



BY-LAW 2023 - _____

A By-law to amend By-law 177-96, as amended
(To Re-zone the lands subject to this By-law, and provide site specific development standards)

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

1. THAT By-law 177-96, as amended, is hereby further amended as follows:

2.1 By zoning the lands outlined on Schedule 'A' attached hereto from:

Open Space Two (OS2) Zone

To:

Community Amenity Area Two*733 (H) [CA2*733(H) Zone
Community Amenity Area Two*734 (H) [CA2*734 (H)] Zone
Residential Two*735 (H) [R2*735(H)] Zone
Residential Two*736 (H) [R2*736 (H)] Zone
Residential Two *737 (H) [R2*737 (H)] Zone

2.2 By adding the following subsections to Section 7 – EXCEPTIONS

Exception 7.733	1000112234 Ontario Inc. and Green City Communities Inc. South side of Church Street, between Bur Oak Avenue and Cornell Centre Boulevard. Block 1, Registered Plan 65M-4589	Parent Zone CA2
File: PLAN.23.139197		Amending By-law 0000-000
Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the land shown on Schedule "A" attached to this By-law 2023-____. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.733.1 Additional Permitted Uses		
The following <i>uses</i> are additional permitted <i>uses</i> :		
a)	<i>Retirement home</i>	
b)	<i>Nursing home</i>	
c)	<i>Long term care facility</i>	
d)	<i>Multiple dwellings</i>	
e)	<i>Townhouse dwellings</i>	
7.733.2 Special Zone Standards		
The following special zone standards shall apply		
a)	Notwithstanding any further division or partition of the lands subject to this Section, all lands zoned with Exception *733 shall be deemed to be one <i>lot</i> for the purposes of this By-law	
b)	Unless otherwise amended by this section, townhouse dwellings shall be constructed in accordance with the provisions of the Residential Two (R2) zone.	
c)	For the purposes of this By-law, the <i>lot line</i> abutting Bur Oak Avenue shall be deemed to be the <i>front lot line</i> .	
d)	<i>Multiple dwellings</i> are not permitted within 30 metres of the <i>streetline</i> of Bur Oak Avenue	

