

## **BY-LAW 2009-XXX**

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

To delete lands within the South Unionville Planning District described  
as part of Lots 8 and 9, Concession 6, from the designated area of By-law 304-87, as  
amended

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

1. 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. This By-law shall not come into effect until By-law 2009-XXX, amending By-law 177-96, as amended, comes into effect and the lands, as shown on Schedule 'A' attached hereto, are incorporated into the designated area of By-law 177-96, as amended.
3. All other provisions of By-law 304-87, as amended, not inconsistent with the provisions of this by-law shall continue to apply

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
XXX DAY OF XXX, 2009.

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KIMBERLEY KITTINGHAM  
TOWN CLERK

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FRANK SCARPITTI  
MAYOR

# BY-LAW 2009-XXX

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

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

1. By-law 177-96, as amended, is hereby further amended as follows:
  - 1.1 By expanding the designated area of By-law 177-96, as amended, to include lands comprising part of Lots 8 and 9, Concession 6, as outlined on Schedule 'A', attached hereto.
  - 1.2 By zoning the lands:  
  
Community Amenity Area One (Hold) [CA1\*XXX(H1)(H2)]
  - 1.3 By rezoning lands outlined on Schedule 'A', attached hereto, as follows:  
  
Residential Two – Lane Access (Hold) [R2-LA\*52(H)] to Community Amenity One (Hold) [CA1\*XXX(H1)(H2)]  
  
Residential Two – Lane Access (Hold) [R2-LA\*31\*52(H)] to Community Amenity One (Hold) [CA1\*XXX(H1)(H2)]  
  
as outlined on Schedule "A" attached hereto.
- 1.3 By adding the following new subsections to Section 7 – EXCEPTIONS, to By-law 177-96:

**"7.XXX**

**Jolie Home Inc. (South Unionville Square)  
East side of Kennedy Road between Castan Avenue and  
South Unionville Avenue**

Notwithstanding any other provisions of this By-law, the provisions of this section shall apply to those lands denoted by the symbol \*XXX on the Schedules of this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

**7.XXX.1**

**Additional Permitted Uses**

- a) One (1) *supermarket*
- b) *Shopping centres*

- c) *Car washes*

#### 7.XXX.2 **Special use provisions**

- a) Special provisions 2, 3 and 4 of Table A2 do not apply.
- b) *Townhouse dwellings* and *multiple dwellings* are permitted only on Part 2 on Schedule 'B' hereto.
- c) *Apartment dwellings* are permitted only on Part 3 on Schedule 'B' hereto.
- d) Maximum combined number of *townhouse dwellings* and *multiple dwellings* – 28
- e) Maximum number of *apartment dwellings* – 180
- f) Car washes are only permitted within a *parking garage*.

#### 7.XXX.2 **Zone standards**

The CA1 zone standards in Table B5 do not apply. The following specific zone standards apply:

- a) minimum required *yard* adjoining any street – 0 metres
- b) minimum required *building height* - 9 metres
- c) maximum permitted *building height*:
  - Parts 1 and 2 on Schedule 'B' attached hereto – 15 metres
  - Part 3 on Schedule 'B' attached hereto – 30 metres
- d) maximum floor space index (FSI) – 2

#### 7.XXX.3 **Special Parking Provisions**

- a) *Apartment dwellings* – A maximum of one (1) *parking space* per *dwelling unit* plus 0.20 *parking spaces* per unit for visitors. The provision of additional *parking spaces* is not permitted.

### 1.4 **HOLDING PROVISIONS**

For the purposes of this By-law, Holding (H) Zones are hereby established and are identified on Schedule 'A' attached hereto by the zone symbols followed by H1 and H2, in parenthesis.

- 1.4.1 Notwithstanding any other provisions in this by-law, where a zone symbol is followed by (H1), no person shall use the land to which (H1) applies for any other use than the use which existed on the

date this by-law was passed, until (H1) is removed in accordance with the provisions of this by-law. Holding (H1) provision shall not be removed until the following conditions have been met:

- a) the Owner has conveyed to the Town and the Region of York the lands required for South Unionville Avenue extending from Kennedy Road to the new north-south local road adjoining the east boundary of the subject lands, the lands required for the north-south local road, extending from Ian Baron Avenue to Helen Avenue, and the neighbourhood park and stormwater management lands on the east side of the north-south local road, and has entered into a development agreement with the Town to secure construction of the roads, stormwater management facility and related infrastructure.
- b) A site plan agreement has been executed for the development.

