



By-law 2018-39

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

The Council of the Corporation of the City of Markham hereby enacts as follows:

1. That By-law 2004-196, as amended, is hereby further amended as follows:

1.1 By deleting Schedules F2 and F3 and replacing them with the attached Schedules F2 and F3.

1.2 The following provisions shall apply to the lands shown on Schedule 'A' attached hereto:

1.2.1 Special Holding Provisions

The Holding (H) provisions shall only be lifted when the applicable criteria in Section 2.6 and the additional criteria below have been met:

- a) The Toronto/Buttonville Airport Zoning Regulations (SOR/88-148) have been repealed and the height restriction provided for in section 4 therein are no longer in force and effect in respect of the lands shown on Schedule "A" attached hereto.
- b) 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.

Driveways and underground parking garages are permitted to be constructed prior to the lifting of the applicable Holding provision(s).

1.2.2 Special Parking Provisions


Notwithstanding the provisions of Section 4.14.3, 12 additional parking spaces for visitors may be provided for the exclusive use of the development located on Block 4, Plan 65M-4395. These parking spaces shall be located in a *surface parking area*.

1.2.3 Special Site Provisions

- a) Maximum ceiling height of the *First Storey* - 6 metres.
- b) Rooftop mechanical features, such as structures containing equipment necessary to control an elevator, shall not be included in the definition of *Height*.

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 May 15, 2018.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW NO. 2018-39

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

1771107 Ontario Inc. (Times Group Inc.)

South-east corner of Highway 7 and Verdale Crossing

LANDS AFFECTED

This by-law applies to a 1.37 ha (3.39 acre) property at the south-east corner of Highway 7 and Verdale Crossing.

EXISTING ZONING

The subject property is zoned “Markham Centre Downtown Two (Hold)” [MC-D2(H1-H2)] by the Markham Centre Zoning By-law No. 2004-196.

PURPOSE OF THE BY-LAW

The purpose of this by-law amendment is to:

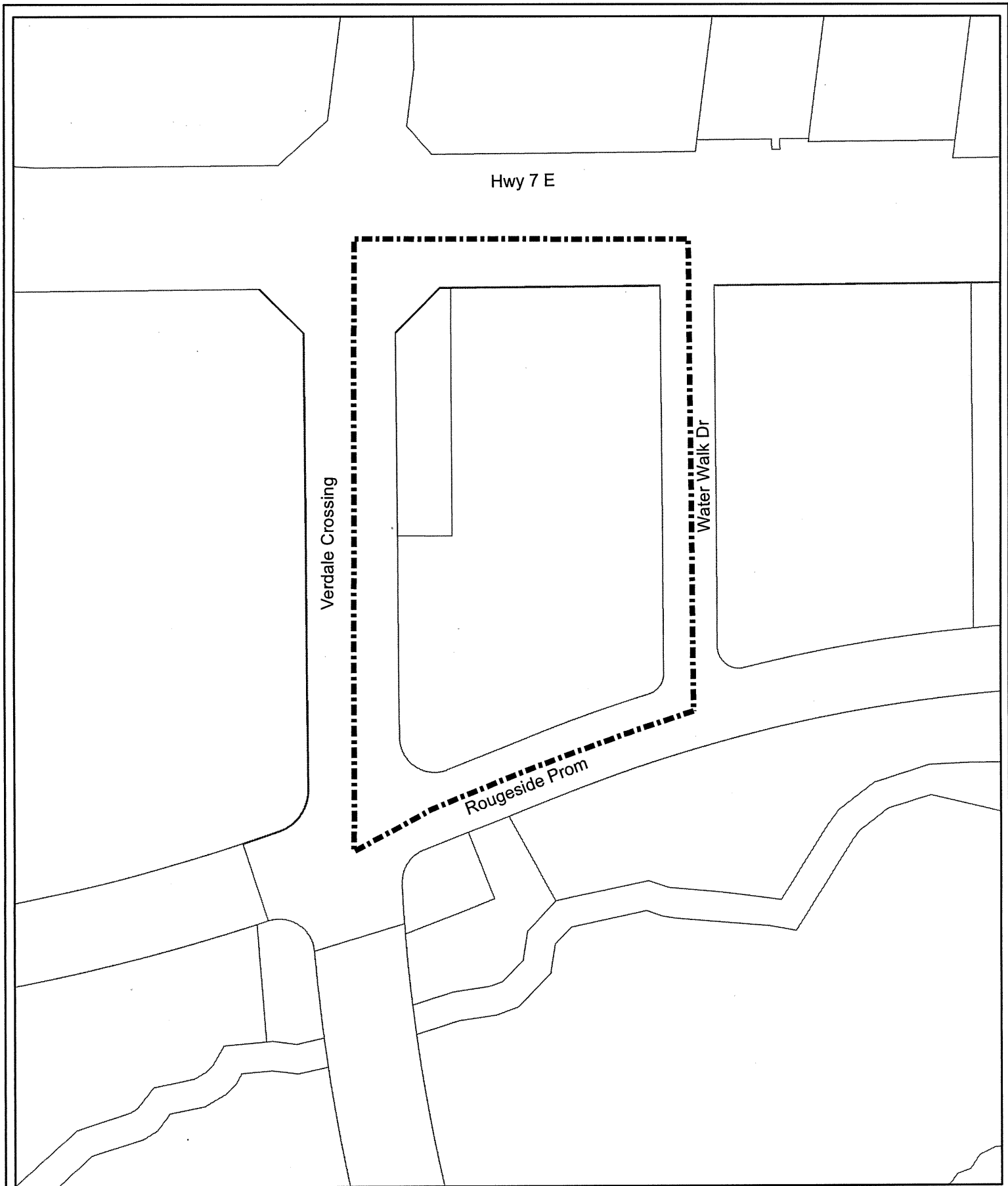
- increase permitted building heights for portions of the property from 60 metres (which permits approximately 20 storeys) to the lesser of 130 metres or 38 storeys, and the lesser of 140 metres or 42 storeys.
- increase the maximum permitted number of residential units.
- Modify the built form, commercial use permissions and parking requirements.

