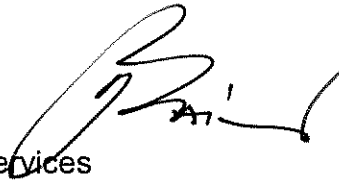




## MEMORANDUM

**DATE:** June 18, 2013

**TO:** Development Services Committee

**FROM:** Jim Baird, Commissioner of Development Services 

**PREPARED BY:** Ron Blake, Development Manager West District

**REVIEWED BY:** Biju Karumanchery, Senior Development Manager

**SUBJECT:** Thornhill Revitalization Area  
Proposed City-initiated Area and Site Specific Policies to be included in the new Draft Official Plan and Amendment to By-law 77-73  
File Number: PR 11 127722

### RECOMMENDATION:

- 1) That the Memorandum dated June 18, 2013, entitled "Thornhill Revitalization Area, Proposed City-initiated Area and Site Specific Policies to be included in the new Draft Official Plan and Amendment to Zoning By-law 77-73, File Number PR 11 127722", be received;
- 2) And that staff be authorized and directed to do all things necessary to give effect to this resolution.

### PURPOSE

This memorandum provides a brief summary of the proposed City-initiated Area and Site Specific Policies to be included in the new Draft Official Plan and a proposed City-initiated amendment to By-law 77-73, as amended, to implement the March 19, 2013 Council-endorsed land use policy recommendations for the Thornhill Revitalization Area. The draft Official Plan and Zoning By-law documents are scheduled to be heard at the June 18, 2013 Public Meeting and are attached.

### BACKGROUND

The Thornhill Revitalization Area (the Study Area) is an older employment area bounded by CN Rail lines on the west and south and the Aileen-Willowbrook neighbourhood on the north and east (see Figure 1). In February 2011, Council endorsed terms of reference for a Working Group, comprised of area residents, members of the local business community, planning staff, the Ward Councillor, the

Mayor and other Council members, to consider existing planning policies; options for revitalization; and revisions to Official Plan and Zoning land use policies to promote revitalization of the Study Area. During the course of the study the Working Group met regularly and the Ward Councillor held three Public Information Meetings. On March 19, 2013 staff and the Working Group reported to Development Services Committee and Council with recommendations for future land use policies in the Study Area. At this meeting, Development Services Committee passed the following resolution:

*"5) That the Development Services Committee and Council provide the following direction to staff:*

- a) In the Thornlea Revitalization Area, excluding the former Canac site, prohibit manufacturing, assembly and warehousing, other than where no Certificate of Approval is required from the Ministry of the Environment, and prohibiting auto-body repair shops in the new Official Plan;*
- b) On the former Canac Kitchens property, provide for mixed use residential redevelopment (e.g. ground-oriented residential with at grade commercial, retail and office uses along John Street and Green Lane):*
  - a. That automobile-oriented land uses, such as gas stations, non-accessory parking lots, and other drive-through uses not be accommodated;*
  - b. That to protect the residential characteristics of the area, commercial development be limited to the following:*
    - i) Low intensity and pedestrian oriented commercial uses, such as professional offices and small retail or commercial businesses.*
    - ii) Any new residential development in this area must be pedestrian friendly and provide for a small-scale central area where residents could find benches, shading, and perhaps a visual attraction all could be proud of; and further,"*

#### **DISCUSSION:**

The above direction proposes a more restrictive framework of employment land uses than those established by the current Official Plan and zoning by-law provisions. In order to implement the above direction, staff have prepared new area and site-specific polices that are proposed to be included within the new Official Plan (See Appendix A). However, given the approval schedule for the new Draft Official Plan, these polices may not come into effect for some time. As a consequence, and in order to provide for a timely implementation of Council's directions, there is a need to amend the zoning that currently applies in the area in a manner that is in conformity with the Markham Official Plan as it exists today (See Appendix B for a copy of the draft Zoning By-law Amendment), while at the same time reflecting Council's land use policy directions of March 19, 2013.

## **Proposed Site and Area Specific Policies to be included in the new Draft Official Plan**

The main policy changes included in the proposed Area and Site Specific Land Use Policies proposed to be included in the new Draft Official Plan (see Appendix A) are as follows:

*Lands excluding the former Canac Kitchens site:*

- To re-designate the lands from General Industrial and Business Corridor to Service Commercial;
- To restrict permissions for manufacturing, assembly, warehousing, and auto body shop and repair facilities to existing establishments only;
- To require a zoning by-law amendment to permit expansions to existing and new manufacturing, processing and warehousing uses subject to compatibility of the proposed development with: adjacent residential or mixed use land; the nature of the proposed use and its impacts on adjacent lands; mitigation of impacts on adjacent lands; the nature of any environmental approvals required by the Ministry of Environment (MOE) to permit the proposed development; and completion of required works and environmental approvals required by MOE;
- To permit offices; financial institutions; services; ancillary and accessory retail uses; trade and commercial schools; sports, health and recreational uses; restaurants; banquet halls; motor vehicle sales and leasing; community college or university;
- To prohibit outdoor storage; new auto body shop and repair facilities; new commercial storage facilities; motor vehicle service stations; car washes; commercial parking garages; hotels; funeral homes; night clubs and adult entertainment uses.

*On the former Canac Kitchens site at 360 John Street:*

- To include a general policy acknowledging Council's direction to re-designate the lands as Mixed Use Low Rise and Residential Low Rise in the new Draft Official Plan.

*For all lands in the Thornhill Revitalization Area:*

- To include Community Improvement Plan policies in the new Official Plan policies.

The above policy framework would be adopted concurrently with the adoption of the new Draft Official Plan.

## **Proposed Zoning for the area**

Due to the anticipated length of time prior to the adoption and approval of the new Draft Official Plan, By-law 77-73 will be repealed and replaced by modified zoning in By-law 177-96. This by-law will be enacted under existing Official Plan policies, but is intended to reflect the resolution adopted by Council on March 19, 2013 and the proposed Area and Site Specific policies to be included in the new Draft Official Plan, summarized above.

The current Official Plan establishes a strong policy basis for Council to approve zoning by-laws that are more restrictive than the policies in the applicable Official Plan and Secondary Plan designations.

