



EXPLANATORY NOTE

BY-LAW 2016-28

A By-law to amend By-law 304-87, as amended, and By-law 177-96, as amended (Office Consolidated 2014).

King David Inc.

Part of Lot 23, Concession 3

Cathedral Community

Lands Affected

The proposed by-law amendment applies to 1.83 hectares (4.5 acres) of land located north of Donald Buttress Boulevard West, south of Anthony Roman Avenue, and west of Woodbine Avenue, within the Cathedral community.

Existing Zoning

The lands are presently zoned Agriculture (A1) by By-law 304-87, as amended.

Purpose and Effect

The purpose of the by-law amendment is to delete the lands from By-law 304-87, as amended, and incorporate the lands into the Community Amenity Two zone within By-law 177-96, as amended.

The effect of the by-law amendment is to allow for the construction of two mixed-use commercial and residential buildings with a maximum *height* of 26.0 metres and maximum *floor space index* of 2.0.



BY-LAW 2016-28

A By-law to amend By-law 304-87, as amended

(To delete lands from the designated area of By-law 304-87)

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

(To incorporate lands into the designated area of By-law 177-96)

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY
ENACTS AS FOLLOWS:

1. THAT By-law 304-87, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated area of By-law 304-87, as amended.
2. THAT By-law 177-96, as amended, is hereby further amended as follows:
 - 2.1 By adding the lands outlined on Schedule 'A' attached to this By-law to the designated area of By-law 177-96, as amended.
 - 2.2 By zoning the lands:

Community Amenity Two* 524

CA2*524

as shown on Schedule 'A' attached hereto.
 - 2.3 By adding the following subsections to Section 7 – EXCEPTIONS:

“7.524 Cathedral Precinct

Notwithstanding any other provisions of this By-law, the site specific provisions in this Section shall apply to those lands denoted by the symbol *524 on Schedule 'A' to this By-law.

7.524.1 Permitted Uses

Notwithstanding the permitted uses of a CA2 (Community Amenity Two) Zone, as shown in Table A2 Retail and Mixed Use Zones, provided for in By-law 177-96, the following additional uses are permitted:

- a) Duplex Dwellings;
- b) Institutional uses, including community facilities and government services;
- c) Museums;
- d) Recreational Establishments;
- e) Triplex Dwellings;
- f) Veterinary Clinics.

7.524.1 Prohibited Uses

Notwithstanding the permitted uses of a CA2 (Community Amenity Two) Zone, as shown in Table A2 Retail and Mixed Use Zones, attached as Schedule 'B', provided for in By-law 177-96, the following uses are prohibited:

- a) Funeral Homes;
- b) Motor vehicle service station (including car wash);
- c) Motor vehicle sales facility;
- d) Supermarkets;

- e) Retail uses involving accessory outdoor storage and/or merchandise;
- f) Places of Worship

