



Explanatory Note

By-law 2016-23

A By-law to amend By-law 2004-196, as amended

Ruland Properties Inc. (The Remington Group)

North of Enterprise Boulevard, east of Warden Avenue and west of Rouge Valley Drive West

Lands Affected

The proposed by-law amendment applies to a 1.21 ha (3 acres) vacant parcel of land located north of Enterprise Boulevard on the east side of Warden Avenue and fronting onto Rouge Valley Drive West.

Existing Zoning

The lands are zoned “Markham Centre Downtown One (Hold)” [MC-D1(H1, H2, H5)] by By-law 2004-196, as amended.

Purpose and Effect

The purpose of this by-law amendment is to rezone the subject lands to “Markham Centre Downtown Two *25 (Hold) [MC-D2 *25(H)]” in By-law 2004-196, as amended, incorporating site specific development standards.

The effect of this by-law amendment is to permit a proposed high-density development accommodating 545 residential units, and to limit retail stores to a maximum net floor area of 200 m².



By-law 2016-23

A By-law to amend By-law 2004-196, as amended
(to rezone lands in the designated area of By-law 2004-196)

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

1. Zoning By-law 2004-196, as amended, be and the same is hereby further amended as follows:
 - 1.1 By rezoning the lands outlined on Schedule A attached hereto from Markham Centre Downtown One (Hold) [MC-D1(H1, H2, H5)] to Markham Centre Downtown Two *25 (Hold) [MC-D2 *25(H)]

As shown on Schedule L1 attached hereto;
 - 1.2 By amending Section 1.2 of By-law 2004-196, as amended, by adding the symbols “L1 to L4” at the end of the sentence “Schedules A1 to A4, B1 to B4, C1 to C4, D1 to D4, E1 to E4, F1 to F4, G1 to G4, H1 to H4, I1 to I4, J1 to J4, K1 to K4”.
 - 1.3 By amending Section 2.2 of By-law 2004-196, as amended, by adding the symbol “L1” at the end of the sentence “Schedules A1, B1, C1, D1, E1, F1, G1, H1, I1, J1, K1”.
 - 1.5 By amending Section 2.6 of By-law 2004-196, as amended, by adding the symbol “X10” at the end of the sentence “Schedules X1, X2, X3, X4, X5, X6, X7, X8, X9.”
 - 1.6 By adding the following new subsection 6.25 (*25) to Section 6 – Exceptions to By-law 2004-196:

6.25 Ruland Properties Inc. (The Remington Group)
Lands Zoned MC-D2 – North of Enterprise Boulevard,
east of Warden Avenue and west of Rouge Valley Drive
West

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *25 (Exception 25) 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.

6.25.1 Special Site Provisions

The following special site provisions shall apply:

- a) *Dwelling units* are permitted on any *storey*, including the first *storey*, of an *apartment building*.
- b) Special Provision (2) to Table A1 shall not apply.

- c) In the case of a *corner lot* with a daylighting triangle, the *exterior side lot line* shall be deemed to extend to its hypothetical point of intersection with the extension of the *front lot line* for the purposes of calculating minimum and maximum *setbacks* from *streetlines*. Notwithstanding the above, in no case shall any *building* or *structure* extend into the *public street* right of way.
- d) Awnings are permitted to extend to any *streetline* or *lot line*.

6.25.2 Special Parking Provision

The following special parking provision shall apply:

- a) The *parking space* requirement for *Apartment Dwellings* shall be as follows:

A minimum of 0.8 parking space per *dwelling unit* and a maximum of 1 *parking space* per *dwelling unit*, plus 0.15 *parking spaces* per *dwelling unit* for visitors. The provision of additional *parking spaces* is not permitted.

- b) Where development of a *lot* is phased, the number of *parking spaces* provided in a *parking garage* on the *lot* during the earlier phase(s) may exceed the maximum number permitted under Section 6.24.2(a), provided that the total number of *parking spaces* on the *lot* shall at no time exceed the maximum number that would be permitted if all approved *dwelling units* and other uses were constructed in a single phase.

