW 2018-134
AMENDING BY-LAW 2004-196 DATED SEPTEMBER 12 2018**

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

 HOLDING ZONE

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Drawn By: LW

Checked By: SH

Date: 15/08/2018