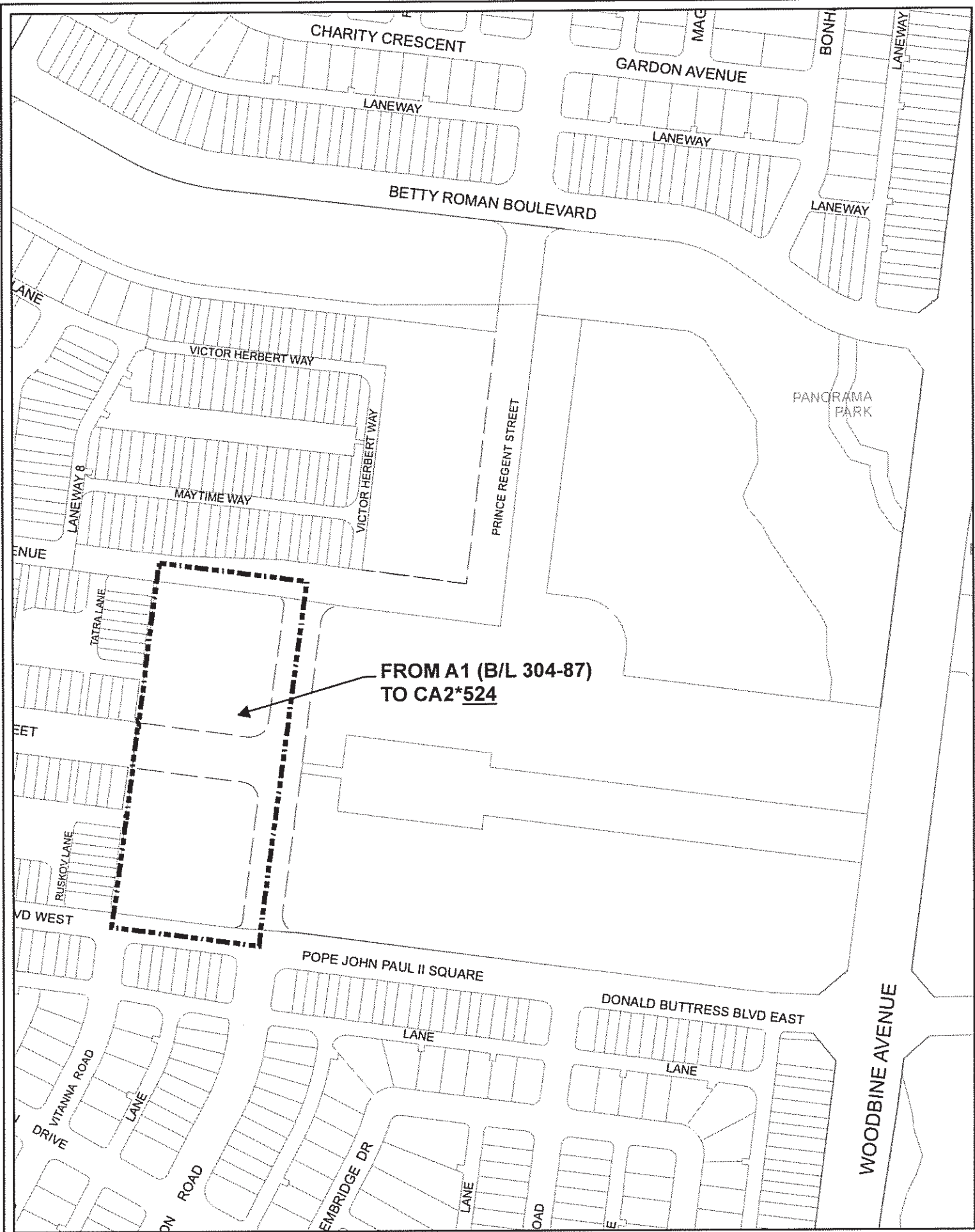
7. 524.2 Special Zone Standards

Notwithstanding the standards outlined in Table B7 (Part 2 of 4, Community Amenity Zones), attached as Schedule 'C1' and 'C2', only the following specific zone standards apply:

- a) Maximum *floor space index* for buildings with mixed commercial and residential uses – 2.00;
 - b) Maximum *floor space index* for buildings with a single use – 1.75;
 - c) Maximum *height* – 26.0 m;
 - d) Minimum *rear yard* – 7.5 metres;
 - e) Minimum *front yard* – 1.8 metres;
 - f) Minimum *exterior side yard* – 1.8 metres;
 - g) the Pope John Paul II Square *streetline* is deemed to be the *front lot line*;
 - h) The Cathedral High Street *streetline*, the Donald Buttress Boulevard West *streetline* and the Anthony Roman Boulevard *streetline* are deemed to be the *exterior side lot lines*;
 - i) No less than 80% of the wall of the *first storey* facing the *exterior side lot line* shall be located any further than 8.0 metres from the *exterior side lot line*;
 - j) Special Provision 7 of Table B7 Community Amenity Zones shall not apply;
 - k) Residential visitor parking shall be provided at a rate of 0.20 spaces per *dwelling unit*;
 - l) Resident parking shall be provided at a rate of 1.10 spaces per *dwelling unit*;
 - m) Non-residential parking shall be provided at the following rate: 1.0 space per 30 square metres of non-residential *gross floor area*;
 - n) Where *restaurant uses* exceed 20 percent of the *gross floor area* for non-residential uses, parking shall be provided at the following rate; 1 space per 9 square metres of non-residential *gross floor area*.
 - o) The gross floor area of any individual retail premise shall not exceed 6,000 square metres.
3. All provisions of By-law 177-96, as amended, not inconsistent with the provisions of this By-law shall continue to apply.