e)	<i>Driveways</i> and direct accesses to <i>garages</i> for <i>multiple dwellings</i> or <i>townhouse dwellings</i> shall only be permitted from a <i>private street</i> .
f)	Notwithstanding special provisions 2 and 3 to Table A2, non-residential <i>uses</i> shall be permitted on the first and second <i>storey</i> of an apartment <i>building</i> , <i>Retirement home</i> , <i>nursing home</i> , or <i>Long term Care Facility</i> .
g)	Minimum required <i>yard</i> : <ul style="list-style-type: none"> i) <i>Front Yard</i> (west) – 4.0 metres ii) <i>Rear yard</i> (east) – 1.5 metres iii) <i>Exterior side yard</i> (north) – 2.8 metres iv) <i>Exterior side yard</i> (south) – 2.0 metres
h)	Minimum width of landscaping adjacent to: <ul style="list-style-type: none"> i) <i>Front Yard</i> (west) – 4.0 metres ii) <i>Rear yard</i> (east) – 1.5 metres iii) <i>Exterior side yard</i> (north) – 1.5 metres iv) <i>Exterior side yard</i> (south) – 2.4 metres
i)	Notwithstanding provision (h) above: <ul style="list-style-type: none"> i) Stairs, terraces, patios, and walkways shall be permitted to encroach into the minimum landscape area ii) a canopy, roof overhang, or unenclosed roofed structure may encroach into a <i>yard</i> abutting a <i>public street</i>, provided it is no closer than 1.0 metres from the <i>lot line</i>
j)	Maximum number of <i>units</i> : <ul style="list-style-type: none"> i. <i>Apartment dwellings</i> and <i>Retirement home</i> units combined: 396 ii. <i>Multiple dwelling units</i>: 116 iii. <i>Townhouse dwelling units</i>: 8
k)	Maximum <i>building height</i> : <ul style="list-style-type: none"> i) <i>Apartment dwelling</i>, <i>Retirement home</i>, <i>nursing home</i>, or <i>long term care facility</i>: 50.0 metres ii) <i>Multiple Dwelling unit</i>: 18.5 metres iii) <i>Townhouse Dwelling unit</i>; 13.0 metres
l)	Minimum <i>landscaped open space</i> : 20%
m)	Maximum <i>gross floor area</i> : 50,000 square metres
n)	The provisions of m) above do not apply to <i>multiple dwellings</i> or <i>townhouse dwellings</i>
o)	Minimum separation distance between the exterior main walls of residential <i>buildings</i> above grade: 6.0 metres
p)	Minimum number of parking spaces: <ul style="list-style-type: none"> i) <i>Retirement home</i>: 0.4 spaces per unit plus 0.2 space per unit for visitors ii) <i>Multiple dwellings</i>: 1 space per <i>dwelling unit</i> plus 0.25 spaces per <i>dwelling unit</i> for visitors iii) Non-residential <i>use</i>: 1 space per 45 square metres of <i>gross floor area</i> iv) Notwithstanding iii) above, <i>restaurant</i> space in excess of 20% of the <i>gross floor area</i> of all non-residential <i>uses</i> shall be parked at 1 space per 9 square metres. v) Required visitor parking and non-residential parking shall be provided as a common supply, and be shared between all visitor and non-residential <i>uses</i>
q)	<i>Porches</i> , with or without an underground cellar, may encroach into any <i>yard</i> to point not less than 1.5 metres from a <i>lot line</i> .
r)	Stairs that access a <i>dwelling unit</i> , and which are associated with a <i>porch</i> , may encroach into any <i>yard</i> to point not closer than 0.9 metres from a <i>lot line</i> .
s)	Minimum setback for a <i>private garage</i> or <i>parking garage</i> located completely below <i>established grade</i> , or access ramp or <i>driveway</i> leading to an underground <i>private garage</i> or <i>parking garage</i> : 0.3 metres
t)	Non-residential <i>uses</i> on the <i>first storey</i> of a <i>building</i> abutting Bur Oak Avenue shall occupy a minimum of 50% of the <i>gross floor area</i> of the <i>first storey</i> .
u)	For the purpose of t) above, loading spaces and parking ramps shall not be included in the <i>gross floor area</i>

v)	Residential and retirement units, and long term care and <i>nursing home</i> dwelling rooms shall not be located on the <i>first storey</i> within 3 metres of the front wall of a <i>building</i> facing Bur Oak Avenue.
w)	A minimum of 2 square meters per unit of contiguous shared <i>outdoor amenity space</i> shall be provided for the multiple dwelling
x)	A minimum <i>outdoor amenity space</i> for <i>apartment dwelling, retirement home, nursing home, or long term care facility</i> : <ul style="list-style-type: none"> i) 2 square meters per unit ii) <i>outdoor amenity space</i> shall be provided in two contiguous areas iii) <i>outdoor amenity space</i> shall be provided as common space, shared between units
y)	The provisions of Table B7 shall not apply
z)	Minimum bicycle parking space requirements: <i>Apartment dwelling and multiple dwellings</i> : <ul style="list-style-type: none"> i) Long-term bicycle parking space: 0.8 spaces per dwelling unit ii) Short-term bicycle parking space: 0.2 spaces per dwelling unit <i>Retirement home, long-term care facility, and nursing homes</i> : <ul style="list-style-type: none"> i) Long-term bicycle parking Space: 0.2 spaces per dwelling unit ii) Short-term bicycle parking Space: 0.15 spaces per dwelling unit Non-Residential use (if overall GFA <1,200 m2): <ul style="list-style-type: none"> i) Long-term Bicycle Parking Space: No requirement ii) Short-term Bicycle Parking Space: 0.15 spaces per 100 m2 GFA or 3 spaces, whichever is greater Non-residential use (if overall GFA is higher or equal to 1,200 m2): <ul style="list-style-type: none"> i) Long-term bicycle parking space: 0.15 spaces per 100 m2 of gross floor area ii) Short-term bicycle parking space: 0.25 spaces per 100 m2 of gross floor area or 6 spaces, whichever is greater
aa)	For the purpose of this by-law, a bicycle parking space means space that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle. A long-term bicycle parking space means a bicycle parking space within a building or structure designed for use by the residents or occupants of a building A short-term bicycle parking space, means a bicycle parking space located in a publicly accessible indoor or outdoor facility and is available for use by the general public.
bb)	The minimum dimensions of a horizontal bicycle parking space shall be: Minimum length of 1.8 metres; Minimum width of 0.6 metres; and Minimum vertical clearance of 1.2 metres.
cc)	The minimum dimensions of a vertical bicycle parking space shall be: Minimum vertical clearance of 1.8 metres; Minimum width of 0.6 metres; and Minimum horizontal clearance from the wall of 1.2 metres.
dd)	No visitor parking shall be required for townhouse dwelling units