EFFECT OF THE BY-LAW

The effect of this by-law amendment is to permit a proposed condominium apartment development.

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.



SCHEDULE " A " TO BY-LAW 2018-39

AMENDING BY-LAW 2004-196 DATED MAY 15, 2018

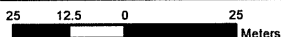
 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

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.

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DEVELOPMENT SERVICES COMMISSION



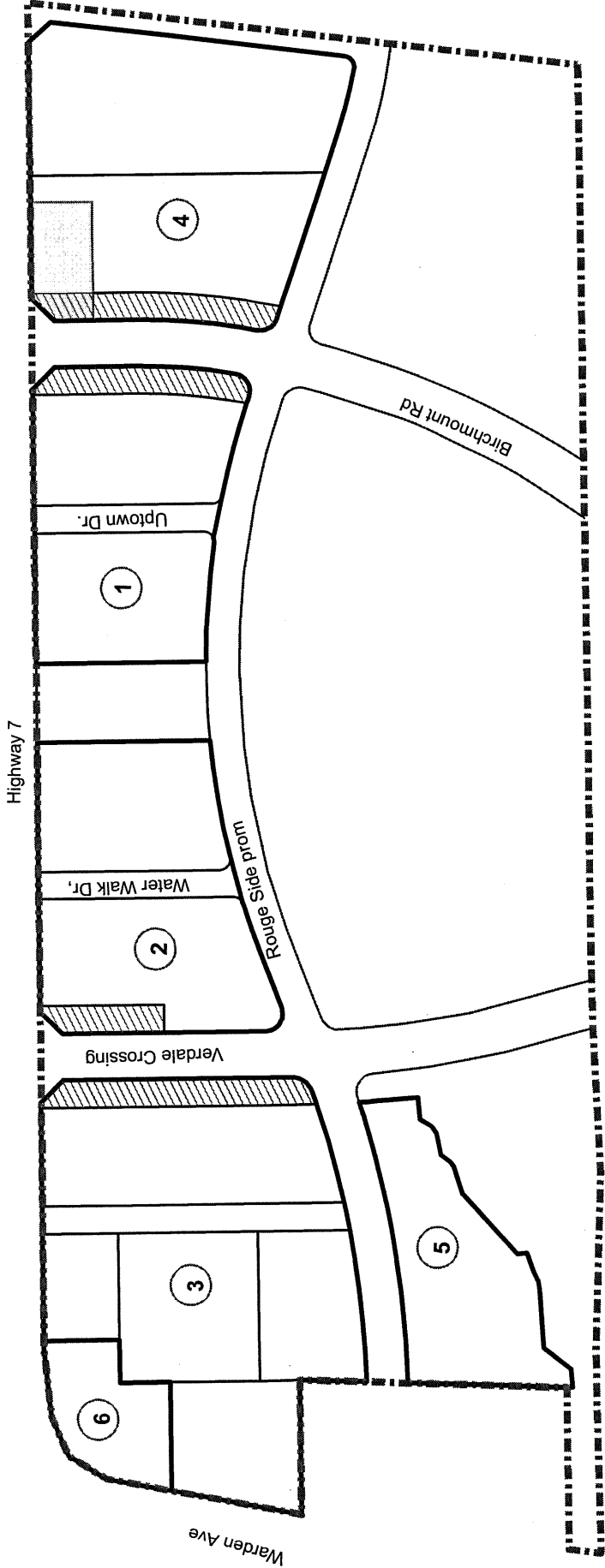
Drawn By: CPW

Checked By: SH

DATE: 10/04/2018

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

Schedule F2
Permitted net floor
area & dwelling
units



Number on schedule F2	Maximum net floor area (M2)	Maximum number of dwelling units
1	Non-Residential 2000	1150
2	Non-Residential 2200	1650
3	Non-Residential 4500	2400
4	Non-Residential 1200	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

