



By-law 2018-7

A By-law to amend By-law 122-72, as amended
(to delete lands from the designated area of By-law 122-72)
and to amend By-law 177-96, as amended
(to incorporate lands into the designated area of By-law 177-96, as amended)

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 177-96, as amended, is hereby further amended as follows:
 - 2.1 By expanding the designated area of By-law 177-96, as amended, to include the lands shown on Schedule 'A' attached hereto.
 - 1.1 By rezoning the lands outlined on Schedule 'A' attached hereto

Residential Three *594 (Hold) [R3*594(H)] Zone
Residential Four*595 (R4*595) Zone
Residential Four*596 (R4*596) Zone
Residential Four*597 (R4*597) Zone
Open Space One (OS1) Zone

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

Exception 7.594	Unionville Home Society/Minto Communities	Parent Zone R3
File ZA 17 178335	North portion of 4300 Highway 7 East	Amending By-law 2018-7
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule “A” attached to By-law 2018-7 and denoted by the symbol *594.		
7.594.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Townhouse Dwellings	
b)	Multiple Dwellings	
c)	Home Occupations	
d)	Home Child Care	
7.594.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Notwithstanding any further division or partition of lands subject to this Section, all lands zoned with Exception R3*594 shall be deemed to be one lot for the purposes of this By-law.	
b)	For the purposes of this By-law, the provisions of Table B5 shall not apply	
c)	Minimum setback from the north and west lot lines – 7.0 metres	
e)	Minimum setback from all other lot lines – 3 metres.	
f)	Minimum separation distance between end walls of separate blocks of townhouse dwellings or multiple dwellings – 3 metres	
g)	Minimum width of townhouse dwellings and multiple dwellings – 5.5 metres	
h)	Maximum Floor Space Index (FSI) – 2.0	
i)	Maximum height – the lesser of 12 metres or 3 storeys	
j)	Maximum number of dwelling units – 153	

Exception 7.595	Unionville Home Society/Wyndham Gardens 100 Anna Russell Way	Parent Zone R4
File ZA 17 178335		Amending By-law 2018-7
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule “A” attached to By-law 2018-7 and denoted by the symbol *595.		
7.586.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Apartment Dwellings	
b)	Retirement Homes	
c)	Home Occupations	
d)	Home Child Care	
7.586.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	For the purposes of this By-law, the provisions of Table B6 do not apply	
b)	Minimum setback from all lot lines – 2 metres	
c)	Notwithstanding provision b) above, section 6.21 shall continue to apply	
d)	Maximum height – 4 storeys	
e)	Maximum Floor Space Index (FSI) – 2.0	

Exception 7.596	Unionville Home Society/ Regional Municipality of York	Parent Zone R4
File ZA 17 178335	Centre portion of 4300 Highway 7	Amending By-law 2018-7
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule “A” attached to By-law 2018-7 and denoted by the symbol *596.		
7.596.1 Only Permitted Uses		
The following are the only permitted uses:		
	Residential Uses	
a)	Apartment Dwellings	
b)	Nursing Homes	
c)	Retirement Homes	
d)	Home Occupations	
e)	Home Child Care	
	Non-Residential Uses	
f)	Adult Day Program Centres	
g)	Business Offices	
h)	Child Care Centres	
i)	Community Centres	
j)	Financial Institutions	
k)	Institutional Uses	
l)	Medical Offices	
m)	Personal Service Shops	
n)	Private Clubs	
o)	Public Hospitals	
p)	Restaurants	
q)	Retail Stores	
7.596.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	For the purposes of this By-law, the provisions of Table B6 do not apply	
b)	Minimum setback from the west lot line – 40 metres	
c)	Minimum setback from all other lot lines – 2 metres	
d)	Notwithstanding the provisions b) and c) above, the minimum setback of underground parking garages, including associated driveway ramps, exit stairs and ventilation shafts, shall be 7.5 metres from the west lot line and 0 metres from all other lot lines.	
e)	Maximum height within 70 metres of the west lot line – the lesser of 26 meters or 8 storeys	
f)	Maximum height in excess of 70 metres of the west lot line – the lesser of 38 metres or 12 storeys	
g)	Notwithstanding Section 6.9, loading spaces are not required.	
h)	Non-residential uses shall only be located in the first or second floor of a building containing Apartment Dwellings, Nursing Homes, or Retirement Homes.	
i)	Minimum parking requirement for apartment dwellings – 0.8 parking spaces per dwelling unit plus 0.15 parking spaces per dwelling unit for visitors	
j)	Maximum gross floor area - 26,000 square metres	
k)	Maximum gross leasable area of non-residential uses - 1500 square metres	
l)	Notwithstanding Section 6.7, a lot zoned with exception R4*596 is not required to have frontage on a public street	