6.25.3 Special Holding Provisions

The following special holding provisions shall apply:

Holding provision 'H' shall only be lifted on all or part of the lands shown on Schedule 'X10' attached hereto when all of the following criteria have been met:

- i. Appropriate water supplies and sewage capacity are available, and have been allocated by Council and/or the Developers Group to support the development.
- ii. A traffic impact study and a TDM (Travel Demand Management) plan have been approved by the City of Markham and York Region within the prior 6 months for the lands from which the holding provision is to be removed.


- iii. A developers group agreement or other cost sharing arrangement for community infrastructure and facilities has been entered into to the satisfaction of the City's Commissioner of Development Services and the City Solicitor.
- iv. Any other agreement identified as being required by Council has been entered into that satisfies all of the conditions of the City.
- v. Site Plan Approval has been granted by the City.

Driveways and underground parking garages are permitted to be constructed prior to the removal of the Holding provision 'H'.

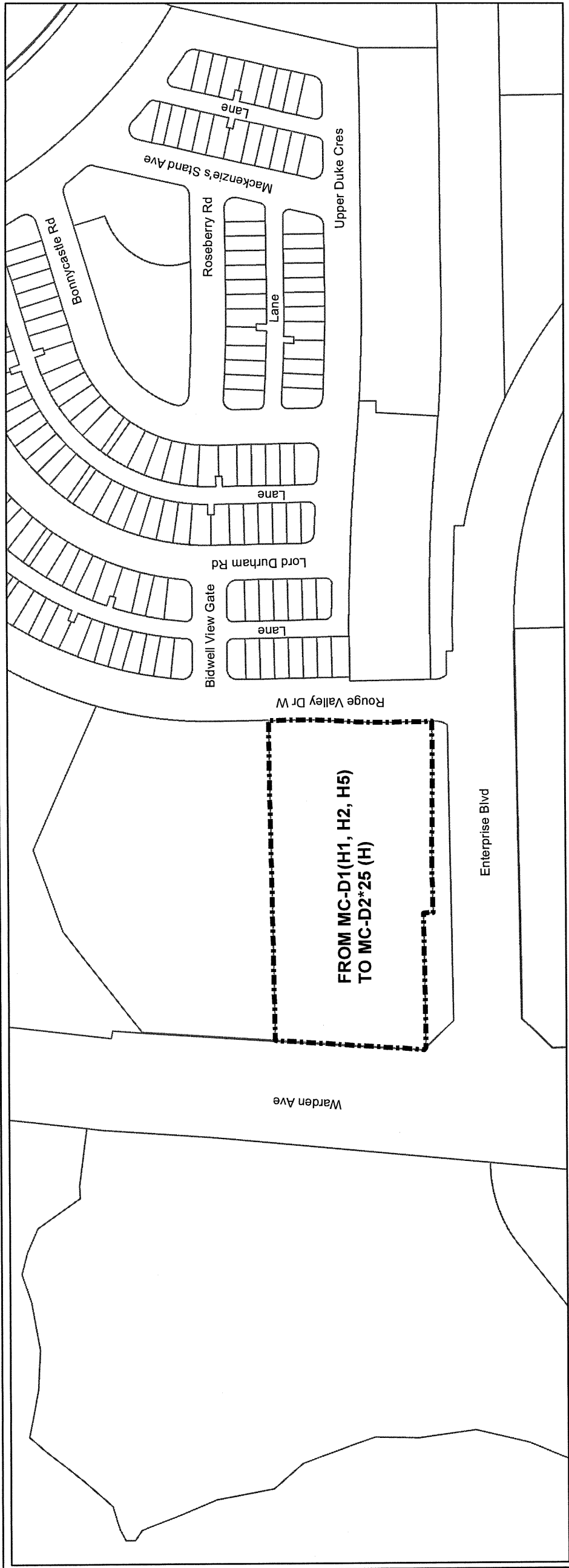
- 1.7 By adding the following schedules to By-law 2004-196, as amended Schedule L1, L2, L3, L4 and X10.
- 2. All other provisions of By-law 2004-196, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

Read a first, second, and third time and passed on March 1, 2016.



Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



SCHEDULE "A " TO BY-LAW 2016-23

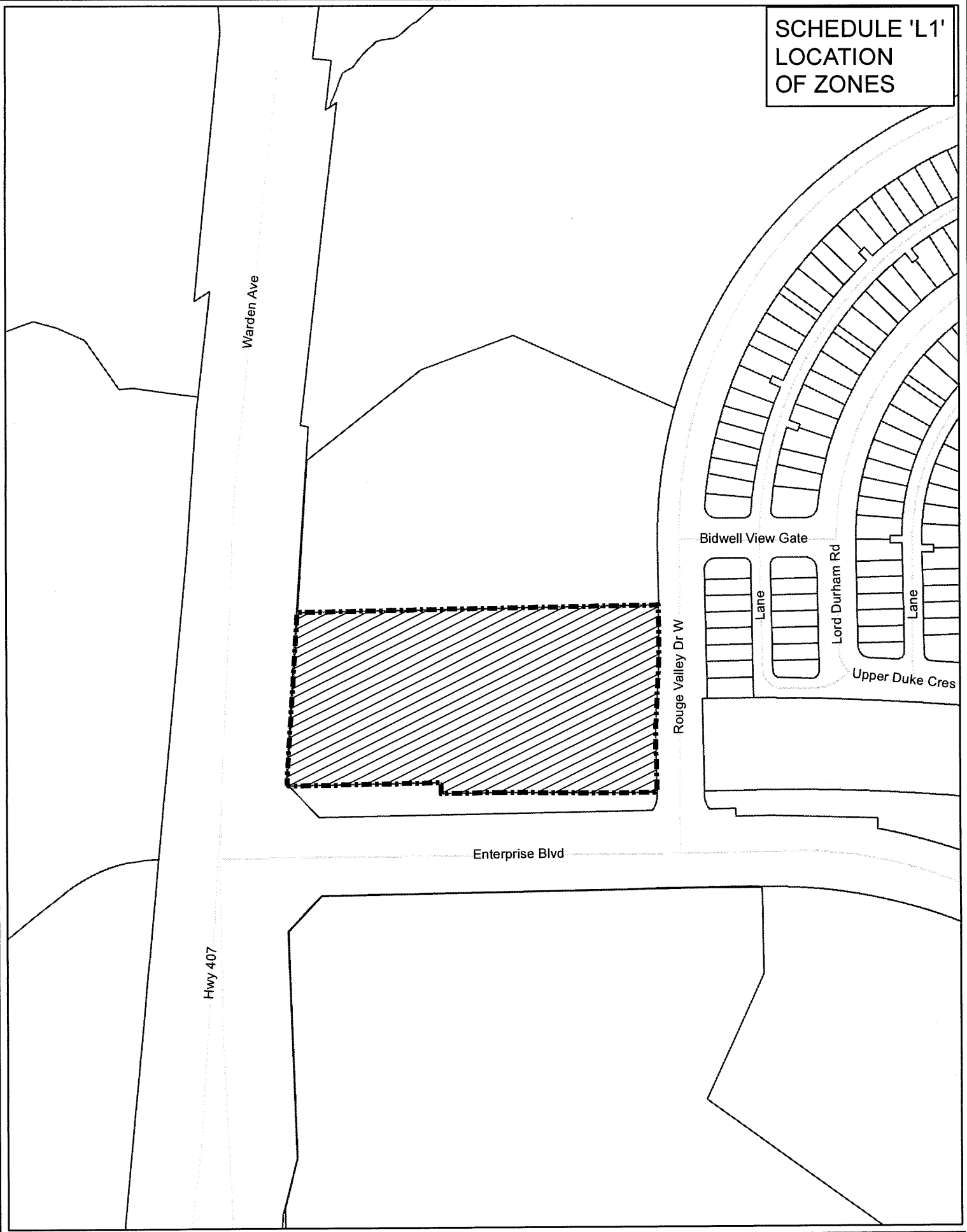
AMENDING BY-LAW 2004-196 DATED March 1, 2016