Exception 7.734	1000112234 Ontario Inc. and Green City Communities Inc.	Parent Zone CA2
File PLAN 23 139197	South side of Church Street, between Bur Oak Avenue and Cornell Centre Boulevard. Block 1, Registered Plan 65M-4589	Amending By-law 0000-000
Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the land shown on Schedule "A" attached to this By-law 2023-____. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.734.1 Additional Permitted Uses		
a)	<i>Retirement home</i>	
b)	<i>Nursing home</i>	
c)	<i>Long term Care Facility</i>	
d)	<i>Multiple Dwelling</i>	
7.734.2 Special Zone Standards		
The following special zone standards shall apply		
a)	Notwithstanding any further division or partition of the lands subject to this Section, all lands zoned with Exception *734 shall be deemed to be one <i>lot</i> for the purposes of this By-law	
b)	For the purposes of this By-law, the <i>lot line</i> abutting Bur Oak Avenue shall be deemed to be the <i>front lot line</i> .	
c)	<i>Multiple dwellings</i> are not permitted within 30 metres of the <i>streetline</i> of Bur Oak Avenue	
d)	Notwithstanding special provisions 2 and 3 to Table A2, non-residential <i>uses shall be permitted on the first and second storey of an apartment building, Retirement home, nursing home, or Long term Care Facility.</i>	
e)	<i>Driveways</i> and direct accesses to <i>garages</i> for <i>Multiple dwellings</i> shall only be permitted from a <i>private street</i> or lane.	
e)	Minimum required <i>yard</i> : i) <i>Front Yard</i> (west) – 4.0 metres ii) <i>Rear yard</i> (east) – 1.5 metres iii) <i>Interior side yard</i> (south) – 2.8 metres iv) <i>Exterior side yard</i> (north) – 1.5 metres	
f)	Minimum width of landscaping adjacent to: i) <i>Front Yard</i> (west) – 4.0 metres ii) <i>Rear yard</i> (east) – 1.5 metres iii) <i>Exterior side yard</i> (north) – 1.5 metres iv) <i>Interior side yard</i> (south) – 2.8 metres	
g)	Notwithstanding provision (f) above: i) Stairs, terraces, patios, and walkways shall be permitted to encroach into the minimum landscape area ii) a canopy, roof overhang, or unenclosed roofed structure may encroach into a <i>yard</i> abutting a <i>public street</i> , provided it is no closer than 1.0 metres from the <i>lot line</i>	
h)	Maximum number of <i>units</i> : i) <i>Apartment dwellings</i> and <i>Retirement home</i> units combined: 352 ii) <i>Multiple Dwelling units</i> : 72	
i)	Maximum <i>building height</i> : i) <i>Apartment dwelling, Retirement home, nursing home, or long term care facility</i> : 50.0 metres ii) <i>Multiple Dwelling unit</i> : 18.5 metres iii) <i>Townhouse Dwelling</i> : 13.0 metres	
j)	Minimum <i>landscaped open space</i> : 20%	
k)	Maximum <i>gross floor area</i> : 42,000	
l)	The provisions of k) above do not apply to <i>Multiple dwellings</i>	
m)	Minimum separation distance between <i>buildings</i> : 6 metres	
n)	Minimum number of parking spaces: i) <i>Retirement home</i> : 0.4 spaces per unit plus 0.2 space per unit for visitors	