1.4.2 Notwithstanding any other provisions in this by-law, where a zone symbol is followed by (H2), no person shall construct *apartment dwellings* on the lands to which (H2) applies, until (H2) is removed in accordance with the provisions of this by-law. The Holding (H2) provision shall not be removed until the following conditions have been met:

- a) Sufficient servicing allocation has been assigned for the proposed *apartment dwellings*.
- b) A site plan agreement has been executed for the development.

Parking for the proposed apartment dwellings is permitted to be constructed prior to the removal of H2.

2. All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS XX DAY OF XX, 2009.

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KIMBERLEY KITTERINGHAM  
TOWN CLERK

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FRANK SCARPITTI  
MAYOR

## **EXPLANATORY NOTE**

By-law No. 2009-XXXX  
A By-law to amend By-law 304-87

By-law No. 2009-XXXX  
A By-law to amend By-law 177-96, as amended.

Jade-Kennedy Development Corporation (South Unionville Square)  
Part of Lots 8 and 9 , Concession 6  
South Unionville Community

### **LANDS AFFECTED**

These proposed By-law amendments apply to 2.66 hectares (6.6 acres) of land located on the east side of Kennedy Road between Castan Avenue and future South Unionville Avenue.

### **EXISTING ZONING**

The lands subject to this By-law are zoned as follows:

- Portions are currently zoned “Rural Residential One” (RR1) and “Agricultural” (A1) by the Town of Markham Rural Area Zoning By-law No. 304-87.
- Portions are zoned “Residential Two – Lane Access” (R2-LA\*52 and R2-LA\*31\*52) by the Town of Markham Urban Expansion Area By-law No. 177-96.

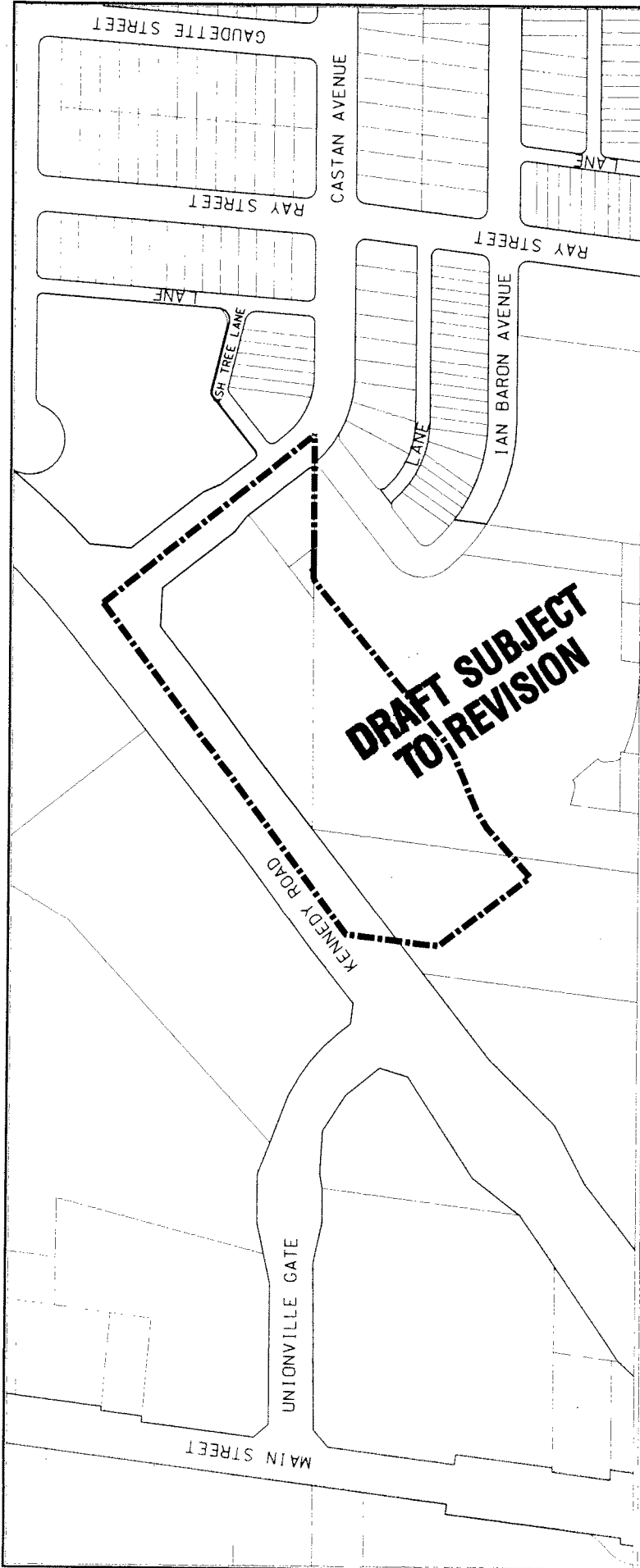
### **PURPOSE OF THE BY-LAWS**

The purpose of the proposed amendments is to consolidate the zoning of the subject lands under Urban Expansion Area By-law No. 177-96, and zone them “Community Amenity Area One (CA1). The zoning will include holding provisions to ensure that sufficient infrastructure and services are in place.

