

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** June 1, 2023

**CASE NO(S).:** OLT-22-001998

**PROCEEDING COMMENCED UNDER** subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Scardred 7 Company Limited
Subject:	Request to amend the Official Plan – Failure to adopt the requested amendment
Description:	To permit the development of an 11-storey mixed-use residential building containing 450 units designed in a U-shaped tier building that ranges in height from 2-storeys to 11-storeys
Reference Number:	PLAN 21 120023
Property Address:	4038 & 4052 Highway 7 East
Municipality/UT:	City of Markham/ Regional Municipality of York
OLT Case No.:	OLT-22-001998
OLT Lead Case No.:	OLT-22-001998
OLT Case Name:	Scardred 7 Company Limited v. Markham (City)

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant:	Scardred 7 Company Limited v. Markham (City)
Subject:	Application to amend the Zoning By-law – Neglect to make a decision
Description:	To permit the development of an 11-storey mixed-use residential building containing 450 units designed in a U-shaped tier building that ranges in height from 2-storeys to 11-storeys
Reference Number:	PLAN 21 120023
Property Address:	4038 & 4052 Highway 7 East
Municipality/UT:	City of Markham/ Regional Municipality of York
OLT Case No.:	OLT-22-001999
OLT Lead Case No.:	OLT-22-001998

**Heard:** May 1, 2023, by video hearing

**APPEARANCES:**

**Parties**

**Counsel/Agent\***

Scardred 7 Company Limited  
("Appellant/Applicant")

Jeffery Streisfield

City of Markham ("City")

Piper Morley  
Megan Cheung-Mader

Unionville Ratepayers Association  
("URA")

Michael Gannon\*

**MEMORANDUM OF ORAL DECISION DELIVERED BY K.R. ANDREWS AND A.  
SAUVE ON MAY 1, 2023 AND ORDER OF THE TRIBUNAL**

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**INTRODUCTION**

[1] This is a Settlement Hearing concerning an appeal by the Applicant. The Appeal arises following a non-decision of the City regarding Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBA") applications to facilitate the development a mixed-use development with an increased height and density on the property municipally known as 4038 and 4052 Highway 7 East in the City of Markham. Currently, the property features a sales office, a one-story commercial building, and a surface parking lot.

[2] The settlement was reached between the Applicant and the City. The URA was present at the hearing, asked a few questions for the purpose of clarification and expressed some general concerns, but otherwise did not meaningfully participate and did not provide any evidence. The evidence led by the Applicant was therefore uncontested.

[3] The Applicant called the following witnesses who were duly qualified by the Tribunal in the areas of expertise indicated below:

- Michael Manett (Land Use Planning)
- Chris Pereira (Land Use Planning and Urban Design)
- Nick Poulos (Transportation, Traffic and Parking)

## **BACKGROUND AND SUBJECT LANDS**

[4] Mr. Manett testified that the subject site is located on the north side of Highway 7 East, east of Village Parkway in Markham. Nearby uses include commercial uses, such as the Uptown Market Retail Plaza, an Audi dealership to the immediate east, parks and schools.

[5] Mr. Manett confirmed that the site has a Gross Site Area of 11,550 sq. m. and is surrounded on all sides by the following roads:

- Highway 7 to the south;
- Alfredo Street to the north;
- William Meleta Drive to the east; and
- Tomor Drive to the west.

[6] Mr. Manett confirmed that the applications concern a proposed mixed-use development of 12 storeys with a maximum height of 45 m from grade. The proposed planning instruments correspondingly provide for a maximum of 570 dwelling units, a Floor Space Index (FSI) of 4.20 with provision for a minimum of 100 sq. m. non-residential uses, based upon a Gross Site Area of 11,550 sq. m.

[7] Mr. Pereira testified that the subject lands are located within a very active development environment in the City. The subject site is located along a Regional Transit Priority Network, it is in immediate proximity to the Markham Urban Growth

Centre, the area has received recent transit infrastructure investment, and a significant amount of redevelopment activity is currently underway.

