



# Council Meeting Agenda

**Meeting No. 24 | November 20, 2024 | 1:00 PM | Live streamed**

Members of the public have the option to attend either remotely via Zoom or in-person in the Council Chamber at the Civic Centre

## Members of the public can participate by:

### 1. VIEWING THE ONLINE LIVESTREAM:

Council meetings are video and audio streamed at: <https://pub-markham.escribemeetings.com/>

### 2. EMAILING A WRITTEN SUBMISSION:

Members of the public may submit written deputations by email to [clerkspublic@markham.ca](mailto:clerkspublic@markham.ca).

**Written submissions must be received by 10:00 a.m. the morning of the meeting.**

If the deadline for written submission has passed, you may:

Email your written submission directly to [Members of Council](#); or

Make a deputation at the meeting by completing and submitting an online [Request to Speak Form](#)

If the deadline for written submission has passed **and** Council has finished debate on the item at the meeting, you may email your written submission directly to [Members of Council](#).

### 3. REQUEST TO SPEAK / DEPUTATION:

Members of the public who wish to make a deputation, please register prior to the start of the meeting by:

Completing an online [Request to Speak Form](#), or,

E-mail [clerkspublic@markham.ca](mailto:clerkspublic@markham.ca) providing full name, contact information and item they wish to speak on.

If you do not have access to email, contact the Clerk's office at **905-479-7760** on the day of the meeting.

\*If Council or Committee has finished debate at the meeting on the item, you may email your written submission directly to [Members of Council](#).

The list of [Members of Council is available online at this link](#).

Alternate formats for this document are available upon request.

Closed captioning during the video stream may be turned on by clicking the **[cc]** icon located at the lower right corner of the video screen.

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**Note: As per Section 7.1(h) of the Council Procedural By-Law, Council will take a ten minute recess after two hours have passed since the last break.**



# Council Meeting Agenda

Meeting Number: 24  
November 20, 2024, 1:00 PM  
Live streamed

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Pages

**1. CALL TO ORDER**

**INDIGENOUS LAND ACKNOWLEDGEMENT**

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron-Wendat, Anishnabeg, Seneca, Chippewa, and the Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

**2. DISCLOSURE OF PECUNIARY INTEREST**

**3. APPROVAL OF PREVIOUS MINUTES**

**3.1 COUNCIL MINUTES - NOVEMBER 6, 2024**

Note: Attachment to be added when available

1. That the Minutes of the Council Meeting held on November 6, 2024, be adopted.

**4. PRESENTATIONS**

**5. DEPUTATIONS**

**6. COMMUNICATIONS**

**7. REPORT OF STANDING COMMITTEE**

**7.1 REPORT NO. 43 DEVELOPMENT SERVICES PUBLIC MEETING  
(NOVEMBER 5, 2024)**

Please refer to your November 5, 2024 Development Services Public Meeting

Agenda for reports.

Mayor and Members of Council:

That the report of the Development Services Public Meeting be received & adopted. (Item 1):

7.1.1 PUBLIC MEETING INFORMATION REPORT, ARBUTUS REAL ESTATE LTD. AT 7441 TO 7455 VICTORIA PARK AVENUE AND 200 TO 248 STEELCASE ROAD EAST, APPLICATION FOR ZONING BY-LAW AMENDMENT

7

TO PERMIT CREATIVE INDUSTRIAL USES AND FOOD AND BEVERAGE PRODUCTION, PROCESSING AND WAREHOUSING USES, WITH ACCESSORY OFFICE AND RETAIL, AND ANCILLARY RESTAURANT USES (WARD 8), FILE NO. PLAN 24 187368 (10.5)

1. That the report entitled “PUBLIC MEETING INFORMATION REPORT, Arbutus Real Estate Ltd., Application for Zoning By-law Amendment to permit creative industrial uses and food and beverage production, processing and warehousing uses, with accessory office and retail, and ancillary restaurant uses (Ward 8), File No. PLAN 24 187368”, be received; and,
2. That the Record of the Public Meeting held on November 5, 2024 with respect to the proposed Zoning By-law Amendment application, be received; and,
3. That the application by Arbutus Real Estate Ltd., for a proposed Zoning By-law Amendment (PLAN 24 187368), be approved and the draft implementing Zoning By-law Amendment be finalized and enacted without further notice; and further,
4. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**7.2 REPORT NO. 44 DEVELOPMENT SERVICES COMMITTEE (NOVEMBER 12, 2024)**

Please refer to your November 12, 2024 Development Services Committee Agenda for reports.

Mayor and Members of Council:

That the report of the Development Services Committee be received & adopted.

(Items 1 to 3):

- 7.2.1 CYCLING FACILITY SELECTION TOOL (CITY WIDE) (5.10) 31
1. That the Staff report titled “Cycling Facility Selection Tool (City-wide)” be received; and,
  2. That the Cycling Facility Selection Tool be endorsed; and,
  3. That staff be directed to plan, design and implement in-boulevard multi-use paths or cycle tracks that take into consideration financial, operational and maintenance impacts, available funding and the criteria outlined in the Cycling Facility Selection Tool; and,
  4. That the Director of Engineering, in consultation with the Director of Operations and the City Treasurer, be authorized to update the Cycling Facility Selection Tool from time to time, to accommodate changing needs and practices; and further,
  5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- 7.2.2 2025 BUILDING BY-LAW CHANGES (10.13) 41  
(By-law 2024-206)
1. That the report titled “2025 Building By-law Changes” dated November 12, 2024 be received; and,
  2. That By-law 2023-177 as amended be repealed and the attached “By-law respecting Construction, Demolition, Change of Use Permits and Inspections,” attached as Appendix ‘A’, be enacted; and,
  3. That the by-law come into force and take effect on January 1, 2025; and further,
  4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- 7.2.3 CORNELL CENTRE SECONDARY PLAN UPDATE – DRAFT POLICY FRAMEWORK (10.4) 68
1. That the report entitled "Cornell Centre Secondary Plan Update – Draft Policy Framework" dated November 12, 2024, be received; and,
  2. **That the written correspondence from Shannon Sigouin be**

**received; and,**

3. That the Draft Cornell Centre Secondary Plan be released for public consultation; and,
4. That Staff be authorized to schedule a statutory public meeting on the draft Cornell Centre Secondary Plan, attached as Appendix 'A' to this staff report; and further,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

## 8. MOTIONS

## 9. NOTICE OF MOTION TO RECONSIDER

## 10. NEW/OTHER BUSINESS

*As per Section 2 of the Council Procedural By-Law, "New/Other Business would generally apply to an item that is to be added to the **Agenda** due to an urgent statutory time requirement, or an emergency, or time sensitivity".*

## 11. ANNOUNCEMENTS

## 12. BY-LAWS - THREE READINGS

That By-laws 2024-202 to 2024-206 be given three readings and enacted.

### Three Readings

- 12.1 **BY-LAW 2024-202, A BY-LAW TO AMEND BY-LAW 1229, AS AMENDED (TO ADD A SITE SPECIFIC EXCEPTION) (30 HERITAGE HOLDINGS LTD.)** 212

Being a By-law to amend By-law 1229, as amended. The purpose of this By-law is to add 'Motor Vehicle Establishment' and 'Motor Vehicle Repair Garage' as additional permitted uses under the current Industrial 'M' Zone, to facilitate the development of a new three storey commercial building for a Motor Vehicle Sales and Service establishment. (30 Heritage Holdings LTD. 229 Steeles Avenue West, Vaughan, Ontario L4J1A1) (Item 7.2.1, Report No. 35 Development Services Public Meeting, September 24, 2024)

- 12.2 **BY-LAW 2024-203, OFFICIAL PLAN AMENDMENT NO. 58 - CITY INITIATED OFFICIAL PLAN AMENDMENT FOR THE MARKHAM ROAD – ANGUS GLEN LANDOWNER'S GROUP INC. (WARD 6) (10.3)** 216

Being a By-law to adopt a City initiated Official Plan Amendment No. 58 to

Amendment No. 1 to the Angus Glen Secondary Plan (OPA 47) into the City of Markham Official Plan, 2014.

(Item 7.1.1, Report No. 40 Development Services Public Meeting, October 22, 2024)

- 12.3 BY-LAW 2024-204, A BY-LAW TO DESIGNATE PART OF A CERTAIN PLAN OF SUBDIVISION NOT SUBJECT TO PART LOT CONTROL - BERCZY WARDEN HOLDINGS INC. 226**

Being a By-law to designate part of a certain plan of subdivision not subject to Part Lot Control (west of Warden Avenue, north of Major Mackenzie Drive East). This by-law is to exempt the subject block from the part lot control provisions of the Planning Act, R.S.O. 1990, c. P.13, as amended. The By-law is to facilitate the conveyance of 53 townhouse dwelling units with maintenance easements and for the creation of side door access easements to service 8 single-detached dwelling units. (Berczy Warden Holdings Inc., Lots 18-21, 23, 41, 43 and 44 and Blocks 73-75, 105, 106 and 117 to 120, Plan 65M-4794)

- 12.4 BY-LAW 2024-205, A BY-LAW 2024-172 - OFFICIAL PLAN AMENDMENT NO. 271 - 2690622 ONTARIO INC. (KINGDOM-MARKHAM CENTRE 4077, 4101, and 4121 HIGHWAY 7) 228**

Being a By-Law to adopt Amendment No. 271 to the City of Markham Official Plan 1987, as amended.

[2690622 Ontario Inc. (Kingdom – Markham Centre)]4077, 4101, and 4121 Highway 7 (the “Subject Lands”)

(Item 7.2.2, Report No. 35 Development Services Public Meeting, October 9, 2024)

- 12.5 BY-LAW 2024-206, BEING A BY-LAW RESPECTING CONSTRUCTION, DEMOLITION, CHANGE OF USE PERMITS AND INSPECTIONS 244**

Being a By-law that repeals By-law 2023-177 and to enact a new building by-law for the issuance of permits and related matters respecting Construction, Demolition, Change of Use Permits and Inspections.

(Item 7.2.2)

### **13. CONFIDENTIAL ITEMS**

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into a private session to discuss the following confidential matters:

#### **13.1 COUNCIL**

13.1.1 CONFIDENTIAL COUNCIL MINUTES - NOVEMBER 6, 2024

Note: Attachment to be added when available

**13.2 DEVELOPMENT SERVICES COMMITTEE - OCTOBER 29, 2024**

13.2.1 CONFIDENTIAL REQUEST FOR DIRECTION RE  
SETTLEMENT WITH ARYEH CONSTRUCTION LIMITED, 8293  
– 8303 WARDEN AVE (8.0)

(LITIGATION OR POTENTIAL LITIGATION, INCLUDING  
MATTERS BEFORE ADMINISTRATIVE TRIBUNALS,  
AFFECTING THE MUNICIPALITY OR LOCAL BOARD)  
[MUNICIPAL ACT, 2001, Section 239 (2)(e)]

Note: This matter was deferred from the November 6, 2024 Council  
Meeting.

**14. CONFIRMATORY BY-LAW - THREE READINGS**

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That By-law 2024-201 be given three readings and enacted.

Three Readings

BY-LAW 2024-201 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE  
COUNCIL MEETING OF NOVEMBER 20. 2024.

**15. ADJOURNMENT**



**Development Services Commission**  
**PUBLIC MEETING INFORMATION**  
**REPORT**

<b>Date:</b>	Tuesday, November 5, 2024		
<b>Application Type:</b>	Zoning By-law Amendment (the "Application")		
<b>Owner:</b>	Arbutus Real Estate Ltd. c/o Andrea Carson Barker (the "Owner")		
<b>Agent:</b>	Gladki Planning Associates Inc. c/o Andrew Davidge		
<b>Proposal:</b>	To permit creative industrial uses and food and beverage production, processing and warehousing uses, with accessory office and retail, and ancillary restaurant uses (the "Proposed Development")		
<b>Location:</b>	7441 to 7455 Victoria Park Avenue and 200 to 248 Steelcase Road East (the "Subject Lands")		
<b>File Number:</b>	PLAN 24 187368	<b>Ward:</b>	8
<b>Prepared By:</b>	Barton Leung, Extension 2376 Senior Planner, Central Planning District		
<b>Reviewed By:</b>	Sabrina Bordone, MCIP, RPP Manager, Central Planning District	Stephen Lue, MCIP, RPP Senior Manager, Development	

**PURPOSE**

This preliminary information pertains to the Application submitted by the Owner and contains general information on the applicable Official Plan policies and the identified issues and should not be taken as Staff's opinion or recommendation.

**PROCESS TO DATE**

Staff received the Application on August 29, 2024, and deemed the Application complete on September 27, 2024. The 90-day period set out in the *Planning Act* before the Owner can appeal to the Ontario Land Tribunal for a non-decision ends on November 26, 2024.

**NEXT STEPS**

- Statutory Public Meeting is tentatively scheduled for November 5, 2024
- Recommendation Report for consideration by the Development Services Committee ("DSC")
- In the event of approval, enactment of the site-specific Zoning By-law Amendment



## BACKGROUND

### Subject Lands and Area Context

Figure 1 shows the 1.91 ha (4.71 ac) Subject Lands at the northeast corner of Victoria Park Avenue and Steelcase Road East. Figure 2 shows that the Subject Lands are currently occupied by three buildings used for a mix of industrial uses and warehousing. Figure 3 shows the surrounding land uses.

***The Proposed Development would utilize the three existing buildings for creative industrial uses related to the design and on-site manufacturing and/or processing of creative works, and food and beverage production, processing and warehousing uses, supported by accessory office, retail, and ancillary restaurant uses***

<b>Table 1: the Proposed Development (Figure 4)</b>	
Gross Floor Area:	<p><b>Total:</b> 7,855 m<sup>2</sup> (84,550 ft<sup>2</sup>)</p> <ul style="list-style-type: none"> <li>• Creative industrial uses and food and beverage production, processing and warehousing uses: 6,677 m<sup>2</sup> (71,870 ft<sup>2</sup>)</li> <li>• Accessory office and retail use: 878 m<sup>2</sup> (9,451 ft<sup>2</sup>)</li> <li>• Ancillary restaurant use: 300 m<sup>2</sup> (3,229 ft<sup>2</sup>)</li> </ul>
Vehicular Parking Spaces:	124 (116 existing parking spaces and 8 new accessible parking spaces)
Bicycle Parking Spaces:	22 (new)
Loading Spaces:	20 (existing)
Vehicular Accesses:	Two access points on both Victoria Park Avenue and Steelcase Road East and one access point on Denison Street

***The following table summarizes the Official Plan Information:***

<b>Table 2: Official Plan Information</b>	
Current Designation	“General Employment”, 2014 Official Plan
Permitted Uses:	Manufacturing, processing, and warehousing with accessory outdoor storage; retail and/or service that is accessory to the primary manufacturing, processing or warehousing use; office use that is accessory to a primary manufacturing, processing or warehousing use; and trade school.

<b>Table 2: Official Plan Information</b>	
	Ancillary uses within an industrial building that are limited to restaurant, service, commercial school and office uses other than medical offices are also provided for under the “General Employment” designation, subject to review of a site-specific development application for zoning approval.

***The Application includes the expansion of the permitted uses on Subject Lands – All existing site features will be maintained (buildings, paved and landscaped areas, and parking and loading spaces) – as summarized in Table 3***

<b>Table 3: Zoning By-law Information (Figure 3)</b>	
Current Zone:	“General Employment (EMP-GE)”, Comprehensive Zoning By-law 2024-19
Permissions:	Industrial use, business office use, and retail stores that do not exceed the lesser of 500 m <sup>2</sup> of gross floor area (“GFA”) or a maximum of 15% of the GFA of the principal use.
Proposal:	<p>The Owner’s draft Zoning By-law Amendment (“ZBLA”) proposes to add the following to the list of permitted uses:</p> <ul style="list-style-type: none"> <li>• Creative industrial <sup>see Note 1</sup></li> <li>• Food and beverage production, processing and warehousing <sup>see Note 2</sup></li> <li>• Restaurant <sup>see Note 3</sup></li> </ul> <p>Additionally, the draft ZBLA seeks to incorporate site-specific development standards including, but not limited to, minimum lot frontage, landscape requirements, and parking rates.</p>

**NOTE 1:** Creative industrial uses will be the primary uses on the site and will include those directly related to design and on-site manufacturing and/or processing of creative works, including artistic fabrication and production, digital fabrication, apparel design and manufacturing, furniture design and fabrication, ceramics fabrication and jewelry production, trade school for art production, and the storage and warehousing of art.

**NOTE 2:** Food and beverage production, processing and warehousing uses include coffee roaster, brewery, bakery, wine production/warehousing, and other artisanal food and beverage uses provided the use is directly related with onsite manufacturing and/or processing and is not a retail store.

**NOTE 3:** Restaurants that do not exceed 100 m<sup>2</sup> per premise.

***Staff identified the following preliminary list of matters that will be assessed through the review of the Application, including other matters and issues, and addressed in a future Recommendation Report to the DSC.***

- a) Conformity and Consistency with Provincial, and York Region and City Official Plan**
  - i) Review of the Proposed Development in the context of the existing policy framework.
  
- b) Review of the Proposed Development will include, but not be limited to, the following:**
  - i) Review of the submitted Planning Justification Report and Draft ZBLA prepared by Gladki Planning Associates.
  - ii) Examination of whether the mix of uses proposed are appropriate.
  - iii) Evaluation of the compatibility with existing and planned development within the surrounding area.
  - iv) Review of the technical studies submitted in support of the Proposed Development, including, but not limited to, the Functional Servicing Report, Stormwater Management Brief, and Transportation Impact Study.
  - v) Traffic impacts and ensuring an adequate supply of parking spaces for the proposed creative industrial uses, food and beverage production, processing and warehousing uses, and supporting office, retail, and restaurant uses.
  
- c) External Agency Review**
  - i) The Application must be reviewed by York Region, and any applicable requirements must be incorporated into the Proposed Development.

**ACCOMPANYING FIGURES:**

Figure 1: Location Map

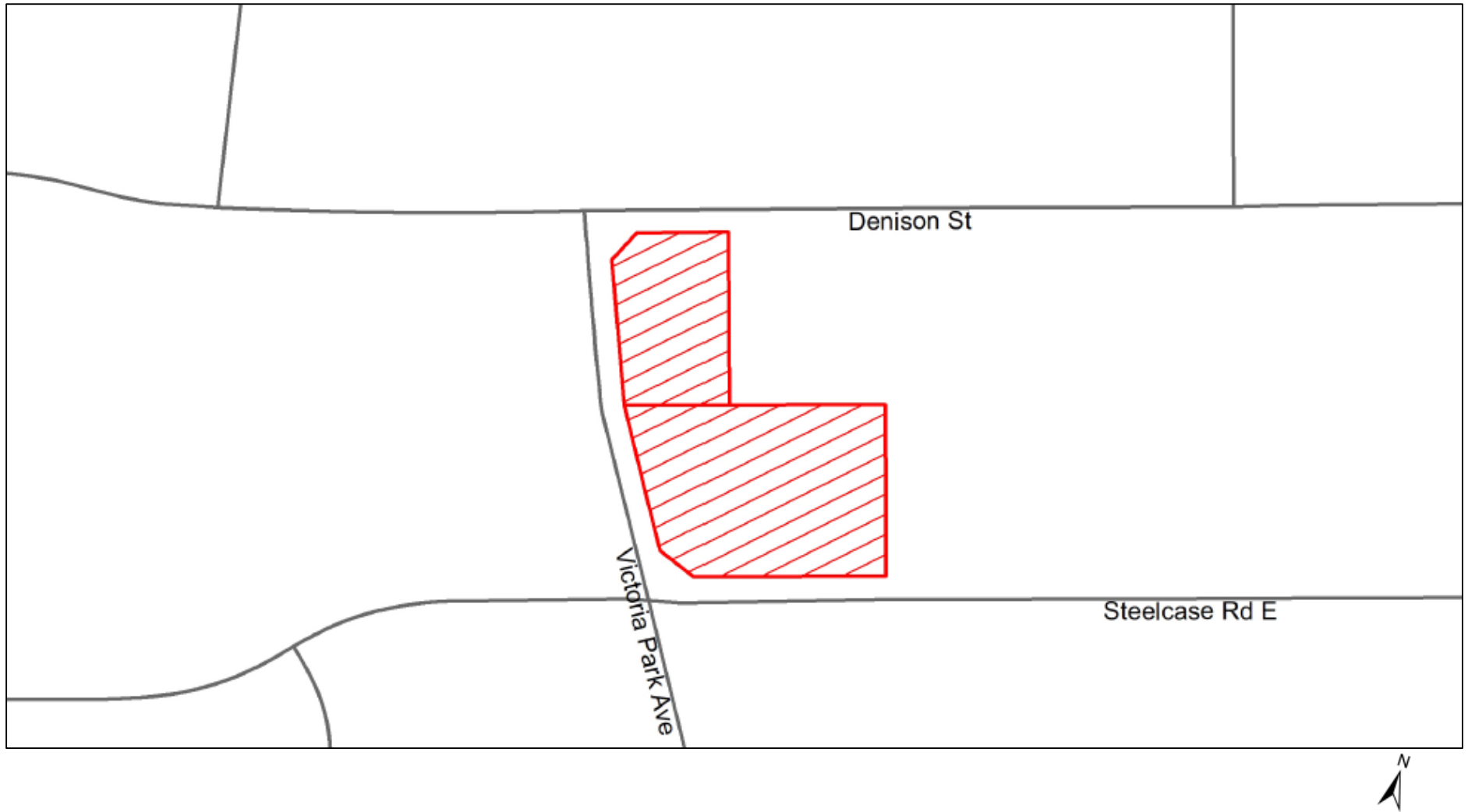
Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Conceptual Site Plan

# Figure 1

## Location Map



# Figure 2

## Aerial Photo



Figure 3

### Area Context and Zoning







# Statutory Public Meeting

ZONING BY-LAW AMENDMENT

Arbutus Real Estate Ltd. (Andrea Carson Barker) c/o Gladki Planning Associates Inc. (Andrew Davidge)

7441 to 7455 Victoria Park Avenue and 200 to 248 Steelcase Road East (Ward 8)

File PLAN 24 187368

**November 5, 2024**





## Subject Lands:

- 1.91 ha (4.71 ac)
- Currently occupied by three buildings used for a mix of industrial uses and warehousing

## Surrounding Context:

- General employment uses in the form of industrial buildings



 Subject Lands

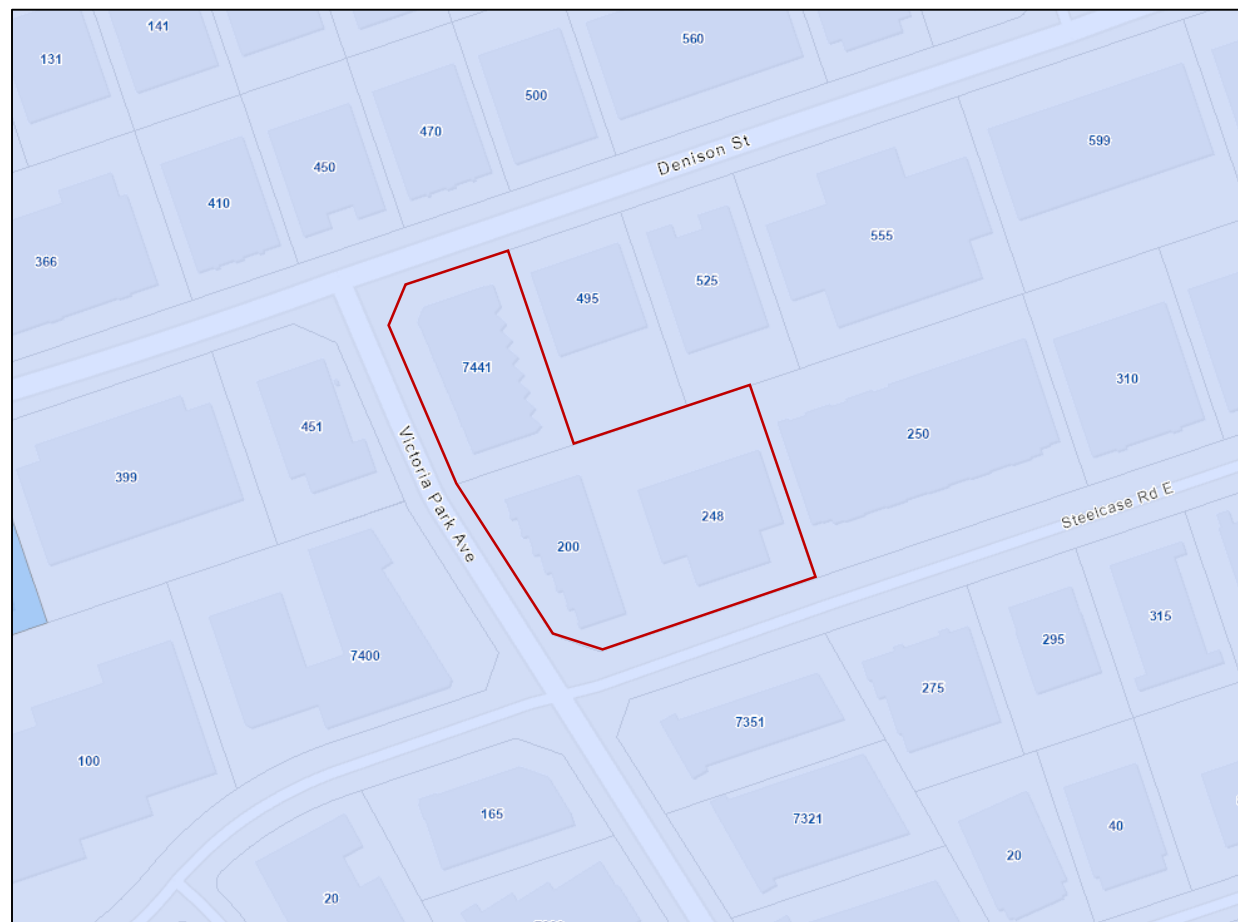






## 2014 OP Designation: "General Employment"

**The Proposed Development meets the intent of the 2014 OP.**



- Subject Lands
- General Employment
- Service Employment





## 2024-19: “General Employment (EMP-GE)”

The Owner submitted an amendment to permit the following:

- Creative industrial uses
- Food and beverage production, processing and warehousing
- Restaurant
- Incorporate site-specific development standards (minimum lot frontage, landscape, and parking)





## 1. Staff will continue to review the Proposal

- Review the submitted Planning Justification Report and draft ZBLA submitted by the Owner to examine the appropriateness of the mix of uses and evaluate the compatibility with existing and planned development within the surrounding area
- Review the technical studies submitted in support of the Proposal, which includes but is not limited to, Functional Servicing Report, Stormwater Management Brief, and Transportation Impact Study

## 2. Committee may approve the ZBLA

- The application be approved, and that the draft ZBLA be finalized and brought to a future Council meeting for enactment without further notice, **OR**
- Staff to prepare a Recommendation Report for a future DSC

## 3. Applicant will provide a detailed presentation on the Proposal

**Thank you!**

# Statutory Public Meeting

## Zoning By-law Amendment

## Industrial Arts

7441-7455 Victoria Park Avenue and 200-248 Steelcase Road East

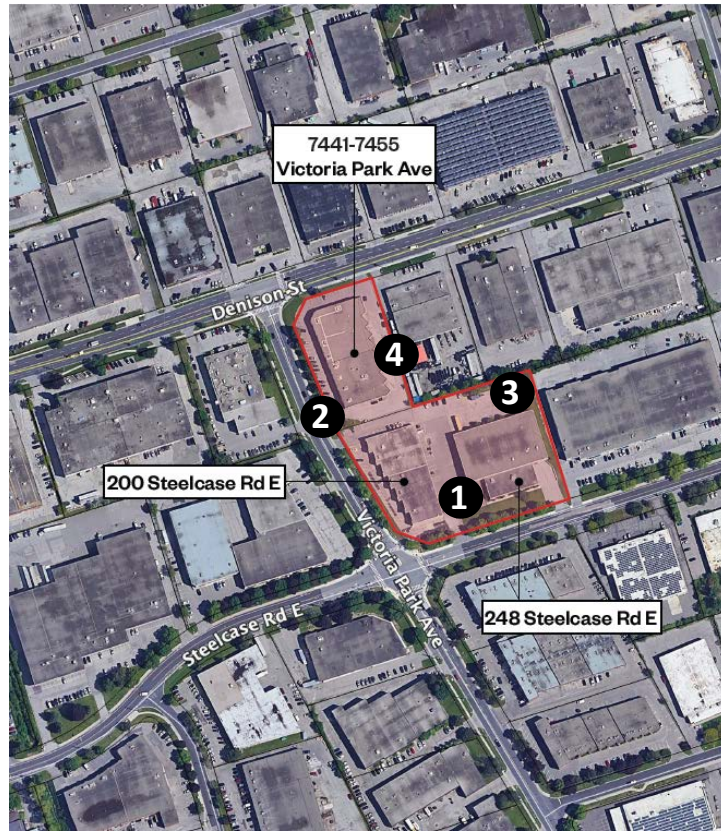
City of Markham

November 5, 2024

gladki planning associates



# Site Context





# Project Concept

## Industrial Arts

Re-interpret the existing industrial context with a wider variety of creative and entrepreneurial tenants

Foster a creative community within existing built form

Stimulate and diversify economic activity

Contribute to the economic, cultural and artistic dynamism of Markham

# Breakdown of Uses

## Primary Uses

Uses that fulfill the primary intent of designation and zone

### Creative Industrial Uses

- Design and onsite manufacturing and/or processing of creative works

### Food and Beverage Production

- Coffee roaster
- Brewery
- Bakery
- Wine production

## Accessory Uses

Uses directly related to primary uses

- Office
- Retail

## Ancillary Uses

Uses that support the primary uses

- Restaurant
- Café
- Canteen

# Concept Plan

**7441-7455 Victoria Park**

Total GFA:	30,895 sf	(2,870 m2)
Ancillary restaurant:	1,076 sf	(100 m2)
Accessory retail:	30,895 * (15%) - 1,076 sf = 3,559 sf	(330.5 m2)
Total ancillary and accessory:	[15% of building total] 4,635 sf	(430.5 m2)
Industrial:	26,260 sf	(2,439.5 m2)






**200 Steelcase Road E**

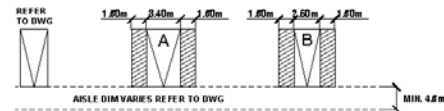
Total GFA:	22,506 sf	(2,091 m2)
Ancillary restaurant:	1,076 sf	(100 m2)
Accessory retail:	22,506 * (15%) - 1,076 sf = 2,300 sf	(213.5 m2)
Total ancillary and accessory:	[15% of building total] 3,376 sf	(313.5 m2)
Industrial:	19,130 sf	(1,777.5 m2)

**248 Steelcase Road E**

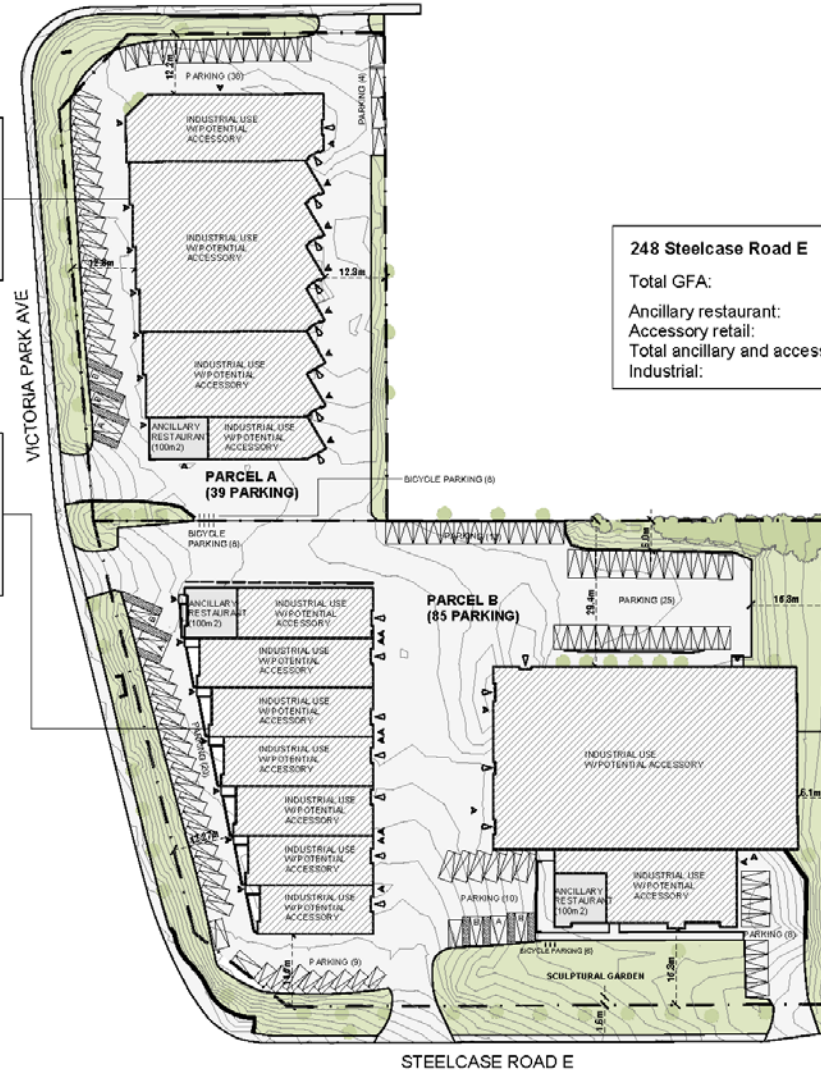
Total GFA:	31,145 sf	(2,894 m2)
Ancillary restaurant:	1,076 sf	(100 m2)
Accessory retail:	31,145 * (15%) - 1,076 sf = 3,596 sf	(334 m2)
Total ancillary and accessory:	[15% of building total] 4,672 sf	(434 m2)
Industrial:	26,474 sf	(2,460m2)

**PROPOSED CONCEPT PLAN**

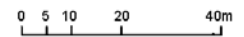
-  INDUSTRIAL USE WITH POTENTIAL ACCESSORY PROGRAM
-  ANCILLARY RESTAURANT
-  SOFTSCAPE (EXISTING)
-  PEDESTRIAN ENTRY
-  VEHICULAR ENTRY



	PARKING	STANDARD	TYPE A	TYPE B	BICYCLE PARKING
<b>TOTAL</b>	124	116	3	5	22
PARCEL A	39	36	1	2	8
PARCEL B	85	80	2	3	14



INDUSTRIAL ARTS gh3\* 24\_1009 Revision



# Summary of Amendments

- To add **“creative industrial uses”** and **“food and beverage production, processing and warehousing”** to permitted uses
- To permit ancillary uses, such as restaurants
- To reflect current conditions and avoid the need for exterior changes, provide minor relief from requirements related to:
  - **Parking stall dimensions**
  - **Electrical vehicle parking spaces**
  - **Bicycle parking space dimensions and locational requirements**
  - **Minimum landscaping strips**
  - **Minimum lot frontage**

**Thank you**



## S U M M A R Y

### Public Meeting Held on Tuesday, November 5, 2024

<b>File number:</b>	PLAN 24 187368
<b>Applicant:</b>	Arbutus Real Estate Ltd. (c/o Gladki Planning Associates Inc.)
<b>Property Address/Location:</b>	7441-7455 Victoria Park Ave. (Industrial Arts) & 200-248 Steelcase Road E.

#### Applicant's Proposal

The Subject Lands are approximately 1.91 ha (4.71 ac) and are located on the south side of Denison Street, east side of Victoria Park Avenue, and north side of Steelcase Road East. The Subject Lands are currently occupied by three buildings used for a mix of industrial uses.

The Applicant is proposing to utilize the three existing buildings for creative industrial uses related to the design and onsite manufacturing and/or processing of creative works. Office, retail, and restaurants uses that support the creative industrial uses are also proposed.

#### Notices Sent

64 notices were mailed to homeowners located within the 200 meter vicinity of the Subject Lands on Oct. 15, 2024.

Public Meeting signs were posted on Oct. 8, 2024.

#### Written Submissions Received Before Printing of the Agenda

None

#### Written Submission Received After Printing of the Agenda

None



**Notification Requested**

None.



Report to: Development Services Committee

Meeting Date: November 12, 2024

**SUBJECT:** Cycling Facility Selection Tool (City-wide)  
**PREPARED BY:** Loy Cheah, Senior Manager, Transportation, Ext. 4838  
 Laura Chong, Project Manager, Transportation, Ext. 3136

**RECOMMENDATION:**

- 1) That the staff report titled “Cycling Facility Selection Tool (City-wide)” be received; and
- 2) That the Cycling Facility Selection Tool be endorsed; and
- 3) That staff be directed to plan, design and implement in-boulevard multi-use paths or cycle tracks that take into consideration financial, operational and maintenance impacts, available funding and the criteria outlined in the Cycling Facility Selection Tool; and
- 4) That the Director of Engineering, in consultation with the Director of Operations and the City Treasurer, be authorized to update the Cycling Facility Selection Tool from time to time, to accommodate changing needs and practices; and further
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

This report seeks Council endorsement of the Cycling Facility Selection Tool. The objective is to ensure the consistent implementation of active transportation infrastructure across the City with respect to the planning, design, and construction of cycling facilities. This report also provides additional information on the operational and maintenance financial impacts of these active transportation facilities.

**BACKGROUND:**

**A facility selection tool was developed as part of the Active Transportation Master Plan (ATMP)**

The Cycling Facility Selection Tool was developed and finalized in February 2022 to support the City’s Active Transportation Master Plan and has been updated to reflect the changes identified in the new Ontario Traffic Manual (OTM) Book 18. This facility selection tool provides guidance and direction to staff and consultants on the selection of active transportation facilities that:

- Provides consistency across the City of Markham's active transportation network;



- 
- Protects the safety of active transportation network users in accordance with industry guidelines and best practices;
  - Utilizes existing active transportation infrastructure to its maximum potential;
  - Expands the high-quality network of protected cycling facilities and paths/trails to form part of an all ages and abilities (AAA) City-wide network.

### **Implementation of active transportation facilities are on-going**

On May 30, 2022, Council received a staff report entitled “[Active Transportation Master Plan Implementation Strategy and Capital Plan](#)”. Council endorsed the implementation plan and prioritization process for the ATMP 10-year cycling capital plan, which is to be phased in appropriately during the program term. Implementation of the 10-year capital plan projects are subject to the annual budget approval process.

Since the endorsement of the Active Transportation Master Plan 10-year Implementation Strategy in 2022, seven (7) of the first 5-year cycling capital plan projects will be undergoing detailed design this year and are anticipated to be constructed in 2025. It is critical that a consistent facility selection procedure be used as more active transportation facilities are being planned and implemented, including on-road and in-boulevard cycling facilities.

Also note that separate from the ATMP, on-going approvals of development plans in secondary plan areas such as in the Future Urban Area, Cornell Centre, Markham Centre and Markham Road-Mount Joy, includes in-boulevard cycling facilities that are being constructed as part of the approved development plans.

### **OPTIONS/ DISCUSSION:**

#### **The Cycling Facility Selection Tool is based on the Ontario Traffic Manual (OTM) Book 18 guidelines**

The cycling facility selection tool is illustrated in Attachment ‘A’. This selection tool was developed following the higher-level guidance of the OTM Book 18, the industry guidelines in Ontario. As such, considerations for separated cycling facilities are based on vehicular speed on the adjacent roadway, the number of lanes on the roadway, and annual average daily traffic.

#### **Four different cycling facilities can be identified through the Cycling Facility Selection Tool**

The Facility Selection Tool guides practitioners to identify the cycling facility most appropriate for the road context of the project based on the criteria of vehicular speed, number of motor vehicle lanes, and annual average daily traffic. One of four different cycling facilities can result, including:

- shared or designated cycling facility (conventional on-road bike lane);
- protected bike lane (on-road bike lane with a buffer zone);
- cycle tracks (in-boulevard separated cycling facility);
- multi-use paths (in-boulevard MUP).

An example of each of these separated cycling facilities are shown in Attachment ‘B’.

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Cycle tracks provide the highest level of protection and are appropriate when the roadway context include frequent high-volume driveways, high anticipated cycling or pedestrian demand and signalized intersections with high-volume turning conflicts.

MUPs are selected where the roadway context includes back-lotted land uses, infrequent high-volume driveways, low-anticipated cycling or pedestrian demand and low-volume turning conflicts.

### **Selection of the appropriate cycling facility requires professional judgement**

The cycling facility selection tool provides a framework and guidance to practitioners on the selection of various separated cycling facilities that are context sensitive. However, this tool is not intended to be a substitute for professional judgement. There is flexibility inherent in the OTM Book 18 guidance, and project conditions may justify selecting a cycling facility that is different than what is indicated by the facility selection tool, considering the existing cycling accommodation, location, and network context of the project to protect the safety of all road users.

For instance, where existing conditions are such that right-of-way widths are constrained or the project is a small gap in the cycling network, professional judgement may lead practitioners to:

1. Limit facility type options available for consideration;
2. Eliminate on-street facility types from consideration;
3. Select a lower facility type and still provide an improvement in safety over existing conditions; or
4. Consider an alternate local street connection that provides a parallel route option.

### **Operations and maintenance (O&M) costs for separated cycling facilities are different depending on the required level of winter maintenance**

Separated cycling facilities require different levels of maintenance during winter months depending on the type of facility and its design.

The *Ontario Regulation 239/02: Minimum Maintenance Standards for Municipal Highways (MMS)* under the Municipal Act provides minimum maintenance requirements for “bicycle lanes”, which includes conventional bike lanes, buffered bike lanes, and protected bike lanes (which are separated from the adjacent traffic lane by a physical device). In particular, on-road cycling facilities such as conventional bike lanes and buffered bike lanes are typically maintained at the same time in the winter as the adjacent traffic lanes for efficiency reasons, and therefore, their maintenance levels are defined and maintenance costs are reduced significantly. However, protected bike lanes must be maintained separately from the adjacent traffic lanes due to the protection of a physical device, which can be planters, concrete medians, parking stops, or bollards.

Other types of separated cycling facilities such as in-boulevard cycle tracks and in-boulevard multi-use paths and their required level of winter maintenance are not defined in Provincial regulations yet. Accordingly, different municipalities currently have different maintenance levels for these in-boulevard facilities. For instance, some

municipalities have chosen to not maintain some or all of their cycle tracks during winter months.

### **O&M costs for cycle tracks are much higher than the costs for MUPs**

Annual O&M unit costs for cycle tracks and MUPs have been developed based on the winter maintenance requirements for separated cycling facilities as defined in the MMS for municipal highways and guidelines in OTM Book 18. The cycle tracks referenced below are part of the ATMP priority cycling network. Based on OTM Book 18 guidance, they are to be maintained to the same standard as Class 1 highways in accordance with the MMS, and the O&M costs reflects that maintenance standard. MUPs are maintained to the same level as sidewalks per the MMS.

As they are all tax-funded, of significance are the O&M costs of in-boulevard cycling facilities (cycle tracks and multi-use paths), which have the highest O&M costs among the different types of cycling facilities. The annual O&M unit costs and total ATMP 10-Year Implementation Plan (plus approved development plans) costs for the in-boulevard cycling facilities are shown respectively in Tables 1 and 2 below.

Table 1: In-Boulevard Cycling Facility Operations & Maintenance (O&M) Unit Costs  
(Source: City of Markham Operations)

<b>Cycling Facility</b>	<b>Annual O&amp;M Unit Cost (\$/km)</b>
Sidewalks (1.5m concrete)	\$12,160
Multi-Use Paths (3m concrete)	\$24,320
Cycle Tracks (1.5m concrete)*	\$67,760

\*Does not include snow load and haul, and cost is for both sides of road

Table 2: ATMP 10-Year Plan + Approved Development Plans – In-Boulevard Cycling Facility O&M Network Costs

<b>Cycling Facility</b>	<b>Total Network Length (km)</b>	<b>Annual O&amp;M Based on Facility Selection Tool (\$)</b>	<b>Annual O&amp;M if Cycle Track is Selected (\$)</b>
Multi-Use Paths (3m concrete)	110.4	\$ 2.68M	\$ 10.17M**
Cycle Tracks + Sidewalks	20.7	\$ 1.91M	\$1.91M
<b>TOTAL</b>	<b>131.1</b>	<b>\$4.59M</b>	<b>\$12.08M</b>

\*\* includes O&M cost of sidewalks when MUPs are converted to separated cycle tracks and sidewalks.

On a network basis, as shown in Table 2, if cycle tracks are preferred instead of MUPs that are identified through the selection tool, the annual O&M cost increases significantly.

Thus, it is important that the facility selection tool be endorsed and used consistently to inform the selection of cycling facilities to minimize the financial impact on future maintenance requirements.

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**Future updates of the Facility Selection Tool will be necessary to stay abreast of changing transportation technologies, safety needs, and policies on active transportation**

Increasingly, users of various micro-mobility devices (personal electric devices with one, two, three, or four wheels) are using the cycling network (and sidewalks) for their trips. The City will be developing a micro-mobility strategy as part of the upcoming Markham Transportation Master Plan (MTMP) study that will examine how micro-mobility devices are to be accommodated on the cycling and trails network. As well, bicycle technology is also changing, and design guidelines will need to change in step with these technological changes to maintain the safety of all facility users.

Therefore, it is recommended that the Director of Engineering be given authorization to update the approved Cycling Facility Selection Tool from time to time in consultation with the Director of Operations and City Treasurer as needs and industry guidelines change.

**FINANCIAL CONSIDERATIONS**

This report has no financial impact to the Operating Budget or Life Cycle Reserve. The future financial impacts of individual transportation projects, including the capital and operating and maintenance costs of the cycling components, will be identified and fully assessed during the Capital Budget and Operating Budget process.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The ATMP Facility Selection Tool aligns with the City's Strategic goal of building Safe, Sustainable, and Complete Communities by improving and making active transportation a safe and sustainable mobility option.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Operations, Finance, and Legal Departments were consulted on the report.

**RECOMMENDED BY:**

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Frank Clarizio, P.Eng.  
Director of Engineering

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Arvin Prasad, MPA, RPP, MCIP  
Commissioner of Development Services

**ATTACHMENTS:**

“A” – Cycling Facility Selection Tool

“B” – Examples of separated cycling facilities

Attachment 'A': Cycling Facility Selection Tool

Figure 1: Separated Cycling Facilities

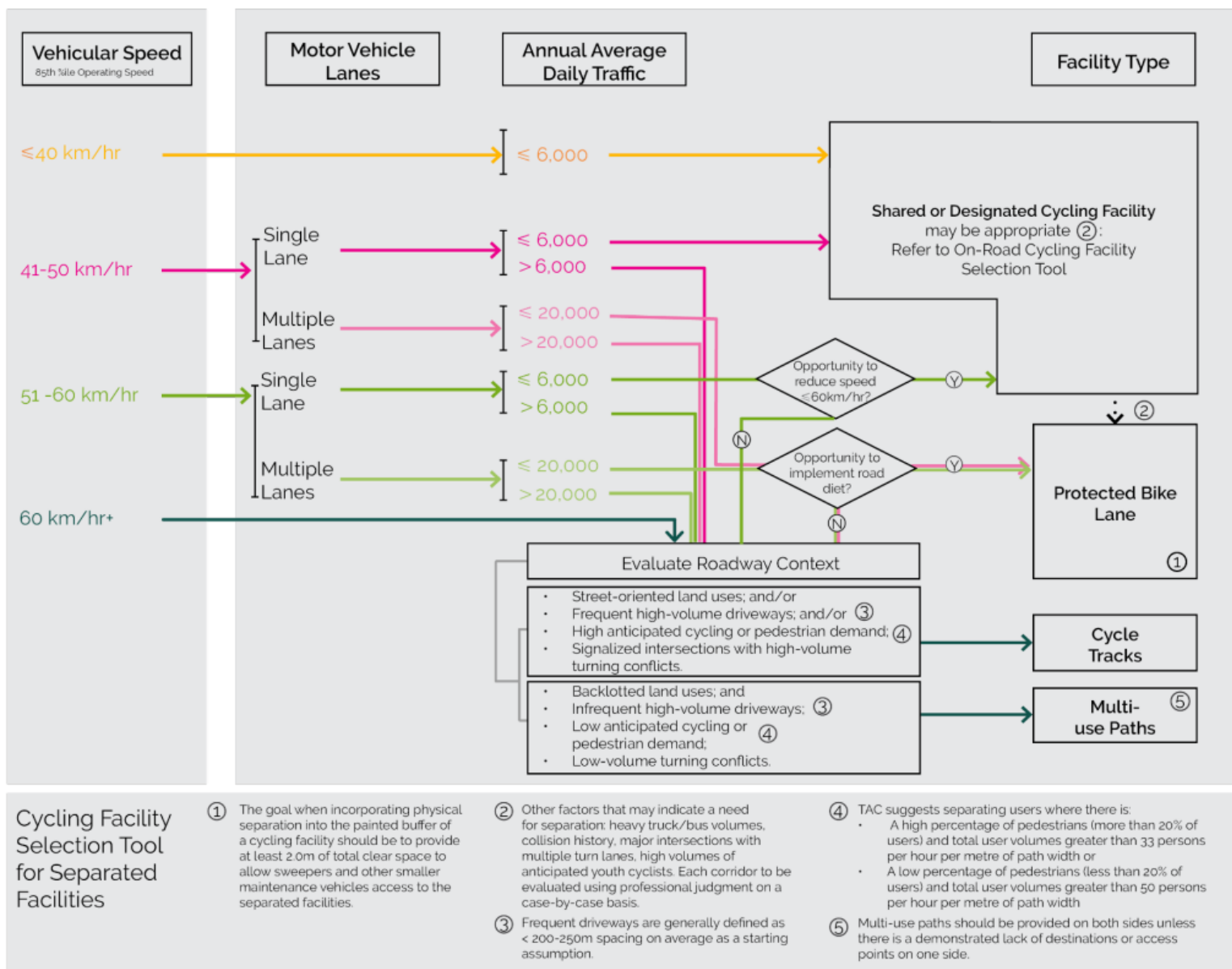
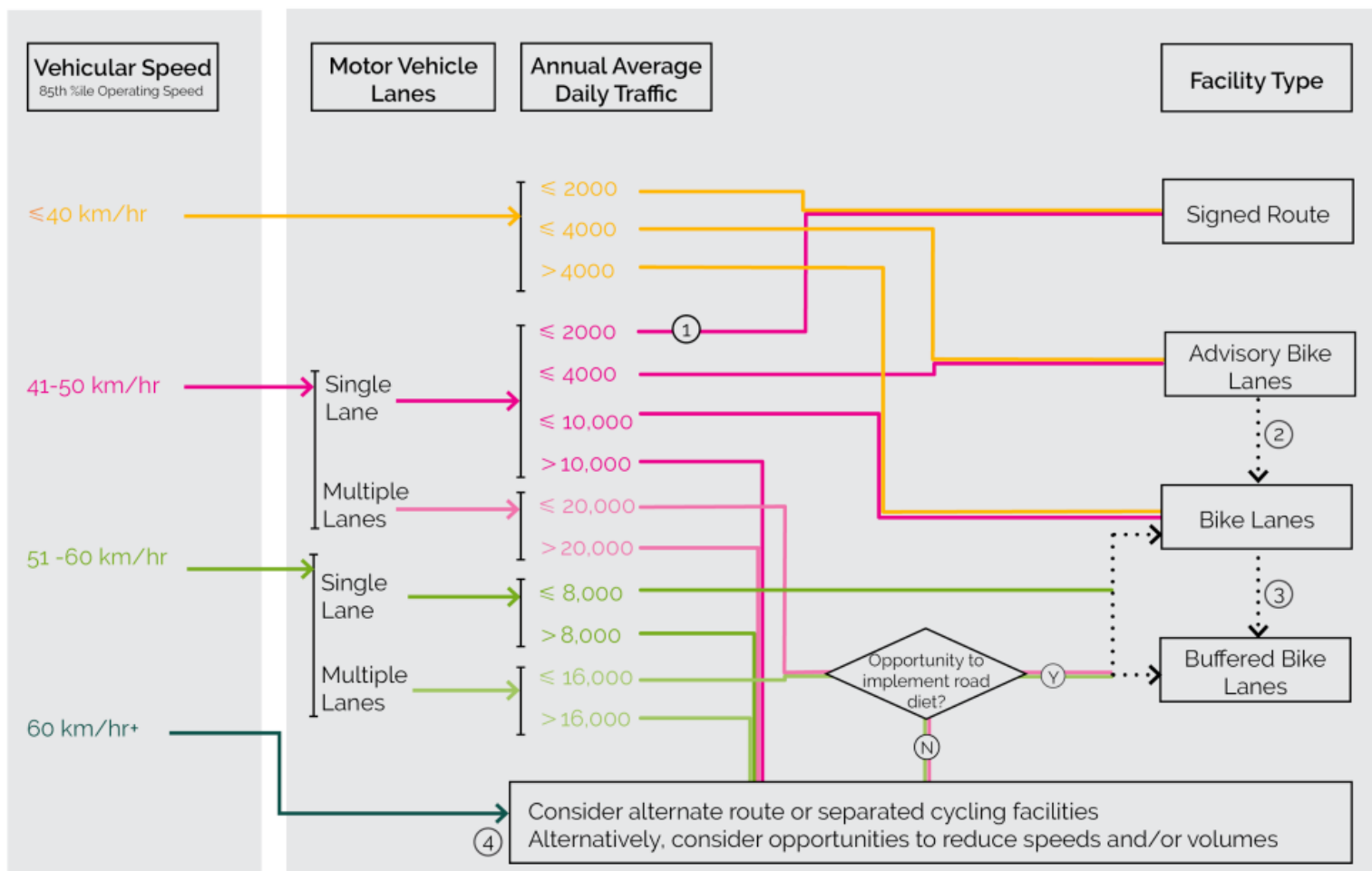


Figure 2: On-Road Cycling Facilities



### On-Road Cycling Facility Selection Tool

- ① Through traffic calming operations, speed should be reduced to ≤ 40 km/hr to be eligible for a shared facility
- ② Any locations identified as potential advisory bike lanes should first be reviewed to evaluate the potential to provide conventional bike lanes.
- ③ Wherever space permits, a buffer should be added to a bike lane as additional visual separation. A buffer must be provided between parked vehicles and cyclists to provide clearance to the door zone.
- ④ Other factors that may indicate a need for separation: heavy truck/bus volumes, collision history, major intersections with multiple turn lanes, high volumes of anticipated youth cyclists. Each corridor to be evaluated using professional judgement on a case-by-case basis.

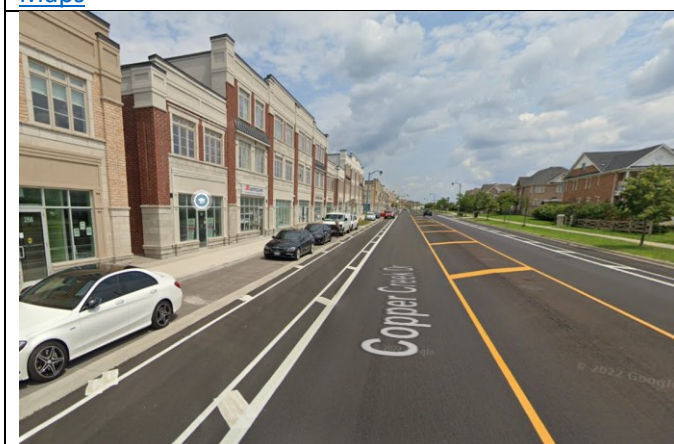
**Attachment 'B': Examples of Separated Cycling Facilities**



Source: Google Map Link: [2 Steelcase Rd W - Google Maps](#)

**Bike Lanes**

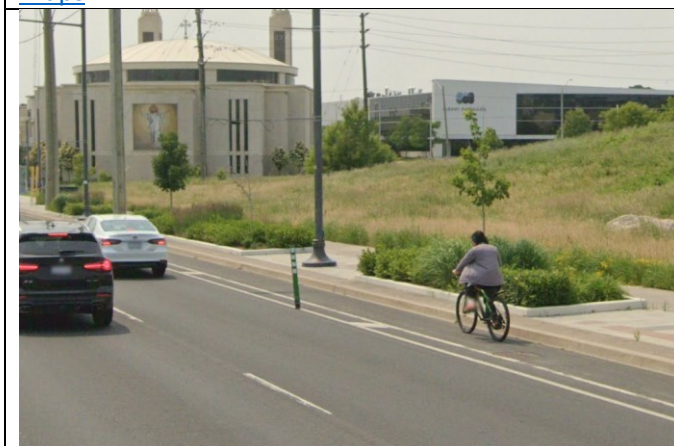
Bike lanes consist of on-road lanes on an urban roadway delineated by a pavement marking lane line and designated for use exclusively by cyclists through regulatory reserved bike lane signage.



Source: Google Map Link: [264 Copper Creek Dr - Google Maps](#)

**Buffered Bike Lanes**

A bike lane (see above) with a painted “buffer” area. These painted lines with hatching help to create additional clearance between the bicycle lane and adjacent travel lane, or between bike lanes and on-street parking.

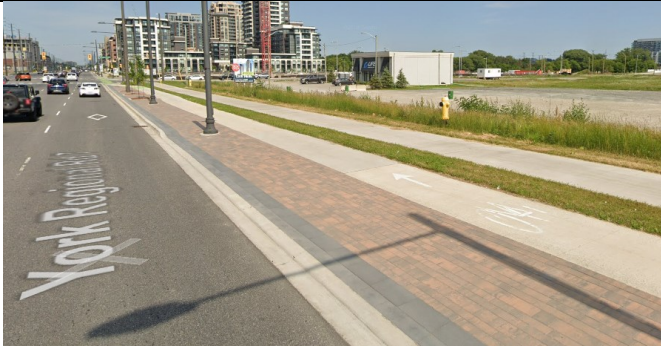


Source: Google Map Link: [Hwy 7 - Google Maps](#)

**Protected Bike Lanes**

An on-road bike lane separated from the adjacent travel lane via some physical element – e.g. a painted “buffer” area with bollards, planter or parking stops, a poured concrete curb, or parked cars. Protected bike lanes are typically (but not always) implemented in a retrofit condition without extensive midblock civil work.





Google Map Link:  
<https://maps.app.goo.gl/1StZ35qbCLKWHyqYA>

### Cycle Tracks

Cycle tracks provide space for cyclists behind the roadway curb, typically at sidewalk level or midheight between sidewalk and road level. Cycle tracks may be implemented as retrofit facilities through boulevard reconstruction but are more commonly implemented through new road construction/reconstruction projects.



Google Map Link:  
<https://maps.app.goo.gl/gCkYEoDkTXyK2VF8>

### Multi-use Paths

Multi-use paths are facilities shared by pedestrians and cyclists that operate two-way. Within the City of Markham, these are typically concrete facilities with widths of 3.0-4.0m. Cyclists and pedestrians share space along these facilities.



Report to: Development Services Committee    Report Date: November 12, 2024

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**SUBJECT:**                    2025 Building By- law Changes

**PREPARED BY:**        Stephanie Di Perna, Chief Building Official, Director, Building Standards Ext. 3940

**REVIEWED BY:**        Arvin Prasad, Commissioner of Development Services

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### **RECOMMENDATIONS:**

1. That the Report titled “2025 Building By-law Changes” dated November 12, 2024 be received;
2. That By-law 2023-177 as amended be repealed and the attached “By-law respecting Construction, Demolition, Change of Use Permits and Inspections,” attached as Appendix ‘A’, be enacted; and,
3. That the By-law come into force and take effect on January 1, 2025; and,
4. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **PURPOSE:**

This report explains proposed changes to fees that offset the projected costs associated with staff review, inspections, and processing of Building Permit applications. These changes are required to address changes in building code regulation and the associated operating procedures.

### **BACKGROUND**

The Building By-law is reviewed each year to recover the anticipated reasonable costs associated with administering *the Building Code Act* and *Building Code*. A fee model was established in 2005 to calculate the annual adjustments necessary to ensure the City's Building Department remains adequately funded by building permit fees, as required in the Building Code Act. The model was reviewed and updated for accuracy in 2024.

In 2023, Council approved a yearly increase of Building Permit fees noted in Table 1, Schedule A of the by-law equal to the Consumer Price Index (CPI) to a maximum increase of 5%. The published CPI value is 1.94%, and the values

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within the by-law reflect the increase. No approval is required for this annual adjustment, which will be in effect on Jan 1, 2025.

