




## 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 14, 2016

SUBJECT: **Hold Removal By-law  
1820266 Ontario Inc. (Times Group Inc.)  
(North-east corner of Highway 7 and Village Parkway)  
File No. ZA 16 115962**

## RECOMMENDATION

1. That the attached zoning by-law to remove the holding provision from zoning of the Times Group Inc. property at the north-east corner of Highway 7 and Village Parkway (Block 3, Plan 65M-4464), be enacted.
2. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## COMMENT

On May 24, 2016, Development Services Committee endorsed site plan approval for a 53 unit condominium townhouse development on the subject property. The applicant is currently finalizing the project plans for submission to the City to initiate preparation of the site plan agreement.

The zoning of the property is subject to a holding provision. Building permits cannot be issued for the proposed development until Council removes the holding provision from the zoning of the property. The conditions of hold removal include execution of a site plan agreement and receipt of clearance letters from the applicable cost sharing groups.

The applicant 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.

The applicant has provided a written undertaking not to compel the City to issue a full building permit for the proposed development until the site plan control agreement has been fully executed and the City has received clearances from the trustees for the applicable cost sharing agreements confirming that the owner is in good standing with the Groups.

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



#### **EXPLANATORY NOTE**

**BY-LAW 2016-\_\_\_\_**

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

**1820266 Ontario Inc. (Times Group Inc.)**

**Northeast Corner of Highway 7 East and Village Parkway**

#### **Lands Affected**

The proposed by-law amendment applies to 1.15 ha (2.84 ac) of lands located at the northeast corner of Highway 7 East and Village Parkway.

#### **Existing Zoning**

The subject lands are zoned "Second Density – High Density Residential (Hold) [RHD2(H)] Zone" per By-law 118-79, as amended.

#### **Purpose and Effect**

The purpose and effect of this by-law is to remove the Holding (H) symbol provision from the zoning of the subject property in order to permit the property to be developed with 53 townhouse dwelling units.



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

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

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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 holding 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 it has been confirmed to Council that all of the conditions required for the removal of the Holding (H) Symbol from the subject lands have been completed to the satisfaction of the City;

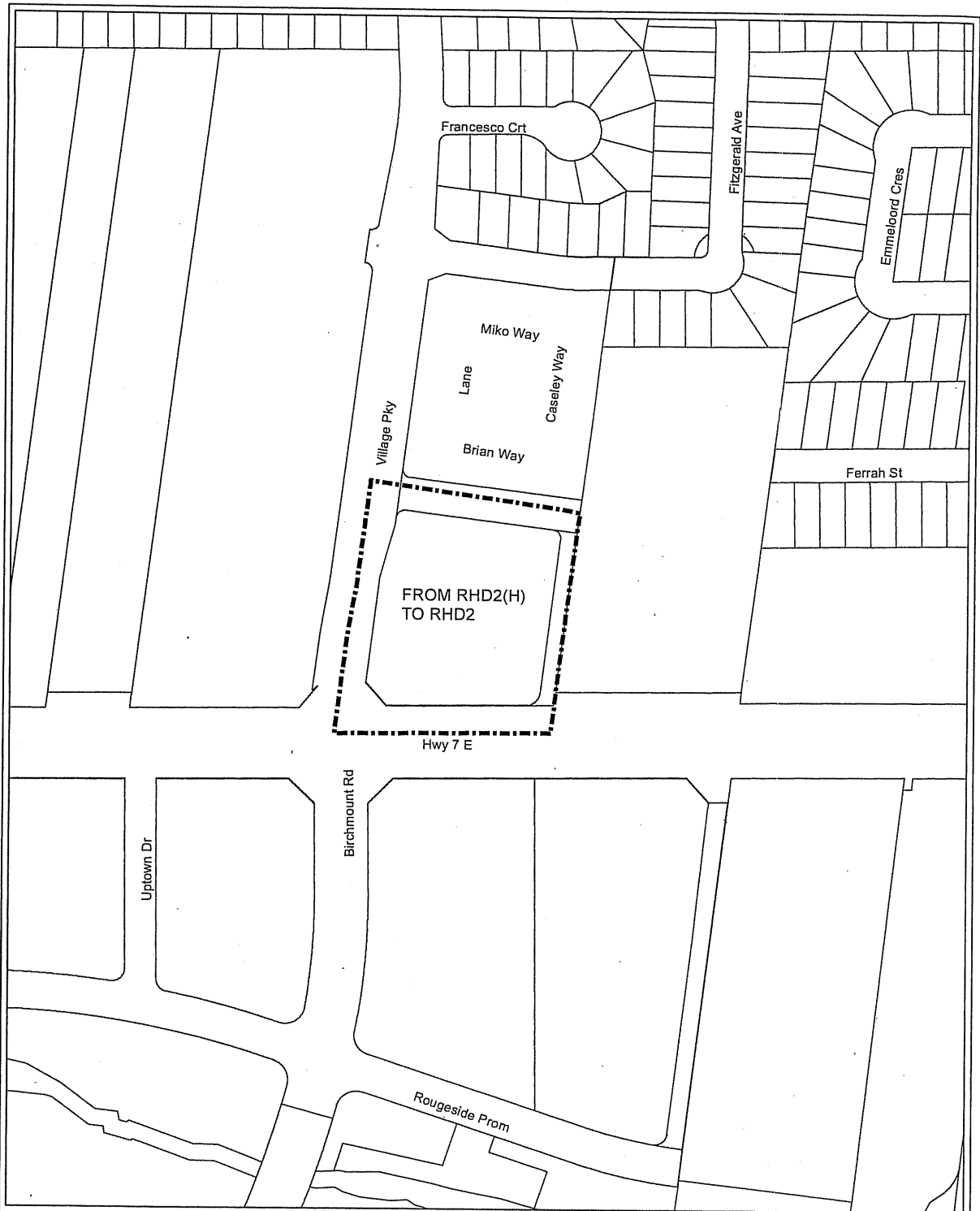
NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. THAT By-law 118-79 is hereby further amended as follows:
  - 1.1 By removing the Holding (H) provision from 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 \_\_\_\_\_, 2016.

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor



## SCHEDULE " A " TO BY-LAW AMENDING BY-LAW 118-79 DATED

--- BOUNDARY OF AREA COVERED BY THIS SCHEDULE

RHD2 SECOND DENSITY - HIGH DENSITY RESIDENTIAL

(H) HOLDING PROVISION

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DEVELOPMENT SERVICES COMMISSION

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Drawn By: CPW Checked By: SH

DATE: 06/06/2016

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