

AREA CONTEXT / ZONING

APPLICANT: Times Group Corporation
 Block 49 & 50 Plan 65M-3226
 FILE No: ZA 08 129082



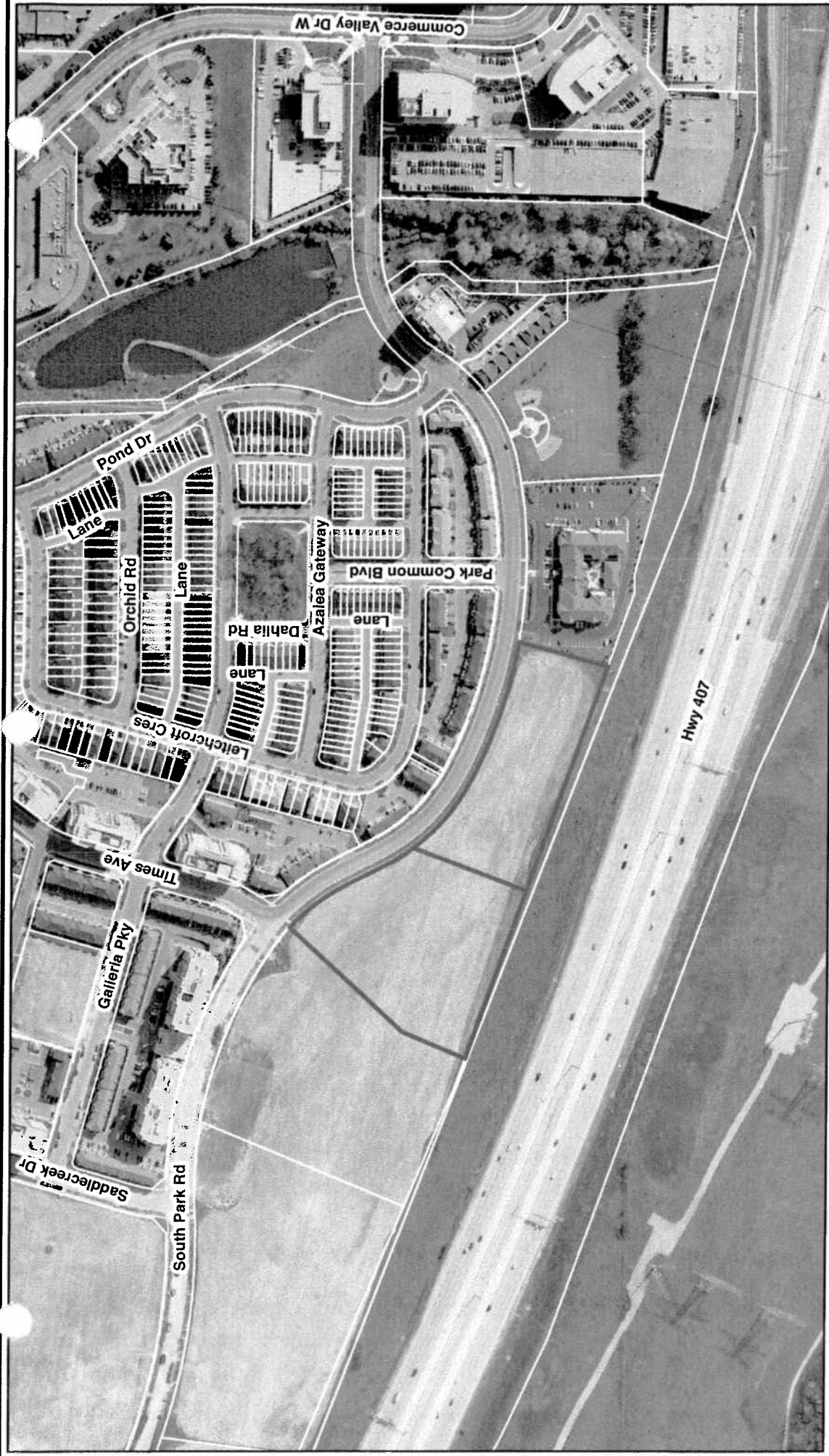
SUBJECT LANDS



DATE: 05/02/09

FIGURE No. 2


Drawn By: SW
 Checked By: SW



AIR PHOTO (2007)

APPLICANT: Times Group Corporation
Block 49 & 50 Plan 65M-3226
FILE No: ZA 08129082