[8] Mr. Pereira confirmed that the lands west of the subject property, along the north side of Highway 7, have been subject to development approvals obtained at the Ontario Municipal Board (as the Tribunal was known then). He further testified that the height and built form characteristics of these approvals are similar, consisting of a mid-rise (eight-storey) apartment block along Highway 7 East, a middle block comprised of townhouses, and a northerly block earmarked for a future school site. More recently, Mr. Pereira confirmed, the City has approved another application along the Highway 7 corridor in this area for an independent living retirement home comprised of 1,136 units in 14, 13 and nine-storey buildings.

## **PLANNING ANALYSIS**

### **Proposed Planning Instruments**

[9] Mr. Manett drew the Tribunal's attention to schedules from the York Region Official Plan ("Region OP") to illustrate that the subject site is within the "Urban Area" designation on Map 1 Regional Structure, on a "Regional Transit Priority Network" on Map 11 Transit Network and on a "Regional Planned Street" with a width of up to 45 m. He also confirmed that no Regional OPA is required and that the subject application conforms to the Region OP.

[10] Mr. Manett also drew the Tribunal's attention to schedules from the City of Markham Official Plan ("City OP"). He testified that Map 1 Markham Structure identifies the site as "Neighbourhood Area", Map 2 Centres & Corridors & Transit Network identifies the site as being located on a "Regional Transit Priority" Corridor, and Map 3 Land Use identifies the site as being designated "Mixed Use Mid Rise". He also confirmed that no amendment to the Official Plan Schedules is required and that the land use designation of "Mixed use Mid Rise" is not being changed. He explained that the OPA is being sought to change the site-specific permissions to permit the

development of a mixed-use building with a maximum height of 12 storeys and a maximum density of 4.20 FSI.

[11] Mr. Manett testified that the Provincial Policy Statement (“PPS”) and A Place to Grow: Growth plan for the Greater Golden Horseshoe (“Growth Plan”) requires municipalities to be consistent with their policy framework which directs municipalities to provide a full range of housing types and densities and to provide opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure. In this regard, he noted that the subject lands are immediately adjacent to a Regional Rapid Transit Corridor (Hwy 7) as identified by the Province of Ontario and Region of York respectively.

[12] Mr. Manett further testified that the Region OP encourages mixed-use development where retail is designed to be walkable, transit-supportive, and integrated into communities and states that the Highway 7 Corridor is to be planned to function as urban Main Streets that have a compact, mixed-use, well-designed, pedestrian-friendly and transit-oriented built form. He opined, in relation to seeking permission to develop a higher and denser building, that concentrating development activity at increased heights and densities within these identified areas will help achieve the objectives of making efficient use of existing and future infrastructure, supporting public transit, building compact urban communities and reducing the reliance on the automobile.

[13] In summary, he opined that the requested OPA and ZBA are consistent with the PPS, conform with the Growth Plan, conform with the Region OP, conform with the balance of the City OP, and represent good planning for the above reasons.

[14] With no evidence or submissions to the contrary, the Tribunal finds same.

### **Urban Design**

[15] Mr. Pereira opined that the design, as facilitated by the proposed planning instruments, has regard to matters of provincial interest as it pertains to urban design.

He opined that the Proposed Development represents a high-quality design that is appropriate for the subject transit-supportive corridor adjacent to a Regional Growth Centre. He further opined that the design, as facilitated by the proposed planning instruments, will establish a pedestrian supportive presence along Highway No. 7, more of an urban scaled Main Street and away from being vehicle dominated. He confirmed that the proposed building includes a number of step-backs along the north, east and south sides of the building to appropriately sculpt the built form and massing. Along Highway 7, he confirmed that the building incorporates step-backs at the third, eighth and 11<sup>th</sup> storeys to provide an appropriate balance between a pedestrian supportive streetscape and built form edge conditions.