**DISCUSSION:****Proposed Building By-law Changes****Editorial Amendments:**

1. To amend Section 2 Definitions by adding the defined term *Housing*.
2. To amend Section 4.19, clarifying the timeframe for abandoned electronic submissions.
3. To amend wording throughout the by-law replacing accessory dwelling unit with secondary suite.

**To amend Schedule A in the following manner:**

1. To amend Section 2.11 increasing the fee for alternative solutions related to multiple unit residential projects and non-residential projects from \$3000 to \$3500.
2. To amend Section 2.12 increasing the fee related to not being ready for a scheduled inspection or not providing a remedy of previously identified inspection infractions from \$200 to \$300.
3. To amend Section 2.23.1 increasing the maximum conditional permit fee from \$6500 to \$10,000.
4. To introduce a new Section 2.27 to set out fees related to inspection services outside the municipal boundary of the City of Markham. Where a building inspection is required outside of the boundaries of the City of Markham, the visit will be charged at a rate of \$250 per hour with a minimum of 3 hours charged. Travel and accommodation will be charged in addition to the hourly rate and applicable where the location is more than 1 hour driving distance from the City of Markham.
5. To amend Section 5.4 increasing the fee related to investigations from \$100 to \$150.
6. To amend Section 5.5 increasing the administrative fee of an Order to Comply from \$450 to \$500 and the re-inspection fee from \$125 per hour to \$190 per hour.
7. To amend Section 5.7 increasing the administrative fee of an Unsafe Order from \$600 to \$800, an Order Prohibiting Occupancy from \$1200 to \$1500 and re-inspection fee from \$125 per hour to \$190 per hour.
8. To amend Section 5.15 increasing the permit maintenance fee for incomplete permits from \$200 to \$400 for housing permits and from \$525 to \$825 for non-housing permits.
9. To introduce a new Section 5.16 to set out fees related to a maintenance fee for incomplete secondary suite permits.

10. To amend Section 6.3 increasing the fee for zoning request from \$75 to \$125.
11. To amend Section 6.4.3 increasing the zoning review related to multi-unit residential building and non-residential buildings from \$1500 to \$1800 and increase the zoning fee related to land division from \$1000 to \$1200.

**To amend Table 1 of Schedule A in the following manner:**

1. To amend item A20 to include the review of Tiny Homes. The Building Code regulates Tiny Homes as a building containing one dwelling unit, is 37m<sup>2</sup> or less in building area and may be constructed at a location outside the Municipality in which occupancy is sought.
2. To amend item A32 to address changes in regulations for Shelf and Rack Storage Systems
3. To add new Occupancy Type G: Agricultural and insert line items A33, A34, A35 and A 36 related to fees associated with the review/issuance and inspections of Type G buildings.
4. To add new item A44 to reflect fees associated with the review/issuance and inspection of Hazardous Areas.
5. To amend items H2, H3, H4 to reflect the anticipated cost of those reviews.

**To amend Schedule B in the following manner:**

1. To require a current land survey be submitted as part of a permit application for new housing.
2. To add new requirements for documents and/or drawings related to infill housing permit applications.
3. To add new requirements document/drawings related to Secondary Suite permit applications.
4. To require a High Building Checklist be submitted as part of a permit application for High Buildings as detailed in the Building Code.

**FINANCIAL CONSIDERATIONS:**

The Building Standards Department and Finance Department have been working closely to ensure proper direct and indirect cost recovery and to incorporate the results into any future operating budget. The fee adjustments recommended in this report will assist in maintaining the self-funded model. Recoveries of direct and indirect costs are consistent with Provincial legislation.

**Summary of Reserve Balances**

The building Standards Department has an appropriate current and forecasted reserve fund balance. This reserve has been utilized to invest in new processes and technologies, such as the E-plan project and the comprehensive zoning by-law project and to withstand cyclical downturns without abrupt changes to capacity and service levels. The changes proposed in this by-law are not expected to have a significant impact on the balance of the reserve fund.

**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Goal 1 - Exceptional Services by Exceptional People  
Goal 3 – Safe, Sustainable and Complete Community.  
Goal 4- Stewardship of Money and Resources

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Finance Department consulted.

**RECOMMENDED BY:**

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Stephanie Di Perna, MBA, PMP, M.A.A.T.O.,  
Chief Building Official, Director, Building Standards

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Arvin Prasad, R.P.P., M.C.I.P.  
Commissioner of Development Services

**ATTACHMENTS:**

Attachment A: Draft of amendment to Building By-law 2024-xx



## BY-LAW 2024-XXX

Being a By-law respecting Construction, Demolition,  
Change of Use Permits and Inspections

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**WHEREAS** Section 7 of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, authorizes municipal council to pass by-laws respecting construction, demolition and change of use permits, inspections and related matters;

**AND WHEREAS** the Council of The Corporation of the City of Markham desires to repeal By-law 2023-177 and to enact a new building by-law for the issuance of permits and related matters, including the establishment of a fee schedule;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:**

### 1. SHORT TITLE

1.1. This By-law may be cited as the “Building By-law”.

### 2. DEFINITIONS

2.1. In this By-law:

“*Act*” means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended;

“*applicant*” means the *owner* of a building or property who applies for a *permit* or any person authorized to apply for a *permit* on the *owner*’s behalf, or any person or corporation empowered by statute to cause the construction or demolition of a building or buildings and anyone acting under the authority of such person or corporation. For the purposes of this bylaw the *applicant* is the registered user of the *electronic submission*;

“*Building Code*” means the regulation made under Section 34 of the *Act*;

“*certified model*” means a unique building design for a detached or semi-detached unit that has been reviewed by the *chief building official* for compliance with the *Building Code* and is intended for construction pursuant to a *permit* issued under the *Act*. A *certified model* approval is not itself a *permit*;

“*City*” means The Corporation of the City of Markham.

“*chief building official*” means the *chief building official* appointed by by-law by Council for the purposes of enforcement of the *Act*, the *Building Code* and this By-law;

“*complete application*” means an application that meets the requirements set out in the building code for applications where the *chief building official* is required to make a decision within a prescribed time period, and further that meets the requirements set out in Section 4 and Schedule B of this By-law;

“*conditional permit*” means a *permit* issued under Subsection 8(3) of the *Act*;

“*construct*” means construct as defined in Subsection 1(1) of the *Act*;

“*demolish*” means demolish as defined in Subsection 1(1) of the *Act*;

“*electronic submission*” means the filing of a *pre-application review* or an application for a building *permit*, *certified model* or alternative solution,

including all required forms, documents and drawings, submitted through an online application procedure approved by the *chief building official*.

“*housing*” means detached houses, semi-detached houses or non-stacked townhouses (less than 4 storeys) containing not more than two dwelling units.

“*Infill Residential*” is defined as; a building containing not more than 2 dwelling units and where new construction replaces more than 50% of the existing building by demolition or by an addition that increases the gross floor area by more than 25% of new construction to an existing house;

*Lot Grading Certificate* is defined as; documentation completed by a Professional Engineer or Land Surveyor licensed in the Province of Ontario verifying that the lot grading and drainage elements have been completed and conform to the approved building permit documents. The property has been fully stabilized with sod or other suitable ground cover. The grading work completed on the property does not adversely impact the neighboring properties.

“*owner*” means, in respect of the property on which the construction is to take place, the registered owner of the land and, except for *conditional permits*, may include a lessee, mortgagee in possession and the person acting as the owner’s authorized agent;

“*partial occupancy permit*” means; an occupancy permit for the partial occupancy of a building prior to its completion as set out in the Ontario Building Code Division C, Part 1, Subsection 1.3.3.

“*partial permit*” means a *permit* issued by the *chief building official* to construct part of a building;

“*permit*” means permission or authorization given in writing by the *chief building official* to perform work, to change the use of a building or part thereof, or to occupy a building or part thereof, as regulated by the *Act* and *Building Code*;

“*permit holder*” means the *owner* to whom the *permit* has been issued or where a *permit* has been transferred, the new *owner* to whom the permit has been transferred;

“*pre-application review*” means the review of forms, documents and drawings which precedes the acceptance of a permit application to determine if it qualifies for an *electronic submission* for a permit;

“*pre permit consultation*” means the high level review of proposed plans to identify any applicable *Building Code* concerns in advance of a building *permit* application. Pre Permit Consultation does not confirm *Building Code* compliance.

“*Registered Code Agency*” means a registered code agency as defined in Subsection 1(1) of the *Act*;

“*revised submission*” means additional information filed with the *chief building official* which depicts one or more changes to the proposed or as-constructed design of a building or part of a building for which a permit has already been issued and for which approval by the *chief building official* is required;

“*sewage system*” means a sewage system as defined in Subsection 1.4.1. of Division A of the *Building Code*;

“*supplementary submission*” means a resubmission of information in relation to building permit documents previously reviewed or issued, that requires additional review to determine *Building Code* compliance;

“*Temporary event structure*” means a tent, demountable stage or demountable support structure that is intended to be erected, assembled or installed for a limited specified time.

“*zoning preliminary review*” means a review of plans and other documents to determine whether proposed designs comply with applicable zoning by-laws;

“*zoning review*” means a review of plans and other documents to determine whether a building *permit* application complies with the applicable zoning by-laws;

2.2. Terms not defined in this By-law shall have the meaning ascribed to them in the *Act* or the *Building Code*.

### 3. CLASSES OF *PERMITS*

3.1. Classes of *permits* required for the construction, demolition or change of use of a building shall be set out in Schedule A to this By-law.

## 4. REQUIREMENTS FOR *PERMIT APPLICATIONS*

### General Requirements

4.1. Every *permit* application, *certified model* application and application for an alternative solution must meet the requirements of this Section and Section 6 and shall:

4.1.1. be made by an *applicant*;

4.1.2. be submitted to the *chief building official* on forms prescribed by the Province of Ontario or when no form is prescribed, on a form prescribed by the *chief building official*;

4.1.3. be accompanied by the required fees calculated in accordance with Schedule A;

4.1.4. unless otherwise determined by the *chief building official*, be in the form of an *electronic submission* filed by the *applicant*;

4.1.5. unless otherwise determined by the *chief building official*, shall not be accepted until a *pre-application review* has been completed to the satisfaction of the *chief building official*; and

4.2. To be considered a *complete application*, every *permit* application shall be accompanied by the approval documents issued by the agencies responsible for the applicable laws listed in the building code, where those agencies issue approval documents and the law applies to the construction or demolition being proposed.

4.3. An application for a *permit* may be refused by the *chief building official* where it is not a *complete application*.

4.4. The *chief building official* may, as the chief building official deems appropriate, provide prescribed forms in an electronic format and may allow for the electronic submission of completed *permit* application forms.

4.5. Notwithstanding Subsection 4.4, completed forms generated electronically shall be accepted subject to the endorsement by the *applicant*.

4.6. When filing an application, the *owner* and the *applicant* shall provide an electronic address(s) for the purpose of receiving communications from the *chief building official* regarding the construction, demolition or change of use associated with a permit application or issued *permit*. The owner or authorized agent of the owner shall inform the *chief building official* immediately in writing when the electronic address(s) provided change or become not functional.

### Applications for *Permits* to Construct

4.7. Every application for a *permit* to *construct* a building shall:



- 4.7.1. identify and describe in detail the work to be done and the existing and proposed use and occupancy of the building, or part thereof, for which the building *permit* application is made;
- 4.7.2. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule B of this by-law; and
- 4.7.3. be accompanied by acceptable proof of corporate identity and property ownership, unless such proof is determined by the *chief building official* to be unnecessary.

#### **Applications for *Permits to Demolish***

- 4.8. Every application for a *permit to demolish* a building shall:
  - 4.8.1. identify and describe in detail the work to be done and the existing use and occupancy of the building, or part thereof, for which the application for a *permit to demolish* is made, and the proposed use and occupancy of that part of the building, if any, that will remain upon completion of the demolition;
  - 4.8.2. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule B of this By-law; and
  - 4.8.3. be accompanied by proof satisfactory to the *chief building official* that arrangements have been made with the proper authorities for the termination and capping of all the water, sewer, gas, electric, telephone or other utilities and services.

#### **Applications for *Permits to Construct Part of a Building***

- 4.9. In addition to the requirements of Subsection 4.7 , every application for a *partial permit* shall:
  - 4.9.1. require a *permit* application for the entire project; and
  - 4.9.2. be accompanied by plans, specifications, documents, forms and other information covering that part of the work for which application for a *partial permit* is made, together with such information pertaining to the remainder of the work as may be required by the *chief building official*.
- 4.10. The *chief building official* may issue a *partial permit* when the *chief building official* determines it is appropriate to expedite substantial construction before a *permit* for the entire building is available and where the relevant provisions of this By-law and the *Act* are met.
  - 4.10.1. When determining whether to issue a *partial permit*, the *chief building official* shall have regard for the likelihood of subsequent approvals being available in a timely fashion such that a project is not interrupted and exposed to potential damage from the elements while awaiting subsequent approvals.
- 4.11. The *chief building official* shall not, by reason of the issuance of a *partial permit* pursuant to this By-law, be under any obligation to grant any additional *permits*.

#### **Applications for *Conditional Permits***

- 4.12. An application for a *conditional permit* cannot be filed until plans review of the scope of work is complete.
- 4.13. In addition to the requirements of Subsection 4.7, where a *conditional permit* is requested, the *applicant* shall:
  - 4.13.1. complete an application on a form prescribed by the *chief building official*; and

4.13.2. submit documents and drawings prescribed in Schedule B of this By-law.

4.14. The *chief building official* may, at his or her discretion, issue a *conditional permit* where unreasonable delays are anticipated in obtaining all necessary approvals and where the relevant provisions of this By-law and the *Act* are met.

#### **Applications for *Permits* for Change of Use**

4.15. Every application for a *permit* for a change of use shall;

4.15.1. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule B of this By-law;

#### **Application for a *Certified Model***

4.16. An *applicant* may file an application for a *certified model*.

4.17. Every application for a *certified model* shall;

4.17.1. be made on an application form prescribed by the *chief building official*; and

4.17.2. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 of this By-law.

4.18. Plans and specifications forming part of each *certified model* application shall be deemed to form part of the *permit* documents of each *permit* subsequently issued under the *Act*.

#### **Abandoned *Electronic Submissions* and *Permit Applications***

4.19. Where an *electronic submission* has not been completed within 20 business days of creation, or where a corrections task has not been completed within three months, the *electronic submission* may be deemed by the *chief building official* to have been abandoned and the submission voided.

4.20. Where an application for a *permit* was accepted and the estimated permit fees are unpaid for three months after the *applicant* was advised in writing of the estimated permit fees, the application may be deemed by the *chief building official* to have been abandoned and written notice of the cancellation thereof shall be given to the *applicant*.

4.21. Where an application for a *permit* remains incomplete and inactive for six months after the *applicant* has been advised in writing of all the reasons for refusal, the application may be deemed by the *chief building official* to have been abandoned and written notice of the cancellation thereof shall be given to the *applicant*.

#### **Revisions to *Permits***

4.22. After the issuance of a *permit* under the *Act*, the *applicant* shall give notice to the *chief building official* in writing of any material change to a plan, specification, document or other information upon which a *permit* was issued, together with the details of such change, which change shall not be made without the prior written authorization of the *chief building official*.

4.23. Application for authorization of any substantial change shall constitute a *revised submission* or a *supplementary submission*.

### **5. PLANS AND SPECIFICATIONS**

5.1. As part of the application for a *permit* and in addition to the requirements of Section 4 of this by-law, every *applicant* shall submit to the *chief building official* the following:

- 5.1.1. sufficient plans, specifications, documents, forms and such other information as may be deemed necessary by the *chief building official* to determine whether the proposed construction, demolition, or change of use conforms to the *Act*, the *Building Code*, and any other applicable law;
- 5.1.2. Where a site plan is required to satisfy Section 5.1.1, the site plan shall reference a current plan of survey certified by a registered Ontario Land Surveyor and shall include:
  - 5.1.2.1. lot size and dimensions of the property;
  - 5.1.2.2. setbacks from existing and proposed buildings to property boundaries and to each other;
  - 5.1.2.3. existing and finished ground levels or grades; and
  - 5.1.2.4. existing rights of way, easements and municipal services; and
  - 5.1.2.5. a copy of a current plan of survey, unless the *chief building official* waives this requirement.
- 5.2. As part of an application for a *certified model*, every applicant shall submit to the *chief building official* sufficient plans, specifications, documents, forms and such other information as may be deemed necessary by the *chief building official* to determine whether the proposed construction conforms to the *Building Code*.
- 5.3. Plans, specifications and other documents submitted by an *applicant* shall:
  - 5.3.1. be fully coordinated among design disciplines and intended for construction, demolition or change of use;
  - 5.3.2. be fully dimensioned and drawn to a suitable scale that clearly depicts the proposed construction, demolition or change of use;
  - 5.3.3. be in the form of an *electronic submission*; and
  - 5.3.4. contain information and text that is clear and legible.
- 5.4. Unless otherwise deemed necessary by the *chief building official*, every application shall be accompanied by plans, specifications, forms, documents and other information required to facilitate the administration and enforcement of the *Building Code*.
- 5.5. Upon issuance of the building permit, the *owner* or authorized agent of the *owner* shall ensure that that a hard copy of the permit card and approved permit plans are available on site at all times. Hard copies of the approved plans are required to be legible and printed on a minimum sheet size of A3 (27.9 cm by 43.2 cm).
- 5.6. On completion of the construction of a building, the *chief building official* may require the *applicant* to submit a set of as constructed plans, including a plan of survey showing the location of the building.
- 5.7. Plans and specifications submitted in accordance with this By-law or otherwise required by the *Act* become the property of the *City* and will be disposed of or retained in accordance with relevant legislation or by-law.

## 6. AUTHORIZATION OF ALTERNATIVE SOLUTIONS

- 6.1. Where approval for an alternative solution under the *Building Code* is being sought, the *applicant* shall submit:

- 6.1.1. an application on a form prescribed by the *chief building official*;
- 6.1.2. supporting documentation demonstrating that the proposed alternative solution will provide the level of performance required by the *Building Code*; and
- 6.1.3. payment of the required fee prescribed by Schedule A.

## **7. FEES AND REFUNDS**

- 7.1. The *chief building official* shall determine the required application fees in accordance with Schedule A to this By-law.
- 7.2. The *chief building official* shall not issue a *permit* until fees required by this By-law have been paid in full by the *applicant*.
- 7.3. In addition to the fees paid at the time of building *permit* application, when an *applicant* makes *supplementary submissions* and *revised submissions*, the *applicant* shall pay the prescribed fee which shall be calculated in accordance with Schedule A.
- 7.4. In the case of withdrawal or abandonment of an application, or refusal or revocation of a *permit*, and upon written request by the *applicant*, the *chief building official* may refund any unearned fees which shall be calculated in accordance with Section 4 of Schedule A.
- 7.5. Fees noted in Schedule A, Table 1, shall be increased by the Consumer Price Index, Ontario All Items, published each year in September, to a maximum of five (5) percent each year, effective on the first day of January of each year, commencing on January 1, 2025. Flat rate fees shall be rounded to the nearest dollar amount. Increments of half dollar and greater shall be rounded up. All other fees shall be rounded to the nearest cent.

## **8. TRANSFER OF PERMITS**

- 8.1. Upon change of ownership, *permit* applications and *permits* must be transferred to the new *owner* with the approval of the *chief building official*.
- 8.2. To transfer a *permit* application or *permit*, the new *owner* shall complete and submit an application form in accordance with the requirements of Section 4 of this by-law and pay the required fee as prescribed by Schedule A.
- 8.3. Upon the transfer of the *permit* by the *chief building official*, the new *owner* shall be the *permit holder* for the purpose of this By-law, the *Act* and the *Building Code*.

## **9. NOTICES FOR INSPECTIONS**

- 9.1. Inspection notices required by the building code and this By-law shall be made using the City's online permit inspection request system.
- 9.2. Inspection notices are required a minimum of two business days prior to the stages of construction specified therein and shall be given in accordance with the requirements of Subsection 1.3.5 of Division C of the *Building Code*.
- 9.3. The person to whom the *permit* has been issued shall notify the *chief building official* or a *Registered Code Agency* where one is appointed, of each stage of construction for which a notice is prescribed by the *Building Code*.
- 9.4. Notwithstanding Section 10 of this By-law, the person to whom the *permit* has been issued shall notify the *chief building official* of the date of completion of the building or demolition work no more than two days after that date.

9.5. In addition to the notices prescribed in Article 1.3.5.1 of Division C of the *Building Code*, the person to whom a *permit* has been issued shall give the *chief building official* notice of the readiness for inspection for the following stages of construction, where applicable:

9.5.1. commencement of construction of the building

9.5.2. commencement of construction of:

9.5.2.1. masonry fireplaces and masonry chimneys,

9.5.2.2. factory-built fireplaces and allied chimneys,

9.5.2.3. stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys

9.5.3. substantial completion of interior finishes

## 10. REGISTERED CODE AGENCIES

10.1. The *chief building official* is authorized to enter into and sign contracts for service agreements with *Registered Code Agencies* and appoint them to perform specified functions from time to time in order to maintain the time periods for *permits* prescribed in Article 1.3.1.3. of Division C of the *Building Code*.

10.2. A *Registered Code Agency* may be appointed to perform one or more of the specified functions described in Section 15.15 of the *Act*.

## 11. FENCING CONSTRUCTION SITES

11.1. Where, in the opinion of the *chief building official*, a construction or demolition site presents a hazard to the public, the *chief building official* may require the *permit holder* to erect such fencing to the standards and specifications that the *chief building official* deems to be appropriate in the circumstances.

11.2. When determining if a construction or demolition site presents a hazard to the public and requires the erection of fencing and the type of fencing required, the *chief building official* shall have regard to:

11.2.1. the proximity of the construction site to occupied dwellings;

11.2.2. the proximity of the construction site to lands accessible to the public, including but not limited to streets, parks, and commercial and institutional activities;

11.2.3. the hazards presented by the construction activities and materials;

11.2.4. the feasibility and effectiveness of site fencing; and

11.2.5. the duration of the hazard.

11.3. When the *chief building official* is of the opinion that fencing is required, the *permit holder* shall, prior to the issuance of any construction or demolition permit, erect or cause to be erected fencing to the following minimum standards:

11.3.1. Minimum of 1800 mm in height

11.3.2. Maximum of 2300 mm in height

11.3.3. Full height screening with a minimum opaqueness of 90%, and

11.3.4. Fencing must be located entirely within the subject property lines unless otherwise authorized.

11.4. For the purposes of this Section, construction or demolition site shall include the area of the proposed construction or demolition and any area where materials or equipment are stored or operated.

**12. OFFENCES AND PENALTIES**

12.1. Any person who contravenes any provision of this by-law is guilty of an offence and is liable upon conviction to a fine as provided for in the *Act*.

**13. SEVERABILITY**

13.1. Should any section, subsection, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

**14. MISCELLANEOUS**

14.1. All Schedules shall be and form part of this By-law.

14.2. A reference to the singular or to the masculine shall be deemed to refer to the plural or feminine as the context may require.

**15. REPEAL AND TRANSITION**

15.1. By-law Number 2023-177 is hereby repealed upon the date that this by-law comes into force.

15.2. Notwithstanding Sections 15.1 and 16.1 of this by-law, for any *complete application* received prior to the effective date of this by-law, the provisions of By-law Number 2023-177 shall remain in force and effect for the purpose of that application.

15.3. Applications that are not *complete applications* as defined in this by-law, shall be subject to the within by-law irrespective of the date the initial application was made.

**16. EFFECTIVE DATE**

16.1. This by-law shall come into force on the 1<sup>st</sup> day of January 2025.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
XX<sup>th</sup> DAY OF MONTH, 2024.

\_\_\_\_\_  
KIMBERLEY KITTERINGHAM  
CITY CLERK

\_\_\_\_\_  
FRANK SCARPITTI  
MAYOR

**SCHEDULE A****CLASSES OF PERMITS, FEES AND REFUNDS****1. FEES**

- 1.1 All fees shall be paid in full at the time of acceptance of the permit application.
- 1.2 The fee for the *pre-application review* of applications shall be \$100. This fee is non-refundable and a credit for this fee will be applied to the total building permit fee.

**2. CALCULATION OF PERMIT FEES**

- 2.1 *Permit* fees shall be calculated on the basis of:
  - 2.1.1 the flat rate where indicated in Column 5 of Table 1 of this Schedule;
  - 2.1.2 the product of the applicable fee multiplier in Column 4 of Table 1 of this Schedule and the related floor area or other measure specified in Column 3; or
  - 2.1.3 where a fee is not listed in Table 1, \$40 for each \$1,000 or part thereof of the construction value prescribed by the chief building official.
- 2.2 Except for classes of *permits* subject to flat rates, fees shall be based on the appropriate measure of the floor area of the project.
- 2.3 Except where otherwise exempt, in addition to the fees calculated according to Subsections 2.1 and 2.2 fees shall also be assessed according to the number of plumbing fixtures and the size of supply piping and drainage piping as applicable.
- 2.4 Section B of Table 1 of this Schedule applies where the scope of work does not affect any exterior wall or exterior roof assembly in existing construction.
- 2.5 The base fee charged for the review of a *certified model* with one elevation shall be calculated using a fee multiplier equivalent to that applicable to Single or Semi-Detached Dwellings determined in accordance with Subsections 2.12 to 2.15 of this Schedule. Where a certified model includes a secondary suite, the fee listed in Table 1, Section A, line A8 shall apply to the gross floor area of the dwelling unit and the secondary suite. Optional items will incur supplemental review fees as follows:
  - 2.5.1 \$125 for each elevation
  - 2.5.2 \$125 for corner upgrade / rear upgrade
  - 2.5.3 \$125 for each alternate floor layout
  - 2.5.4 \$125 for walk-out condition
  - 2.5.5 \$125 for look-out condition
- 2.6 Where a revision to a repeat permit includes a change of house model, an additional fee of \$300 plus the fee in Table 1 corresponding to new home construction for any resulting increase in floor area shall be payable. Where the floor area is reduced, no refund applies.
- 2.7 Where an application for a new dwelling unit listed under Table 1, Section A, line A6, A7 and A8 contains a secondary suite, the fee listed in Table 1, Section A, line A8 shall apply to the gross floor area of dwelling unit and the secondary suite.
- 2.8 In addition to the fees calculated in accordance with Table 1 paid at the time of building *permit* application, fees for *supplementary submissions* and

*revised submissions* shall be calculated at \$125/hour spent determining compliance with the Building Code, applicable law and submission standards. *Supplementary submission* fees are nonrefundable.

- 2.9 Where *supplementary submissions* or *revised submissions* include certification of applicable law compliance, and in which compliance or applicability was incorrectly declared at the time of *permit* application, a fee of \$300 for each applicable law certification shall apply.
- 2.10 Where an application form other than an applicable law checklist is required to be revised to reflect incorrectly declared information, a fee of \$250 applies.
- 2.11 In addition to the fees calculated in accordance with Table 1, each application for consideration of an alternative solution shall be accompanied by a non-refundable fee of \$3,500 for multiple-unit residential projects and non-residential projects (per building), \$800.00 for low rise residential (including singles, semis (per unit), townhouse (per unit), decks, porches, and sheds) and \$500 for Engineering Judgements. Where a *supplementary submission* is made for an alternative solution, a flat fee of \$300.00 will apply and is due at the time of resubmission.
- 2.12 When calculating fees based on floor areas, floor area is measured to the outer face of exterior walls and to the centreline of party walls or demising walls, except when calculating interior partition work. When measuring floor area for interior partitioning, corridors, lobbies, washrooms, lounges, and other similar facilities are to be included and classified according to the major occupancy classification for the floor area with which they are associated. Where these areas are constructed in a shell-only building, fees shall be calculated at the applicable partitioned rate in Table 1.
- 2.13 When measuring floor area, no deductions shall be allowed for floor openings required for such facilities as stairs, elevators, escalators, shafts and ducts. Interconnected floor spaces and atriums above their lowest level may be deducted from measured floor area.
- 2.14 Where incorporated with an application for a class of dwelling described in Rows A6, A7 or A8 of Table 1, no additional fee is required for decks, fireplaces, unfinished basements, heating or plumbing systems.
- 2.15 Where incorporated with an application for a class of permit described under Section A and B of Table 1, no additional fee shall be levied for the scope of work described in Sections D and G of Table 1 that form part of the work proposed under the application.
- 2.16 For any permit application for a class of permit described under Section B of Table 1, floor area used for the calculation of fees shall be the lesser of:
  - 2.16.1 the area contained within a single rectangle encompassing all of the proposed work, or
  - 2.16.2 the actual area of the tenant space;
- 2.17 The occupancy classifications used in this By-law are based on the *Building Code* occupancy classifications. For mixed occupancy classifications, the total payable fee shall be calculated by applying the fee multiplier for each occupancy prescribed in Table 1 to the floor area measured for each individual occupancy and taking the sum of the fees calculated for each occupancy.
- 2.18 For *permits* for change of use, the fee multiplier for the proposed occupancy will be applied to the entire floor area subject to the change of use.
- 2.19 Where a change of use *permit* is denied, the fees paid may be credited to a building *permit* which incorporates the construction required to accommodate the change of use.



- 2.20 Fees for *temporary event structures*, including tents, stages and bleachers, apply to buildings erected for less than 2 weeks. Where the installation of the *temporary event structure* exceeds 2 weeks, permit fee multiplier shall be Row A34 of Table 1 to a maximum fee of \$1000.
- 2.21 The permit fee for the remediation, restoration, or demolition of premises used for the production of illicit substances is \$5,000. Administrative fees in accordance with Section 5 of this Schedule are in addition to this fee.
- 2.22 For phased non-housing projects, in addition to the *permit* fee for the complete building, an additional fee of \$1000 shall be payable for each phase not applied for at the time of the initial *permit* application.
- 2.23 For *conditional permits*, the conditional permit fee shall be the total *permit* fee for the proposed construction plus a non-refundable additional 15% of that fee.
- 2.23.1 A minimum additional fee of \$3,500 and a maximum additional fee of \$10,000 applies to *conditional permits*.
- 2.23.2 Where the conditions of the *conditional permit* agreement have not been met and the *conditional permit* expiration date is required to be extended, a non-refundable fee equal to the original conditional permit fee shall apply to each extension.
- 2.23.3 Where there is an outstanding Order to Comply at the time of conditional permit extension, the non-refundable renewal fee will be equal to the original *conditional permit* fee plus 50%.
- 2.23.4 In addition to the non-refundable fee, a letter of credit is required for every *conditional permit* or phased *conditional permit*.
- 2.24 Pursuant to Section 10 of this by-law, where an application is made using a Registered Code Agency appointed under a service agreement with the Chief Building Official, and those services are fully paid for by the applicant, the applicable fee shall be reduced by 20% at the time a complete application is filed with a Plan Review Certificate as defined by the *Building Code Act*.
- 2.25 As deemed necessary by the *Chief Building Official* where an outside consultant is engaged to provide a third party review of a document or drawing submitted with a permit application, alternative solution proposal or partial occupancy permit, the consultant's fees are to be fully paid by the *applicant*.
- 2.26 Where a building inspection is requested outside of business hours the visit to the site will be charged at a rate of \$190 per hour with a minimum of 3 hours charged.
- 2.27 Where a building inspection is required to be conducted outside of the boundaries of the City of Markham, the visit will be charged at a rate of \$250 per hour with a minimum of 3 hours charged. Travel and accommodation expenses will be charged in addition to the hourly rate and applicable where the location is more than 1 hour driving distance from the City of Markham.

### 3. MINIMUM FEE

- 3.1 Except where a flat fee applies, the minimum permit fee for any permit application for work proposed in Group C residential occupancies in Sections A, B, D, and E of Table 1 shall be \$125;
- 3.2 Except where a flat fee applies, the minimum permit fee for any permit application for work proposed in Group A, B, D, E and F occupancies in Sections A, B, D, and E of Table 1 shall be \$525.
- 3.3 A flat fee of \$2125 will be added to fees listed in Table 1, Section E for private servicing of multiple lots.

- 3.4 A flat fee of \$1000 will apply to the reinstallation of a previously approved air supported structure listed in Table 1, Section A, Line A31.
- 3.5 The flat fees in Section H of Table 1 are in addition to the minimum fees outlined in this Section.

#### 4. CALCULATION OF REFUNDS

- 4.1 Pursuant to Section 7 of this By-law, refunds shall be calculated as follows:

$$\text{Refund} = [\text{Permit Fee Paid}] - [\text{Total Permit Fees Payable} \times \% \text{ Permit Fee Earned}]$$

- 4.2 The proportion of the total *permit* fee payable is earned according to the following schedule:
  - 4.2.1 10% if administrative functions only have been performed
  - 4.2.2 50% if administrative functions, and/or all or part of zoning review, and/or all or part of the *Building Code* review have been performed; and
  - 4.2.3 70% if all administrative functions and reviews have been completed and the building permit has been issued or is available to be issued.
- 4.3 No refund is available for:
  - 4.3.1 Flat fees prescribed in Column 5 of Table 1;
  - 4.3.2 minimum fees prescribed in Section 3 of this Schedule;
  - 4.3.3 fees in the amount of \$525 or less;
  - 4.3.4 reduced area of work where the scope of work is reduced more than 2 business days after the application is filed;
  - 4.3.5 incorrect work area declaration at the time of application;
  - 4.3.6 where a permit is revoked, except where a permit is issued in error, or the applicant requests revocation no more than six months after the permit is issued;
  - 4.3.7 applications or permits where construction or demolition has commenced;
  - 4.3.8 applications cancelled more than 2 years after the *permit* application date; or
  - 4.3.9 administrative fees listed in Section 5 of this Schedule.
- 4.4 Pursuant to Section 10 of this by-law, 20% of the applicable permit fee paid shall be refunded where an application was made using a Registered Code Agency appointed under a service agreement with the Chief Building Official, those services are fully paid for by the applicant and have been completed in accordance with the building code, and the Final Certificate as defined by the *Building Code Act* has been submitted to the Chief Building Official.

#### 5. ADMINISTRATIVE FEES

- 5.1 Once a permit application has been accepted, the non-refundable fee to transfer the application to a new permit applicant or *permit holder* or to change the project address is \$300.
- 5.2 To transfer a *permit* from one *permit holder* to another, a non-refundable fee of \$300 shall be payable.
- 5.3 To add additional contacts to the permit record for the receipt of Building Inspection correspondence, as requested by the *Applicant*, a non-refundable fee of \$125 shall be payable per permit record.
- 5.4 In addition to 5.5, 5.6, 5.7, 5.8, 5.9 and to offset additional administrative cost, where after being advised by a third party, a Building Code

investigation is conducted resulting in the issuance of an Order pursuant to the Act, an additional non-refundable fee of \$150 shall in paid.

- 5.5 To offset additional investigative and administrative costs, a non-refundable fee of \$500 shall be paid where any Order to Comply is issued pursuant to Section 12 or Section 13 of the *Act*. Every subsequent visit or file review required to determine compliance with the Order will be charged at \$190 per hour. A minimum of 1 hour will be charged per visit during business hours. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- 5.6 To offset additional investigative and administrative costs, an additional non-refundable fee of \$1,500 shall be paid where any Stop Work Order is issued pursuant to Section 14 of the *Act*. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- 5.7 To offset additional costs associated with the investigation, inspection, administration and rectification of unsafe buildings pursuant to Section 15.9 of the Act, a non-refundable fee of \$800 shall be paid where any Unsafe Order is issued, and an additional non-refundable fee of \$1,500 shall be paid where any Order respecting Occupancy is issued. In addition, where the initial site visit related to the issuance of an Unsafe Order occurs outside of business hours the visit to the site will be charged at a rate of \$190 per hour with a minimum of 3 hours charged.
- 5.8 Where an Unsafe Order or an Order respecting Occupancy has been issued, every subsequent visit to the site required to determine compliance with the Order(s) will be charged at \$190 per hour. A minimum of 1 hour will be charged per visit during business hours and a minimum of 3 hours will be charged per visit occurring outside of business hours. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- 5.9 Where construction has started prior to the issuance of a building permit and where an Order to Comply (OTC) and/or a Stop Work Order (SWO) has been issued, an additional fee equal to 50% of the total permit fee due up to a maximum of \$5,000 will be paid prior to the issuance of the permit. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- 5.10 Where construction has started prior to the issuance of a building permit and where an Order to Comply (OTC) and/or a Stop Work Order (SWO) has been issued, the *Owner* shall, if ordered to do so by the *Chief Building Official*,
  - 5.10.1 provide proof that the construction complies with this By-Law, the *Building Code* and any applicable law;
  - 5.10.2 carry out test and investigations by independent agencies, at the cost of the *Owner*, to determine if the construction complies with the *Building Code*;
  - 5.10.3 carry out test and investigations by independent agencies, at the cost of the *Owner*, to determine appropriate remedial measures to ensure construction complies with the *Building Code*;
  - 5.10.4 provide to the *Chief Building Official*, at the cost of the *Owner*, the result of any test and investigation ordered by the *Chief Building Official*, and
  - 5.10.5 provide documentation to the satisfaction of the *Chief Building Official* to establish that all remedial measures to ensure the construction complies with *Building Code* have been completed.

- 5.11 Where an Order issued under Sections 12(2), 13(1), 13(6), 14(1), 15.9 (4), 15.10.1 (2) or 18(1) of the Building Code Act and has been deemed Inactive, a maintenance fee of \$1,000 shall be charged immediately and \$1,000 per year thereafter until the Order has been deemed complied with by the Building Standards Department.
- 5.12 Where a requested inspection reveals an infraction which was identified at a previous inspection and not remedied, an additional fee of \$300 shall be payable prior to subsequent inspections being scheduled.
- 5.13 Where an inspector determines that work for which an inspection has been requested is not sufficiently complete to allow proper inspection or drawings in accordance with Section 5.5 of this by-law have not been provided, an additional fee of \$200 shall be payable prior to subsequent inspections being scheduled.
- 5.14 Where a permit is issued and construction has not seriously commenced within 12 months, a request may be submitted to defer revocation up to a maximum of 24 months from the date of permit issuance. Where approved the non-refundable fee to defer revocation of the permit will be twice the permit fee paid to a maximum of \$3000.
- 5.15 When a *permit* is suspended or is deemed incomplete; a permit maintenance fee of \$400 for housing permits not covered in 5.16 and 5.17, and \$825 for non-housing permits will be charged yearly.
- 5.16 Where a building permit has been issued for a secondary suite and where an occupancy permit or a completion certificate has not been issued; a permit maintenance of \$825 will be charged yearly commencing 12 months after the date of permit issuance.
- 5.17 Where a building permit has been issued for an *infill residential* dwelling and where an occupancy permit or a completion certificate has not been issued; a permit maintenance fee of \$2000 will be charged yearly commencing 24 months after the date of permit issuance.
- 5.18 A *lot grading certificate* is required to be submitted to the *Chief Building Official* confirming compliance of an *infill residential dwelling* project with the building code and municipal by-laws. The certificate is required to be submitted and compliance confirmed within 12 months of the issuance of an occupancy permit or a completion certificate. A maintenance fee of \$2000 will be charged yearly commencing 12 months after issuance of an occupancy permit or completion certificate where the lot grading certificate has not been submitted to the Chief Building Official.
- 5.19 Where a permit authorizes the installation of a Class 5 sewage system, a septic maintenance fee of \$300 will be charged monthly commencing 6 months after permit issuance.
- 5.20 Except as noted in Section 5.21 of Schedule A, *Partial Occupancy Permits* of unfinished buildings issued under Division C, Part 1, Section, 1.3.3 of the *building code* will be charged at \$150 per dwelling unit listed per certificate and \$1000 each for all other partial occupancy certificates.
- 5.20.1 The *Chief Building Official* may impose conditions on partial occupancy permits;
- 5.20.2 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Permit Holder* fails to comply with the conditions imposed by the *Chief Building Official*;
- 5.20.3 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Owner* fails to comply with any permit relating to the building.

- 5.21 *Partial Occupancy Permits* of unfinished buildings issued under Division C, Part 1, Section, 1.3.3.7 of the *building code* will be charged at \$275 per dwelling unit listed per certificate and \$1500 each for all other partial occupancy certificates.
- 5.21.1 The *Chief Building Official* may impose conditions on partial occupancy permits;
- 5.21.2 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Permit Holder* fails to comply with the conditions imposed by the *Chief Building Official*;
- 5.21.3 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Owner* fails to comply with any permit relating to the building.
- 5.22 Fees for *Pre Permit Consultation* shall be \$800 per discipline for the first review. Where a *supplementary submission* is made for a Pre Permit Consultation, a fee of \$300 per discipline will apply and is due at the time of resubmission.
- 5.23 For review and approval of spatial separation agreements required by Division B of the *Building Code* a fee of \$500 per lot applies.
- 5.24 For the reproduction of documents, the fee shall be \$60 plus 110% of the cost of reproduction, plus a fee for *City* staff preparation time at \$125/hour.
- 5.25 For the registration of an Order or Conditional Permit Agreement on title the fee shall be \$500.00. The discharge of an Order or Conditional Permit Agreement from title the fee shall be \$500.00

## 6. ZONING & COMPLIANCE FEES

- 6.1 Except as provided in Section 6.2, for written requests for information concerning a property's compliance with the *Building Code* and applicable law, the non-refundable fee shall be \$200.
- 6.2 For written requests for information to support Provincial license applications unrelated to a current *permit* or *permit* application, the non-refundable fee shall be \$500. Where there is a current *permit* or *permit* application, the non-refundable fee shall be \$250.
- 6.3 The non-refundable fee shall be \$125 for written requests for information concerning a property's zoning designation, permitted uses and development standards.
- 6.4 Fees for *Zoning Preliminary Reviews* will be as follows:
- 6.4.1 \$300 for low rise residential (including singles, semis (per unit), townhouse (per unit), decks, porches, sheds, and driveways);
- 6.4.2 \$750 for non-housing interior alterations (including parking calculation) (per unit);
- 6.4.3 \$1800 for multiple-unit residential projects and non-residential projects (per building); and
- 6.4.4 \$1200 per proposed lot where the review is in support of a land division application.
- 6.5 In addition to the *Zoning Preliminary Review* fees in Section 6.4 paid at the time of application, fees for *supplementary submissions* and *revised submissions* shall be calculated at \$125/hour spent determining compliance with the zoning by-laws. *Supplementary submission* fees are nonrefundable.
- 6.6 In addition to the fees listed Section A and B of Table 1 and where a *Zoning Preliminary Review* has not been completed, *Zoning Review* in support of building *permit* applications required to determine compliance with by-laws

passed under the *Planning Act* and/or the *Municipal Act* shall be calculated as per Section H of Table 1.

TABLE 1 - Calculation of Permit Fees				
1	2	3	4	5
Class of Permit, Occupancy Classification and Work Description			\$/m <sup>2</sup>	Flat Fee
<b>Section A: CONSTRUCTION of new buildings, additions to existing buildings, including Mezzanines or new intermediate floors</b>				
A1	Group A Assembly	Transportation Terminals	\$23.15	
A2		Portable classrooms (each) (new or relocated)		\$707
A3		Outdoor Pool	\$16.16	
A4		All Other Assembly Occupancies	\$27.82	
A5	Group B: Institutional		\$30.11	
A6	Group C: Residential	Single Detached Dwelling (SDD)	\$21.03	
A7		Infill Residential Dwelling	\$23.57	
A8		Multiple Unit buildings less than 4 storeys high	\$26.12	
A9		Multiple Unit buildings greater than 3 storeys, less than 13 storeys	\$26.12	
A10		Multiple Unit buildings greater than 12 storeys high, less than 66 storeys or 250 m in height	\$19.40	
A11		Multiple Unit buildings greater than 65 storeys or 250 m in height	\$19.02	
A12		Repeat of Previously approved <i>Certified Model</i>	\$17.24	
A13		Hotel / Motel	\$27.82	
A14		Unfinished Basement / Foundations	\$7.17	
A15		Detached or semi-detached garage/carport		\$673
A16		Garage incorporating a dwelling unit (GDU)		\$1,964
A17		Repeat of previously approved GDU		\$1,220
A18		Accessory utility building (ie. Garden shed, Gazebo) less than 20 m <sup>2</sup>		\$144
A19		Accessory utility building (ie. Garden shed, Gazebo) 20 m <sup>2</sup> or greater		\$927
A20		Single Detached Dwelling Unit (SDD) less than 37 m <sup>2</sup> in building area		\$1,927
A21		Deck / Balcony / Covered Porch (each)		\$144
A22	Group D: Business and Personal Services	Shell Only (including unfinished basement)	\$17.94	
A23		Partitioned / Finished / Mezzanine	\$23.15	
A24		Temporary Real Estate Sales Office		\$2,728
A25	Group E: Mercantile	Shell Only (including unfinished basement)	\$15.08	
A26		Partitioned / Finished / Mezzanine	\$19.74	
A27	Group F: Industrial	Shell Only (including unfinished basement)	\$11.66	
A28		Partitioned / Finished / Mezzanine	\$16.14	
A29		Gas Station / Canopy, Car Wash	\$14.90	
A30		Repair garage	\$16.14	
A31		Parking Garage (underground, open air)	\$11.66	
A32		Shelf and Rack Storage Systems	\$11.66	
A33	Group G: Agricultural	High-hazard agricultural (G1)	\$11.66	
A34		Other agricultural (G2)	\$10.38	
A35		Greenhouse agricultural (G3)	\$9.36	
A36		Agricultural with no human occupants (G4)	\$8.34	
A37	All Occupancies	Permanent Tent / Air supported structure	\$8.34	
A38		Repair / re-clad wall or replace roof structure	\$2.15	
A39		Ceiling (new or replacement)	\$0.58	
A40		Mechanical Penthouse	\$11.66	
A41		Temporary Event Structure		\$299
A42		Shoring (/m of length)	\$17.94	
A43		Underpinning (/m of length)	\$17.94	
A44		Design of Hazardous Areas regulated by the Building Code	\$30.11	
A45		Multiple Unit Encapsulated Mass Timber Buildings greater than 3 storeys	\$30.11	
A46	Designated Structures	Communication Tower		\$428
A47		Crane Runway		\$637
A48		Exterior Storage Tank		\$428
A49		Pedestrian Bridge (/m of length)	\$49.71	
A50		Retaining Wall (/m of length)	\$24.88	
A51		Sign regulated by the Building Code		\$428
B1	Group A: Assembly	Restaurant	\$11.62	
B2		All other assembly occupancies	\$8.02	
B3	Group B: Institutional		\$8.02	
B4	Group C: Residential	Secondary Suite	\$21.03	
B5		All other Residential occupancies	\$8.02	
B6		Exterior door or door from garage into dwelling		\$474
B7		Below grade stair		\$474
B8		Elevator (Housing Permits only)		\$474
B9	Group D: Business and Personal Service		\$8.02	
B10	Group E: Mercantile	Restaurant	\$11.62	
B11		All other mercantile occupancies	\$8.02	
B12	Group F: Industrial		\$7.31	
B13	All Occupancies	Electromagnetic Locking Device (\$707 + \$142/additional device)	\$142	\$707
B14		Parking Structure Repair	\$2.15	
B15		Balcony Guard Replacement (/m of length)	\$2.60	
B16		Window Replacement or Enlargement (each)	\$8.96	
B17		Special Ventilation Systems (each)		
C1	Group C: Residential Housing	Single / Semi-detached dwelling		\$722
C2	Group C: Residential Housing	Accessory building		\$241
C3	All Other Occupancies	Complete / Partial / Interior Demolition (\$1,500 minimum fee)	\$0.21	
D1	All Occupancies	Heating, ventilation, air conditioning	\$1.40	
D2		Fire Alarm System (per storey)	\$465	
D3		Replacement Annunciator/Control Panel only (per storey served)	\$465	
D4		Sprinkler System	\$1.40	
D5		In-rack sprinkler System	\$1.40	
D6		Standpipe System (per riser)	\$182	
D7		Emergency Power		\$896
D8		Emergency Lighting (per storey)	\$239	
D9		Fireplace / Woodstove		\$144
D10		Heating plant replacement		\$233
E1	Residential Service Connections	Service Connection (per lot)		\$218
E2	All Occupancies	Each fixture	\$21.29	
E3		Each Appliance	\$21.29	
E4		Each Rain Water Hopper	\$21.29	
E5		Conversion from Septic System to sewer		\$546
E6		Testable backflow preventer (\$328 +\$109/additional device)	\$109	\$328
E7		Water service (/length in m)	\$21.29	
E8		Building sanitary/storm drain and sanitary/storm sewers (/length in m)	\$21.29	
E9		Replacement or re-lining of water distribution piping (/length in m)	\$21.29	
E10		Each Manhole	\$62.78	
E11		Each Catchbasin	\$62.78	
E12		Each Area Drain	\$62.78	
E13		Each Backwater Valve / Sump Pump / Sewage Ejector	\$144	
F1		New System		\$2,128
F2		Replacement of Leaching Bed		\$1,139
F3		Replacement of Septic Tank or Minor Repair of Part of a System		\$707
F4		Evaluation of System (no alterations required)		\$284
F5		Review of Clearances Only		\$284
G1		Solar domestic hot water systems (serving individual dwellings)		\$144
G2		Solar domestic hot water systems (serving all other buildings)		\$776
G3		Solar photovoltaic systems (serving individual dwellings)		\$144
G4		Solar photovoltaic systems (serving all other buildings)		\$776
G5		Geothermal Systems		\$468
G6		Wind Turbines (per turbine)		\$310
G7		Drain water heat recovery unit (serving individual dwellings)		\$144
H1		Infill Residential dwelling		\$400
H2		Single, Semi-detached dwelling or Secondary Suite		\$100
H3		Multiple unit residential buildings less than 4 storeys high (per building)		\$400
H4		All other new multiple unit residential buildings and new non-residential projects (per building)		\$950
H5		Non-housing interior alterations ( per unit)		\$200
H6		Portables		\$200

**Schedule B**

Documents & Drawings Required For A *Complete Application* (Paper or Digital Media). All digital media must comply with the Submission Standards approved by the Chief Building Official.



Row	Class of Permit	Documents and Drawings Required
1	<b>All Permits</b>	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Building Permit Application Form * (not required for <i>electronic submissions</i>)</li> <li>b. Applicable Law Checklist *</li> <li>c. Permit Applicant Authorization Form *</li> </ol>
2	<b>Permit to Construct Housing</b> Detached Houses, Semi-detached Houses, Duplex/ Accessory buildings <ul style="list-style-type: none"> <li>• New Buildings</li> <li>• Additions</li> <li>• Alterations</li> <li>• Accessory Buildings</li> </ul> For <i>infill residential</i> , refer to Row 3	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Schedule 1 *</li> <li>b. Schedule 2 *</li> <li>c. Energy Efficiency Design Summary Form *</li> <li>d. Plumbing Data Housing Form *</li> <li>e. Approval documents required by an applicable law</li> <li>f. Subsurface Investigation Report</li> <li>g. Heat loss / heat gain / duct calculations (per dwelling unit)</li> <li>h. Residential Mechanical Ventilation Summary</li> </ol> <b>Drawings</b> <ol style="list-style-type: none"> <li>i. Site Plan</li> <li>j. Current Land Survey</li> <li>k. Municipally Approved Site Grading Plan</li> <li>l. Architectural Drawings</li> <li>m. Structural Drawings</li> <li>n. Roof truss / Pre-engineered floor system shop drawings</li> <li>o. HVAC Drawings</li> <li>p. On-site <i>Sewage System</i> Drawings (including On-Site <i>Sewage System</i> Statement of Design)</li> </ol>
3	<b>Permit to Construct Infill Residential Housing</b> <ul style="list-style-type: none"> <li>• New Buildings</li> <li>• Additions</li> </ul>	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Schedule 1 *</li> <li>b. Schedule 2 *</li> <li>c. Energy Efficiency Design Summary Form *</li> <li>d. Plumbing Data Housing Form *</li> <li>e. Owners Lot Grading Undertaking</li> <li>f. Approval documents required by an applicable law</li> <li>g. Subsurface Investigation Report</li> <li>h. Heat loss / heat gain / duct calculations (per dwelling unit)</li> <li>i. Residential Mechanical Ventilation Summary</li> </ol> <b>Drawings</b> <ol style="list-style-type: none"> <li>j. Site Plan</li> <li>k. Current Land Survey</li> <li>l. Municipally Approved Site Grading Plan</li> <li>m. Architectural Drawings</li> <li>n. Structural Drawings</li> <li>o. Roof truss / Pre-engineered floor system shop drawings</li> <li>p. HVAC Drawings</li> <li>q. On-site <i>Sewage System</i> Drawings (including On-Site <i>Sewage System</i> Statement of Design)</li> <li>r. Temporary shoring design where the foundation wall of the new dwelling / addition is 1.8 m or less from a property line, or the extent of excavation is within 1.2 m of the property line or where otherwise determined by the <i>chief building official</i></li> </ol>

Row	Class of Permit	Documents and Drawings Required
4	<p><b>Permit to Construct Secondary Suite</b></p> <ul style="list-style-type: none"> <li>• Alterations</li> <li>• Additions</li> </ul>	<p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Schedule 1 *</li> <li>b. Schedule 2 *</li> <li>c. Energy Efficiency Design Summary Form *</li> <li>d. Plumbing Data Housing Form *</li> <li>e. Approval documents required by an applicable law</li> <li>f. Subsurface Investigation Report</li> <li>g. Heat loss / heat gain / duct calculations (per dwelling unit)</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>h. Site Plan</li> <li>i. Current Land Survey</li> <li>i. Municipally Approved Site Grading Plan</li> <li>j. Architectural Drawings including fire separation and fire-resistance rating drawings (plan and section)</li> <li>k. Structural Drawings</li> <li>l. Roof truss / Pre-engineered floor system shop drawings</li> <li>m. HVAC Drawings</li> <li>n. On-site <i>Sewage System</i> Drawings (including On-Site <i>Sewage System</i> Statement of Design)</li> </ol>
5	<p><b>Permit to Construct Multi-unit Residential less than 4 storeys</b></p> <ul style="list-style-type: none"> <li>• New Buildings</li> <li>• Additions</li> <li>• Alterations</li> </ul>	<p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Schedule 1 *</li> <li>b. Schedule 2 *</li> <li>c. Energy Efficiency Design Summary Form *</li> <li>d. Plumbing Data Housing Form *</li> <li>e. Approval documents required by an applicable law</li> <li>f. Subsurface Investigation Report</li> <li>g. Heat loss / heat gain / duct calculations (per dwelling unit)</li> <li>h. Residential Mechanical Ventilation Summary</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>i. Site Plan</li> <li>j. Municipally Approved Site Grading Plan</li> <li>k. Architectural Drawings (including block floor plans for each floor, block roof plans and block elevations for townhouse blocks)</li> <li>l. Fire Separation / Fire-Resistance Rating Drawings (plan and section, for all multi-unit buildings)</li> <li>m. Structural Drawings</li> <li>n. Roof truss / Pre-engineered floor system shop drawings</li> <li>o. HVAC Drawings</li> <li>p. Plumbing Drawings for buildings with stacked dwelling units</li> <li>q. On-site <i>Sewage System</i> Drawings (including On-Site <i>Sewage System</i> Statement of Design)</li> </ol>

Row	Class of Permit	Documents and Drawings Required
6	<p><b>Permit to Construct</b> <b>Non-Housing – New Construction</b> Non-residential buildings, Residential Apartment Buildings, Mixed-Use Buildings, Triplex/Fourplex</p> <ul style="list-style-type: none"> <li>• New Buildings</li> <li>• Additions</li> <li>• Change of Use</li> </ul>	<p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Building and Land Use Declaration Form *</li> <li>b. Schedule 1 *</li> <li>c. Schedule 2 *</li> <li>d. Commitment to General Review *</li> <li>e. Energy Efficiency Form *</li> <li>f. Plumbing Data Form *</li> <li>g. Approval documents required by an applicable law</li> <li>h. Subsurface Investigation Report</li> <li>i. Heat loss / heat gain / duct calculations</li> <li>j. Mechanical equipment and design specifications</li> <li>k. Construction Site Fire Safety Plan (for mid-rise wood construction projects)</li> <li>l. Partial Occupancy Request and Report for super tall buildings</li> <li>m. Vibration Control Report and Zone of Influence Report where deep foundations are proposed</li> <li>n. High Building Checklist</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>a. Site Plan</li> <li>b. Municipally Approved Site Servicing Plan indicating all services (domestic water, fire protection, sanitary and storm sewers, laterals servicing buildings) and clearly indicating the area(s) that are municipally and privately owned.</li> <li>c. Architectural Drawings, including: <ol style="list-style-type: none"> <li>i. Building Code Compliance Matrix</li> <li>ii. Fire Separation / Fire-Resistance Rating Drawings (plan and section, for all multi-unit buildings)</li> </ol> </li> <li>d. Structural Drawings</li> <li>e. Electrical Drawings</li> <li>f. Roof truss / Pre-engineered floor system shop drawings</li> <li>g. Mechanical Drawings (HVAC, plumbing, fire protection systems)</li> <li>h. On-site Sewage System Drawings (including On-Site Sewage System Statement of Design)</li> </ol>
7	<p><b>Permit to Construct</b> <b>Non-Housing – Alterations</b> Non-residential buildings, Residential Apartment Buildings, Mixed-Use Buildings</p> <ul style="list-style-type: none"> <li>• Alterations</li> <li>• Tenant Improvements</li> </ul>	<p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Building and Land Use Declaration Form *</li> <li>b. Schedule 1 *</li> <li>c. Commitment to General Review *</li> <li>d. Energy Efficiency Form *</li> <li>e. Plumbing Data Form *</li> <li>f. Approval documents required by an applicable law</li> <li>g. Heat loss / heat gain / duct calculations</li> <li>h. Mechanical equipment and design specifications</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>i. Site Plan</li> <li>j. Key Plan</li> <li>k. Architectural Drawings, including: <ol style="list-style-type: none"> <li>i. Building Code Compliance Matrix</li> <li>ii. Fire Separation / Fire-Resistance Rating Drawings (plan and section, for all multi-unit buildings)</li> </ol> </li> <li>l. Structural Drawings</li> <li>m. Electrical Drawings</li> <li>n. Mechanical Drawings (HVAC, plumbing, fire protection)</li> </ol>
8	<p><b>Permit to Construct</b> <b>Private servicing</b></p>	<p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Building and Land Use Declaration Form *</li> <li>b. Commitment to General Review *</li> <li>c. Plumbing Data Form *</li> <li>d. Site Servicing Declaration for low rise residential developments</li> <li>e. Approval documents required by an applicable law</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>f. Municipally Approved Civil Engineering package including Site Servicing Plan indicating all services (domestic water, fire protection, sanitary and storm sewers, laterals servicing buildings) and clearly indicating the area(s) that are municipally and privately owned.</li> <li>g. Site Plan including hydrant locations for low rise multi-unit residential developments</li> </ol>

Row	Class of Permit	Documents and Drawings Required
9	<b>Permit to Construct</b> <b>Temporary Event Structures</b> Tents, stages, bleachers	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Temporary Event Structure Authorization Form *</li> <li>b. Commitment to General Review *</li> <li>c. Approval documents required by an applicable law</li> <li>d. Documentation confirming flame spread rating of tent material</li> </ol> <b>Drawings</b> <ol style="list-style-type: none"> <li>e. Site Plan</li> <li>f. Shop Drawings</li> </ol>
10	<b>Permit to Demolish</b>	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Commitment to General Review *</li> <li>b. Approval documents required by an applicable law</li> <li>c. Environmental Building Audit</li> <li>d. Demolition Checklist for <i>infill residential</i> projects</li> </ol> <b>Drawings</b> <ol style="list-style-type: none"> <li>e. Site Plan including existing building to be demolished, construction fencing and gate access locations</li> <li>f. Demolition Plan prepared in accordance with O.Reg. 260/08</li> <li>g. Temporary shoring design for <i>infill residential</i> projects where the foundation wall of the new dwelling is 1.8 m or less from a property line, or the extent of excavation is within 1.2 m of the property line or where otherwise determined by the <i>chief building official</i></li> </ol>
11	<b>Conditional Permit</b>	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Conditional Permit Addendum Form *</li> <li>b. Deed</li> <li>c. Development Approval Schedule</li> </ol>

**Notes:**

1. In addition to the forms listed in this table, the application may be required to submit any other form deemed mandatory by the chief building official.
2. Documents marked with an asterisk (\*) are available from the chief building official.
3. The chief building official may waive the requirement for any specified documents or drawings where the scope of work, applicable law or building code does not, in the opinion of the chief building official, necessitate its submission.