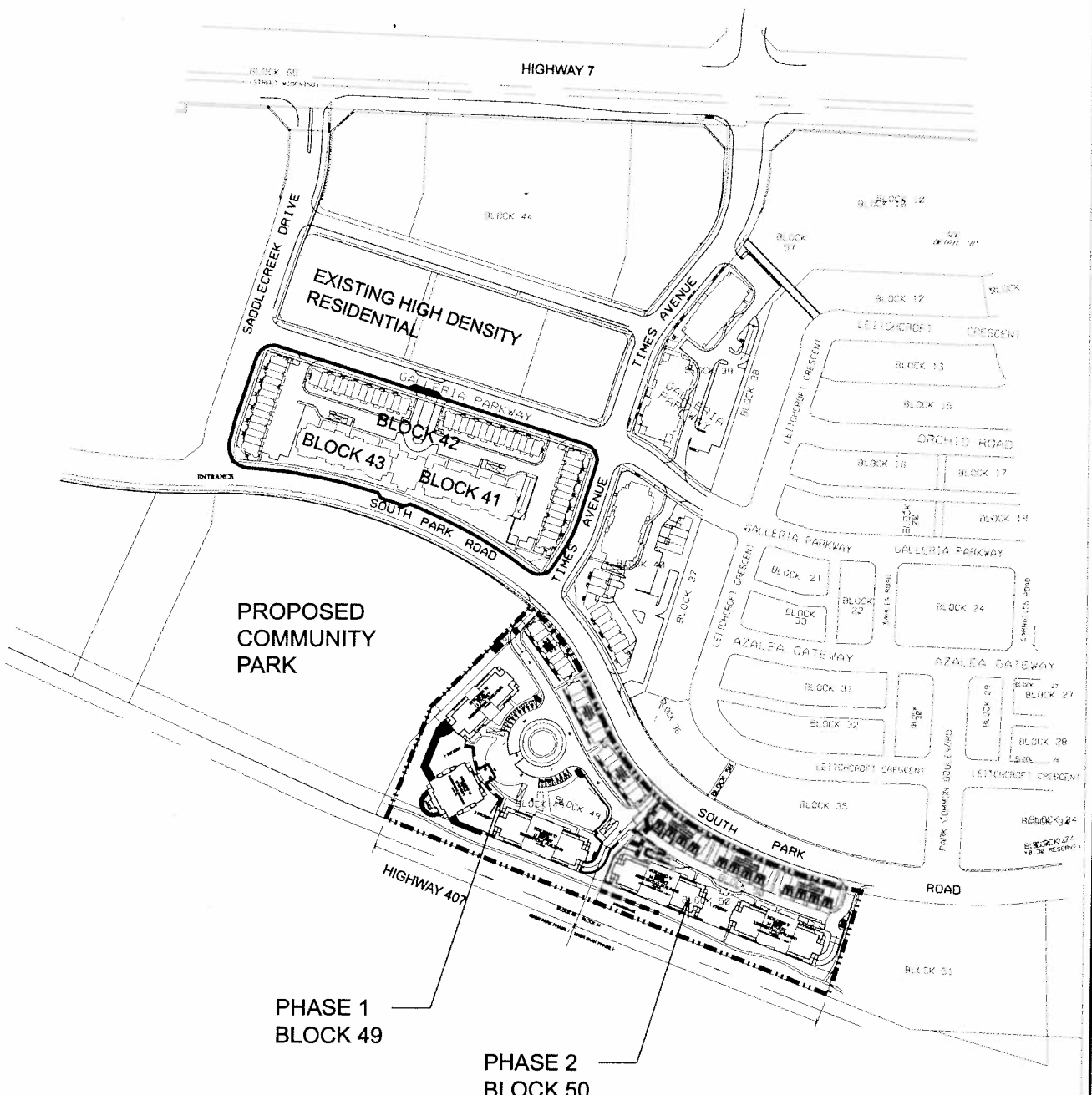


 SUBJECT PROPERTY

DATE:25/03/08

FIGURE No. 3

Drawn By: SW Checked By: SW



COMMUNITY CONTEXT

APPLICANT: TIMES GROUP CORPORATION
BLOCK 49 & 50, PLAN 65M-3226

FILE No: ZA. 08129082 (RB)

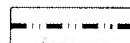


DEVELOPMENT SERVICES COMMISSION

DWN BY: CPW

CHK BY: RB

SCALE 1:



SUBJECT LANDS

DATE: 06/02/09

FIGURE No.4

MASTER PLAN

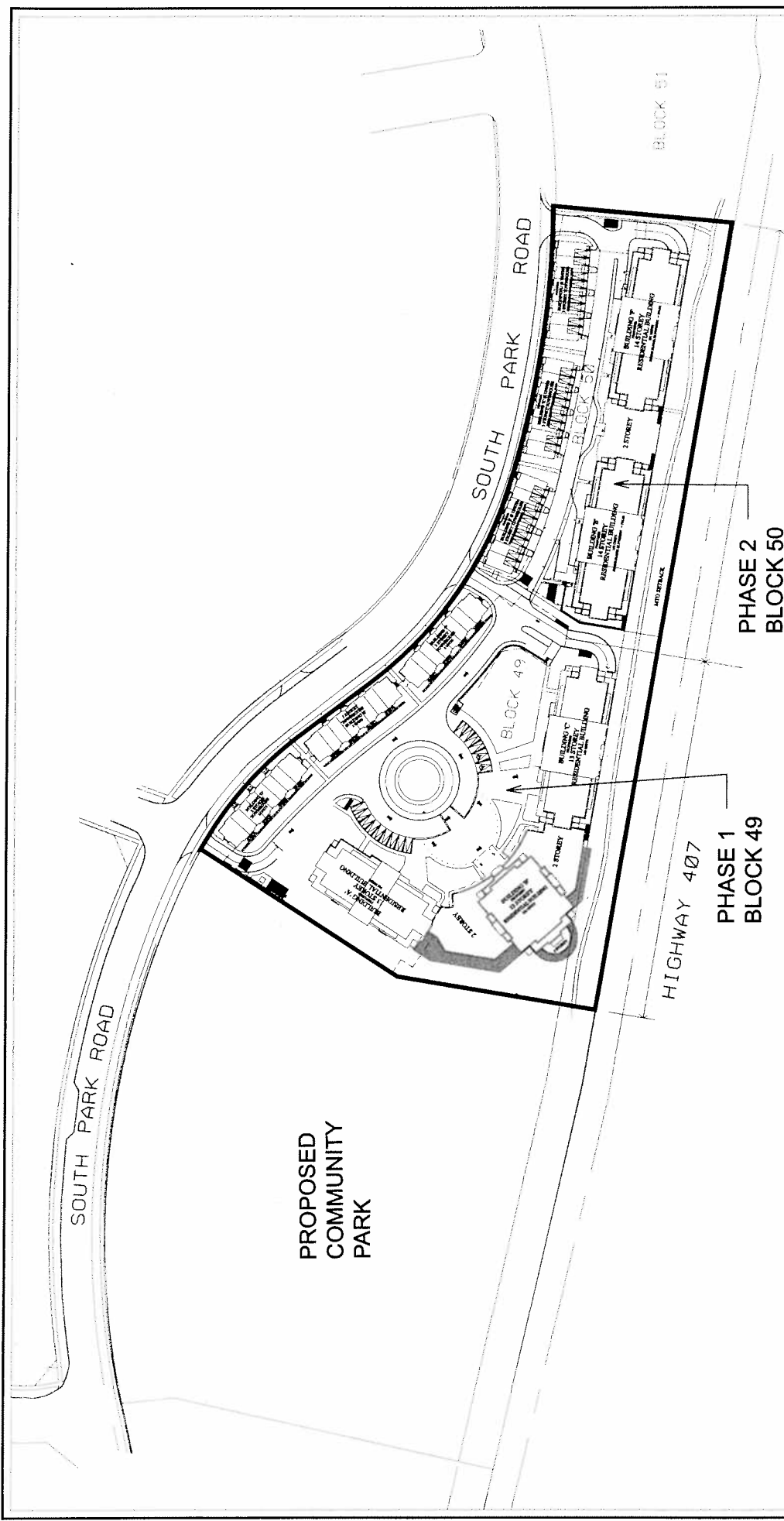
APPLICANT: TIMES GROUP CORPORATION
BLOCK 49 & 50, PLAN 65M-3226

FILE No: ZA. 08129082 (RB)