### **EFFECT OF THE BY-LAW**

The effect of the proposed amendment is to facilitate a mixed-use development consisting of:

- a total of 23,180 m<sup>2</sup> (274,447 ft<sup>2</sup>) of commercial uses, including a food store (proposed tenant is a T and T Supermarket) and a range of retail, restaurant, office and service uses.
- 28 three-storey townhouse units facing onto the local residential street to the east.
- a future 8-storey, +/-200 unit apartment building focused on the intersection of South Unionville Avenue and Kennedy Road.



DEVELOPMENT SERVICES COMMISSION

# A BY-LAW TO AMEND BY-LAW 304-87

THIS IS SCHEDULE 'A' TO BY-LAW  
PASSED THIS ..... DAY ..... 2009

MAYOR

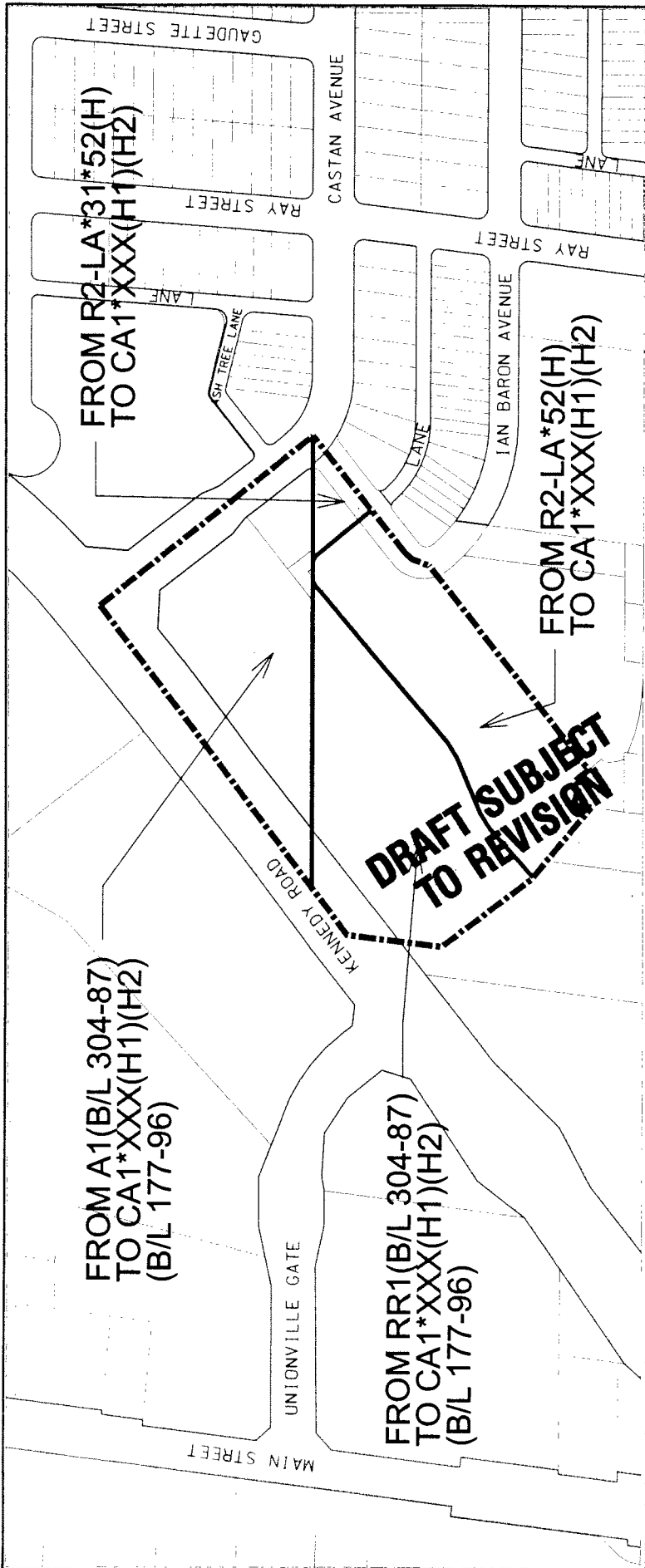
CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW



NOTE: 1) DIMENSIONS ARE IN METRES  
2) REFERENCE SHOULD BE MADE TO  
THE ORIGINAL BY-LAW LODGED IN  
THE OFFICE OF THE CLERK

