



BY-LAW 2024-154

A By-law to amend By-law 177-96, as amended

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 it applies to the lands outlined on Schedule 'A' as follows:

- 1.1 By rezoning the lands outlined on Schedule 'A' attached hereto

from:

Community Amenity Two – Exception 411 – Holding One (CA2*411(H1)) Zone

to:

Community Amenity Two – Exception 411 – Holding One Zone (CA2*411(H1) Zone

Open Space One – Exception 769 – Holding One (OS1*769 (H1)) Zone

Open Space One (OS1) Zone

2. By repealing and replacing the following subsections to Section 7 – EXCEPTIONS:

Exception 7.411	Spring Hill Homes Inc. 7128, 7170 and 7186 Highway 7 East	Parent Zone CA2
File PLAN 20 119576		Amending By-law 2024-154
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *411 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.411.1 Additional Permitted Uses		
The following additional uses are permitted:		
a)	<i>Car Wash</i>	
b)	<i>Place of Amusement</i>	
c)	<i>Recreational Establishment</i>	
d)	<i>Place of Entertainment</i>	
e)	<i>Veterinary Clinic</i>	
7.411.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Notwithstanding any division or partition of the land subject to this Section, all lands zoned CA1*411 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 following definitions apply: <i>Bicycle Parking Space</i> means an area that is provided and maintained for the purpose of temporary storage of a bicycle or motor assisted bicycle as defined under the Highway Traffic Act. <i>Bicycle Parking Space, Long-term</i> means a <i>bicycle parking space</i> within a <i>building</i> or <i>structure</i> designed for the storage of bicycles equipped with a rack or stand designed to lock the wheel and frame of a bicycle, or within a locked room for the exclusive use of parking bicycles. <i>Bicycle Parking Space, Short-term</i> means a <i>bicycle parking space</i> that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle, that is available for use by the general public.	
c)	The provisions of Table B7 Shall not apply	
d)	Maximum number of <i>Apartment</i> and <i>Multiple Dwelling Units</i> - 890	
e)	Highway 7 East is deemed to be the <i>front lot line</i>	