Report to: Development Services Committee

Meeting Date: November 12, 2024

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**SUBJECT:** Cornell Centre Secondary Plan Update – Draft Policy Framework

**PREPARED BY:** Philip English  
Planner II, Policy, Ext. 2206

**REVIEWED BY:** Duran Wedderburn, MCIP, RPP,  
Manager, Policy, Ext. 2109

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**RECOMMENDATIONS:**

- 1) That the report entitled "Cornell Centre Secondary Plan Update – Draft Policy Framework" dated November 12, 2024, be received;
- 2) That the Draft Cornell Centre Secondary Plan be released for public consultation;
- 3) That Staff be authorized to schedule a statutory public meeting on the draft Cornell Centre Secondary Plan, attached as Appendix ‘A’ to this staff report; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

This report presents the draft Cornell Centre Secondary Plan and provides an update on the status of the project.

**BACKGROUND:**

Markham's Official Plan (2014) identifies Cornell Centre as one of the Secondary Plan Areas that requires the adoption of new or updated Secondary Plan policies. Cornell Centre was originally part of Official Plan Amendment (OPA) 168 – Secondary Plan for the Cornell Planning District (2008), however, with the exception of Cornell Centre, the Cornell Planning District is now part of the 2014 OP policy framework which directs that a new secondary plan be prepared for Cornell Centre.

Staff presented a [workplan to Council](#) in June 2024 outlining the work required to update the Cornell Centre Secondary Plan based on previous work undertaken in 2015. Since the last report to Council, Staff have completed phases 1 and 2 of the work plan which includes updated mapping, scoped technical analysis, and the preparation of the draft secondary plan.

**OPTIONS/ DISCUSSION:**

**Draft Cornell Centre Secondary Plan has been prepared**

Since the last DSC update report in June of 2024, Staff have been working on a new updated draft secondary plan for Cornell Centre. This new Cornell Centre Secondary Plan (see Appendix 'A') has been drafted and was circulated to the internal project team for review and input.

The new draft Cornell Centre Secondary Plan updates and incorporates the original draft policy framework from previous work undertaken in 2015 with the current secondary plan template which is common to recently completed secondary plans such as the Markham Road Mount Joy and Milliken Centre Secondary Plans that have been adopted by Council in the past year.

**Cornell Centre Community Structure**

The structure of the Cornell Centre community is established in the draft Secondary Plan and builds upon the existing Greenway System, mix of land uses, public parks system, open space system, and transportation system, including the Cornell Regional Transit Terminal. The Secondary Plan Area is comprised of three distinct precincts that serve as supporting structural elements of the community. Those three distinct precincts are: Residential Neighbourhoods, Commercial Core, and Employment nodes.

**Revisions to land use designations, road and transportation network, and parks, natural heritage and open space in new Secondary Plan**

The policy framework developed in 2015 for Cornell Centre had detailed land use designations in three distinct categories: Residential, Mixed Use, and Employment. While these three categories have been maintained in the update, they have been streamlined, with some mixed-use designations consolidated or eliminated. The Employment designation has also been consolidated into one designation, Business Park Employment. This review of land use designations was informed by development application activity within the study area which has progressed over the past several years, as well as the current Planning context, and the Planning policy framework at the provincial and municipal levels.

Additionally, the road and transportation network within the study area has been revised to reflect approved block plans of subdivision. This was primarily a mapping exercise, however, policies concerning active transportation as well as public transit have been strengthened to reflect the current Planning context and policy framework. A pedestrian news has been planned that will provide a mid-block pedestrian connection from Bur Oak Dr. to the Cornell Bus Terminal through multiple development blocks.

**Mapping has been updated**

A comprehensive mapping review and update has been completed for the Secondary Plan study area. The new updated maps listed below can be found in Appendix 'A' to this report. The updated mapping uses the same template as recently approved Markham Secondary Plans. While the study area boundary has remained the same since the work undertaken in 2015, the road network has evolved and is now nearly complete with new streets as part of approved Plans of Subdivision. Changes to land use designations,

additional park sites, revised heights, as well as newly identified natural heritage features have also been mapped.

Maps included in the updated Cornell Centre Secondary Plan:

- SP 1 - Detailed Land Use
- SP 2 - Community Structure
- SP 3 - Development Blocks
- SP 4 - Height
- SP 5 - Street Network
- SP 6 - Transit and Active Transportation
- SP 7 - Greenway System

### **Heights and Densities**

Building heights have been revised to reflect approved and in process development applications, while respecting the original intent to provide a transition from higher density areas to lower density areas of the Cornell community. The tallest buildings are planned for development blocks with frontage on Highway 7 and in close proximity to the Cornell BRT Station.

### **Rouge National Park Gateway**

Through the [Cornell Rouge National Urban Park Gateway Study](#), the draft Secondary Plan incorporates the vision to create a highly articulated public realm that functions as a gateway from Cornell Centre into the Rouge National Urban Park along Hwy 7.

The Cornell Rouge National Urban Park Gateway Study area is located on the eastern edge of the Cornell Centre Secondary Plan area along a portion of Highway 7 and adjacent lands. It is identified on map SP1 – Detailed Land Use.

### **Transportation, Water and Stormwater Analysis**

The Cornell Centre Secondary Plan project team is on track to complete updates to Transportation, Water and Stormwater components of the plan by Q1 2025.

The Street Network for the Cornell Centre Secondary Plan is based upon recommendations from technical work originally initiated as part of this secondary plan process in 2015 as well as technical assessment completed as part of approved development applications. The Active Transportation Network is also developed concurrently with the overall road network through workshops with multidisciplinary involvement.

In light of recent updates to the population and employment projections (as reflected in recent approved developments), updates to transportation plans by the Province and York Region, and the Province's legislative changes in relation to development, an updated transportation assessment is being undertaken within the context of these recent changes to confirm if the previous findings and recommendations need to be refined or strengthened in the Secondary Plan policies. It is anticipated that this work will be completed by Q1 2025.

The Cornell Centre Master Environmental Servicing Plan (MESP) report in support of the Cornell Centre Secondary Plan was originally submitted to the City in September 2017. The MESP examines the existing conditions of the study area's water mains, sanitary sewers, and stormwater infrastructure and determined the extent of municipal servicing improvements and mitigation measures required to accommodate future contemplated growth. The intent of the MESP was to set a general framework to guide future development and provide recommendations to support growth.

Since that time, there has been an increase in the projected population for the study area and as such further analysis work needs to be undertaken to evaluate impacts on the servicing infrastructure. The Cornell Centre Landowners Group have agreed to update the MESP water and wastewater models that will identify any necessary infrastructure improvements with additional information forthcoming from the City's flow monitoring program which began in Q2 2024. Terms of Reference have been conveyed to the lead consultant to ensure needs and study outputs are understood. Final report completion is targeted for Q3 2025. However, since the Cornell Centre Landowners Group has committed to the analysis and funding of any capital sanitary sewer upgrades, there is no requirement to await the final technical analysis before completion of the Secondary Plan.

#### **Updated Natural Heritage Study**

The draft Cornell Centre Secondary Plan protects a network of natural heritage features in the Greenway System. A natural heritage report (see Appendix 'B') has been prepared by staff which provides an assessment of potential natural heritage features and recommendations to guide the preparation of Secondary Plan policies. The draft Secondary Plan protects all of the existing 'Environmental Protection Area' lands in the 2015 draft Secondary Plan policy framework and includes several new potential natural heritage features based on natural heritage criteria in the 2014 Official Plan. As development applications come forward, it is anticipated that Environmental Impact Studies will confirm the ultimate management of these new natural features.

#### **Phase 3 of study to begin Q4 2024**

With the completion of the new draft secondary plan, the project will move into Phase 3 – Public consultation and engagement. At the outset of Phase 3, a Your Voice Markham (YVM) webpage will be launched to provide the public and stakeholders with project materials, updates, and key dates and as a tool to gather feedback. Links to the new draft secondary plan document and mapping will also be available on the YVM page.

#### **Work plan is on track for a Council adopted Secondary Plan by Early Q3 2025**

The work plan to complete the Cornell Centre Secondary Plan consists of four (4) phases with Phase 1 and 2 having now been completed:

**Phase 1:** Review of 2015 draft policy framework and technical studies (completed)



**Phase 2:** Preparation of draft Cornell Centre Secondary Plan for stakeholder and public consultation (completed)

- Complete draft Secondary Plan (early Q4 2024)

**Phase 3:** Public consultation and engagement

- Community Information Meeting (targeting Q1 2025)
- Statutory Public Meeting (targeting late Q1/early Q2 2025)

**Phase 4:** Approval of Cornell Centre Secondary Plan

- Present final Secondary Plan to Markham Council for adoption targeted for early Q3 2025

### **Next Steps**

Subject to Council direction, staff plan to move forward with Phase 3 of the study and host a Community Information Meeting in early Q1 2025, and Statutory Public Meeting in late Q1 or early Q2 of 2025 and advance this project to completion based on the Council endorsed work plan.

### **FINANCIAL CONSIDERATIONS**

This report has no financial implications.

### **HUMAN RESOURCES CONSIDERATIONS**

N/A

### **ALIGNMENT WITH STRATEGIC PRIORITIES:**

The recommendations in this report support Goal 3 – Safe, Sustainable and Complete Community in Building Markham’s Future Together, 2020-2023.

### **BUSINESS UNITS CONSULTED AND AFFECTED:**

Staff from Planning and Urban Design, Sustainability & Asset Management, Legal, and Engineering were consulted in preparing this report. Operations and Environmental Services will be engaged throughout the development of the revised draft secondary plan.

### **RECOMMENDED BY:**

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Giulio Cescato, MCIP, RPP  
Director, Planning & Urban Design

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Arvin Prasad, MCIP, RPP  
Commissioner, Development Services

### **ATTACHMENTS:**

Appendix ‘A’ - Draft Cornell Centre Secondary Plan

Appendix ‘B’ - Cornell Centre Secondary Plan Natural Heritage Review

**CITY OF MARKHAM**

**OFFICIAL PLAN AMENDMENT NO. XX**

To amend the City of Markham Official Plan 2014, as amended, and to incorporate the Cornell Centre  
Secondary Plan

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**CITY OF MARKHAM**

**OFFICIAL PLAN AMENDMENT NO. XX**

To amend the City of Markham Official Plan 2014, as amended, to incorporate the Cornell Centre Secondary Plan.

This Official Plan Amendment was adopted by the Corporation of the City of Markham, by By-Law No. \_\_\_\_ - \_\_\_\_ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the \_\_\_\_ day of \_\_\_\_, 2025.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

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**THE CORPORATION OF THE CITY OF MARKHAM**

**BY-LAW NO. \_\_\_\_\_**

Being a By-Law to adopt Amendment No. XX to the City of Markham Official Plan 2014, as amended.

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT, R.S.O., 1990, HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XX to the City of Markham Official Plan 2014, as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

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## **PART I – INTRODUCTION**

(This is not an operative part of Official Plan Amendment No. XXX)

### **1.0 GENERAL**

PART I – INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.

PART II – THE OFFICIAL PLAN AMENDMENT indicates specific amendments to the Official Plan being effected by Official Plan Amendment XXX and is an operative part of this Official Plan Amendment.

PART III – THE SECONDARY PLAN, including Schedules “A” through “F” attached thereto, constitutes Amendment No. \_\_\_\_\_ to the Official Plan.

### **2.0 LOCATION AND DESCRIPTION OF THE AMENDMENT AREA**

This amendment applies to the Cornell Centre lands north and south of Highway 7 in the Cornell community. Cornell Centre is bounded by 9<sup>th</sup> Line in the west, and the provincial Greenbelt lands east of Reesor Road in the east, as shown on Schedule “A” attached to the Secondary Plan Amendment. The total area of the lands within Cornell Centre is approximately 240 hectares.

### **3.0 PURPOSE OF THE AMENDMENT**

The purpose of this Plan is to incorporate updated policies for Cornell Centre into the Official Plan.

### **4.0 BASIS OF THE AMENDMENT**

#### **Provincial Policy Context**

Provincial policies and legislation directly influencing the planning of the Cornell Centre Secondary Plan include the Planning Act, Provincial Policy Statement 2024 (PPS), and the Greenbelt Plan 2017. The Planning Act defines municipal authority in land use planning matters, working in concert with other Provincial legislation such as the Environmental Assessment Act. The Provincial Policy Statement 2024, issued under the Planning Act, provides principles and policy direction on matters of provincial interest relating to land use planning and development. These matters include building strong communities with an emphasis on efficient development and land use patterns, wise use and management of resources and protecting public health and safety. The Planning Act requires that any decisions relating to planning matters shall be consistent with policy statements under the Act.

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe. The Growth Plan provides guidance on a wide range of issues related to growth management, including land use planning, urban form, transportation, infrastructure planning, housing and natural heritage and resource protection. The Growth Plan is premised on the principles of building compact, vibrant and complete communities, developing a strong and competitive economy, protection and wise use of natural resources and optimizing the use of existing and new infrastructure to support growth in a compact, efficient form.

### **Municipal Planning Context**

Cornell Centre is currently subject to Official Plan Amendment No. 168 to the Official Plan (Revised 1987) as amended, which constitutes the Secondary Plan for the larger Cornell Community. Markham's Official Plan 2014 identifies Cornell Centre as an intensification area and key development area along the Highway 7 regional rapid transit corridor. As a centre along a regional rapid transit corridor, it is intended to be a focal point for community, institutional, recreational and retail activities, providing for a mix of uses at transit-supportive densities. It is also planned to function as a regional employment node, building on the health care campus and capitalizing on access to major road and planned rapid transit infrastructure.

This vision for Cornell Centre remains consistent with the vision outlined in OPA 168. This amendment updates the policies for Cornell Centre by:

- refining the residential land use designations as follows:
  - introducing townhouse permissions at the periphery of Cornell Centre to expand the range of housing types, but protecting for higher density residential uses within the Highway 7 corridor
  - providing for low rise residential uses south of Highway 7 in accordance with previous Council decisions
  - allowing for flexibility in built form for high density housing
- confirming a Commercial Core where retail and service activities will be focused;
- identifying a second employment node/focus in the vicinity of the community facilities and health care campus in the form of a mixed use area, building on proximity to the hospital and the nearby confirmed location of the regional transit terminal;
- refining the local road network;and
- Refining the Greenway System boundaries

The York Region Official Plan 2022 implements the Growth Plan, ensuring that the requirements for the development of compact, complete, communities are addressed. Growth within York Region's built-up area is directed to strategic areas in the Region's urban structure, which comprises a network of centers and corridors with connections to rapid transit. These areas are strategically located throughout the Region and based on an intensification framework that

focuses the highest densities and mix of uses in Regional Centers and Corridors. Local Centers and Corridors play a supporting role to Regional Centers and Corridors within the Region's intensification framework, and are subject to the policies of Sections 2.1 and 2.2 of the York Region Official Plan.

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**PART II – AMENDMENT TO PART I OF THE OFFICIAL PLAN 2014**

(This is an operative part of Official Plan Amendment No. XXX)

**1.0 THE OFFICIAL PLAN AMENDMENT**

**1.1 (This section to be completed)**

**2.0 IMPLEMENTATION**

The provisions of the Official Plan as amended from time to time, regarding the implementation of that Plan, shall apply to this Amendment.

**3.0 INTERPRETATION**

The provisions of the Official Plan as amended from time to time, regarding the interpretation of that Plan, shall apply to this Amendment.

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**PART III – AMENDMENT TO PART II OF THE OFFICIAL PLAN 2014, AS AMENDED**  
 (This is an operative part of Official Plan Amendment No. XXX)

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- Map SP1 - Detailed Land Use
- Map SP2 - Community Structure
- Appendix SP3 - Density
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- Map SP5 - Street Network
- Map SP6 - Transit and Active Transportation
- Map SP7 - Greenway System

## **PART III – THE SECONDARY PLAN AMENDMENT**

### **1. INTRODUCTION**

The following text and maps constitute the Secondary Plan for the Cornell Centre Secondary Plan Area within the Cornell District, as established and adopted by Amendment No. XXX to the Markham Official Plan 2014, as amended. This Secondary Plan, contained in Part II - Secondary Plans of the Official Plan, must be read in conjunction with Part I of the Official Plan.

Sections 2.0 through 10.0 and the Maps to this Secondary Plan constitute the operative portions of the Secondary Plan. Section 1.0 and the appendices are provided for information purposes and are not operative parts of the Secondary Plan. In addition, the preamble in each section and subsection shall assist in understanding the policies of the Secondary Plan. Terms in italicized text are defined in Section 11.2 of the Official Plan.

For the purposes of this Plan, unless otherwise stated, Part I of the City of Markham Official Plan 2014, as amended, is referred to as “the Official Plan”, and the Cornell Centre Secondary Plan is referred to as “Secondary Plan”.

### **2. GOALS, OBJECTIVES AND PRINCIPLES FOR A HEALTHY AND RESILIENT COMMUNITY**

Sustainable growth contributes to healthy and resilient communities. There is increasing evidence of the strong linkages between public health and community planning, design and human well-being.

A healthy community is a complete community and one that is planned and designed to meet the needs of residents of all ages and abilities, and to improve the quality of life by designing neighbourhoods that promote pedestrian and cycling activity. A healthy community offers a variety of housing types including affordable and shared housing; provides access to community facilities such as schools and parks; facilitates connections to the Parks and Greenway systems to create opportunities for passive uses, active recreational activities, and urban agriculture; and provides access to a mix of uses and live/work opportunities to reduce the number of vehicular trips.

A healthy community is transit, pedestrian and cycling oriented to promote daily physical activity and active lifestyle choices. Increasing the number of trips taken through active transportation and transit reduces the number of car trips, lowers emissions and creates healthier communities.

A healthy community is a resilient community that reduces carbon emissions through design, providing opportunities for green infrastructure and innovative design solutions to make

efficient use of energy, water and waste systems, and to minimize negative impacts from a changing climate.

## **2.1 Guiding Principles**

Guiding principles for the development of the Cornell Centre Secondary Plan Area as a healthy and resilient community are identified in this section. These principles were developed through a collaborative process with stakeholders in accordance with provincial plans, the York Region Official Plan 2022 and Markham's Official Plan 2014.

The guiding principles are generally organized under the broad City-wide goals and strategic objectives identified in Chapter 2 of the Official Plan, with some modifications and additions to the goals to reflect the Cornell Centre Secondary Plan context.

### **2.1.1 Protecting and Enhancing the Natural Environment**

- a) To provide a connected network of natural features and corridors that support the overall function and biodiversity of the Greenway System.
- b) To protect, restore and enhance natural heritage features and hydrologic features and their functions.
- c) To protect, improve or restore surface and ground water resources including vulnerable surface and ground water.
- d) To design the community with regard for natural heritage and to enhance tree canopy.

### **2.1.2 Building Compact and Complete, Transit-Supportive Communities**

- a) To plan for a sustainable community promoting a compact development form at transit-supportive densities with a mix of residential, institutional, and employment uses.
- b) To provide live-work and affordable housing opportunities, and community infrastructure that will respond to the needs of residents and employees.
- c) To provide for the daily needs of residents through the organization of residential neighbourhoods, mixed use neighbourhoods, and an interconnected system of parks and open space, all integrated with a transportation network that includes transit and active transportation.
- d) To identify housing mix that provides for a range of housing types and tenure, including opportunities for affordable and shared housing.
- e) To identify an interconnected parks and greenway system as one of the main organizing elements of the community including parks and open spaces, and multi-use trails, multi-use paths and pathways.
- f) To recognize, protect and conserve, and incorporate cultural heritage resources into existing and new development opportunities within the community.
- g) To create a sense of community identity through establishment of a high-quality public realm, placemaking and a high standard of urban design (i.e. distinctive built form,



streetscapes, parks and open space, landmarks and views, public art, etc.) to be accessible by all, regardless of age or physical ability.

### **2.1.3 Increasing Mobility Options**

- a) To identify a comprehensive transportation system that emphasizes walking, cycling and transit as increasingly viable and attractive alternatives to the automobile.
- b) To plan for a grid pattern of streets and blocks that provides for a hierarchy of street types with appropriate and integrated facilities that provide increased opportunities for walking and cycling.

### **2.1.4 Maintaining a Vibrant and Competitive Economy**

- a) To plan for employment opportunities that serve the community that are accessible by transit and active transportation, including opportunity to work from home.

### **2.1.5 Adopting Green Infrastructure and Development Standards**

- a) To identify best management practices and approaches to stormwater management systems, water and wastewater systems, and the transportation network to reduce reliance of travel by automobiles, maximize water and energy conservation and improve resilience at the community level.
- b) To identify best management practices for green buildings to reduce demands on energy, water and waste systems.
- c) To encourage sustainable community and building design and demonstrate the use of green infrastructure technologies, best practices in sustainable building and open space designs, through the use of energy efficient materials, systems, and landscaping, with an emphasis on air and water quality, energy and water efficiency and conservation, and waste management practices.

### **2.1.6 Implementation**

To identify general phasing and sequencing for development of the Cornell Centre Secondary Plan.

## **3. COMMUNITY STRUCTURE**

Community Structure describes the various elements or building blocks that make up a complete community consistent with the guiding principles as noted in Section 2.1 of this Secondary Plan. The community structure includes the identification of structural land use

categories, a high level transportation system, a parks and greenway system and community infrastructure and service facility requirements. It is the result of intensive integrated analysis based on findings from technical studies, as well as consideration of existing land uses and public input.

### 3.1 General Provisions

The structure of the Cornell Centre community is established in this Secondary Plan and builds upon the existing Greenway System, mix of land uses, public parks system, open space system, and transportation system, including the Cornell BRT Station, in the Secondary Plan Area. The Secondary Plan Area is comprised of three distinct precincts that serve as supporting structural elements of the community. Each of the structural components are shown on Map SP2 - Community Structure.

#### It is the policy of Council that:

**3.1.1** The Secondary Plan provides for a distribution of appropriate land use designations to ensure the development of the Cornell Centre Secondary Plan Area as a compact, complete and *transit-supportive* community. The structural elements of the Cornell Centre community includes a protected Greenway System, Residential Neighbourhood Areas, Mixed Use Neighbourhood Areas, an integrated Parks and Greenway System, Community Infrastructure and Service Facilities and a comprehensive Transportation System. A portion of the Cornell Centre Secondary Plan is located within a Protected Major Transit Station Area (PMTSA), which is defined as the area within an approximate 500 to 800 metre radius of a transit station or stop, representing a 10 minute walk and has a target of 200 people and jobs per hectare. The PMTSA boundary of Cornell BRT Station is shown in Map SP2 – Community Structure.

#### 3.1.2 Greenway System

- a) The Greenway System comprised of key natural heritage features, key hydrologic features and their functions, are key structural elements of the Secondary Plan Area. The Greenway System provides for the protection of natural heritage features, and opportunities for trail linkages, natural view sheds and passive recreational uses.
- b) In addition, the Greenway System, together with a network of open spaces and multi-use trails and pathways form an interconnected parks and greenspace system for the Cornell Centre community.

#### 3.1.3 Precincts

- a) Residential Neighbourhoods at transit-supportive densities north and south of Highway 7, with the highest densities located along the Highway 7 rapid transit corridor.
- b) Commercial Core, consisting of:
  - a mixed use ‘main street’ along Bur Oak Avenue north of Highway 7, connecting the retail centre with the health care/community centre campus; and

- a secondary 'main street' identified along Rustle Woods Avenue connecting Bur Oak Avenue with the VIVA transit terminal south of the community facilities and health care campus; The Commercial Core is intended to be the primary location for retail and service uses within Cornell Centre, delivered in a mixed use, multi-storey form. The mixed use, multi-storey form is intended to create a public realm that will encourage walking and cycling.

c) Employment nodes, centered on:

- the community facilities and health care campus associated with the Markham Stouffville hospital; and
- the business park lands in the area of Highway 7 and Donald Cousens Parkway.

### **3.1.4 Residential Neighbourhood Area**

Residential blocks are generally located north and south of Highway 7 between Ninth Line in the west and Donald Cousens Parkway in the east and offer housing options that allow for a diverse mix of household sizes, lifestyles, and incomes. Residential blocks provide for a concentration of compact housing forms within walking distance to transit, retail and community facilities and may include townhouses, mid-rise buildings and high-rise buildings.

### **3.1.5 Mixed-Use Neighbourhood Area**

Lands within the Mixed-Use Neighbourhood Area are intended to provide for an appropriate mix of residential and non-residential uses and are generally located in proximity to the Cornell BRT Station and Markham-Stouffville Hospital campus. Mixed use blocks provide the opportunity for ground floor retail and other non-residential uses within mid-rise and high-rise building forms.

### **3.1.6 Parks System**

- a) The Parks System will incorporate a hierarchy of public parks to meet the diverse recreational and leisure needs of residents, workers, and visitors in the Secondary Plan Area, and enhance connectivity between neighbourhoods and adjacent communities.
- b) New public parks will be located within the Secondary Plan Area, providing for a variety of active and passive recreational uses within reasonable walking distance of all residents.
- c) New public parks shall be shaped and sized as shown on Map SP1 – Detailed Land Use to ensure they can provide for active programming and uses.
- d) Community and neighbourhood parks shall provide views and physical connections to the adjacent Greenway system, where appropriate.

### **3.1.7 Transportation System**

- a) A Road Network, Transit and Active Transportation System consisting of arterial, collector and local roads, will accommodate the majority of cycling, vehicular, and transit service traffic within the community as well as serve as links to the neighbouring areas as shown on Map SP5 - Street Network and Map SP6 - Transit and Active Transportation.
- b) A grid of new local roads will provide increased connectivity within the community and provide connections to the surrounding community. The internal street system will be designed to accommodate a range of transportation functions with priority given to transit, pedestrian, and bicycle movements.
- c) A parking strategy will address preferred design requirements for parking facilities such as surface and landscape treatments and screening of parking areas through landscaping or architectural elements.
- d) A mid-block pedestrian mews between Rustle Woods Avenue and Arthur Bonner Avenue providing an east/west pedestrian linkage from Bur Oak Avenue to the Cornell BRT Station
- e) Convenient and secure bicycle parking and storage will be addressed to facilitate active transportation measures.

#### 4. ENVIRONMENTAL SYSTEMS

This section addresses the Greenway System, the Urban Forest System, water resources, stormwater management and environmental hazards.

##### 4.1 Greenway System

The Greenway System located in the Cornell Centre Secondary Plan protects *natural heritage and hydrologic features* in a connected natural heritage system. The objective of the Greenway System is to protect areas of significant *ecological* value and to provide opportunities to improve *biodiversity* and connectivity of natural features and *ecological function*. The Cornell Centre Greenway System includes the Cedar Grove Provincially Significant Wetland Complex, significant woodland features, wetlands as well as areas undergoing ecological restoration. The Cornell Centre Greenway System is uniquely located next to the Rouge National Urban Park and this Secondary Plan seeks to provide for connectivity between the Cornell Centre Greenway System and the significant restoration efforts that are expected to occur within the Rouge National Urban Park. The Greenway System has been identified based on the findings of the Cornell Centre Master Environmental Servicing Plans as well as a natural heritage review conducted by the City of Markham. A number of natural features require further site-specific studies to confirm their significance and direction for their protection, restoration and enhancement.

It is the policy of Council:

- 4.1.1 To identify, protect and enhance the Greenway System in the Cornell Centre Secondary Plan Area in a manner consistent with Section 3.1 of the Official Plan and the policies of this Secondary Plan.
- 4.1.2 That further to Section 3.1 of the Official Plan, the components of the Greenway System within the Cornell Centre Secondary Plan Area include the following as generally shown on Map SP7 – Greenway System:

- a) Natural Heritage Network lands; and,
- b) certain naturalized stormwater management facilities;

4.1.3 That further to Sections 3.1.2.1 and 3.1.2.10 of the Official Plan, the components of the Natural Heritage Network within the Cornell Centre Secondary Plan include the following:

a) *natural heritage and hydrologic features*, and more specifically:

- i. *wetlands and provincially significant wetlands;*
- ii. *fish habitat*
- iii. *valleylands*
- iv. *woodlands and significant woodlands*
- v. *significant wildlife habitat*
- vi. *permanent streams and intermittent streams*

b) *vegetation protection zones* associated with features identified in a) above; and,

c) *hazardous lands and hazardous sites*

Where these features are mapped, they are as generally as shown on Map SP7 – Greenway System.

4.1.4 That *vegetation protection zones* shall be required in accordance with Section 3.1.2.22 through 3.1.2.27 of the Official Plan.

4.1.5 That the boundaries of the Greenway System and the Natural Heritage Network within the Cornell Centre Secondary Plan Area, including the delineation of *natural heritage and hydrologic features* and their associated *vegetation protection zones*, as shown in Map SP7 – Greenway System reflect the most accurate information available and may be refined or modified in accordance with Section 3.1.1.3 of the Official Plan and the policies of this Plan.

4.1.6 That any conveyance and/or securement of lands within the Greenway System shall be in accordance with Section 3.1.2.4 through 3.1.2.7, 3.1.2.22.b), 3.1.3.4 and 3.4.1.7 of the Official Plan.

4.1.7 To minimize and mitigate the impact of required infrastructure in accordance with Section 3.1.2.9 of the Official Plan.

### **Site Specific Policies**

Several natural features have been identified on Map SP7 – Greenway System within the Secondary Plan Area which require further technical study to assess their ecological characteristics and significance and establish recommendations for their protection, restoration or enhancement in accordance with policies of the Secondary Plan and Official Plan. Five natural features have been identified by the City for further review including:

- Natural Feature A: a candidate woodland feature
- Natural Feature B: a candidate significant woodland and wetland feature
- Natural Feature C: a candidate woodland feature
- Natural Feature D: a candidate wetland feature
- Natural Feature E: candidate wetland features and valleyland located along a watercourse tributary of the Little Rouge Creek.
- Natural Feature F: a candidate wetland feature

4.1.8 That no development, *redevelopment* or *site alteration* shall be permitted within *natural heritage features* A, B, C, D, E and F as generally shown on Map SP7 – Greenway System and their minimum *vegetation protection zones*, until an Environmental Impact Study has been prepared to determine the importance, function and means of protection and/or maintenance of the natural feature.

4.1.9 For *natural heritage features* identified in Section 4.1.8, where it is determined through an Environmental Impact Study that in-situ protection and maintenance of the *natural heritage feature* is not necessary, compensation for removal of the *natural heritage feature* shall be required in order to achieve an overall net ecological gain to the Greenway System. Compensation for removal of *woodland* features shall be determined in accordance with Section 3.2.1 of the Official Plan. Compensation for removal of *wetland* features shall be determined in accordance with applicable technical guidelines of the City and the Toronto and Region Conservation Authority. An agreement may be required for the development and implementation of the compensation plan.

Where *natural heritage features* are removed as a result of this policy, an amendment to this Plan shall not be required to remove the lands from the 'Greenway' designation. The lands shall be deemed to be designated in a manner consistent with adjoining lands.

#### **Ecological Linkage Enhancement**

The Cornell Centre South Master Environmental Servicing Plan has recommended the protection of lands along the north side of Highway 407 to provide for an ecological corridor to connect natural features to the Little Rouge Creek and the Rouge National Urban Park. The objective of the linkage is to protect and maintain the connectivity between *natural heritage features* using a systems-based approach. The exact width and limits of the ecological corridor is intended to be confirmed through the development approvals process, and protected as part of the Greenway System.

4.1.10 To identify and protect the necessary lands for an ecological corridor along the north side of the Highway 407 as generally described in the Cornell Centre South Master Environmental Servicing Plan and as identified on Map SP7 – Greenway System.

4.1.11 That the width of the ecological linkage shall generally be 50 metres measured from the Highway 407 right-of-way. The limits and exact alignment of the ecological corridor shall be confirmed through an update to the Master Environmental Servicing Plan or an Environmental

Impact Study at the time of a development application. Reductions to the width of the ecological corridor may be considered in strategic locations subject to technical justification and mitigation provided in an approved Environmental Impact Study.

- 4.1.12 That permitted uses within the ecological corridor are identified in section 8.6 of this Secondary Plan. Trails, public recreational uses and infrastructure uses may be permitted within the ecological corridor subject to an Environmental Impact Study prepared to the satisfaction of the City that demonstrates how ecological connectivity functions will be protected and maintained.
- 4.1.12 To protect existing native vegetation, trees and *natural heritage features* located within the ecological corridor wherever feasible.
- 4.1.13 To encourage the conveyance of lands within the ecological corridor into public ownership for their long term protection and stewardship.
- 4.1.14 To work with York Region to review opportunities to assess road ecology and any wildlife conflicts along Donald Cousens Parkway and Reesor Road including mitigation measures such as signage.

#### **4.2 Urban Forest System**

The Urban Forest System includes all wooded areas, individual trees and the soils that sustain them on public and private property. The urban forest provides a number of environmental and health benefits which contribute to the quality of life for residents and workers in the Cornell Centre Secondary Plan Area. The City will work with development proponents and other stakeholders to increase tree canopy coverage.

It is the policy of Council:

- 4.2.1 To protect, expand and integrate the urban forest in the Cornell Centre Secondary Plan Area in a manner consistent with Section 3.2 of the Official Plan and the policies of this Plan.
- 4.2.2 That prior to approval of an application for development, *redevelopment*, or site alteration, the proponent shall retain a certified Arborist to prepare an Arborist Report and Tree Inventory and Preservation Plan in accordance with the City's Arborist Report and Tree Inventory & Preservation Plan Terms of Reference.
- 4.2.3 That where trees cannot be retained in situ, compensation will be provided in accordance with Section 3.2.1.c) of the Official Plan.

#### **4.3 Water Resources and Stormwater Management**

Water resources are important for the maintenance of drinking water supplies and the conservation of *wetlands*, *watercourses* and aquatic habitat. Appropriately designed stormwater management facilities, where required, shall be designed in accordance with the applicable City

of Markham, Conservation Authority and the Ministry of Environment, Conservation and Parks guidelines.

It is the policy of Council:

- 4.3.1 That development, *redevelopment* and *site alteration* be designed with the goal of protecting, restoring or improving ground and surface water quality and quantity in the Cornell Centre Secondary Plan in a manner consistent with Section 3.3 of the Official Plan and the policies of this Plan.
- 4.3.2 That applications for *development approval* within Highly Vulnerable Aquifers shall be subject to Section 3.3.2.4 of the Official Plan.
- 4.3.3 That applications for development approval within Significant Groundwater Recharge Areas be required to maintain pre-development recharge to the greatest extent feasible through stormwater management best management practices, infiltration at the source, and by having regard to the recommendations of the Master Environmental Servicing Plan.
- 4.3.4 That stormwater management facilities shall be located and designed in a manner consistent with Section 3.3 of the Official Plan and Section 7.2 of this Plan.
- 4.3.5 That development proponents shall be responsible for ensuring that stormwater management facilities are designed and constructed in compliance with the Federal Species at Risk Act, Provincial Endangered Species Act and any other applicable provincial and federal legislation, and address applicable Ministry of Environment, Conservation and Parks and City of Markham requirements.

#### **4.4 Environmental Hazards**

Environmental hazards referred to in this section include natural hazards such as floodplain lands and erosion sites, as well as human environmental hazards resulting from soil contamination and air and noise pollution which can pose a threat to public health and safety.

**It is the policy of Council:**

- 4.4.1 That development, *redevelopment* and *site alteration* should be designed to protect the health and safety of the public and reduce property damage in the Cornell Centre Secondary Plan in a manner consistent with Section 3.4 of the Official Plan and the policies of this Plan.
- 4.4.2 That the limits of *hazardous lands* and *hazardous sites* in the Cornell Centre Secondary Plan Area be delineated to the satisfaction of the City and the Toronto and Region Conservation Authority.
- 4.4.3 That applications for *development approval* for *sensitive land uses* adjacent to an arterial road in the Cornell Centre Secondary Plan shall be accompanied by a Noise and Vibration Study prepared in accordance with the Ministry of the Environment, Conservation and Parks



guidelines and York Region noise policies including required mitigation measures prepared to the satisfaction of the City and York Region.

- 4.4.4 To require environmental site assessments and a record of site condition prepared by a qualified person in accordance with the Environmental Protection Act and its regulations, for any lands to be conveyed to the City.

## 5. HEALTHY NEIGHBOURHOODS AND COMMUNITIES

### 5.1 Housing

Cornell Centre is being planned and designed as a healthy and compact community, with neighbourhoods that contain a variety of housing types, a range of parks and required community facilities such as schools, and where *cultural heritage resources* are integrated as appropriate.

#### Range of Housing Types

Providing for a range of housing types and tenures, and *affordable housing* options will contribute to the livability of Cornell Centre and the quality of life for residents. Providing for mid and high rise housing forms within and in close proximity to the Protected Major Transit Station Area (PMTSA) will improve access to services, jobs and amenities beyond Cornell Centre.

Ensuring there is an adequate supply of *affordable housing* opportunities for those low and moderate income households experiencing affordability challenges, and *shared housing* opportunities for seniors or those persons with special needs is integral to the economic and social well-being of the Cornell Centre Community.

#### It is the policy of Council:

#### Range of Housing Types

- 5.1 To promote an appropriate and adequate range of housing choices by type, tenure and affordability level, to accommodate the needs of Cornell Centre residents and workers in a manner consistent with Section 4.1 of the Official Plan and the policies of this Plan, and more specifically by:
- a) encouraging the construction of multiple units, including stacked townhouses and townhouses, and apartment units with a mix of unit sizes including larger units with multiple bedrooms and smaller units;
  - b) encouraging the construction of rental, affordable and *shared housing* units with a full range of unit types and sizes, particularly in locations served by transit; and
  - c) providing for the establishment of *secondary suites* .

#### Compact Community

- 5.1.1 That the tallest buildings shall generally be focused within the Cornell BRT Station PMTSA, and along Highway 7, and planned in accordance with Section 6.1 of this Secondary Plan.

- 5.1.2 That employment uses will be directed to the Cornell BRT Station MTSA, and lands within the Mixed Use and Employment designations.
- 5.1.3 That the Secondary Plan Area is planned to achieve a minimum of:
- a) Approximately 40,000 people, 20,000 residential units, and 6,000 jobs (TBC);
  - b) 200 people and jobs per hectare within the Cornell BRT Protected MTSA as shown in Map SP2 – Community Structure.
- 5.1.4 To monitor development and the achievement of the density targets identified in Section 5.1.3 of this Plan through *development approvals*.

### **Affordable and Shared Housing**

- 5.1.5 To provide for *affordable* and *shared housing* opportunities within the Cornell Centre Secondary Plan Area according to Section 4.1.3 of the Official Plan, and more specifically by:
- a) targeting 35 percent of the new housing units within the Cornell BRT Station PMTSA be *affordable* to low to moderate income households;
  - b) targeting 25 percent of the new housing units outside the Cornell BRT Station PMTSA be *affordable* to low to moderate income households;
  - c) encouraging the provision of purpose built rental housing with a range of unit sizes, including larger units with multiple bedrooms and smaller units;
  - d) encouraging a portion of the targeted *affordable housing* units to be designed as *shared housing* units with supports to accommodate persons with special needs; and
  - e) supporting the equitable distribution of *affordable* and *shared housing* within permitted building forms, particularly in locations well-served by transit, including along Highway 7, and within the Cornell BRT Station PMTSA.
- 5.1.6 To work with York Region, the non-profit sector, the development industry, community partners, and senior levels of government to provide *affordable*, purpose-built rental and *shared housing* through the applicable legislative framework, agreements and/or partnerships, and available tools. *Affordable housing* may also be achieved through inclusionary zoning where applicable.
- 5.1.7 To require proposed development applications to demonstrate support for the implementation of *affordable housing* in accordance with Section 4.1.3 of the Official Plan and the City of Markham's Affordable and Rental Housing Strategy.
- 5.1.8 That in accordance with Sections 4.1.2.8 and 4.1.3.6 c) and d) of the Official Plan, in order to monitor and encourage the implementation of a diverse and *affordable housing* stock in the Secondary Plan Area, housing impact statements will be required to be submitted in support of development applications in the 'Mixed Use Mid Rise', and 'Mixed Use High Rise' designations, which will identify:

- a) the number of proposed new housing units by type, size and tenure;
- b) the estimated rents and/or initial sales prices of the proposed new housing units by type; and
- c) the relationship of the proposed new housing units to York Region's annual maximum *affordable housing* thresholds for Markham.

## 5.2 Community Infrastructure and Services

Community infrastructure and services should be located and designed to act as "community hubs" and focal points within Cornell Centre. These "community hubs" may consist of facilities and services provided by the City or York Region such as public schools, parks, open spaces, urban gardening opportunities, libraries and/or community centres, and/or facilities and services provided by the private sector such as day care centres and places of worship.

Optimal locations for public schools, parks, and open spaces are identified conceptually within the Cornell Centre Secondary Plan Area to inform future development approvals. It is recognized that community infrastructure and services in adjacent communities, will also serve the Cornell Centre Community.

### General Policies

- 5.2.1 To plan and coordinate the provision of community infrastructure and services for the Cornell Centre Secondary Plan Area, including *public community infrastructure* provided by Markham and York Region, and other community infrastructure provided by the private sector, in a manner consistent with Section 4.2 of the Official Plan and the policies of this Secondary Plan to, among other things:
  - a) support the development and implementation of Markham's Integrated Leisure Master Plan, as amended from time to time;
  - b) ensure the delivery of community infrastructure and services is balanced to meet the needs of existing and future residents of the Cornell Centre community; and
  - c) encourage new approaches to the delivery of community infrastructure and services that promote shared use or multi-functional facilities and services in order to achieve capital and operating cost efficiencies.
- 5.2.2 To identify optimal locations within the Cornell Centre Secondary Plan Area for *public schools*, parks, and *places of worship* as shown conceptually on Map SP1 – Detailed Land Use.
- 5.2.3 To secure *public community infrastructure* through *development approvals*. In accordance with Section 4.2.2.2 of the Official Plan, a community infrastructure impact statement may be required to be submitted in support of development applications to identify how required public community infrastructure may be delivered.

### Public Schools

- 5.2.4 That the location of the *public school* sites shown on Map SP1 - Detailed Land Use have been selected to reflect the role of school sites in defining community and neighbourhood structure, the parks system, patterns of land use, and integration with the planned active transportation network to encourage active travel for the school community.
- 5.2.5 That the location, size and configuration of each *public school site* shown on Map SP1 – Detailed Land Use shall be determined in consultation with the School Board within the context of the community design principles outlined in this Secondary Plan.
- 5.2.6 That where a *public school* site adjoins public parkland, the school site shall be of a size, configuration, and design that facilitates potential joint use by the City and the respective School Board.
- 5.2.7 To encourage innovative approaches in the design of *public schools* including vertical schools and schools integrated into the base of multi-storey buildings.
- 5.2.8 That *public school* sites be confirmed and secured through the *development approval* process.
- 5.2.9 That a *public school* site may be relocated in consultation with the School Board, and without amendment to this Secondary Plan, provided the alternate site is consistent with the community structure objectives of this Secondary Plan and the long term needs of the School Board.
- 5.2.10 That in the event a *public school* site shown on Map SP1 – Detailed Land Use is no longer required by a School Board, other educational institutions, or the City in accordance with Section 4.2.3.2 of the Official Plan, the uses in the underlying land use designation in this secondary plan shall apply.
- 5.2.11 That *public school* sites may be zoned to permit appropriate alternate uses with a ‘Hold’ provision, in addition to a *public school* and accessory uses in the event the site is not required by a School Board or other educational institutions, and Council has not considered any alternative use in accordance with Section 4.2.3.2 of the Official Plan. Appropriate alternate uses may be identified through plans of subdivision.

Removal of the ‘Hold’ provision for the alternate uses on the site shall be addressed in the conditions of approval of an appropriate plan of subdivision and/or site plan control agreement secured through the development approval process.

### 5.3 Parks System

Markham is committed to ensuring that a sufficient supply of programmable parks is available to its residents. Within the Cornell Centre Community, a well-designed and connected system of parks will provide opportunities for diverse recreational and leisure activities.

**It is the policy of Council:**

- 5.3.1 To plan and develop a system of parks that is integrated throughout the Cornell Centre Plan Area in a manner consistent with Section 4.3 of the Official Plan and the policies of this Secondary Plan.
- 5.3.2 That the Parks System within the Cornell Centre Secondary Plan Area, as shown on Map SP1 – Detailed Land Use, and further described in Section 8.7 of this Plan, includes the following hierarchy of parks:
- a) Active Parks, generally 1 to 6 hectares in size;
  - b) Urban Squares, generally 0.5 to 5 hectares in size;
  - c) Parkettes, generally 0.5 to 1.5 hectares in size; and,
  - d) Urban Parkettes, generally 0.2 to 0.5 hectares in size, to serve park users generally within a 5-minute walking distance (approximately 400 metres).
- 5.3.3 To acquire public parkland in the form of City Parks within the Cornell Centre Secondary Plan Area through the *development approval* process in accordance with applicable legislation to secure public park sites through the *development approval* process, including the establishment, where appropriate, of an area specific parkland agreement.
- 5.3.4 That parks be distributed generally in accordance with the following principles:
- a) Achieving minimum walking distances for residents in accordance with Section 4.3.2.2 of the Official Plan;
  - b) Co-locating parks and *public school* sites where possible;
  - c) Providing connections from Parks to adjacent open spaces, the Greenway System, streets, utility corridors, and pedestrian and cycling trails; and
  - d) Locating parks to take advantage of topography and views where appropriate.
- 5.3.5 To encourage planning for parks in the Secondary Plan Area with regard to the City of Markham's Age-Friendly Guidelines.
- 5.3.6 That a park site identified on Map SP1 – Detailed Land Use may be relocated without amendment to this Secondary Plan provided the alternate site is consistent with the community structure objectives of this Secondary Plan. In the event a park site is relocated, the uses in the abutting designations shall be permitted subject to a zoning bylaw amendment. Removal of identified park sites shall require an amendment to this Secondary Plan.

#### 5.4 Greenway System

Greenway System lands may include natural heritage lands, vegetation protection zones, transportation and utility corridors, stormwater management facilities, lands required for pedestrian and cycling routes, and other open space lands encumbered by easements or use restrictions.

## 5.5 Cultural Heritage Resources

Several properties within the Cornell Centre Secondary Plan Area are designated on the City's *Register of Property of Cultural Heritage Value or Interest*. The City's objective is to *conserve*, enhance and restore *significant cultural heritage resources* including *built heritage resources*, *archaeological resources* or *cultural heritage landscapes* that are valued for the important contribution they make to understanding the history of a place, event or a people, according to the policies of Section 4.5 of the Official Plan.

- 5.5.1 That *conservation of cultural heritage resources* within the Cornell Centre Secondary Plan Area shall be consistent with Section 4.5 of the Official Plan, and the policies of this Secondary Plan.
- 5.5.2 That the *cultural heritage resources* contained in the City's *Register of Property of Cultural Heritage Value or Interest* within the Cornell Centre Secondary Plan Area are identified in Appendix 1 – Cultural Heritage Resources.
- 5.5.3 That the retention and/or relocation of *cultural heritage resources* be considered in accordance with Section 4.5 of the Official Plan.
- 5.5.4 To ensure that development of a *significant cultural heritage resource* itself, or development on adjacent lands is designed, sited or regulated so as to protect and mitigate any negative visual and physical impact on the *heritage attributes* of the resource, according to Section 4.5.3.11 of the Official Plan, including considerations such as scale, massing, height, building orientation and location relative to the resource. The strategy for integrating *cultural heritage resources* where required shall be outlined in an application for development, *redevelopment* or site alteration.
- 5.5.5 To impose the following conditions of approval on development or *site alteration* containing a *cultural heritage resource* in addition to those provided in Section 4.5 of the Official Plan, where it has been determined appropriate subject to the policies in Section 4.5 of the Official Plan to retain a *cultural heritage resource*:
  - a) securing of satisfactory financial and/or other guarantees to restore a *cultural heritage resource* or reconstruct any *cultural heritage resources* damaged or demolished as a result of new development;
  - b) obtaining a form of development approval for the *cultural heritage resource* including the implementation of a restoration plan for the heritage building;
  - c) requiring provisions in offers of purchase and sale which give notice of the *cultural heritage resource* on the property; and
  - d) requiring the commemoration of the *cultural heritage resource* through the provision and installation of an interpretive plaque, in a publicly visible location on the property (i.e., Markham Remembered Plaque).

## 5.6 Archaeological Resources

First Nations and Métis *archaeological resources* contribute to Markham's unique local identity. This Secondary Plan recognizes the importance of conserving *archaeological resources* and the

potential opportunity for incorporating appropriate archaeological discoveries in place making within the Secondary Plan Area.

**It is the policy of Council:**

- 5.6.1 That the conservation of archaeological resources within the Cornell Centre Secondary Plan Area will be promoted in a manner consistent with Section 4.6 of the Official Plan and the policies of this Secondary Plan.
- 5.6.2 That prior to approval of an application for development, *redevelopment* or site alteration, on lands containing *archaeological resources* or *areas of archaeological potential*, the proponent shall retain a provincially licensed archaeologist to undertake an archaeological assessment and complete other requirements outlined in Section 4.6.2.2 of the Official Plan to the satisfaction of the City and the Province.
- 5.6.3 To prohibit grading or other *site alteration*, including installation of infrastructure, on any site within the Cornell Centre Secondary Plan Area prior to the issuance of a letter of acceptance of an archaeological assessment from the Province, if one was required.
- 5.6.4 To only permit development and *site alteration* on lands containing *archaeological resources* or *areas of archaeological potential* if the *significant archaeological resources* have been *conserved* by preservation on site, or by removal and documentation. Where significant *archaeological resources* must be preserved on site, only development and *site alteration* which maintain the heritage integrity of the site may be permitted.

## **6. URBAN DESIGN AND SUSTAINABLE DEVELOPMENT**

The physical layout and design of the Cornell Centre Secondary Plan Area will be defined by the pattern and design of a network of streets and blocks, open spaces and other elements of the public realm. In addition to ensuring a sustainable pattern of development through the appropriate integration of land use, transportation and infrastructure, this Secondary Plan anticipates the application of innovative sustainable development practices and technologies in site planning and building design.

### **6.1 General Provisions**

It is intended that the Cornell Centre Community be designed as a pedestrian, cycling, transit and age friendly compact community with sustainable building and site design elements, and innovative techniques for stormwater management.

The emphasis will be defining the urban form and character of the Cornell Centre community through:

- compact neighbourhoods with pedestrian-friendly and age-friendly streets;
- compatible built form and high-quality building design and construction;
- vibrant people places with a clearly identifiable and well-designed public realm; and
- sustainable development.

To achieve sustainable development, policy direction is provided with respect to conservation of environmental resources, energy efficiency and the reduction of greenhouse gas emissions, and supporting climate change adaptation. Sustainable building and site design within the Cornell Centre Secondary Plan Area will focus on water efficiency, energy conservation and renewable energy generation, ecological protection and enhancement, food production and active transportation at the site scale.

**It is the policy of Council:**

- 6.1.1 To shape the urban form of the Cornell Centre Secondary Plan Area in a manner consistent with Sections 6.1 and 10.1.2.2 of the Official Plan and the policies of this Plan.

**Public Realm**

- 6.1.2 To design and organize the public realm in accordance with Section 6.1.2 of the Official Plan.
- 6.1.3 To provide connections and linkages to destinations throughout the Cornell Centre Secondary Plan Area comprising public boulevard, the parks and Greenway system, and multi-use pathways to form an active transportation network as shown on Map SP6 - Transit and Active Transportation Network that is accessible to people of all ages and abilities.
- 6.1.4 To coordinate street planting with utility locations to minimize disruption and ensure adequate space and growing conditions for trees, in accordance with the City of Markham's Tree Preservation By-law and City of Markham's Streetscape Manual.
- 6.1.5 To contribute to a net increase in the City of Markham's tree canopy to support achieving the 30% target in the City's Trees for Tomorrow Program.
- 6.1.6 To design sidewalks that are barrier-free in accordance with the City of Markham's Accessibility Guidelines.

**Streets and Blocks**

- 6.1.7 To design and arrange streets and blocks in accordance with Section 6.1.3 of the Official Plan and Map SP1 - Detailed Land Use of this Secondary Plan.

**Streetscapes**



- 6.1.8 To design and arrange streetscapes in accordance with Section 6.1.4 of the Official Plan and Map SP5 - Street Network of this Secondary Plan.
- 6.1.9 To support cycling infrastructure by providing bicycle parking post and ring facilities at major activity nodes and within the landscape and utility zone of the boulevard.
- 6.1.10 To encourage year-round activity along the boulevard with boulevard spaces that are adaptable to seasonal conditions (i.e., seasonal patios).
- 6.1.11 To ensure wider boulevards encompass streetscape elements that enhance the pedestrian experience.
- 6.1.12 To provide sidewalks of a width no less than 2 metres.
- 6.1.13 To ensure adequate soil volume that will sustain the growth of canopy trees along street boulevards.
- 6.1.14 To include streetscape elements that enhance the pedestrian experience and contribute to year-round use.

#### **Landmarks and Views**

- 6.1.15 To plan for and arrange streets and blocks, parks and open spaces, buildings and public art to create view corridors and focal points to enhance a sense of place, and in accordance with section 6.1.5 of the Official Plan.
- 6.1.16 To recognize the following intersections as landmark gateways into and within the Cornell Centre Community:
  - a) Highway 7 and 9<sup>th</sup> Line
  - b) Highway 7 and Donald Cousens Parkway
  - c) Highway 7 and Reesor Road
- 6.1.17 To ensure that buildings and public realm features at the intersections identified in Section 6.1.16 make a significant architectural contribution to the character and identity of the Secondary Plan Area, while respecting the immediate context and creating a distinct built form, appearance or landmark feature, in accordance with the City's Gateway Masterplan.
- 6.1.18 To promote the creation of EcoMobility Hubs of activity at the intersections identified in Section 6.1.16, inclusive of an appropriate mix of uses, public art, wayfinding elements, open spaces, and other placemaking features.

#### **Open Space**

- 6.1.19 To design and develop open space in accordance with Sections 4.3 and 6.1.6 of the Official Plan and Map SP1 - Detailed Land Use of this Secondary Plan.

- 6.1.20 To design the Neighbourhood Park and *public school* campus (insert location) as a shared facility, providing a seamless layout and landscaping.

#### **Public Art**

- 6.1.21 To plan for and encourage the provision of public art in the Cornell Centre Secondary Plan Area in accordance with Section 6.1.7 of the Official Plan.

#### **Built Form and Site Development**

- 6.1.22 To design and plan the built form in the Secondary Plan Area in accordance with Section 6.1.8 of the Official Plan.
- 6.1.23 To encourage designing and planning the built form and associated site works in the Secondary Plan Area with regard for the City of Markham's Age-Friendly Guidelines.
- 6.1.24 To establish appropriate height peaks and transitions throughout the Secondary Plan Area, including:
- a) primary height and density peaks within the Cornell BRT Station PMTSA and along Highway 7;
  - b) secondary height and density peaks along the length of Bur Oak Avenue; and,
  - c) downward transitions between the primary and secondary height peaks to residential areas adjacent to the Secondary Plan Area.
- 6.1.25 To provide all buildings within the Secondary Plan Area with an appropriate degree of street-wall continuity and enclosure to the street while maximizing views into parks and open spaces.
- 6.1.26 To generally establish a consistent building frontage set back from the property line of a minimum of 3.0 metres and maximum of 5.0 metres for the building podium, or base, in order to provide for a zone of transition between public and private realms while also providing spillover space for commercial activity, or a buffer for residential units at grade, and also enabling the inclusion of awnings, canopies, and signage without encroachment into the right-of-way.
- 6.1.27 To orient all buildings to frame and provide uses at grade that animate the public realm around parks and open spaces.
- 6.1.28 To ensure minimal shadow and wind impacts on public and private streets, parks and open spaces, and community facilities.
- 6.1.29 To generally incorporate upper-storey setbacks between podiums and towers of no less than 3 metres to ensure a strong delineation between the pedestrian-scaled base of a building and its taller elements while also mitigating on wind impacts at ground level.

- 6.1.31 To generally maintain a maximum residential tower floor plate gross floor area as outlined in the Comprehensive Zoning By-Law for intensification areas.
- 6.1.32 To generally maintain a minimum tower separation distance of 30 metres, offsetting the location of towers, where possible.
- 6.1.33 To generally maintain a minimum tower setback of 15 metres from adjacent property lines to ensure adjacent properties' redevelopment potential is not impeded.

#### **Buildings Abutting Cultural Heritage Resources**

- 6.1.33 To design buildings abutting any cultural heritage resource to complement and enhance the retained resources through the following design considerations:
  - a) Provide a built form that is complementary in scale to adjacent cultural heritage resources;
  - b) Consider materials that are sympathetic to adjacent cultural heritage resources;
  - c) Ensure setbacks are complementary to adjacent cultural heritage resources;
  - d) Provide building massing that is appropriate within its context and does not negatively impact adjacent cultural heritage resources;
  - e) Where appropriate, incorporate design features that complement the architectural style and character of adjacent cultural heritage features but are distinct from them; and
  - f) Ensure new buildings have a consistent approach to design detail in all building elements.

#### **6.2 Sustainable Development<sup>[OBJ]</sup>**

- 6.2.1 To achieve sustainable development, policy direction is provided with respect to conservation of environmental resources, energy efficiency and the reduction of greenhouse gas emissions, and supporting climate change mitigation and adaptation. Sustainable subdivision and site plan design within the Secondary Plan Area will achieve a minimum score in accordance with the Sustainability Metrics Program.
- 6.2.2 To support the sustainable development of the Cornell Centre Secondary Plan Area in a manner consistent with Section 6.2 of the Official Plan and the policies of this Plan, through the integration of land use, transportation and infrastructure planning at the community level and the application of innovative sustainable development practices and technologies in site planning and building design.
- 6.2.3 To consider the application of innovative sustainable design practices and technologies as appropriate, in site planning and building design through the *development approval* process and in particular, through the application and compliance with a sustainable development checklist, as part of the site plan control and/or plan of subdivision application process, as generally set out in Section 6.2.3.1 of the Official Plan.

### 6.3 Municipal Energy Plan<sup>(OBJ)</sup>

- 6.2.1 To design and plan for an energy efficient Cornell Centre Community that contributes to the achievement of the goals and objectives in the City of Markham Municipal Energy Plan towards net zero greenhouse gas (GHG) emissions development by:
- a) encouraging the design of net zero ready buildings that also exceed Ontario Building Code standards;
  - b) encouraging the incorporation of solar photovoltaic infrastructure on building rooftops;
  - c) designing all residential and non-residential buildings to be electric vehicle ready; and
  - d) providing publicly accessible electric vehicle charging infrastructure as part of public and private developments where feasible.

## 7. TRANSPORTATION, SERVICES AND UTILITIES

### 7.1 Transportation System

The transportation system servicing the Cornell Centre Secondary Plan Area includes public roads, private roads, and pedestrian, bicycle and transit routes and facilities. It is intended that this integrated transportation system will facilitate growth and development in the Secondary Plan Area by improving the existing road and transit network, connections to destinations within the Secondary Plan Area and adjacent communities, and by providing a convenient range of travel choices.

**It is the policy of Council:**

#### 7.1.1 General Policies

- 7.1.1.1 To plan and design a transportation system to service the Cornell Centre Secondary Plan Area that balances the needs of all road network users including pedestrians, cyclists, transit and motorists, and the integration of land uses, in a manner consistent with Section 7.1 of the Official Plan, and the policies of this Secondary Plan.
- 7.1.1.2 That the transportation system servicing the Cornell Centre Secondary Plan Area includes the planned road network of arterial roads, major collector and minor collector roads as shown on Map SP5 – Street Network and the planned transit network and active transportation network of transit, cycling, and pedestrian routes and facilities as shown on Map SP6 – Transit and Active Transportation Network.
- 7.1.1.3 That the location of collector roads and transit, cycling and pedestrian routes and facilities will be confirmed through more detailed studies submitted in support of *development approvals* for the Cornell Centre Secondary Plan Area. The final location of trails/pathways, roads, and related facilities may be revised without amendment to this Secondary Plan, provided the intent of the Official Plan and this Secondary Plan is maintained.

7.1.1.4 To require through the *development approval* process, where appropriate and at no public cost, and in accordance with the Planning Act, the conveyance of lands within the Cornell Centre Secondary Plan Area needed to achieve the road network shown on Map SP5 – Street Network and the active transportation network shown on Map SP6 – Transit and Active Transportation Network in accordance with Section 7.1.3.4 of the Official Plan. Determination of final right-of-way requirements shall be made through the completion of the Functional Traffic Design Study, Transportation Impact Assessment and/or any applicable environmental assessment as initiated through the development approval process. Notwithstanding the planned rights-of-way for arterial and collector roads, should it be determined through the development approval process that greater right-of-way widths are required, the additional lands shall be conveyed to the City and/or the Region at no public cost, without an amendment to this Secondary Plan.