SCALE 1: NA



DEVELOPMENT SERVICES COMMISSION

# A BY-LAW TO AMEND BY-LAW 177-96

THIS IS SCHEDULE 'A' TO BY-LAW  
PASSED THIS DAY 2009

MAYOR

CLERK

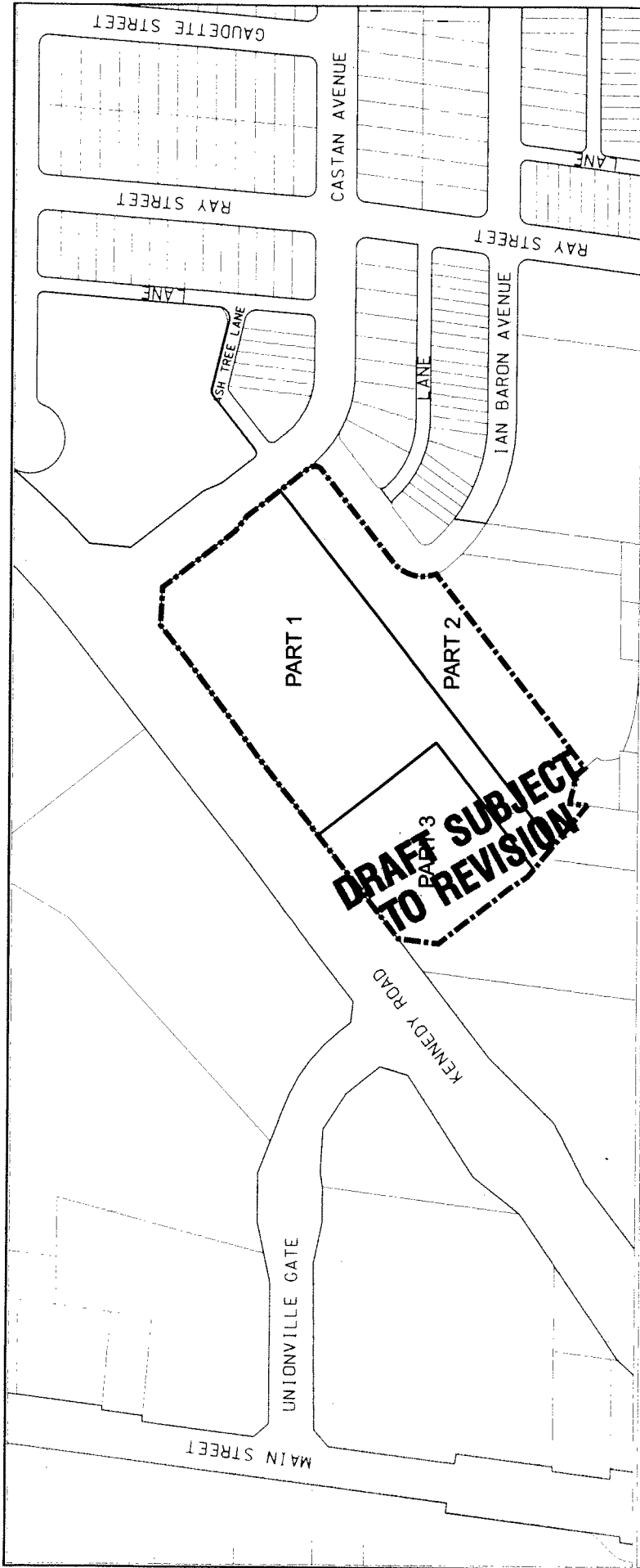
BOUNDARY OF AREA COVERED BY THIS BY-LAW

ZONE BOUNDARY

NOTE: 1) DIMENSIONS ARE IN METRES  
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THE OFFICE OF THE CLERK

☐ A1 AGRICULTURE ONE  
☐ CA1 COMMUNITY AMENITY ONE  
☐ RR1 RURAL RESIDENTIAL ONE  
☐ R2-LA RESIDENTIAL TWO LANE ACCESS  
☐ (H1)(H2) HOLDING PROVISION ONE & TWO  
☐ \*No EXCEPTION SECTION NUMBER

SCALE 1: NA



# A BY-LAW TO AMEND BY-LAW

177-96

THIS IS SCHEDULE 'B' TO BY-LAW ..... 2009  
 PASSED THIS ..... DAY .....  
 ..... MAYOR  
 ..... CLERK

NOTE: 1) DIMENSIONS ARE IN METRES  
 2) REFERENCE SHOULD BE MADE TO  
 THE ORIGINAL BY-LAW LODGED IN  
 THE OFFICE OF THE CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW

SCALE 1: N/A