



EXPLANATORY NOTE

BY-LAW 2018-23

A By-law to amend By-law 177-96, as amended

Times Group Corporation

Part of Block 45, Plan 65M-3226

South of Highway 7, between South Park Road and Saddlecreek Drive

ZA 14 131100

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 0.91 hectares (2.25 acres) located on the south side of Highway 7, between South Park Road and Saddlecreek Drive.

Existing Zoning

The subject lands are zoned Business Park*49*36 [BP*49*36 (H)] Zone under By-law 177-96, as amended.

Purpose and Effect

The purpose and effect of this By-law is to rezone the subject lands under By-law 177-96, as amended as follows:

from:

Business Park *49*36 Hold [BP*49*36 (H)] Zone

to:

Community Amenity Two *599 Hold [CA2*599 (H)] Zone;

in order to permit a high density residential development on the lands comprised of two apartment buildings with heights of 37 and 34 storeys joined by a 2 storey podium.

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 2018-23

A By-law to amend By-law 177-96, as amended

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

1. That By-law 177-96, as amended, is hereby further amended as it applies to the lands outlined on Schedule 'A' as follows:

- 1.1 By rezoning the lands outlined on Schedule 'A' attached hereto

from:

Business Park *49*36 Hold [BP*49*36 (H)] Zone

to:

Community Amenity Two *599 Hold [CA2*599 (H)] Zone

- 1.2 By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 7.599	Times Group Corporation South of Highway 7, between South Park road and Saddlecreek Drive.	Parent Zone CA2
File ZA 14 131100		Amending By-law 2018-23
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *599 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.		
7.599.1 Special Zone Standards		
The following special zone standards shall apply:		
a)	The lot line abutting Highway 7 shall be deemed to be the front lot line	
b)	Maximum <i>building height</i> - 330 metres above sea level, geodetic datum	
c)	Maximum number of <i>dwelling units</i> – 770 units	
d)	Minimum required yards: <ol style="list-style-type: none"> i) Minimum <i>front yard</i> – 2.5 metres ii) Minimum <i>exterior side yard</i> – 20.0 metres iii) Minimum <i>interior side yard</i> – 4.5 metres iv) Minimum <i>rear yard</i> - 15.0 metres 	
e)	The provisions of table B7 shall not apply	
f)	Minimum <i>landscape open space</i> – 25%	
g)	Encroachments into all yards by architectural features, terraces, roof overhangs, eaves, cornices, sills, rainwater leaders, canopies, <i>porches</i> , architectural wing walls, ramps, retaining walls, <i>balconies</i> , underground cellars, stairs and landings shall be set back 0.15 metres from any <i>lot line</i> .	
h)	Maximum <i>Floor Space Index</i> – 7.7	

i)	Minimum Number of parking spaces: a. <i>Apartment Dwellings</i> – 1.16 parking spaces per <i>dwelling unit</i> i. Up to 30 percent of the required number of parking spaces for apartment dwellings may be provided as tandem spaces. ii. Tandem parking spaces shall not be shared by more than one unit owner. b. Visitor parking – 0.125 parking spaces per <i>dwelling unit</i> i. Visitor parking shall not be comprised of tandem parking spaces.
----	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

2. SECTION 37 CONTRIBUTION

2.1 A contribution by the Owner to the City of \$ 850.00 per residential unit in 2018 dollars, based on the total number of units, to be indexed to the Ontario rate of inflation as per the consumer price index (CPI), in accordance with Section 37 of the Planning Act, as amended, shall be required. Payments shall be collected in accordance with the terms of an agreement to secure for the Section 37 contribution. Nothing in this section shall prevent the issuance of a building permit as set out in Section 8 of the Building Code Act or its successors

3. HOLDING PROVISION

3.1 For the purpose of this By-law, a Holding (H) provision is hereby established on lands zoned CA2*599 as identified on Schedule 'A' attached hereto by the letter (H) in parenthesis following the zoning symbols.

3.2 No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H) provision for the purpose permitted under this By-law until amendment(s) to this By-law to remove the letter (H) have come into effect pursuant to the provisions of Section 36 of the Planning Act.

3.3 A Zoning By-law Amendment to remove the Holding (H) symbol from the lands shown on Schedule "A" shall not be passed until the following conditions have been met:

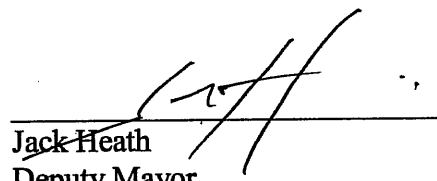
- a) The Toronto/Buttonsville Airport Zoning Regulations (SOR /88-148) have been repealed or the height restriction provided for in section 4 therein are no longer in force and effect in respect of the lands shown on Schedule "A" attached hereto;
- b) The Owner has obtained an agreement with the York Region District School Board to provide a school block within the Leitchcroft Area that is to their satisfaction; and
- c) An agreement to secure the Section 37 contribution has been executed by the City and the Owner.

3.4 Underground parking garages are permitted to be constructed prior to the removal of the Holding provision

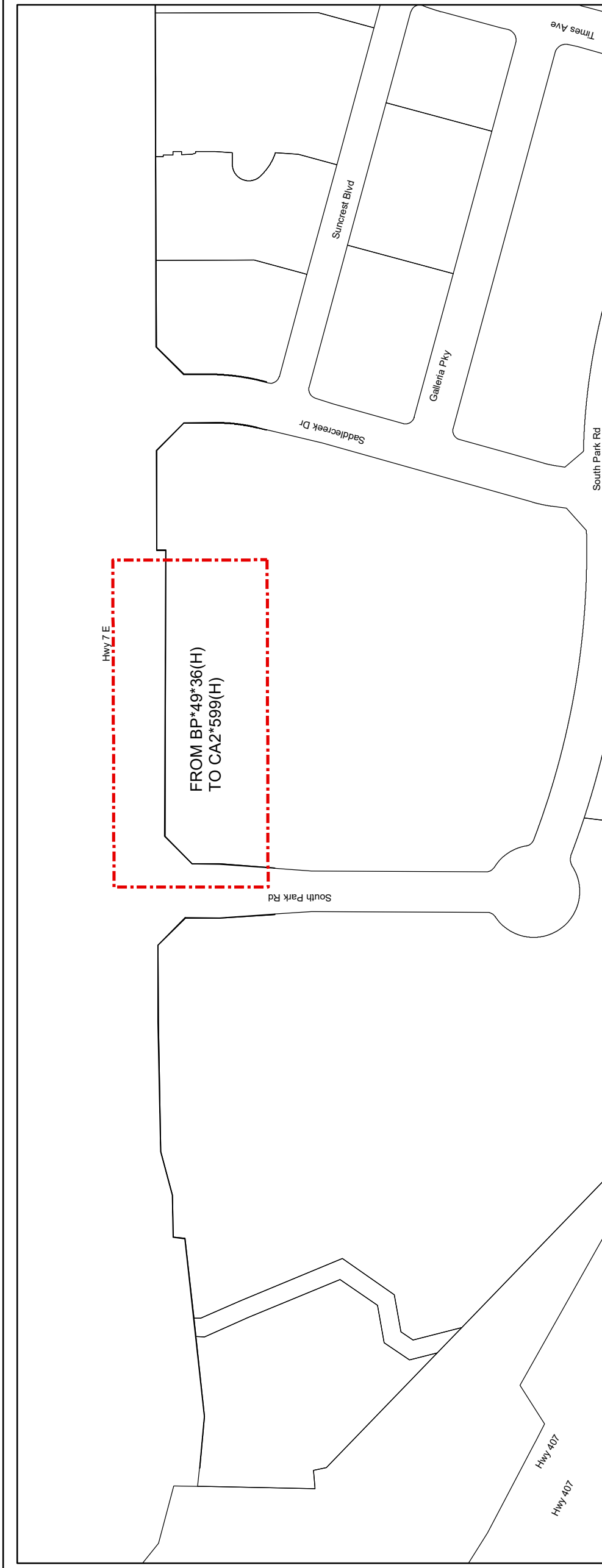
Read and first, second and third time and passed on April 3, 2018.



Kimberley Kitteringham
City Clerk




Jack Heath
Deputy Mayor



BY-LAW SCHEDULE "A" TO BY-LAW 2018-23

AMENDING BY-LAW 177-96 DATED APRIL 3, 2018

 BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

BP BUSINESS PARK (H) HOLDING PROVISION

CA2 COMMUNITY AMENITY TWO *(No) EXCEPTION NUMBER



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.