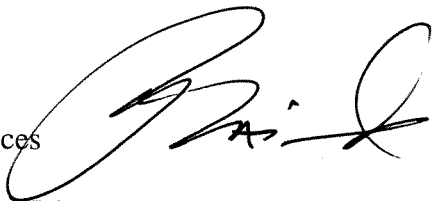




## MEMORANDUM

TO: Mayor and Members of Council

FROM: Jim Baird, Commissioner of Development Services 

PREPARED BY: Scott Heaslip, Senior Project Coordinator, Central District

DATE: June 27, 2017

SUBJECT: Hold removal by-law  
2124123 Ontario Ltd. (formerly Scardred Company Limited)  
3940 Highway 7  
(north side of Highway 7, west of Village Parkway), Ward 3

File No. ZA 17 165364

---

### RECOMMENDATION

That the attached zoning by-law to remove the “Hold” provision from the 2124123 Ontario Ltd. (formerly Scardred Company Limited) lands at 3940 Highway (north side of Highway 7, west of Village Parkway), File No. ZA 17165364, be enacted;

And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

### COMMENT

The zoning of the lands is subject to a “Hold” provision to be removed once a number of conditions, including execution of site plan and Section 37 and agreements, have been satisfied. Full building permits cannot be issued until Council removes the “Hold” from the zoning.

On December 15, 2016, staff endorsed site plan approval for a 36 unit townhouse development in the middle block of the subject lands. The City’s Legal Services Department is currently preparing the required site plan agreement for this development.

On April 10, 2017, Development Services Committee endorsed site plan approval for a 45 unit townhouse unit in the south block, which fronts on Highway 7. Staff are currently working with the applicant to finalize the plans to initiate the site plan agreement for this development.

On June 13, 2017, the subdivision agreement for this property was released to the Owner for execution. The Owner is expected to return the agreement to the City with the required payments and securities shortly.

On June 26, 2017, the Owner executed the Section 37 agreement and returned it with the required payment.

Staff anticipate that the subdivision will be registered and the site plan agreements will be finalized and executed during July or August.

The owner is requesting the City to remove the hold provision before Council's summer break to avoid having to wait until after the first Council meeting in September to commence construction of the townhouses. The owner has provided a written undertaking not to compel the City to issue full building permits for the proposed townhouse developments until the conditions of hold removal have been fully satisfied.

To avoid unduly delaying commencement of construction, staff support removing the holding provision at this time.



## BY-LAW 2016-\_\_\_\_\_

### A By-law to amend By-law 118-79 (Removal of Hold Provision)

---

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law prohibiting the use of land, buildings or structures within a defined area or areas; and,

WHEREAS Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law to specify the use to which lands, buildings or structures may be put at such time in the future as the hold symbol is removed by amendment to the by-law; and,

WHEREAS Zoning By-law No. 118-79 is the governing By-law of the Corporation of the City of Markham pertaining to the subject lands; and

WHEREAS the Council of the Corporation of the City of Markham has deemed it advisable to amend Zoning By-law No. 118-79; and,

WHEREAS the conditions for removal of the holding symbol have been satisfied to the satisfaction of the City;

NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. THAT By-law 118-79 is hereby further amended as follows:
  - 1.1 By removing the Hold (H) provision from the **First Density – Medium Density Residential (Hold) [RMD1(H)] Zone** and the **Second Density – High Density Residential (Hold) [RHD2(H)] Zone** for the lands outlined on Schedule 'A' attached hereto.
2. THAT Zoning By-law No. 118-79 is hereby amended to give effect to the foregoing, but shall in all other respects remain in full force and effect.
3. THAT this By-law shall come into effect upon final passing, pursuant to Section 34(21) of the Planning Act, 1990.

Read a first, second and third time and passed on June 27, 2017.