The current Official Plan designates the majority of the properties fronting John Street and Green Lane as Industrial – Business Corridor with the properties at the north end of the area and one property on the south side of John Street adjacent to the CN Rail Line (Zoom Zoom Storage) as Industrial – General Industrial Area (see Figure 2). These policies are reflected in the Thornhill Secondary Plan, which also provides area-specific policies for automobile repair uses to reflect the historic land use patterns of the area and to reduce land use incompatibilities in the future.

The draft zoning by-law amendment, attached as Appendix B proposes the following changes:

- The entire area will be deleted from by-law 77-73 and incorporated into By-law 177-96, which incorporates the City's most up-to-date zoning provisions;
- The area corresponding to the Business Corridor Area designation of the current Official Plan will be zoned under an exception to the Business Corridor Zone of By-law 177-96 to reflect the land use directions set out in the March 19, 2013 Council resolution and the proposed policy direction .
- The area corresponding to the General Industrial Area designation of the current Official Plan will be zoned under an exception to the General Industrial Zone of By-law 177-96 to reflect the land use directions set out in the March 19, 2013 Council resolution.
- The former Canac Kitchen Site will be zoned within the exception to the Business Corridor Zone but will be subject to a Holding Zone provision restricting uses to those existing at the time of enactment of the new zoning by-law. The intent would be to maintain this hold provision on the site pending approval of site-specific Official Plan and Zoning By-law amendments to implement the proposed residential and mixed use redevelopment of the site that is currently under staff review.

The intent of the draft Zoning By-law Amendment is to implement the policy directions established by Council on March 19, 2013 and more specifically to implement the area-specific policy framework proposed to be established in the Site and Area Specific Policies of the new Draft Official Plan.

### **Next Steps**

The draft Site and Area Specific Policies for the Thornhill Revitalization Area (to be incorporated into the new Draft Official Plan) and the Zoning By-law Amendment (to be enacted under existing Official Plan policies) will be heard at the Public Meeting scheduled for June 18, 2013.

Staff have prepared a draft resolution for consideration by Development Services Committee at the June 18, 2013 Public Meeting. If the draft resolution is adopted, the draft Site and Area Specific Policies (attached as Appendix A to this memo) would be incorporated into the new Draft Official Plan, and would be subject to the same approval process as the Draft Official Plan. The draft Zoning By-law Amendment (attached as Appendix B to this memo) would be forwarded to Council for enactment without further notice.

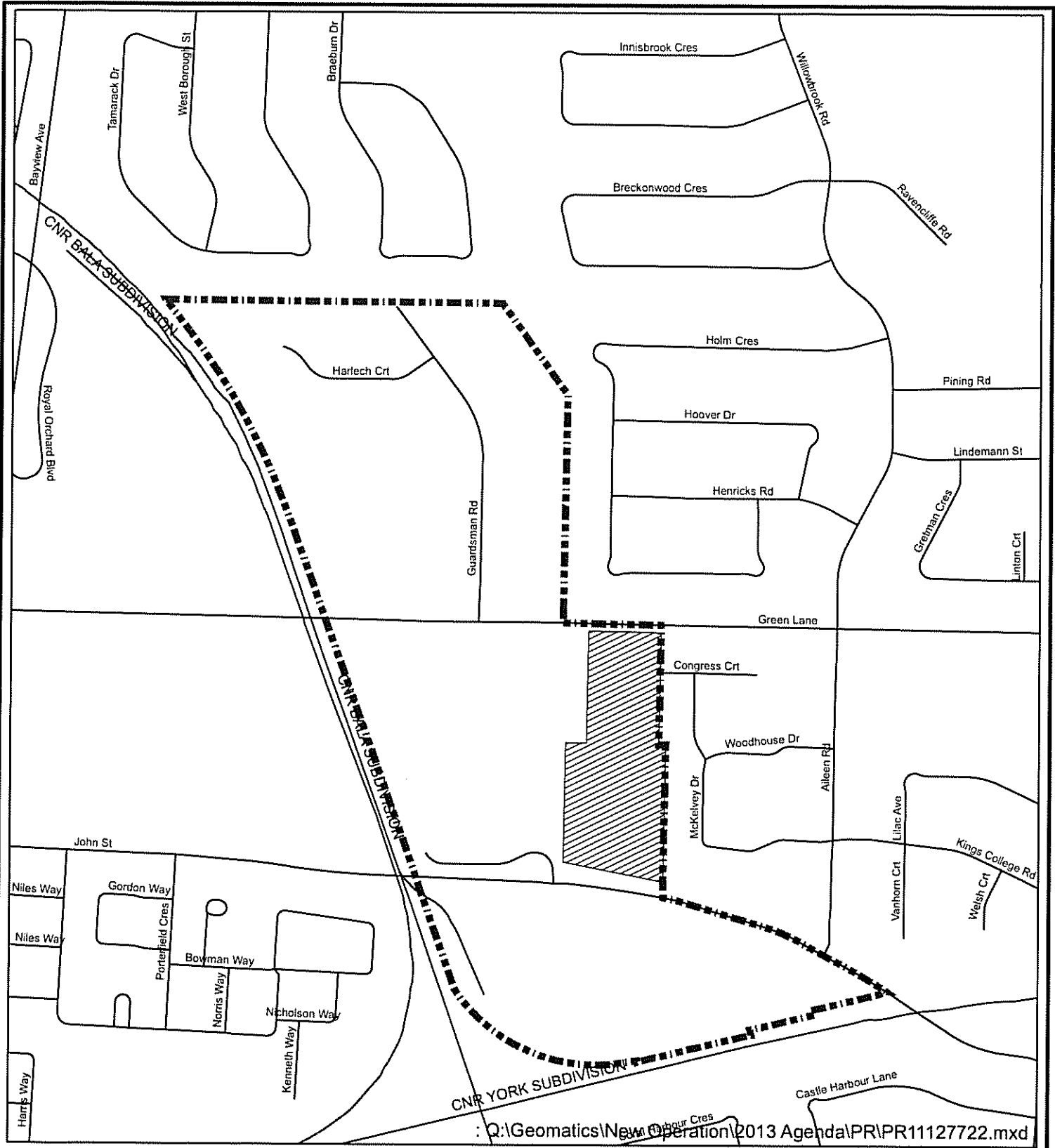
**ATTACHMENTS:**

Figure 1 – Location Map


Figure 2 – Current Official Plan and Thornhill Secondary Plan (OPA 1) Land Use Designations