### **7.1.2 Road Network**

The road network within the Cornell Centre Secondary Plan Area is largely influenced by existing arterial and collector roads as well as proposed collector roads that are expected to carry the majority of pedestrian, cycling, vehicular, and transit service traffic within the community, and will serve as links to neighbouring areas. The collector road network establishes a mainly grid pattern within the Secondary Plan Area that creates a well-defined street and block hierarchy of continuous collector roads in both east-west and north-south directions, providing alternate routes to Highway 7 as well as increasing opportunities for connections between active transportation facilities and transit services.

#### **It is the policy of Council:**

- 7.1.2.1 That the designated arterial roads surrounding the Cornell Centre Secondary Plan Area as shown on Map SP5 – Street Network be planned to achieve the requirements of the York Region Official Plan, as may be amended from time to time.
- 7.1.2.2 That the designated collector roads within the road network of the Cornell Centre Secondary Plan Area as shown on Map SP5 - Steet Network be planned to generally achieve the following:
- a) Major collector roads shall generally have a mid-block right-of-way width of up to 30.5 metres .
  - b) Minor Collector roads shall generally have a mid-block right-of-way width of 23.0 metres;
  - c) Separated cycling facilities (e.g., cycle track, protected bike lane or buffered bike lane) shall generally be provided on each side of the collector roads. Design requirements shall have regard for the City’s Design Guidelines for Separated Cycling Facilities, Multi-use Paths & Trails;
  - d) Aligned travel lanes through the collector road intersections;
  - e) Restrict driveway access from developments adjacent to Regional Roads or major collector roads to maximize the efficiency of the street system through techniques such as suitable local street access, shared driveways and interconnected properties; and
  - f) Plan and implement, including land takings necessary for, continuous collector streets in both east-west and north-south directions, in all new urban developments.

G) Where a collector road intersects another collector road, it shall be recognized that a number of traffic control alternatives may be considered, including stop-controls, traffic signals and/or roundabouts. The intersection right-of-way shall be confirmed through the completion of the functional traffic design study and transportation impact assessment and/or any applicable environmental assessment.

7.1.2.3 That the local roads within the road network of the Cornell Centre Secondary Plan Area be planned to achieve the following:

- a) a primary road network providing frontage for development lots and blocks;
- b) design requirements, in a manner consistent with the urban design policies in Section 6.0 of this Plan, to be determined through the approval of functional traffic design studies and transportation impact assessments; and
- c) aligned travel lanes through the collector road intersections.

Where possible local roads shall be organized to form a modified grid network intersecting with the designated collector roads in order to maximize connectivity throughout the Cornell Centre Plan Area.

### **7.1.3 Transit and Active Transportation Network**

Within the Cornell Centre community, interconnectivity between the transit network and cycling and walking facilities is essential to the establishment of a well-integrated active transportation network. Providing opportunities for convenient and continuous active transportation makes it easier for people to decrease their dependence on the automobile. Conveniently located and adequately spaced transit stops are also crucial to establishing an integrated transit network to service the Cornell Centre Secondary Plan Area and promote ridership.

#### **It is the policy of Council:**

7.1.3.1 To work with Metrolinx, York Region, other applicable transit providers and development proponents, to plan, enhance or facilitate transit services in the Cornell Centre Secondary Plan Area as shown on Map SP6 – Transit and Active Transportation Network. This will be a continuous process with:

- a) Ongoing coordination with York Region Transit and York Region to align transit plans with growth in the Cornell Centre Secondary Plan Area; and,
- b) Ongoing coordination with Metrolinx, to identify growth in the Cornell Centre Secondary Plan Area, including accounting for appropriate population and employment growth in future Metrolinx ridership forecasting analysis and service planning.

7.1.3.2 To facilitate the development of a transit-supportive urban structure, in cooperation with York Region and development proponents, by:

- a) Planning for a local road pattern and related pedestrian routes that accommodate direct pedestrian access to transit routes and stops;

- b) Ensuring all areas within the Cornell Centre Secondary Plan Area are adequately served by public transit;
- c) Incorporating transit stops in road design requirements, where appropriate; and
- d) Promoting public transit ridership through site planning and building design, building scale, distribution of development densities, land use mix and location.

7.1.3.3 That the active transportation network shown on Map SP6 – Transit and Active Transportation Network be planned to achieve the following:

- a) An interconnected system of paths linking pedestrians and cyclists within the Cornell Centre Secondary Plan Area with other pathway systems in the City;
- b) An active transportation network that seamlessly connects destinations and communities, including the:
  - i) Cornell BRT Station;
  - ii) Markham Stouffville Hospital Campus;
  - iii) Greenway System;
  - iv) Parks System;
  - v) Future *public school* sites;
  - vi) Future potential trail systems adjacent to the Secondary Plan Area;
  - vii) Markham Village neighbourhood to the west;
  - viii) Box Grove neighbourhood to the south; and
- c) An active transportation network that is designed with regard for the urban design policies, applicable engineering standards and guidelines, and determined through further studies such as functional traffic design studies and transportation impact assessments and detailed designs; and
- d) Separated and protected cycling facilities, where they can be prioritized.

#### 7.1.4 Vehicle Parking Rate

**It is the policy of Council:**

- 7.1.4.1 To reduce minimum parking rate standards reflective and supportive of the planned improvements in sustainable mode choices in the Cornell Centre Secondary Plan Area, and in particular within *Protected Major Transit Station Area(s)*.
- 7.1.4.2 That related requirements shall be defined in the implementing zoning by-law for the secondary plan area, and may be further informed by the Citywide Parking Strategy Study, or other City initiated parking studies.
- 7.1.4.3 To require as part of a development application, a Transportation Demand Management and Traffic Management plan, in accordance with Section 7.1.6.1 in this Plan, that is also reflective of the vehicle parking rate.

#### 7.1.5 Ecomobility Hubs

Ecomobility hubs are multi-modal one-stop hubs to facilitate smart and easy access to mobility services such as bike and/or scooter sharing stations, ride sharing (microtransit) or car sharing. Strategic implementation of ecomobility hubs will provide additional sustainable mobility options to access the Cornell Centre Secondary Plan area and surrounding communities from the hub locations.

**It is the policy of Council:**

- 7.1.5.1 To facilitate the planning and implementation of ecomobility hubs with the purpose of providing additional sustainable mobility options to access the Cornell Centre Secondary Plan Area and surrounding communities by:
- a) Coordinating with and engaging York Region on the integration of an ecomobility hub in the transit station for Cornell BRT Station;
  - b) Planning for implementation of smaller scale ecomobility hubs at key intersections within an unused street right-of-way, within a municipally owned park or open space, or as part of private developments.

**7.1.6 Transportation Demand Management**

Transportation demand management measures seek to modify travel behaviour or demand in order to make more efficient use of available transportation capacity. These objectives can be achieved by encouraging residents and workers within the Cornell Centre Secondary Plan Area to make more trips by walking, cycling, transit and carpooling, and other sustainable modes of transportation.

**It is the policy of Council:**

- 7.1.6.1 That a comprehensive Transportation Demand Management plan be prepared by development proponents in the Secondary Plan Area, to reduce the number of trips, length of trips, and reliance on single occupancy vehicles and promote a shift from automobile use to other modes of transportation.
- 7.1.6.2 That the Transportation Demand Management plan be adaptive and reflective of the planned and committed transportation infrastructure and programs in the Secondary Plan Area. Further, the Transportation Demand Management plan may be enhanced in the interim until such transportation improvements are in place.

**7.2 Services and Utilities**

**7.2.1 Municipal Water, Wastewater and Stormwater Management**

Municipal infrastructure provides for the safe and effective delivery of potable water and the conveyance of wastewater and stormwater.

**It is the policy of Council:**



- 7.2.1.1 To ensure that new developments in the Cornell Centre Secondary Plan Area are serviced with municipal water, wastewater, and stormwater infrastructure in accordance with the provisions of Section 7.0 of the Official Plan, and that such infrastructure are designed to City standards and guidelines. Additionally, water, wastewater, and stormwater infrastructure to support new developments shall be designed in a manner consistent with the recommendations of the Municipal Servicing Study Report and Cornell Centre Master Environmental Servicing Plan.
- 7.2.1.2 That the design of the trunk water, wastewater, and stormwater infrastructure should generally be based on the recommendations in the Municipal Servicing Strategy prepared in support of the Secondary Plan, and the latest City and York Region Water and Wastewater Master Plan. The design of the local water, wastewater, and stormwater infrastructure is to be confirmed through more detailed studies and *development approvals*.
- 7.2.1.3 That the assignment of sanitary capacity allocation for development in the Secondary Plan Area will be determined by the City, in consultation with York Region, as part of the review of a development application, and in accordance with the Cornell Centre Master Environmental Servicing Plan and the development phasing plan where required.
- 7.2.1.4 That satisfactory arrangements between Developers' Groups, the City and York Region, where applicable, shall be established to ensure timely delivery of the key components of the water and wastewater infrastructure for the Secondary Plan Area as a condition of development approvals in the Cornell Centre Secondary Plan Area.

## **7.2.2 Municipal Servicing Study**

### **It is the policy of Council:**

- 7.2.2.1 That development applications be prepared in accordance with the recommendations of the Cornell Centre Master Environmental Servicing Plan Study prepared for the Secondary Plan Area.
- 7.2.2.2 That should the provision of infrastructure services be required to facilitate development that exceeds the land use provisions established in the Secondary Plan, development approval shall be contingent on the City's review and acceptance of the following servicing requirements for the Secondary Plan Area:
- a) required servicing studies to address the servicing requirements for the additional development. The servicing studies shall address, to the City's satisfaction, the requirements for the following:
    - i) sanitary sewers;
    - ii) watermains;
    - iii) stormwater management design including low impact development measures as per City guidelines.

## **7.2.3 Functional Servicing Report**

**It is the policy of Council:**

- 7.2.3.1 That a functional servicing report, where required by the City, shall be submitted in support of a development application for review and acceptance by the City and Region, prior to approval of the development.
- 7.2.3.2 That the functional servicing report reflect the recommendations of the Municipal Servicing Study report and support the detailed design of the water, wastewater, and stormwater infrastructure required to service the development.
- 7.2.3.3 That the functional servicing report framework address, but not be limited to, site grading, sewers and watermain works, erosion and sedimentation controls, road cross-sections and utility requirements. Engineering drawings shall be prepared in accordance with the function servicing report and shall be submitted for review and approval by the City and Region. All municipal services shall be designed and constructed in accordance with the policies, guidelines, and standards of the City, and where applicable, affected agencies.
- 7.2.3.4 That each development application be responsible for hydrogeological assessment, as well as establishing acceptable groundwater discharge measures, as determined by the City, in support of the functional servicing report.

**7.2.4 Stormwater Management Report****It is the policy of Council:**

- 7.2.4.1 That as a condition of *development approvals* and based on the findings and recommendations of the accepted Municipal Servicing Study Report, Master Environmental Servicing Plan and/or functional servicing report, a stormwater management report shall be prepared in accordance with Section 3.3 of the Official Plan and Section 4.4 of this Secondary Plan, and submitted for review and acceptance by the City in consultation with the Toronto and Region Conservation Authority (TRCA). The report shall provide detailed information regarding the provision of water quality and quantity management facilities, water balance, low impact development facilities, hydraulic grade lines, detailed major and minor systems, and erosion and siltation control measures for the plan of subdivision or other development proposal.

**7.2.5 Utility and Telecommunication Services**

Utilities provide essential services to Cornell Centre such as natural gas, electricity and/or renewable energy, street lighting and telecommunications and shall be planned and coordinated within the Secondary Plan Area to the greatest extent possible.

**It is the policy of Council:**

- 7.2.5.1 To require that, to the greatest extent possible, utilities shall be planned and constructed in a coordinated manner. Utility and telecommunication services shall be planned to be located

underground and shall be grouped wherever possible. Where required, above ground utility fixtures shall be located and designed in accordance with City policies and have regard to the urban design policies in Section 6.0 of this Secondary Plan.

- 7.2.5.2 That utility and telecommunication services shall be permitted in all land use designations subject to the requirements of the Master Environmental Servicing Plan prepared in support of the of the Secondary Plan and detailed engineering designs to be approved by the City. Any proposed services located within the Greenway System lands shown on Map SP7 – Greenway System shall be minimized and shall coincide with required road rights-of-way wherever possible. If a single loaded road is approved to adjoin lands designated as ‘Greenway’, services should be confined to the edge of the road right-of-way farthest from the ‘Greenway’ designation, wherever possible.
- 7.2.5.3 That utility providers shall, as a condition of *development approvals*, confirm that existing, upgraded or new services will be available to support proposed development.
- 7.2.5.4 To encourage all development applicants to undertake a subsurface utilities investigation within the City’s road right-of-way to identify and map existing underground services so that future services can be accommodated.

## **8. LAND USE**

### **8.1 General Provisions**

The land use designations shown on Map SP1 - Detailed Land Use establish the general pattern for development in the Secondary Plan Area. The policies for these designations, as set out in Sections 8.1 through 8.7 of the Secondary Plan, provide comprehensive guidance for development, and must be read in conjunction with other applicable provisions of this Secondary Plan as well as Chapter 8 and other applicable provisions of the Official Plan.

#### **It is the policy of Council:**

- 8.1.1 That the general pattern of land use for the Secondary Plan Area is established in schedules that amend the Official Plan and refined on Maps SP1 through SP7 in this Secondary Plan.
- 8.1.2 That further to the provisions of Chapter 8 of the Official Plan, the following land use designations, overlays, and symbols are established and applied to the lands within the Secondary Plan, as shown on Map SP1 - Detailed Land Use:
- ‘Residential Mid Rise’
  - ‘Residential High Rise’
  - ‘Mixed Use Cornell Centre
  - ‘Mixed Use Health Care Campus’
  - ‘Business Park Employment’
  - ‘Greenway’

- 8.1.3 That the pattern of land use shown on Map SP1 - Detailed Land Use and the proposed specific land uses or facilities identified in Section 8.1.2 will be implemented through required *development approvals* in accordance with the applicable policies of the Secondary Plan, the Official Plan, and addressing City standards and guidelines.
- 8.1.4 That in considering an application for *development approval*, the City shall ensure that development has adequate transportation, water and wastewater infrastructure, and community infrastructure such as *public schools*, parks, and open spaces, and has regard for the Urban Design and Sustainable Development policies outlined in Section 6.0 of this Secondary Plan and Chapter 6 of the Official Plan.
- 8.1.5 That the locations of park sites, open spaces, *public school sites* and sites of other community facilities and infrastructure shown on Map SP1 - Detailed Land Use have been identified to support the development of a *complete community* and ensure all residents have access to park spaces for active and passive recreation.
- 8.1.6 That development proponents are encouraged to enter into one or more developers' group agreement(s), where appropriate, within the Secondary Plan Area, to ensure the equitable distribution of costs for community and infrastructure facilities in accordance with Section 10.2 of this Secondary Plan.
- 8.1.7 To provide for the following uses in all designations, except the 'Greenway' and 'Public Parks' designations:
- a) publicly owned and operated community facility, including a library, community centre and recreation centre, provided the facility is located on an arterial or major collector road;
  - b) fire, police and emergency service facility;
  - c) electrical, gas and oil transmission/distribution facilities;
  - d) publicly owned parking facility;
  - e) publicly owned parkland and public recreation use;
  - f) municipal district heating and/or cooling system;
  - g) automatic vacuum collection;
  - h) municipal transportation facility; and
  - i) municipal service including an underground service, and utility, operation and maintenance facility.

## 8.2 Residential Designations

The 'Residential' designations are intended to provide compatibility with the pattern and character of surrounding development and contribute to the development of *complete communities*. Lands designated 'Residential' are also intended to accommodate community infrastructure and services such as *public schools*, *places of worship*, open spaces, and *affordable*

and *shared housing*, all with access to a transportation network that encourages walking, cycling and transit use.

Lands designated 'Residential' are further categorized into 'Residential Mid Rise', and 'Residential High Rise' as shown on Map SP1 – Detailed Land Use. This Secondary Plan establishes provisions relating to the residential development contemplated in each designation in addition to those in Sections 8.2.4 and 8.2.5 of the Official Plan.

### **8.2.1 Residential Mid Rise**

The 'Residential Mid Rise' designation applies to certain lands within Cornell Centre, north and south of Highway 7 as identified on Map SP1 - Detailed Land Use. The designation is intended to accommodate medium density residential development, supporting the adjacent retail and employment uses and the planned regional transit service along Highway 7.

The 'Residential Mid Rise' lands north and south of Highway 7 will be connected through a network of streets and pedestrian connections. The residential neighbourhoods will also provide for a linked network of parks, public and private open spaces and green corridors and connectivity to the active transportation network.

The intent is to create walkable communities with inviting pedestrian connections to parkland, the Highway 7 and Bur Oak Avenue commercial areas and to the employment lands to the east.

#### **It is the policy of Council:**

#### **General Policies**

- 8.2.1.1 That lands within the Secondary Plan Area designated 'Residential Mid Rise' shall be subject to the relevant provisions of Sections 8.1, 8.2.1 and 8.2.4 of the Official Plan, except as otherwise provided for in Sections 8.2.1.2 and 8.2.1.3 in this Plan.

#### **Uses**

- 8.2.1.2 In addition to the uses permitted in Section 8.1.7 of this Secondary Plan, the following uses may be permitted on lands designated 'Residential Mid Rise':

Lands within this designation may be zoned to permit:

- a) dwelling units including home occupation;
- b) convenience retail and personal services uses on the ground floor of buildings;
- c) day care centres; and
- d) public schools

#### **Building Types**

- 8.2.1.3 To provide for the following building types on lands designated 'Residential Mid Rise':

- a) Townhouses
- b) small multiplex buildings containing 3 to 6 units
- c) stacked townhouses
- d) apartment buildings
- e) buildings associated with day care centres and public schools

#### 8.2.1.4 Height and Density

- a) Minimum and maximum heights in each development block within the designation shall be as shown on Map SP4 - Height, subject to the following:
  - The maximum height of buildings adjoining lands designated 'Residential Neighbourhood' shall be 4 storeys.
- b) The maximum floor space index of development in each development block within the designation shall be as shown on Appendix SP3 – Density.

#### 8.2.1.5 Development Criteria

All development is subject to the following policies:

- a) Notwithstanding the designation boundaries south of Highway 7 between Bur Oak Avenue and Donald Cousens Parkway shown on Map SP1 – Detailed Land Use, the limits of development adjacent to any wetlands in the designation will be established by the City and Toronto and Region Conservation Authority in accordance with the policies of this Plan.
- b) Vehicular access for townhouses fronting on a public street shall be from a lane.

### 8.2.2 Residential High Rise

The 'Residential High Rise' designation applies to certain lands along Highway 7, specifically on the north side of Highway 7, east and west of Bur Oak Avenue, and in certain locations on the south side of Highway 7, east of Bur Oak Avenue as identified on Map SP1 – Detailed Land Use. The designation is intended to accommodate high density residential and mixed-use development supporting the retail and employment uses and planned regional transit service along Highway 7. Development will also provide for a linked network of parks, and public and private open spaces and Greenway linkages

#### 8.2.2.1 Uses

- a) dwelling units including home occupation
- b) convenience retail and personal service uses on the ground floor of buildings
- c) day care centre, in accordance with section 8.13.2 of the Official Plan
- d) public schools

#### 8.2.2.2 Building Types

- a) apartment buildings
- b) buildings associated with day care centres and public schools.

#### 8.2.2.3 Height and Density

- a) Minimum and maximum heights in each development block within the designation shall be as shown on Map SP4 - Height, subject to the following:
  - Where an apartment building or non-residential building is proposed in a form that includes a defined podium and tower, the minimum height of the podium shall be 4 storeys, and the maximum height of the building will be as shown on Map SP4 - Height.
  - For apartment buildings and non-residential buildings that are not proposed in a podium and tower form, the minimum height for buildings fronting Highway 7, shall be 8 storeys or as shown on Map SP4 - Height.
- b) The minimum floor space index of development in each development block within the designation shall be as shown on Appendix SP3 – Density.

#### 8.2.2.4 Development Criteria

All development is subject to the urban design policies in Section 6 of this plan. In addition, the following policies apply:

- a) Density, height, building types and other elements of development, including but not limited to, depth of any underground structures, shall be established based on the findings of the Master Environmental Servicing Plan and other technical studies required by the City and other agencies having jurisdiction, prior to the approval of development applications.

### 8.3 Mixed Use Designations

The 'Mixed Use' designations in this Secondary Plan are intended to provide for a full range of uses to meet the needs of the local population. The intent is that new employment, retail, restaurant and service uses in this designation will be integrated with community and residential uses in a mixed-use setting in a manner that is transit- supportive and pedestrian-oriented. The availability of community infrastructure will be assessed through the review of a development application to ensure a full range of community services and facilities are available or will be provided to serve residents in these areas.

Mixed use development is provided for in the 'Mixed Use Mid Rise – Cornell Centre', and 'Mixed Use – Health Care Campus' designations as shown on Map SP1 - Detailed Land Use. Additional specific provisions relating to the development contemplated in each designation are established in this Secondary Plan.

- a) Buildings should generally be placed on a site to have continuous street frontage with a consistent setback in order to provide for continuity in built form along public streets.
- b) Development shall address and animate the public streets, particularly the Highway 7, 9th Line, Bur Oak Avenue and Rustle Woods frontages, including the provision of primary entrances and facades on these streets.

- c) Building placement and the articulation of the building façade will be provided in accordance with the urban design policies of this Plan, as further articulated in the Community Design Plan.
- d) Where the ground floor of a multi-storey building is required to accommodate non-residential uses, the following policies apply:
  - Any residential uses or accessory residential uses on the ground floor of mixed use buildings shall generally not exceed 45%, of the ground floor gross floor area.
- e) Where buildings fronting Highway 7, 9th Line, Bur Oak Avenue or Rustle Woods Avenue are located at intersections, ground floor uses shall wrap around the edge of intersecting streets.
- f) Pedestrian connections will be provided to adjacent neighbourhoods.
- g) Structured parking and/or underground parking shall be encouraged in place of surface parking.
- h) Surface parking shall not be permitted within 40 metres of Highway 7, 9th Line, Bur Oak Avenue or Rustle Woods Avenue except behind buildings facing these streets with access restricted to interior streets or lanes.
- i) Loading and parking facilities shall be screened from public view and buffered so as to reduce impacts on residential uses.
- j) On-street parking shall be provided within private road right-of-ways on which buildings front.

### 8.3.1 Mixed Use Cornell Centre

The 'Mixed Use Cornell Centre' designation is located on both sides of Bur Oak Avenue, along portions of the frontage of Hwy 7, as well as south of the community facilities and health care campus, and includes the location of the Cornell BRT regional transit terminal. This designation will provide for a community retail focus in the form of a main street along Bur Oak Avenue as well as a concentration of office and high density residential uses in proximity to the health care campus, building on the campus as a major employment node in Cornell Centre. It is also intended that a secondary main street be developed along Rustle Woods Avenue, providing an animated pedestrian-friendly connection between the primary Bur Oak Avenue main street and the regional transit terminal.

#### 8.3.1.1 General

- a) The development standards and criteria contained in this section reflect the intended development of lands within the 'Mixed Use Cornell Centre' designation in a mixed-use multi-storey form. Section 8.4 also applies to non-residential development within this designation.

#### 8.3.1.2 Uses

To provide for the following uses on lands designated 'Mixed Use Cornell Centre':

- a) banquet hall, within a hotel or trade and convention centre
- b) commercial fitness centre



- c) commercial school
- d) commercial parking garage
- e) community college or university
- f) day care centre, subject to the provisions of Section 6.7.6
- g) dwelling unit including a home occupation
- h) financial institution
- i) hotel
- j) office
- k) place of entertainment
- l) place of worship, subject to the provisions of Section 6.7.5
- m) private club
- n) public school and private school provided these are located on an arterial or major collector road
- o) restaurant
- p) retail
- q) service, with the exception of motor vehicle service stations and commercial storage
- r) trade and convention centre.

#### 8.3.1.3 Building Types

The following building types are provided for:

- a) apartment building
- b) stacked townhouse, except along the Highway 7, Bur Oak Avenue, and Rustle Woods Avenue frontages
- c) multi-storey non-residential or mixed-use building, and
- d) single storey community facilities building.

#### 8.3.1.4 Height and Density

- a) Minimum and maximum heights in each development block within the designation shall be as shown on Map SP4 - Height, subject to the following:
  - Heights within 30 metres of the 9th Line streetline shall not exceed 5 storeys.
- b) The minimum floor space index of development in each development block within the designation shall be as shown on Appendix SP3 – Density.

#### 8.3.1.5 Development Criteria

All development is subject to the criteria outlined in Section 6.3.3 and the urban design policies in Section 7.0. The following additional policies apply:

- a) The ground floor of buildings fronting Rustle Woods Avenue shall accommodate secondary retail, personal service, office and other non-residential uses compatible with the primary residential or office use, in accordance with 8.3 d).

- b) Dwelling units are not permitted on the north side of Rustle Woods Avenue.
- c) Retail uses shall generally be limited to individual retail premises with a gross floor area not exceeding 1,000 square metres. The implementing zoning by-law may further restrict the number of retail premises that may be permitted to have the maximum permitted gross floor area or the proportion of the gross floor area that may be devoted to retail premises of the maximum size.

### 8.3.3 Mixed Use Health Care Campus

The 'Mixed Use Health Care Campus' designation includes the Markham Stouffville Hospital lands and the adjacent Cornell Community Centre lands. It is intended that this area be developed as a community facilities and health care campus with a range of uses and activities related to health and wellness. It is also recognized as a significant employment node in east Markham with potential for additional long term development.

#### 8.3.3.1 Uses

To provide for the following uses on lands designated 'Mixed Use Health Care Campus':

- a) hospital and related facilities
- b) health and wellness facilities
- c) medical offices and clinics
- d) treatment centres
- e) residential health care facilities affiliated with the principal hospital activity
- f) retirement home facilities
- g) ancillary uses to the primary community facility and health care uses including laboratories, retail, restaurants and personal services.

#### 8.3.3.2 Building Types

The following building types are provided for:

- a) single storey and multi-storey single use or mixed use buildings.

#### 8.3.3.3 Height and Density

- a) Minimum and maximum heights shall be as shown on Map SP4 - Height, subject to the following:
  - any building restrictions or requirements on lands affected by the heliport as identified in the study required in Section 8.3.3.3.1
  - The maximum height for development within approximately 30 metres of the 9th Line streetline, or adjoining lands designated 'Residential Neighbourhood' shall be five (5) storeys.

- Height increases in the order of 10 storeys may be considered for limited components of hospital buildings located within the interior of the lands within the 'Community Amenity Area - Mixed Use Health Care Campus' designation south of Church Street; consideration for such height increases shall be given only within the context of an application for a zoning amendment to permit a height increase and the approval of a comprehensive block plan.
- b) The maximum floor space index of development in each development block within the designation shall be as shown on Appendix SP3 – Density, subject to the following:
- The maximum Floor Space Index for all development on the lands south of Church Street shall generally not exceed 0.75 FSI. Individual buildings within the development block south of Church Street may achieve more or less than the maximum Floor Space Index, provided the maximum floor space index is not exceeded over the entire development block south of Church Street.
  - The transfer of density from the lands required for the future widening of Church Street and 9th Line, and the dedication of the 9th Line Greenway, may be permitted as part of a comprehensive block plan approval for the campus lands south of Church Street, provided the maximum floor space index is not exceeded, to the satisfaction of the City.

#### 8.3.3.3.1 Development Criteria

In addition to the development criteria of Section 6.3.3 and the urban design policies of Section 7.0, the following policies apply:

- The existing heliport on the Hospital property is certified for day and night use and is subject to regulations established by Transport Canada in "Heliport & Helideck Standards and Recommended Practices" (TP2586E). These regulations include restrictions on the height of natural and man-made features and mobile objects within the required flight/landing paths. Noise impacts are also a potential factor affecting the suitability of lands in the vicinity of the heliport for certain uses.
- In order to establish possible land use and building restrictions or requirements on lands affected by the heliport and possible zoning and site plan requirements for which the City may be responsible, the City shall require that a study be completed by the Hospital and/or development proponents, prior to the approval of development on any potentially impacted lands demonstrating compliance with federal standards for heliport and noise impacts. This study shall be completed by qualified professionals to the satisfaction of the City and shall include appropriate consultation with applicable departments and agencies.
- Development within the 'Mixed Use Health Care Campus' will be integrated with the surrounding Cornell community through a network of internal and external pedestrian routes including the provision of a pedestrian route through the campus linking the pedestrian routes in the north Cornell community with the pedestrian routes in the south Cornell community.
- In considering an application to amend the Secondary Plan to allow for opportunities for

intensification of the lands within the 'Community Amenity Area - Mixed Use Health Care Campus' with additional complementary uses beyond the maximum density permitted, regard will be had for the following:

1. Identification of appropriate locations for intensification adjacent to public transit routes along arterial and major collector roads;
2. The capacity of the transportation network to accommodate the intensification;
3. Maintaining the integrity of the structure of Cornell Centre, particularly with respect to the viability of the Commercial Core area along Bur Oak Avenue, Rustle Woods Avenue and south of Highway 7;
4. Provision of appropriate transition in height and massing to adjacent 'Residential Neighbourhood' and 'Residential Mid Rise' lands;
5. Integration of the health care campus with the surrounding community to the extent possible through the introduction of public open space and new roads; and
6. Providing for a phased and orderly pattern of intensification to ensure that existing services continue to be available as new development proceeds.

#### **8.4 Provisions for 'First Phase' of Development in Commercial Core**

- a) Lands within the 'Mixed Use Cornell Centre' designation are within the Cornell Centre Commercial Core identified on Map SP2 – Community Structure. It is anticipated that the lands within these designations may be developed in phases. With the exception of residential development, which is subject to the policies in Sections 8.3.2 and 8.3.3, the following policies apply to the 'first phase' of development.
- b) The 'first phase' of development shall be defined by the first site plan approval(s) granted to any or all lands within the designations.
- c) The height and density provisions of 8.3.2 and 8.3.3 shall not apply to non-residential development. Where non-residential buildings fronting Highway 7, Bur Oak Avenue and/or Rustle Woods Avenue do not achieve the minimum heights required in Section 8.3.2 and 8.3.3 respectively, the maximum height shall be two storeys. The maximum height for non-residential buildings elsewhere within the designations shall also be two storeys.
- d) Development is permitted where it can be demonstrated to the satisfaction of the City that:
  1. An appropriate mix of uses is being provided.
  2. The proposed development addresses and animates the Highway 7, Bur Oak Avenue and/or Rustle Woods Avenue frontage, including the provision of primary entrances and facades on these streets.
  3. Buildings are located in a manner that does not preclude the effective redevelopment of the lands in mixed use and multi-storey form within smaller development blocks, particularly the delivery of a more refined public street network, as shown conceptually on Appendix SP3 – Density, and specifically the

future east-west collector road between Bur Oak Avenue and the north- south road east of the woodland feature in the 'Mixed Use Cornell Centre' designation.

4. Pedestrian connections are provided to adjacent neighbourhoods and to Highway 7, Bur Oak Avenue and/or Rustle Woods Avenue.
  5. Parking and service areas are generally located at the rear of proposed buildings and appropriately screened from Highway 7, Bur Oak Avenue, and/or Rustle Woods Avenue and other public streets.
- e) Prior to approval of the 'first phase' of development, a comprehensive block plan shall be submitted to establish a framework for the long term redevelopment of the site in an intensified multi-storey form. The plan shall provide detailed guidance regarding the pattern, nature and phasing of development to address, among other things, the following:
1. an appropriate mix of uses;
  2. distribution of height and density targets identified in each designation;
  3. protection and enhancement of *natural heritage* and *hydrologic features*;
  4. the proposed layout of streets, lanes and development blocks, including provision for required public streets;
  5. the proposed system of movement on streets including pedestrian, cycling and transit routes and transit;
  6. the locations of required parks and open space and other community infrastructure;
  7. the location of publicly accessible walkways and vehicular access driveways, including mid-block connectors and potential surface parking areas;
  8. transition between areas of different intensities and uses; and
  9. relationships between buildings, streets and open spaces.
- f) Development proposals to add or reduce the gross floor area approved within the 'first phase' of development, other than by a minor amount, shall be subject to the height and density policies in Section 8.3.2 and 8.3.3.

## 8.5 Employment Designations

It is the intent of this Secondary Plan to provide for the development of an employment node that accommodates a range of compatible business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. It is also an objective of this Plan to provide limited opportunities, at appropriate locations, for complementary and supportive retail and service uses serving the employment uses.

It is intended that the development in the business park shall reflect the quality and design of similar successful business areas in the City and provide a regional employment focus within eastern Markham capitalizing on its location at the intersection of local, regional and provincial road and transit networks, and proximity to a possible future airport at the Pickering Airport Site.

### 8.5.1 General

- a) Employment lands within the Secondary Plan Area are designated 'Business Park Employment' as shown on Map SP1 – Detailed Land Use.

Specific policies applicable to this designation area are outlined below:

- b) An application for development involving the conversion of employment land shall address requirements of the Provincial Planning Statement 2024.
- c) Notwithstanding any other provisions of this Secondary Plan, the development of the 'Business Park Employment' lands west of Donald Cousens Parkway and south of Highway 7 are projected to provide 5,200 jobs at ultimate build out. In order to achieve these employment projections, maximum Floor Space Index (FSI) requirements are assigned to these designations south of Highway 7 and west of Donald Cousens Parkway as identified in Appendix SP3 – Density.
- d) The implementing zoning by-law(s) for development on these lands shall include maximum densities and minimum heights for these lands in order to provide for the appropriate gross floor area necessary to achieve the projected employment, at ultimate build out, recognizing that these employment lands will be developed in phases over time.
- e) Density, height, building types and other elements of development, including but not limited to depth of any underground structures, shall be established based on the findings of the Master Environmental Servicing Plan and other technical studies required by the City and other agencies having jurisdiction, prior to approval of development.

## **8.5.2 Business Park Employment**

The 'Business Park Area - Business Park Employment' designation applies to the majority of the employment lands located in the eastern portion of Cornell Centre, north and south of Highway 7 and on both sides of Donald Cousens Parkway. The 'Business Park Employment' designation is primarily intended to accommodate business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities.

The employment opportunities in this designation are intended to be the most diverse within Cornell Centre, while capitalizing on the planned regional rapid transit route on Highway 7, the active transportation network and the proximity and connectivity with Highway 407.

### **8.5.2.1.1 Uses and Building Types**

- a) Permitted uses within the 'Business Park Employment' designation shall include those uses identified in Section 8.5.2.2 of the Official Plan as amended.

#### 8.5.2.1.2 Height and Density

- a) Minimum and/or maximum heights in each development block within the designation shall be as shown on Map SP4 - Height.
- b) The maximum floor space index of development in each development block within the designation shall be as shown on Appendix SP3 – Density.

#### 8.5.2.1.3 Development Criteria

In addition to the urban design policies in Section 6, the following policies apply:

- a) Development blocks west of Donald Cousens Parkway shall provide for the approximate minimum block depths identified in Official Plan Amendment 224, in accordance with Section 6.4.1 c).
- b) Surface parking shall not be permitted within 40 metres of Highway 7, except behind buildings facing Highway 7 with access restricted to interior streets or lanes.
- c) Vehicle access to a development adjoining Highway 7 and Donald Cousens Parkway shall generally not be permitted from these streets, but shall be restricted to interior streets or lanes.
- d) Loading access to a development adjoining Highway 7 and Donald Cousens Parkway shall not be permitted from these streets, but shall be restricted to interior streets or lanes.
- e) Vehicle access to a development adjoining Highway 7 and Donald Cousens Parkway shall generally not be permitted from these streets, but shall be restricted to interior streets, lanes or Reesor Road.
- f) Loading access to a development adjoining Highway 7 and Donald Cousens Parkway shall not be permitted from these streets, but shall be restricted to interior streets, lanes or Reesor Road.

### 8.6 Greenway Designation

The 'Greenway' designation shown on Map SP1 – Detailed Land Use contains the Natural Heritage System. These lands are intended to protect *natural heritage* and *hydrologic features* while supporting natural heritage enhancement opportunities, protection of wildlife habitat, passive recreation uses and nature appreciation.

#### 8.6.1 General Policies

That lands within the Secondary Plan Area designated 'Greenway' as shown on Map SP1 – Detailed Land Use and Map SP7 - Greenway System shall be subject to the general provisions of Section 3.1 and 8.6 of the Official Plan except as otherwise provided for in Section 4.1 of the Secondary Plan, and the land use policies of Section 8.6.2 of this Plan.

### 8.6.2 Uses

To provide for the following uses on lands designated 'Greenway' as shown on Map SP1 - Detailed Land Use:

- a) archaeological activity;
- b) ecological restoration activity;
- c) forest, wildlife habitat and fisheries management and conservation;
- d) watershed management, conservation and flood and erosion control projects;
- e) trails and nature-based public recreational activities including associated recreational infrastructure;
- f) transportation, servicing or utility infrastructure in accordance with Sections 3.1.2.9 and 7.1.1.7 of the Official Plan, which receives environmental approval under provincial or federal authority, subject to the requirements of the Greenbelt Plan where applicable; and
- g) communications/telecommunications infrastructure, subject to the requirements of the Greenbelt Plan where applicable.

## 8.7 Public Park

The 'Public Park' designation shown on Map SP1 – Detailed Land Use comprises lands that contain existing and proposed public parks in the Cornell Centre Secondary Plan Area. These lands are intended to provide residents with suitably sized and useable spaces for a diverse range of active and passive recreational and leisure activities.

### 8.7.1 General Policies

That lands within the Secondary Plan Area designated 'Public Park' as shown on Map SP1 - Detailed Land Use shall be subject to the general provisions of Sections 4.3.2 and 4.3.5 of the Official Plan, except as otherwise provided for in Sections 8.7.2 of this Secondary Plan.

### 8.7.2 Uses

To provide for the following uses on lands designated 'Public Park' as shown on Map SP1 - Detailed Land Use:

- a) field sports and recreational amenities;
- b) playgrounds;
- c) multifunctional space for social gatherings;
- d) public art; and
- e) passive and public recreational activities.

### 8.7.3 To identify and locate the following neighbourhood parks on lands designated 'Public Park' as shown on Map SP1 – Detailed Land Use and classified in Section 4.3.2.2 of the Official Plan:



- a) A “Neighborhood Park”, with a size of 2.00 hectares, located west of William Forster Road between Arthur Bonner Avenue and Highway 7;
- b) A “Neighborhood Park”, with a size of 0.98 hectares, located west of Donald Cousens Parkway south of Hwy 7;
- c) An “Urban Parkette”, with a size of 0.15 hectares, located west of Donald Cousens Parkway and south of Hwy 7;
- d) An “Urban Parkette”, with a size of 0.4 hectares, located west of Donald Cousens Parkway and south of Hwy 7;
- e) An “Urban Parkette”, with a size of 0.03 hectares, located west of Donald Cousens Parkway and south of Hwy 7;
- f) A “Neighborhood Park”, with a size TBD, located west of Bur Oak Avenue and north of Highway 7
- g) A “Neighborhood Park”, with a size 0.45 Hectares, located east of Ninth Line between Highway 7 and Rustle Woods Avenue
- h) An “Urban Parkette”, with a size 0.19 Hectares, located west of Bur Oak Avenue and north of Highway 7

## 8.8 Height and Density

Heights and densities are provided to support the achievement of the vision for the Cornell Centre Secondary Plan Area as a transit supportive and complete community. The tallest buildings and primary peaks height peaks are directed to lands along Highway 7 and in close proximity to the Cornell BRT Station. Building heights will transition downward towards the lower density residential areas. A variety of building heights are encouraged to enhance the character of the Secondary Plan Area. The densities in the Secondary Plan are intended to guide the pattern of development and support a range of built forms.

- 8.8.1 To provide for the following height and density on all land use designations, except the ‘Greenway’, and ‘Public Parks’ designations:
  - a) a minimum building height of 3 storeys;
  - b) a maximum building height in accordance with Map SP4 – Height;
  - c) a density that has regard for the floor space index (“FSI”) as shown on Appendix SP3 - Density
- 8.8.2 That densities exceeding the FSIs as shown on Appendix SP3 – Density may be considered without an amendment to the Secondary Plan, subject to the following matters being addressed to the satisfaction of the City:
  - a) transportation assessment/study to confirm the additional densities can be supported by the existing and/or planned transportation capacity of the Secondary Plan;
  - b) servicing study to demonstrate that the additional densities can be supported by existing and/or planned servicing capacity as outlined in Section 7.2 of the Secondary Plan;
  - c) the community design principles for the Secondary Plan Area as outlined in Section 6.1 of the Secondary Plan; and,

- d) housing impact statement to monitor and encourage the implementation of a diverse and affordable housing stock, including provisions for purpose built rental and/or affordable housing.

8.8.3 Additional heights up to 5 storeys above the maximum heights shown on Map SP4- Heights may be considered without an amendment to this plan on lands designated “TBC” in the Cornell Centre Major Transit Station Area, subject to a zoning by-law amendment, where the following matters are addressed to the satisfaction on the City:

- a) transportation assessment/study to confirm the additional heights can be supported by the existing and/or planned transportation capacity of the Secondary Plan;
- b) servicing study to demonstrate that the additional heights can be supported by existing and/or planned servicing capacity as outlined in Section 7.2 of the Secondary Plan;
- c) the community design principles for the Secondary Plan Area as outlined in Section 6.1 of the Secondary Plan; and,
- d) a housing impact statement to monitor and encourage the implementation of a diverse and affordable housing stock, including provisions for purpose built rental and/or affordable housing.

8.8.4 That density as identified in Section 8.9 of the Secondary Plan and as shown on Appendix xx - Height, will be calculated based on *floor space index*.

8.8.5 That where *affordable housing* units, as defined in the 2014 Official Plan, are integrated within a mixed use or residential development the gross floor area of the *affordable housing* units is exempted from the calculation of height as shown on Map SP4 – Height and density as shown on Appendix SP3 – Density.

## 9. AREA SITE SPECIFIC POLICIES

Area and site specific policies are intended to build on the policy framework of the Secondary Plan, and provide further direction for specific sites.

### **It is the policy of Council:**

- 9.1 That the following applies to lands located within the Rouge National Urban Park Gateway Study Area as identified on Map SP1 – Detailed Land Use:
  1. That development of these lands have consideration for the Cornell Rouge National Urban Park Gateway Study Final Report endorsed by Markham Council in 2020, which contains a framework for the creation of a pedestrian and active transportation focused gateway connecting Cornell Centre and the Rouge National Urban Park.

2. That opportunities to improve the pedestrian environment in the Gateway Area such as landscaping, planters, seating, enhanced urban design, architectural design, and interactive public art be considered through the development of these lands.
3. Comprehensive block plans should be prepared to implement the vision for the Gateway. The comprehensive block plans should address and identify the following:
  - a) Appropriate building to right-of-way setbacks, building massing, orientation and interface conditions to support animated streetscapes, enhanced public realm and protected viewsheds;
  - b) Opportunities to enhance the public realm such as public art, urban plazas, outdoor patios and POPS which should be prioritized at the major road intersections and mid-block connections along Highway 7;
  - c) Support for a variety of ground-floor retail, service, restaurant and cultural uses to support pedestrian activity within the Gateway;
  - d) A landscaping approach that complements the Highway 7/Reesor Road streetscape strategy;
  - e) Height transition and specific architectural design elements in proximity to Rouge National Urban Park;
  - f) Location of parking and loading areas;
  - g) Mid-block pedestrian/road connections including trail connections to Rouge National Urban Park to be coordinated with welcome area; and,
  - h) Sustainability features including low impact development measures
4. That Parks Canada be consulted as these lands are developed.

## **10. IMPLEMENTATION**

### **10.1 General Policies**

#### **It is the policy of Council:**

- 10.1.1 That the Secondary Plan shall be implemented in accordance with the provisions of the Planning Act, and other provincial legislation, the provisions of Chapter 10 of the Official Plan and the provisions of this Plan.
- 10.1.2 That a holding provision may be placed on lands, where appropriate, to identify conditions that must be met before the ultimate use of land is permitted in accordance with Section 36 of the Planning Act and section 10.2.3 of the Official Plan.

### **10.2 Developers' Group Agreement(s)**

Developers' Group Agreements have supported the orderly development of secondary plan areas across the City. As a result, the policies in this Secondary Plan strongly encourage the development of a Developers' Group Agreement(s).

**It is the policy of Council:**

- 10.2.1 That the location of proposed public infrastructure such as roads, stormwater management facilities or the provision of other community facilities identified in the Secondary Plan have been incorporated without regard to property ownership. In order to ensure that all affected property owners contribute equitably towards the provision of community and infrastructure facilities to support the development of complete communities such as public parks, open space, modifications to natural features, roads and road improvements, internal and external municipal services, and stormwater management facilities, developers are encouraged to enter into Developers' Group Agreement(s) or other agreements in accordance with Section 10.8.3 of the Official Plan.
- 10.2.2 That Developers' Group Agreement(s) should support the equitable distribution of the costs, including lands, of the aforementioned community and common public facilities and associated studies where such costs are not dealt with under the Development Charges Act, 1997.

**10.3 Development Phasing Plan****It is the policy of Council:**

- 10.3.1 That full buildout of the Secondary Plan will be achieved over the long-term and development shall be coordinated with the provision of infrastructure and community facilities to support complete and healthy communities, including:
- a) transit;
  - b) road network capacity;
  - c) pedestrian and cycling facilities;
  - d) water and waste water services;
  - e) stormwater management facilities;
  - f) public schools and other community infrastructure;
  - g) the acquisition of public parkland;
  - h) streetscape improvements; and
  - i) utilities.
- 10.3.2 That development will be coordinated with the delivery of infrastructure in accordance with the York Region 10-year capital plan, Water and Wastewater Master Plan and Transportation Master Plan.
- 10.3.3 That development within the Secondary Plan Area shall not preclude the achievement of a complete community, and the community structure as shown on Map SP2 – Community Structure.
- 10.3.4 If a property is proposed to be developed in phases, a development phasing plan shall be submitted prior to any *development approval*. The development phasing plan shall also address:
- a) the planned distribution of housing by height and density;

- b) timing of delivery of key internal and external water and wastewater distribution systems, and stormwater management facilities; and
- c) timing of construction and operation of major utility facilities.

10.3.5 The development phasing plan shall be prepared by development proponents, in consultation with the City and York Region, in a manner consistent with the required supporting studies, and applicable Provincial, Regional, City and Toronto and Region Conservation Authority policies.

10.3.6 That the City shall ensure through plans of subdivision, development agreements, and holding provisions in the zoning by-law, that development occurs sequentially.

#### **10.4 Parkland Dedication and Master Parkland Agreement**

The location of park sites shown on Map SP1 – Detailed Land Use have been identified to support complete communities and ensure equitable access to public parks for active and passive recreation. For this reason, the City strongly encourages that development proponents enter into a Master Parkland Agreement with the City prior to any development approvals within the Secondary Plan Area.

##### **It is the policy of Council:**

- 10.4.1 That developers shall be encouraged to enter into a Master Parkland Agreement with the City prior to any *development approvals* within the Secondary Plan Area. The Master Parkland Agreement shall identify the minimum size and general location of parks that shall be provided in accordance with Map SP1 – Detailed Land Use.
- 10.4.2 That parkland dedication shall be provided in accordance with the Master Parkland Agreement.
- 10.4.3 That as a condition of *development approval* of any lands within the Secondary Plan Area that are subject to a Master Parkland Agreement, the developer shall provide confirmation from the developers' group(s) that the developer has satisfied all of their parkland obligations with respect to the Master Parkland Agreement.

### **11. INTERPRETATION**

#### **11.1 General Policies**

##### **It is the policy of Council:**

- 11.1.1 That the provisions of Section 11.1 and any other section of the Official Plan regarding the interpretation of that Plan shall apply in regard to this Secondary Plan, however in the event of a discrepancy between this Plan and the policies and/or designations of Part I of the Official Plan, the policies of this Plan shall prevail.
- 11.1.2 That this Secondary Plan be read in its entirety and all policies must be considered, including the applicable policies of the Official Plan.

- 11.1.3 That this Secondary Plan includes goals, objectives, principles and policies that are intended to guide development within the Secondary Plan Area. Some flexibility in interpretation is permitted, at the discretion of Council, provided that the intent of the goals, objectives, principles and policies are maintained.
- 11.1.4 That the detailed pattern of land use and the transportation network for the Secondary Plan Area as outlined on Maps SP1 – Detailed Land Use, SP5 – Street Network, and SP6 – Transit and Active Transportation Network may be subject to minor adjustments during the plan of subdivision and/or site plan approval processes, taking into account such matters as the preservation of natural vegetation or heritage resources, stormwater management requirements, detailed land use relationships, and street patterns.
- 11.1.5 That references to “acceptance” or “accepted” by the City of required studies undertaken in support of a development application shall mean acceptance to the satisfaction of Markham staff and external agencies, where applicable.

## **APPENDICES**

**MAP SP1 – Detailed Land Use**

**MAP SP2 – Community Structure**

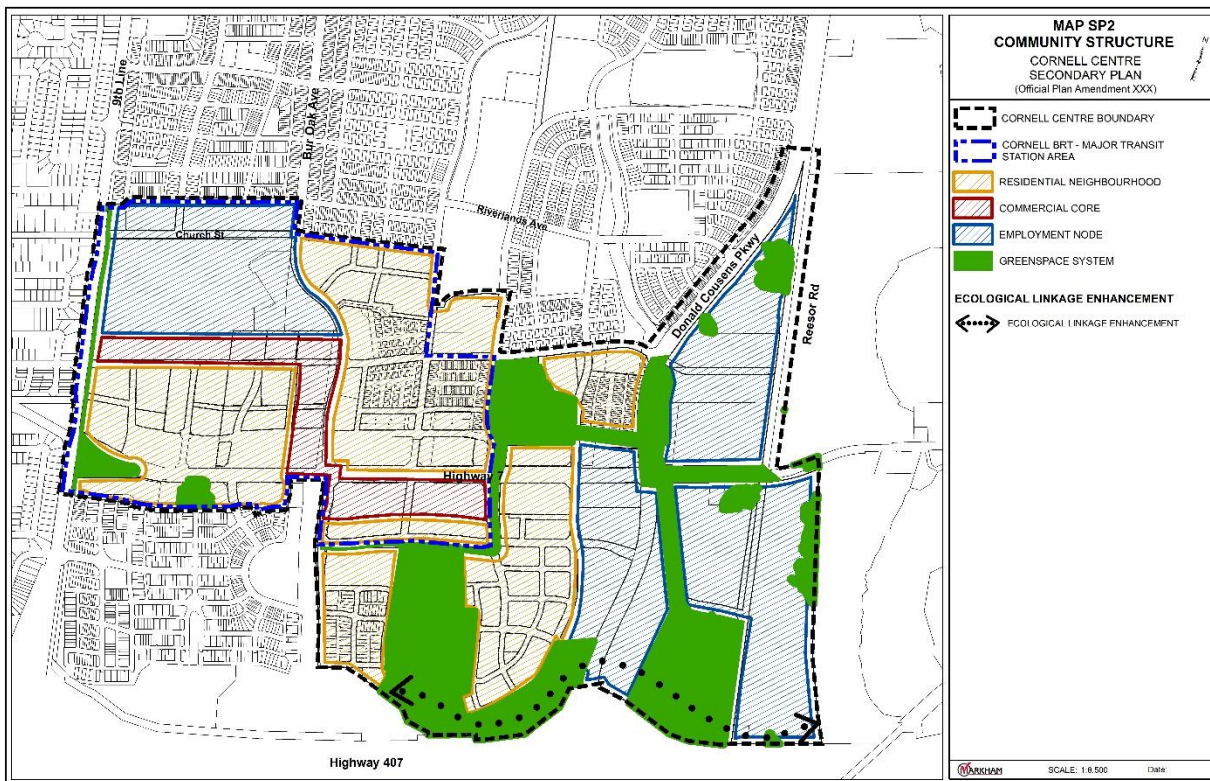
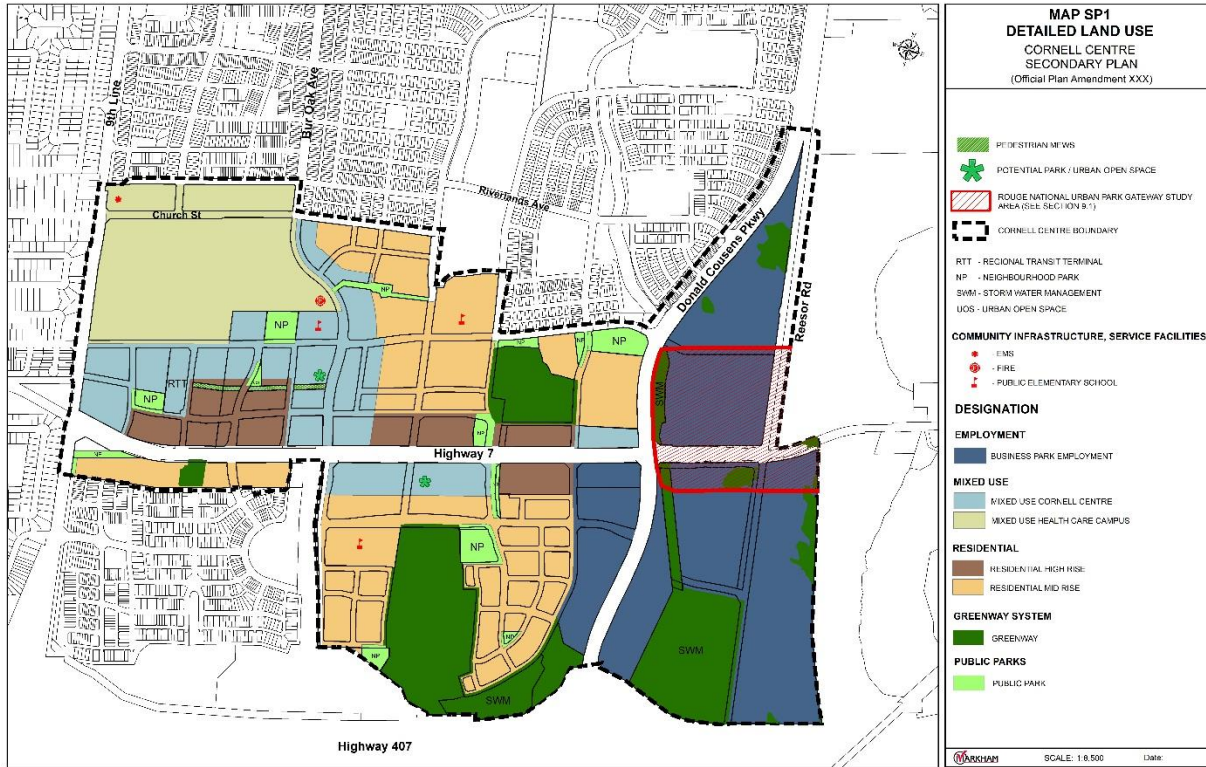
**APPENDIX SP3 – Density**

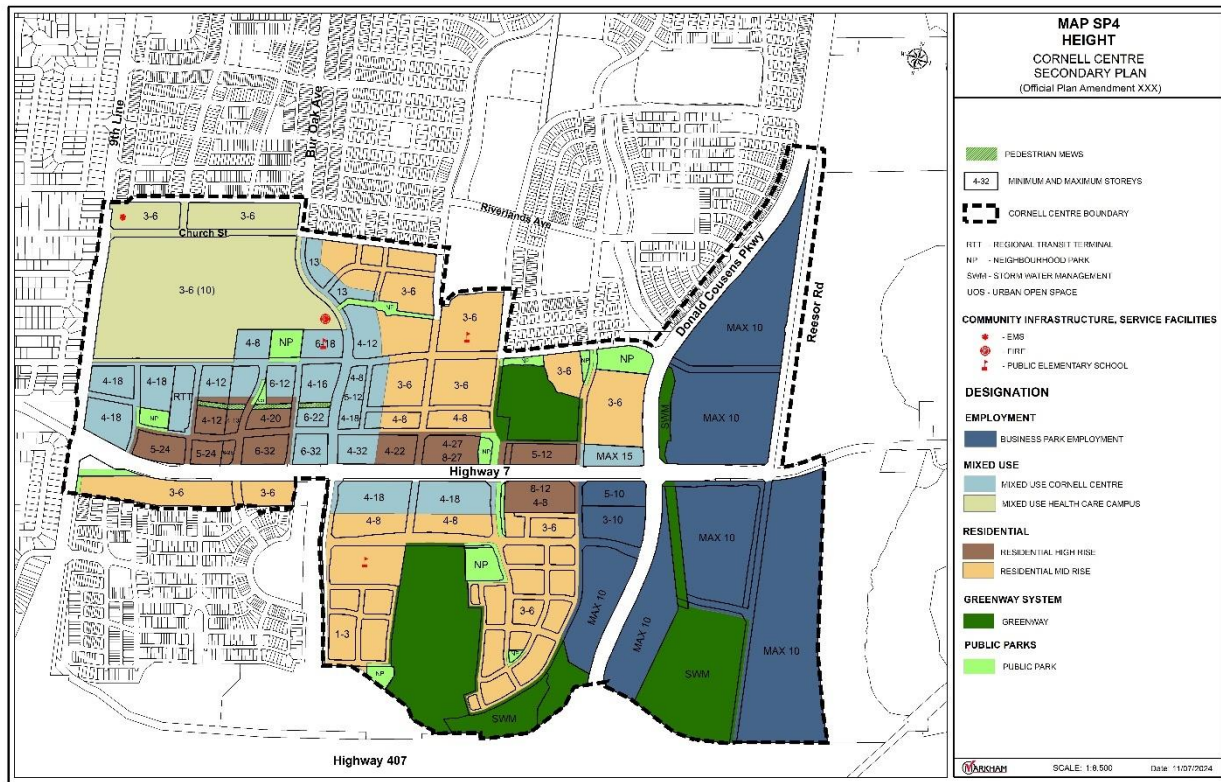
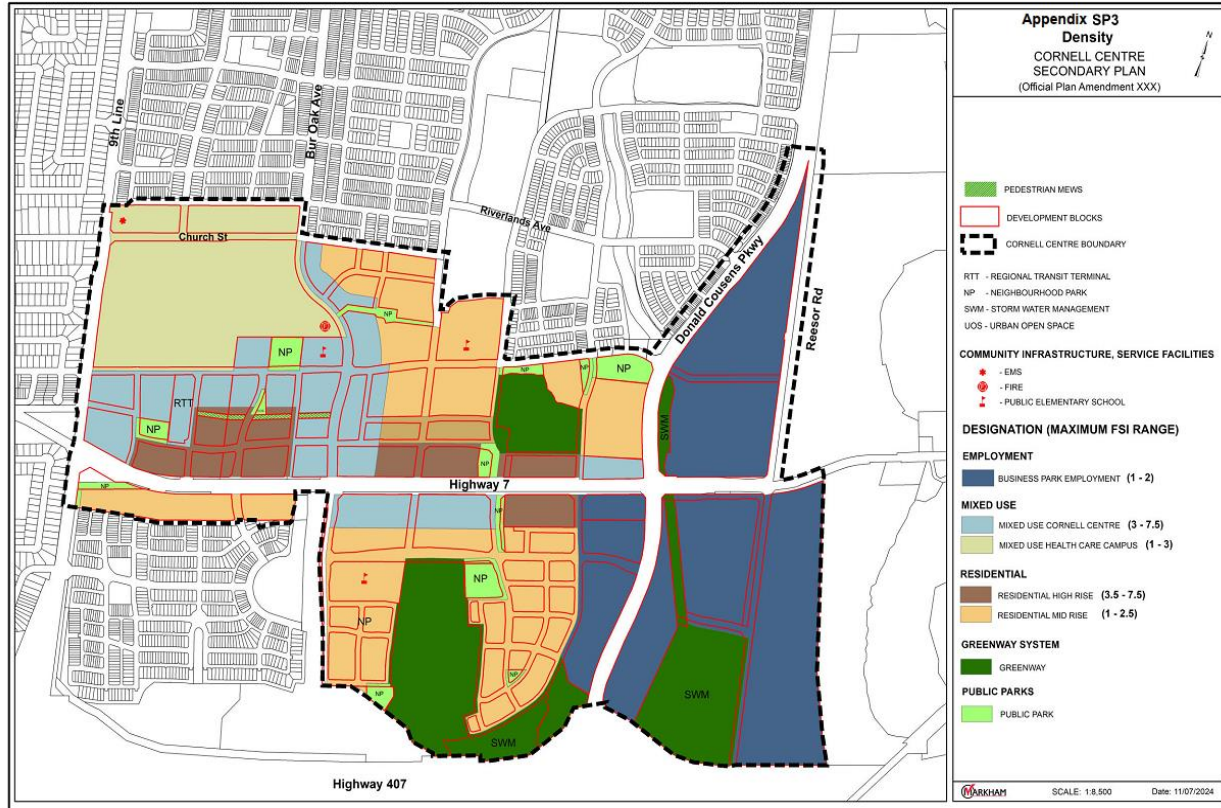
**MAP SP4 – Heights**