Approved by Ontario Municipal Board on March 23, 2015

SCHEDULE 'A'



BY-LAW SCHEDULE 'A' TO BY-LAW 2016-28

AMENDING BY-LAW 177-96 DATED Approved by OMB on March 23, 2015

- BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
- A1

 AGRICULTURE ONE
- *No.

 EXCEPTION SECTION NUMBER
- CA2

 COMMUNITY AMENITY TWO

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

By-law 2016-28

SCHEDULE 'B'

November 1, 2014

TABLE A2 – RETAIL AND MIXED USE ZONES
PERMITTED USES

USE		ZONE									
		NC1	NC2	NC3	CA1	CA2	CA3	CA4	AC1	AC2	MJC
A	Apartment Dwellings		X	X	X	X	X				
B	Art Galleries	X	X	X(6)	X(3)	X(3)	X	X			X
C	Business Offices	X	X	X(6)	X(3)	X(3)	X	X			X
D	Community Centres	X	X		X(1)	X(1)		X			X
E	Commercial Fitness Centres				X(3)	X(3)		X			X
F	Commercial Parking Lots	X	X		X	X	X	X			X
G	Day Nurseries	X	X		X(8)	X(8)		X(8)			X(8)
H	Duplex Dwellings			X							
I	Financial Institutions	X(9)	X(9)		X(3)	X(3)		X			X
J	Fourplex Dwellings			X							
K	Gas Bars								X(4)	X(4)	X
L	Home Occupations				X	X	X				
M	Hotels							X			X
N	Libraries	X	X		X(1)	X(1)	X	X			X
O	Medical Offices	X	X		X(3)	X(3)		X			X
P	Motor Vehicle Service Stations									X	
Q	Multiple Dwellings	X	X	X	X	X	X				
R	Municipal Parking Lots	X	X		X	X	X	X			X
S	Museums										X
T	Nightclubs										X
U	Non-Profit Fitness Centres	X	X		X (1)	X (1)		X			X
W	Parking Garages	X	X		X (1)	X (1)	X	X			X
X	Personal Service Shops	X(9)	X(9)	X(6)(9)	X(2)	X(2)	X	X			X
Y	Places of Amusement										X
Z	Places of Entertainment										X
Aa	Places of Worship				X(1)(8)	X(1)(8)		X(8)			X(8)
Bb	Private Clubs				X(3)	X(3)		X			X
Cc	Private Home Daycare	X	X	X	X	X	X				
Dd	Recreational Establishments										X
Ee	Repair Shops	X	X	X(6)	X (6)	X(2)		X			X
Ff	Restaurants			X(6)(9)	X(2)	X(2)		X			X
Gg	Retail Stores	X(9)	X(9)	X(6)(9)	X(2)	X(2)		X(7)			X(5)
Hh	Schools, Commercial				X(3)	X(3)		X			X
Ii	Schools, Private				X(1)	X(1)		X			X
Jj	Schools, Public	X	X		X(1)	X(1)		X			X
Kk	Supermarkets							X(7)			X(5)
Ll	Theatres										X
Mm	Townhouse Dwellings				X		X				
Nn	Trade and Convention Centres										X
Oo	Triplex Dwellings			X							
Pp	Veterinary Clinics							X			X

NOTE: Special Provisions are found on the next page.