[16] Mr. Pereira further opined that the proposed development is consistent/conforms with the Provincial direction provided through the PPS and Growth Plan as it pertains to matters of urban design. He testified that the proposed development is an efficient, compact, transit and pedestrian-oriented development that will support the optimization of land use and infrastructure, including higher order transit. He further testified that, in his opinion, it will contribute to the urbanization of the Highway 7 corridor, increase transit ridership, and promote a sustainable development pattern and measures that are reflective of sustainable urbanism.

[17] Regarding the Region OP, Mr. Pereira drew the Tribunal's attention to s. 3.1.3, which requires high quality urban design and pedestrian friendly communities that provide safety, comfort and mobility, and s. 5.2.8 which requires development to employ the highest standard of urban design. Pursuant to these sections, Mr. Pereira testified that development applications, like what we are concerned with in the present case, are required to provide pedestrian scale, compatibility, and sustainability to ensure high quality development. On this subject, he opined that the proposed development provides an appropriate pedestrian scaled street wall along all street frontages, ensuring pedestrian routes around the building that are desirable, active, safe and supportive of pedestrians. Furthermore, he opined that planned landscaping within the boulevard will further reinforce the pedestrian focus of these areas (which will be refined and secured through the site plan approval process). Summarily, he opined that the

proposed development represents a very high-quality form of sustainable urbanism that is consistent with the built form character of the area. For these reasons, he opined that the requested planning instruments conform with the Region OP.

[18] Regarding the City OP, Mr. Pereira opined that the proposed development conforms given that it is indicative of an efficient development form, providing a transit and pedestrian-oriented development within the urban area while making efficient use of existing services. He further opined that the proposed development conforms by providing a pedestrian scaled street wall along Highway 7, which provides well-sited, modulated and articulated building mass with direct pedestrian access to building entrances and assists in establishing a vibrant streetscape. In further conformity, he testified that parking areas have also been contained within the site and have been screened from public view, and ample landscaping has been provided throughout the site within both the private and public realms to help define public streets, delineate pedestrian walkways within the site, and clearly define pedestrian entrances.

[19] In summary, Mr. Pereira opined, with respect to matters of urban design, that the proposed development, as facilitated by the OPA and ZBA applications, have regard to matters of provincial interest, are consistent with the PPS and conform with the Growth Plan, the Region OP, and the City OP.

[20] With no evidence or submissions to the contrary, the Tribunal finds same.

### **Transportation, Traffic and Parking**

[21] Mr. Poulos provided the Tribunal with a comprehensive description of the surrounding City transportation network, and how the proposed development (including construction of roads around the perimeter of the subject property) purports to fit within the network. In summary, Mr. Poulos opined the following:

- a. the proposed development (especially the inclusion of planned roads) permits a significant portion of the east end transportation roadway

network to be completed and implemented as set out by the City of Markham and York Region Markham Centre Plans;

- b. the proposed development secures excellent boundary road and intersection operations during the typical weekday roadway peak hours and throughout the day. He noted, in his opinion, that all intersections providing access including the driveway to the development should operate at good levels of service with little, if any, vehicle delay;
- c. the proposed development offers options to select transit, walking or bicycling as a modal choice for primary transportation, rather than exclusive reliance on automobiles. He noted that VIVA service is immediately out front of the proposed development, the site is in close proximity to the Unionville GO Station, and multi-use paths are available on Highway 7 in the boulevard for pedestrians and bicyclists; and
- d. satisfactory on-site parking is available to meet resident and resident visitor parking demands.

[22] Premised upon the above evidence from Mr. Poulos, the Applicant submitted that the proposed development, as facilitated by the OPA and ZBA applications, have regard to matters of provincial interest, are consistent with the PPS and conform with the Growth Plan, the Region OP, and the City OP in relation to transportation, traffic and parking.

[23] With no evidence or submissions to the contrary, the Tribunal finds same.