f)	Only <i>apartment dwellings, multiple dwellings, home occupations, and home child care uses</i> are permitted above the <i>first storey</i> of a <i>building</i> .
g)	<i>Car washes</i> are only permitted in a <i>parking garage</i> located below grade.
h)	Amenity space accessory to a dwelling unit is permitted within a <i>heritage building</i> designated under Part IV of the Ontario Heritage Act.
i)	Maximum <i>Gross Floor Area</i> – 77,750 square metres
j)	For the purposes of this By-law, <i>established grade</i> shall be 199.42 metres above sea level (Canadian Geodetic Datum Elevation)
k)	Minimum setbacks: <ul style="list-style-type: none"> i) <i>Front lot line</i> – 3.0 metres ii) <i>Rear lot line</i> – 3.0 metres iii) <i>Exterior lot line</i> – 3.0 metres iv) <i>interior lot line</i> – 6.0 metres, except that a <i>detached dwelling</i>, designated under Part IV of the Ontario Heritage Act is permitted to have an interior side yard setback of 0.5 metres v) From a daylight triangle – 0.0 metres
l)	<i>Balconies, porches, or patios</i> may encroach into any required <i>yard</i> , provided they are no closer than 0.5 metres to any <i>lot line</i> .
m)	Architectural features, including terraces, cornices, sills, belt courses, gutters, pilasters, roof overhangs, canopies, awnings, stair enclosures, building maintenance equipment porches, <i>decks</i> , patios, architectural wing walls, <i>balconies</i> , underground cellars, stairs and landings shall be set back a minimum of 0.0 metres from any <i>lot line</i> .
n)	Minimum required distance separation between the main walls: <ul style="list-style-type: none"> i) <i>Multiple dwelling buildings</i> – 3.0 metres ii) <i>Apartment and/or mixed-use buildings</i> above the greater of the 8th storey or 32 metres – 30 metres
o)	Maximum <i>height</i> of a <i>Multiple Dwelling Building</i> – 18 metres
p)	Maximum <i>height</i> of an <i>apartment building and/or mixed-use buildings</i> : <ul style="list-style-type: none"> i) Less than or equal to 30 metres from the <i>rear lot line</i> - 32 metres ii) 30 metres or greater from the <i>rear lot line</i>: <ul style="list-style-type: none"> a. 71 metres – within 28 metres of the <i>exterior lot line</i> b. 79 metres – within 42 metres of the <i>interior lot line</i> c. 88 metres – beyond 28 metres of the <i>exterior lot line</i> and beyond 42 metres of an <i>interior lot line</i>
q)	Notwithstanding p) above: <ul style="list-style-type: none"> i) A parapet, mechanical penthouse, and mechanical features such as structures containing the equipment used for the functional operation of the building, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, cooling towers, heating, cooling or ventilating equipment, chimneys, and vents, building maintenance units, elevator overrun, and window washing equipment are permitted to project a maximum of 6.0 metres above the highest point of the roof surface, regardless of the <i>height</i> of the <i>building</i>. ii) Guard rails, railings, fences, planters, cornices, balcony and terrace dividers, decorative screens, privacy screens, noise and wind protection/mitigation features, ornamental elements, landscape elements, structures used for outside or open-air recreation and associated equipment, pergolas, architectural features, trellises, pavilions, shade structures, and awnings are permitted to project a maximum of 2.5 metres above the permitted <i>height</i>.
r)	Minimum bicycle parking space requirements: Residential: <ul style="list-style-type: none"> i) Long term <i>bicycle parking space</i>: 0.25 spaces per <i>dwelling unit</i> ii) Short term <i>bicycle parking space</i>: 0.05 spaces per <i>dwelling unit</i> Non-Residential (if overall GFA is less than 1,200 m ²): <ul style="list-style-type: none"> i) Long term <i>bicycle parking space</i>: No requirement ii) Short term <i>bicycle parking space</i>: 0.15 space per 100 m² of GFA Non-Residential (if overall GFA is higher or equal to 1,200 m ²):

	<ul style="list-style-type: none"> i) Long term <i>bicycle parking space</i>: 0.15 space per 100 m² of GFA ii) Short term <i>bicycle parking space</i>: 0.25 space per 100 m² of GFA or 6 spaces, whichever is higher
s)	<p>Minimum dimensions of a horizontal <i>bicycle parking space</i> shall be:</p> <ul style="list-style-type: none"> i) Minimum length of 1.8 metres ii) Minimum width of 0.6 metres; and iii) Minimum vertical clearance of 1.2 metres
t)	<p>Minimum dimensions of a vertical <i>bicycle parking space</i> shall be:</p> <ul style="list-style-type: none"> i) Minimum vertical clearance of 1.8 metres ii) Minimum width of 0.6 metres; and iii) Minimum horizontal clearance of 1.2 metres
u)	Stacked <i>bicycle parking spaces</i> may be provided in accordance with the minimum dimensions of 7.411.2. s) and t) for each <i>bicycle parking space</i> .
v)	Notwithstanding any other provision, <i>parking spaces</i> , including <i>bicycle parking spaces</i> , may be located within a <i>parking garage</i> located on lands zoned OS1*769
w)	<p>Minimum required <i>yards</i> for any portion of a <i>private garage</i>, <i>parking garage</i>, or underground structure(s) if it is constructed completely below the <i>established grade</i>, including any associated ventilation shafts and housings, stairways, and other similar facilities above <i>established grade</i>:</p> <ul style="list-style-type: none"> i) <i>Front yard</i> – 0.0 metres ii) <i>Rear yard</i> – 0.0 metres iii) <i>Exterior side yard</i> – 0.0 metres iv) <i>Interior side yard</i> – 0.0 metres
x)	No parking is required.
y)	Minimum non-residential <i>Gross Floor Area</i> – 50 m ²