<div><div></div></div>	BOUNDARY OF AREA COVERED BY THIS SCHEDULE
<div><div>MC-D1</div></div>	MARKHAM CENTRE DOWNTOWN ONE
<div><div>MC-D2</div></div>	MARKHAM CENTRE DOWNTOWN TWO
<div><div></div></div>	EXCEPTION SECTION NUMBER
<div><div></div></div>	HOLDING PROVISION


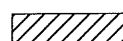
NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office

Q:\Geomatics\New Operation\By-Laws\PR2004-196\ZA14108661\By-Law (2004-196)\Sche A\By-law Sche A.mxd

**SCHEDULE 'L1'
LOCATION
OF ZONES**



SCHEDULE "L1" TO BY-LAW 2016-23 **AMENDING BY-LAW 2004-196 DATED March 1, 2016**

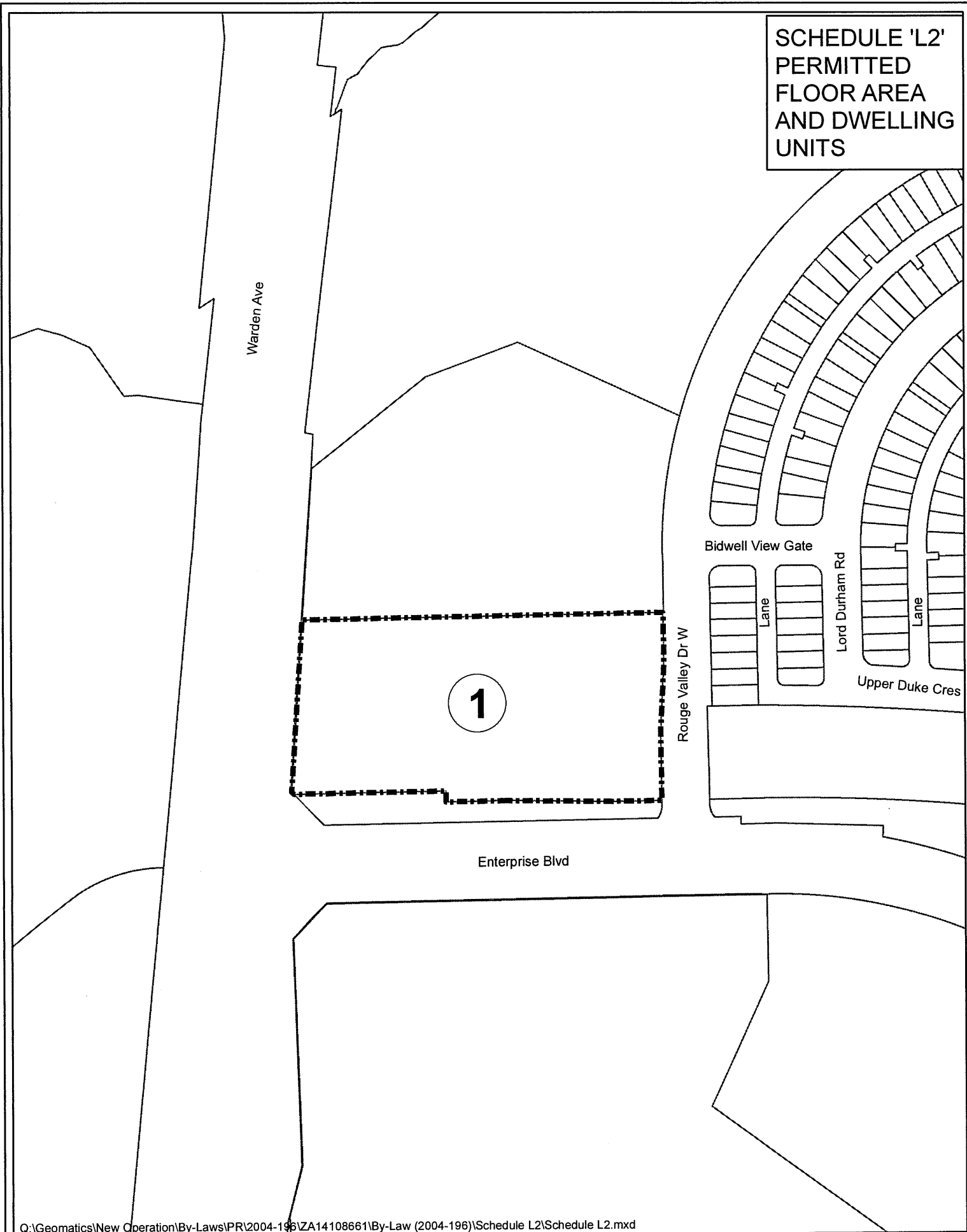
-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  MC-D2*25