DEVELOPMENT SERVICES COMMISSION

ZA08129082.DGN 09/06/2009 11:25:38 AM

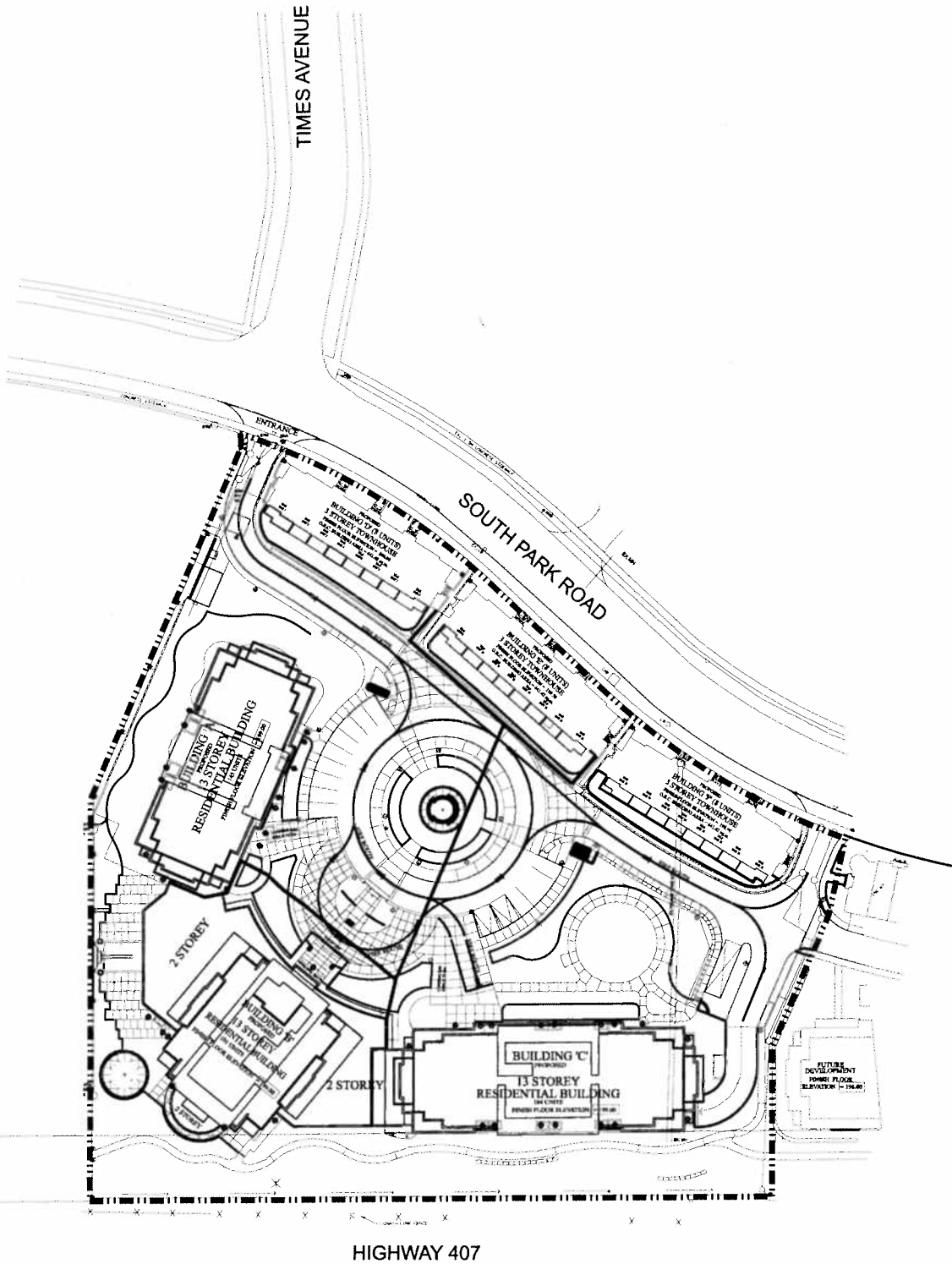


SUBJECT LANDS

DATE: 06/02/09

DRAWN BY: CPW CHECKED BY: RB SCALE 1:

FIGURE No.5



SITE PLAN

APPLICANT: TIMES GROUP CORPORATION
BLOCK 49 & 50, PLAN 65M-3226

FILE No: ZA. 08129082 (RB)

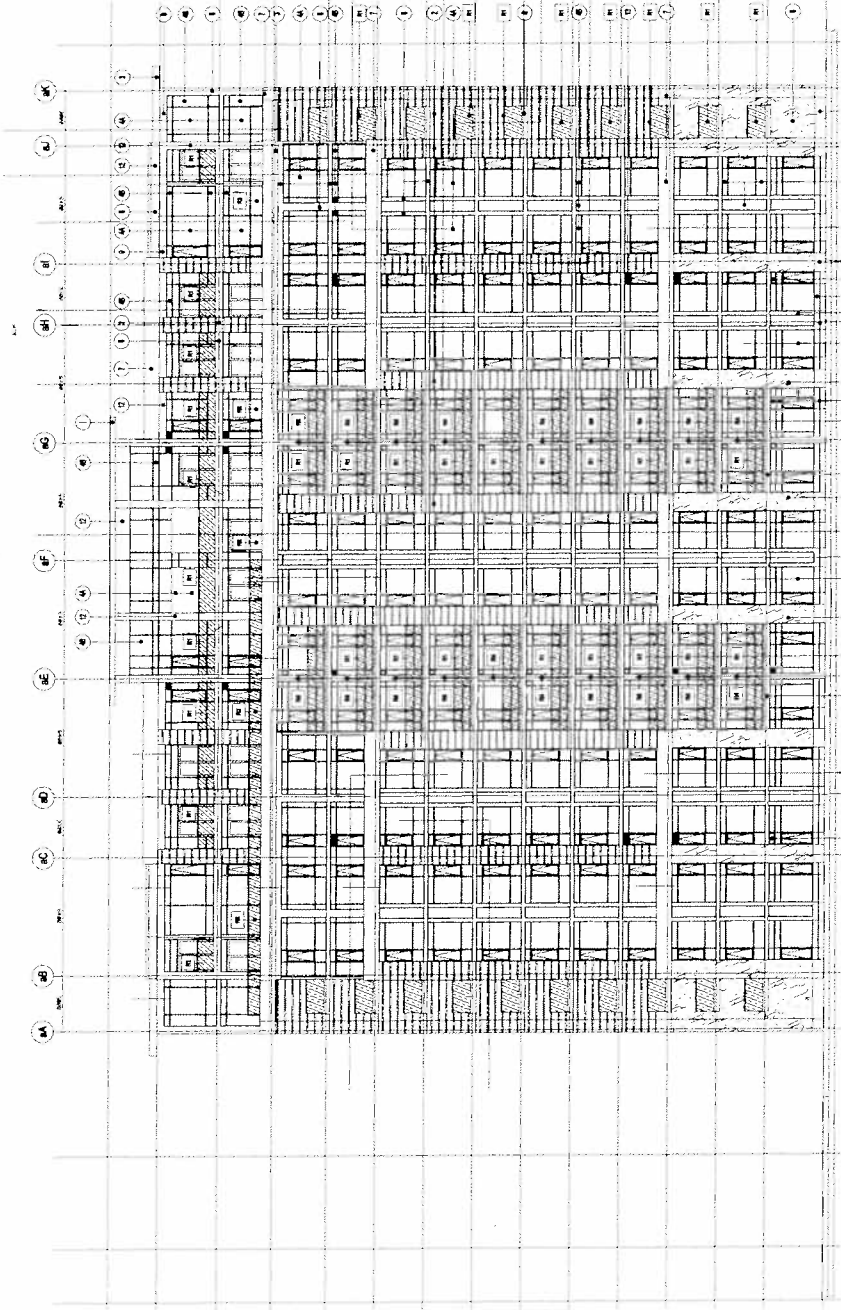
MARKHAM DEVELOPMENT SERVICES COMMISSION

OWN BY: CPW CHK BY: RB SCALE 1:

DATE: 25/05/09

FIGURE No.6

ZA08129082.DGN 29/05/2009 9:32:02 AM



WEST ELEVATION

ELEVATION – BUILDING 'A'

APPLICANT: TIMES GROUP CORPORATION
BLOCK 49 & 50, PLAN 65M-3226

FILE No: ZA. 08129082 (RB)

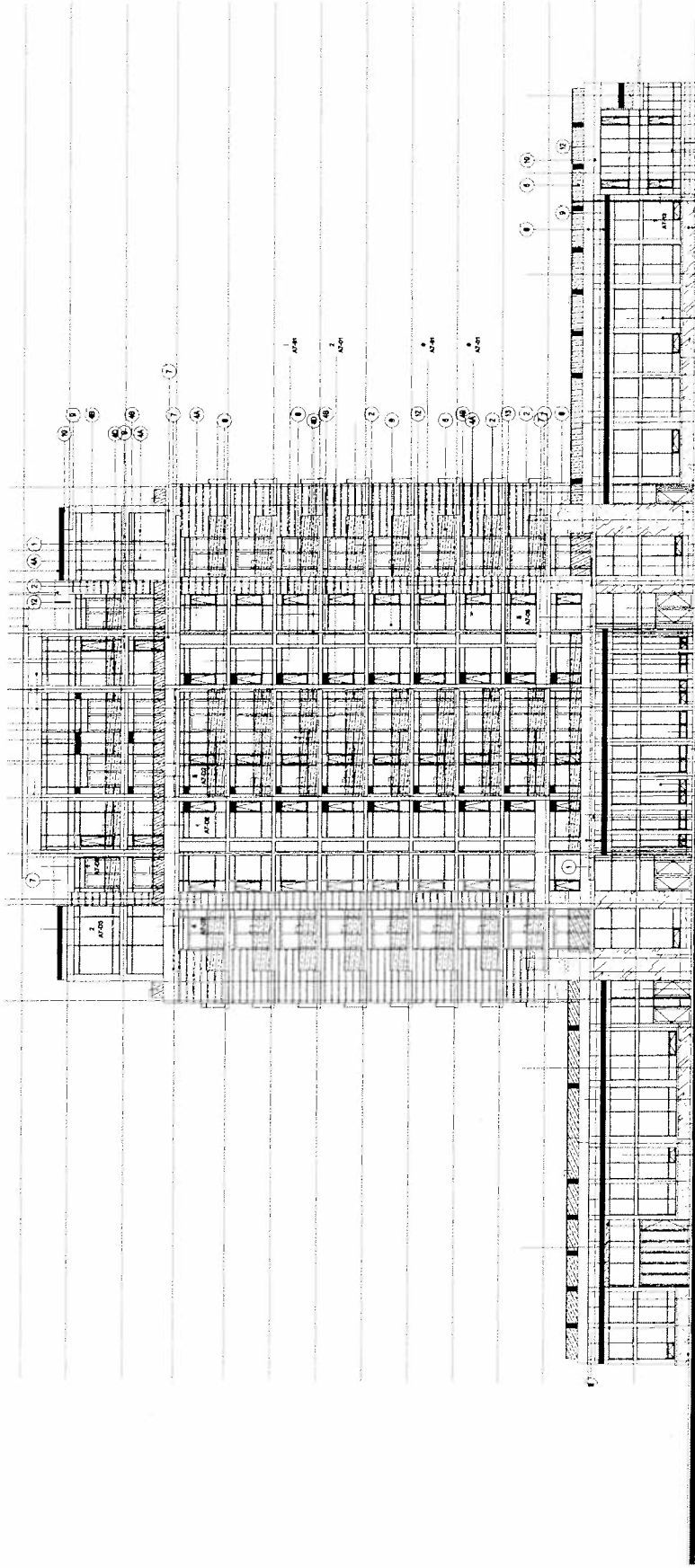


DEVELOPMENT SERVICES COMMISSION

DATE: 06/02/09

FIGURE No.7

DRAWN BY: CPW CHECKED BY: RB SCALE 1:



SOUTH ELEVATION

ELEVATION - BUILDING 'B'

APPLICANT: TIMES GROUP CORPORATION
BLOCK 49 & 50, PLAN 65M-3226

FILE No: ZA. 08129082 (RB)

