



## BY-LAW 2023-94

**A By-law to amend By-law 118-79 as amended**  
*(to delete lands from the designated areas of By-laws 118-79*  
**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:

Exception 7.726	Scardred 7 Company Limited	Parent Zone CA3
File PLAN 21 120023	4038 and 4052 Hwy 7 East (north side of Highway 7 East, east of Village Parkway)	Amending By-law 2023- 94
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)	<i>Home Child Care</i>
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
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 i) Within 7 metres – 2 <i>storeys</i> ii) Within 17 metres – 11 <i>storeys</i> .
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> i) <i>Front yard</i> – 0.3 metres ii) <i>Rear yard</i> – 1 metres iii) <i>Exterior side yard</i> (east) – 1 metres iv) <i>Exterior side yard</i> (west) – 1 metres.
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 Requirements</i> :  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. ii) No <i>parking spaces</i> are required for guest suites. iii) No parking spaces are required for up to 500 square metres of non-residential <i>gross floor area</i> . 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> .
s)	Minimum <i>Amenity Area</i> : i) Indoor <i>amenity area</i> – 2 square metres per <i>dwelling unit</i> ii) Outdoor <i>amenity area</i> – 1.5 square metres per <i>dwelling unit</i>
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 14<sup>th</sup> of June, 2023.

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor

Amanda File No. PLAN 21 120023



## **EXPLANATORY NOTE**

### **BY-LAW 2023-94**

**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.