Q:\Geomatics\New Operation\By-Laws\PR\2004-196\ZA14108661\By-Law (2004-196)\Schedule L1\Schedule L1.mxd

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

SCHEDULE 'L2'
PERMITTED
FLOOR AREA
AND DWELLING
UNITS

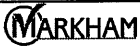


Q:\Geomatics\New Operation\By-Laws\PR\2004-196\ZA14108661\By-Law (2004-196)\Schedule L2\Schedule L2.mxd

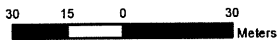
SCHEDULE "L2" TO BY-LAW 2016-23
AMENDING BY-LAW 2004-196 DATED March 1, 2016

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

Number on Schedule L2	Net Floor Area	Maximum number of Dwelling Units
1	Retail Stores-Maximum 200m ²	545



DEVELOPMENT SERVICES COMMISSION

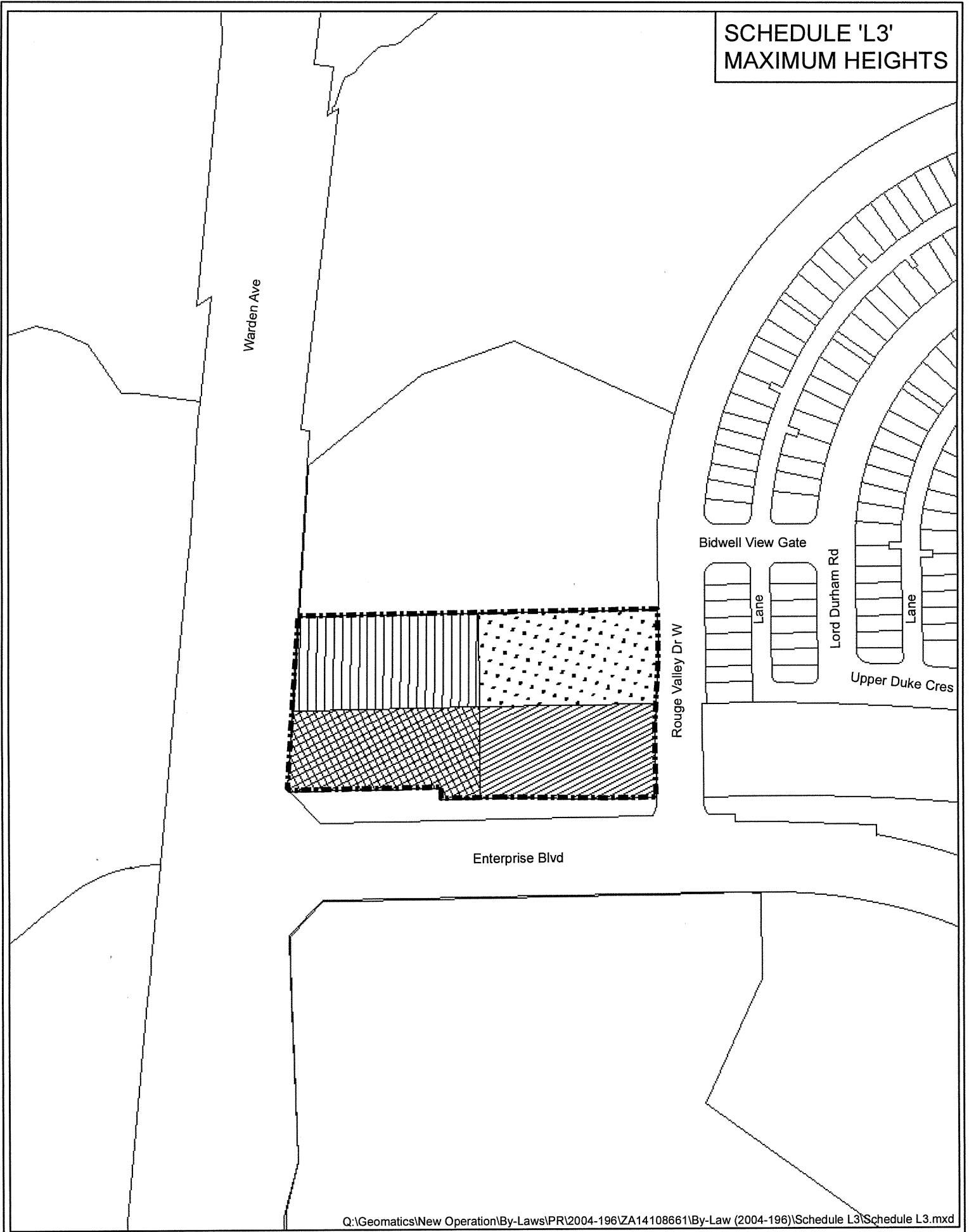


Drawn By: CPW

Checked By: SB

DATE: 02/02/2016

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



SCHEDULE "L3" TO BY-LAW 2016-23

AMENDING BY-LAW 2004-196 DATED March 1, 2016

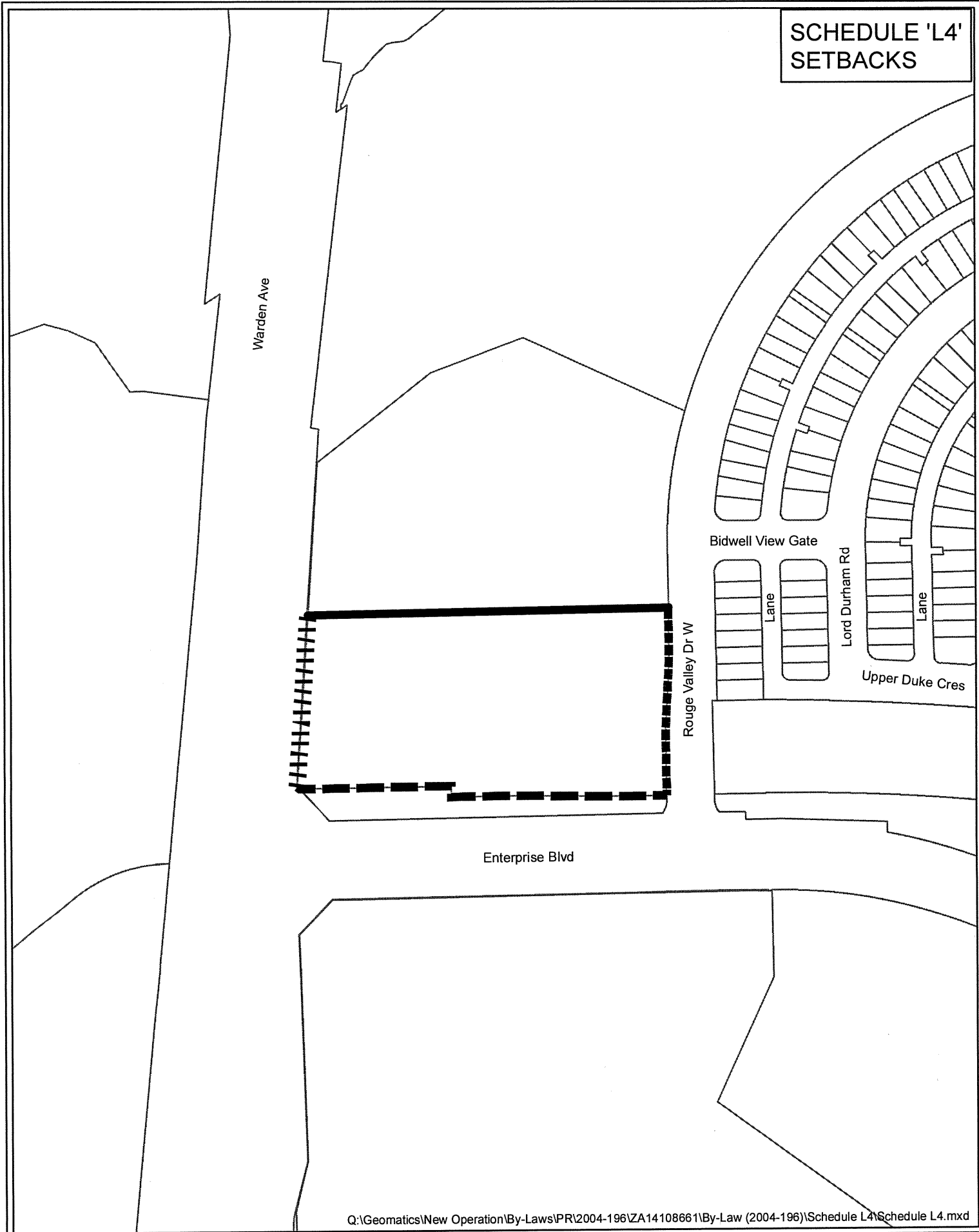
- BOUNDARY OF AREA COVERED BY THIS SCHEDULE
- THE LESSER OF 7 STOREYS OR 26 METRES
- THE LESSER OF 9 STOREYS OR 32 METRES
- THE LESSER OF 15 STOREYS OR 55 METRES
- THE LESSER OF 12 STOREYS OR 47 METRES

The following provision shall apply: (Geological Survey of Canada)

1) Not with standing any of the height permission on this schedule, no part of any building or structure shall have a height greater than 238.00 G.S.C. (Geological Survey of Canada)