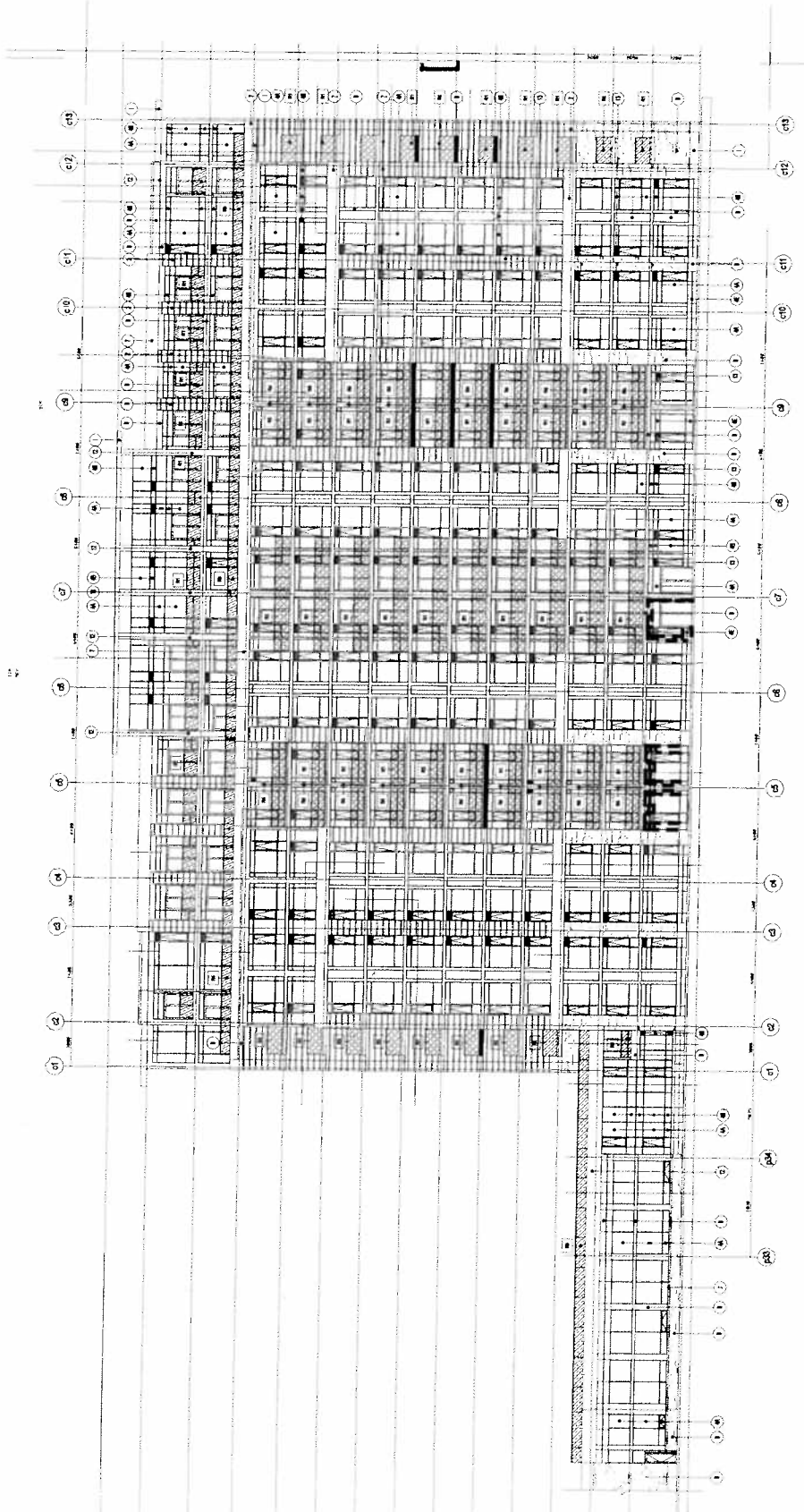


DEVELOPMENT SERVICES COMMISSION

DATE: 06/02/09

FIGURE No.8

DRAWN BY: CPW CHECKED BY: RB SCALE 1:



SOUTH ELEVATION

ELEVATION - BUILDING 'C'

APPLICANT: TIMES GROUP CORPORATION
BLOCK 49 & 50, PLAN 65M-3226

FILE No: ZA. 08129082 (RB)

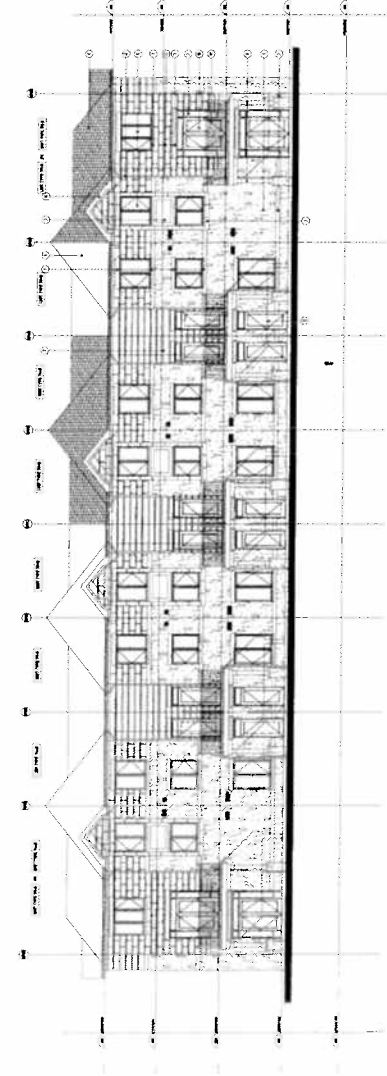


DEVELOPMENT SERVICES COMMISSION

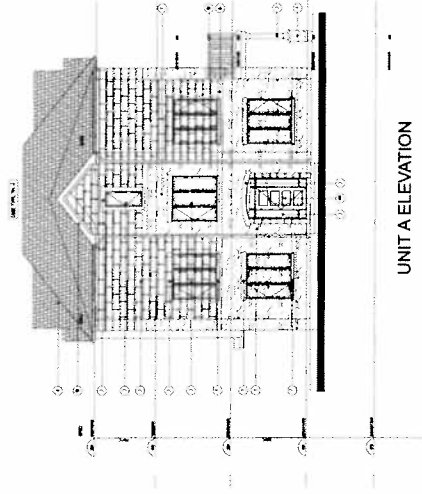
DATE: 060209

FIGURE No.9

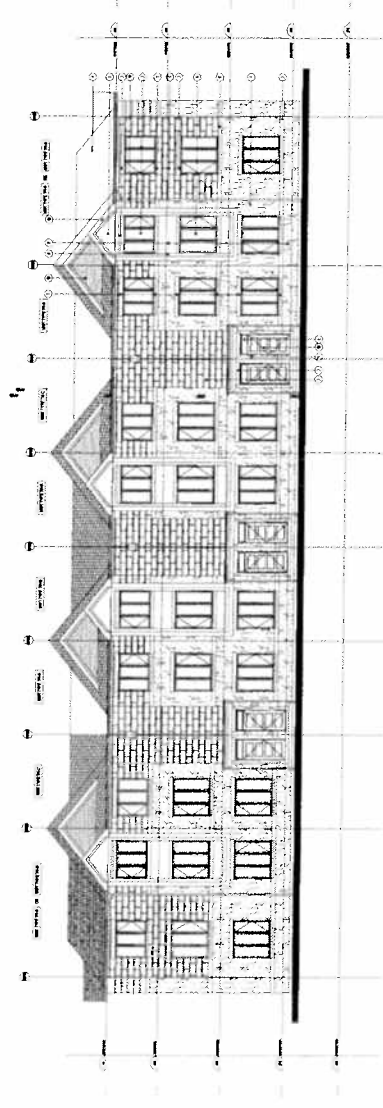
DRAWN BY: CPW CHECKED BY: RB SCALE 1:



UNIT A ELEVATION



UNIT B ELEVATION



ELEVATION - TOWNHOMES

APPLICANT: TIMES GROUP CORPORATION
BLOCK 49 & 50, PLAN 65M-3226

FILE No: ZA. 08129082 (RB)

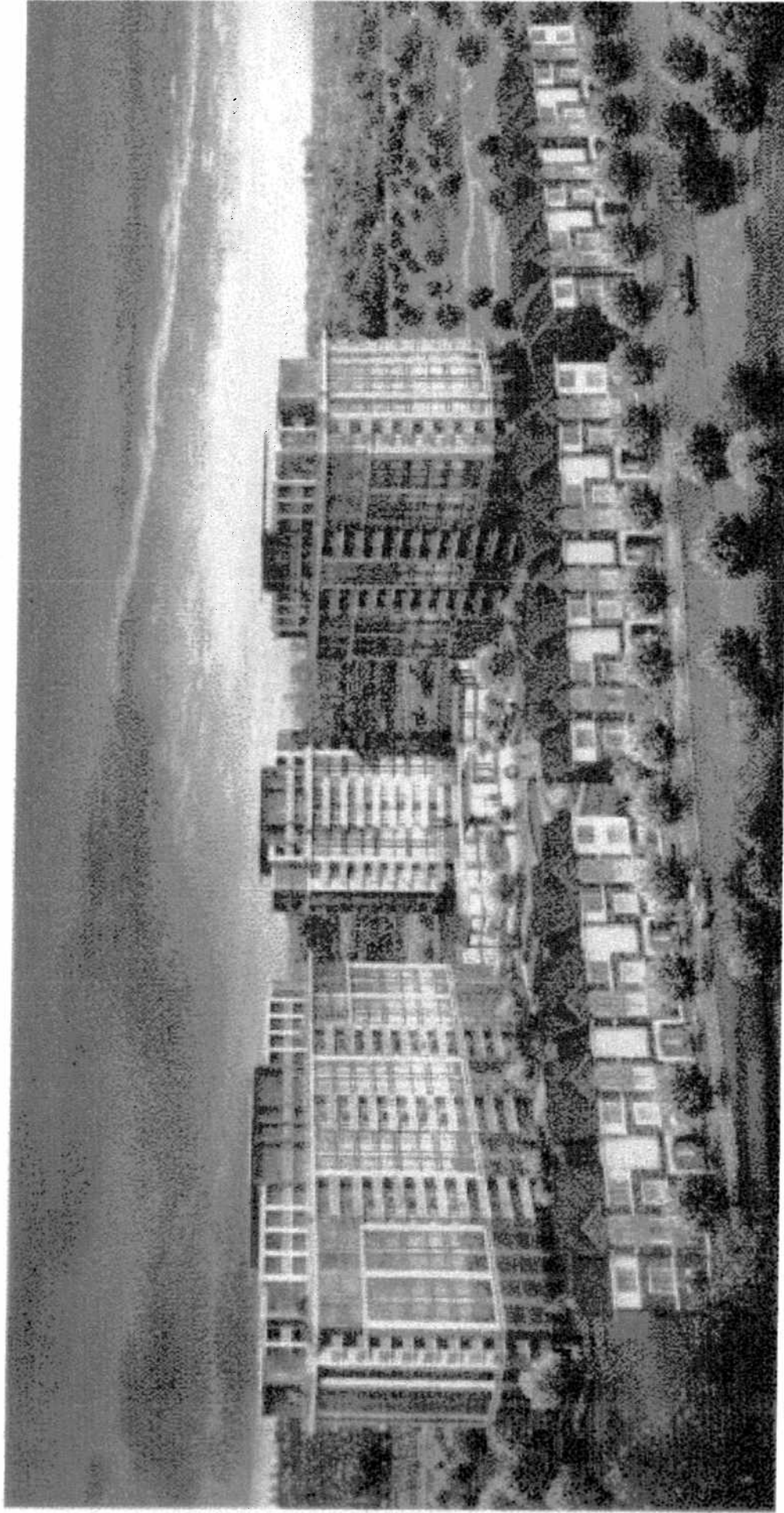


DEVELOPMENT SERVICES COMMISSION

DATE: 06/02/09

FIGURE No.10

DRAWN BY: CPW CHECKED BY: RB SCALE 1:



ELEVATION - TOWNHOMES

APPLICANT: TIMES GROUP CORPORATION
BLOCK 49 & 50, PLAN 65M-3226

FILE No: ZA. 08129082 (RB)



DEVELOPMENT SERVICES COMMISSION

DATE: 06/02/09

DRAWN BY: CFW CHECKED BY: RB SCALE 1:

FIGURE No.11

Appendix A:

Conditions of Site Plan Approval

1. THAT site plan approval shall lapse after a period of three years commencing June 16, 2009, in the event that site plan agreement is not executed within that period;
2. THAT the site plan shall comply with the requirements of By-law 177-96, as amended;
3. THAT prior to endorsement of the site plan, the Owner shall:
 - a) submit an updated traffic study, to the satisfaction of the Director of Engineering, to address trip generation associated with the proposed development and measures to mitigate traffic speeds in the community and improve pedestrian safety at key intersections. (Phase 1 and Phase 2);
 - b) submit revisions to the following studies, if required, to the satisfaction of the Director of Engineering:
 - Servicing Study (Flow Monitoring Study);
 - Stormwater Management Study;
 - Site Servicing Study;
 - Grading plan;
 - Erosion and Sediment Control Plan;
 - Noise Impact Study;
 - Geotechnical Report.
 - c) submit revised site plan and elevation drawings, to the satisfaction of the Director of Planning and Urban Design, showing:
 - the staff-endorsed realignment of the property line between the subject lands and the proposed neighbourhood park to the west,
 - revisions to the alignment of the westerly driveway to avoid any encroachments into the proposed neighbourhood park to the west;
 - revisions to the elevations of the proposed townhouse units fronting South Park Road;
 - indication on the site plan of the area of landscaped open space as a percentage of total lot area;
 - indication on the site plan of the depth of the proposed porches of the townhouses fronting South Park Road;
 - revisions to the distance between the principle entrance to the apartment buildings and the fire access route to ensure a minimum 3 m and maximum 15 m separation distance;
 - d) meet with the Fire Department to confirm the location of Fire Department connections, private yard hydrants and fire access route signs. The approved location of these facilities will be shown on the revised site plan.
 - e) submit a surveyor's certificate certifying compliance with the maximum height provisions applying to the subject lands, as set out in By-law 177-96, as amended;
 - f) submit revised site plan that provides for the required number of parking spaces as set out in By-law (parking by-law) or alternatively, submit a parking justification study to the satisfaction of the Director of Planning and Urban Design and secure a variance from the C of A for any proposed reduction in parking supply.
 - g) secure approval of the site plan from the Ministry of Transportation.

4. THAT prior to execution of the site plan agreement, the owner shall:
 - a) Dedicate to the Town, free of all costs and encumbrances, a 8,851.3 m² (2.19 ac) parcel on the western boundary of the proposed neighbourhood park, shown as Part 3 on the attached draft reference plan;
 - b) Dedicate to the Town, free of all costs and encumbrances, a 410.4 m² (0.1 ac) parcel on south east side of the proposed neighbourhood park, show as Part 5 on the attached draft reference plan;
 - c) Enter into a Development Agreement with the Town of Markham, to the satisfaction of the Director of Engineering, addressing the construction and financing of servicing infrastructure, as identified in the servicing study and road improvements as identified in the traffic study, if required;
 - d) submit a Landscape Plan and associated cost estimates, prepared by a Landscape Architect having O.A.L.A. membership, to the satisfaction and approval of the Director of Planning and Urban Design;
 - f) submit an appraisal report for the subject lands for the purposes of calculating cash-in-lieu of parkland;
 - e) secure approval of a severance or part lot control exemption to adjust the property lines between blocks 49 and 50 to reflect the revised boundaries of the Phase 1 development.
5. That the Site Plan Agreement shall:
 - a) provide for payment by the Owner of all applicable fees, recoveries and development charges;
 - b) contain provisions for satisfying Town Departments including all requirements of the Director of Engineering, the Fire Department, Waste Management and Roads;
 - c) contain a clause whereby the Owner agrees to attain LEED silver for the proposed development and provide appropriate securities.

EXPLANATORY NOTE

BY-LAW 2009-XXX

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

Times Group Corporation
Blocks 49 and 50, Plan 65M-3226

LANDS AFFECTED

The By-law applies to lands located on the south side of South Park Road, generally east of Times Avenue and west of Saddlecreek Drive, in the Leitchcroft Community.

EXISTING ZONING

The lands subject to this By-law are presently zoned Business Park Area *36 (Hold) [BP*38(H)]; Open Space One [OS1]; and Community Amenity Area One *38 (Hold) [CA1*38(H)], by By-law 177-96, as amended.

PURPOSE AND EFFECT

The purpose and effect of this by-law amendment is to rezone portions of Blocks 49, Plan 65M-3226, to reflect adjustments to the configuration of the proposed neighbourhood park south of South Park Road between Saddlecreek Drive and Times Avenue; to adjust the maximum number of dwelling units permitted in the CA1*38 Zone to permit apartments and townhouses on the south side of South Park Road east of Times Avenue; to exempt Blocks 49 and 50 Plan 65M-3226 from the minimum height provisions of By-law 177-96, as amended; and to revise Holding Zone (H) provisions applying to part of Block 49 and Block 50 Plan 65M-3226.

The following conditions apply to the removal of the (H1) provision:

- i) Approval of a traffic study, to the satisfaction of the Director of Engineering;
- ii) Approval of a servicing study, to the satisfaction of the Director of Engineering;
- iii) Execution of one or more Development Agreement(s), if required, between the Town and the Owner relating to the construction, financing and implementation of off-site servicing and transportation infrastructure improvements;
- iii) Execution of a “no pre-sale” agreement, between the Town and the Owner, applying to residential development of Block 50, Plan 65M-3226.

The following conditions apply to the removal of the (H2) provision:

- i) The Town is satisfied that sufficient servicing capacity is available and has adopted a resolution granting additional servicing allocation to provide for the number of *dwelling units* permitted.



BY-LAW 2009-XXX

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

*To rezone portions of Blocks 49, Plan 65M-3226, to reflect adjustments to the configuration of the proposed neighbourhood park south of South Park Road; to adjust the maximum number of dwelling units permitted in the CA1*38 Zone to permit apartments and townhouses on the south side of South Park Road east of Times Avenue; and to revise the Holding Zone (H) provisions applying to a portion of Block 49 and Block 50, Plan 65M-3226.*

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

1. By-law 177-96m as amended, is hereby further amended as follows:
 - 1.1 By rezoning the lands shown on Schedule 'A' attached hereto, as follows:

From Business Park Area *36 (Hold) [BP*36(H)]
To Open Space One [OS1];

From Open Space One [OS1]
To Community Amenity Area One *38 [CA1*38];

From Community Amenity Area One*38 (Hold) [CA1*38(H)]
To Community Amenity Area One*38 (Hold 1) [CA1*38(H1)]

From Community Amenity Area One*38 (Hold) [CA1*38(H)]
To Community Amenity Area One*38 (Hold 2) [CA1*38(H2)]
 - 1.2 The following Hold provisions shall apply:
 - "a) An amendment to remove the (H1) provision shall not be passed prior to:
 - i) Approval of a traffic study, to the satisfaction of the Director of Engineering;
 - ii) Approval of a servicing study, to the satisfaction of the Director of Engineering;
 - iii) Execution of one or more Development Agreement(s), if required, between the Town and the Owner relating to the construction, financing and implementation of off-site servicing and transportation infrastructure improvements;
 - iii) Execution of a "no pre-sale" agreement, between the Town and the Owner, applying to residential development of Block 50, Plan 65M-3226."
 - b) An amendment to remove the (H2) provision shall not be passed until:
 - "i) The Town is satisfied that sufficient servicing capacity is available and has adopted a resolution granting additional servicing allocation to provide for the number of *dwelling units* permitted."
 - 1.3 Hold provisions in Section 2.5.3 do not apply to the lands subject to this By-law.

1.4 The minimum *height* provisions for Multiple-Unit Buildings in the CA1 zone, set out in Table B7, By-law 177-96, as amended, shall not apply to Blocks 49 and 50 Plan 65M-3226

1.5 By deleting Section 7.38.1 b) and replacing it with the following:

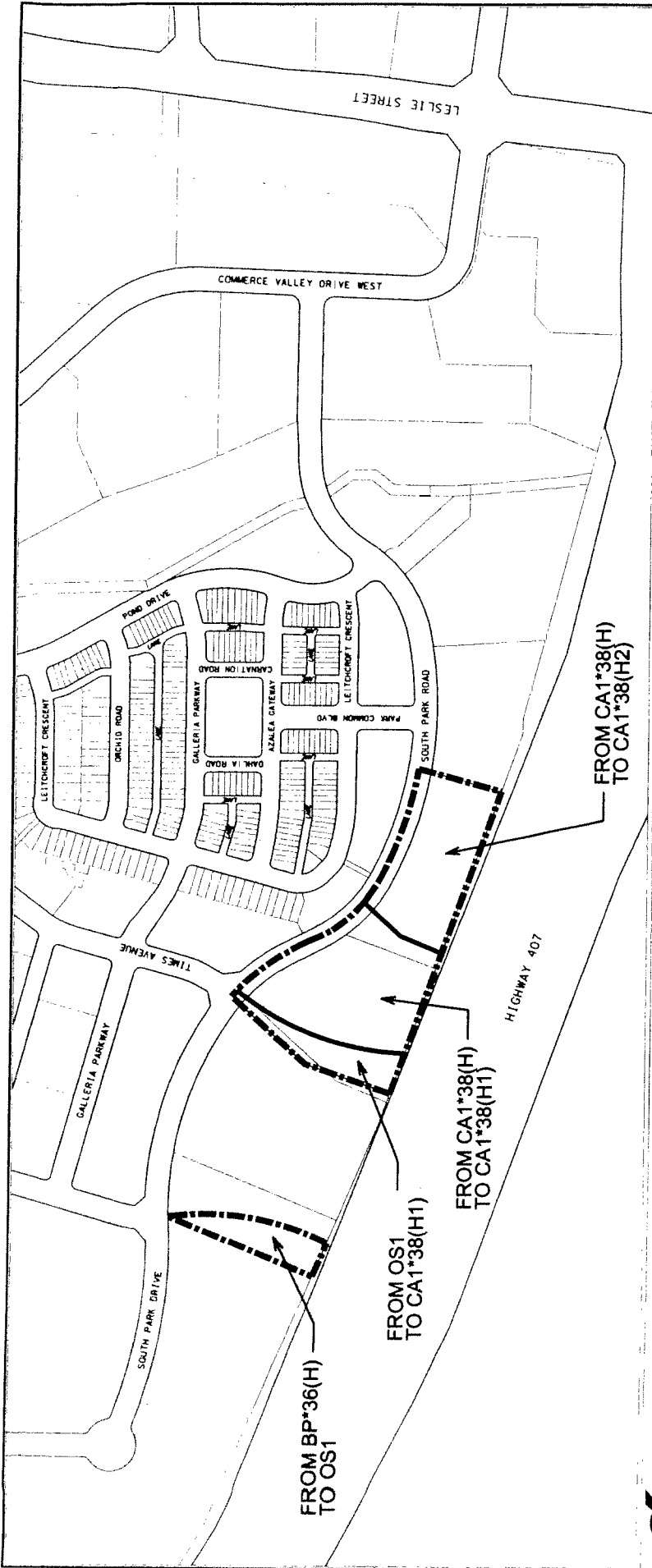
“b) Maximum number of dwelling units – 1,800”

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 ____ DAY
OF _____, 2009

KIMBERLY KETTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



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

BP BUSINESS PARK

CA1 COMMUNITY AMENITY ONE

OS1 OPEN SPACE ONE

(H) HOLDING PROVISION

(H1, H2) HOLDING PROVISIONS ONE & TWO

*No. EXCEPTION SECTION NUMBER

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

Carroll, Judy

From: Vincent Cheng [vcheng@vocalhorizons.com]
Sent: April 2, 2009 5:09 PM
To: Carroll, Judy
Subject: Appeal of decision Zoning bylaw ZA-08-129082
Importance: High

Hi

I would like to appeal this decision to construct the condominium buildings.

I will appear at the hearing on Tuesday, April 7 to make a motion to decline this proposal.

Thank you
Vincent Cheng
416-725-7973
304 South Park Road
L3T7W1

Carroll, Judy

From: Jason Lau [jason.cs.lau@gmail.com]

Sent: February 2, 2009 5:06 PM

To: Carroll, Judy

Subject: Application for Zoning By-Law Amendment (Times Group Corporation)

Hello Judy,

My name is Jason Lau, I am writing to response to the letter received from the Town of Markham in regards to the application for Zoning By-Law Amendment, submitted by Times Group Corporation.

According to the letter, the application applies to Part 3 Plan 65R-28363 and Block 50 Plan 65M-3226.

With the already busy traffic along Times Avenue and South Park Road, I **strongly oppose** to the application for Zoning By-Law Amendment submitted by Times Group Corporation.

Please do not hesitate to contact me if you have any question.

Jason Lau
(647)294-2200

Carroll, Judy

From: PowerOn Computers [info@poweroncomputers.com]
Sent: January 31, 2009 10:41 PM
To: Carroll, Judy
Subject: file number ZA 08 129082

Dear Judy

I received a letter regarding a new building and townhouses being built around Times avenue. When I purchased my Condo, I was told and I was shown the map of the area that in front of my condo will be a Park and that's why it is called Parkview towers. In the map, there was no building will be South of my building which is 39 Galleria Parkway. From what I see in this map, this building will be in between my building and highway 407. It won't be directly in front of me, but will block my view. I was told that there will be nothing blocking my view. I found a better condo and a better deal in Yonge and Shepperd and the only reason I purchased this building was because of the view, because there was no building blocking my view. So I do not agree with the idea of a building coming in front of my building because I was told differently when I bought my unit. So I am not sure if this letter is with regards to agreeing or not, but I do not agree and would like to know what I have to do and what would be the next step that we should take.

Appreciate your help

Regards
Shaw

Carroll, Judy

From: Clement Au [clement_au@yahoo.com]
Sent: January 29, 2009 9:53 PM
To: Carroll, Judy
Subject: Requesting additional info for file number ZA 08 129082.

Hi Ms Carroll,

Recently, I have received a letter from Town of Markham regarding to "Notice of the receipt of a complete zoning by-law amendment application". I am a resident of Parkview Towers. I would like to get more additional info on the amendment. I am concerning about the increase of permitted number of residential units as well as the *minor* adjustments to the zone boundary. In the letter, it doesn't state the original permitted number of units allowed. It also doesn't state what are the *minor* boundary adjustments. If you can send me additional info / direct me to the appropriate party. It will be appreciated. Thank you!

Clement

Yahoo! Canada Toolbar: Search from anywhere on the web, and bookmark your favourite sites. Download it now at <http://ca.toolbar.yahoo.com>.

Carroll, Judy

From: P W [fuci23@hotmail.com]

Sent: January 26, 2009 10:52 AM

To: Carroll, Judy

Hi Judy,

I am writing in opposition of Zoning by-law amendment, submitted by Times Group Corporation for Park 3 Plan 65R-28363 and Block 50 Plan 65M-3226.

Paul Wong
612-25 Times Ave.
4162249509

The new Windows Live Messenger. You don't want to miss this.

Carroll, Judy

From: kin lue [kinlue@yahoo.com]
Sent: January 25, 2009 10:15 PM
To: Carroll, Judy
Subject: Re: Quoting file number ZA 08 129082

Town of Markham,
I am the resident of 37 galleria Parkway. I would like to say "NO" for the application for zoning by-law amendment, submitted by Times Group Corporation. Please update the status.
Thank you very much!
Kin