**MAP SP5 – Refined Road Network**

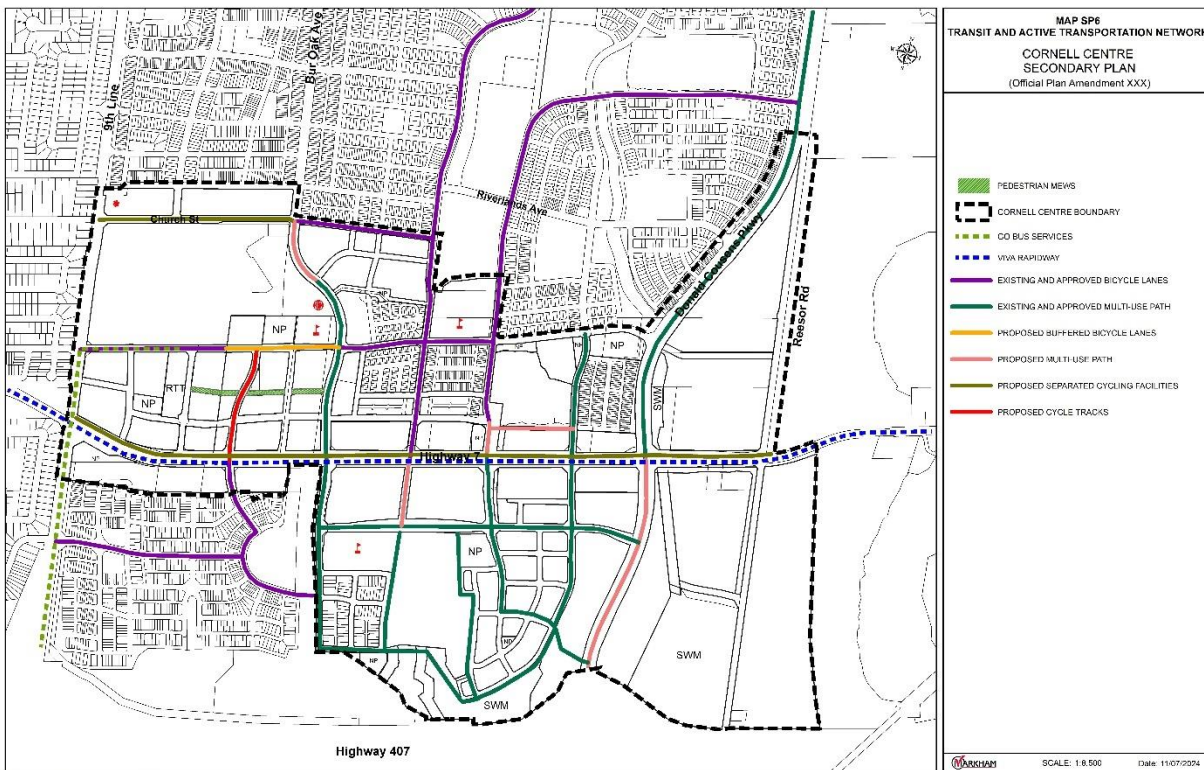
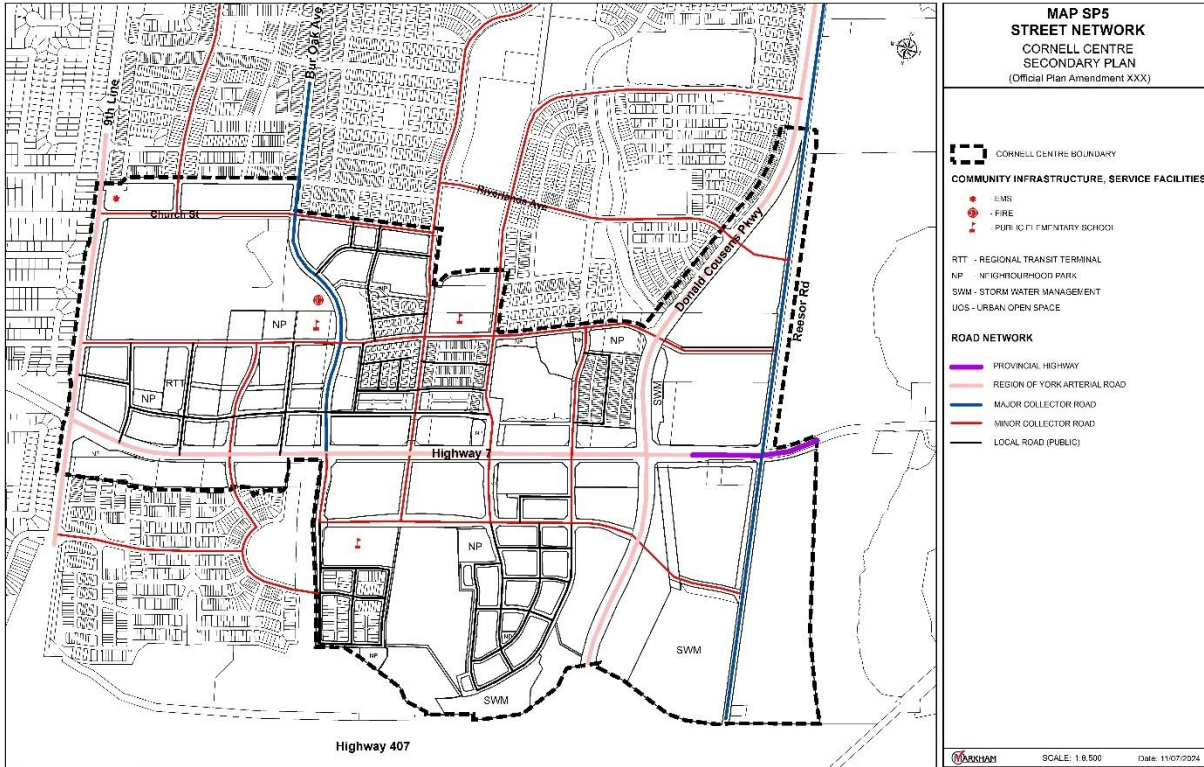
**MAP SP6 – Transit and Active Transportation**

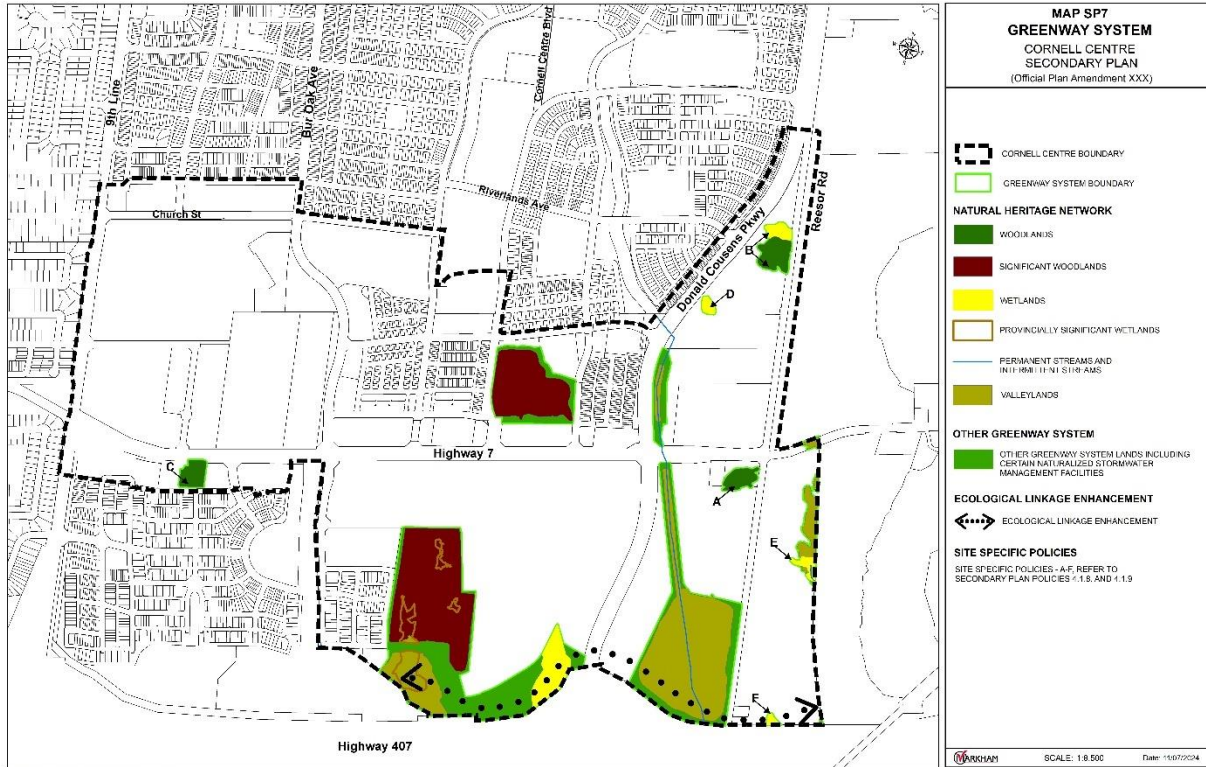
**MAP SP7 – Greenway System**











DRAFT



# Natural Heritage Review & Mapping Update

Prepared in Support of the City of Markham Cornell  
Centre Secondary Plan Update

September 2024

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## 1.0 Introduction and Purpose

The following report has been prepared to support the natural heritage component of the Cornell Centre Secondary Plan Update. The Secondary Plan Update is identified in policy direction in the 2014 Markham Official Plan and is being undertaken to bring the Secondary Plan into conformity with current provincial planning direction, the recently approved 2022 York Region Official Plan and Markham's 2014 Official Plan. The review will be providing updated direction to reflect prior development approvals in Cornell Centre, in-process development applications undergoing review and future development anticipated in response to growth and provincial direction for density targets to support higher order transit.

Given that much of the Greenway System in Cornell has been established through previous studies and development approvals in accordance with direction in the Cornell Secondary Plan, the completion of a comprehensive natural heritage study is not required. The natural heritage component of the update is being scoped to ensure that natural heritage elements identified in the 2014 Markham Official Plan and that are not currently identified in the Secondary Plan are mapped and addressed with appropriate policy direction recognizing the established planning direction for Cornell.

The focus of the natural heritage review will ensure that the Natural Heritage Network elements of the Greenway System, including woodlands wetlands and valleylands, are comprehensively mapped taking into account criteria in the Markham Official Plan and previous environmental studies that informed the planning direction for Cornell. Existing naturalized stormwater management facilities are already mapped as Other Greenway System Lands in the 2014 Markham Official Plan and newly constructed stormwater management facilities will be added to the Greenway System through this Secondary Plan update.

The mapping update has been limited to a review of desktop materials, such as online databases, previously completed environmental studies, aerial imagery, site visits to verify natural feature presence and interpretation of vegetation cover and mapped feature limits based on the background review. It does not replace the need for detailed field inventories or environmental impact studies to be undertaken by development proponents to confirm the status or significance of features or the required mitigation to be implemented as part of future development approval processes.

## 2.0 Background

Cornell is a master planned community in the east end of Markham designed on New Urbanism principles. The land use planning for Cornell began in the late 1980s and construction of the residential subdivisions began in the mid-1990s. Today, the residential neighbourhoods in Cornell are largely built-out.

Cornell Centre is generally located at the south end of the Cornell community along Highway 7 between 9<sup>th</sup> Line and Reesor Road. It is intended to serve as a mixed-use district with a mix of residential, retail, office and public uses at transit-supportive densities within a Regional Rapid Transit Corridor. Significant portions of Cornell Centre remain undeveloped and an updated Secondary Plan is intended to guide development approvals.

### 2.1 Land Use Planning Background

The Secondary Plan for Cornell was first approved in the mid-1990s and has been updated in 2008 through Official Plan Amendment 168 to the 1987 Markham Official Plan. A portion of the Cornell Secondary Plan was incorporated into the 2014 Markham Official Plan while the Cornell Centre lands remain subject to the 1987 Official Plan, as amended. Figure 1 below illustrates the boundary for the Cornell Centre Secondary Plan Study Area in relation to the larger Cornell District that was originally established through the Cornell Secondary Plan.





provide continuity of the open space system and opportunities for recreational and naturalized links to be provided to the proposed Rouge Park, the protection of significant features and restoration of linkages between features. At the time, five significant woodlands were designated. The designation of the greenway system and natural features in Cornell was based on a City-wide Natural Features Study completed in 1993. The City-wide Study informed both the Secondary Plan policy framework for Cornell as well as the broader policy direction for natural heritage for the Markham Official Plan.

### 2.1.2 Official Plan Amendment 168 (OPA 168)

The Cornell Secondary Plan (OPA 20) was updated and replaced in 2008 through the adoption of OPA 168. At the time, updates to the Cornell Secondary Plan policy framework included adding new lands to the urban service area for employment uses and removing the Rouge Park North Lands in the Greenbelt as these lands had been brought into the provincial Greenbelt through the Greenbelt Act in 2005. The concept of a connected system of parks, open spaces, linkages and other complementary elements of the open space system was retained from OPA 20 in the policies along with the continued designation of significant woodlands in an Environmental Protection Area (EPA) designation with requirements that development proponents undertake environmental impact studies to confirm boundaries and measures to avoid, minimize and mitigate impacts to the EPA designation. The open space and greenway designations were shown schematically in the Secondary Plan (see Figure 2 below). The designations were intended to be confirmed through detailed studies and plans including through preparation of an Environmental Management Study.

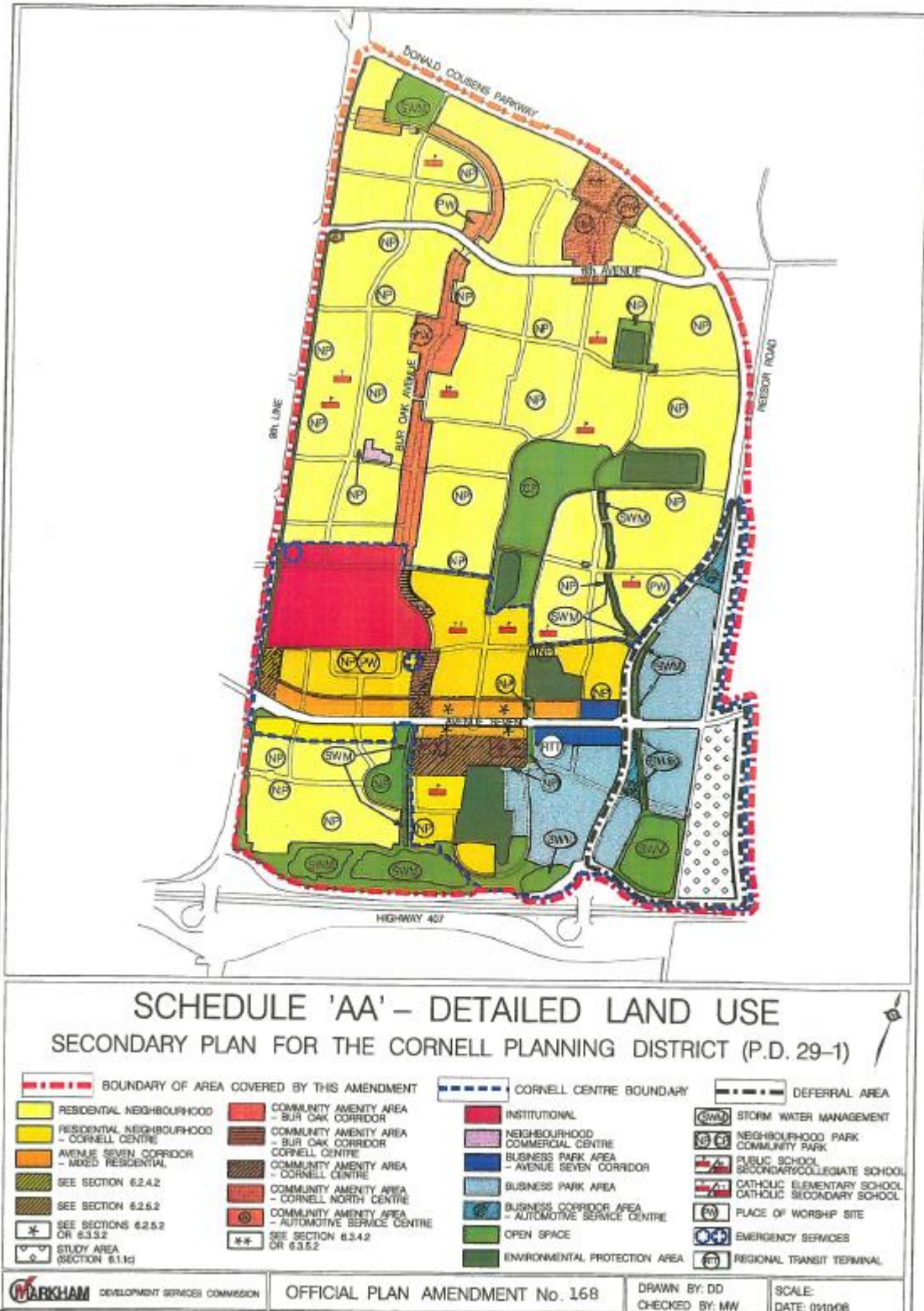


Figure 2. OPA 168 – Schedule 'AA' – Detailed Land Use

### 2.1.3 City of Markham Official Plan (2014)

#### Cornell Centre

The Markham Official Plan identifies Cornell Centre as a key development area requiring an updated Secondary Plan. The land use designations in the Markham Official Plan shall be used to inform the updated Cornell Centre Secondary Plan. Until an updated Secondary Plan is approved, the provisions of Official Plan Amendment 168 shall continue to apply to the Cornell Centre lands.

Within Cornell Centre, the Markham Official Plan has identified several natural features for protection. These include: a woodland and open spaces within the Lindwide plan of subdivision; the Cornell Tributary C and stormwater management facility located east of Donald Cousens Parkway; and the woodland located at the southeast corner of Rustle Woods Avenue and William Forster Road. All of these Greenway lands are either in City ownership or will be conveyed as a condition of development approval. The current Greenway land use designation and natural heritage features mapping in the Markham Official Plan are provided in Figures 3 and 4.

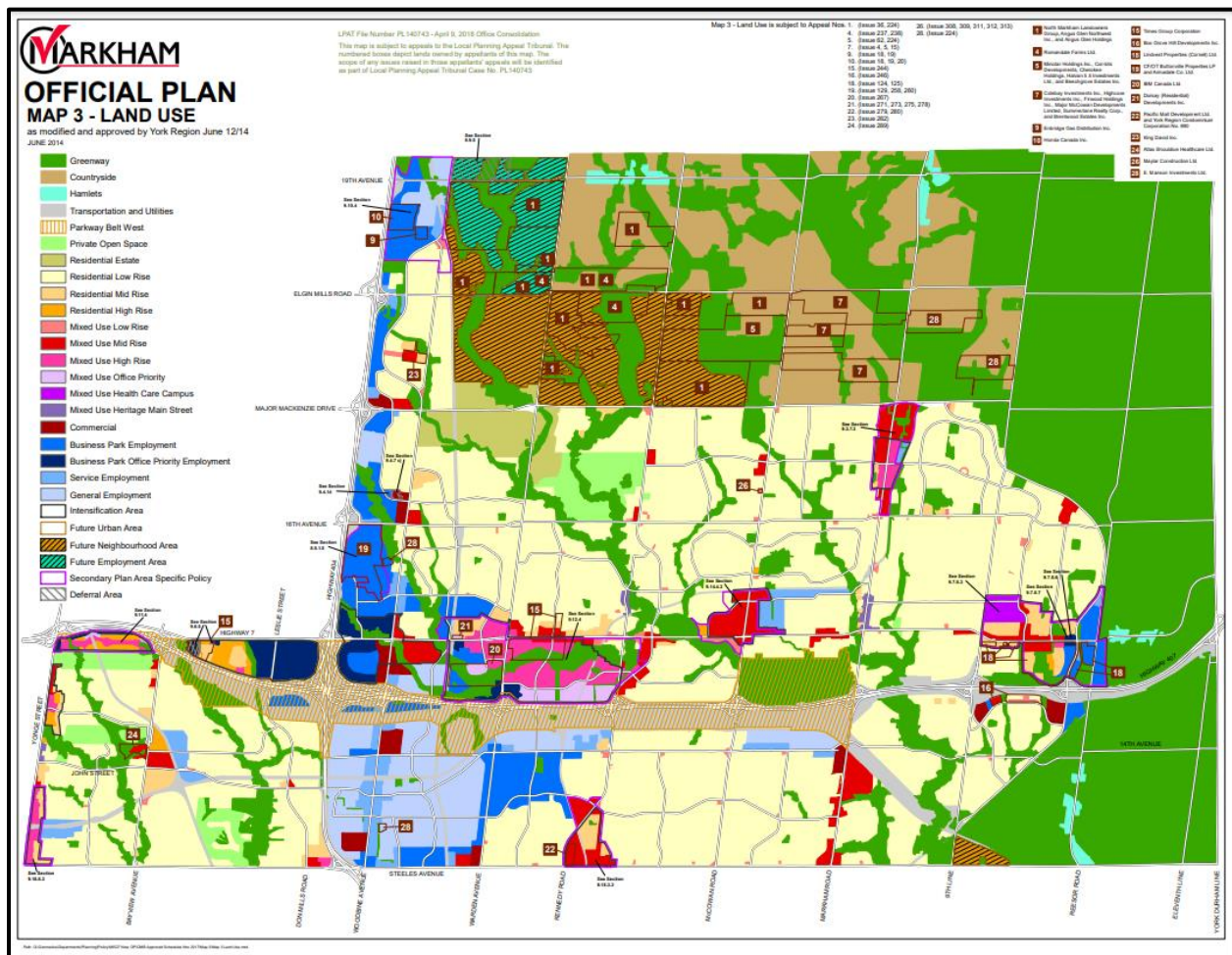
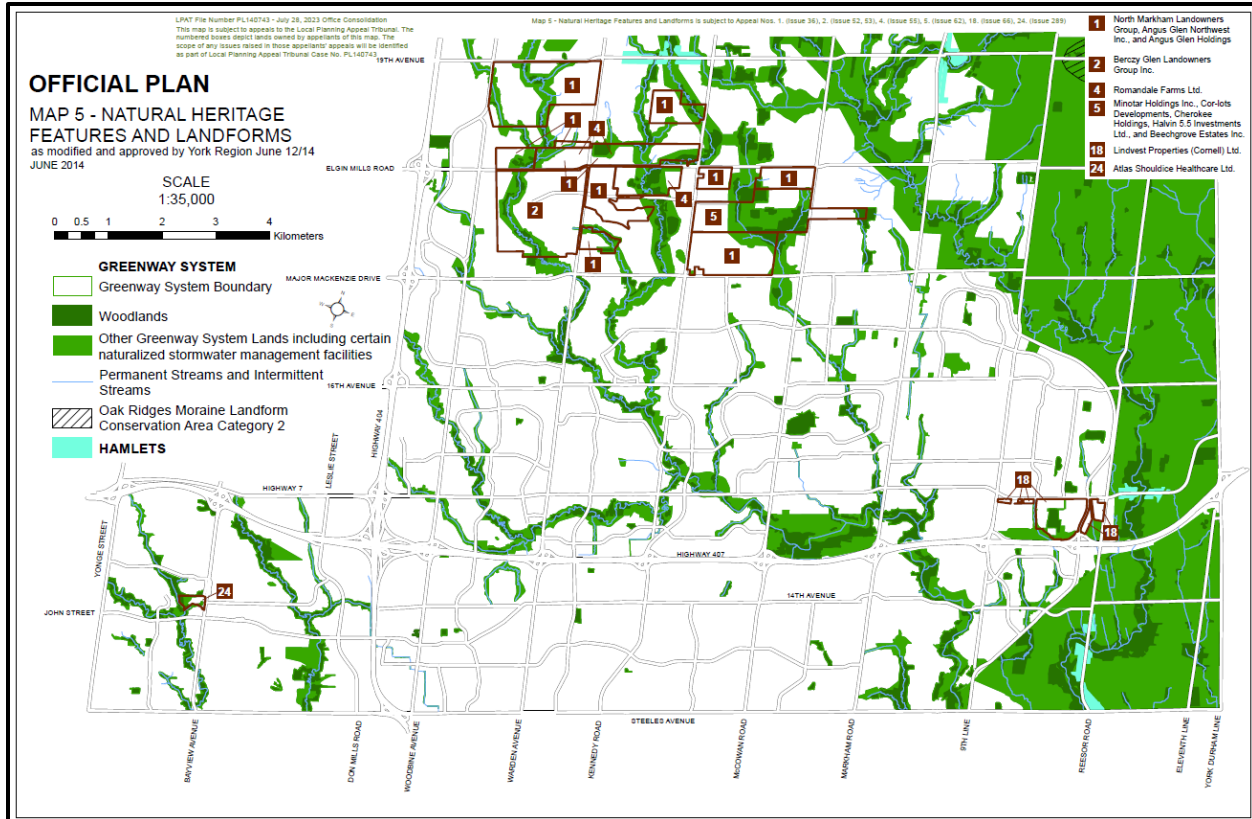


Figure 3. Map 3 – Land Use, Markham Official Plan, 2014



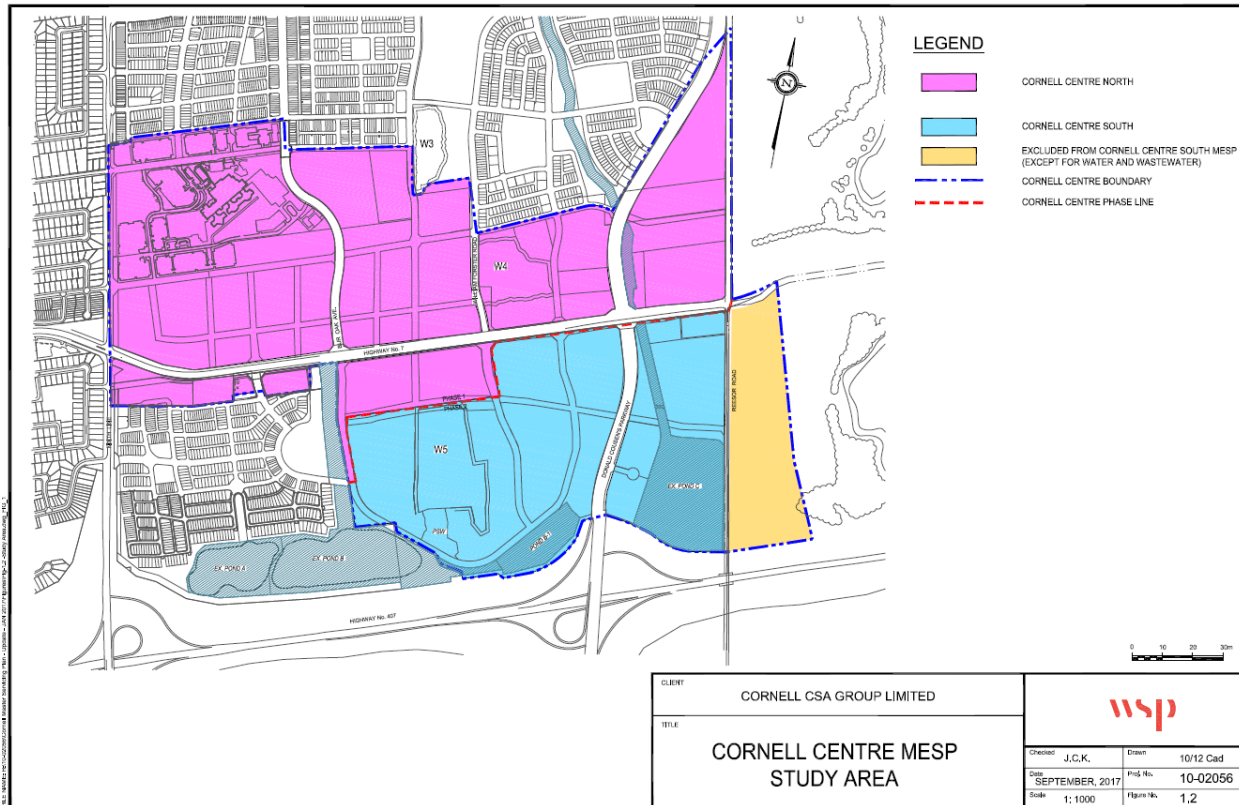
**Figure 4.** Map 5 – Natural Heritage Features and Landforms – Markham Official Plan, 2014

### *Balance of the Cornell Lands (Outside of Cornell Centre)*

The balance of the Cornell lands are subject to the Markham Official Plan 2014. Official Plan Amendment 168, as it relates to these lands, has been repealed and is no longer in force and effect. These lands do not form part of the study area for this Secondary Plan update and will not be further described in this Study.

## 2.2 Existing Studies – Master Environmental Servicing Plans (MESPs)

Two MESPs for Cornell Centre North and Cornell Centre South were prepared by the Cornell Landowners Group to provide comprehensive environmental and servicing strategies for Cornell Centre. The MESPs built on initial servicing studies that supported the original planning approval for the Cornell Community. The MESPs characterized existing natural heritage, flora and fauna as well as hydrologic and hydrogeologic conditions, flood hazards, and stormwater drainage for Cornell Centre. The MESPs included impact assessments of proposed development and recommendations to address impacts, including identification of development limits and significant environmental features to be protected and managed in the implementation of the Secondary Plan. Management recommendations addressed historic watercourses draining the Cornell Community and summarized approvals that were implemented to mitigate fish habitat and manage stormwater in an integrated manner. Figure 5 below identifies the boundaries of the two Cornell Centre MESPs.



**Figure 5.** Boundary of MESP

Note: For Cornell Centre South, natural heritage investigations did not include lands east of Donald Cousens Pkwy.

### 2.2.1 Natural Heritage

#### *Cornell Centre (North) Master Environmental Servicing Plan (2017)*

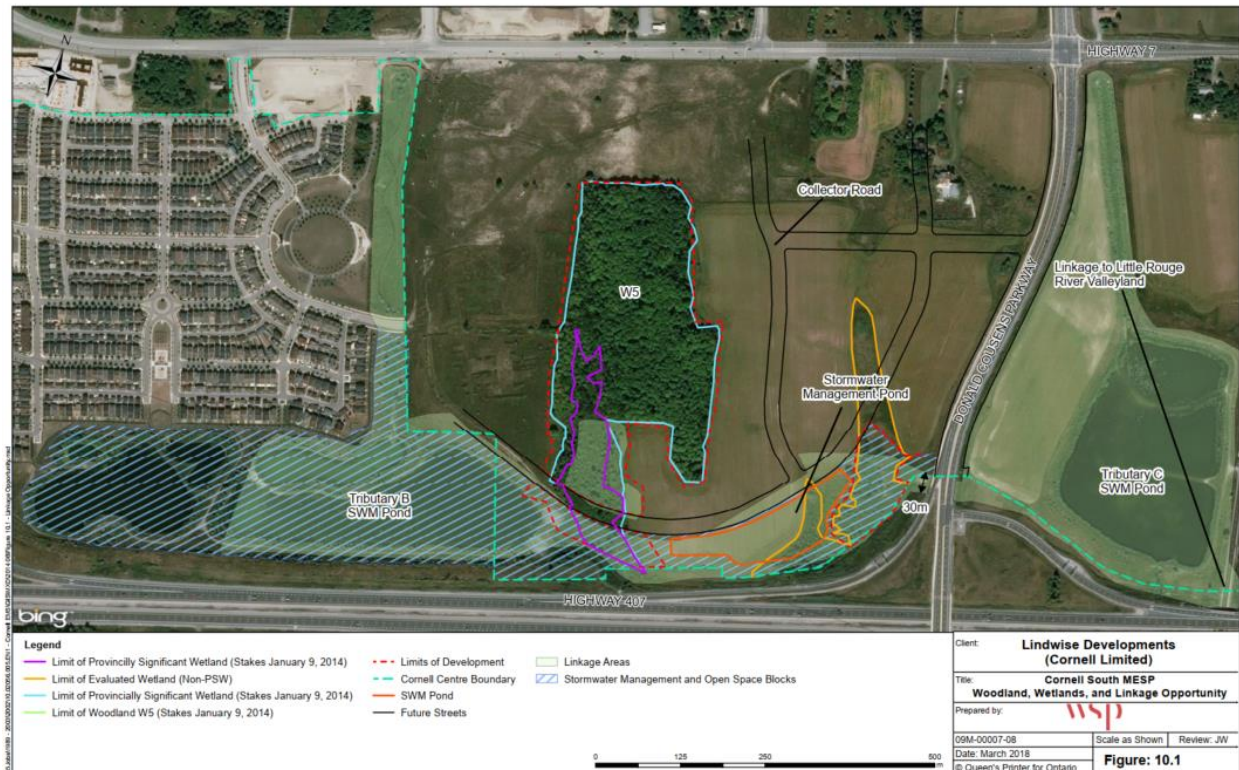
The Cornell Centre (North) MESP was prepared in support of certain lands in Cornell Centre. The MESP provides information on the natural heritage features identified for protection, and only provides limited vegetation analysis for cultural woodlands and hedgerows. At the time, the MESP identified that each individual landowner was expected to identify and address hedgerows and cultural woodlands through their draft plan approval process. Within the MESP study area limits, one significant woodland (Woodland W4) was assessed as a Dry-Fresh Sugar Maple Deciduous Forest, FOD5-1. This woodland including a 10m buffer is owned by the City of Markham.

#### *Cornell Centre South Master Environmental Servicing Plan (2018)*

The Cornell Centre South MESP was prepared in support of the Lindwide Plan of Subdivision and provides information on natural heritage features including significant woodland and wetlands. Through the planning review process, the City has provided draft plan approval including the approval of development limits that protect woodlands, wetlands and restoration lands and requires their conveyance into City ownership.

Notwithstanding the MESP study area boundaries identified in Figure 5, the natural environmental investigations did not include any lands east of Donald Cousens Parkway.

The Cornell Centre South MESP proposes that an east-west ecological linkage along the north side of Highway 407 be established (Figure 6). This ecological linkage would connect the Cedar Grove Provincially Significant Wetland Complex and a large Sugar Maple Forest to the valley systems of the Little Rouge Creek and the Rouge National Urban Park. A width of 50 metres is identified to support movement for generalist wildlife species. The first segment of this ecological linkage – from the Cedar Grove wetlands to Donald Cousens Parkway – has been protected and will be conveyed into City ownership.



**Figure 6.** Ecological linkage opportunity excerpt from the Cornell South MESP

### 2.2.2 Stormwater Management

Cornell Centre is planned to be serviced by four stormwater management facilities located along the north side of Highway 407. Recommendations were included in the Cornell Centre MESP that a separate future stormwater servicing study be prepared for the employment lands east of Reesor Road as the lands were not included in the stormwater catchments studied in the Cornell MESP. It was recommended that stormwater management requirements be determined through a future functional servicing report for these lands.

### 2.3 Summary of the Status of Natural Heritage Features in the Study Area

Large portions of Cornell Centre are either developed or have planning approvals in place. Based on a review of the site conditions, City staff have identified seven natural heritage features within the study area identified below in Figure 7.



**Figure 7.** Locations of Natural Heritage Network Features in the Cornell Centre Secondary Plan Study Area

Natural features 1 through 4 are located on lands that have site-specific planning approvals. These natural features have either been protected and conveyed into City ownership or have been approved for removal and compensation.

Natural features A through F are located on vacant lands designated for development within the existing Cornell Secondary Plan (OPA 168). These natural features do not have site-specific planning approvals and only limited assessment of these features were completed within the Cornell Centre MESP.

A summary of the status of each natural feature is provided below in Table 1.

Table 1. Summary of the Status of Natural Heritage Features

Natural Feature	Description	Status
1	Significant Woodlands and Wetlands	Protected and to be conveyed into City ownership
2	Woodlands	Approved for development. Woodland to be removed and compensated
3	Significant Woodlands	Protected and owned by City
4	Valleyland, naturalized stormwater management facility and conveyance channel	Protected and owned by City
A	Candidate woodland.	To be determined in Cornell Centre Secondary Plan update



	- Identified as a cultural woodland in the Cornell Centre North MESP	
B	Candidate woodland and wetland - Identified as a cultural woodland in the Cornell Centre North MESP	To be determined in Cornell Centre Secondary Plan update
C	Candidate woodland - Not assessed in Cornell Centre MESP	To be determined in Cornell Centre Secondary Plan update
D	Candidate wetland - Not assessed in Cornell Centre MESP	To be determined in Cornell Centre Secondary Plan update
E	Candidate wetland and valleyland	To be determined in Cornell Centre Secondary Plan update
F	Candidate wetland	To be determined in Cornell Centre Secondary Plan update

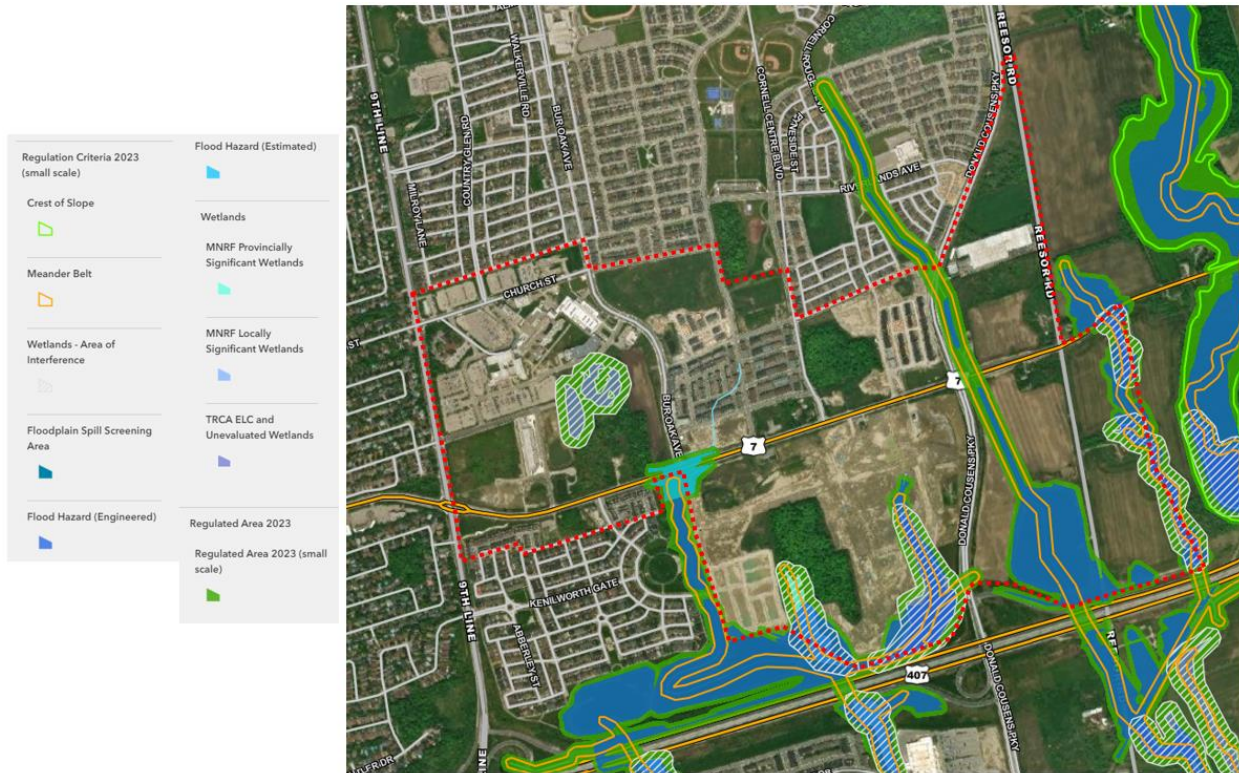
## 2.4 Natural Hazards in the Study Area

The City of Markham seeks to ensure the protection of public health and safety from natural hazards such as flooding and valley erosion. The Markham Official Plan 2014 directs development and site alteration away from hazardous lands and supports the regulatory interests of the Toronto and Region Conservation Authority (TRCA) in managing natural hazards.

Portions of the study area are regulated by the TRCA due to the presence of watercourse, wetlands and associated flooding and erosion hazards. Through a review of TRCA's online mapping tool, the following natural hazards have been identified:

- Unevaluated wetlands located northwest of Bur Oak Ave and Highway 7 East. These wetlands have been approved for removal and compensation.
- Floodplain, meanderbelt and Provincially Significant Wetlands within the Lindside Plan of Subdivision (PLAN 22 154617). The development limits within this subdivision have been approved by the City and the TRCA.
- Floodplain and meanderbelt associated with Tributary C, generally located between Donald Cousens Parkway and Reesor Road. It is noted that this is a stormwater conveyance channel and pond facility that was constructed and conveyed into City ownership.
- Wetlands, meanderbelt and floodplain associated with a tributary of the Little Rouge Creek generally located east of Reesor Road and straddling the Cornell Centre Secondary Plan boundary.

The Cornell Centre MESP has completed floodplain mapping for the majority of the Cornell Centre lands, however it is anticipated that detailed, site-specific studies may be required to address potential slope stability, meanderbelt and wetland matters. The lands east of Reesor Road are not addressed in the MESP and will also require site-specific technical studies.



**Figure 8.** TRCA Regulation Mapping Online Tool, Accessed September 2024

While it is anticipated that natural hazards have been adequately addressed through the identification of a Greenway System and associated Secondary Plan policies, it is noted that the regulation mapping shown on Figure 8 is a screening tool and that the regulated area of the TRCA is determined based on the text of O. Reg. 41/21. Additional features may be encountered and require additional study to address TRCA's regulatory interests.

Based on TRCA's staff review, further study may be required for the lands known municipally as 8600 Reesor Road and 7482 Highway 7 East to confirm regulated features, beyond those identified on TRCA's online mapping tool. Pre-consultation with the TRCA is recommended.

### 3.0 Natural Feature Study Locations

This Study provides a preliminary screening of available information for natural features A to F as identified in Figure 7. The natural features listed below were identified for initial screening and review within the study area through an interpretation of aerial photography, ground-truthing site visits, and relevant policy analysis, as stated above, to determine if these natural features should be included in the Cornell Centre Secondary Plan Update.

#### 3.1 Site A – 7485 Highway 7 East (Cornell Centre South)

Site A is located at 7485 Highway 7 East in what has been identified in the MESP as Cornell Centre South. The current land use designation in the 2014 Official Plan is “Business Park Employment” with “Highway Commercial” (HC2) Zoning. An approximately 0.46 ha woodland has been identified on site.

Surrounding land uses include residential, agriculture, transportation, and greenway, including Rouge National Urban Park to the east.

The site has a history of disturbance and vegetation removal for agricultural support purposes.



**Figure 9.** Approximation of Woodland limits at 7485 Hwy 7 East showing the woodland polygon to be approximately 0.46ha of closed canopy trees.

#### 3.2 Site B – 8724 Reesor Road (Cornell Centre North)

Site B is located at 8724 Reesor Road in what has been identified in the MESP as Cornell Centre North. The current land use designation in the 2014 Official Plan is “Business Park Employment” and “Service Employment” (at the northernmost tip of the site) with “Agriculture” (A1) Zoning. An approximately 0.56 ha woodland and an approximately 0.18 ha wetland have been identified on site.

Surrounding land uses include residential, agriculture, transportation, open space, and greenway, including Rouge National Urban Park to the east.

The site has a history of disturbance and vegetation removal for residential and agricultural purposes.



**Figure 10.** Approximate size and location of the woodland (south) and wetland (north) features identified at 8724 Reesor Road

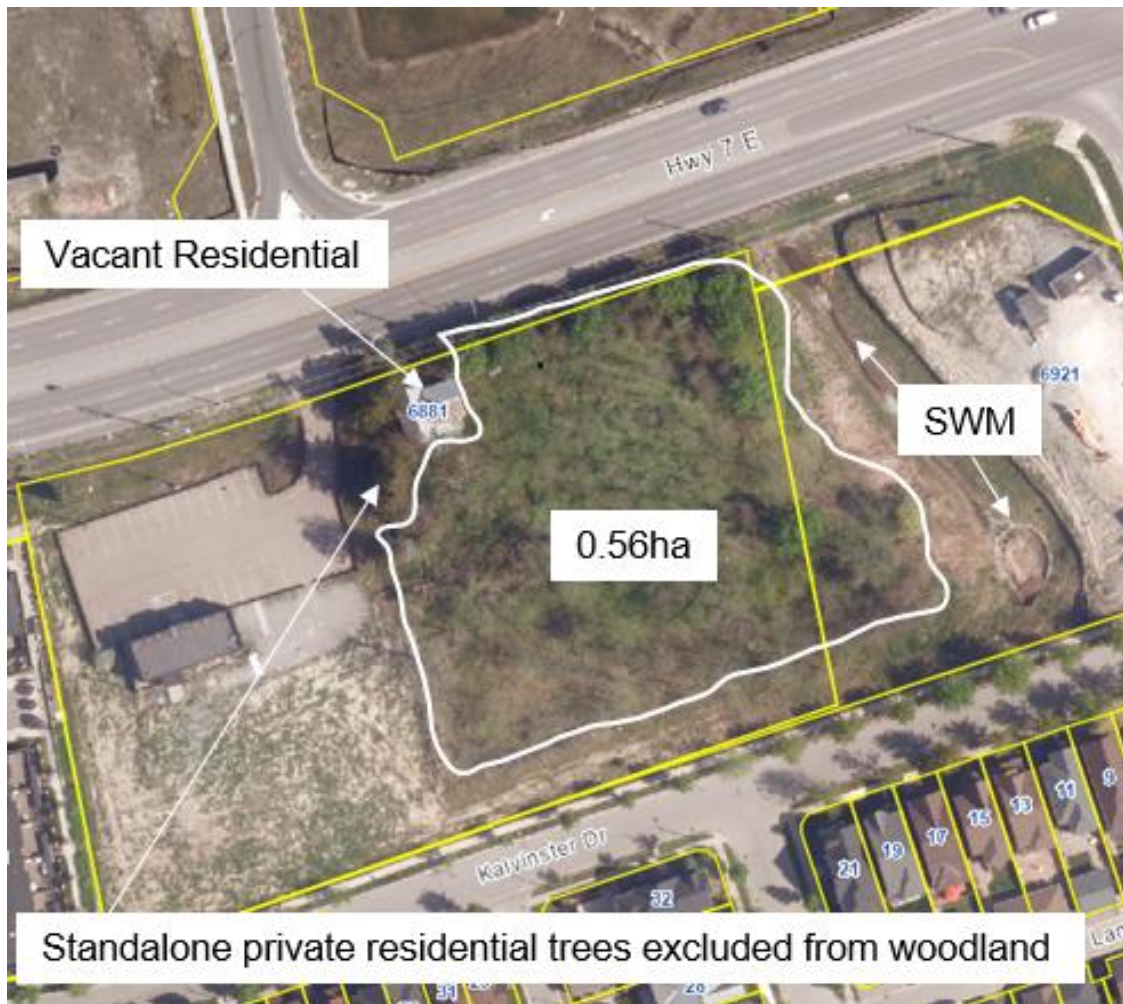
### 3.3 Site C – 6881-6921 Highway 7 East

Site C is located on both 6881 and 6921 Highway 7 East. The current land use designation in the 2014 Official Plan is “Residential Mid Rise” across the entirety of both properties. The property at 6881 Highway 7 East is zoned Rural Residential 2 (RR2) and the property at 6921 Highway 7 East is zoned Commercial Amenity 3 (CA3\*494H). An approximately 0.56 ha woodland has been identified across both sites, with the majority of it on the 6881 Highway 7 East property.

Surrounding land uses include residential, parks, transportation, industrial, stormwater management, open space, and greenway. Storm drainage flows from the development to the

north, under Highway 7, to a drainage swale immediately east of the woodland, continuing through a concrete pipe south and connecting to a storm pipe below Kalvinster Drive.

The site has a history of disturbance largely related to residential and agricultural purposes.



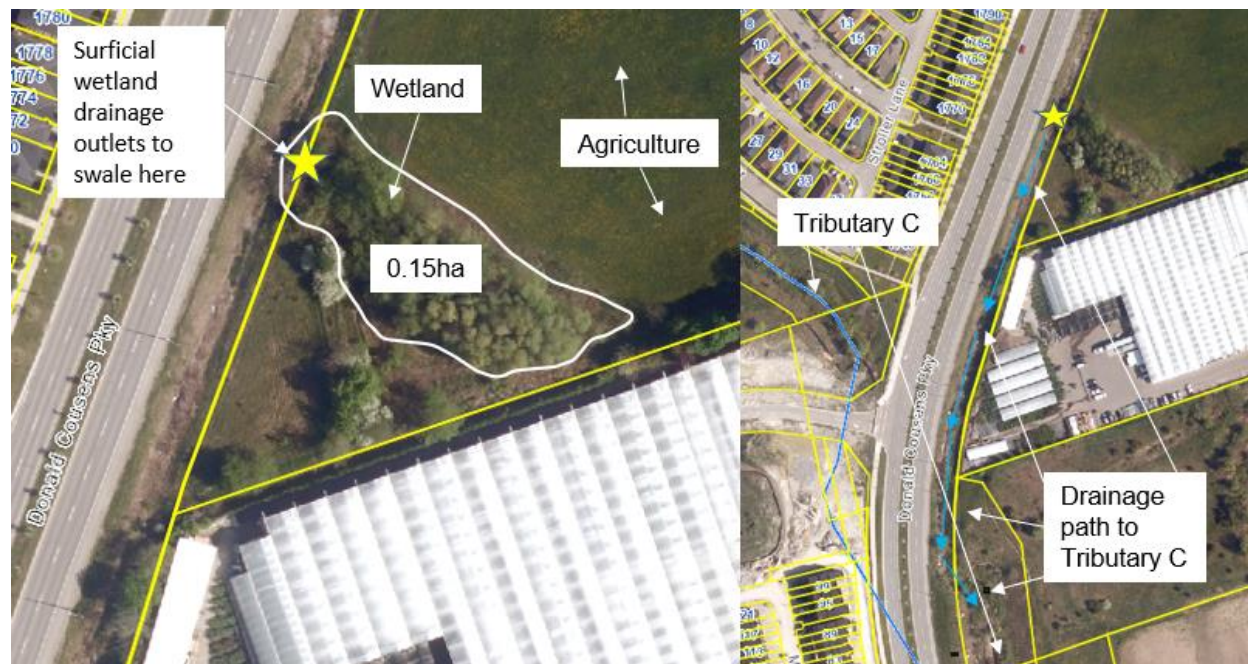
**Figure 11.** Approximate size and location of the woodland feature on Site C

### 3.4 Site D – 8724 Reesor Road – SW Corner of Property

Site D is located at 8724 Reesor Road in what has been identified in the MESP as Cornell Centre North. The current land use designation in the 2014 Official Plan is “Business Park Employment” with “Agriculture” (A1) Zoning. An approximately 0.15 ha wetland has been identified on site. This appears to be the result of surface drainage contribution from the northeast of the site. It appears likely that the excess drainage then spills over to the roadside swale flowing southwest on the eastern side of Donald Cousens Parkway which then merges with the Cornell Tributary “C” approximately 255m downstream from where the wetland meets with the swale.

Surrounding land uses include residential, agriculture, transportation, open space, and greenway, including Rouge National Urban Park to the east.

The site has a history of disturbance and vegetation removal for residential, industrial and agricultural purposes. It appears to have been planted with water-tolerant trees in approximately 2012.



**Figure 12.** Approximate size and location of the wetland feature at Site D is on the left with its drainage path to Tributary “C” shown on the right

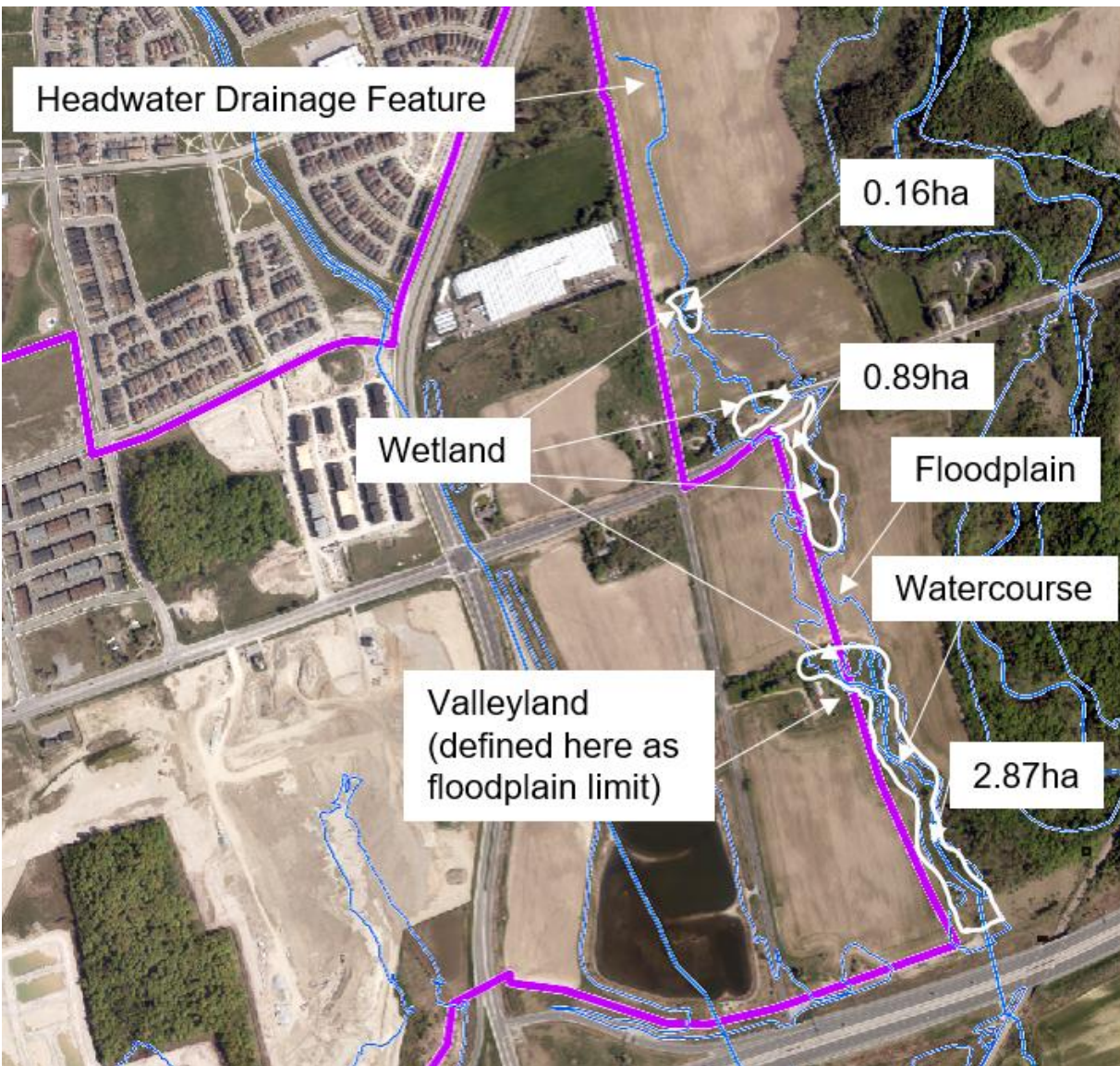
### 3.5 Site E – 8539 Reesor Road

Site E, known as 8539 Reesor Road, is a complex of wetlands that have formed along a tributary of Little Rouge Creek in the Rouge National Urban Park. The tributary begins as a headwater drainage feature north of Highway 7, east of Site B. Only a small portion of the largest wetland component appears to fall within the Cornell Secondary Plan Area. This can be seen on Figure 13 on the property of 8539 Reesor Road. All of the wetlands mapped in this figure have also been mapped by the Ministry of Natural Resources and Forestry (MNR). Wetland vegetation is evident in aerial photography and generally follows the floodplain. A portion of the tributary that drains southerly to the Little Rouge and its associated floodplain also fall within the Cornell Centre Secondary Plan Area. The limits of the floodplain define the valleyland limits in this reach of the watercourse.

The current land use designation in the 2014 Official Plan is “Business Park Employment” and “Greenway” with “Agriculture” (A1) Zoning. A large portion of the feature, east of secondary plan boundary, falls within the Protected Countryside of Provincial Greenbelt Plan Area.

Surrounding land uses include residential, agriculture, transportation, open space, and greenway.

The site has a history of disturbance, primarily for agricultural purposes.



**Figure 13.** Approximate size and location of the wetland complex at Site E. Also shown is the headwater drainage feature, watercourse, floodplain, and valleyland.

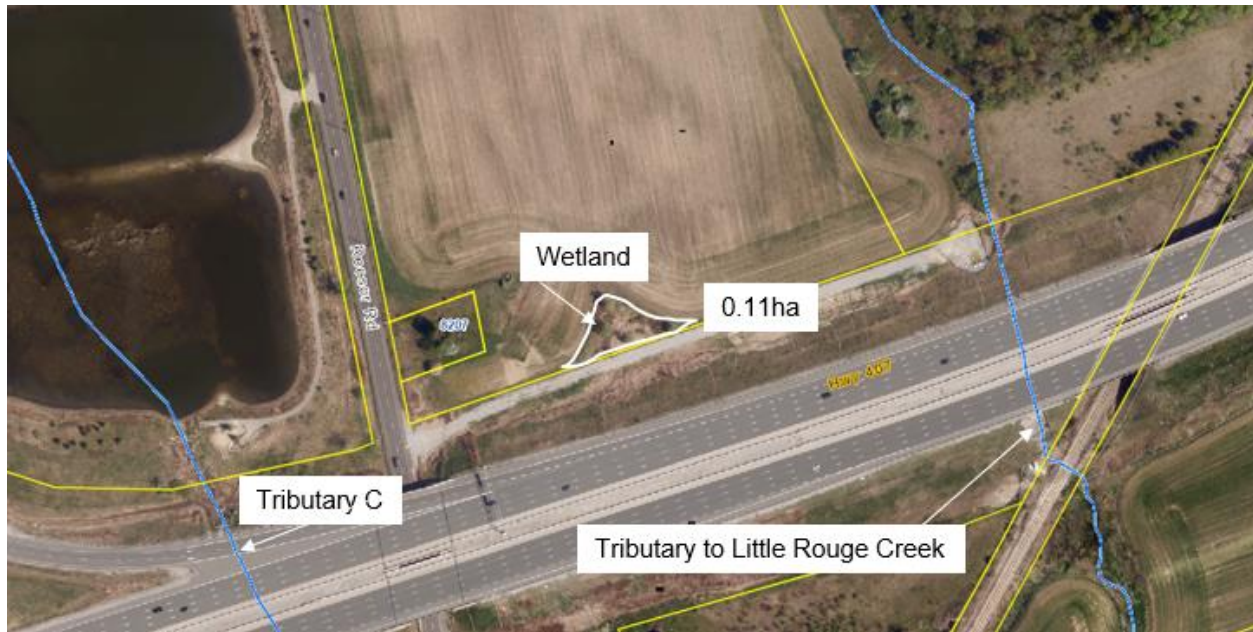
### 3.6 Site F – 8207 Reesor Road (north of Highway 407)

Site F, known as 8207 Reesor Road, just north of Highway 407, is a small (0.11ha) wetland that appears to be associated with the Tributary C floodplain. The wetland has also been identified in provincial MNRF wetland mapping.

The current land use designation in the 2014 Official Plan is “Business Park Employment” with “Agriculture” (A1) Zoning.

Surrounding land uses include residential, stormwater management, agriculture, transportation, open space, and greenway.

The site has a history of disturbance and alteration, primarily for agricultural and transportation (Highway 407) purposes.