Exception 7.597	Unionville Home Society/Union Villa	Parent Zone R4
File ZA 17 178335	South portion of 4300 Highway 7 East	Amending By-law 2018-7
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule “A” attached to By-law 2018-7 and denoted by the symbol *597.		
7.586.1 Only Permitted Uses		
The following are the only permitted uses:		
	Residential Uses	
a)	<i>Apartment Dwellings</i>	
b)	<i>Nursing Homes</i>	
c)	<i>Retirement Homes</i>	
d)	<i>Home Occupations</i>	
e)	<i>Home Child Care</i>	
	Non-Residential Uses	
f)	<i>Business Offices</i>	
g)	<i>Child Care Centres</i>	
h)	<i>Community Centres</i>	
i)	<i>Institutional Uses</i>	
j)	<i>Financial Institutions</i>	
k)	<i>Medical Offices</i>	
l)	<i>Personal Service Shops</i>	
m)	<i>Private Clubs</i>	
n)	<i>Public Hospitals</i>	
o)	<i>Restaurants</i>	
p)	<i>Retail Stores</i>	
7.586.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	For the purposes of this By-law, the provisions of Table B6 do not apply.	
b)	Minimum setback from the west <i>lot line</i> – 7.5 metres	
c)	Minimum setback from all other <i>lot lines</i> – 2 metres	
d)	Notwithstanding the provisions b) and c) above, the minimum setback of underground parking garages, including associated driveway ramps, exit stairs and ventilation shafts, shall be 7.5 metres from the west lot line and 0 metres from all other <i>lot lines</i> .	
e)	Maximum height within 30 metres of the west <i>lot line</i> – 15 metres	
f)	Maximum height in excess of 30 metres of the west <i>lot line</i> – the lesser of 21 metres or 6 <i>storeys</i>	
g)	Notwithstanding Section 6.9, <i>loading spaces</i> are not required.	
h)	Non-residential uses shall only be located in the first or second floor of a building containing <i>Apartment Dwellings</i> , <i>Nursing Homes</i> , or <i>Retirement Homes</i>	
i)	Minimum parking requirement <i>for apartment dwellings</i> – 0.8 <i>parking spaces</i> per <i>dwelling unit</i> plus 0.15 <i>parking spaces</i> per <i>dwelling unit</i> for visitors	
j)	Maximum <i>Floor Space Index (FSI)</i> – 2.0	
k)	Maximum <i>gross leasable area</i> of non-residential uses - 1500 square metres	

2.0 **Holding Provision**

For the purposes of this By-law, a Holding (H) provision is hereby established and is identified on Schedule ‘A’ attached hereto by the letter (H) in parenthesis following the zoning symbol.

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.

Prior to removing the Holding (H) provision the following condition must be met to the satisfaction of the City of Markham:

- i) The Toronto and Region Conservation Authority has confirmed that its requirements related to the Special Policy Area designation have been satisfied.

Read a first, second, and third time and passed on February 13, 2018.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2018-7

A By-law to amend By-laws 122-72 and 177-96, as amended

Unionville Home Society, Regional Municipality of York and Minto Communities

4300 Highway 7 East

ZA 17 178335

Lands Affected

The subject lands have an area of approximately 7.29 ha (18.01 acres) and are located on the north side of Highway 7 between the GO Transit rail line and Sciberras Road. The lands are currently occupied by the Union Villa long-term care facility, the Wyndham Gardens retirement apartments, the Heritage Village seniors townhouse development and the Anna Russell parkette..

Existing Zoning

The subject lands are zoned “Open Space Special Use” (O2), “Hold Open Space Special Use” (O2H) and “Second Density – High Density Residential (Special) (RHD2S) by By-law 122-72, as amended.

Purpose and Effect

The purpose and effect of this By-law is to delete the subject lands from the designated area of By-law 122-72, incorporate them into the designated area of By-law 177-96, and zone them to permit the following:

- South portion (Unionville Home Society) – permissions for a future expansion of the existing Union Villa long term care facility.
- Middle portion (Regional Municipality of York) - permission for a 12-storey, (approx.) 260 unit “affordable rental apartment” building. The building is proposed to be targeted for seniors, including the relocation of the tenants of the existing Heritage Village, and include a senior-friendly community centre.
- North portion (Minto Communities) - permission to redevelop the area currently occupied by Heritage Village bungalows with an (approx.) 153 unit townhouse development.

No changes are proposed to the existing Wyndham Gardens retirement apartments.

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.