	<ul style="list-style-type: none"> ii) <i>Multiple dwellings</i>: 1 space per <i>dwelling unit</i> plus 0.25 spaces per <i>dwelling unit</i> for visitors iii) <i>Non-residential use</i>: 1 space per 45 square metres of <i>gross floor area</i> iv) Notwithstanding iii) above, <i>restaurant</i> space in excess of 20% of the <i>gross floor area</i> of all <i>non-residential uses</i> shall be parked at 1 space per 9 square metres. v) Required visitor parking and <i>non-residential parking</i> shall be provided as a common supply, and be shared between all visitor and <i>non-residential uses</i>
o)	<i>Porches</i> , with or without an underground cellar, may encroach into any <i>yard</i> to point not less than 1.5 metres from a <i>lot line</i> .
p)	Stairs that access a <i>dwelling unit</i> , and which are associated with a <i>porch</i> , may encroach into any <i>yard</i> to point not closer than 0.9 metres from a <i>lot line</i> .
q)	Minimum setback for a <i>private garage</i> or <i>parking garage</i> located completely below <i>established grade</i> , or access ramp or <i>driveway</i> leading to an underground <i>private garage</i> or <i>parking garage</i> : 0.3 metres
r)	<i>Non-residential uses</i> on the <i>first storey</i> of a <i>building</i> abutting Bur Oak Avenue shall occupy a minimum of 50% of the <i>gross floor area</i> of the <i>first storey</i> . (alt: <i>Non-residential uses</i> on the <i>first storey</i> of a <i>building</i> abutting Bur Oak Avenue shall occupy a minimum of 1,000 square metres of <i>gross floor area</i> of the <i>first storey</i>)
s)	For the purpose of r) above, loading spaces and parking ramps shall not be included in the <i>gross floor area</i>
t)	Residential and retirement units, and long term care and <i>nursing home</i> rooms shall not be located on the <i>first storey</i> within 3 metres of the front wall of a <i>building</i> facing Bur Oak Avenue.
u)	A minimum of 2 square meters per unit of contiguous shared <i>outdoor amenity space</i> shall be provided for multiple dwelling
v)	<p>A minimum <i>outdoor amenity space</i> for <i>apartment dwelling</i>, <i>retirement home</i>, <i>nursing home</i>, or <i>long term care facility</i>:</p> <ul style="list-style-type: none"> i) 2 square meters per unit ii) <i>outdoor amenity space</i> shall be provided in two contiguous areas iii) <i>outdoor amenity space</i> shall be provided as common space, shared between units
w)	The provisions of Table B7 shall not apply
x)	<p>Minimum bicycle parking space requirements:</p> <p><i>Apartment dwelling</i> and <i>multiple dwellings</i>:</p> <ul style="list-style-type: none"> i) Long-term bicycle parking space: 0.8 spaces per dwelling unit ii) Short-term bicycle parking space: 0.2 spaces per dwelling unit <p><i>Retirement home</i>, <i>long-term care facility</i>, and <i>nursing homes</i>:</p> <ul style="list-style-type: none"> i) Long-term bicycle parking Space: 0.2 spaces per dwelling unit ii) Short-term bicycle parking Space: 0.15 spaces per dwelling unit <p>Non-Residential use (if overall GFA <1,200 m2):</p> <ul style="list-style-type: none"> i) Long-term Bicycle Parking Space: No requirement ii) Short-term Bicycle Parking Space: 0.15 spaces per 100 m2 GFA or 3 spaces, whichever is greater <p>Non-residential use (if overall GFA is higher or equal to 1,200 m2):</p> <ul style="list-style-type: none"> i) Long-term bicycle parking space: 0.15 spaces per 100 m2 of gross floor area ii) Short-term bicycle parking space: 0.25 spaces per 100 m2 of gross floor area or 6 spaces, whichever is greater
y)	For the purpose of this by-law, a bicycle parking space means space that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle.