Appendix A – Proposed Site and Area Specific Policies for the Thornhill Revitalization Area to be included in the Draft Official Plan

Appendix B – Draft Zoning By-law Amendment



# LOCATION MAP THORNHILL REVITALIZATION AREA

 THORNHILL REVITALIZATION AREA  
 LAND USE STUDY AREA

 CANAC SITE



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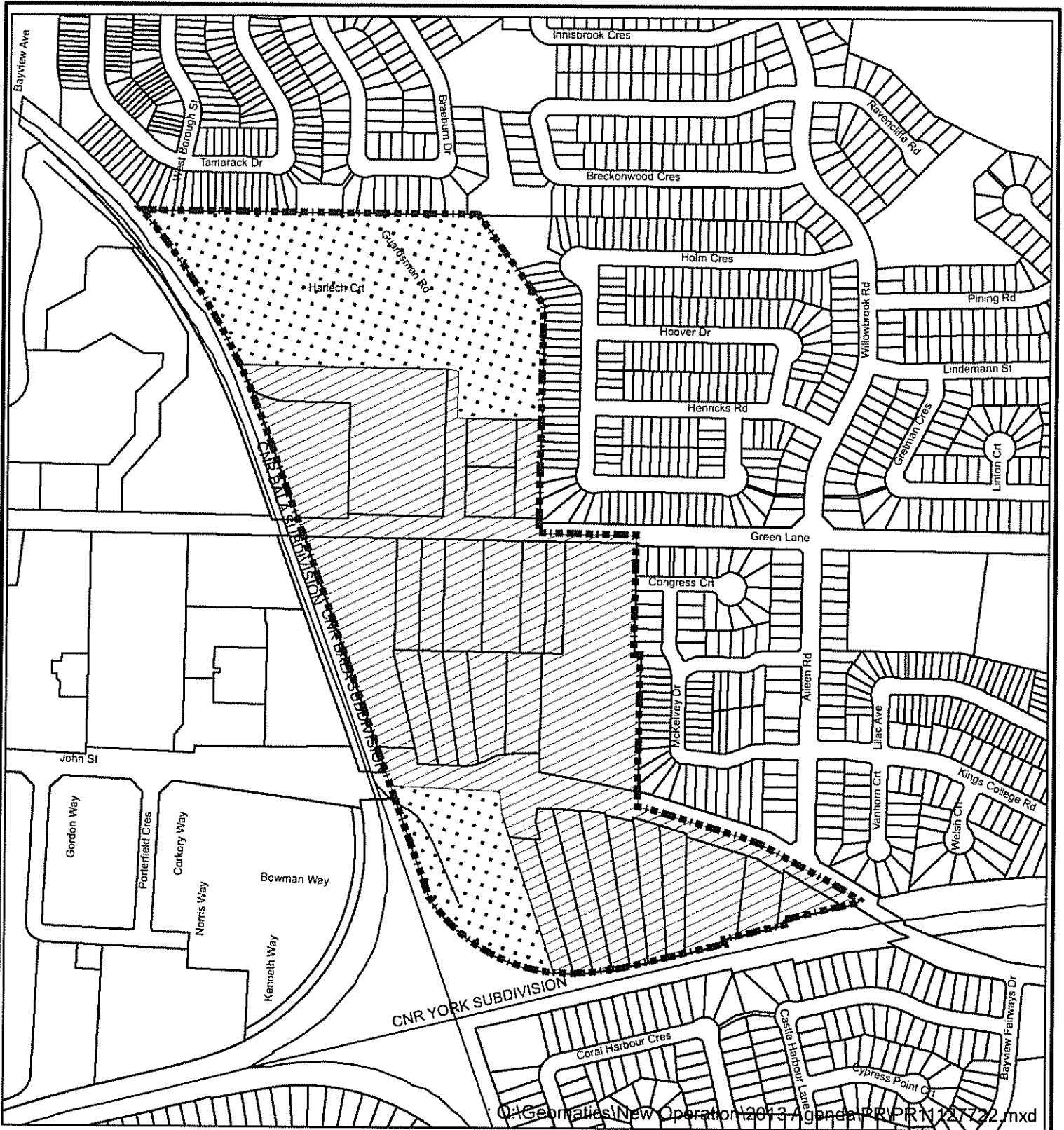
DATE: 06/11/13

**MARKHAM** DEVELOPMENT SERVICES COMMISSION

Drawn By: DD

Checked By: RB

**FIGURE No. 1**



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EXTRACT OF SCHEDULE 'H' OFFICIAL PLAN AND THORNHILL SECONDARY PLAN (OPA 1)

-  THORNHILL REVITALIZATION AREA  
LAND USE STUDY AREA
-  LANDS DESIGNATED  
GENERAL INDUSTRIAL AREA
-  LANDS DESIGNATED  
BUSINESS CORRIDOR AREA



FILE No. PR1127722(RB)

DATE: 06/11/13

**MARKHAM** DEVELOPMENT SERVICES COMMISSION

Drawn By: DD

Checked By: RB

**FIGURE No. 2**

## **APPENDIX A**

**PROPOSED SITE AND AREA SPECIFIC  
POLICIES FOR THE THORNHILL  
REVITALIZATION AREA TO BE INCLUDED IN  
DRAFT OFFICIAL PLAN**

Thornhill Revitalization Area

11.18.17 The Thornhill Revitalization Area comprises the lands bounded by the CNR Bala Subdivision to the west, the CNR York Subdivision to the south and existing residential neighbourhoods to the north and east as shown in Figure 11.18.17.