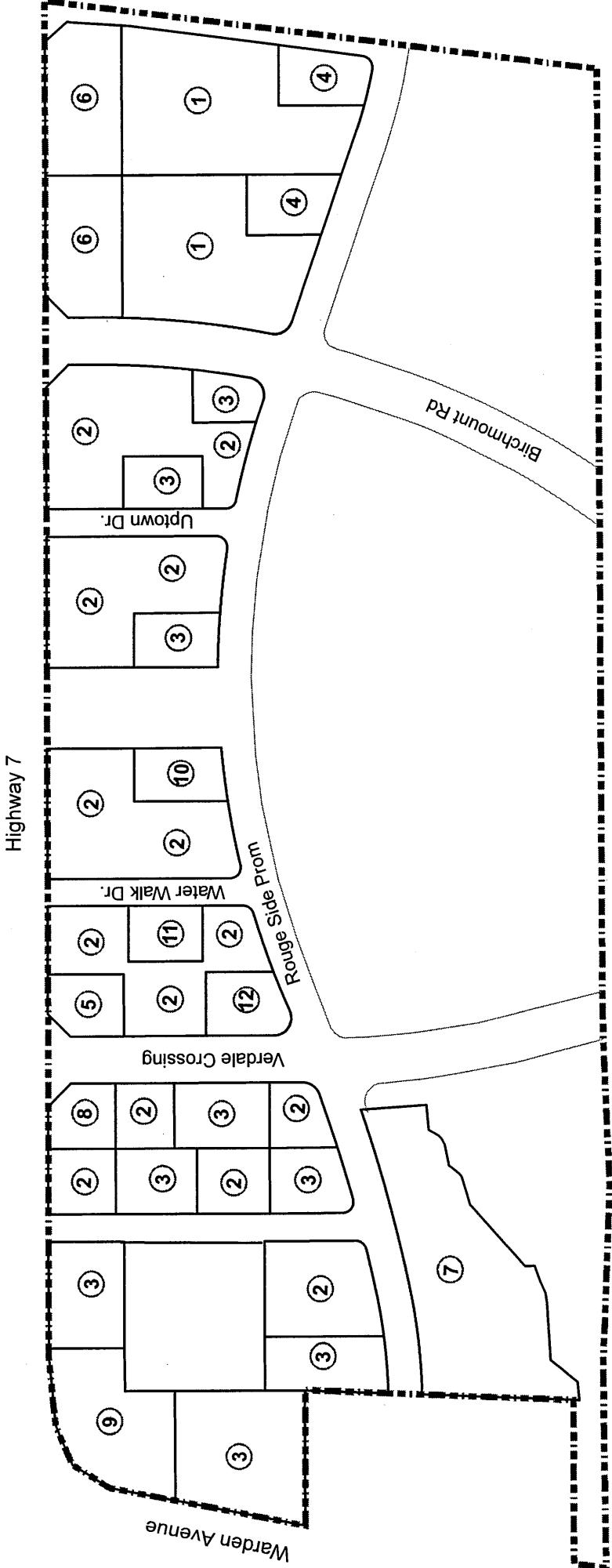
SCHEDULE " A " TO BY-LAW 2018-39
AMENDING BY-LAW 2004-196 DATED MAY 15, 2018



- BOUNDARY OF AREA COVERED BY THIS SCHEDULE
- REFER TO SECTION 6.11.2(a) OF THE BY-LAW
- REFER TO SECTION 6.14.2(a) OF THE BY-LAW

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.

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 238.00 G.S.C (Geological Survey of Canada) This provision shall not apply to lands identified by the numbers 10, 11 and 12
- 2)For any portion of a residential building with a height of greater than 30m, the maximum net floor area per storey shall be 750 sqm, not including balcony areas.
- 3)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
- 4)Notwithstanding the provisions of 2) and 3), above, the following provisions shall apply in the areas identified as 11 and 12 on Schedule F3:
 - For any portion of a residential building with a height of greater than 30m, the maximum net floor area per storey shall be 930 sqm, not including balcony areas.
 - Any portion in excess of 30 metres in height of any residential building shall be not less than 29 metres from any portion in excess of 30 metres in height of any other residential building.

MARKHAM DEVELOPMENT SERVICES COMMISSION

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

BOUNDARY OF AREA COVERED BY THIS BY-LAW

<div>1</div>	<div>5</div>	<div>MIN 5.0M - MAX 30.0M</div>	<div>9</div>	<div>MIN 30.0M - MAX 60.0M</div>
<div>2</div>	<div>6</div>	<div>MIN 6.0M - MAX 30.0M</div>	<div>10</div>	<div>MAX 28 STOREYS THE LESSER OF 130 METRES OR 38 STOREYS</div>
<div>3</div>	<div>7</div>	<div>MIN 6.0M - MAX 60.0M</div>	<div>11</div>	<div>THE LESSER OF 140 METRES OR 42 STOREYS</div>
<div>4</div>	<div>8</div>	<div>MIN 5.0M - MAX 50.0M</div>	<div>12</div>	

THIS SCHEDULE 'F3' TO BY-LAW 2018-39

PASSED MAY 15, 2018

John Sciff
MAYOR

[Signature]
CLERK

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

Date: 25/04/2018