By-law 2016-28

SCHEDULE ‘C1’

November 1, 2014

TABLE B7 (PART 2 OF 4)
COMMUNITY AMENITY (CA1, CA2, CA3, CA4) ZONES

ZONE PROVISIONS		Multiple Dwellings	CA1 Townhouse Dwellings (17)	Apartment Dwellings and Institutional and Office Buildings,	ZONE CA2 Apartment, Multiple Dwellings and Institutional and Office Buildings	CA3 Townhouse Dwellings (10)(17)	Apartment and Multiple Dwellings	CA4 All Building Forms
Q	Minimum <i>lot area</i>	n/a	n/a	n/a	n/a	n/a	n/a	0.4 ha
R	Maximum <i>lot area</i>	n/a	n/a	n/a	n/a	n/a	n/a	n/a
S	Minimum <i>lot frontage</i>	19.2 m	5.5 m per unit, 6.7 metres per end unit on an <i>interior lot</i> and 7.9 metres per unit on a <i>corner lot</i>	19.2 m	19.2 m	4.5 m per unit on an <i>interior lot</i> and 6.3 metres per unit on a <i>corner lot</i>	19.2 m	30.0 m
T	Minimum required <i>front yard</i>	4.5 m(2)	4.5 m(3)	1.8 m(3)	1.8 m(3)	0.6 m(12)	0.6 m	6.0 m (13)
U	Maximum <i>front yard</i>	n/a	n/a	n/a	n/a	4.5 m	4.5 m	6.0 m (14)
V	Minimum required <i>exterior side yard</i>	2.4 m	2.4 m	1.8 m	1.8 m(4)	2.4 m	2.4 m	6.0 m (13)
W	Maximum <i>exterior side yard</i>	n/a	n/a	n/a	n/a	4.5 m	4.5 m	6.0 m (14)
X	Minimum required <i>interior side yard</i>	1.2 m	0.0 m for an interior unit and 1.2 m for an end unit	0.0 m(15)	0.0 m(15)	0.0 m for an interior unit and 0.6 m for an end unit	0.0 m(15)	3.0 m
Y	Minimum required <i>rear yard</i>	7.5 m	7.5 m	7.5 m	7.5 m	14.8 m	7.5 m	7.5 m
Z	Minimum width of <i>landscaping</i> adjacent to the front and <i>exterior side lot lines</i>	n/a	n/a	n/a	n/a	n/a	n/a	6.0 m (13)

NOTE: Special Provisions are found after TABLE B7 (PART 4 OF 4) MAJOR COMMERCIAL (MJC) ZONES

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SCHEDULE ‘C2’

November 1, 2014

TABLE B7 (PART 2 OF 4)
COMMUNITY AMENITY (CA1, CA2, CA3, CA4) ZONES

ZONE PROVISIONS		Multiple Dwellings	CA1 Townhouse Dwellings (17)	Apartment Dwellings and Institutional and Office buildings,	ZONE CA2 Apartment, Multiple Dwellings and Institutional and Office buildings	CA3 Townhouse Dwellings (10)(17)	CA3 Apartment and Multiple Dwellings	CA4 All Building Forms
AA	Minimum width of landscaping adjacent to the interior and rear lot lines	n/a	n/a	n/a	n/a	n/a	n/a	3.0 metres, if the interior side or rear lot line abuts a Residential or Open Space Zone
BB	Maximum lot coverage	n/a	n/a	n/a	n/a	n/a	n/a	n/a
CC	Minimum landscaped open space	25%	n/a	25%	25%	n/a	25%	n/a
DD	Maximum Floor space index (FSI)	1.0	1.0	1.0 (5)(6)	1.0 (6)(7)	n/a	n/a	n/a
EE	Minimum height	10.5 m	n/a	10.5 m	10.5 m	7.6 m	7.6 m	n/a
FF	Maximum height	20.0m	12.0m	20.0 m	26.0 m	12.0 m	12.0 m	12.0 m