**ORDER**

[24] **THE TRIBUNAL ORDERS** that;

1. the appeal pursuant to s. 22(7) of the *Planning Act* is allowed, in part, and the Official Plan for the City of Markham is amended as set out in Attachment 1 to this Order; and
2. the appeal pursuant to s. 34(11) of the *Planning Act* is allowed, in part, and By-law 177-96 of the City of Markham is hereby amended as set out in Attachment 2 to this Order. The Tribunal authorizes the municipal clerk of the City of Markham to assign a number to this by-law for record keeping purposes.

[24] The Members are not seized but may be spoken to through the Case Coordinator if any issues arise.

*“K.R. Andrews”*

K.R. ANDREWS  
MEMBER

*“Aaron J.R. Sauve”*

AARON J.R. SAUVE  
MEMBER

**Ontario Land Tribunal**

Website: [olt.gov.on.ca](http://olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal..

## ATTACHMENT 1

CITY OF MARKHAMOFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

*(Scardred 7 Company Limited, 4038 and 4052 Highway 7 East)*

*(April 2023)*

CITY OF MARKHAM  
OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. -2023-xx---- pursuant to the Order of the Ontario Land Tribunal, dated May 1, 2023, made under the *Planning Act*, R.S.O., 1990 c.P.13, as amended, on the XX day of Month, Year.

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor



## By-law 2023-XX

Being a by-law to adopt Amendment No. XXX  
to the City of Markham Official Plan 2014, as amended

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THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM,  
IN ACCORDANCE WITH ORDER OF THE ONTARIO LAND TRIBUNAL  
AND MADE UNDER THE PROVISIONS OF THE *PLANNING ACT*, R.S.O.,  
1990, HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX 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 \_\_th  
DAY OF May, 2023.

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk  
(Signed)

\_\_\_\_\_  
Frank Scarpitti  
Mayor

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**PART I - INTRODUCTION**

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

## **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 Official Plan Amendment No. XXX to the City of Markham Official Plan 2014, as amended. Part II is an operative part of this Official Plan Amendment.

### **2.0 LOCATION**

This Amendment applies to approximately 1.2 hectares of land located on the north side of Highway 7, east of Village Parkway, known municipally as 4038 and 4052 Highway 7 East, as shown in Figure 9.19.9 attached hereto (the “subject lands”).

### **3.0 PURPOSE**

The purpose of this Official Plan Amendment is to modify the existing site specific permissions in Section 9.19.9 g) to permit the development of a mixed-use building with a maximum height of twelve (12) storeys and maximum site density of 4.20 FSI on the subject lands.

### **4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT**

The subject lands are designated ‘Mixed Use Mid Rise’ in the City of Markham Official Plan 2014, as amended, and are subject to Area and Site Specific Policy 9.19.9 g), which restricts the maximum building height to 4 storeys.

This Official Plan Amendment was initiated by the Owner of the subject lands in order to facilitate a 12 storey mixed-use development that implements Provincial and Regional objectives as it relates to transit-supportive development within designated intensification areas and along Regional transportation corridors.

The Provincial Policy Statement (PPS, 2020) and A Place to Grow: Growth plan for the Greater Golden Horseshoe (Growth Plan)) requires municipalities to be consistent with their policy framework which directs municipalities to provide a full range of housing types and densities and to provide opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure. In this regard, the subject lands are immediately adjacent to a Regional Rapid Transit Corridor (Highway 7 East), as identified by the Province of Ontario and Region of York respectively. York Region Official Plan, 2010, encourages mixed-use

development where retail is designed to be walkable, transit-supportive, and integrated into communities and states that the Highway 7 Corridor is to be planned to function as urban main streets that have a compact, mixed-use, well-designed, pedestrian-friendly, and transit-oriented built form. Concentrating development activity at increased heights and densities within these identified areas will help achieve the objectives of making efficient use of existing and future infrastructure, supporting public transit, building compact urban communities and reducing the reliance on the automobile.