---

Kimberley Kitteringham  
City Clerk

---

Frank Scarpitti  
Mayor



## **EXPLANATORY NOTE**

**BY-LAW 2017-\_\_\_\_**

**A By-law to amend By-law 118-79, as amended**

**2124123 Ontario Ltd. (formerly Scardred Company Limited)  
3940 Highway 7**

### **Lands Affected**

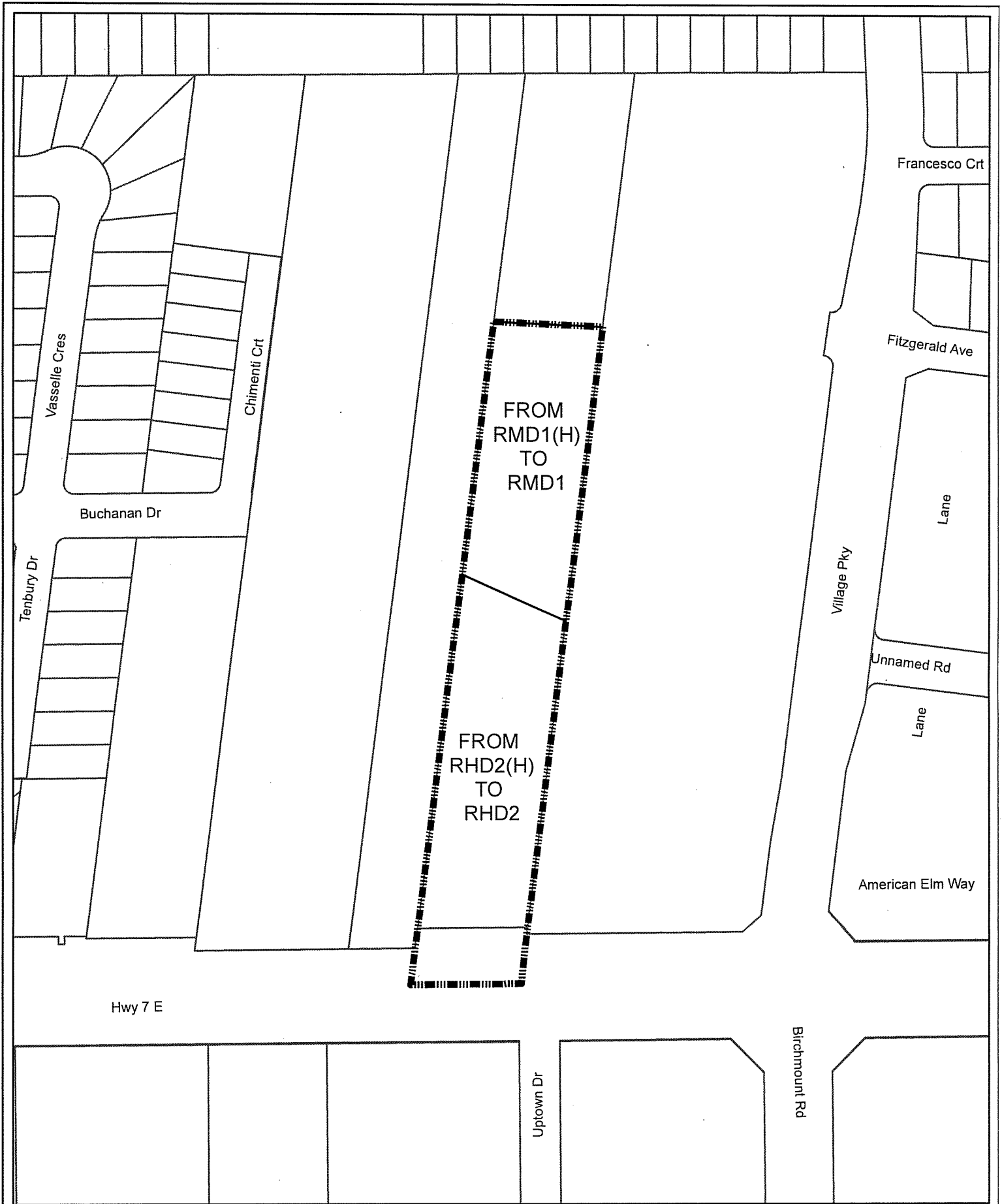
The proposed by-law amendment applies to two blocks of land on the west side of Village Parkway, north of Highway 7.

### **Existing Zoning**

The subject lands are zoned First Density – Medium Density Residential (Hold) [RMD1(H)] and Second Density – High Density Residential (Hold) [RHD2(H)] by By-law 118-79, as amended.

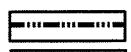
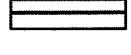

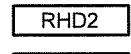
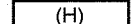
### **Purpose and Effect**

The purpose and effect of this By-law is to remove the Hold (H) provision from the zoning of the subject lands to permit them to be developed with a total of 81 townhouses.



# SCHEDULE " A " TO BY-LAW

AMENDING BY-LAW 118-79 DATED

-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  BOUNDARY OF ZONE DESIGNATION(S)
-  RMD1 FIRST DENSITY - MEDIUM DENSITY RESIDENTIAL
-  RHD2 SECOND DENSITY - HIGH DENSITY RESIDENTIAL
-  (H) HOLDING PROVISION



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.

Q:\Geomatics\New Operation\By-Laws\ZA\ZA\_17165364\ZA\_17165364.mxd



DEVELOPMENT SERVICES COMMISSION

30 15 0 30 Meters

Drawn By: LW Checked By: SH Date: 14/06/2017