Exception 7.769	Spring Hill Homes Inc. 7128, 7170 and 7186 Highway 7 East	Parent Zone OS1
File PLAN 20 119576		Amending By-law 2024-154
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *769 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.769.1 Additional Permitted Uses		
The following additional uses are permitted:		
a)	<i>Parking Garage</i>	
7.769.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	<i>Parking Garages</i> are only permitted below <i>established grade</i>	
b)	For the purposes of this By-law, the <i>lot line</i> abutting Highway 7 East is deemed to be the <i>front lot line</i>	
	<p>Minimum required <i>yards</i> for any portion of a <i>private garage</i>, <i>parking garage</i>, or underground structure(s) if it is constructed completely below the <i>established grade</i>:</p> <ul style="list-style-type: none"> i) <i>Front yard</i> – 1.0 metres ii) <i>Rear yard</i> – 1.0 metres iii) <i>Exterior side yard</i> – 1.0 metres iv) <i>Interior side yard</i> – 0.0 metres 	

3. HOLDING PROVISION

- 3.1 For the purpose of this By-law, a Holding One (H1) provision is hereby established on lands zoned CA1*411 and OS1*769 as identified on Schedule 'A' attached hereto by the letter (H1) in parenthesis following the zoning symbols.
- 3.2 No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H1) provision for the purpose permitted under this By-law until amendment(s) to

this By-law to remove the letter (H1) have come into effect pursuant to the provisions of Section 36 of the Planning Act.

- 3.3 A Zoning By-law Amendment to remove the Holding (H1) symbol from the lands shown on Schedule "A" shall not be passed until the following conditions have been met:
- a) That Owner executes a Parks Agreement with the City for the conveyance of the park land zoned OS1 and OS1*769 on Schedule 'A' attached hereto to the satisfaction of the Director of Planning and Urban Design or their designate.
 - b) That the Owner shall execute an agreement with the City to submit and implement a Transportation Demand Management Plan, to the satisfaction of the City, to provide the following:
 - i) Unbundled parking;
 - ii) Three (3) bike repair stations: one (1) per apartment building;
 - iii) Residential travel surveys: one (1) at the time of closing/at occupancy and one (1) at 2 years after occupancy;
 - iv) Work with York Region to deliver the Transit Incentive Program and New Resident Information Packages for all residential unit purchasers through at least 4 information sessions;
 - v) Car share program with a minimum of one (1) car share space, a fully subsidized car-share membership for all residential units for a minimum of 2 years, and fully subsidized unmet minimum revenue to sustain the car-share program for a minimum of 2 years.
 - c) That the Owner shall undertake an appropriate downstream sanitary capacity analysis, enter into a servicing agreement to undertake the necessary downstream improvements, if warranted by the analysis, and confirm adequate downstream sanitary sewer facilities (in terms of capacity) are available to service the development, to the satisfaction of the City.
 - d) That the owner shall undertake an appropriate water system analysis to confirm that adequate water supply flow and pressure are available to service the development. If any performance deficiencies are identified in the water system analysis, the owner shall agree in the servicing agreement to secure the provision of, or contribution to, the water system infrastructure improvements, to the satisfaction of the City.

Read and first, second and third time and passed on July 17, 2024.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

Amanda File No. PLAN 20 119576



EXPLANATORY NOTE

BY-LAW 2024-154

A By-law to amend By-law 177-96, as amended

Spring Hill Homes Inc.

**7128, 7170 and 7186 Highway 7 East
ZA 20 119576**

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 1.6 hectares, which is located on the north side of Highway 7 East, between Cornell Centre Boulevard and William Forster Road in the Cornell Community.

Existing Zoning

The subject lands are zoned Community Amenity One – Exception 411 - Holding One CA1*411 (H1)) Zone under By-law 177-96, as amended.

Purpose and Effect

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

From:

Community Amenity Two – Exception 411 – Holding One (CA2*411(H1))
Zone

to:

Community Amenity Two – Exception 411 – Holding One Zone
(CA2*411(H1)) Zone

Open Space Two – Exception 769 – Holding One (OS2*769 (H1)) Zone

Open Space One (OS1) Zone

The effect of this by-law is to permit high rise residential development and allowing for commercial, retail and service uses within the building.