This amendment is consistent with the PPS, 2020, conforms with the Growth Plan, and conforms with the York Region Official Plan, 2010.



**PART II - THE OFFICIAL PLAN AMENDMENT**

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

## PART II - THE OFFICIAL PLAN AMENDMENT

### 1.0 THE OFFICIAL PLAN AMENDMENT

1.1 Section 9.19 of the Official Plan 2014, as amended, is hereby amended as follows:

a) Replacing Section 9.19.9 g) as follows:

“g) on the lands at 4038 and 4052 Highway 7 East designated ‘Mixed use Mid Rise’ as shown in Figure 9.19.9, the maximum building height shall be 12 storeys and the maximum *floor space index* shall be 4.2 based on a site area of 11,550 square metres. For clarity, the implementing zoning bylaw may express the permitted density in terms of Gross Floor Area (GFA).”

b) Modifying the crosshatching corresponding to 4038 and 4052 Highway 7 East in Figure 9.19.9, as follows:

“



Figure 9.19.9”

## 2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan, 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.

## ATTACHMENT 2

**BY-LAW 2023-\_\_\_\_\_**

**A By-law to amend By-law \_\_\_\_\_, as amended**  
*(to delete lands from the designated areas of By-laws \_\_\_\_\_)*  
**and to amend By-law 177-96, as amended**  
*(to incorporate lands into the designated area of By-law 177-96)*

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That By-law 118-79, as amended, are hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated areas of By-law 177-96, as amended.
2. That By-law 177-96, as amended, is hereby further amended as follows:
  - 2.1 By expanding the designated area of By-law 177-96, as amended, to include additional lands as shown on Schedule 'A' attached hereto.
  - 2.2 By zoning the lands outlined on Schedule 'A' attached hereto:
 

from:  
**Special Commercial One (SC1) Zone**

to:  
**Community Amenity Three \*726 (CA3\*726) Zone**
3. By adding the following subsections to Section 7 – EXCEPTIONS:

<b>Exception 7.726</b>	<b>Scardred 7 Company Limited</b>	<b>Parent Zone CA3</b>
File PLAN 21 120023	4038 and 4052 Hwy 7 East (north side of Highway 7 East, east of Village Parkway)	Amending By-law 2023-_____
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *726 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
<b>7.726.1 Only Permitted Uses</b>		
The following are the only permitted uses:		
a)	Apartment Dwelling	
b)	Art Gallery	
c)	Retail Store	
d)	Home Occupation	
e)	Restaurant	
f)	Restaurant, Take-Out	
g)	Repair Shop	
h)	Personal Service Shop	
i)	Business Office	
j)	Child Care Centre	
k)	Home Child Care	
l)	Sales Pavilion, New Home Sales Centre	
<b>7.726.2 Special Zone Standards</b>		
The following special zone standards shall apply:		
a)	The provisions of Table B7- shall not apply	