NOTE: Special Provisions are found after TABLE B7 (PART 4 OF 4) MAJOR COMMERCIAL (MJC) ZONES

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SCHEDULE 'D'

November 1, 2014

SPECIAL PROVISIONS FOR THE NC1, NC2, NC3, CA1, CA2, CA3, CA4, AC1, AC2 & MJC ZONES	
1	The maximum <i>net floor area</i> for any non-residential use shall be 300 square metres.
2	No less than 70% of the wall of the <i>first storey</i> facing the <i>front lot line</i> shall be located any further than 6.0 metres from the <i>front lot line</i> .
3	No less than 80% of the wall of the <i>first storey</i> facing the <i>front lot line</i> shall be located any further than 6.0 metres from the <i>front lot line</i> .
4	No less than 80% of the wall of the <i>first storey</i> facing the <i>exterior side lot line</i> shall be located any further than 3.0 metres from the <i>exterior side lot line</i> .
5	If at least 15 percent of the <i>gross floor area</i> above <i>established grade</i> of a <i>building</i> containing <i>apartment dwellings</i> is used for permitted non-residential uses and these non-residential uses are located in the <i>first storey</i> , the maximum FSI is 1.75, provided the maximum number of <i>dwelling units</i> per hectare on the <i>lot</i> does not exceed 75.
6	If at least 15 percent of the <i>gross floor area</i> above <i>established grade</i> of an <i>office building</i> is used for non-residential uses other than <i>business offices</i> and these other uses are located in the <i>first storey</i> , the maximum FSI is 1.75.
7	If at least 15 percent of the <i>gross floor area</i> above <i>established grade</i> of a <i>building</i> containing <i>apartment dwellings</i> is used for permitted non-residential uses and these non-residential uses are located in the <i>first storey</i> , the maximum FSI is 1.75, provided the maximum number of <i>dwelling units</i> per hectare on the <i>lot</i> does not exceed 150.
8	This <i>yard</i> provision applies to the <i>main walls</i> of <i>buildings</i> enclosing interior <i>floor area</i> as well as related <i>structures</i> , including overhead canopies, excepting that no <i>building</i> or part of any <i>building</i> used for the purposes of a <i>car wash</i> shall be located any closer than 20 metres from the <i>front lot line</i> or the <i>exterior side lot line</i> and 20 metres from the <i>Zone</i> boundary of a Residential <i>Zone</i> .
9	This <i>yard</i> provision applies to the <i>main walls</i> of <i>buildings</i> enclosing interior <i>floor area</i> excepting any <i>building</i> or part of a <i>building</i> used for the purposes of a <i>car wash</i> or a <i>motor vehicle service station</i> .
10	<i>Driveways</i> accessing a <i>townhouse dwelling</i> are not permitted to cross the <i>front lot line</i> or the <i>exterior side lot line</i> .
11	The minimum required width of <i>landscaping</i> adjoining a <i>rear</i> or <i>interior side lot line</i> may be reduced to 3.0 metres where the <i>rear</i> or <i>interior side lot line</i> adjoins a public walkway owned and maintained by the <i>Corporation</i> .
12	No less than 25% of the wall of the <i>first storey</i> facing the <i>front lot line</i> shall be located any further than 5.1 metres from the <i>front lot line</i> .
13	Notwithstanding this provision, any part of the <i>main wall</i> may encroach to the <i>lot line</i> a distance of no more than 3.0 metres.
14	This provision shall only apply to <i>buildings</i> which have a <i>gross floor area</i> of 464 square metres or less.
15	The <i>required yard</i> shall be increased to 6.0 metres if it abuts a Residential <i>zone</i> boundary.
16	The minimum <i>lot frontage</i> for <i>duplexes</i> is 11.0 m and 16.5 m for <i>triplexes</i> .
17	A <i>private garage</i> is not permitted to be within or attached to the <i>main building</i> , if the <i>lot</i> is accessed by a <i>lane</i> .