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

SCHEDULE 'L4'
SETBACKS



SCHEDULE "L4" TO BY-LAW 2016-23

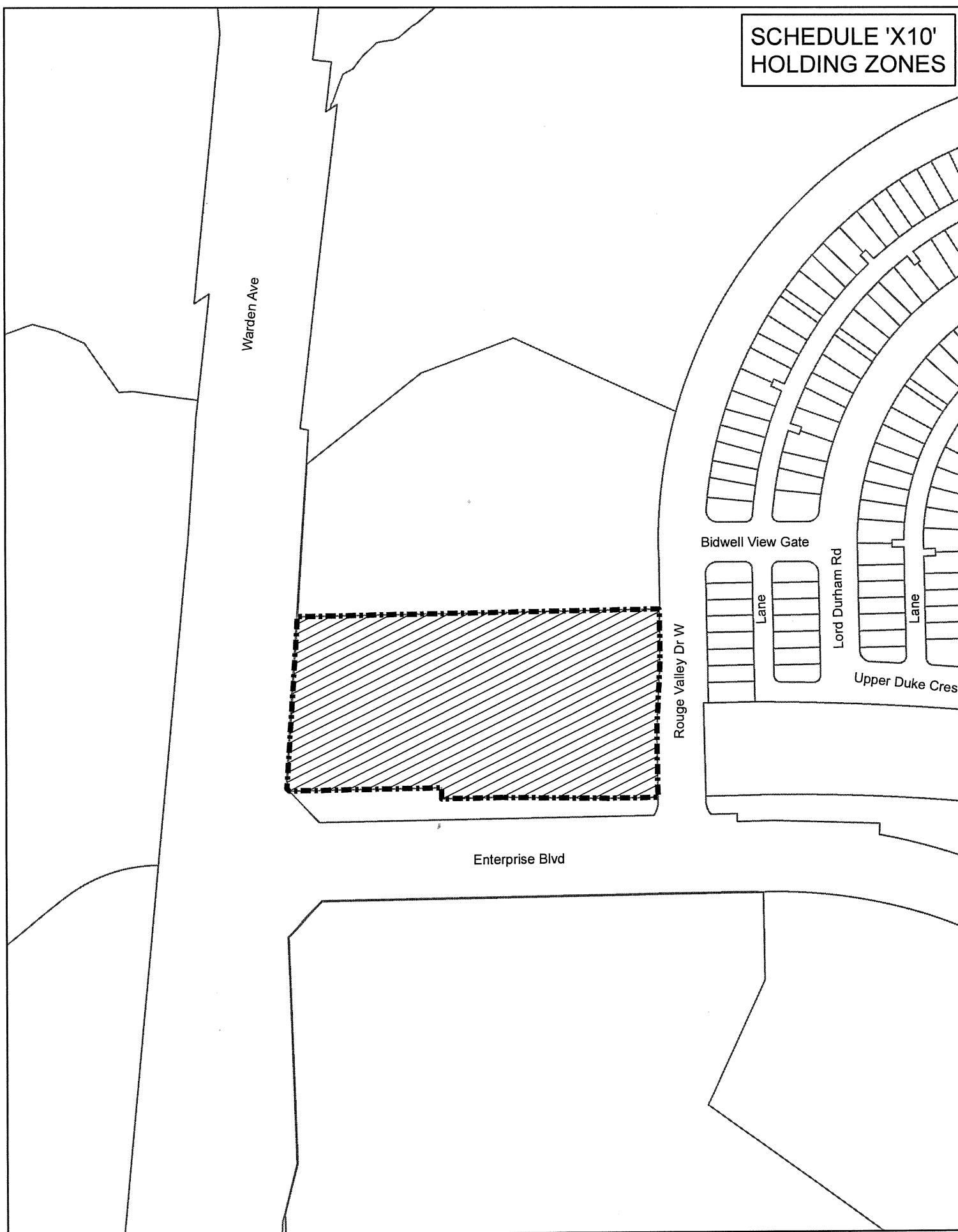
AMENDING BY-LAW 2004-196 DATED March 1, 2016

- The minimum building setback to the first storey above grade shall be 10 metres
- The minimum building setback to the first storey above grade shall be 2.5 metres
- The minimum building setback to the first storey above grade shall be 2 metres
- The minimum building setback to the first storey above grade shall be 0 metres


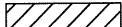
- The following provision shall apply:
- Underground parking garages shall be set back a minimum of 0 metres from the north and east lot lines and 2 metres from west and south lot lines.
 - The minimum setback for all storeys above the first storey shall be 0 metres.

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

**SCHEDULE 'X10'
HOLDING ZONES**



SCHEDULE "X10" TO BY-LAW 2016-23 **AMENDING BY-LAW 2004-196 DATED March 1, 2016**

-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  HOLDING ZONE



Q:\Geomatics\New Operation\By-Laws\PR\2004-196\ZA14108661\By-Law (2004-196)\Schedule X10\Schedule X10.mxd