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b)	Notwithstanding any further division or partition of the lands subject to this Section, all lands shown on Schedule A hereto shall be deemed to be one <i>lot</i> .
c)	For the purposes of this bylaw, the <i>front lot line</i> shall be the <i>lot line</i> abutting Highway 7 East.
d)	Maximum <i>Height</i> : 45 metres
e)	Maximum number of <i>storeys</i> inclusive of mechanical <i>penthouse</i> – 12
f)	Notwithstanding the definition of <i>storey</i> , any portion of a storey exceeding 4.2 metres in height shall not be deemed to be an additional <i>storey</i> .
g)	Maximum number of <i>dwelling units</i> : 570
h)	Minimum number of <i>storeys</i> - 2
i)	Notwithstanding e) above the maximum number of <i>storeys</i> from the northern lot line <ul style="list-style-type: none"> <li>i) Within 7 metres – 2 <i>storeys</i></li> <li>ii) Within 17 metres – 11 <i>storeys</i>.</li> </ul>
j)	Minimum <i>lot frontage</i> – 65 metres
k)	Minimum <i>gross floor area</i> of non-residential uses – 100 square metres
l)	Notwithstanding any other provisions in this by-law, for the lands zoned CA3*726 shown on Schedule 'A', the following definition shall apply:  <b>Floor Area, Gross</b> means the aggregate of the areas of each floor measured from exterior surface of exterior walls and excludes balconies and terraces, ramps, driveways (drive-aisles), at-grade and below grade parking, locker storage, bicycle storage, loading, mechanical and electrical service spaces, all shafts, elevator hoistways on each floor, air-lock vestibules in parking garage, and stairs on each floor.
m)	Maximum <i>gross floor area</i> all <i>buildings</i> and <i>structures</i> on the site – 47,000 square metres.
n)	Maximum number of guest suites – 2
o)	Minimum <i>Yards</i> <ul style="list-style-type: none"> <li>i) <i>Front yard</i> – 0.3 metres</li> <li>ii) <i>Rear yard</i> – 1 metres</li> <li>iii) <i>Exterior side yard</i> (east) – 1 metres</li> <li>iv) <i>Exterior side yard</i> (west) – 1 metres</li> </ul>
p)	For the purposes of this bylaw, the minimum <i>setback</i> from a daylight triangle shall be 0.0 metres.
q)	Stairs and landings that access any part of a <i>main building</i> on the <i>lot</i> , may encroach into the required <i>front and exterior side yards</i> , provided that no part of the stairs or landing are located closer than 0.3 metres from the <i>front and exterior side lot lines</i> .
r)	Minimum <i>Parking</i> Requirements: <ul style="list-style-type: none"> <li>i) A minimum of 0.8 <i>parking spaces</i> per <i>dwelling unit</i> plus 0.1 <i>parking spaces</i> per <i>dwelling unit</i> for visitors.</li> <li>ii) No <i>parking spaces</i> are required for guest suites.</li> <li>iii) No <i>parking spaces</i> are required for up to 500 square metres of non-residential <i>gross floor area</i>.</li> <li>iv) 1.0 <i>parking space</i> per 30 square metres of non-residential <i>gross floor area</i> above 500 square metres of non-residential <i>gross floor area</i>.</li> </ul>
s)	Minimum <i>Amenity Area</i> : <ul style="list-style-type: none"> <li>i) Indoor <i>amenity area</i> – 2 square metres per <i>dwelling unit</i></li> <li>ii) Outdoor <i>amenity area</i> – 1.5 square metres per <i>dwelling unit</i></li> </ul>
t)	Minimum setback for any portion of a <i>parking garage</i> , storage lockers, or mechanical or electrical rooms, below <i>established grade</i> – 0.0 metres.  Minimum <i>setback</i> to stairways, ventilation shaft and housing, and other similar facilities located above <i>establish grade</i> associated with the below grade <i>parking garage</i> – 0.0 metres.

Read and first, second and third time and passed on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk

\_\_\_\_\_  
Frank Scarpitti  
Mayor



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#### **EXPLANATORY NOTE**

##### **BY-LAW 2023-\_\_\_\_**

**A By-law to amend By-law 118-79 and 177-96, as amended**

**Name of Applicant: Scardred Company No. 7**

**Property Legal Description: CON 5, PT LOT 11**

**Property Addresses: 4038 and 4052 Highway 7 East**

**PLAN 21 120023**

##### **Lands Affected**

The proposed by-law amendment applies to a parcel of land with an approximate area of 1.15 hectares, which is located north of Highway 7 East and east of Village Parkway.

##### **Existing Zoning**

The subject lands are zoned Special Commercial One (SC1) Zone under By-law 118-79, as amended.

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

The purpose and effect of this By-law is to rezone the subject lands under By-law 177-96, as amended as follows:

from:

**Special Commercial One (SC1) Zone**

to:

**Community Amenity Three \* 726 (CA3\*726) Zone;**

in order to permit a residential development on the subject lands.