**Figure 14.** Approximate size and location of the wetland feature found at Site F



## 4.0 Relevant Policy and Regulatory Framework

### 4.1 Provincial Policy Statement, 2020

Section 2.0 of Ontario's Provincial Policy Statement (PPS, 2020), titled *Wise Use and Management of Resources* provides provincial planning direction related to the long-term protection of natural heritage systems, features and areas, including:

- Significant Wetlands
- Significant Woodlands
- Significant Valleylands
- Significant Wildlife Habitat (SWH)
- Significant Areas of Natural and Scientific Interest (ANSIs)
- Coastal Wetlands

The *Planning Act* requires that all decisions affecting planning matters to be consistent with policy statements issued under the Act, including the PPS. The PPS provides direction to identify natural heritage systems and protect natural heritage features and areas for the long term. Protection standards for natural heritage features and areas are provided in the PPS. Development and site alteration is not permitted in significant wetlands. In other features, development and site alteration is not permitted unless it can be demonstrated that there will be no negative impacts on the natural features or their ecological functions. The PPS policy direction is further implemented through policy in municipal official plans.

Development or site alteration within or adjacent to fish habitat and/or habitat of endangered or threatened species, is only permitted in accordance with Provincial and Federal requirements, i.e., the *Fisheries Act* and the *Endangered Species Act*.

The Province provides guidelines for municipalities to aid in the identification and determination of significant natural heritage features and habitats, including the *Natural Heritage Reference Manual* (OMNR, 2010), *Significant Wildlife Technical Guide* (OMNR, 2000) and associated *Significant Wildlife Habitat Criteria Schedules* (MNR, 2015).

The PPS policies and relevant provincial guidelines were reviewed and utilized where relevant to confirm criteria for the purposes of the mapping review and update of the Cornell Centre Secondary Plan.

### 4.2 Provincial Planning Statement, 2024

In 2023, the Province initiated consultation on a draft proposed Provincial Planning Statement that will replace the PPS, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe. An updated version of the proposed Provincial Planning Statement was released in 2024 based on feedback received. The 2024 Provincial Planning Statement carries forward the current policy framework for natural heritage with substantively the same policies, definitions and standards for the identification and protection of natural heritage features and areas as the 2020 Provincial Policy Statement. The policies are considered minimum standards and municipalities are permitted to establish higher levels of protection in their official plans to address local priorities and objectives. The new PPS, released on August 20, 2024 and proposed to come into effect on October 20, 2024, has been considered in the review to determine if any revisions to the mapping review and refinement for Cornell Centre is required.

### 4.3 Provincial Greenbelt Plan, 2017

Ontario's provincial Greenbelt was introduced in 2005 as an overarching plan to support land use planning in the Greater Golden Horseshoe. It includes lands within the Growth Plan, the Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan. The plan identifies where urbanization should not occur so that it may provide protection to important agricultural lands and environmentally sensitive lands. The lands in the Greenbelt are some of the most ecologically and hydrologically significant environments in Canada. The Greenbelt Plan also supports several other provincial and federal level initiatives, including the Rouge National Urban Park and Management Plan.

Lands governed by the Greenbelt Plan include the Niagara Escarpment Plan Area, the Oak Ridges Moraine Conservation Plan Area and the Parkway Belt West Plan Area, lands designated Protected Countryside within the Greenbelt and Urban River Valley lands connecting the Greenbelt to the Great Lakes. The Protected Countryside is made up of an Agricultural System and a Natural System, and a series of settlement areas, known as town/villages and hamlets. The Urban River Valley policies apply to publicly owned lands that were not in the Greenbelt at the time the Plan was approved in 2005. These lands assist in recognizing the importance of protecting connections to Lake Ontario and other areas in southern Ontario.

It is the role of municipalities in Ontario to support and implement the requirements of Provincial Plans. Section 3.1.5 of Markham's Official Plan identifies the policies of Council to protect and manage lands within the Greenbelt Plan Area. Portions of Cornell Centre about the Greenbelt Protected Countryside north of Donald Cousins Parkway and east of Reesor Road. In this location, development within the Protected Countryside is subject to a Natural Heritage System overlay and protection standards and criteria for key natural heritage and key hydrologic features.

### 4.4 Conservation Authorities Act: Ontario Regulation 41/24

The Conservation Authorities Act was created in 1946 in response to Provincial concerns around erosion and drought, recognizing that these and other natural resource initiatives are best managed on a watershed basis. On April 1, 2024, amendments to the Conservation Authorities Act came into force, ultimately revoking the Toronto and Region Conservation Authority's (TRCA) previously in-force Ontario Regulation 166/06 and replacing it with a new province-wide regulation (Ontario Regulation 41/24) that is now in effect.

Pursuant to the recent amendments, permits from the TRCA are now approved and issued under Section 28.1 of the Conservation Authorities Act. The new regulation addresses certain matters related to permits, with other matters being addressed under Section 28.1. Section 28(1) of the CA Act sets out the activities (e.g., development, interference in any with a wetland or a watercourse, etc.) that are prohibited within regulated areas without first obtaining a permit from a conservation authority. This approach is consistent with the previous legislation and regulation.

TRCA updated their regulation mapping in 2024 to align with the new regulation. Under Section 2(3) of Ontario Regulation 41/24, the distance conservation authorities now regulate around all wetlands is 30 metres. TRCA's regulation mapping update incorporated this change, resulting in a reduction in the 120-metre regulated area around Provincially Significant Wetlands and all

wetlands on the Oak Ridges Moraine as was previously set out in TRCA's Ontario Regulation 166/06.

Regulated areas and features are present within the Cornell Centre Secondary Plan Area and are subject to Ontario Regulation 41/24. TRCA regulated areas mapping was utilized to inform the natural heritage mapping review for Cornell Centre.

#### 4.5 York Region Official Plan, 2022

The York Region Official Plan, 2022, lays a foundation for the direction of growth and development for municipal implementation. The York Region Official Plan (YROP) was adopted in June 2022 and approved by the Minister of Municipal Affairs and Housing in November 2022. Effective July 1, 2024, the York Region Official Plan is now deemed to be an Official Plan of the City of Markham for all lands within the City. Chapter 3.0, *A Sustainable Natural Environment*, provides direction on planning for natural systems, the Regional Greenlands System, water resource system, natural features, and natural hazards.

The Regional Greenlands System consists of cores, corridors and linkages, including Natural Core Area and Natural Linkage Area designations in the Oak Ridges Moraine Conservation Plan; the Natural Heritage System of the Greenbelt Plan; the Natural Heritage System of the Growth Plan; and approved local natural heritage systems, key natural heritage features and key hydrologic features. Key natural heritage features and key hydrologic features of the Regional Greenlands System, relevant to the review of natural heritage features mapping within the Cornell Centre Secondary Plan Study Area include:

- Habitat of endangered and threatened species
- Wetlands
- Significant woodlands
- Significant wildlife habitat
- Permanent and intermittent streams
- Seepage areas and springs

YROP Map 2 Regional Greenlands System, Map 4 Key Hydrologic Features and Map 5 Woodlands identify key natural heritage and key hydrologic features mapped in the Regional Plan within the Cornell Centre Secondary Plan Study Area. Criteria for the identification and significance of key features are provided in Section 3.4 and the Definitions of the YROP. Criteria for key natural heritage and key hydrologic features included in the YROP and relevant to reviewing mapping updates for the Cornell Centre Secondary Plan Update are addressed in Appendix C of the report.

Additional policies in the YROP provided below area also relevant to the Cornell Centre Secondary Plan Update including:

*3.2.2 That within Urban Areas and Town and Villages as identified on Map 1, refinements to the boundaries of the Regional Greenlands System may occur through approved planning applications supported by appropriate technical studies including subwatershed studies, master environmental servicing plans and environmental impact studies in accordance with the applicable Provincial plans and policies of the Plan. These refinements will be incorporated into the Plan through periodic updates by York Region and will not require an amendment to the Plan.*

3.2.5 That notwithstanding policy 3.2.3, within the Regional Greenlands System, some uses may be permitted subject to meeting requirements of the applicable Provincial plans such as:

a. Legally existing or permitted land uses, that conform with in-force local official plans, zoning by-laws and Ministerial Zoning Orders, at the time the Plan is approved, may be permitted to continue to the extent provided for in local official plans, zoning by-laws and Ministerial Zoning Orders;

3.4.7 That key natural heritage features and key hydrologic features shall be precisely delineated on a site-by-site basis using procedures established by the Province or other authorities, where applicable. Such delineation shall occur through the approval of Planning Act applications supported by appropriate technical studies such as master environmental servicing plans or environmental impact study(ies). Where such delineation refines boundaries shown on related maps within the Plan, updates to these maps can occur without an amendment to the Plan.

As noted in the background section of the report, planning direction for development within designated land uses in Cornell Centre is provided in the 2014 Markham Official Plan and Cornell Secondary Plan on the basis of previous studies that supported the adoption of the Secondary Plan as well as studies, including Master Environmental Servicing Plans, that supported subsequent site-specific planning approvals.

#### 4.6 City of Markham Official Plan, 2014

The City of Markham 2014 Official Plan was adopted by Markham Council on December 10, 2013, and approved by York Region Council on June 12, 2014. Portions are currently under appeal (site specific) but the Greenway System policies are now in force City-wide. It is a policy of the City of Markham to identify, protect and enhance the Greenway System. Components of the Greenway System include Natural Heritage Network lands including the following key natural heritage features and key hydrologic features:

- wetlands;
- habitat of threatened and endangered species;
- significant portions of the habitat of:
  - i. special concern species in the Oak Ridges Moraine Conservation Area and Greenbelt Plan Area; and
  - ii. provincially rare species in the Oak Ridges Moraine Conservation Plan Area;
- fish habitat;
- Life Science Areas of Natural and Scientific Interest;
- significant valleylands;
- significant woodlands;
- significant wildlife habitat;
- sand barrens, savannahs and tallgrass prairies;
- permanent streams and intermittent streams; and
- seepage areas and springs.

Definitions and criteria for identifying the individual features and components of the Greenway System are provided in the Markham Official Plan. Where mapping data is available, individual features and areas are mapped in the Official Plan and in Secondary Plans based on the policies, criteria and definitions of the Plan. As the Greenway System policies apply City-wide,

not all components of the Greenway System are present in all areas of the City. Also, as noted previously, the Greenway System within Cornell has largely been established through the Secondary Plans, previous studies and prior development approvals. The mapping update will be scoped to ensure that features expected to be present in Cornell are included in the update. Relevant criteria for the updating of mapping of the Natural Heritage Network components of the Greenway System for Cornell Centre are provided in Section 7.0 and Appendix C.

## 5.0 Methodology

Background research and field visits for the natural heritage review were undertaken by City of Markham Natural Heritage staff in Spring and Summer of 2024. Mapped datasets and aerial imagery were reviewed to identify natural heritage features not currently included on mapping in the 2014 Markham Official Plan or Cornell Secondary Plan for field verification and review utilizing mapping criteria identified in Appendix C – Criteria for Mapping Greenway System Natural Heritage Network Features. In total, seven features were identified for further review, including three woodlands and three wetlands and a wetland complex bordering Cornell Centre to the east of the boundary with the Rouge National Urban Park. Given the constraint of private property access, roadside site visits were undertaken to observe leaf-off and leaf-on conditions for accessible sites (A, B, C, D). The natural features were then analyzed using desktop resources, including provincial wetland mapping datasets, aerial imagery, and Google Earth images. Details of the research methods are provided in greater detail below.

### 5.1 Desktop Analysis

#### 5.1.1 Aerial Imagery

Aerial imagery was interpreted from GoogleEarth, YorkMaps, the City of Markham's GeoLogic Map Viewer, the Provincial MNRF Land Information Ontario (LIO) Application ("Make a Map"), and the TRCA's online regulated area viewer.

GoogleEarth provided roadside images of the features and allowed for analysis and interpretation of the natural features on site from aerial and roadside view perspectives. The roadside view aided the identification of on-site plant species.

YorkMaps provided historical context and land use of the sites, with images dating back to 1954. This aided in determining the potential origin of features, historical impacts, and whether any regeneration occurred at the sites.

GeoLogic Map Viewer data included 2023 aerial imagery, spatial mapping data layers including Ecological Land Classification (ELC) land cover, parcel fabric and planning policy designations applying to features identified in aerial imagery. ELC mapping provided comprehensive Community Series vegetation cover information for the City of Markham recently updated by the City of Markham. ELC mapping was utilized to inform the interpretation of vegetation cover.

#### 5.1.2 Feature Delineation

Natural features were delineated using a combination of field observations and aerial imagery, as noted above.

Woodland features were delineated to the outer dripline of the woodlands based on field observations and aerial imagery of naturally treed areas with closed canopies, excluding hedgerows.

Wetland features were delineated using a combination of Ministry of Natural Resources and Forestry wetland data, field observations, contour lines, and historical and present-day aerial images.

### 5.2 Vegetation

Vegetation was analyzed through a combination of aerial imagery and roadside site visits, in both leaf-off and leaf-on conditions, in 2024. Observations were made by walking the roadside

of each accessible edge of the features, identifying and noting native and invasive species and site characteristics, and taking photographs. Photographs were analyzed a second time in the office to confirm observed species and conditions.

### 5.3 Criteria for Identifying Natural Heritage Network Features

The Greenway System's Natural Heritage Network features are identified and mapped in the City of Markham Official Plan map schedules and appendices based on policy, definitions and criteria provided in the Official Plan. Relevant criteria for mapping natural heritage and water resource system features in the Cornell Centre Secondary Plan are summarized in Appendix C as the basis for determining whether features that are not currently mapped in the Official Plan or Secondary Plan should be included and identified in the Secondary Plan along with the findings of the natural heritage review and methodology undertaken to support the Secondary Plan Update. The 2014 City of Markham Official Plan and 2022 York Regional Official Plan criteria were reviewed to ensure the recommended mapping criteria in Appendix B did not conflict and that relevant mapping standards were referenced. Recommendations for identification and classification of Natural Heritage Network features are provided in Section 7.0 of the report.

## 6.0 Existing Site Conditions

### 6.1 Site A – 7485 Highway 7 East

Feature Type	Community Description	Notable Observations <i>April 2024 &amp; May 2024 Site Visits</i>
<b>Woodland</b>	Cultural Woodland	<p><b>Top canopy:</b> Primarily comprised of black locust with scattered maples and willows.</p> <p><b>Mid canopy:</b> cedars, junipers, willows, dogwoods, and scattered fruit trees, likely apple.</p> <p><b>Ground cover:</b> farm grasses, reed canary grass, goldenrod, dame's rocket.</p>
<b>Anthropogenic</b>	<ol style="list-style-type: none"> <li>1. Hydro Corridor</li> <li>2. Residence and landscape features</li> <li>3. Herbaceous understory and portions of maintained lawn</li> <li>4. Bounded by Highway 7 East and Reesor Road</li> <li>5. Agricultural Field</li> </ol>	<ol style="list-style-type: none"> <li>1. Two hydro poles exist on the northern portion of the woodlot. This continues along Highway 7 East at 7469 Highway 7 East. Ground disturbance from installation.</li> <li>2. Residence is on site to the east. Evidence of log piling to the east of woodlot and a berm running north-south through the woodlot. Old vehicle storage uses by the residence abuts the woodlot in the southwest.</li> <li>3. Potential trail through woodlot, portions of maintained and overgrown lawn throughout the property.</li> <li>4. Active transportation routes to the north and east.</li> <li>5. Large agricultural field abuts the woodland to the south.</li> </ol>
<b>Rouge National Urban Park</b>	<ol style="list-style-type: none"> <li>1. Agriculture</li> <li>2. Provincially significant Wetland</li> <li>3. Woodland</li> <li>4. Watercourse</li> <li>5. Valleyland</li> </ol>	The Rouge National Urban Park is immediately adjacent the site, across Reesor Road, to the east.



## 6.2 Site B – 8724 Reesor Road

Feature Type	Community Description	Notable Observations <i>April 2024 &amp; May 2024 Site Visits</i>
Woodland	Black Walnut Lowland Deciduous Forest	<p><b>Top canopy:</b> spruce, maple, prominent black walnut.</p> <p><b>Mid canopy:</b> buckthorn, raspberry, red osier dogwood and willow.</p> <p><b>Ground cover:</b> farm grasses, day lily, wild grape, Virginia creeper</p> <ul style="list-style-type: none"> <li>• Several snags observed</li> <li>• Overgrown trail through woodlot; access blocked with cement barrier</li> </ul>
Wetland	Mixed swamp	Standing water observed north of the main woodlot on both site visits; thin buffer with grasses and shrubs, scattered deciduous trees; wetland species difficult to determine without access.
Cultural successional meadow/savannah	Cultural meadow	Sumac, agricultural grasses, scattered young trees
Anthropogenic	<ol style="list-style-type: none"> <li>1. Residential</li> <li>2. Agriculture</li> <li>3. Transportation</li> </ol>	Surrounding land uses include residential, agriculture, and transportation.
Rouge National Urban Park	<ol style="list-style-type: none"> <li>1. Agriculture</li> <li>2. Provincially Significant Wetland</li> <li>3. Woodland</li> <li>4. Watercourse</li> <li>5. Valleyland</li> </ol>	The Rouge National Urban Park is immediately adjacent the site, across Reesor Road, to the east.

## 6.3 Site C – 6881-6921 Highway 7 East

Feature Type	Community Description	Notable Observations <i>June 2024 Site Visit</i>
Woodland	Black Walnut Deciduous Forest	<p><b>Top Canopy:</b> Dominant black walnut with maple, red oak, white pine species along northern property boundary</p> <p><b>Mid-Canopy:</b> Willow, Manitoba maple, poplar, spruce Virginia creeper</p> <p><b>Ground cover:</b> goldenrod, grasses, Virginia creeper, clover, honey suckle, wild grape, buttercup, vetch</p>

Anthropogenic	<ol style="list-style-type: none"> <li>1. Vacant Residential</li> <li>2. Stormwater Management</li> <li>3. Residential Community</li> <li>4. Transportation</li> </ol>	<ol style="list-style-type: none"> <li>1. Storm drainage flows from the development to the north, under Highway 7, to a drainage swale immediately east of the woodland, continuing through a concrete pipe south and connecting to a storm pipe below Kalvinster Drive. It is characterized with native cattails and shrubs.</li> </ol>
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#### 6.4 Site D – 8724 Reesor Road – SW Corner of Property

Feature Type	Community Description	Notable Observations <i>June 2024 Site Visit</i>
Wetland	Deciduous Swamp	MNRF wetland mapping and aerial interpretation of contours and historic photos indicate wetland conditions on site. Trees appear to have been planted and consist mostly of silver maples, poplars, and black walnuts. Silver maple is a swamp wetland indicator species. Understory vegetation includes reed canary grass.
Anthropogenic	<ol style="list-style-type: none"> <li>1. Agriculture</li> <li>2. Stormwater Management – swale</li> <li>3. Hedgerow</li> <li>4. Commercial</li> <li>5. Transportation</li> <li>6. Residential Community</li> </ol>	<ol style="list-style-type: none"> <li>1. Agricultural field to the northeast</li> <li>2. Feature appears to drain to a roadside swale along the east side of Donald Cousins Parkway that eventually drains to Cornell Trib. “C”.</li> <li>3. Remnant historical hedgerow to the west includes willows and maples. A separate hedgerow bounds the southern portion of the property.</li> <li>4. A garden centre and greenhouse operates on the property to the south (8636)</li> <li>5. Donald Cousens Parkway runs on the western portion of the wetland</li> <li>6. Residential communities exist west of Donald Cousens Parkway</li> </ol>
Rouge National Urban Park	<ol style="list-style-type: none"> <li>1. Agriculture</li> <li>2. Provincially significant Wetland</li> <li>3. Woodland</li> <li>4. Watercourse</li> <li>5. Valleyland</li> </ol>	The RNUP is approximately 210m east, across Reesor Road.

#### 6.5 Site E – East of Reesor Road - North and South of Highway 7

Feature Type	Community Description	Notable Observations
Wetland Complex	Meadow Marsh	The portion of the wetland complex within the secondary plan area appears to be a meadow marsh

		based on aerial photography and ELC data. The site was not accessible for a roadside site visit.
Headwater Drainage Feature	Headwaters of tributary flowing through agricultural field	The headwater drainage feature in Site E makes up the headwaters of the watercourse found south of Highway 7 that flows through the wetland complex before draining to Little Rouge Creek. The surrounding landscape is agricultural.
Watercourse	Tributary draining to Little Rouge Creek	A defined watercourse begins south of Highway 7, flowing through the wetland complex and agricultural field, crossing Highway 407 through a culvert before meeting up with Tributary C and draining to Little Rouge Creek.
Valleyland	Valleyland of tributary draining to Little Rouge Creek. Identified by floodplain limits.	The Valleyland of the tributary draining to Little Rouge Creek. Features in the valley include wetland and agriculture field as well as woodland to the east. The limits are defined by the floodplain.
Woodland	Fresh Moist Mixed Forest	This woodland was observed in aerial imagery and is ecologically connected on the eastern side of the wetland complex and valleyland system of Site E. It is outside of the Cornell Secondary Plan boundary.
Anthropogenic	Residential	A single-family dwelling exists at 8539 Reesor Road.

## 6.6 Site F – East of Reesor Road – North of Highway 407

Feature Type	Community Description	Notable Observations
Wetland	Marsh	Identified in MNRF wetland mapping. Aerial imagery indicates reed canary grass and willow shrubs. A floodplain associated with Tributary C surrounds the wetland.

## 7.0 Recommendations and Next Steps

### 7.1 Identification of Natural Heritage Features within Cornell Centre

The Markham Official Plan identifies all natural heritage features based on the best available information. Mapping of natural heritage features are generally updated through Official Plan Reviews and Secondary Plan studies as more detailed information becomes available. It is expected that further refinements to natural feature boundaries will occur through the development approval process as environmental impact studies are reviewed by the City.

Based on the results of this study, it is recommended that the following natural heritage features be identified and managed within the Cornell Centre Secondary Plan based on the classifications identified below in Table 2 and mapping criteria in Appendix C.

**Table 2.** Recommended Greenway System Classification of Natural Heritage Features within the Cornell Centre Secondary Plan Study Area.

Site #	Natural Feature Description	Greenway System Classification
1	Significant Woodlands and Wetlands	Greenway <ul style="list-style-type: none"> <li>- Natural Heritage Network <ul style="list-style-type: none"> <li>o Woodlands</li> <li>o Wetlands</li> </ul> </li> </ul>
2	Woodlands: approved for removal	Not in Greenway System
3	Significant Woodlands	Greenway <ul style="list-style-type: none"> <li>- Natural Heritage Network <ul style="list-style-type: none"> <li>o Woodlands</li> </ul> </li> </ul>
4	Naturalized stormwater management facility and conveyance channel	Greenway <ul style="list-style-type: none"> <li>- Natural Heritage Network <ul style="list-style-type: none"> <li>o Valleylands</li> </ul> </li> <li>- Other Greenway System Lands including naturalized stormwater management facilities</li> </ul>
A	Woodland	Greenway <ul style="list-style-type: none"> <li>- Natural Heritage Network <ul style="list-style-type: none"> <li>o Woodlands</li> </ul> </li> </ul>
B	Woodland and Wetland	Greenway <ul style="list-style-type: none"> <li>- Natural Heritage Network <ul style="list-style-type: none"> <li>o Woodlands</li> <li>o Wetlands</li> </ul> </li> </ul>
C	Woodland	Greenway <ul style="list-style-type: none"> <li>- Natural Heritage Network <ul style="list-style-type: none"> <li>o Woodlands</li> </ul> </li> </ul>
D	Wetland	Greenway <ul style="list-style-type: none"> <li>- Natural Heritage Network <ul style="list-style-type: none"> <li>o Wetlands</li> </ul> </li> </ul>
E	Wetland and Valleyland	Greenway <ul style="list-style-type: none"> <li>- Natural Heritage Network <ul style="list-style-type: none"> <li>o Valleylands</li> </ul> </li> </ul>

		○ Wetlands
F	Wetland	Greenway - Natural Heritage Network ○ Wetlands

\* Refer to Figures 15 and 16 for maps of natural features

## 7.2 Site-specific Secondary Plan Policy Considerations for Natural Heritage Features

Based on the identified natural heritage features in section 7.1, this section provides a discussion on the recommended Secondary Plan policy considerations.

### 7.2.1 Considerations for Sites 1, 3 and 4

Sites #1, 3 and 4 are owned by the City of Markham. The City will be responsible for their ongoing protection and maintenance. No site-specific policies are recommended.

### 7.2.2 Considerations for Site 2

Site #2 is a woodland approved for removal and compensation. This woodland will not be mapped as part of the Greenway System. The details of the compensation will be finalized through the draft plan of subdivision process. No site-specific policies are recommended.

### 7.2.3 Considerations for Site A – 7485 Highway 7 East

Site A is a small, isolated woodland feature that is approximately 0.46 hectares in size. The canopy is largely comprised of Black Locust trees and the understory has minimal regeneration. The woodland appears to be altered by historical anthropogenic activities. While it is separated by Reesor Road, Site A is somewhat connected through agricultural fields to significant natural corridors in the Rouge National Urban Park and the Little Rouge Creek. The woodland does not appear to meet the size threshold for significance as it is less than 0.5 hectares.

The woodland is recommended to be mapped as part of the Greenway System with site-specific policies to require further study. It is recommended that an Environmental Impact Study be prepared at the time of a development application. The Environmental Impact Study will characterize natural heritage features and ecological function, evaluate feature significance and complete an impact assessment.

It is the intent of the City to protect all woodlands. However, if this woodland is found not to be significant, then the City may consider removal in limited circumstances where section 3.1.2.17 of the Official Plan is met.

### 7.2.4 Considerations for Site B – 8724 Reesor Road

Site B contains approximately 0.7 hectares of woodland and wetland features. It consists of a lowland deciduous forest and a mixed swamp community. The woodland appears to be larger than 0.5 hectares and abuts a wetland feature, and therefore is considered a candidate significant woodland.

The woodland and wetland features are recommended to be mapped as part of the Greenway System with site-specific policies to require further study. It is recommended that an Environmental Impact Study be prepared at the time of a development application. The Environmental Impact Study will characterize natural heritage features and ecological function, evaluate feature significance and complete an impact assessment.

It is the intent of the City to protect all wetlands and woodlands as follows:

- If the woodland is confirmed to be a significant woodland, then the woodland and wetland features are recommended to be protected in-situ.
- If the woodland is confirmed to not be a significant woodland, then the City may consider removal of the woodland and wetland in limited circumstances where sections 3.1.2.17 and 3.1.2.20 of the Official Plan are met.
  - The wetland feature is regulated by the TRCA and the management of the wetland shall also be subject to TRCA regulatory and policy interests.

#### 7.2.5 Considerations for Site C – 6881-6921 Highway 7 East

Site C is a small, isolated woodland feature that is approximately 0.56 hectares in size. The canopy is dominated by black walnut. The woodland does not appear to meet the threshold for significance based on its size and adjacent natural features.

The woodland feature is recommended to be mapped as part of the Greenway System with site-specific policies to require further study. The portion of the woodland on 6921 Highway 7 East is already zoned for development and would not be mapped as part of the Greenway System. It is recommended that an Environmental Impact Study be prepared at the time of a development application. The Environmental Impact Study will characterize natural heritage features and ecological function, evaluate feature significance and complete an impact assessment.

It is the intent of the City to protect all woodlands. However, if this woodland is found not to be significant, then the City may consider removal in limited circumstances where section 3.1.2.17 of the Official Plan is met.

#### 7.2.6 Considerations for Site D – 8724 Reesor Road – Southwest Corner of Property

Site D is a small, isolated wetland that is approximately 0.15 hectares in size. Based on its size and distance to other wetlands, this wetland feature does not appear to meet the threshold for significance. Confirmation of significance will occur through the development approvals process and in accordance with provincial guidelines.

The wetland feature is recommended to be mapped as part of the Greenway System with site-specific policies to require further study. It is recommended that an Environmental Impact Study be prepared at the time of a development application. The Environmental Impact Study will characterize natural heritage features and ecological function, evaluate feature significance and complete an impact assessment.

It is the intent of the City to protect all wetlands. However, if this wetland is found not to be significant, then the City may consider removal in limited circumstances where section 3.1.2.20 of the Official Plan is met. The wetland feature is regulated by the TRCA and the management of the wetland shall also be subject to TRCA regulatory and policy interests.

#### 7.2.7 Considerations for Site E – East of Reesor Road, North and South of Highway 7

Site E is a riparian wetland that is approximately 3.92 hectares in size. The wetlands are primarily located within the Greenbelt Plan area with a small portion of the wetlands extending into the Cornell Centre Secondary Plan area. As such, the wetlands are considered a key natural heritage feature of the Greenbelt Plan and City of Markham Official Plan.

The wetland feature is recommended to be mapped as part of the Greenway System with site-specific policies to require further study. It is recommended that an Environmental Impact Study be prepared at the time of a development application. The Environmental Impact Study will

characterize natural heritage features and ecological function, evaluate feature significance and complete an impact assessment.

It is the intent of the City to protect all wetlands. In accordance with section 3.4.14 of the York Region Official Plan, the entire wetland feature shall be protected with a 30-metre vegetation protection zone.

### 7.2.8 Considerations for Site F – East of Reesor Road, North of Highway 407

Site F is a small, isolated wetland that is approximately 0.11 hectares in size. Based on its size and distance to other wetlands, this wetland feature does not appear to meet the threshold for significance. Confirmation of significance will occur through the development approvals process and in accordance with provincial guidelines. Site F is located within the recommended Ecological Linkage.

The wetland feature is recommended to be mapped as part of the Greenway System with site-specific policies to require further study. It is recommended that an Environmental Impact Study be prepared at the time of a development application. The Environmental Impact Study will characterize natural heritage features and ecological function, evaluate feature significance and complete an impact assessment.

As further described in Section 7.3, the exact width and location of an Ecological Linkage along the north side of the Highway 407 right-of-way will need to be confirmed through subsequent environmental studies. The retention of existing vegetation communities within the confirmed Ecological Linkage shall be encouraged.

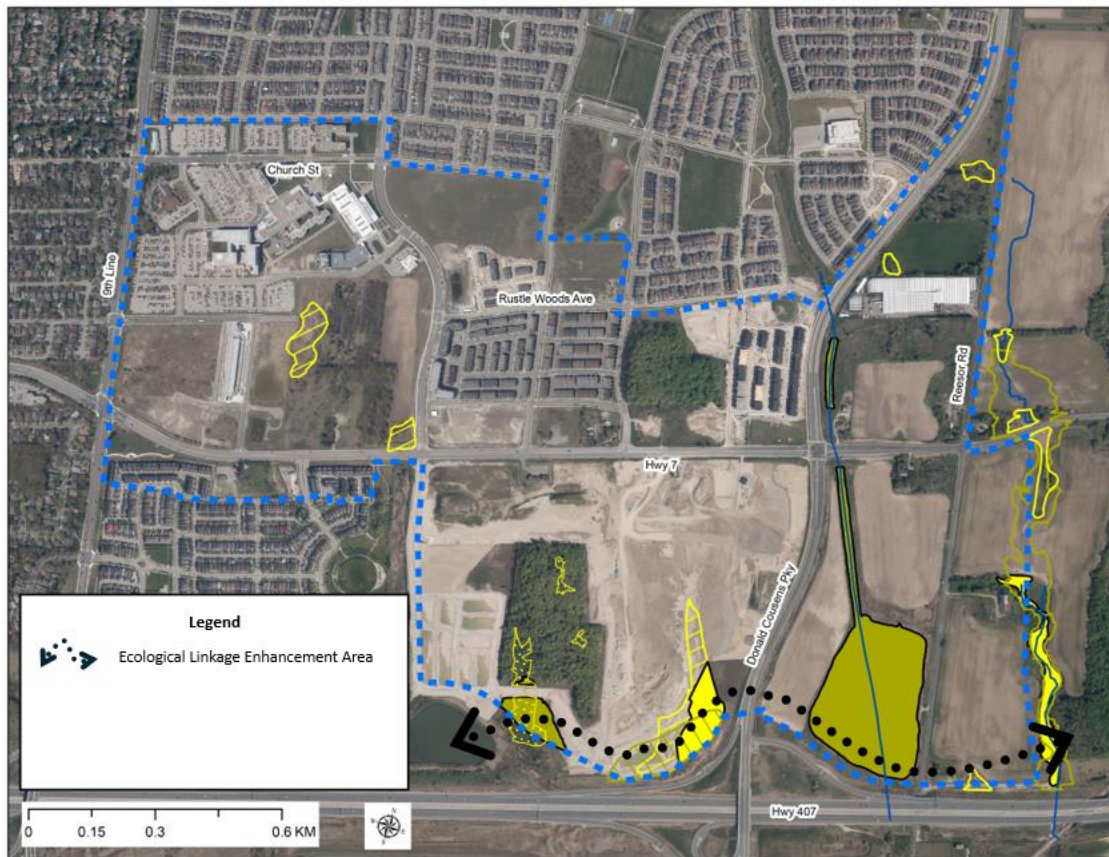
It is the intent of the City to protect all wetlands. However, if this wetland is found not to be significant, then the City may consider removal in limited circumstances where section 3.1.2.20 of the Official Plan is met. The wetland feature is regulated by the TRCA and the management of the wetland shall also be subject to TRCA regulatory and policy interests.

### 7.3 Secondary Plan Policy Considerations for Ecological Linkage

Policies and mapping should be included in the Cornell Centre Secondary Plan to identify and require the establishment of an ecological linkage along the north side of Highway 407 to connect the Greenway System features in Cornell Centre to the Little Rouge Creek and Rouge National Urban Park in accordance with recommendations in the Cornell Centre South Master Environmental Servicing Plan. The Cornell Centre Secondary Plan should identify the approximate alignment of the linkage in the Schedules. Figure 15 provides the recommended location of the Ecological Linkage Enhancement Area for the linkage. It is recommended that the following considerations be addressed in the Secondary Plan policies:

- The width of the ecological linkage shall generally be 50 metres from the right-of-way of Highway 407. Minor reductions to the width of the ecological linkage may be considered subject to technical justification and mitigation in an Environmental Impact Study
- The protection or establishment of native vegetation and trees shall be promoted within the ecological linkage
- Existing natural heritage features, natural hazards and associated setbacks and buffers shall be incorporated into the landscape design of the ecological linkage
- Potentially compatible uses such as multi-use trails and stormwater management infrastructure may be permitted subject to an environmental impact study that demonstrates that the connectivity function is not negatively impacted

- At the time of a major roadway expansion or rehabilitation, a review of any necessary wildlife crossings such as signage or warnings should be completed.



**Figure 15.** Ecological Linkage Area recommended to provide ecological linkage from Cornell Centre to the Rouge National Urban Park

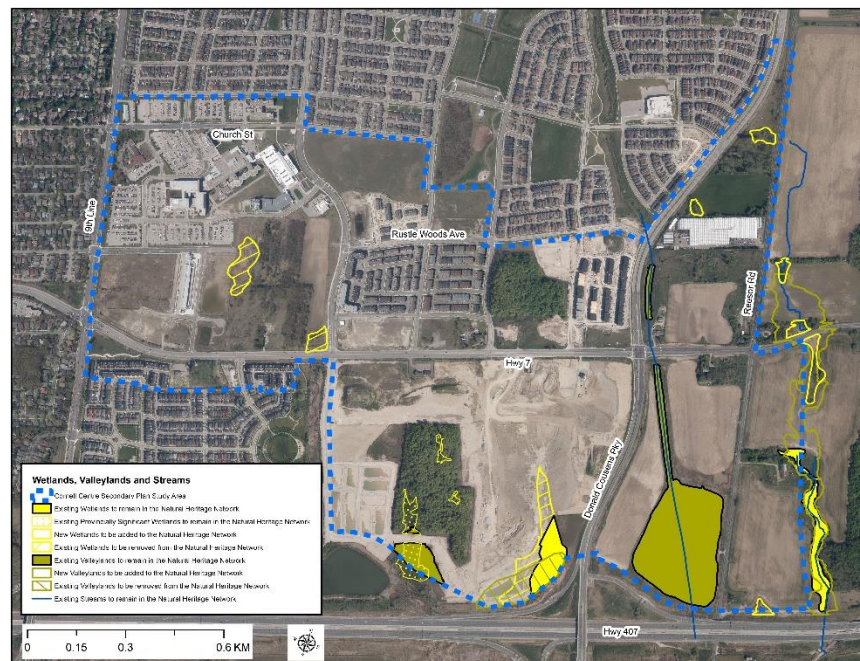
#### 7.4 Mapping of Natural Heritage Features within Cornell Centre

This study has identified existing Natural Heritage Network features within the Cornell Centre Secondary Plan Study Area and made recommendations for the addition of eight Natural Heritage Network features to be mapped in the Secondary Plan. These features are outlined below in Figures 16 and 17 and this report will be used to inform the Environmental System section of the Secondary Plan.





**Figure 16.** Woodlands in the Cornell Centre Secondary Plan Study Area to remain, to be added and to be removed





**Figure 17.** Wetlands, Valleylands and Streams in the Cornell Centre Secondary Plan Study Area to remain, to be added and to be removed

## 8.0 References

- City of Markham. (2014). City of Markham Official Plan, Office Consolidation April 2018. Available: <https://www.markham.ca/wps/portal/home/business/planning/sa-official-plan/2014>
- Ontario Ministry of Natural Resources. (2000). Significant Wildlife Habitat Technical Guide. Toronto: Queen's printer for Ontario.
- Ontario Ministry of Natural Resources. (2010). Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005. Second Edition. Toronto: Queen's Printer for Ontario. Available: <https://docs.ontario.ca/documents/3270/natural-heritage-reference-manual-for-natural.pdf>
- Ontario Ministry of Natural Resources and Forestry. (2015). Significant Wildlife Habitat Criteria Schedules for Ecoregion 6E
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- Ontario Ministry of Municipal Affairs and Housing. (2020). Ontario Provincial Policy Statement, under the Planning Act. Available: <https://www.ontario.ca/page/provincial-policy-statement-2020>
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- Region of York. (2022). Region of York Official Plan, Office Consolidation July 2024. Available: <https://www.york.ca/york-region/regional-official-plan>
- WSP Canada Group Limited. (2017). Cornell Centre Master Environmental Servicing Plan.
- WSP Canada Group Limited. (2018). Cornell Centre South Master Environmental Servicing Plan.

## Appendix A – Site Photos

### Site A

Leaf-off	Leaf-on
	

Site B

Leaf-off	Leaf-on
	
	

Site C

East Side	West Side	Stormwater Management Pond
		

**Site D**



**Site E**

Wetland North Side of Highway 7 and Upstream Reach of Watercourse Feature	Wetland North Side of Highway 7 East of Reesor Road	Wetland and Watercourse Continuation South Side of Highway 7 east of Reesor Road
		

**Site F**

Roadside view sourced from GoogleEarth.



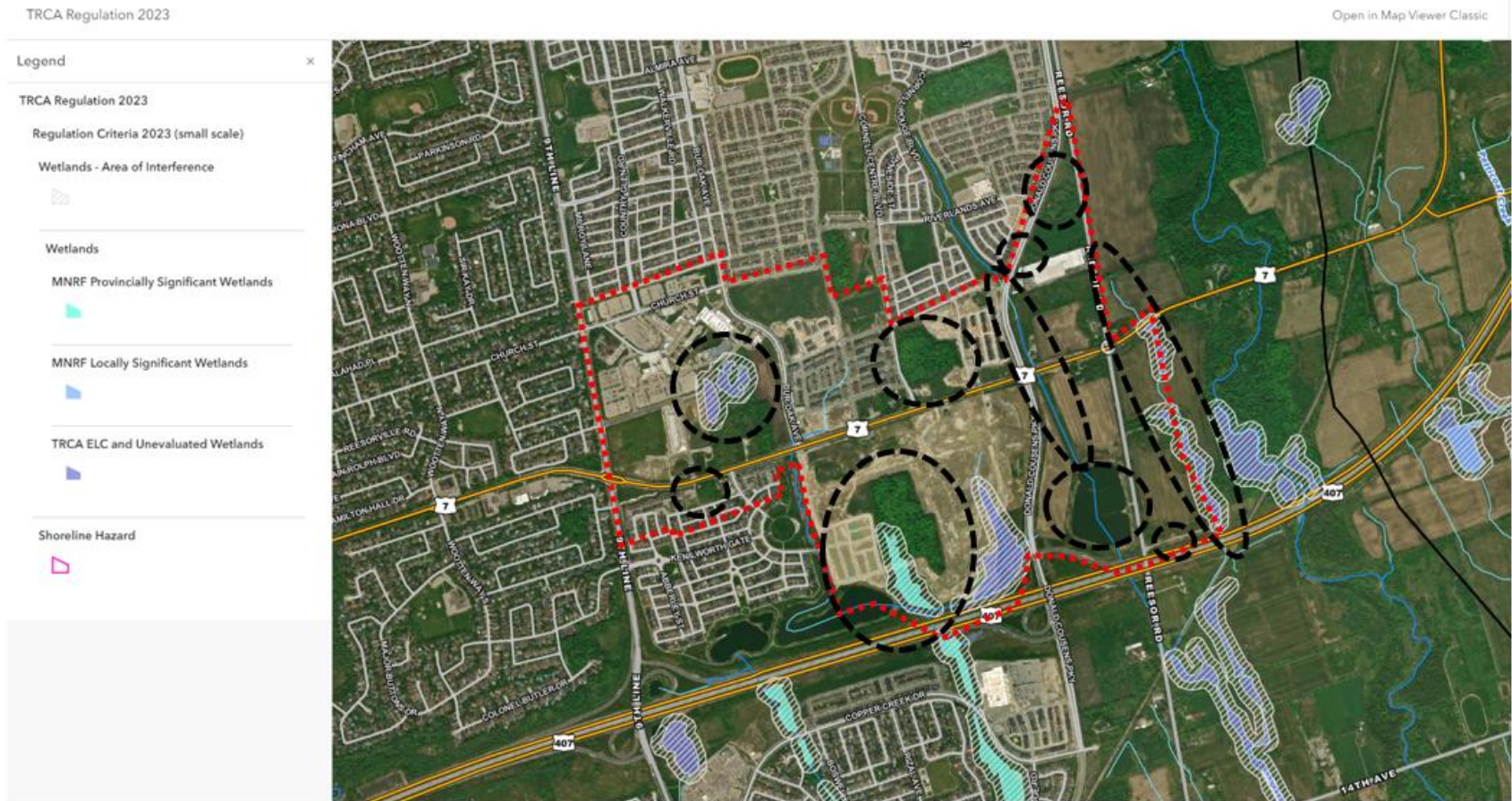


## Appendix B – External Mapping Resources

### Ministry of Natural Resources Wetland Mapping



### Toronto and Region Conservation Authority Regulation Mapping 2023



### Appendix C – Criteria for Mapping Greenway System Natural Heritage Network Features

Natural Heritage Network Component	Definition	Criteria for Identification/Significance*	Criteria for Mapping in Cornell Centre Secondary Plan Update
Wetlands	<p><b>City of Markham Official Plan</b></p> <p><b>Wetlands:</b> means lands that are seasonally or permanently covered by shallow water or have the water table close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of <i>wetlands</i> are swamps, marshes, bogs and fens. Periodically soaked or wetlands being used for agricultural purposes, which no longer exhibit wetland characteristics, are not considered to be <i>wetlands</i> for the purposes of this definition.</p> <p><b>Provincially significant wetlands:</b> means an area identified as provincially significant by the Ministry of Natural Resources and Forestry using evaluation procedures established by the</p>	<p>All wetlands that have been evaluated using standard provincial procedures and wetlands that have yet to be evaluated. Both evaluated and unevaluated wetlands identified in Ministry of Natural Resources and Forestry and Toronto and Region Conservation Authority datasets are included in the City of Markham Official Plan.</p> <p>The wetlands shown in the Official Plan on Map 6 – Hydrologic Features are mapped using the best available information based on existing data sources from the City of Markham, Region of York, Ministry of Natural Resources and Forestry and Toronto and Region Conservation Authority and are subject to refinement through an environmental impact study or equivalent study. Data sources include TRCA Regulated Areas mapping (wetlands layer) and MNR Provincial Land Information Ontario (LIO) wetland datasets. Not all wetlands in the City are shown on Map 6 – Hydrologic Features.</p> <p>Criteria for identifying significant wetlands are established by the Province. The Ontario Wetland</p>	Wetlands identified in TRCA Regulated Areas mapping (wetlands layer) and MNR Provincial Land Information Ontario (LIO) wetland datasets are recommended to be mapped in the Cornell Centre Secondary Plan.

Natural Heritage Network Component	Definition	Criteria for Identification/Significance*	Criteria for Mapping in Cornell Centre Secondary Plan Update
	Province, as amended from time to time.	<p>Evaluation System, Southern Manual, 4th Edition, (MNR, 2022) is the official provincial document utilized to evaluate wetlands in Southern Ontario to confirm their status and significance.</p> <p>Currently, there is no minimum size threshold for mapping wetlands in the Markham Official Plan.</p>	
fHabitat of threatened and endangered species	<p><b>Provincial Policy Statement, 2020</b></p> <p><b>Habitat of endangered species and threatened species:</b> means habitat within the meaning of Section 2 of the Endangered Species Act, 2007.</p> <p><b>City of Markham Official Plan</b></p> <p><b>Habitat of endangered and threatened species</b> means:</p> <p>a) with respect to a species listed on the Species at Risk in Ontario List as endangered or threatened species for which a regulation made under Clause 55(1)(a) of the</p>	<p>Criteria for the identification of the habitat of endangered species and threatened species is determined in accordance with the habitat regulations of the <i>Endangered Species Act</i> (2007).</p> <p>Habitat of endangered and threatened species is not mapped in the City of Markham Official Plan or broader level Secondary Plans.</p> <p>When required, habitat mapping is completed at the time of a development application through an environmental impact study in accordance with recommended field inventory protocols when preliminary screening has indicated that an endangered or threatened species or their habitat exist or are likely to exist in a location and would be potentially impacted by the proposal or activity.</p>	<p>If required, habitat mapping will be completed at the time of a development application through an environmental impact study in accordance with recommended field inventory protocols when preliminary screening indicates that endangered or threatened species or their habitat exist or are likely to exist in a location and would be potentially impacted by the proposal or activity.</p>

Natural Heritage Network Component	Definition	Criteria for Identification/Significance*	Criteria for Mapping in Cornell Centre Secondary Plan Update
	<p>Endangered Species Act, 2007, is in force, the area prescribed by the regulation as the habitat of the species; or</p> <p>b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ministry of Natural Resources and Forestry; and</p> <p>places in the areas described in a) or b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.</p>		
Significant portions of the habitat of: i. special concern species in the	N/A - does not apply to Cornell Centre.	N/A	N/A

Natural Heritage Network Component	Definition	Criteria for Identification/Significance*	Criteria for Mapping in Cornell Centre Secondary Plan Update
ii. Oak Ridges Moraine Conservation Area and Greenbelt Plan Area; and provincially rare species in the Oak Ridges Moraine Conservation Plan Area			
Fish habitat	N/A – Fisheries Act authorizations were previously obtained for development within and adjacent to watercourses in the Cornell Secondary Plan Area.	N/A	N/A
Life Science Areas of Natural and Scientific Interest	N/A - does not apply to Cornell Centre.	N/A	N/A
Valleylands	<b>City of Markham Official Plan</b>  <b>Valleylands</b> means a natural area occurring in a valley or other landform depression that has water flowing through or standing for some period of the year. For the purposes of this Plan they include well or	All valley and stream corridors having well or ill-defined valley morphology (e.g., landform feature with flowing or standing water, valley slopes, floodplains, etc.) are mapped to the greater limit of 1) the interpreted top of bank or, where detailed mapping is available, defined long term stable top of bank, 2) the outermost limit of the floodplain, or 3) other overlapping	N/A  The watercourses and valleylands associated with Tributaries A, B and C originally draining Cornell Centre have either been removed through prior approvals or reconfigured and channelized as components

Natural Heritage Network Component	Definition	Criteria for Identification/Significance*	Criteria for Mapping in Cornell Centre Secondary Plan Update
	<p>ill-defined depressional features associated with a river or stream, whether or not they contain a watercourse in which a flow of water regularly or continuously occurs.</p>	<p>natural heritage feature, where field data is available.</p> <p><b>Significant valleylands</b> include valleylands which are ecologically important in terms of features, functions, representation or amount, and contribute to the quality and diversity of an identifiable geographic area or natural heritage system as determined using guidelines/procedures developed by the Province.</p> <p>Criteria recommended in the Ontario Ministry of Natural Resources' Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005. Second Edition may be utilized to determine the significance of valley landform features such as the presence of surface and groundwater features and functions, rare communities or species, endangered or threatened species, and degree of naturalness of the valley.</p>	<p>of the stormwater system serving the Secondary Plan.</p> <p>The watercourses and associated valleys in Cornell Centre are identified on Maps 3, 4, 5 and 6 in the 2014 City of Markham Official Plan as "Greenway", "Natural Heritage Network", "Permanent and Intermittent Streams", "Valleylands" and "Other Greenway System Lands including certain naturalized stormwater management facilities".</p> <p>It is proposed that the existing mapped valleyland and watercourse designations be retained in the Cornell Secondary Plan with revisions to reflect their approved limits.</p>
Woodlands	<p><b>City of Markham Official Plan</b></p> <p><b>Woodland</b> means an area of land of at least 0.2 hectares and includes at least:</p>	<p>The woodlands identified in the Official Plan on Map 5 – Natural Heritage Features and Landforms are mapped using the best available information based on existing data sources from the City of Markham, York Region and</p>	<p>All woodlands greater than 0.2 hectares in size and meeting either of the following criteria are recommended to be mapped in the Cornell Centre Secondary Plan:</p>

Natural Heritage Network Component	Definition	Criteria for Identification/Significance*	Criteria for Mapping in Cornell Centre Secondary Plan Update
	<p>a) 1,000 <i>trees</i> of any size, per hectare;</p> <p>b) 750 <i>trees</i> measuring over 5 centimetres diameter at breast height, per hectare;</p> <p>c) 500 <i>trees</i> measuring over 12 centimetres diameter at breast height, per hectare; or,</p> <p>d) 250 <i>trees</i> measuring over 20 centimetres diameter at breast height, per hectare,</p> <p>but does not include a cultivated fruit or nut orchard, a plantation established and used for the purpose of producing Christmas trees or nursery stock. For the purposes of defining a <i>woodland</i>, treed areas separated by more than 20 metres will be considered a separate <i>woodland</i>. When determining a <i>woodland</i>, continuous agricultural hedgerows and <i>woodland</i> fingers or narrow <i>woodland</i> patches will be considered part of the <i>woodland</i> if they have a</p>	<p>Toronto and Region Conservation Authority and are subject to confirmation as <i>significant woodlands</i> or <i>woodlands</i> in the field.</p> <p><b>Significant woodlands</b> are defined in the York Region Official Plan and mean woodlands that meet any one of the following criteria:</p> <p>a) is 0.5 hectares or larger and:</p> <ol style="list-style-type: none"> <li>i. directly supports globally or provincially rare plants, animals or communities as assigned by the Natural Heritage Information Centre; or</li> <li>ii. directly supports threatened or endangered species;</li> <li>iii. is within 30 metres of a <i>provincially significant wetland</i> or <i>wetland</i>, <i>waterbody</i>, <i>permanent stream</i> or <i>intermittent stream</i>;</li> </ol> <p>b) is 2 hectares or larger and:</p> <ol style="list-style-type: none"> <li>i. is located outside the urban area and is within 100 metres of a Life Science Area of Natural and Scientific Interest, a <i>wetland</i>, <i>significant</i> </li></ol>	<p>a) woodlands currently designated for protection in the City of Markham Official Plan and Cornell Secondary Plan; and</p> <p>b) woodlands not currently identified in the City of Markham Official Plan or Cornell Secondary Plan that require further evaluation through an environmental impact study.</p> <p>Woodlands will be identified utilizing existing woodland mapping datasets or delineated through air photo interpretation and confirmed with site visits.</p>



Natural Heritage Network Component	Definition	Criteria for Identification/Significance*	Criteria for Mapping in Cornell Centre Secondary Plan Update
	<p>minimum average width of at least 40 metres and narrower sections have a length to width ratio of 3:1 or less. Undeveloped clearings with <i>woodland</i> patches are generally included within a <i>woodland</i> if the total area of each clearing is no greater than 0.2 hectares. In areas covered by Provincial Plan policies, <i>woodland</i> includes treed areas as further described by the Ministry of Natural Resources. For the purposes of determining densities for <i>woodlands</i> outside of the Provincial Plan areas, the following species are excluded: staghorn sumac, European buckthorn, common lilac.</p>	<p><i>valleyland</i>, or <i>fish habitat</i>, or</p> <ul style="list-style-type: none"> <li>ii. is located within the Regional Greenlands System;</li> <li>c) is 4 hectares or larger;</li> <li>d) on the Oak Ridges Moraine the woodland will be evaluated for significance based on the requirements of the Oak Ridges Moraine Conservation Plan and associated technical papers;</li> <li>e) on land in the Greenbelt Natural Heritage System, the woodland will be evaluated for significance based on the requirements of the Greenbelt Plan and associated technical papers.</li> </ul> <p><b>Policy 3.1.2.17</b> That development, <i>redevelopment</i> and <i>site alteration</i> may be considered in <i>woodlands</i>, that are not <i>significant woodlands</i>, where all of the requirements below have been addressed through an environmental impact study as described in Section 3.5 to the satisfaction of the City in consultation with agencies as appropriate:</p> <ul style="list-style-type: none"> <li>a) <i>habitat of endangered or threatened species</i> has been</li> </ul>	

Natural Heritage Network Component	Definition	Criteria for Identification/Significance*	Criteria for Mapping in Cornell Centre Secondary Plan Update
		<p>addressed in accordance with provincial and federal requirements;</p> <p>b) they have minimal function and are not functionally connected to other <i>natural heritage and hydrologic features</i> in the Greenway System;</p> <p>c) they are difficult to restore and/or manage in an urban setting; and</p> <p>d) they have been in existence for generally less than 25 years.</p>	
Wildlife habitat	<p><b>Provincial Policy Statement, 2020</b></p> <p><b>Wildlife habitat</b> means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or nonmigratory species.</p>	<p><b>City of Markham Official Plan</b></p> <p>Wildlife habitat is not comprehensively mapped in the City of Markham Official Plan or broader level Secondary Plans.</p> <p>Significant wildlife habitat is identified in accordance with the Ministry of Natural Resources and Forestry's Significant Wildlife Habitat Technical Guide and associated Criteria Schedules for Ecoregions 6E and 7E.</p> <p>If required, wildlife habitat mapping is completed at the time of a development application through an environmental impact study in accordance with recommended field inventory protocols when preliminary</p>	<p>If required, wildlife habitat mapping will be completed at the time of a development application through an environmental impact study in accordance with recommended field inventory protocols when preliminary screening indicates that wildlife species or their habitat exist or are likely to exist in a location and be potentially impacted by the proposal or activity.</p>

Natural Heritage Network Component	Definition	Criteria for Identification/Significance*	Criteria for Mapping in Cornell Centre Secondary Plan Update
		<p>screening has indicated that wildlife species or their habitat exist or are likely to exist in a location and be potentially impacted by the proposal or activity.</p> <p><b>Significant wildlife habitat</b> means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas that are important to migratory or non-migratory species. Significant wildlife habitat includes those areas that are ecologically important in terms of features, functions, representation or amount, and contribute to the quality and diversity of an identifiable geographic area or natural heritage system.</p>	
Sand barrens, savannahs and tallgrass prairies	N/A - does not apply to Cornell Centre.	N/A	N/A
Permanent streams and intermittent streams	<b>City of Markham Official Plan</b>	Permanent and intermittent streams are mapped in the City of Markham Official Plan using the best available information based on data sources	Available permanent and intermittent stream datasets will be used and updated, as needed, to reflect approved

Natural Heritage Network Component	Definition	Criteria for Identification/Significance*	Criteria for Mapping in Cornell Centre Secondary Plan Update
	<p><b>Permanent Stream</b> means a stream which continually flows in an average year.</p> <p><b>Intermittent stream</b> means a stream-related watercourse that contains water or is dry at times of the year that are more or less predictable, generally flowing during wet seasons of the year but not the entire year, and where the water table is above the stream bottom during parts of the year.</p>	<p>from the Ministry of Natural Resources and Forestry, Toronto and Region Conservation Authority (TRCA) and City of Markham.</p> <p>Data sources include the Ontario Hydro Network (OHN) – Watercourse dataset available from Land Information Ontario, the City of Markham Small Streams Study and TRCA regulated areas mapping data.</p> <p>Field studies conducted to confirm the presence and status of permanent streams, intermittent streams and headwater drainage features are required to follow relevant provincial and conservation authority protocols and guidelines including the TRCA’s Evaluation, Classification and Management of Headwater Drainage Features Guidelines and MNRF’s Ontario Stream Assessment Protocol.</p>	<p>limits for the Cornell Centre Secondary Plan.</p> <p>It is recommended that additional investigation of headwater drainage features be undertaken in locations that do not have site specific planning approvals at the time of a development application to confirm if headwater drainage features are present and determine their recommended protection as may be required in accordance with the City of Markham Official Plan and policy direction in the Secondary Plan.</p>
Seepage areas and springs	<p><b>City of Markham Official Plan</b></p> <p><b>Seepage areas and springs</b> are sites of emergence of groundwater where the water table is present at the ground surface. Seepage areas are areas where groundwater</p>	<p><b>City of Markham Official Plan</b></p> <p>Seepage areas and springs are not comprehensively mapped in the City of Markham Official Plan or broader level Secondary Plans.</p> <p>Seepage areas and springs are identified in accordance with</p>	<p>The characterization of groundwater conditions in Cornell Centre, including seepage areas and springs, are described in the Cornell Centre Master Environmental Servicing Plans. Available information will be referenced to identify areas of potential or</p>

Natural Heritage Network Component	Definition	Criteria for Identification/Significance*	Criteria for Mapping in Cornell Centre Secondary Plan Update
	<p>emerges from the ground over a diffuse area. Springs are points of natural, concentrated discharge of groundwater. For the purpose of this definition, seepage areas and springs include altered features but not features created and maintained by artificial means (City of Markham 2014 Official Plan).</p> <p><b>Seepage areas and springs</b> means sites of emergence of groundwater where the water table is present at the ground surface (Greenbelt Plan, 2017).</p>	<p>recommended mapping and field inventory protocols and may include use of topographic surveys, visual field investigations, assessment of vegetation, observation of surface water and groundwater conditions and modelling to identify sites of emergence of groundwater where the water table is present at the ground surface.</p> <p>Identification of seepage areas and springs may be undertaken as part of subwatershed scale studies, master environmental servicing plans, or site specific environmental impact studies.</p>	<p>known emergence of groundwater.</p> <p>It is recommended that additional investigation of the potential for seepage areas and springs in locations that do not have site specific planning approvals be undertaken at the time of a development application to confirm if seepage areas and springs are present and determine their recommended protection as may be required in accordance with the City of Markham Official Plan and policy direction in the Secondary Plan.</p>

\* Criteria for mapping Natural Heritage Network components outside the Greenbelt Plan and Oak Ridges Moraine Conservation Plan (ORMCP) and in locations within the Greenbelt Plan and ORMCP where municipal criteria apply. Within the Greenbelt Plan and ORMCP, reference should be made to the relevant provincial plan policies, technical papers and criteria issued by the Province for those Plans.