	<p>A long-term bicycle parking space means a bicycle parking space within a building or structure designed for use by the residents or occupants of a building</p> <p>A short-term bicycle parking space, means a bicycle parking space located in a publicly accessible indoor or outdoor facility and is available for use by the general public.</p>
z)	<p>The minimum dimensions of a horizontal bicycle parking space shall be: Minimum length of 1.8 metres; Minimum width of 0.6 metres; and Minimum vertical clearance of 1.2 metres.</p>
aa)	<p>The minimum dimensions of a vertical bicycle parking space shall be: Minimum vertical clearance of 1.8 metres; Minimum width of 0.6 metres; and Minimum horizontal clearance from the wall of 1.2 metres.</p>

Exception 7.735	1000112234 Ontario Inc. and Green City Communities Inc.	Parent Zone R2
File PLAN 23 139197	South side of Church Street, between Bur Oak Avenue and Cornell Centre Boulevard. Block 1, Registered Plan 65M-4589	Amending By-law 0000-000
<p>Notwithstanding any other provisions of By-law 177-96 or 28-97, the following provisions shall apply to the land shown on Schedule "A" attached to this By-law 2023-__. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.</p>		
7.735.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	<i>Townhouse dwellings</i>	
b)	<i>Multiple dwellings</i>	
7.735.2 Special Zone Standards		
The following special zone standards shall apply		
a)	Notwithstanding any further division or partition of the lands subject to this Section, all lands zoned with Exception *735 shall be deemed to be one <i>lot</i> for the purposes of this By-law	
b)	For the purposes of this By-law, the <i>lot line</i> abutting Cornell Centre Boulevard shall be deemed to be the <i>front lot line</i> .	
c)	<i>Driveways</i> and accesses to <i>garages</i> shall only be permitted from a <i>private street</i> .	
d)	Minimum <i>lot</i> frontage for a <i>Townhouse dwelling</i> : i) <i>Interior lot</i> : 4.5 metres ii) End unit on an <i>interior lot</i> : 5.0 metres iii) End unit on a <i>corner lot</i> : 4.7 metres	
e)	Maximum number of <i>Multiple dwellings</i> : 38	
	Minimum required <i>yards</i> : i) Front yard(east): 3.0 metres ii) Exterior side yard(north): 2.4 metres iii) <i>Interior side yard</i> (south): 3 metres iv) <i>Rear yard</i> (west): 2.0 metres	
f)	Minimum separation distance between the exterior main walls of residential <i>buildings</i> above grade: 3.0 metres	
g)	Minimum setback from the centre line of a <i>lane</i> to a <i>dwelling unit</i> where parking is provided in tandem – 6.0 metres, except that the minimum setback from a <i>private street</i> to a <i>garage</i> must be 8.8 metres	
h)	Minimum setback from the centre line of a <i>private street</i> to a <i>dwelling unit</i> where parking is not provided in tandem: 5.0 metres	

i)	Notwithstanding g) and h) above, decks, balconies, terraces, and structures used to support any of the above, may encroach 5 metres into the setback from the centreline of the lane
j)	The provisions of Section 6.2.1 and 6.6.1 shall not apply
k)	Further to the provisions of section 6.6.2.1 d), Stairs that access a <i>dwelling unit</i> , and which are associated with a <i>porch</i> , may encroach into a required <i>interior side yard</i> to point not closer than 1.0 metres from a <i>lot line</i> .
l)	Amenity space shall be provided for each <i>Multiple Dwelling unit</i> , subject to the following provisions: i) a contiguous minimum area of 20 square meters for 50% of the <i>Multiple Dwelling units</i> , and 9 square metres for the remaining 50% of the <i>Multiple Dwelling units</i> ii) a balcony, terrace or deck may be used as <i>outdoor amenity space</i>
m)	Maximum <i>building height</i> : 13.0 metres
n)	The provisions of Table B2 shall not apply
o)	Minimum area of a public park located on lands zoned R2*735: 700 square metres

Exception 7.736	1000112234 Ontario Inc. and Green City Communities Inc.	Parent Zone R2
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Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the land shown on Schedule "A" attached to this By-law 2023-____. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.736.1 Only Permitted Uses		
The following are the only permitted <i>uses</i> :		
a)	<i>Townhouse dwellings</i>	
7.736.2 Special Zone Standards		
The following special zone standards shall apply		
a)	Notwithstanding any further division or partition of the lands subject to this Section, all lands zoned with Exception *736 shall be deemed to be one <i>lot</i> for the purposes of this By-law	
b)	For the purposes of this By-law, the north <i>lot line</i> is deemed to be the <i>front lot line</i> .	
c)	<i>Driveways</i> and accesses to <i>garages</i> shall only be permitted from a <i>private street</i> .	
d)	Minimum <i>lot</i> frontage: i) <i>Interior lot</i> : 4.5 metres ii) End unit on an <i>interior lot</i> : 6.0 metres iii) End unit on a <i>corner lot</i> : 7.5 metres	
e)	Minimum required yards: i) <i>Front Yard</i> (north): 3.0 metres ii) <i>Exterior side yard</i> (east and west): 2.4 metres iii) <i>Rear yard</i> (south): 2.8 metres	
f)	Minimum separation distance between the exterior main walls of residential <i>buildings</i> above grade: 3.0 metres	
g)	Minimum setback from the centreline of a <i>lane</i> – 6.0 metres, except that the minimum setback from a private lane to a <i>garage</i> must be 8.8 metres	
h)	Notwithstanding g) above, decks, balconies, terraces, and structures used to support any of the above, may encroach 5 metres into the setback from the centreline of the lane	
i)	The provisions of section 6.2.1 and 6.6.1 shall not apply	
j)	Maximum <i>building height</i> : 13.0 metres	
k)	No visitor parking shall be required	

Exception 7.737	1000112234 Ontario Inc. and Green City Communities Inc.	Parent Zone R2
File PLAN 23 139197	South side of Church Street, between Bur Oak Avenue and Cornell Centre Boulevard. Block 1, Registered Plan 65M-4589	Amending By-law 0000-000
Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the land shown on Schedule "A" attached to this By-law 2023-____. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.737.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	<i>Townhouse dwellings</i>	
7.737.2 Special Zone Standards		
The following special zone standards shall apply		
a)	Notwithstanding any further division or partition of the lands subject to this Section, all lands zoned with Exception *737 shall be deemed to be one <i>lot</i> for the purposes of this By-law	
b)	For the purposes of this By-law, the northern <i>lot line</i> is deemed to be the <i>front lot line</i> .	
c)	<i>Driveways</i> and accesses to <i>garages</i> shall only be from a <i>private street</i> .	
c)	Minimum <i>lot</i> frontage: i) <i>Interior lot</i> : 4.5 metres ii) End unit on an <i>interior lot</i> : 6.0 metres iii) End unit on a <i>corner lot</i> : 7.5 metres	
d)	Minimum required <i>yards</i> : i) <i>Front yard</i> (north): 3.0 metres ii) <i>Exterior side yard</i> : 2.4 metres iii) <i>Rear yard</i> (south): 3.0 metres	
e)	Minimum separation distance between the exterior main walls of residential <i>buildings</i> above grade: 3.0 metres	
f)	Minimum setback from the centreline of a <i>lane</i> – 6.0 metres, except that the minimum setback from a private lane to a <i>garage</i> must be 8.8 metres	
g)	Notwithstanding f) above, decks, balconies terraces, and structures used to support any of the above, may encroach 5 metres into the setback from the centreline of the lane	
h)	The provisions of Section 6.2.1 and 6.6.1 shall not apply	
i)	Maximum <i>building height</i> : 13.0 metres	
j)	No visitor <i>parking</i> shall be required	

2. All other provisions of By-law 177-96, as amended, not inconsistent with the foregoing, shall continue to apply to the lands shown on Schedule "A" attached hereto.

3. Holding Provision

- 3.1 For the purposes of this By-law, a Holding (H) provision is hereby Established and is identified on Schedule 'A' attached hereto by the letter (H) in parenthesis following the zoning symbol.

No person shall hereafter erect or alter any *building* or structure on lands subject to the Holding (H) provision for the purpose permitted under this By-law until amendment(s) to this By-law to remove the letter (H) have come into effect pursuant to the provisions of Section 36 of the Planning Act. Prior to removing the Holding (H) provision the following conditions must be met to the satisfaction of the City of Markham:

- a) The Owner shall prepare and submit a Sanitary Capacity Analysis, to the satisfaction of the City, to determine what is required to provide sanitary services for the development of the lands without causing adverse impacts in the City's sanitary sewer system.
 - b) The Owner shall identify the sanitary capacity constraints, if any, for the subject site. If so identified, the Owner shall evaluate and recommend the appropriate sanitary capacity solutions.
 - c) The Owner shall fulfill or implement the recommendations and the necessary works to mitigate any impacts identified in the Sanitary Capacity Analysis. If the Sanitary Capacity Analysis recommends additional sanitary infrastructure(s) necessary to provide municipal services to the development of the lands, then the Owner shall execute an agreement with the City, at no cost to the City, to secure the provision of additional sanitary infrastructure(s) as identified by the Sanitary Capacity Analysis and other matters, including but not limited to: provision of any financial securities, detailed engineering drawings, fees required in accordance with the City's Fees By-Law, insurance, to the satisfaction of the Director of Engineering.
4. All other provisions of By-law 177-96, as amended, not consistent with the provisions of the by-law shall continue to apply.

Read a first, second and third time and passed this _____, 2023.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2023 - ____
A By-law to amend By-law 177-96, as amended.

1000112234 Ontario Inc. and Green City Communities Inc.
South side of Church Street, between Bur Oak Avenue and Cornell Centre
Boulevard.
Block 1, Registered Plan 65M-4589.
(Proposed Mixed Use Development)
File No. PLAN 23 139197

Lands Affected

This by-law amendment applies to 6.4 ha. (15.8 acres) of lands located at the south east corner of Church Street and Bur Oak Avenue, in the City of Markham.

Existing Zoning

The lands are presently zoned Open Space Two (OS2) within By-law 177-96.