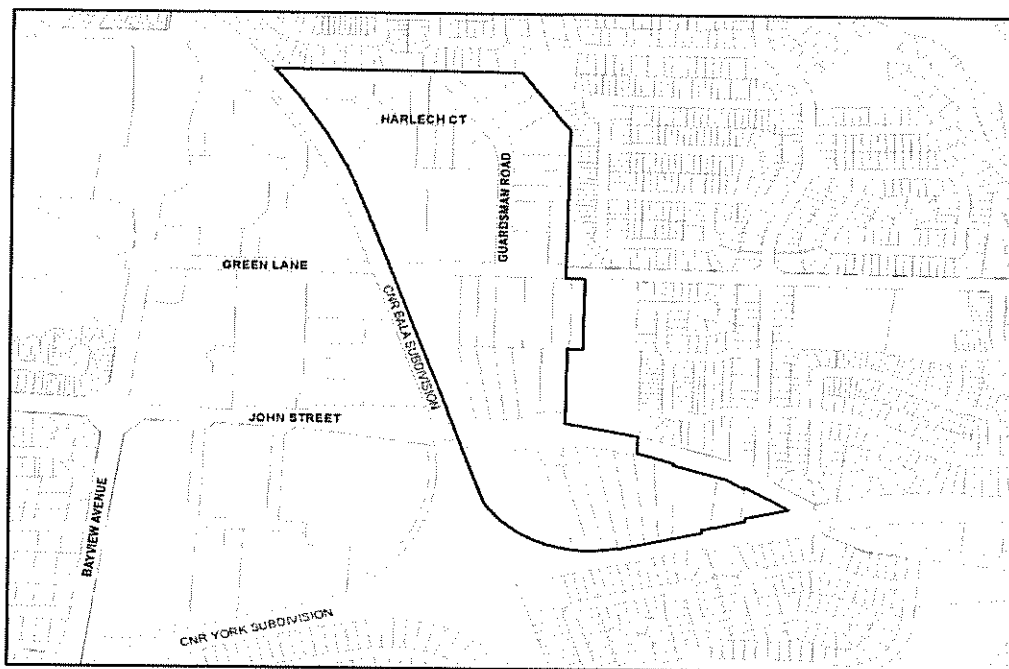


Figure 11.18.17

Land Use Objective

- 11.18.17.1 The long term vision for the Thornhill Revitalization Area is to provide for the development of an attractive and vibrant employment area where economic opportunities and innovation are encouraged through a mixture of businesses that are compatible with and complement surrounding residential neighbourhoods. The land use objectives for the Thornhill Revitalization Area are to:
- a) establish a land use planning framework that supports the transition of the area to higher employment uses by:
    - i. providing for a broader range of service type uses that are more compatible with surrounding land uses;
    - ii. restricting the development of new industrial and motor vehicle related uses that may have an impact on surrounding residential neighbourhoods; and
    - iii. requiring greater separation distance and increased buffers for new industrial uses and expansions of existing uses from residential areas;
  - b) designate the area as a Community Improvement Project Area to encourage streetscape, façade improvements and improvements to the public realm that will revitalize and enhance the physical character of the area; and
  - c) promote the area as a “Centre for Innovation” with clean, low impact employment uses strengthened through attractive and safe streetscapes, and high-quality architecture, urban design, open spaces and public amenities.

PROPOSED REVISIONS TO DRAFT OFFICIAL PLAN – CHAPTER 11 – AREA AND SITE SPECIFIC POLICIES

- 11.18.17.2 The following use provisions shall also apply to the 'Service Employment Lands' shown in Figure 11.18.17:
- a) only existing manufacturing, processing and warehousing uses shall be permitted;
  - b) only existing motor vehicle body shops or repair facilities shall be permitted;
  - c) the following discretionary uses may also be permitted, subject to review of a site-specific development application for zoning approval, in accordance with Sections 8.5.1.2, 8.5.1.3 and 8.5.1.6:
    - i. the expansion of existing manufacturing, processing and warehousing uses; and
    - ii. new manufacturing, processing, and warehousing uses;
  - d) the following uses shall be not be permitted:
    - i. outdoor storage;
    - ii. new commercial storage facility;
    - iii. motor vehicle service station;
    - iv. car wash;
    - v. new motor vehicle body shop or repair facility;
    - vi. commercial parking garages;
    - vii. hotel;
    - viii. *funeral home*;
    - ix. night club; and
    - x. adult entertainment.

- 11.18.17.3 In considering an application for *development approval* on the 'Service Employment' lands shown in Figure 11.18.17, where an existing manufacturing, processing and warehouse use is proposed to be expanded or where a new manufacturing, processing and warehouse use is proposed, Council shall ensure that the following matters shall be addressed:
- a) the compatibility of the proposed use or expansion of the use on adjacent lands designated 'Residential' or 'Mixed Use';
  - b) the nature of the operation (hours of operation, need for outdoor storage, number and type of truck movements) and its impacts on adjacent lands;
  - c) the means by which anticipated impacts, if any, are to be measured and mitigated;
  - d) the nature of any environmental approvals required by the Ministry of Environment and the implications of the contaminant or discharge that requires the environmental approval on adjacent lands designated for 'Residential' or 'Mixed Use'; and
  - e) the completion of all work required to support any environmental approvals required by the Ministry of Environment.

Community Improvement Plan

- 11.18.17.4 A Community Improvement Plan shall be prepared for the Thornhill Revitalization Area to foster the enhancement and maintenance of a strong and vibrant employment area by:
- a) maintaining a positive business environment where innovation is strongly encouraged;
  - b) providing for the expansion, improvement and renewal of existing businesses;
  - c) providing for the improvement of public spaces to improve the aesthetics of the area;
  - d) incorporating a number of sustainable design elements into the public realm to enhance the area's attractiveness;

PROPOSED REVISIONS TO DRAFT OFFICIAL PLAN – CHAPTER 11 – AREA AND SITE SPECIFIC POLICIES

- e) providing for the improvement of the streets in the District through the upgrading and/or provision of street lighting, street trees and sidewalks;
- f) providing for the management and potential sharing of driveways accessing businesses on John Street and Green Lane;
- g) establishing the basis for :
  - i. incorporating gateway features in key locations;
  - ii. improving the facades of existing buildings; and
  - iii. acquiring land for public use, if deemed necessary;
- a) identifying funding mechanisms for:
  - i. environmental site assessments and environmental remediation; and
  - ii. upgrading buildings and structures to be more energy efficient; and
  - iii. loans and grants to assist landowners with the implementation of the Community Improvement Plan.

360 John Street

11.18.18 The specific use, height and density provisions that shall apply to the 'Mixed Use Low Rise' and 'Residential Low Rise' lands at 360 John Street as shown in Figure 11.18.18 shall be determined through a site specific application for *development approval*.

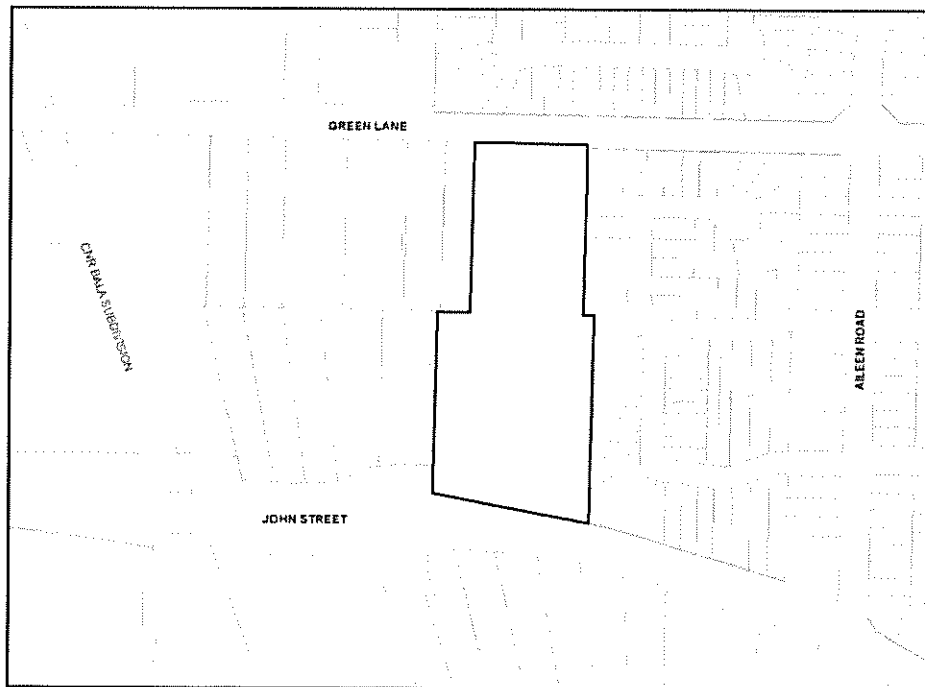


Figure 11.18.18

## **APPENDIX B**



## BY-LAW 2013-\_\_\_\_\_

### A By-law to Repeal Bylaw 77-73 and to Amend By-law 177-96, as amended

WHEREAS the City of Markham is empowered to pass By-laws pursuant to the Planning Act R.S.O. 1990 c.P 13.

AND WHEREAS By-law 77-73, as amended, is no longer considered to be an appropriate zoning bylaw to regulate development in the Thornhill Revitalization Area;

AND WHEREAS By-law 177-96, as amended, has provided an effective mechanism to regulate development in the City of Markham;

AND WHEREAS the City of Markham wishes to apply more up to date zoning to the Thornhill Revitalization Area through the application of By-law 177-96, as amended;

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

1. By-law 77-73, as amended is hereby repealed.
2. By-law 177-96, as amended, is amended by expanding the designated area of By-law 177-96 to include those lands within the Thornhill Revitalization Area as outlined on Schedule 'A' hereto, and by zoning the lands

Business Corridor *550	BC*550
Business Corridor *550 (Hold))	BC*550 (h)
General Industrial *551	GI*551
Business Corridor *552	BC*552
General Industrial *553	GI*553
General Industrial *554	GI*554
General Industrial *555	GI*555
General Industrial *556	GI*556
Business Corridor *557	BC*557
Business Corridor *558	BC*558
Business Corridor *559	BC*559
Business Corridor *560	BC*560
General Industrial *561	GI*561
Business Corridor *562	BC*562

3. By-law 177-96 is amended, by adding the following new subsections to Section 7-EXCEPTIONS:

**“7.550 SPECIAL THORNHILL REVITALIZATION AREA BUSINESS CORRIDOR ZONE**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*550 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.

**7.550.1 Only Permitted Uses**

The following uses are the only uses permitted:

- a) Art Galleries
- b) Business Offices
- c) Financial Institutions
- d) Personal Service Shops
- e) Retail Stores (with a maximum gross floor area of 1,000 sq. m)
- f) Schools, Commercial
- g) Existing Industrial Uses subject to Section 7.550.4 (a) and (b)
- h) Uses that were legally permitted uses by By-law 77-73 immediately prior to the effective date of this section of By-law 177-96 subject to Section 7.550.4 (c)

**7.550.2 Prohibited Uses**

The following uses are prohibited, unless such a use legally existed in accordance with Section 7.550.1:

- a) Adult Entertainment Parlours
- b) Adult Video Outlets
- c) Banquet Halls
- d) Commercial Fitness Centres
- e) Commercial Parking Lots
- f) Commercial Self Storage Facilities
- g) Day Nurseries
- h) Funeral Homes
- i) Gas Bars
- j) Hotels
- k) Kennels
- l) Libraries

- m) Motels
- n) Motor Vehicle Body Shops
- o) Motor Vehicle Repair Garages
- p) Motor Vehicle Sales Establishments
- q) Motor Vehicle Service Stations
- r) Municipal Parking Lots
- s) Night Clubs
- t) Non-profit Fitness Centres
- u) Parking Garages
- v) Parks, Public
- w) Places of Amusement
- x) Places of Entertainment
- y) Places of Worship
- z) Recreational Establishments
- aa) Restaurants
- bb) Restaurants, Take-out
- cc) School, Private
- dd) School, Public
- ee) Supermarkets
- ff) Theatres
- gg) Trade and Convention Centres
- hh) Transport Terminals
- ii) Veterinary Clinics

**7.550.3 Zone Standards**

The following specific zone standards shall apply:

- a) Minimum lot area if the lot abuts an Arterial Road - 8,000.0 sq. m
- b) Minimum setback from a Residential or Open Space Zone boundary - 15.0 m
- c) Minimum required rear yard from lot line that serves as the boundary between a Business Corridor and General Industrial Zone - 3.0 m
- d) Maximum height - 19.0 m, which is reduced to 12.0 metres within 12.0 metres from a Residential or Open Space Zone boundary

- e) Minimum required exterior side yard - 6.0 m
- f) Minimum required interior side yard - 6.0 m
- g) Minimum required width of landscaping abutting any residential zone boundary - 6.0 m

**7.550.4 Special Zone Provisions**

The following additional provisions apply:

- a) Industrial uses are permitted in a building that existed on the effective date of this section of By-law 177-96.
- b) The net floor area of an industrial building cannot be expanded beyond the net floor area that existing at the time this section comes into effect.
- c) Uses that were considered to be legal non-conforming uses by By-law 77-73 immediately prior to the effective date of this section of By-law 177-96 are not considered to be legally permitted uses as per Section 7.550.1 (h) and will continue to be legal non-conforming uses following the effective date of this section of By-law 177-96.

**7.550.5 Special Transitional Provisions**

The following additional provisions apply:

- a) Where the Committee of Adjustment of the City of Markham or the Ontario Municipal Board has authorized a minor variance from the provisions of By-law 77-73 as amended, and in accordance with Section 45(1) of the Planning Act R.S.O. 1990 c.P.13 as amended, in respect of any land, building or structure and the decision of the Committee of Adjustment of the City of Markham or the Ontario Municipal Board authorizing such minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, building or structure subject to Section 7.550, shall be deemed to be modified to the extent necessary to give effect to such minor variance.
- b) Where the Committee of Adjustment of the City of Markham or the Ontario Municipal Board has

authorized the expansion of a legal nonconforming use, building or structure in accordance with Section 45 (2) a) i) of the Planning Act R.S.O. 1990 c.P 13 as amended and the decision of the Committee of Adjustment of the City of Markham or the Ontario Municipal Board authorizing such expansion has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, building or structure subject to Section 7.550 shall be deemed to be modified to the extent necessary to give effect to such a decision.

- c) Where a Site Plan Agreement has been entered into prior to the effective date of this By-law, or where Site Plan Approval has been granted by the City and a Building Permit for the project in either circumstance has not been issued, the provisions of this By-law, as they apply to such land, building or structure subject to Section 7.550, shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement or Site Plan Approval, provided that the Building Permit is issued within three (3) years of the effective date of this By-law.

**7.551 SPECIAL THORNHILL REVITALIZATION AREA  
GENERAL INDUSTRIAL ZONE**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*551 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.

**7.551.1 Only Permitted Uses**

The following uses are the only uses permitted:

- a) Business Offices
- b) Personal Service Shops
- c) Commercial Schools
- d) Existing Industrial Uses subject to Section 7.551.4 (a) and (b)
- e) Uses that were legally permitted uses by date of this section of By-law 177-96 By-law 77-73 immediately prior to the effective subject to Section 7.551.4 (c)

**7.551.2 Prohibited Uses**

The following uses are prohibited, unless such a use legally existed in accordance with Section 7.551.1

- a) Adult Entertainment Parlours
- b) Adult Video Outlets
- c) Banquet Halls
- d) Commercial Fitness Centres
- e) Commercial Parking Lots
- f) Commercial Self Storage Facilities
- g) Day Nurseries
- h) Funeral Homes
- i) Gas Bars
- j) Hotels
- k) Kennels
- l) Libraries
- m) Motels
- n) Motor Vehicle Body Shops
- o) Motor Vehicle Repair Garages
- p) Motor Vehicle Sales Establishments
- q) Motor Vehicle Service Stations
- r) Municipal Parking Lots
- s) Night Clubs
- t) Non-profit Fitness Centres
- u) Parking Garages
- v) Parks, Public
- w) Places of Amusement
- x) Places of Entertainment
- y) Places of Worship
- z) Recreational Establishments
- aa) Restaurants
- bb) Restaurants, Take-out
- cc) School, Private
- dd) School, Public
- ee) Supermarkets
- ff) Theatres
- gg) Trade and Convention Centres
- hh) Transport Terminals
- ii) Veterinary Clinics

**7.551.3 Zone Standards**

The following specific zone standards shall apply:

- a) Maximum front yard - 19.0 m
- b) Maximum depth of - 12.0 m

- parking area in front yard
- c) Maximum depth of parking area in exterior side yard - 12.0 m
- d) Minimum required rear yard - 7.5 m
- e) Minimum required height - 6.0 m
- f) Maximum height - 19.0 m, which is reduced to 12.0 metres within 12.0 metres from a Residential or Open Space Zone boundary
- g) Maximum floor space index (FSI) - 1.0
- h) Minimum required width of landscaping abutting any residential zone boundary - 6.0 m

#### **7.551.4 Special Zone Provisions**

The following additional provisions apply:

- a) Industrial uses are permitted in a building that existed on the effective date of this section of By-law 177-96.
- b) The net floor area of an industrial building cannot be expanded beyond the net floor area that existing at the time this section comes into effect.
- c) Uses that were considered to be legal non-conforming uses by By-law 77-73 immediately prior to the effective date of this section of By-law 177-96 are not considered to be legally permitted uses as per Section 7.551.1 (e) and will continue to be legal non-conforming uses following the effective date of this section of By-law 177-96.

#### **7.551.5 Special Transitional Provisions**

The following additional provisions apply:

- a) Where the Committee of Adjustment of the City of Markham or the Ontario Municipal Board has authorized a minor variance from the provisions of By-law 77-73 as amended, and in accordance

with Section 45(1) of the Planning Act R.S.O. 1990 c.P.13 as amended, in respect of any land, building or structure and the decision of the Committee of Adjustment of the City of Markham or the Ontario Municipal Board authorizing such minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, building or structure subject to Section 7.551, shall be deemed to be modified to the extent necessary to give effect to such minor variance.

- b) Where the Committee of Adjustment of the City of Markham or the Ontario Municipal Board has authorized the expansion of a legal nonconforming use, building or structure in accordance with Section 45 (2) a) i) of the Planning Act R.S.O. 1990 c.P 13 as amended and the decision of the Committee of Adjustment of the City of Markham or the Ontario Municipal Board authorizing such expansion has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, building or structure subject to Section 7.551 shall be deemed to be modified to the extent necessary to give effect to such a decision.
- c) Where a Site Plan Agreement has been entered into prior to the effective date of this By-law, or where Site Plan Approval has been granted by the City and a Building Permit for the project in either circumstance has not been issued, the provisions of this By-law, as they apply to such land, building or structure subject to Section 7.551, shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement or Site Plan Approval, provided that the Building Permit is issued within three (3) years of the effective date of this By-law.

**7.552 60 GREEN LANE**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*552 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.

**7.552.1 Additional Permitted Uses**

The following additional permitted uses are permitted:

- a) Open Storage of new automobiles in the rear yard

**7.553 16 HARLECH COURT**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*553 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.

**7.553.1 Zone Standards**

The following specific zone standards shall apply:

- a) Maximum height - 12.0 m

**7.554 10 HARLECH COURT**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*554 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.

**7.554 .1 Additional Permitted Uses**

The following additional uses are permitted:

- a) Day Use Centre for those afflicted with Alzheimer's disease, provided that such use is located within the industrial building existing on the subject property

**7.554 .2 Special Parking Provisions**

The following parking provisions apply:

- a) 1 parking space shall be required for every 27.87 sq. m of gross floor area

### **7.554 .3 Special Site Provisions**

The following additional provisions apply:

- a) The Day Use Centre shall be limited to the building existing on April 14, 1987

### **7.555**

#### **55 GUARDSMAN ROAD**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*555 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.

#### **7.555.1 Special Parking Provisions**

The following parking provisions apply:

- a) For a Day Nursery, 1 parking space shall be required for every 10 children, plus 1 parking space for a service vehicle

### **7.556**

#### **21 GUARDSMAN ROAD**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*556 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.

#### **7.556.1 Special Parking Provisions**

The following parking provisions apply:

- a) For a Day Nursery, 1 parking space shall be required for every 10 children
- b) Parking spaces shall have a width of not less than 2.75 m and an area of not less than 16.2 sq. m

### **7.557**

#### **93 GREEN LANE**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*557 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.

#### **7.557.1 Zone Standards**

The following specific zone standards shall apply:

- a) Minimum lot frontage - 29.36 m
- b) Minimum easterly side yard - 3.06 m
- c) Minimum gross floor area - 656 sq. m

**7.557.2 Special Parking Provisions**

The following parking provisions apply:

- a) A minimum of 31 parking spaces shall be provided
- b) A maximum of 5 parking spaces shall be permitted in the front yard
- c) The minimum parking space area shall not be less than 16.77 sq.m.

**7.557.3 Special Site Provisions**

The following additional provisions apply:

- a) A 1.0 m encroachment into the 3.06-wide landscaping strip shall be provided

**7.558**

**87 GREEN LANE**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*558 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.

**7.558.1 Special Parking Provisions**

The following parking provisions apply:

- a) A maximum of 11 parking spaces shall be permitted in the front yard

**7.558.2 Special Site Provisions**

The following additional provisions apply:

- a) The maximum gross floor area for an Automobile Sales and Leasing Establishment is 465 sq. m
- b) No outdoor sales or storage of automobiles is permitted
- c) Restaurant uses shall not exceed 42 sq.m. in patron use floor area

**7.559 83 GREEN LANE**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*559 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.

**7.559.1 Zone Standards**

The following specific zone standards shall apply:

- a) Maximum height - 20.0 m
- b) Maximum floor area ratio - 60%

**7.559.2 Special Parking Provisions**

The following parking provisions apply:

- a) For a Place of Worship, 1 parking space shall be required for each 6 seats installed or capable of being installed in the main worship area

**7.559.3 Special Site Provisions**

The following additional provisions apply:

- a) A Loading space is not required for a Place of Worship or a Day Nursery

**7.560 79 GREEN LANE**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*560 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.

**7.560.1 Additional Permitted Uses**

The following additional permitted uses are permitted:

- a) Open Storage – of motor vehicle accessory to motor vehicles repair garage

### **7.560.2 Zone Standards**

The following specific zone standards shall apply:

- a) Minimum lot area - 0.38 ha
- b) Minimum lot frontage - 29m
- c) Maximum height - 20.0 m
- d) Maximum floor area ratio - 60%

### **7.560.3 Special Site Provisions**

The following additional provisions apply:

- a) A Loading space is not required for a Business Office or a Veterinary Clinic
- b) Minimum two-way driveway aisle width abutting interior side lot line – 4.2 m
- c) Minimum two-way driveway entrance width at western entrance – 5.1 m

## **7.561 337 JOHN STREET**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*561 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.

### **7.561.1 Zone Standards**

The following specific zone standards shall apply:

- a) Minimum required front yard - 8.8 m
- b) Maximum height - 11.0 m

### **7.561.2 Special Parking Provisions**

The following parking provisions apply:

- a) For a Commercial Self-Storage Facility, 40 parking spaces shall be required

### **7.561.3 Special Site Provisions**

The following additional provisions apply:

- a) The maximum permitted encroachment into a front yard for canopies or roof overhangs is 1.2 m
- b) No landscaping requirements apply
- c) Loading spaces are not required
- d) Landscaping, loading space, and all other building requirements not specifically amended by this amendment shall not apply on this property

## **7.562 385 JOHN STREET**

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol \*562 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.

### **7.562.1 Additional Permitted Uses**

The following additional uses are permitted:

- a) Medical Offices
- b) Schools, private

### **7.562.2 Zone Standards**

The following specific zone standards shall apply:

- a) Maximum height - 10.0 m
- b) Maximum floor area ratio - 40%

### **7.562.3 Special Parking Provisions**

The following parking provisions apply:

- a) For business offices, financial institutions, retail stores, personal service shops, medical offices, day nurseries, and private schools, 1 parking space shall be required for every 30.0 sq. m of gross leasable area
- b) For restaurants and take-out restaurants, 1 parking space shall be required for every 30.0 sq. m of gross leasable area

#### **7.562.4 Special Site Provisions**

The following additional provisions apply:

- a) The minimum rear yard for a refuse enclosure is 10.0 m
- b) The maximum rear yard for a refuse enclosure is 20.0 m
- c) The minimum required interior side yard for a refuse enclosure is 1.0 m
- d) The minimum width of landscaped open space abutting a street is 2.0 m
- e) Access ramps, driveways, awnings, roof overhangs, open colonnades, and canopies are permitted to encroach on or over landscaped open space

4. By-law 177-96

5. READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS \_\_\_\_\_  
DAY OF JUNE, 2013.

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KIMBERLEY KITTERINGHAM  
CITY CLERK

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FRANK SCARPITTI  
MAYOR



## **EXPLANATORY NOTE**

### **BY-LAW 2013-\_\_\_**

#### **A By-law to Repeal By-law 77-73 and to Amend By-law 177-96, as amended**

##### **Lands Affected**

The proposed by-law amendment applies to lands within the Thornhill Revitalization Area that are subject to By-law 77-73.

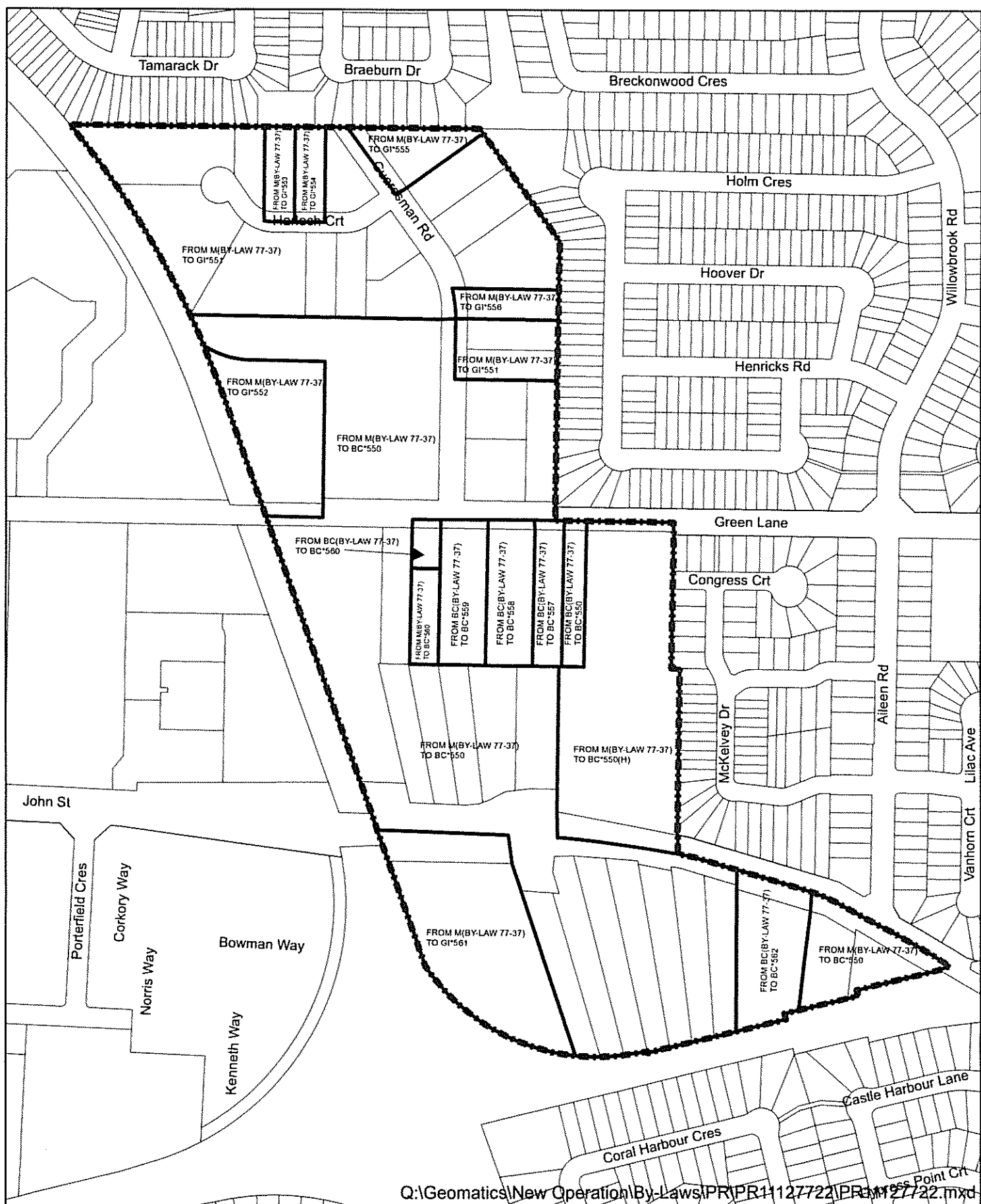
##### **Existing Zoning**

The affected lands are zoned under a variety of designations in accordance with Zoning By-law 77-73, as amended.

##### **Purpose and Effect**

The purpose of this By-law is to repeal By-law 77-73 and apply By-law 177-96 and two unique zones to the Thornhill Revitalization Area to reflect Council's vision for the area.

The effect of this By-law is that certain provisions and development standards of By-law 177-96, as amended, will be further amended, and certain lands will be rezoned only insofar as to effect certain exception numbering changes.



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

- BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
- BOUNDARY OF ZONE DESIGNATION(S)

INDUSTRIAL	GENERAL INDAUSTRIAL	HOLDING PROVISION
BUSINESS CORRIDOR	EXCETION NUMBER	

BY-LAW AMENDMENT No. ....PASSED .....

.....(MAYOR).....(CLERK)

DEVELOPMENT SERVICES COMMISSION Drawn By:DD Checked By:RB DATE:06/13/13

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