# Cornell Centre Secondary Plan Update

Development Services Committee

November 12, 2024



# Purpose

The purpose of this presentation is to:

- Provide a status update and summary of work completed on the draft Cornell Centre Secondary Plan
- Outline next steps in the work plan to complete the project



# Background

- 2014 Markham OP requires Secondary Plan for Cornell Centre
- Draft Secondary Plan was brought to DSC in 2015 but was not finalized and adopted
- Report with work plan report to complete the project was brought to DSC in June 2024





# Work Plan

**Phase 1:** Review of 2015 draft policy framework and technical studies (completed)

**Phase 2:** Preparation of draft Cornell Centre Secondary Plan for stakeholder and public consultation (completed)

- Complete draft Secondary Plan (early Q4 2024)  **Where we are now**

**Phase 3:** Public consultation and engagement

- Community Information Meeting (targeting Q1 2025)
- Statutory Public Meeting (targeting late Q1/early Q2 2025)

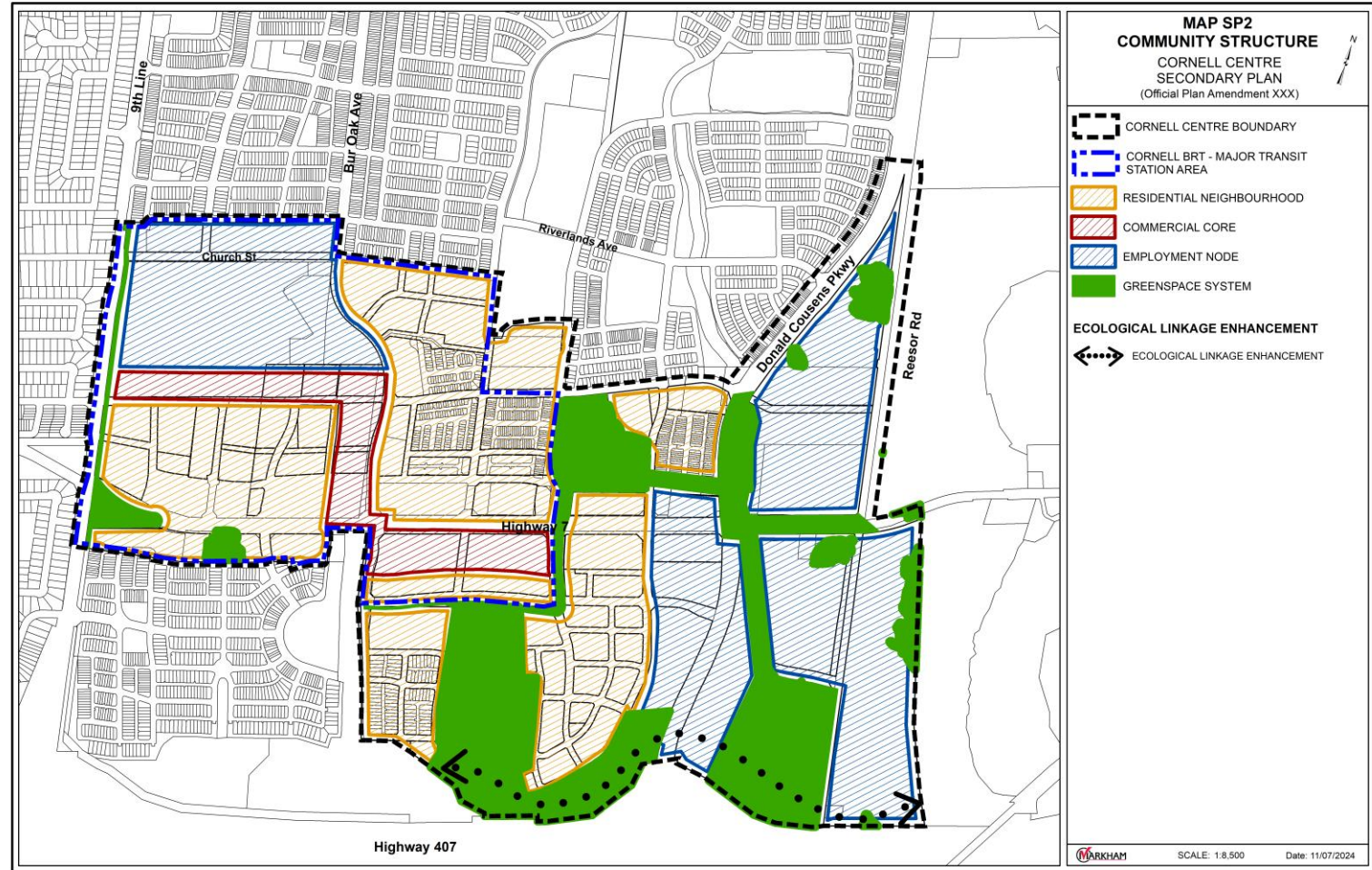
**Phase 4:** Approval of Cornell Centre Secondary Plan

- Present final Secondary Plan to Markham Council for adoption targeted for early Q3 2025



# Planned Vision for Cornell Centre

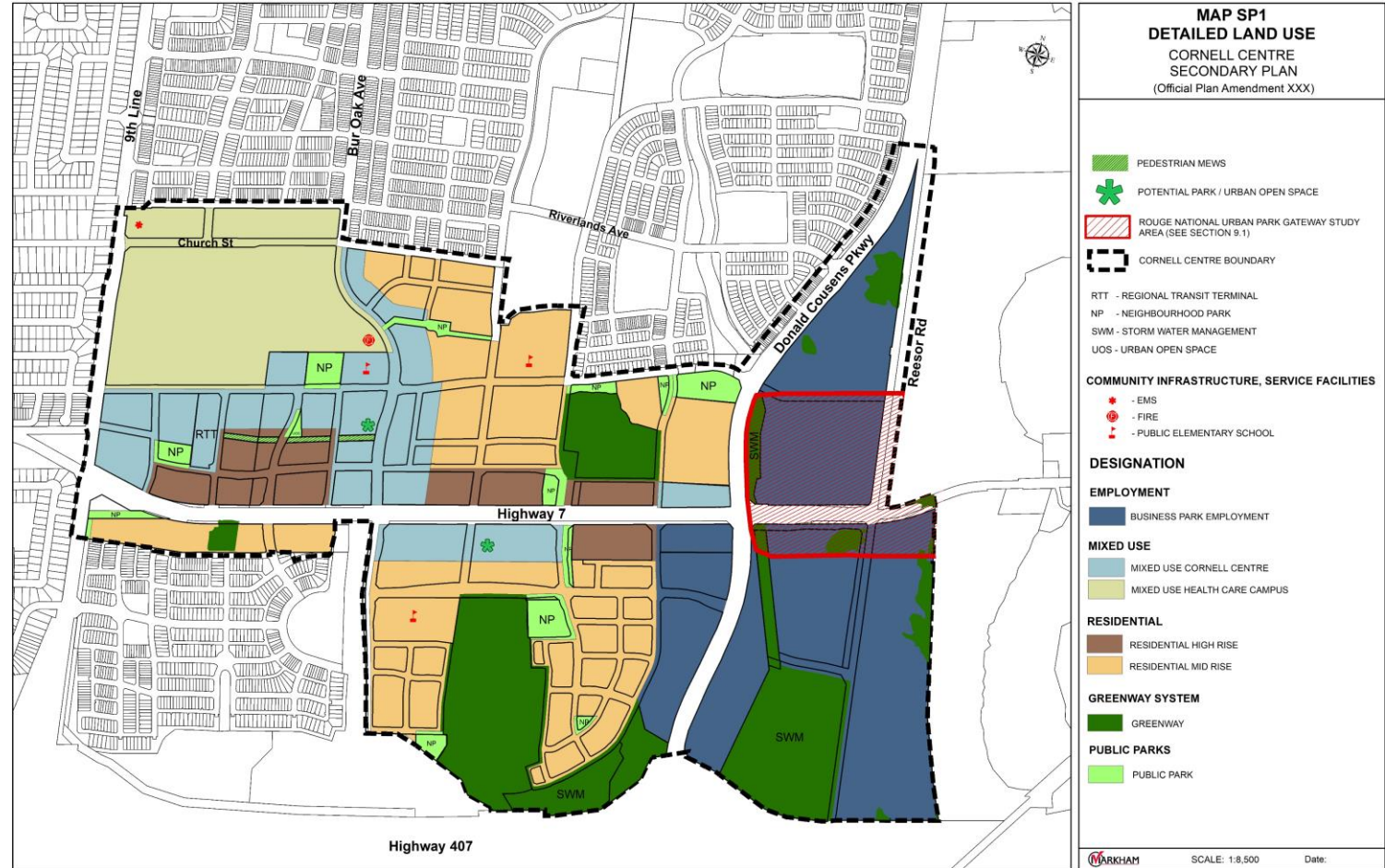
- Cornell Centre is planned to be a complete community consisting of a range of housing types, employment opportunities, commercial and retail along established 'main streets', high quality community facilities and parks, an active transportation network, and proximity to rapid transit
- At full buildout Cornell





# Land Use

- Mixed use, Employment, and Residential designations have been refined and consolidated
- Added policies pertaining to the Cornell Rouge National Urban Park Gateway Study and location of gateway area mapped
- Confirmed location, and parcel configuration of new parks and schools
- Mid-block pedestrian mews connecting Bur Oak Ave.

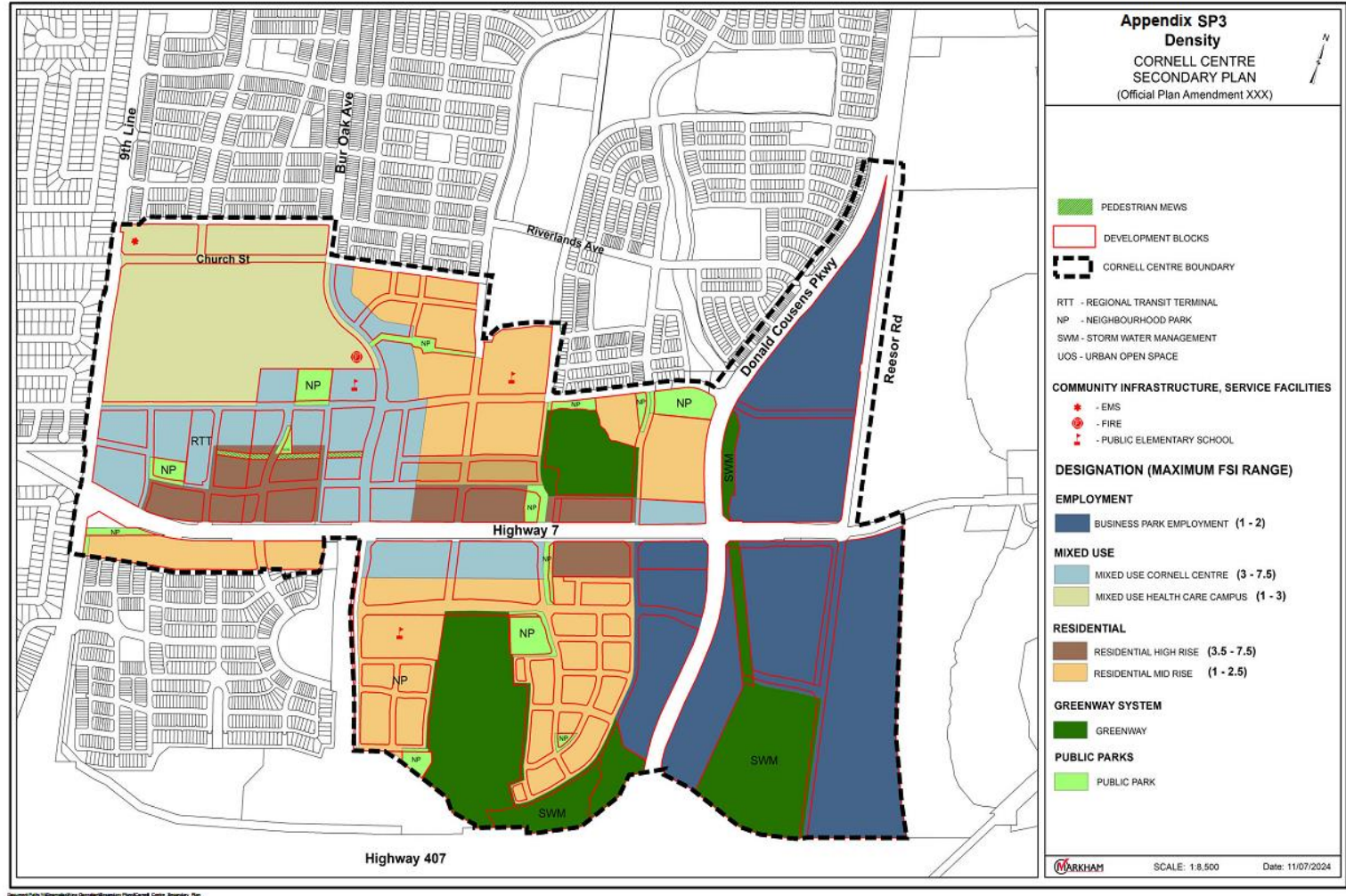


Document Path: C:\Users\B20\OneDrive\Work\Projects\Cornell Centre Secondary Plan Study Area\SiteAnalysis\1\_Detailed\_Land\_Use\_Final.mxd



# Density

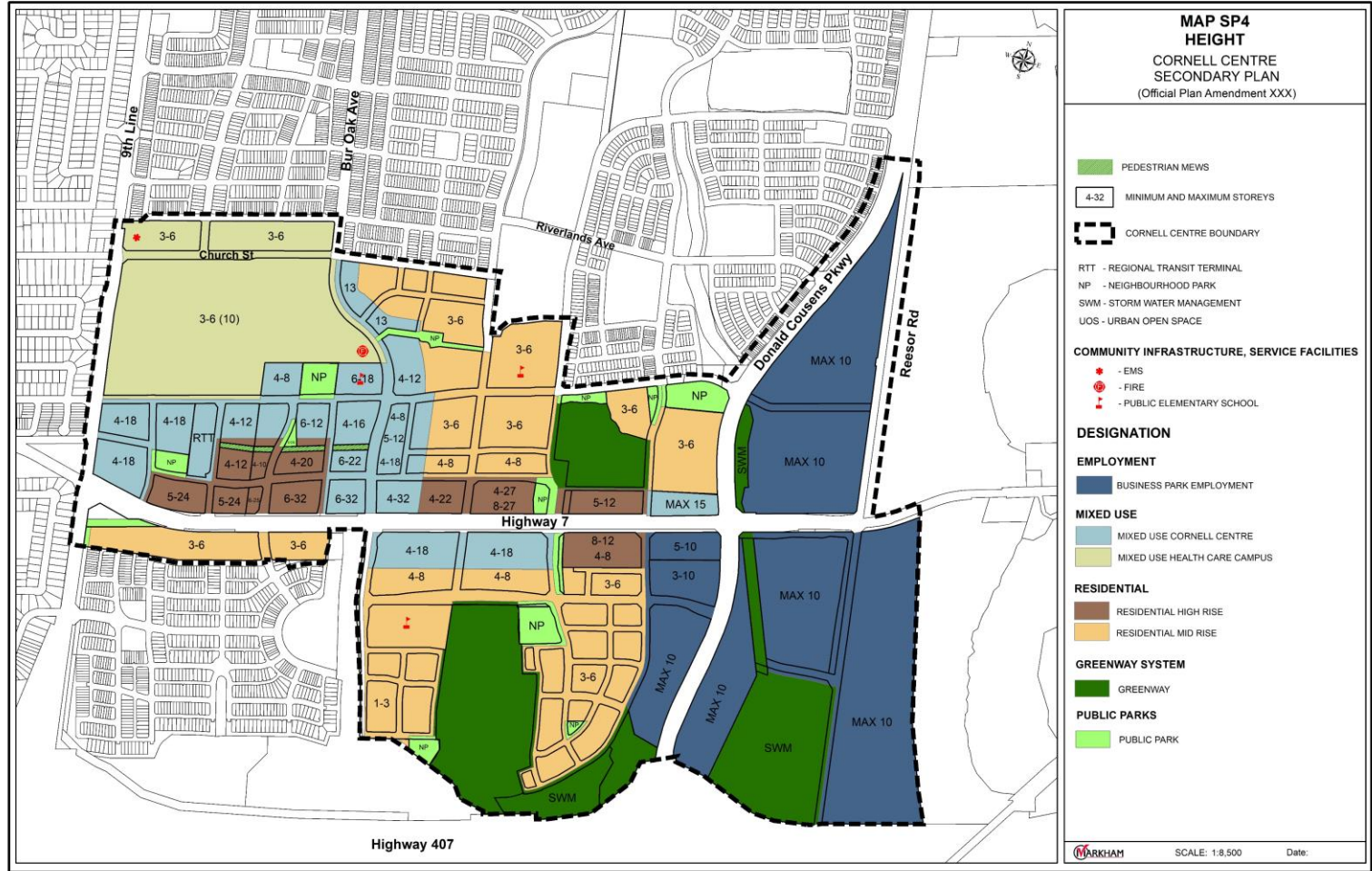
- Density has been mapped to show the maximum Floor Space Index (FSI) range for each land use designation
- FSI range is permissive to reflect built form and massing and will be further refined to direct the highest densities with the tallest buildings
- Original approach to FSI





# Building Heights

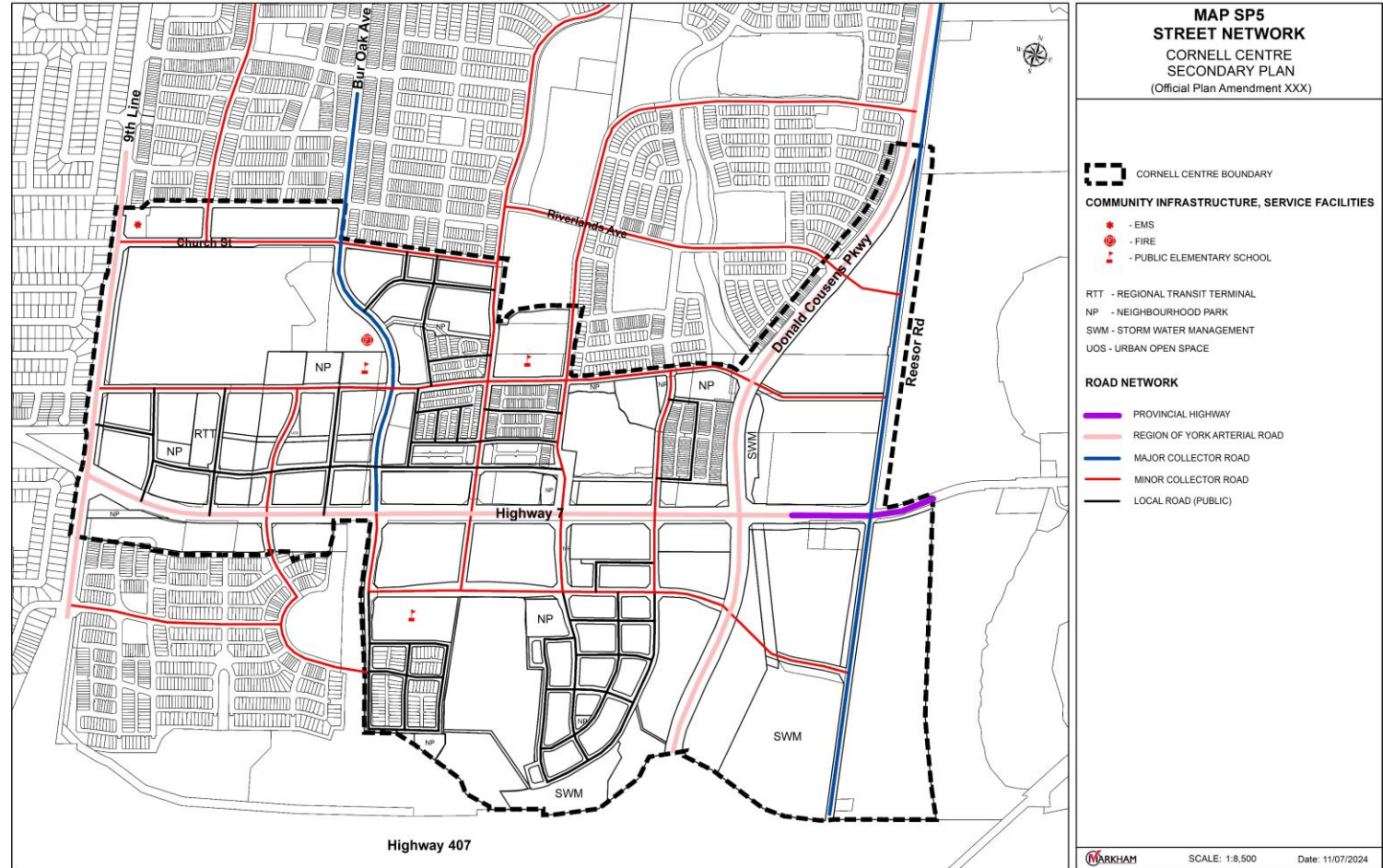
- Minimum and maximum building heights have been established with consideration for approved and in process development applications
- Original configuration with tallest buildings along Hwy 7 and in close proximity to RTT, and transition from





# Street Network

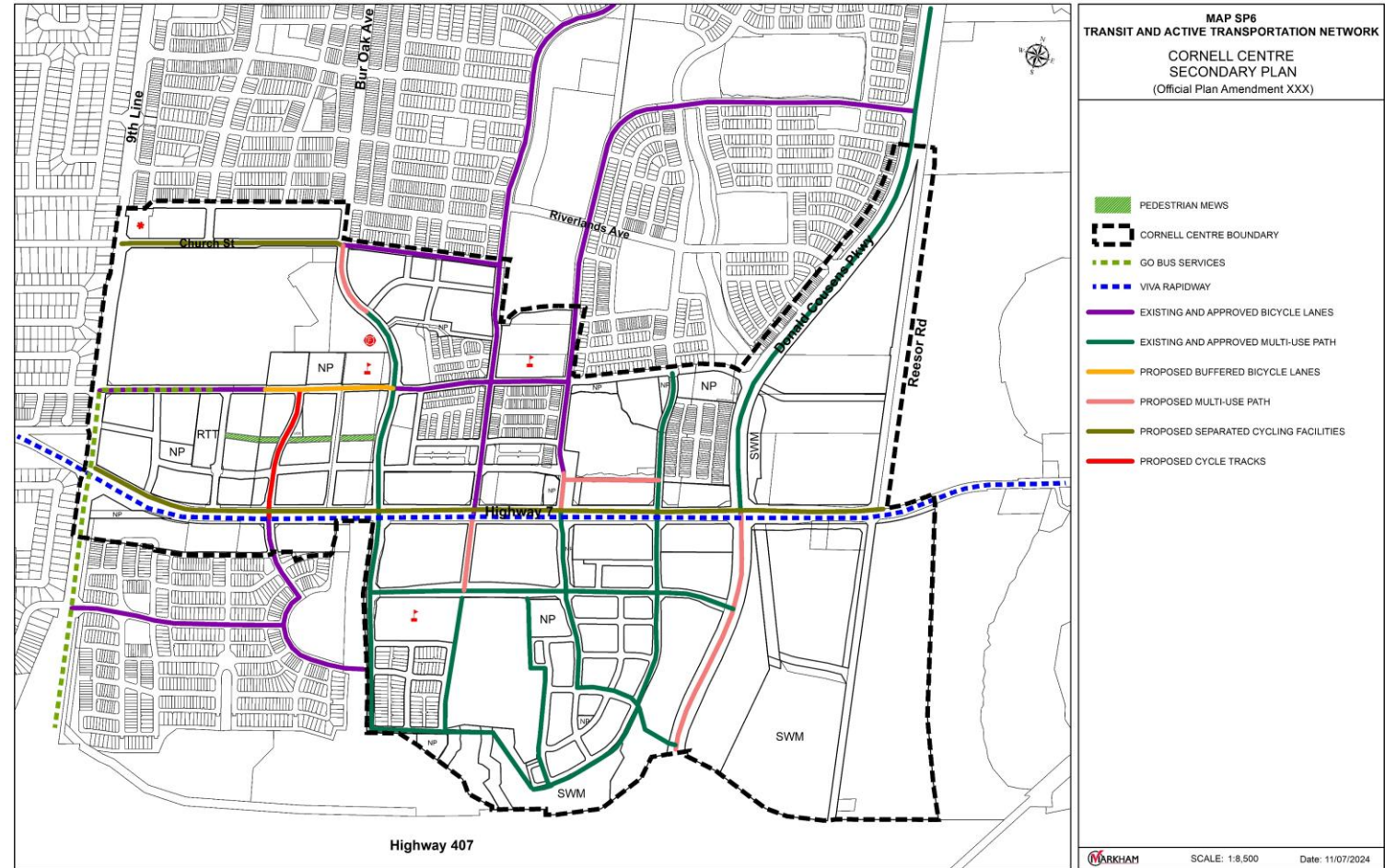
- Street network has been refined and mapped according to current state and approved Plans of Subdivision





# Transit and Active Transportation

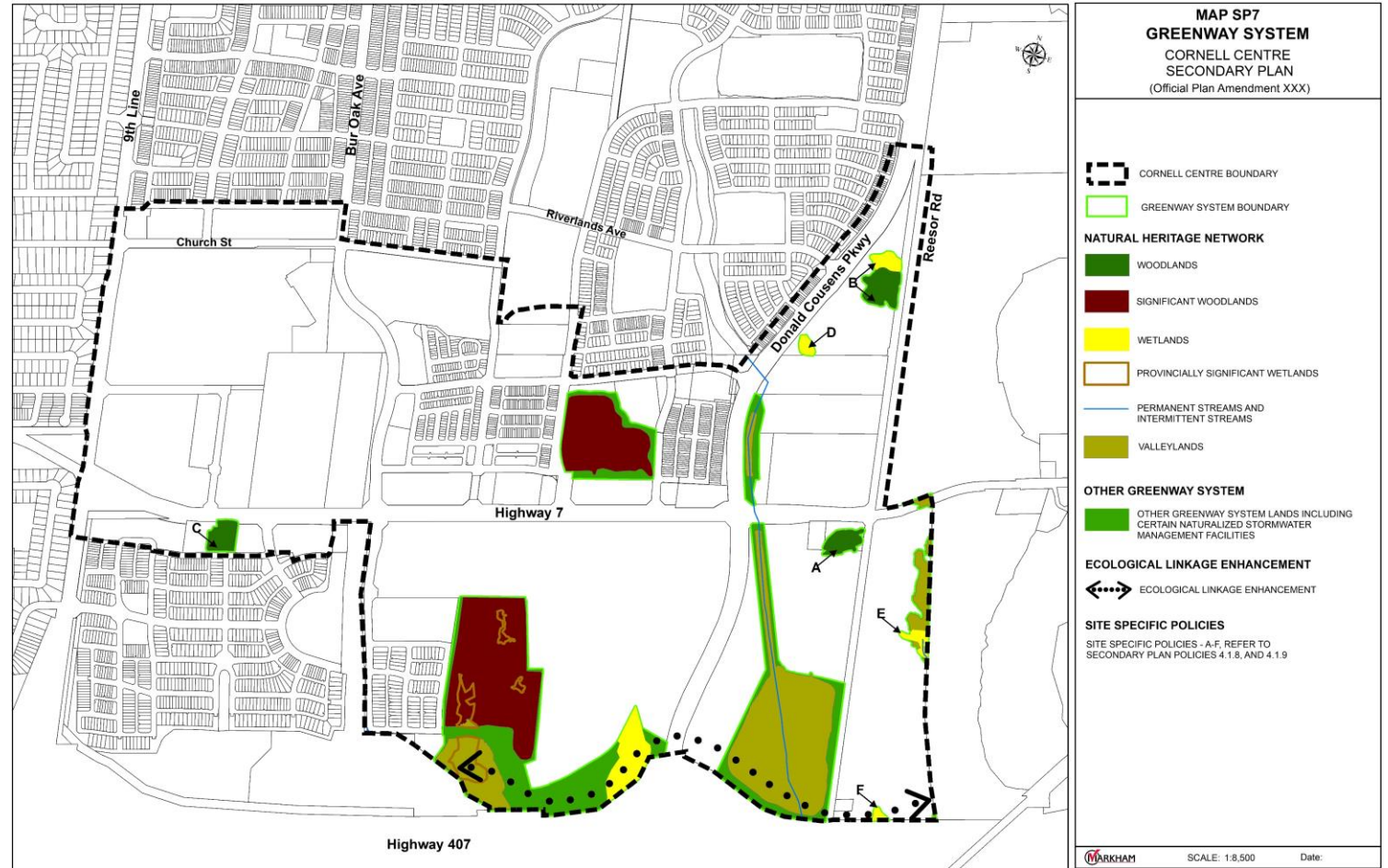
- Transit and Active Transportation network has been established including existing, approved, and proposed bicycle lanes, multi-use paths, cycling facilities, and cycle tracks
- Proposed extension of VIVA Rapidway along





# Greenway System

- Secondary Plan protects a network of natural heritage features in the Greenway System
- Additional natural heritage features have been identified and added to mapping
- Environmental Impact Studies will confirm the ultimate







# Proposed Next Steps

- A Your Voice Markham (YVM) website will be launched with project updates and materials for stakeholder review in Q4 of 2024
- A Community Information Meeting will be scheduled for Q1 of 2025
- The Statutory Public Meeting is targeted to be held in Q2 of 2025
- Targeting a final Secondary Plan for Council adoption in Q3 of 2025



**Thank you!**



PLANNING AND URBAN DESIGN

11 November 2024

Development Services Committee  
 City of Markham  
 101 Town Centre Blvd  
 Markham, ON L3R 9W3

**Attention:**            **Duran Wedderburn, MCIP, RPP**  
 Manager, Policy

Dear Mr. Wedderburn,

**RE:**                    **Cornell Centre Secondary Plan Update – Draft Policy Framework**  
 7128, 7170 and 7186 Highway 7 East  
 City of Markham  
 Spring Hill Homes Inc.  
 WND File No.: 18.566

We are the planning consultants to the owners of the site municipally known as 7128, 7170 and 7186 Highway 7 East, which is located on the north side of Highway 7 between Cornell Centre Boulevard and William Forster Road ("subject site") in the Cornell Centre Secondary Plan area. The subject site is generally rectangular in shape and approximately 1.59 hectares (3.94 acres) in area.

### Development Applications

Prior to the release of the draft Official Plan Amendment to incorporate the Cornell Centre Secondary Plan by the City in November 2024, an application to amend the City of Markham Official Plan 2014 and Zoning By-law 177-96 was approved by City Council in August 2024 (Official Plan Amendment No. 269 and By-law 2024-154) to revitalize the subject site with a high-rise residential development (City File No. PLAN 20 119576).

The approved Official Plan and Zoning By-law Amendments permit an 884-unit residential development consisting of two apartment buildings with heights of 21, 24, and 27-storeys, and two four-storey back-to-back and stacked townhouses (44 units) in a condominium tenure. The development also includes the preservation of the Francis Pike House (designated under Part IV of the Ontario Heritage Act) to be used as amenity space by the future condominium, as well as a 0.15 ha unencumbered parkland and an additional 0.1 ha stratified parkland located along William Forster Road. The stratified portion of the parkland is an over-dedication to the City with privately owned underground parking located below.

As the recent Council approval of both the Official Plan and Zoning By-law Amendments were made in the context of the emerging Cornell Centre Secondary Plan, we respectfully request that the Secondary Plan be revised to acknowledge both approvals by including the approved Official Plan Amendment as a Site Specific Policy to ensure compliance with the approved Official Plan and Zoning By-law Amendments.

Please accept this letter as our formal request for notice of any further reporting, meetings or decision made by the City with respect to this matter.

If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,

**WND associates**  
planning + urban design

A handwritten signature in black ink, appearing to read 'S. Sigouin', written in a cursive style.

Shannon Sigouin, MCIP, RPP  
Senior Associate, Urban Design



## BY-LAW 2024-202

### A By-law to amend By-law 1229, as amended (to add a site specific exception)

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That By-law 1229, as amended, is hereby further amended as it applies to the lands shown on Schedule 'A' as follows:

#### 1.1. By adding Exception 12.84 under subsection 12- EXCEPTIONS

<b>Exception 12.84</b>	<b>Northeast corner of Heritage Road and McCowan Road</b>	<b>Parent Zone M</b>
File PLAN 24-182359	Part of Lot 11, Concession 7 Registered Plan R463926	Amending By-law 2024-202
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by exception 12.84 on the schedule to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
<b>12.84.1 Additional Permitted Uses</b>		
The following additional uses are permitted:		
a)	MOTOR VEHICLE SALES ESTABLISHMENT	
b)	Motor vehicle repair garage	
<b>12.84.2 Special Zone Standards</b>		
The following specific Zone Standards shall apply:		
a)	For the purposes of this By-law, the LOT LINE abutting McCowan Road shall be deemed the FRONT LOT LINE.	
b)	Minimum required yards:	
	i) FRONT YARD – 4.0 metres.	
	ii) EXTERIOR SIDE YARD – 2.5 metres.	
c)	Motor vehicle repair garage is only permitted accessory to a MOTOR VEHICLE SALES ESTABLISHMENT.	
d)	A minimum of one (1) loading space shall be required.	
e)	Accessory outdoor storage and/or display of merchandise or motor vehicles is prohibited:	
	i) Within 2.5 metres of the southern lot line.	
	ii) Within 4.0 metres of the front lot line.	
	iii) Between the main wall of the building and the front or southern lot line.	
f)	If parking spaces are provided, the following provisions apply:	
	i) A minimum of 1 parking space shall be provided as accessible.	
	ii) A minimum of 3% of the spaces shall be provided as accessible.	

Read and first, second and third time and passed on November 20, 2024.

---

Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor

Schedule "A" to By-law

**EXPLANATORY NOTE**

**BY-LAW NO. 2024-202**

A By-law to amend By-law 1229, as amended.

**30 Heritage Holdings LTD.  
229 Steeles Avenue West,  
Vaughan, Ontario L4J1A1**

**LANDS AFFECTED**

The lands have an area of approximately 0.72 ha (1.78 ac), located at the north-east corner of McCowan Road and Heritage Road, north of Highway 7 East. The lands are municipally known as 30 Heritage Road.

**EXISTING ZONING**

The lands are currently zoned Industrial Zone 'M' in By-law 1229, as amended.

**PURPOSE AND EFFECT**

The purpose and effect of this By-law is to add 'Motor Vehicle Establishment' and 'Motor Vehicle Repair Garage' as additional permitted uses under the current Industrial 'M' Zone, to facilitate the development of a new three storey commercial building for a Motor Vehicle Sales and Service establishment.


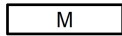
Bullock Dr

McCowan Rd

Heritage Rd

M

# SCHEDULE 'A' TO BY-LAW AMENDING BY-LAW 1229

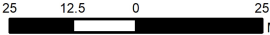
-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  INDUSTRIAL

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

Y:\Geomatics\New Operation\2024 Agenda\PLAN\PLAN 24 182359\Schedule\_A.mxd



DEVELOPMENT SERVICES COMMISSION



Drawn By: BE Checked By: AC

DATE: 10/17/2024

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



**CITY OF MARKHAM**

**OFFICIAL PLAN AMENDMENT NO. 58**

To amend the City of Markham Official Plan 2014, as amended, and to incorporate Amendment No. 1 to the Angus Glen Secondary Plan (OPA 47).

***(Angus Glen Landowner's Group Inc.)***

**November 2024**

**CITY OF MARKHAM**

**OFFICIAL PLAN AMENDMENT NO. 58**

To amend the City of Markham Official Plan 2014, as amended and to incorporate Amendment No. 1 to the Angus Glen Secondary Plan (OPA 47).

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. 2024-203 in accordance with the *Planning Act*, R.S.O., 1990 c. P.13, as amended, on the 20<sup>th</sup> day of November, 2024.

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor



## By-law 2024-203

Being a by-law to adopt Amendment No. 58 to the City of Markham Official Plan 2014, as amended, and the Angus Glen Secondary Plan (OPA 47)

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THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF THE *PLANNING ACT*, R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. 58 to the City of Markham Official Plan 2014, as amended, and the Angus Glen Secondary Plan (OPA 47), attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 20<sup>th</sup> DAY OF NOVEMBER, 2024.

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Kimberley Kitteringham  
City Clerk

---

Frank Scarpitti  
Mayor

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1.0 THE SECONDARY PLAN AMENDMENT ..... 9

2.0 IMPLEMENTATION AND INTERPRETATION..... 9

**PART I – INTRODUCTION**

(This is not an operative part of the Official Plan Amendment No. 58)

## PART I – INTRODUCTION

### 1.0 GENERAL

- 1.1. PART I – INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.
- 1.2. PART II – THE SECONDARY PLAN AMENDMENT constitutes Amendment No. 1 to the Angus Glen Secondary Plan (OPA 47). Part II is an operative part of this Official Plan Amendment.

### 2.0 LOCATION

The Amendment applies to the entire Angus Glen Secondary Plan Area, as shown on Figure 1 below, which are approximately 400 hectares (988 acres) in size. More specifically, the Amendment references 52.1 hectares (128.7 acres) of lands legally described as Part of Lot 24, Concession 5 and Part of the East Half and West Half of Lot 25, Concession 5, City of Markham (the “Subject Lands”). The Subject Lands are located within the Angus Glen Secondary Plan Area.

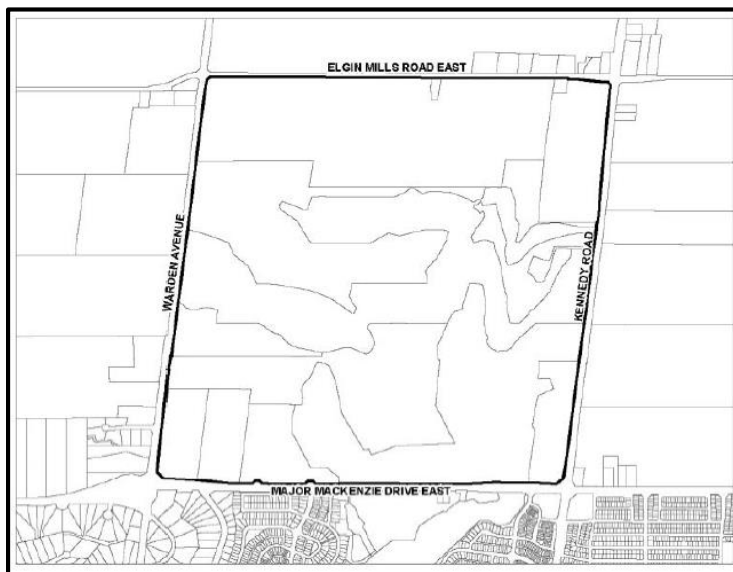


Figure 1: Location Map

### 3.0 PURPOSE

The purpose of this Official Plan Amendment is to amend the Angus Glen Secondary Plan to add site specific provisions to prohibit the east-west major collector road from encroaching onto or crossing over, and from locating a Place of Worship site on the Subject Lands.

#### **4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT**

The Angus Glen Landowner's Group filed an Official Plan Amendment ("OPA") application on November 18, 2017 to establish the Secondary Plan for all lands within the Angus Glen Block including the Subject Lands. The OPA application established the land use policies and designations for the Angus Glen Block and included detailed comprehensive and technical studies to support the Secondary Plan.

On April 7, 2021, the Angus Glen Landowner's Group appealed the OPA application to the Ontario Land Tribunal (the "Tribunal") and was subject to a full hearing regarding the planning merits. The Angus Glen Secondary Plan ("OPA 47") was approved by the Tribunal on July 26, 2023.

This amendment adds site-specific policies regarding the location of the northern east-west major collector road and Place of Worship site in relation to the Subject Lands.

This amendment is consistent with the Provincial Planning Statement, 2024, as the OPA continues to provide a comprehensive plan for the development of the Angus Glen Secondary Plan Area by encouraging the achievement of a complete community with an appropriate range and mix of land uses, housing options, transportation options and services to promote an efficient development and use of land, resources, and infrastructure.

This amendment conforms to the York Region Official Plan, 2022. The Angus Glen Secondary Plan Area is designated 'Community Area', which is intended to accommodate the majority of housing, personal services, retail, institutional, cultural and recreational services. The proposed Amendment meets the goals and objectives of the YROP to plan for a range and mix of land uses and to comprehensively plan for infrastructure and community uses.

This amendment conforms to the City of Markham Official Plan, 2014 and the Angus Glen Secondary Plan as it continues to guide future development and growth in the new Angus Glen Community located in the Future Urban Area by contributing to the achievement of a complete community with respect to the use of land, provision for municipal services and infrastructure, and community services.

The proposed Amendment is appropriate and represents good planning as it supports Provincial, Regional, and Local planning policies.

**PART II – THE SECONDARY PLAN AMENDMENT (OPA 47-1)**  
(This is an operative part of Official Plan Amendment No. 58)



## PART II – THE SECONDARY PLAN AMENDMENT (OPA 47-1)

### 1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 1 to the Angus Glen Secondary Plan, OPA 47)

OPA 47 is hereby amended as follows:

1.1 Adding the following subsection h) to Section 7.1.2.2:

“7.1.2.2 h) notwithstanding each of the policies set out above, and in particular, policy 7.1.2.2b) of the Angus Glen Secondary Plan, the east-west major collector road may not be realigned such that any portion of the east-west major collector road would encroach onto, or cross over, any part of the lands legally described as Part of Lot 24, Concession 5 and Part of the East Half and West Half of Lot 25, Concession 5, City of Markham.”

1.2 Adding the following subsection 5.2.19 to Section 5.2:

“5.2.19 Notwithstanding policies 5.2.13 and 5.2.18 and Map SP1, a Place of Worship shall not be located on the lands legally described as Part of Lot 24, Concession 5 and Part of the East Half and West Half of Lot 25, Concession 5, City of Markham.”

1.3 Adding the following table immediately before the table of contents:

“Table of Secondary Plan Amendments

OPA No.	Title	Date	Status
OPA 47	Angus Glen Secondary Plan	July 26, 2023	In Force
Angus Glen Secondary Plan subsequently amended by:			
OPA 47-1	Angus Glen Landowners Group Inc.	November 20, 2024	

”

### 2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Secondary Plan (OPA 47), as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment is exempt from approval by the Ministry of Municipal Affairs and Housing and the decision of Council is final if a notice of appeal is not received before or on the last day for filing such notice.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. The notice provisions of Section 10.7.5 of the 2014 Markham Official Plan, as amended, shall apply.



## By-law 2024-204

A by-law to designate part of a certain  
plan of subdivision not subject to Part Lot Control

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**Please provide date of Council Resolution or Approval (mm/dd/year)-  
11/20/2024**

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That Section 50(5) of the *Planning Act*, R.S.O. 1990, P.13 shall not apply to the lands within the part of a registered plan of subdivision designated as follows:  
  
Lots 18-21, 23, 41, 43 and 44 and Blocks 73-75, 105, 106 and 117 to 120,  
Plan 65M-4794, City of Markham, Regional Municipality of York
2. This By-law shall expire two years from the date of its passage by Council.

Read a first, second, and third time and passed on November 20, 2024.

---

Kimberley Kitteringham  
City Clerk

---

Frank Scarpitti  
Mayor



**EXPLANATORY NOTE**  
**Part Lot Control Exemption By-law**  
**Berczy Warden Holdings Inc.**

Lots 18-21, 23, 41, 43 and 44 and Blocks 73-75, 105, 106 and 117 to 120, Plan 65M-4794

**Lands Affected**

The lands are located west of Warden Avenue, north of Major Mackenzie Drive East.

This by-law applies to Lots 18-21, 23, 41, 43 and 44 and Blocks 73-75, 105, 106 and 117 to 120 on Registered Plan 65M-4794.

The purpose of this By-law is to exempt the subject lots and blocks from the part-lot control provisions of the *Planning Act*, R.S.O. 1990, c. P.13, as amended. The effect of this By-law is to facilitate the conveyance of 53 townhouse dwelling units with maintenance easements and for the creation of side door access easements to service 8 single-detached dwelling units.

**OFFICIAL PLAN**  
**of the**  
**CITY OF MARKHAM PLANNING AREA**  
**AMENDMENT NO. 271**

To amend the Official Plan (Revised 1987), as amended,  
and to incorporate Amendment No. 19 to the Markham Centre Secondary Plan (PD 33-1), as amended,  
for the Central Area Planning District (Planning District No. 33).

*[2690622 Ontario Inc. (Kingdom – Markham Centre)]*

*(November 2024)*

**OFFICIAL PLAN**  
**of the**  
**CITY OF MARKHAM PLANNING AREA**  
**AMENDMENT NO. 271**

To amend the Official Plan (Revised 1987), as amended, and incorporate Amendment No. 19 to the Markham Centre Secondary Plan (PD 33-1), as amended, for the Central Area Planning District (Planning District No. 33).

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. 2024-205 in accordance with the *Planning Act*, R.S.O., 1990 c.P.13, as amended, on the 20<sup>th</sup> day of November, 2024.

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Kimberley Kitteringham  
CITY CLERK

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Frank Scarpitti  
MAYOR



## **BY-LAW 2024-205**

Being a by-law to adopt Amendment No. 271 to the  
City of Markham Official Plan (Revised, 1987), as amended.

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THAT COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM,  
IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT,  
R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. 271 to the City of Markham Official Plan (Revised, 1987), as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THIS 20<sup>th</sup> DAY OF NOVEMBER,  
2024.

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Kimberley Kitteringham  
CITY CLERK

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Frank Scarpitti  
MAYOR

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**PART I – INTRODUCTION**

(This is not an operative part of Official Plan Amendment No. 271)

## **PART I - INTRODUCTION**

### **1.0 GENERAL**

- 1.1** PART I - INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.
- 1.2** PART II - THE OFFICIAL PLAN AMENDMENT constitutes Amendment No. 271 to the Official Plan (Revised 1987), as amended, and is required to enact Amendment No. 19 to the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). Part II is an operative part of this Official Plan Amendment.
- 1.3** PART III – THE SECONDARY PLAN AMENDMENT, including Schedules “A”, “B” and “C” attached thereto, constitutes Amendment No. 19 to the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). This Secondary Plan Amendment may be identified by the symbol PD 33-1-19. Part III is an operative part of this Official Plan Amendment.

### **2.0 LOCATION**

This Amendment to the Official Plan and to the Markham Centre Secondary Plan (PD 33-1) (the “Amendment”) applies to 1.52 hectares (3.76 acres) of land located on the south side of Highway 7, east of Birchmount Road, municipally known as 4121 Highway 7 (the “Subject Lands”).

### **3.0 PURPOSE**

The purpose of this Amendment is to amend the Markham Centre Secondary Plan to:

- Redesignate a portion of the Subject Lands as shown in Schedule “A”,
- Incorporate site specific height and density provisions to accommodate the proposed mid-rise mixed-use development as shown in Schedules “B” and “C”; and
- Exempt the Subject Lands from the precinct plan requirements.

### **4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT**

The Subject Lands are designated “Community Amenity Area – General” (northern portion), and “Open Space” and “Hazard Land” (southern portion). The “Community Amenity Area – General” designation permits a mix of residential, commercial, employment, and community uses within mid-rise buildings generally not exceeding 6 storeys or 8 storeys for properties located along Highway 7. This Amendment will facilitate the development of a 9-storey mid-rise building and 233 residential units (the “Proposed Development”).

The Proposed Development is consistent with the policies of the Provincial Policy Statement, 2020 (the “2020 PPS”), as it promotes the efficient use of land, resources, and infrastructure by providing a mix of residential and commercial uses to meet long-term needs and supports active transportation and transit.

The Proposed Development conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (the “Growth Plan”), as the Subject Lands promotes and contributes to a range and mix of housing types, provides convenient access to transportation options and public parks, and fosters a compact built form with an attractive and vibrant public realm.

On October 20, 2024, the new Provincial Planning Statement, 2024 (the “2024 PPS”) came into effect and replaces the 2020 PPS and Growth Plan. The Proposed Development is consistent with the policies of the 2024 PPS as it increases the supply and mix of housing options.

The Proposed Development also conforms to the 2022 York Region Official Plan (the “2022 YROP”). The Proposed Development is in the delineated “Urban Area” and designated “Community Area” in the 2022 YROP, where most of the housing required to accommodate the forecasted population will be located.

The 2014 Markham Official Plan designates the Subject Lands as ‘Mixed Use Mid Rise’ and ‘Greenway.’ However, Section 9.12.4 states that until the approval of an updated secondary plan for the Regional Centre-Markham Centre lands, the provisions of the Official Plan (Revised 1987), as amended, and the Markham Centre Secondary Plan (PD 33-1), shall apply to the Subject Lands.

The Markham Centre Secondary Plan (PD 33-1) states that Precinct Plans are not required for areas within the Central Area Planning District that are already substantially developed or approved for development. Given the existing development and development approvals in the immediate area, a Precinct Plan will not be required for the Proposed Development.

The Proposed Development represents good planning as it makes efficient use of a parcel of land located in an area that the Province, Region and City have identified for intensification and redevelopment. The Subject Lands are also located within close proximity to existing transit routes and higher order transit stations, existing and future community amenities, and local schools. The Subject Lands are therefore an appropriate location for the Proposed Development.

**PART II – THE OFFICIAL PLAN AMENDMENT**

(This is an operative part of Official Plan Amendment No. 271)

## **PART II – THE OFFICIAL PLAN AMENDMENT**

### **1.0 THE OFFICIAL PLAN AMENDMENT**

- 1.1 Section 1.1.2 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number 271 to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.
- 1.2 Section 1.1.3 c) of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number 271 to the list of amendments listed in the second sentence of the bullet item dealing with the Markham Centre Secondary Plan (PD-33-1), for the Central Area Planning District (Planning District No. 33), to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.3 Section 9.2.16 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number 271 to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.4 No additional changes to the text or schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment. This Amendment incorporates changes to the text of the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). These changes are outlined in Part III which comprises Amendment No. 19 to the Markham Centre Secondary Plan (PD 33-1).

### **2.0 IMPLEMENTATION AND INTERPRETATION**

The provisions of the Official Plan (Revised 1987), as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law and Site Plan approval and other Planning Act approvals, in conformity with the provisions of this Amendment.

This Amendment is exempt from approval by the Ministry of Municipal Affairs and Housing and the decision of Council is final if a notice of appeal is not received before or on the last day for filing such notice.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and associated figure(s) and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987), as amended, shall not apply.

**PART III – THE SECONDARY PLAN AMENDMENT (PD 33-1-19)**

(This is an operative part of Official Plan Amendment No. 271)

## **PART III – THE SECONDARY PLAN AMENDMENT (PD 33-1-19)**

### **1.0 THE SECONDARY PLAN AMENDMENT**

(Amendment No. 19 to the Markham Centre Secondary Plan PD 33-1)

The Markham Centre Secondary Plan PD 33-1 for the Central Area Planning District (Planning District No. 33) is hereby amended as follows:

- 1.1 Schedule ‘AA’ – DETAILED LAND USE, is hereby amended by redesignating Areas 1 and 4 on the Subject Lands as shown on Schedule “A” attached hereto from:
- i) “Community Amenity Area – General” to “Community Amenity Area – Major Urban Place” in Area 1; and,
  - ii) “Community Amenity Area – General”, “Open Space” and “Hazard Land” to “Hazard Land” in Area 2.
- 1.2 Schedule ‘DD’ - COMMUNITY STRUCTURE PLAN, is amended by deleting and adding the following from Area 1 on the Subject Lands as shown on Schedule “B” attached hereto:
- i) Deleting an 8 storey maximum building height and adding a 9 storey maximum building height in Area 1;
- 1.3 By adding subsection 4.3.2.3 y) with the following text and Figure 33-1-19 as shown on Schedule “C” attached hereto:
- “y) The following additional provisions shall apply to the lands designated “Community Amenity Area - Major Urban Place” located south of Highway 7, east of Birchmount Road (the “Subject Lands”), as shown on Figure 33-1-19:
- i) In Area 1:
    - a) The maximum height of the buildings shall be 9 storeys.
    - b) The maximum density shall be 3.0 FSI based on a site area of 5,170 square metres which includes the area of the lot on which the buildings are being developed and any additional public roads, and excludes the area of lands designated ‘Hazard Land’.
  - ii) A precinct plan shall not be required.

### **2.0 IMPLEMENTATION AND INTERPRETATION**

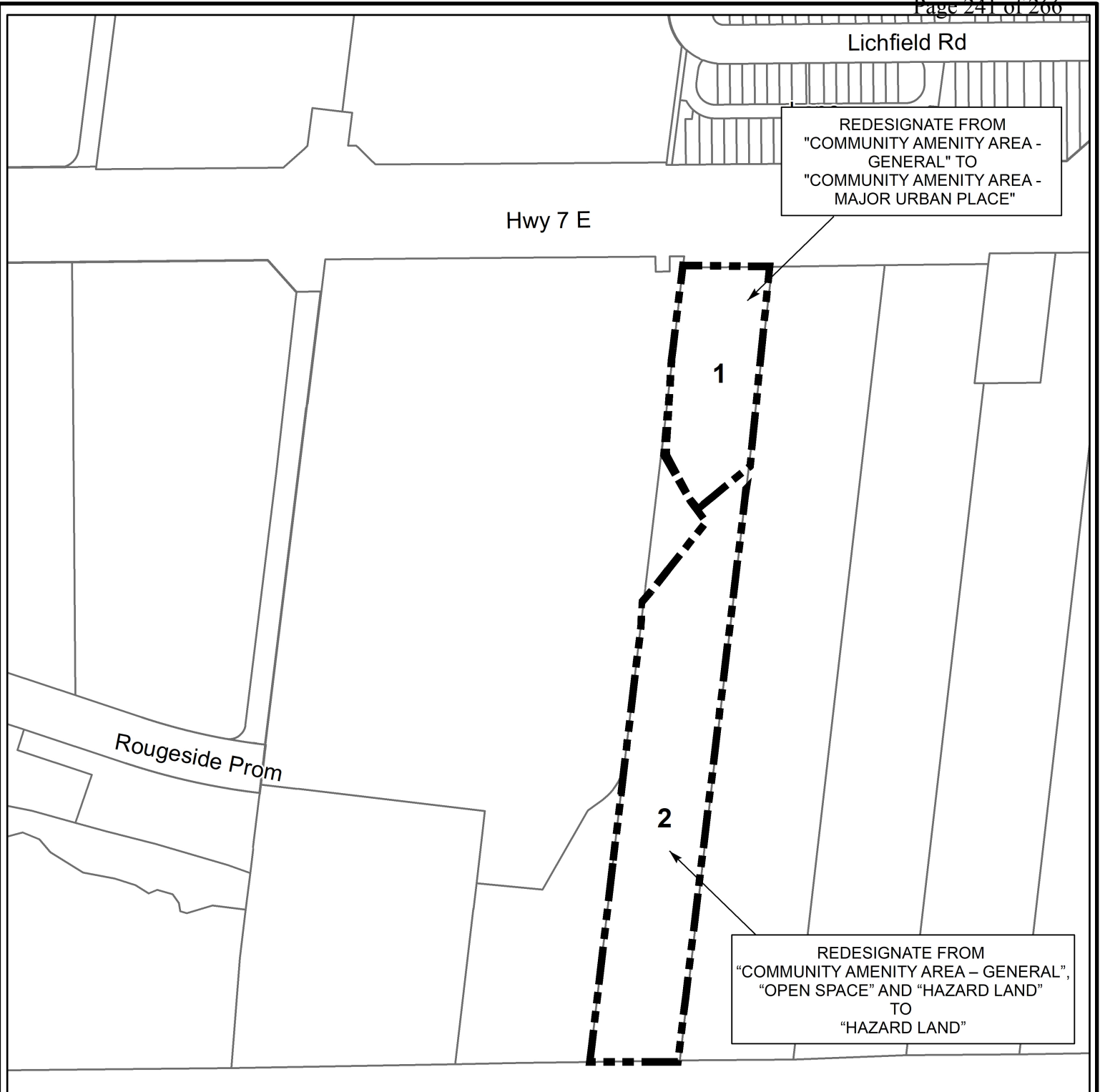
The provisions of the Official Plan (Revised 1987), as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.




This Amendment shall be implemented by an amendment to the Zoning By-law and Site Plan approval in conformity with the provisions of this Amendment.

This Amendment is exempt from approval by the Ministry of Municipal Affairs and Housing and the decision of Council is final if a notice of appeal is not received before or on the last day for filing such notice.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987), as amended, shall not apply.

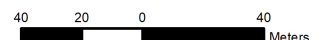


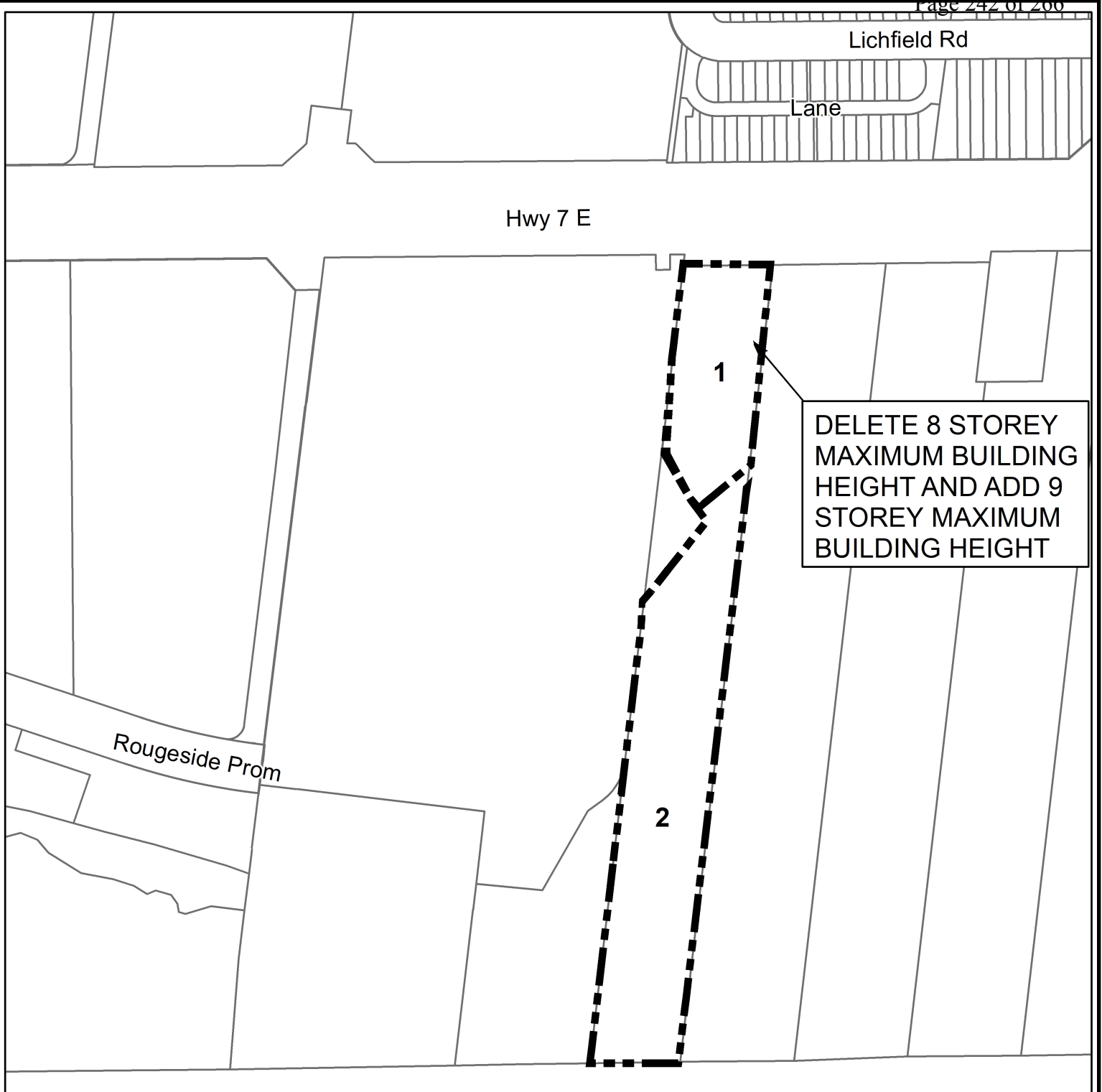
# AMENDMENT TO SCHEDULE 'AA' - DETAILED LAND USE OF THE MARKHAM CENTRE SECONDARY PLAN (PD 33-1)

 BOUNDARY OF AREA OF REDESIGNATION

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT

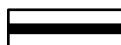
Y:\Geomatics\New Operation\Official Plan\Amendments\Markham Centre\OPA Schedule A.mxd





DELETE 8 STOREY  
 MAXIMUM BUILDING  
 HEIGHT AND ADD 9  
 STOREY MAXIMUM  
 BUILDING HEIGHT

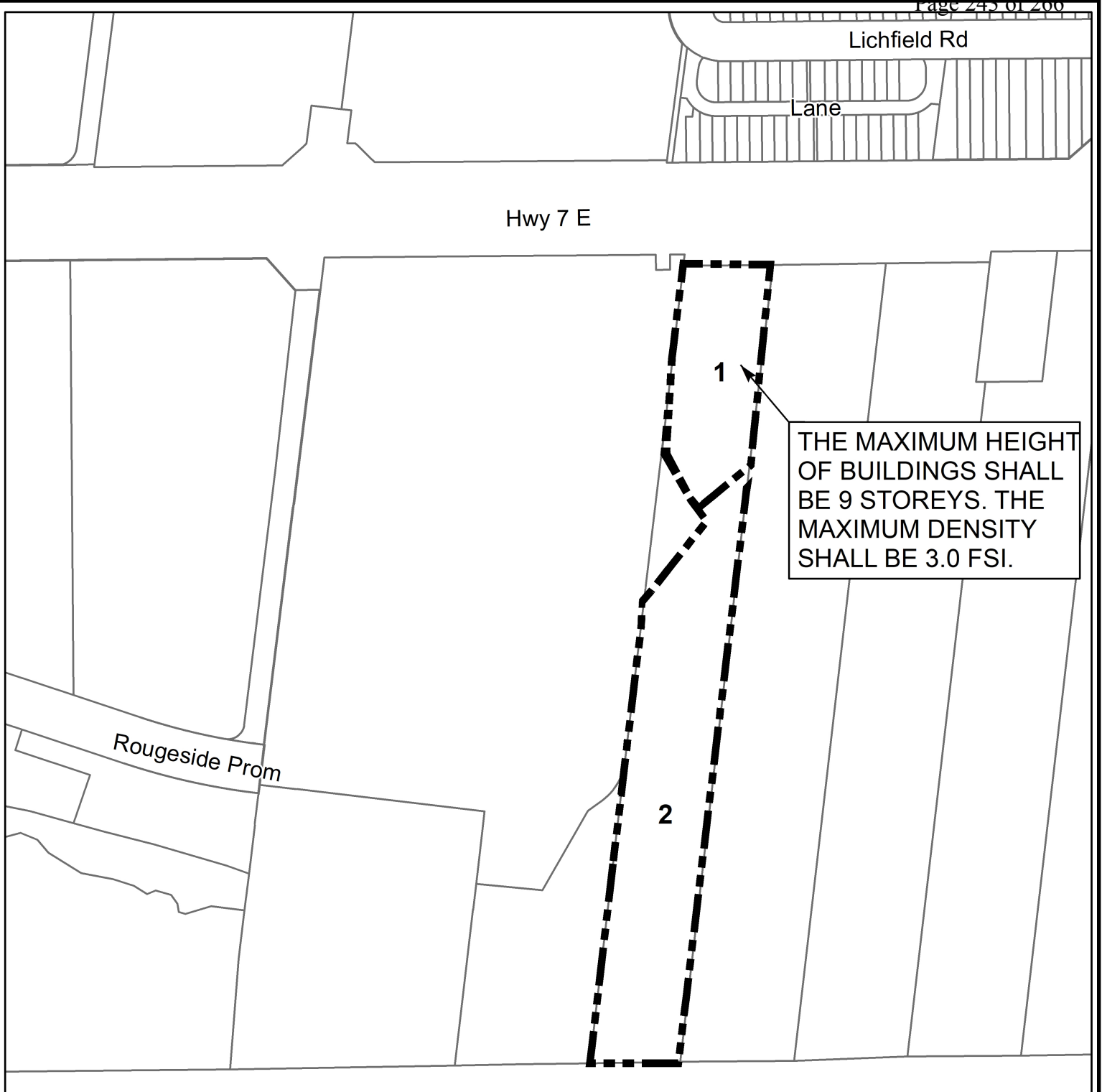
# AMENDMENT TO SCHEDULE 'DD' - COMMUNITY STRUCTURE PLAN OF THE MARKHAM CENTRE SECONDARY PLAN (PD 33-1)



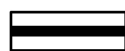

BOUNDARY OF SUB AREAS



BOUNDARY OF AREA COVERED BY THIS AMENDMENT



**FIGURE 33-1-19  
TO THE MARKHAM CENTRE SECONDARY PLAN (PD 33-1)**

-  BOUNDARY OF SUB AREAS
-  Boundary of area covered by the policies of Section 4.3.2.3 y



## BY-LAW 2024-206

Being a By-law respecting Construction, Demolition,  
Change of Use Permits and Inspections

---

**WHEREAS** Section 7 of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, authorizes municipal council to pass by-laws respecting construction, demolition and change of use permits, inspections and related matters;

**AND WHEREAS** the Council of The Corporation of the City of Markham desires to repeal By-law 2023-177 and to enact a new building by-law for the issuance of permits and related matters, including the establishment of a fee schedule;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:**

### 1. SHORT TITLE

1.1. This By-law may be cited as the “Building By-law”.

### 2. DEFINITIONS

2.1. In this By-law:

“*Act*” means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended;

“*applicant*” means the *owner* of a building or property who applies for a *permit* or any person authorized to apply for a *permit* on the *owner’s* behalf, or any person or corporation empowered by statute to cause the construction or demolition of a building or buildings and anyone acting under the authority of such person or corporation. For the purposes of this bylaw the *applicant* is the registered user of the *electronic submission*;

“*Building Code*” means the regulation made under Section 34 of the *Act*;

“*certified model*” means a unique building design for a detached or semi-detached unit that has been reviewed by the *chief building official* for compliance with the *Building Code* and is intended for construction pursuant to a *permit* issued under the *Act*. A *certified model* approval is not itself a *permit*;

“*City*” means The Corporation of the City of Markham.