Purpose and Effect

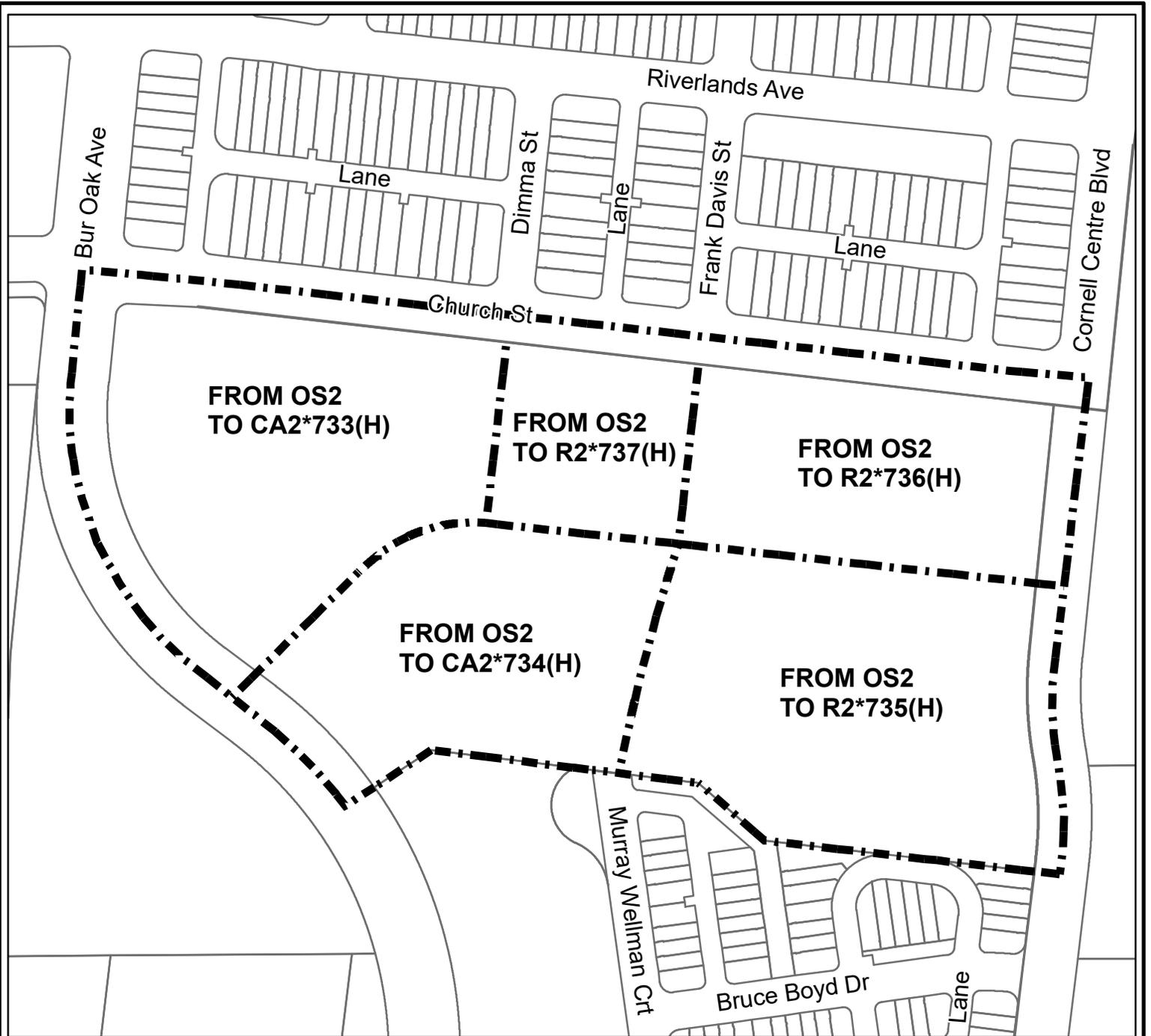
The purpose of this by-law amendment is to place the lands into appropriate residential and mixed-use zone categories within By-law 177-96, as amended, as follows:

From:
Open Space Two (OS2) Zone

To:
Community Amenity Area Two*733 (H) [CA2*733 (H)] Zone
Community Amenity Area Two*734 (H) [CA2*734 (H)] Zone
Residential Two*735 (H) [R2*735 (H)] Zone
Residential Two*736 (H) [R2*736 (H)] Zone
Residential Two *737 (H) [R2*737 (H)] Zone

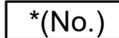
The effect of this by-law amendment is to permit a multi-phase, mixed use development comprised of two (2) 13-storey mixed use buildings containing seniors residence/apartment *dwelling units*, and a mix of townhouses and stacked townhouses on the subject lands.

Site specific design standards are contained within By-law 2023 - ____ to facilitate the construction of the *dwelling units* as proposed.



BY-LAW SCHEDULE "A" TO BY-LAY 2023-XXX AN AMENDMENT TO ZONING B-LAW 177-96 AS AMENDED

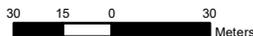


	BOUNDARY OF AREA COVERED BY THIS AMENDMENT
	COMMUNITY AMENITY TWO
	HOLDING PROVISION
	OPEN SPACE TWO
	RESIDENTIAL TWO
	EXCEPTION NUMBER

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.

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MARKHAM DEVELOPMENT SERVICES COMMISSION



Drawn By: JC

Checked By: CT

DATE: 11/29/2023

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