“*chief building official*” means the *chief building official* appointed by by-law by Council for the purposes of enforcement of the *Act*, the *Building Code* and this By-law;

“*complete application*” means an application that meets the requirements set out in the building code for applications where the *chief building official* is required to make a decision within a prescribed time period, and further that meets the requirements set out in Section 4 and Schedule B of this By-law;

“*conditional permit*” means a *permit* issued under Subsection 8(3) of the *Act*;

“*construct*” means construct as defined in Subsection 1(1) of the *Act*;

“*demolish*” means demolish as defined in Subsection 1(1) of the *Act*;

“*electronic submission*” means the filing of a *pre-application review* or an application for a building *permit*, *certified model* or alternative solution,

including all required forms, documents and drawings, submitted through an online application procedure approved by the *chief building official*.

“*housing*” means detached houses, semi-detached houses or non-stacked townhouses (less than 4 storeys) containing not more than two dwelling units.

“*Infill Residential*” is defined as; a building containing not more than 2 dwelling units and where new construction replaces more than 50% of the existing building by demolition or by an addition that increases the gross floor area by more than 25% of new construction to an existing house;

*Lot Grading Certificate* is defined as; documentation completed by a Professional Engineer or Land Surveyor licensed in the Province of Ontario verifying that the lot grading and drainage elements have been completed and conform to the approved building permit documents. The property has been fully stabilized with sod or other suitable ground cover. The grading work completed on the property does not adversely impact the neighboring properties.

“*owner*” means, in respect of the property on which the construction is to take place, the registered owner of the land and, except for *conditional permits*, may include a lessee, mortgagee in possession and the person acting as the owner’s authorized agent;

“*partial occupancy permit*” means; an occupancy permit for the partial occupancy of a building prior to its completion as set out in the Ontario Building Code Division C, Part 1, Subsection 1.3.3.

“*partial permit*” means a *permit* issued by the *chief building official* to construct part of a building;

“*permit*” means permission or authorization given in writing by the *chief building official* to perform work, to change the use of a building or part thereof, or to occupy a building or part thereof, as regulated by the *Act* and *Building Code*;

“*permit holder*” means the *owner* to whom the *permit* has been issued or where a *permit* has been transferred, the new *owner* to whom the permit has been transferred;

“*pre-application review*” means the review of forms, documents and drawings which precedes the acceptance of a permit application to determine if it qualifies for an *electronic submission* for a permit;

“*pre permit consultation*” means the high level review of proposed plans to identify any applicable *Building Code* concerns in advance of a building *permit* application. Pre Permit Consultation does not confirm *Building Code* compliance.

“*Registered Code Agency*” means a registered code agency as defined in Subsection 1(1) of the *Act*;

“*revised submission*” means additional information filed with the *chief building official* which depicts one or more changes to the proposed or as-constructed design of a building or part of a building for which a permit has already been issued and for which approval by the *chief building official* is required;

“*sewage system*” means a sewage system as defined in Subsection 1.4.1. of Division A of the *Building Code*;

“*supplementary submission*” means a resubmission of information in relation to building permit documents previously reviewed or issued, that requires additional review to determine *Building Code* compliance;

“*Temporary event structure*” means a tent, demountable stage or demountable support structure that is intended to be erected, assembled or installed for a limited specified time.

“*zoning preliminary review*” means a review of plans and other documents to determine whether proposed designs comply with applicable zoning by-laws;

“*zoning review*” means a review of plans and other documents to determine whether a building *permit* application complies with the applicable zoning by-laws;

2.2. Terms not defined in this By-law shall have the meaning ascribed to them in the *Act* or the *Building Code*.

### 3. CLASSES OF *PERMITS*

3.1. Classes of *permits* required for the construction, demolition or change of use of a building shall be set out in Schedule A to this By-law.

## 4. REQUIREMENTS FOR *PERMIT APPLICATIONS*

### General Requirements

4.1. Every *permit* application, *certified model* application and application for an alternative solution must meet the requirements of this Section and Section 6 and shall:

4.1.1. be made by an *applicant*;

4.1.2. be submitted to the *chief building official* on forms prescribed by the Province of Ontario or when no form is prescribed, on a form prescribed by the *chief building official*;

4.1.3. be accompanied by the required fees calculated in accordance with Schedule A;

4.1.4. unless otherwise determined by the *chief building official*, be in the form of an *electronic submission* filed by the *applicant*;

4.1.5. unless otherwise determined by the *chief building official*, shall not be accepted until a *pre-application review* has been completed to the satisfaction of the *chief building official*; and

4.2. To be considered a *complete application*, every *permit* application shall be accompanied by the approval documents issued by the agencies responsible for the applicable laws listed in the building code, where those agencies issue approval documents and the law applies to the construction or demolition being proposed.

4.3. An application for a *permit* may be refused by the *chief building official* where it is not a *complete application*.

4.4. The *chief building official* may, as the chief building official deems appropriate, provide prescribed forms in an electronic format and may allow for the electronic submission of completed *permit* application forms.

4.5. Notwithstanding Subsection 4.4, completed forms generated electronically shall be accepted subject to the endorsement by the *applicant*.

4.6. When filing an application, the *owner* and the *applicant* shall provide an electronic address(s) for the purpose of receiving communications from the *chief building official* regarding the construction, demolition or change of use associated with a permit application or issued *permit*. The owner or authorized agent of the owner shall inform the *chief building official* immediately in writing when the electronic address(s) provided change or become not functional.

### Applications for *Permits* to Construct

4.7. Every application for a *permit* to *construct* a building shall:

- 4.7.1. identify and describe in detail the work to be done and the existing and proposed use and occupancy of the building, or part thereof, for which the building *permit* application is made;
- 4.7.2. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule B of this by-law; and
- 4.7.3. be accompanied by acceptable proof of corporate identity and property ownership, unless such proof is determined by the *chief building official* to be unnecessary.

#### **Applications for *Permits to Demolish***

- 4.8. Every application for a *permit to demolish* a building shall:
  - 4.8.1. identify and describe in detail the work to be done and the existing use and occupancy of the building, or part thereof, for which the application for a *permit to demolish* is made, and the proposed use and occupancy of that part of the building, if any, that will remain upon completion of the demolition;
  - 4.8.2. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule B of this By-law; and
  - 4.8.3. be accompanied by proof satisfactory to the *chief building official* that arrangements have been made with the proper authorities for the termination and capping of all the water, sewer, gas, electric, telephone or other utilities and services.

#### **Applications for *Permits to Construct Part of a Building***

- 4.9. In addition to the requirements of Subsection 4.7 , every application for a *partial permit* shall:
  - 4.9.1. require a *permit* application for the entire project; and
  - 4.9.2. be accompanied by plans, specifications, documents, forms and other information covering that part of the work for which application for a *partial permit* is made, together with such information pertaining to the remainder of the work as may be required by the *chief building official*.
- 4.10. The *chief building official* may issue a *partial permit* when the *chief building official* determines it is appropriate to expedite substantial construction before a *permit* for the entire building is available and where the relevant provisions of this By-law and the *Act* are met.
  - 4.10.1. When determining whether to issue a *partial permit*, the *chief building official* shall have regard for the likelihood of subsequent approvals being available in a timely fashion such that a project is not interrupted and exposed to potential damage from the elements while awaiting subsequent approvals.
- 4.11. The *chief building official* shall not, by reason of the issuance of a *partial permit* pursuant to this By-law, be under any obligation to grant any additional *permits*.

#### **Applications for *Conditional Permits***

- 4.12. An application for a *conditional permit* cannot be filed until plans review of the scope of work is complete.
- 4.13. In addition to the requirements of Subsection 4.7, where a *conditional permit* is requested, the *applicant* shall:
  - 4.13.1. complete an application on a form prescribed by the *chief building official*; and



4.13.2. submit documents and drawings prescribed in Schedule B of this By-law.

4.14. The *chief building official* may, at his or her discretion, issue a *conditional permit* where unreasonable delays are anticipated in obtaining all necessary approvals and where the relevant provisions of this By-law and the *Act* are met.

#### **Applications for *Permits* for Change of Use**

4.15. Every application for a *permit* for a change of use shall;

4.15.1. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule B of this By-law;

#### **Application for a *Certified Model***

4.16. An *applicant* may file an application for a *certified model*.

4.17. Every application for a *certified model* shall;

4.17.1. be made on an application form prescribed by the *chief building official*; and

4.17.2. be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 of this By-law.

4.18. Plans and specifications forming part of each *certified model* application shall be deemed to form part of the *permit* documents of each *permit* subsequently issued under the *Act*.

#### **Abandoned *Electronic Submissions* and *Permit Applications***

4.19. Where an *electronic submission* has not been completed within 20 business days of creation, or where a corrections task has not been completed within three months, the *electronic submission* may be deemed by the *chief building official* to have been abandoned and the submission voided.

4.20. Where an application for a *permit* was accepted and the estimated permit fees are unpaid for three months after the *applicant* was advised in writing of the estimated permit fees, the application may be deemed by the *chief building official* to have been abandoned and written notice of the cancellation thereof shall be given to the *applicant*.

4.21. Where an application for a *permit* remains incomplete and inactive for six months after the *applicant* has been advised in writing of all the reasons for refusal, the application may be deemed by the *chief building official* to have been abandoned and written notice of the cancellation thereof shall be given to the *applicant*.

#### **Revisions to *Permits***

4.22. After the issuance of a *permit* under the *Act*, the *applicant* shall give notice to the *chief building official* in writing of any material change to a plan, specification, document or other information upon which a *permit* was issued, together with the details of such change, which change shall not be made without the prior written authorization of the *chief building official*.

4.23. Application for authorization of any substantial change shall constitute a *revised submission* or a *supplementary submission*.

### **5. PLANS AND SPECIFICATIONS**

5.1. As part of the application for a *permit* and in addition to the requirements of Section 4 of this by-law, every *applicant* shall submit to the *chief building official* the following:

- 5.1.1. sufficient plans, specifications, documents, forms and such other information as may be deemed necessary by the *chief building official* to determine whether the proposed construction, demolition, or change of use conforms to the *Act*, the *Building Code*, and any other applicable law;
- 5.1.2. Where a site plan is required to satisfy Section 5.1.1, the site plan shall reference a current plan of survey certified by a registered Ontario Land Surveyor and shall include:
  - 5.1.2.1. lot size and dimensions of the property;
  - 5.1.2.2. setbacks from existing and proposed buildings to property boundaries and to each other;
  - 5.1.2.3. existing and finished ground levels or grades; and
  - 5.1.2.4. existing rights of way, easements and municipal services; and
  - 5.1.2.5. a copy of a current plan of survey, unless the *chief building official* waives this requirement.
- 5.2. As part of an application for a *certified model*, every applicant shall submit to the *chief building official* sufficient plans, specifications, documents, forms and such other information as may be deemed necessary by the *chief building official* to determine whether the proposed construction conforms to the *Building Code*.
- 5.3. Plans, specifications and other documents submitted by an *applicant* shall:
  - 5.3.1. be fully coordinated among design disciplines and intended for construction, demolition or change of use;
  - 5.3.2. be fully dimensioned and drawn to a suitable scale that clearly depicts the proposed construction, demolition or change of use;
  - 5.3.3. be in the form of an *electronic submission*; and
  - 5.3.4. contain information and text that is clear and legible.
- 5.4. Unless otherwise deemed necessary by the *chief building official*, every application shall be accompanied by plans, specifications, forms, documents and other information required to facilitate the administration and enforcement of the *Building Code*.
- 5.5. Upon issuance of the building permit, the *owner* or authorized agent of the *owner* shall ensure that that a hard copy of the permit card and approved permit plans are available on site at all times. Hard copies of the approved plans are required to be legible and printed on a minimum sheet size of A3 (27.9 cm by 43.2 cm).
- 5.6. On completion of the construction of a building, the *chief building official* may require the *applicant* to submit a set of as constructed plans, including a plan of survey showing the location of the building.
- 5.7. Plans and specifications submitted in accordance with this By-law or otherwise required by the *Act* become the property of the *City* and will be disposed of or retained in accordance with relevant legislation or by-law.

## 6. AUTHORIZATION OF ALTERNATIVE SOLUTIONS

- 6.1. Where approval for an alternative solution under the *Building Code* is being sought, the *applicant* shall submit:

- 6.1.1. an application on a form prescribed by the *chief building official*;
- 6.1.2. supporting documentation demonstrating that the proposed alternative solution will provide the level of performance required by the *Building Code*; and
- 6.1.3. payment of the required fee prescribed by Schedule A.

## **7. FEES AND REFUNDS**

- 7.1. The *chief building official* shall determine the required application fees in accordance with Schedule A to this By-law.
- 7.2. The *chief building official* shall not issue a *permit* until fees required by this By-law have been paid in full by the *applicant*.
- 7.3. In addition to the fees paid at the time of building *permit* application, when an *applicant* makes *supplementary submissions* and *revised submissions*, the *applicant* shall pay the prescribed fee which shall be calculated in accordance with Schedule A.
- 7.4. In the case of withdrawal or abandonment of an application, or refusal or revocation of a *permit*, and upon written request by the *applicant*, the *chief building official* may refund any unearned fees which shall be calculated in accordance with Section 4 of Schedule A.
- 7.5. Fees noted in Schedule A, Table 1, shall be increased by the Consumer Price Index, Ontario All Items, published each year in September, to a maximum of five (5) percent each year, effective on the first day of January of each year, commencing on January 1, 2025. Flat rate fees shall be rounded to the nearest dollar amount. Increments of half dollar and greater shall be rounded up. All other fees shall be rounded to the nearest cent.

## **8. TRANSFER OF PERMITS**

- 8.1. Upon change of ownership, *permit* applications and *permits* must be transferred to the new *owner* with the approval of the *chief building official*.
- 8.2. To transfer a *permit* application or *permit*, the new *owner* shall complete and submit an application form in accordance with the requirements of Section 4 of this by-law and pay the required fee as prescribed by Schedule A.
- 8.3. Upon the transfer of the *permit* by the *chief building official*, the new *owner* shall be the *permit holder* for the purpose of this By-law, the *Act* and the *Building Code*.

## **9. NOTICES FOR INSPECTIONS**

- 9.1. Inspection notices required by the building code and this By-law shall be made using the City's online permit inspection request system.
- 9.2. Inspection notices are required a minimum of two business days prior to the stages of construction specified therein and shall be given in accordance with the requirements of Subsection 1.3.5 of Division C of the *Building Code*.
- 9.3. The person to whom the *permit* has been issued shall notify the *chief building official* or a *Registered Code Agency* where one is appointed, of each stage of construction for which a notice is prescribed by the *Building Code*.
- 9.4. Notwithstanding Section 10 of this By-law, the person to whom the *permit* has been issued shall notify the *chief building official* of the date of completion of the building or demolition work no more than two days after that date.

9.5. In addition to the notices prescribed in Article 1.3.5.1 of Division C of the *Building Code*, the person to whom a *permit* has been issued shall give the *chief building official* notice of the readiness for inspection for the following stages of construction, where applicable:

- 9.5.1. commencement of construction of the building
- 9.5.2. commencement of construction of:
  - 9.5.2.1. masonry fireplaces and masonry chimneys,
  - 9.5.2.2. factory-built fireplaces and allied chimneys,
  - 9.5.2.3. stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys
- 9.5.3. substantial completion of interior finishes

## 10. REGISTERED CODE AGENCIES

10.1. The *chief building official* is authorized to enter into and sign contracts for service agreements with *Registered Code Agencies* and appoint them to perform specified functions from time to time in order to maintain the time periods for *permits* prescribed in Article 1.3.1.3. of Division C of the *Building Code*.

10.2. A *Registered Code Agency* may be appointed to perform one or more of the specified functions described in Section 15.15 of the *Act*.

## 11. FENCING CONSTRUCTION SITES

11.1. Where, in the opinion of the *chief building official*, a construction or demolition site presents a hazard to the public, the *chief building official* may require the *permit holder* to erect such fencing to the standards and specifications that the *chief building official* deems to be appropriate in the circumstances.

11.2. When determining if a construction or demolition site presents a hazard to the public and requires the erection of fencing and the type of fencing required, the *chief building official* shall have regard to:

- 11.2.1. the proximity of the construction site to occupied dwellings;
- 11.2.2. the proximity of the construction site to lands accessible to the public, including but not limited to streets, parks, and commercial and institutional activities;
- 11.2.3. the hazards presented by the construction activities and materials;
- 11.2.4. the feasibility and effectiveness of site fencing; and
- 11.2.5. the duration of the hazard.

11.3. When the *chief building official* is of the opinion that fencing is required, the *permit holder* shall, prior to the issuance of any construction or demolition permit, erect or cause to be erected fencing to the following minimum standards:

- 11.3.1. Minimum of 1800 mm in height
- 11.3.2. Maximum of 2300 mm in height
- 11.3.3. Full height screening with a minimum opaqueness of 90%, and
- 11.3.4. Fencing must be located entirely within the subject property lines unless otherwise authorized.

11.4. For the purposes of this Section, construction or demolition site shall include the area of the proposed construction or demolition and any area where materials or equipment are stored or operated.

**12. OFFENCES AND PENALTIES**

12.1. Any person who contravenes any provision of this by-law is guilty of an offence and is liable upon conviction to a fine as provided for in the *Act*.

**13. SEVERABILITY**

13.1. Should any section, subsection, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

**14. MISCELLANEOUS**

14.1. All Schedules shall be and form part of this By-law.

14.2. A reference to the singular or to the masculine shall be deemed to refer to the plural or feminine as the context may require.

**15. REPEAL AND TRANSITION**

15.1. By-law Number 2023-177 is hereby repealed upon the date that this by-law comes into force.

15.2. Notwithstanding Sections 15.1 and 16.1 of this by-law, for any *complete application* received prior to the effective date of this by-law, the provisions of By-law Number 2023-177 shall remain in force and effect for the purpose of that application.

15.3. Applications that are not *complete applications* as defined in this by-law, shall be subject to the within by-law irrespective of the date the initial application was made.

**16. EFFECTIVE DATE**

16.1. This by-law shall come into force on the 1<sup>st</sup> day of January 2025.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
20<sup>th</sup> DAY OF NOVEMBER, 2024.

\_\_\_\_\_  
KIMBERLEY KITTERINGHAM  
CITY CLERK

\_\_\_\_\_  
FRANK SCARPITTI  
MAYOR

**SCHEDULE A****CLASSES OF *PERMITS*, FEES AND REFUNDS****1. FEES**

- 1.1 All fees shall be paid in full at the time of acceptance of the permit application.
- 1.2 The fee for the *pre-application review* of applications shall be \$100. This fee is non-refundable and a credit for this fee will be applied to the total building *permit* fee.

**2. CALCULATION OF *PERMIT* FEES**

- 2.1 *Permit* fees shall be calculated on the basis of:
  - 2.1.1 the flat rate where indicated in Column 5 of Table 1 of this Schedule;
  - 2.1.2 the product of the applicable fee multiplier in Column 4 of Table 1 of this Schedule and the related floor area or other measure specified in Column 3; or
  - 2.1.3 where a fee is not listed in Table 1, \$40 for each \$1,000 or part thereof of the construction value prescribed by the chief building official.
- 2.2 Except for classes of *permits* subject to flat rates, fees shall be based on the appropriate measure of the floor area of the project.
- 2.3 Except where otherwise exempt, in addition to the fees calculated according to Subsections 2.1 and 2.2 fees shall also be assessed according to the number of plumbing fixtures and the size of supply piping and drainage piping as applicable.
- 2.4 Section B of Table 1 of this Schedule applies where the scope of work does not affect any exterior wall or exterior roof assembly in existing construction.
- 2.5 The base fee charged for the review of a *certified model* with one elevation shall be calculated using a fee multiplier equivalent to that applicable to Single or Semi-Detached Dwellings determined in accordance with Subsections 2.12 to 2.15 of this Schedule. Where a certified model includes a secondary suite, the fee listed in Table 1, Section A, line A8 shall apply to the gross floor area of the dwelling unit and the secondary suite. Optional items will incur supplemental review fees as follows:
  - 2.5.1 \$125 for each elevation
  - 2.5.2 \$125 for corner upgrade / rear upgrade
  - 2.5.3 \$125 for each alternate floor layout
  - 2.5.4 \$125 for walk-out condition
  - 2.5.5 \$125 for look-out condition
- 2.6 Where a revision to a repeat permit includes a change of house model, an additional fee of \$300 plus the fee in Table 1 corresponding to new home construction for any resulting increase in floor area shall be payable. Where the floor area is reduced, no refund applies.
- 2.7 Where an application for a new dwelling unit listed under Table 1, Section A, line A6, A7 and A8 contains a secondary suite, the fee listed in Table 1, Section A, line A8 shall apply to the gross floor area of dwelling unit and the secondary suite.
- 2.8 In addition to the fees calculated in accordance with Table 1 paid at the time of building *permit* application, fees for *supplementary submissions* and

*revised submissions* shall be calculated at \$125/hour spent determining compliance with the Building Code, applicable law and submission standards. *Supplementary submission* fees are nonrefundable.

- 2.9 Where *supplementary submissions* or *revised submissions* include certification of applicable law compliance, and in which compliance or applicability was incorrectly declared at the time of *permit* application, a fee of \$300 for each applicable law certification shall apply.
- 2.10 Where an application form other than an applicable law checklist is required to be revised to reflect incorrectly declared information, a fee of \$250 applies.
- 2.11 In addition to the fees calculated in accordance with Table 1, each application for consideration of an alternative solution shall be accompanied by a non-refundable fee of \$3,500 for multiple-unit residential projects and non-residential projects (per building), \$800.00 for low rise residential (including singles, semis (per unit), townhouse (per unit), decks, porches, and sheds) and \$500 for Engineering Judgements. Where a *supplementary submission* is made for an alternative solution, a flat fee of \$300.00 will apply and is due at the time of resubmission.
- 2.12 When calculating fees based on floor areas, floor area is measured to the outer face of exterior walls and to the centreline of party walls or demising walls, except when calculating interior partition work. When measuring floor area for interior partitioning, corridors, lobbies, washrooms, lounges, and other similar facilities are to be included and classified according to the major occupancy classification for the floor area with which they are associated. Where these areas are constructed in a shell-only building, fees shall be calculated at the applicable partitioned rate in Table 1.
- 2.13 When measuring floor area, no deductions shall be allowed for floor openings required for such facilities as stairs, elevators, escalators, shafts and ducts. Interconnected floor spaces and atriums above their lowest level may be deducted from measured floor area.
- 2.14 Where incorporated with an application for a class of dwelling described in Rows A6, A7 or A8 of Table 1, no additional fee is required for decks, fireplaces, unfinished basements, heating or plumbing systems.
- 2.15 Where incorporated with an application for a class of permit described under Section A and B of Table 1, no additional fee shall be levied for the scope of work described in Sections D and G of Table 1 that form part of the work proposed under the application.
- 2.16 For any permit application for a class of permit described under Section B of Table 1, floor area used for the calculation of fees shall be the lesser of:
- 2.16.1 the area contained within a single rectangle encompassing all of the proposed work, or
- 2.16.2 the actual area of the tenant space;
- 2.17 The occupancy classifications used in this By-law are based on the *Building Code* occupancy classifications. For mixed occupancy classifications, the total payable fee shall be calculated by applying the fee multiplier for each occupancy prescribed in Table 1 to the floor area measured for each individual occupancy and taking the sum of the fees calculated for each occupancy.
- 2.18 For *permits* for change of use, the fee multiplier for the proposed occupancy will be applied to the entire floor area subject to the change of use.
- 2.19 Where a change of use *permit* is denied, the fees paid may be credited to a building *permit* which incorporates the construction required to accommodate the change of use.

- 2.20 Fees for *temporary event structures*, including tents, stages and bleachers, apply to buildings erected for less than 2 weeks. Where the installation of the *temporary event structure* exceeds 2 weeks, permit fee multiplier shall be Row A34 of Table 1 to a maximum fee of \$1000.
- 2.21 The permit fee for the remediation, restoration, or demolition of premises used for the production of illicit substances is \$5,000. Administrative fees in accordance with Section 5 of this Schedule are in addition to this fee.
- 2.22 For phased non-housing projects, in addition to the *permit* fee for the complete building, an additional fee of \$1000 shall be payable for each phase not applied for at the time of the initial *permit* application.
- 2.23 For *conditional permits*, the conditional permit fee shall be the total *permit* fee for the proposed construction plus a non-refundable additional 15% of that fee.
- 2.23.1 A minimum additional fee of \$3,500 and a maximum additional fee of \$10,000 applies to *conditional permits*.
- 2.23.2 Where the conditions of the *conditional permit* agreement have not been met and the *conditional permit* expiration date is required to be extended, a non-refundable fee equal to the original conditional permit fee shall apply to each extension.
- 2.23.3 Where there is an outstanding Order to Comply at the time of conditional permit extension, the non-refundable renewal fee will be equal to the original *conditional permit* fee plus 50%.
- 2.23.4 In addition to the non-refundable fee, a letter of credit is required for every *conditional permit* or phased *conditional permit*.
- 2.24 Pursuant to Section 10 of this by-law, where an application is made using a Registered Code Agency appointed under a service agreement with the Chief Building Official, and those services are fully paid for by the applicant, the applicable fee shall be reduced by 20% at the time a complete application is filed with a Plan Review Certificate as defined by the *Building Code Act*.
- 2.25 As deemed necessary by the *Chief Building Official* where an outside consultant is engaged to provide a third party review of a document or drawing submitted with a permit application, alternative solution proposal or partial occupancy permit, the consultant's fees are to be fully paid by the *applicant*.
- 2.26 Where a building inspection is requested outside of business hours the visit to the site will be charged at a rate of \$190 per hour with a minimum of 3 hours charged.
- 2.27 Where a building inspection is required to be conducted outside of the boundaries of the City of Markham, the visit will be charged at a rate of \$250 per hour with a minimum of 3 hours charged. Travel and accommodation expenses will be charged in addition to the hourly rate and applicable where the location is more than 1 hour driving distance from the City of Markham.

### 3. MINIMUM FEE

- 3.1 Except where a flat fee applies, the minimum permit fee for any permit application for work proposed in Group C residential occupancies in Sections A, B, D, and E of Table 1 shall be \$125;
- 3.2 Except where a flat fee applies, the minimum permit fee for any permit application for work proposed in Group A, B, D, E and F occupancies in Sections A, B, D, and E of Table 1 shall be \$525.
- 3.3 A flat fee of \$2125 will be added to fees listed in Table 1, Section E for private servicing of multiple lots.



- 3.4 A flat fee of \$1000 will apply to the reinstallation of a previously approved air supported structure listed in Table 1, Section A, Line A31.
- 3.5 The flat fees in Section H of Table 1 are in addition to the minimum fees outlined in this Section.

#### 4. CALCULATION OF REFUNDS

- 4.1 Pursuant to Section 7 of this By-law, refunds shall be calculated as follows:

$$\text{Refund} = [\text{Permit Fee Paid}] - [\text{Total Permit Fees Payable} \times \% \text{ Permit Fee Earned}]$$

- 4.2 The proportion of the total *permit* fee payable is earned according to the following schedule:
  - 4.2.1 10% if administrative functions only have been performed
  - 4.2.2 50% if administrative functions, and/or all or part of zoning review, and/or all or part of the *Building Code* review have been performed; and
  - 4.2.3 70% if all administrative functions and reviews have been completed and the building permit has been issued or is available to be issued.
- 4.3 No refund is available for:
  - 4.3.1 Flat fees prescribed in Column 5 of Table 1;
  - 4.3.2 minimum fees prescribed in Section 3 of this Schedule;
  - 4.3.3 fees in the amount of \$525 or less;
  - 4.3.4 reduced area of work where the scope of work is reduced more than 2 business days after the application is filed;
  - 4.3.5 incorrect work area declaration at the time of application;
  - 4.3.6 where a permit is revoked, except where a permit is issued in error, or the applicant requests revocation no more than six months after the permit is issued;
  - 4.3.7 applications or permits where construction or demolition has commenced;
  - 4.3.8 applications cancelled more than 2 years after the *permit* application date; or
  - 4.3.9 administrative fees listed in Section 5 of this Schedule.
- 4.4 Pursuant to Section 10 of this by-law, 20% of the applicable permit fee paid shall be refunded where an application was made using a Registered Code Agency appointed under a service agreement with the Chief Building Official, those services are fully paid for by the applicant and have been completed in accordance with the building code, and the Final Certificate as defined by the *Building Code Act* has been submitted to the Chief Building Official.

#### 5. ADMINISTRATIVE FEES

- 5.1 Once a permit application has been accepted, the non-refundable fee to transfer the application to a new permit applicant or *permit holder* or to change the project address is \$300.
- 5.2 To transfer a *permit* from one *permit holder* to another, a non-refundable fee of \$300 shall be payable.
- 5.3 To add additional contacts to the permit record for the receipt of Building Inspection correspondence, as requested by the *Applicant*, a non-refundable fee of \$125 shall be payable per permit record.
- 5.4 In addition to 5.5, 5.6, 5.7, 5.8, 5.9 and to offset additional administrative cost, where after being advised by a third party, a Building Code

investigation is conducted resulting in the issuance of an Order pursuant to the Act, an additional non-refundable fee of \$150 shall in paid.

- 5.5 To offset additional investigative and administrative costs, a non-refundable fee of \$500 shall be paid where any Order to Comply is issued pursuant to Section 12 or Section 13 of the *Act*. Every subsequent visit or file review required to determine compliance with the Order will be charged at \$190 per hour. A minimum of 1 hour will be charged per visit during business hours. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- 5.6 To offset additional investigative and administrative costs, an additional non-refundable fee of \$1,500 shall be paid where any Stop Work Order is issued pursuant to Section 14 of the *Act*. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- 5.7 To offset additional costs associated with the investigation, inspection, administration and rectification of unsafe buildings pursuant to Section 15.9 of the Act, a non-refundable fee of \$800 shall be paid where any Unsafe Order is issued, and an additional non-refundable fee of \$1,500 shall be paid where any Order respecting Occupancy is issued. In addition, where the initial site visit related to the issuance of an Unsafe Order occurs outside of business hours the visit to the site will be charged at a rate of \$190 per hour with a minimum of 3 hours charged.
- 5.8 Where an Unsafe Order or an Order respecting Occupancy has been issued, every subsequent visit to the site required to determine compliance with the Order(s) will be charged at \$190 per hour. A minimum of 1 hour will be charged per visit during business hours and a minimum of 3 hours will be charged per visit occurring outside of business hours. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- 5.9 Where construction has started prior to the issuance of a building permit and where an Order to Comply (OTC) and/or a Stop Work Order (SWO) has been issued, an additional fee equal to 50% of the total permit fee due up to a maximum of \$5,000 will be paid prior to the issuance of the permit. Payment of these fees does not relieve any person or corporation from complying with the Act, the Building Code or any applicable law.
- 5.10 Where construction has started prior to the issuance of a building permit and where an Order to Comply (OTC) and/or a Stop Work Order (SWO) has been issued, the *Owner* shall, if ordered to do so by the *Chief Building Official*,
  - 5.10.1 provide proof that the construction complies with this By-Law, the *Building Code* and any applicable law;
  - 5.10.2 carry out test and investigations by independent agencies, at the cost of the *Owner*, to determine if the construction complies with the *Building Code*;
  - 5.10.3 carry out test and investigations by independent agencies, at the cost of the *Owner*, to determine appropriate remedial measures to ensure construction complies with the *Building Code*;
  - 5.10.4 provide to the *Chief Building Official*, at the cost of the *Owner*, the result of any test and investigation ordered by the *Chief Building Official*, and
  - 5.10.5 provide documentation to the satisfaction of the *Chief Building Official* to establish that all remedial measures to ensure the construction complies with *Building Code* have been completed.

- 5.11 Where an Order issued under Sections 12(2), 13(1), 13(6), 14(1), 15.9 (4), 15.10.1 (2) or 18(1) of the Building Code Act and has been deemed Inactive, a maintenance fee of \$1,000 shall be charged immediately and \$1,000 per year thereafter until the Order has been deemed complied with by the Building Standards Department.
- 5.12 Where a requested inspection reveals an infraction which was identified at a previous inspection and not remedied, an additional fee of \$300 shall be payable prior to subsequent inspections being scheduled.
- 5.13 Where an inspector determines that work for which an inspection has been requested is not sufficiently complete to allow proper inspection or drawings in accordance with Section 5.5 of this by-law have not been provided, an additional fee of \$200 shall be payable prior to subsequent inspections being scheduled.
- 5.14 Where a permit is issued and construction has not seriously commenced within 12 months, a request may be submitted to defer revocation up to a maximum of 24 months from the date of permit issuance. Where approved the non-refundable fee to defer revocation of the permit will be twice the permit fee paid to a maximum of \$3000.
- 5.15 When a *permit* is suspended or is deemed incomplete; a permit maintenance fee of \$400 for housing permits not covered in 5.16 and 5.17, and \$825 for non-housing permits will be charged yearly.
- 5.16 Where a building permit has been issued for a secondary suite and where an occupancy permit or a completion certificate has not been issued; a permit maintenance of \$825 will be charged yearly commencing 12 months after the date of permit issuance.
- 5.17 Where a building permit has been issued for an *infill residential* dwelling and where an occupancy permit or a completion certificate has not been issued; a permit maintenance fee of \$2000 will be charged yearly commencing 24 months after the date of permit issuance.
- 5.18 A *lot grading certificate* is required to be submitted to the *Chief Building Official* confirming compliance of an *infill residential dwelling* project with the building code and municipal by-laws. The certificate is required to be submitted and compliance confirmed within 12 months of the issuance of an occupancy permit or a completion certificate. A maintenance fee of \$2000 will be charged yearly commencing 12 months after issuance of an occupancy permit or completion certificate where the lot grading certificate has not been submitted to the Chief Building Official.
- 5.19 Where a permit authorizes the installation of a Class 5 sewage system, a septic maintenance fee of \$300 will be charged monthly commencing 6 months after permit issuance.
- 5.20 Except as noted in Section 5.21 of Schedule A, *Partial Occupancy Permits* of unfinished buildings issued under Division C, Part 1, Section, 1.3.3 of the *building code* will be charged at \$150 per dwelling unit listed per certificate and \$1000 each for all other partial occupancy certificates.
- 5.20.1 The *Chief Building Official* may impose conditions on partial occupancy permits;
- 5.20.2 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Permit Holder* fails to comply with the conditions imposed by the *Chief Building Official*;
- 5.20.3 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Owner* fails to comply with any permit relating to the building.
- 5.21 *Partial Occupancy Permits* of unfinished buildings issued under Division C, Part 1, Section, 1.3.3.7 of the *building code* will be charged at \$275 per

dwelling unit listed per certificate and \$1500 each for all other partial occupancy certificates.

5.21.1 The *Chief Building Official* may impose conditions on partial occupancy permits;

5.21.2 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Permit Holder* fails to comply with the conditions imposed by the *Chief Building Official*;

5.21.3 The *Chief Building Official* may revoke a *partial occupancy permit* if the *Owner* fails to comply with any permit relating to the building.

5.22 Fees for *Pre Permit Consultation* shall be \$800 per discipline for the first review. Where a *supplementary submission* is made for a *Pre Permit Consultation*, a fee of \$300 per discipline will apply and is due at the time of resubmission.

5.23 For review and approval of spatial separation agreements required by Division B of the *Building Code* a fee of \$500 per lot applies.

5.24 For the reproduction of documents, the fee shall be \$60 plus 110% of the cost of reproduction, plus a fee for *City* staff preparation time at \$125/hour.

5.25 For the registration of an Order or Conditional Permit Agreement on title the fee shall be \$500.00. The discharge of an Order or Conditional Permit Agreement from title the fee shall be \$500.00

## 6. ZONING & COMPLIANCE FEES

6.1 Except as provided in Section 6.2, for written requests for information concerning a property's compliance with the *Building Code* and applicable law, the non-refundable fee shall be \$200.

6.2 For written requests for information to support Provincial license applications unrelated to a current *permit* or *permit* application, the non-refundable fee shall be \$500. Where there is a current *permit* or *permit* application, the non-refundable fee shall be \$250.

6.3 The non-refundable fee shall be \$125 for written requests for information concerning a property's zoning designation, permitted uses and development standards.

6.4 Fees for *Zoning Preliminary Reviews* will be as follows:

6.4.1 \$300 for low rise residential (including singles, semis (per unit), townhouse (per unit), decks, porches, sheds, and driveways);

6.4.2 \$750 for non-housing interior alterations (including parking calculation) (per unit);

6.4.3 \$1800 for multiple-unit residential projects and non-residential projects (per building); and

6.4.4 \$1200 per proposed lot where the review is in support of a land division application.

6.5 In addition to the *Zoning Preliminary Review* fees in Section 6.4 paid at the time of application, fees for *supplementary submissions* and *revised submissions* shall be calculated at \$125/hour spent determining compliance with the zoning by-laws. *Supplementary submission* fees are nonrefundable.

6.6 In addition to the fees listed Section A and B of Table 1 and where a *Zoning Preliminary Review* has not been completed, *Zoning Review* in support of building *permit* applications required to determine compliance with by-laws passed under the *Planning Act* and/or the *Municipal Act* shall be calculated as per Section H of Table 1.

TABLE 1 - Calculation of Permit Fees				
1	2	3	4	5
Class of Permit, Occupancy Classification and Work Description			\$/m <sup>2</sup>	Flat Fee
<b>Section A: CONSTRUCTION of new buildings, additions to existing buildings, including Mezzanines or new intermediate floors</b>				
A1	Group A Assembly	Transportation Terminals	\$23.15	
A2		Portable classrooms (each) (new or relocated)		\$707
A3		Outdoor Pool	\$16.16	
A4		All Other Assembly Occupancies	\$27.82	
A5	Group B: Institutional		\$30.11	
A6	Group C: Residential	Single Detached Dwelling (SDD)	\$21.03	
A7		Infill Residential Dwelling	\$23.57	
A8		Multiple Unit buildings less than 4 storeys high	\$26.12	
A9		Multiple Unit buildings greater than 3 storeys, less than 13 storeys	\$26.12	
A10		Multiple Unit buildings greater than 12 storeys high, less than 66 storeys or 250 m in height	\$19.40	
A11		Multiple Unit buildings greater than 65 storeys or 250 m in height	\$19.02	
A12		Repeat of Previously approved <i>Certified Model</i>	\$17.24	
A13		Hotel / Motel	\$27.82	
A14		Unfinished Basement / Foundations	\$7.17	
A15		Detached or semi-detached garage/carport		\$673
A16		Garage incorporating a dwelling unit (GDU)		\$1,964
A17		Repeat of previously approved GDU		\$1,220
A18		Accessory utility building (ie. Garden shed, Gazebo) less than 20 m <sup>2</sup>		\$144
A19		Accessory utility building (ie. Garden shed, Gazebo) 20 m <sup>2</sup> or greater		\$927
A20		Single Detached Dwelling Unit (SDD) less than 37 m <sup>2</sup> in building area		\$1,927
A21		Deck / Balcony / Covered Porch (each)		\$144
A22	Group D: Business and Personal Services	Shell Only (including unfinished basement)	\$17.94	
A23		Partitioned / Finished / Mezzanine	\$23.15	
A24		Temporary Real Estate Sales Office		\$2,728
A25	Group E: Mercantile	Shell Only (including unfinished basement)	\$15.08	
A26		Partitioned / Finished / Mezzanine	\$19.74	
A27	Group F: Industrial	Shell Only (including unfinished basement)	\$11.66	
A28		Partitioned / Finished / Mezzanine	\$16.14	
A29		Gas Station / Canopy, Car Wash	\$14.90	
A30		Repair garage	\$16.14	
A31		Parking Garage (underground, open air)	\$11.66	
A32		Shelf and Rack Storage Systems	\$11.66	
A33	Group G: Agricultural	High-hazard agricultural (G1)	\$11.66	
A34		Other agricultural (G2)	\$10.38	
A35		Greenhouse agricultural (G3)	\$9.36	
A36		Agricultural with no human occupants (G4)	\$8.34	
A37	All Occupancies	Permanent Tent / Air supported structure	\$8.34	
A38		Repair / re-clad wall or replace roof structure	\$2.15	
A39		Ceiling (new or replacement)	\$0.58	
A40		Mechanical Penthouse	\$11.66	
A41		Temporary Event Structure		\$299
A42		Shoring (/m of length)	\$17.94	
A43		Underpinning (/m of length)	\$17.94	
A44		Design of Hazardous Areas regulated by the Building Code	\$30.11	
A45		Multiple Unit Encapsulated Mass Timber Buildings greater than 3 storeys	\$30.11	
A46	Designated Structures	Communication Tower		\$428
A47		Crane Runway		\$637
A48		Exterior Storage Tank		\$428
A49		Pedestrian Bridge (/m of length)	\$49.71	
A50		Retaining Wall (/m of length)	\$24.88	
A51		Sign regulated by the Building Code		\$428
B1	Group A: Assembly	Restaurant	\$11.62	
B2		All other assembly occupancies	\$8.02	
B3	Group B: Institutional		\$8.02	
B4	Group C: Residential	Secondary Suite	\$21.03	
B5		All other Residential occupancies	\$8.02	
B6		Exterior door or door from garage into dwelling		\$474
B7		Below grade stair		\$474
B8		Elevator (Housing Permits only)		\$474
B9	Group D: Business and Personal Service		\$8.02	
B10	Group E: Mercantile	Restaurant	\$11.62	
B11		All other mercantile occupancies	\$8.02	
B12	Group F: Industrial		\$7.31	
B13	All Occupancies	Electromagnetic Locking Device (\$707 + \$142/additional device)	\$142	\$707
B14		Parking Structure Repair	\$2.15	
B15		Balcony Guard Replacement (/m of length)	\$2.60	
B16		Window Replacement or Enlargement (each)	\$8.96	
B17		Special Ventilation Systems (each)		
C1	Group C: Residential Housing	Single / Semi-detached dwelling		\$722
C2	Group C: Residential Housing	Accessory building		\$241
C3	All Other Occupancies	Complete / Partial / Interior Demolition (\$1,500 minimum fee)	\$0.21	
D1	All Occupancies	Heating, ventilation, air conditioning	\$1.40	
D2		Fire Alarm System (per storey)	\$465	
D3		Replacement Annunciator/Control Panel only (per storey served)	\$465	
D4		Sprinkler System	\$1.40	
D5		In-rack sprinkler System	\$1.40	
D6		Standpipe System (per riser)	\$182	
D7		Emergency Power		\$896
D8		Emergency Lighting (per storey)	\$239	
D9		Fireplace / Woodstove		\$144
D10		Heating plant replacement		\$233
E1	Residential Service Connections	Service Connection (per lot)		\$218
E2	All Occupancies	Each fixture	\$21.29	
E3		Each Appliance	\$21.29	
E4		Each Rain Water Hopper	\$21.29	
E5		Conversion from Septic System to sewer		\$546
E6		Testable backflow preventer (\$328 +\$109/additional device)	\$109	\$328
E7		Water service (/length in m)	\$21.29	
E8		Building sanitary/storm drain and sanitary/storm sewers (/length in m)	\$21.29	
E9		Replacement or re-lining of water distribution piping (/length in m)	\$21.29	
E10		Each Manhole	\$62.78	
E11		Each Catchbasin	\$62.78	
E12		Each Area Drain	\$62.78	
E13		Each Backwater Valve / Sump Pump / Sewage Ejector	\$144	
F1		New System		\$2,128
F2		Replacement of Leaching Bed		\$1,139
F3		Replacement of Septic Tank or Minor Repair of Part of a System		\$707
F4		Evaluation of System (no alterations required)		\$284
F5		Review of Clearances Only		\$284
G1		Solar domestic hot water systems (serving individual dwellings)		\$144
G2		Solar domestic hot water systems (serving all other buildings)		\$776
G3		Solar photovoltaic systems (serving individual dwellings)		\$144
G4		Solar photovoltaic systems (serving all other buildings)		\$776
G5		Geothermal Systems		\$468
G6		Wind Turbines (per turbine)		\$310
G7		Drain water heat recovery unit (serving individual dwellings)		\$144
H1		Infill Residential dwelling		\$400
H2		Single, Semi-detached dwelling or Secondary Suite		\$100
H3		Multiple unit residential buildings less than 4 storeys high (per building)		\$400
H4		All other new multiple unit residential buildings and new non-residential projects (per building)		\$950
H5		Non-housing interior alterations ( per unit)		\$200
H6		Portables		\$200

**Schedule B**

Documents & Drawings Required For A *Complete Application* (Paper or Digital Media). All digital media must comply with the Submission Standards approved by the Chief Building Official.

Row	Class of Permit	Documents and Drawings Required
1	<i>All Permits</i>	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Building Permit Application Form * (not required for <i>electronic submissions</i>)</li> <li>b. Applicable Law Checklist *</li> <li>c. Permit Applicant Authorization Form *</li> </ol>
2	<b>Permit to Construct Housing</b> Detached Houses, Semi-detached Houses, Duplex/ Accessory buildings <ul style="list-style-type: none"> <li>• New Buildings</li> <li>• Additions</li> <li>• Alterations</li> <li>• Accessory Buildings</li> </ul> For <i>infill residential</i> , refer to Row 3	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Schedule 1 *</li> <li>b. Schedule 2 *</li> <li>c. Energy Efficiency Design Summary Form *</li> <li>d. Plumbing Data Housing Form *</li> <li>e. Approval documents required by an applicable law</li> <li>f. Subsurface Investigation Report</li> <li>g. Heat loss / heat gain / duct calculations (per dwelling unit)</li> <li>h. Residential Mechanical Ventilation Summary</li> </ol> <b>Drawings</b> <ol style="list-style-type: none"> <li>i. Site Plan</li> <li>j. Current Land Survey</li> <li>k. Municipally Approved Site Grading Plan</li> <li>l. Architectural Drawings</li> <li>m. Structural Drawings</li> <li>n. Roof truss / Pre-engineered floor system shop drawings</li> <li>o. HVAC Drawings</li> <li>p. On-site <i>Sewage System</i> Drawings (including On-Site <i>Sewage System</i> Statement of Design)</li> </ol>
3	<b>Permit to Construct Infill Residential Housing</b> <ul style="list-style-type: none"> <li>• New Buildings</li> <li>• Additions</li> </ul>	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Schedule 1 *</li> <li>b. Schedule 2 *</li> <li>c. Energy Efficiency Design Summary Form *</li> <li>d. Plumbing Data Housing Form *</li> <li>e. Owners Lot Grading Undertaking</li> <li>f. Approval documents required by an applicable law</li> <li>g. Subsurface Investigation Report</li> <li>h. Heat loss / heat gain / duct calculations (per dwelling unit)</li> <li>i. Residential Mechanical Ventilation Summary</li> </ol> <b>Drawings</b> <ol style="list-style-type: none"> <li>j. Site Plan</li> <li>k. Current Land Survey</li> <li>l. Municipally Approved Site Grading Plan</li> <li>m. Architectural Drawings</li> <li>n. Structural Drawings</li> <li>o. Roof truss / Pre-engineered floor system shop drawings</li> <li>p. HVAC Drawings</li> <li>q. On-site <i>Sewage System</i> Drawings (including On-Site <i>Sewage System</i> Statement of Design)</li> <li>r. Temporary shoring design where the foundation wall of the new dwelling / addition is 1.8 m or less from a property line, or the extent of excavation is within 1.2 m of the property line or where otherwise determined by the <i>chief building official</i></li> </ol>

Row	Class of Permit	Documents and Drawings Required
4	<p><b>Permit to Construct Secondary Suite</b></p> <ul style="list-style-type: none"> <li>• Alterations</li> <li>• Additions</li> </ul>	<p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Schedule 1 *</li> <li>b. Schedule 2 *</li> <li>c. Energy Efficiency Design Summary Form *</li> <li>d. Plumbing Data Housing Form *</li> <li>e. Approval documents required by an applicable law</li> <li>f. Subsurface Investigation Report</li> <li>g. Heat loss / heat gain / duct calculations (per dwelling unit)</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>h. Site Plan</li> <li>i. Current Land Survey</li> <li>i. Municipally Approved Site Grading Plan</li> <li>j. Architectural Drawings including fire separation and fire-resistance rating drawings (plan and section)</li> <li>k. Structural Drawings</li> <li>l. Roof truss / Pre-engineered floor system shop drawings</li> <li>m. HVAC Drawings</li> <li>n. On-site <i>Sewage System</i> Drawings (including On-Site <i>Sewage System</i> Statement of Design)</li> </ol>
5	<p><b>Permit to Construct Multi-unit Residential less than 4 storeys</b></p> <ul style="list-style-type: none"> <li>• New Buildings</li> <li>• Additions</li> <li>• Alterations</li> </ul>	<p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Schedule 1 *</li> <li>b. Schedule 2 *</li> <li>c. Energy Efficiency Design Summary Form *</li> <li>d. Plumbing Data Housing Form *</li> <li>e. Approval documents required by an applicable law</li> <li>f. Subsurface Investigation Report</li> <li>g. Heat loss / heat gain / duct calculations (per dwelling unit)</li> <li>h. Residential Mechanical Ventilation Summary</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>i. Site Plan</li> <li>j. Municipally Approved Site Grading Plan</li> <li>k. Architectural Drawings (including block floor plans for each floor, block roof plans and block elevations for townhouse blocks)</li> <li>l. Fire Separation / Fire-Resistance Rating Drawings (plan and section, for all multi-unit buildings)</li> <li>m. Structural Drawings</li> <li>n. Roof truss / Pre-engineered floor system shop drawings</li> <li>o. HVAC Drawings</li> <li>p. Plumbing Drawings for buildings with stacked dwelling units</li> <li>q. On-site <i>Sewage System</i> Drawings (including On-Site <i>Sewage System</i> Statement of Design)</li> </ol>



Row	Class of Permit	Documents and Drawings Required
6	<p><b>Permit to Construct</b>  <b>Non-Housing – New Construction</b>  Non-residential buildings,  Residential Apartment Buildings, Mixed-Use Buildings, Triplex/Fourplex</p> <ul style="list-style-type: none"> <li>• New Buildings</li> <li>• Additions</li> <li>• Change of Use</li> </ul>	<p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Building and Land Use Declaration Form *</li> <li>b. Schedule 1 *</li> <li>c. Schedule 2 *</li> <li>d. Commitment to General Review *</li> <li>e. Energy Efficiency Form *</li> <li>f. Plumbing Data Form *</li> <li>g. Approval documents required by an applicable law</li> <li>h. Subsurface Investigation Report</li> <li>i. Heat loss / heat gain / duct calculations</li> <li>j. Mechanical equipment and design specifications</li> <li>k. Construction Site Fire Safety Plan (for mid-rise wood construction projects)</li> <li>l. Partial Occupancy Request and Report for super tall buildings</li> <li>m. Vibration Control Report and Zone of Influence Report where deep foundations are proposed</li> <li>n. High Building Checklist</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>a. Site Plan</li> <li>b. Municipally Approved Site Servicing Plan indicating all services (domestic water, fire protection, sanitary and storm sewers, laterals servicing buildings) and clearly indicating the area(s) that are municipally and privately owned.</li> <li>c. Architectural Drawings, including: <ol style="list-style-type: none"> <li>i. Building Code Compliance Matrix</li> <li>ii. Fire Separation / Fire-Resistance Rating Drawings (plan and section, for all multi-unit buildings)</li> </ol> </li> <li>d. Structural Drawings</li> <li>e. Electrical Drawings</li> <li>f. Roof truss / Pre-engineered floor system shop drawings</li> <li>g. Mechanical Drawings (HVAC, plumbing, fire protection systems)</li> <li>h. On-site Sewage System Drawings (including On-Site Sewage System Statement of Design)</li> </ol>
7	<p><b>Permit to Construct</b>  <b>Non-Housing – Alterations</b>  Non-residential buildings,  Residential Apartment Buildings, Mixed-Use Buildings</p> <ul style="list-style-type: none"> <li>• Alterations</li> <li>• Tenant Improvements</li> </ul>	<p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Building and Land Use Declaration Form *</li> <li>b. Schedule 1 *</li> <li>c. Commitment to General Review *</li> <li>d. Energy Efficiency Form *</li> <li>e. Plumbing Data Form *</li> <li>f. Approval documents required by an applicable law</li> <li>g. Heat loss / heat gain / duct calculations</li> <li>h. Mechanical equipment and design specifications</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>i. Site Plan</li> <li>j. Key Plan</li> <li>k. Architectural Drawings, including: <ol style="list-style-type: none"> <li>i. Building Code Compliance Matrix</li> <li>ii. Fire Separation / Fire-Resistance Rating Drawings (plan and section, for all multi-unit buildings)</li> </ol> </li> <li>l. Structural Drawings</li> <li>m. Electrical Drawings</li> <li>n. Mechanical Drawings (HVAC, plumbing, fire protection)</li> </ol>
8	<p><b>Permit to Construct</b>  <b>Private servicing</b></p>	<p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Building and Land Use Declaration Form *</li> <li>b. Commitment to General Review *</li> <li>c. Plumbing Data Form *</li> <li>d. Site Servicing Declaration for low rise residential developments</li> <li>e. Approval documents required by an applicable law</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>f. Municipally Approved Civil Engineering package including Site Servicing Plan indicating all services (domestic water, fire protection, sanitary and storm sewers, laterals servicing buildings) and clearly indicating the area(s) that are municipally and privately owned.</li> <li>g. Site Plan including hydrant locations for low rise multi-unit residential developments</li> </ol>

Row	Class of Permit	Documents and Drawings Required
9	<b>Permit to Construct</b> <b>Temporary Event Structures</b> Tents, stages, bleachers	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Temporary Event Structure Authorization Form *</li> <li>b. Commitment to General Review *</li> <li>c. Approval documents required by an applicable law</li> <li>d. Documentation confirming flame spread rating of tent material</li> </ol> <b>Drawings</b> <ol style="list-style-type: none"> <li>e. Site Plan</li> <li>f. Shop Drawings</li> </ol>
10	<b>Permit to Demolish</b>	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Commitment to General Review *</li> <li>b. Approval documents required by an applicable law</li> <li>c. Environmental Building Audit</li> <li>d. Demolition Checklist for <i>infill residential</i> projects</li> </ol> <b>Drawings</b> <ol style="list-style-type: none"> <li>e. Site Plan including existing building to be demolished, construction fencing and gate access locations</li> <li>f. Demolition Plan prepared in accordance with O.Reg. 260/08</li> <li>g. Temporary shoring design for <i>infill residential</i> projects where the foundation wall of the new dwelling is 1.8 m or less from a property line, or the extent of excavation is within 1.2 m of the property line or where otherwise determined by the <i>chief building official</i></li> </ol>
11	<b>Conditional Permit</b>	<b>Documents</b> <ol style="list-style-type: none"> <li>a. Conditional Permit Addendum Form *</li> <li>b. Deed</li> <li>c. Development Approval Schedule</li> </ol>

**Notes:**

1. In addition to the forms listed in this table, the application may be required to submit any other form deemed mandatory by the chief building official.
2. Documents marked with an asterisk (\*) are available from the chief building official.
3. The chief building official may waive the requirement for any specified documents or drawings where the scope of work, applicable law or building code does not, in the opinion of the chief building official, necessitate its submission.



## By-law 2024-201

A By-law to confirm the proceedings of the Council Meeting held on  
November 20, 2024.

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The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That the action of the Council Meeting held on November 20, 2024 in respect to each motion, resolution and other action passed and taken by the Council at the said meeting is, except where prior approval of the Local Planning Appeal Tribunal is required, hereby adopted ratified and confirmed.
2. That the Mayor and the proper officers of the City are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix The Corporate Seal to all such documents.

Read a first, second, and third time and passed November 20, 2024.

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor