



## BY-LAW 2024-\_\_\_\_\_

### 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 deleting amending By-law 2011-175 in its entirety which zoned the lands Community Amenity Two – Exception 411 – Holding One (CA2\*411(H1)) Zone, and replacing with the following zones:

**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 Two (OS1) Zone**

which provides new zone and development standards on the subject lands.

2. By adding the following subsections to Section 7 – EXCEPTIONS:

<b>Exception 7.411</b>	<b>Spring Hill Homes Inc. 7128, 7170 and 7186 Highway 7 East</b>	<b>Parent Zone CA2</b>
File PLAN 20 119576		Amending By-law 2024-____
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.		
<b>7.411.1 Only Permitted Uses</b>		
The following are the only permitted uses:		
Residential Uses		
a)	<i>Apartment Dwellings</i>	
b)	<i>Multiple Unit Dwellings</i>	
c)	<i>Home Child Care</i>	
d)	<i>Home Occupation</i>	
Non-Residential Uses		
e)	All non-residential <i>uses</i> permitted in Table A2	
f)	<i>Car Wash</i>	
g)	<i>Place of Amusement</i>	
h)	<i>Recreational Establishment</i>	
i)	<i>Place of Entertainment</i>	
j)	<i>Veterinary Clinic</i>	
<b>7.411.2 Special Zone Standards</b>		
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:	

	<p><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.</p> <p><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.</p> <p><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.</p>
c)	Non-residential uses are only permitted on the <i>first storey</i> of a <i>building</i> .
d)	<i>Car washes</i> are only permitted in a parking garage located below grade.
e)	Amenity space accessory to a dwelling unit is permitted within a <i>heritage building</i> designated under Part IV of the Ontario Heritage Act.
f)	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> .
g)	For the purposes of this By-law, established grade shall be 199.42 metres above sea level (Canadian Geodetic Datum Elevation)
h)	<p>Minimum required <i>yards</i>:</p> <ul style="list-style-type: none"> <li>i) <i>Front yard</i> – 3.0 metres</li> <li>ii) <i>Rear yard</i> – 3.0 metres</li> <li>iii) <i>Exterior side yard</i> – 3.0 metres</li> <li>iv) <i>Interior side yard</i> – 6.0 metres</li> <li>v) Notwithstanding section iv above, the interior side yard to a <i>heritage building</i> designated under Part IV of the Ontario Heritage Act shall be 0.5 metres</li> <li>vi) From a sight triangle – 0.0 metres</li> </ul>
i)	<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> .
j)	Architectural features, including terraces, cornices, sills, belt courses, gutters, pilasters, roof overhangs, canopies, awnings, stair enclosures, building maintenance equipment porches, decks patios, architectural wing walls, balconies, underground cellars, stairs and landings shall be set back a minimum of 0.1 metres from any lot line.
k)	<p>Minimum required distance separation between:</p> <ul style="list-style-type: none"> <li>i) <i>Multiple dwelling buildings</i> - 3.0 metres</li> <li>ii) <i>Apartment</i> and/or mixed-use <i>buildings</i> above the greater of the 8th storey or 32 metres- 30 metres</li> </ul>
l)	Maximum <i>height</i> of a <i>Multiple Unit Building</i> – 18 metres
m)	<p>Maximum <i>height</i> of an <i>apartment building</i> and/or mixed-use <i>buildings</i>:</p> <ul style="list-style-type: none"> <li>i) Less than or equal to 30 metres from the <i>rear lot line</i> - 32 metres</li> <li>ii) 30 metres or greater from the <i>rear lot line</i>: <ul style="list-style-type: none"> <li>a. 71 metres – within 28 metres of the <i>exterior lot line</i></li> <li>b. 79 metres – within 42 metres of the <i>interior lot line</i></li> </ul> </li> </ul>

	c. 88 metres – beyond 28 metres of the <i>exterior lot line</i> and beyond 42 metres of an <i>interior lot line</i>
n)	Notwithstanding m) above, 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 height of the building. 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 height.
o)	Maximum <i>Gross Floor Area</i> – 77,750 square metres
p)	Minimum <i>bicycle parking space</i> requirements: i) <i>Long-term Bicycle Parking Space</i> : 0.25 spaces per <i>dwelling unit</i> ii) <i>Short-term Bicycle Parking Space</i> : 0.05 spaces per <i>dwelling unit</i>
r)	The minimum dimensions of a horizontal <i>bicycle parking space</i> shall be: i) Minimum length of 1.8 metres; ii) Minimum width of 0.6 metres; and, iii) Minimum vertical clearance of 1.2 metres
s)	The minimum dimensions of a vertical <i>bicycle parking space</i> shall be: i) Minimum vertical clearance of 1.8 metres; ii) Minimum width of 0.6 metres; and, iii) Minimum horizontal clearance from the wall of 1.2 metres.
t)	Stacked <i>bicycle parking spaces</i> may be provided in accordance with the minimum dimensions of 7.411.2. q) and r) for each <i>bicycle parking space</i> .
u)	Notwithstanding any other provision, required <i>parking spaces</i> , including <i>bicycle parking spaces</i> , may be located within a parking garage located on lands zoned OS1*769
v)	Minimum required <i>yards</i> for any portion of a <i>private garage, 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> : 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
w)	The provisions of Table A2 and Table B7 shall not apply.

<b>Exception 7.769</b>	<b>Spring Hill Homes Inc. 7128, 7170 and 7186 Highway 7 East</b>	<b>Parent Zone OS1</b>
File PLAN 20 119576		Amending By- law 2024-____
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.		
<b>7.769.1 Additional Permitted Uses</b>		
The following additional use is permitted:		
a)	<i>Parking Garage</i>	
<b>7.769.2 Special Zone Standards</b>		
The following special zone standards shall apply:		
a)	<i>Parking Garages are only permitted below 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>	
c)	Minimum required <i>yards</i> for any portion of a <i>private garage, parking garage, or underground structure(s)</i> if it is constructed completely below the <i>established grade</i> :	
	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 \_\_\_\_\_, 2024.

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

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



**EXPLANATORY NOTE**

**BY-LAW 2024-\_\_\_\_**

**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

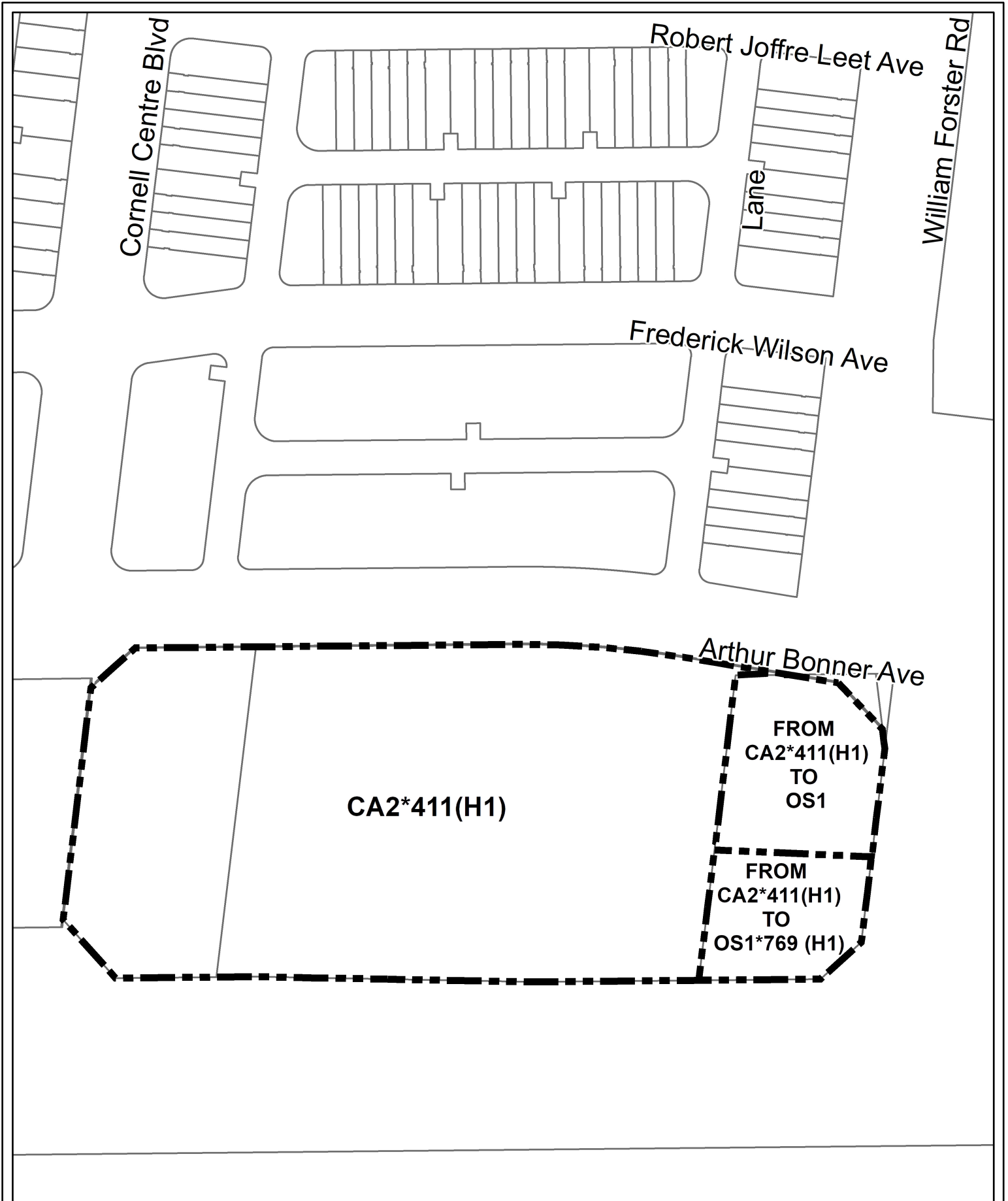
to:

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 Two (OS2) 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.



## SCHEDULE 'A' TO BY-LAW AMENDING BY-LAW 177-96

- BOUNDARY OF AREA COVERED BY THIS AMENDMENT
- COMMUNITY AMENITY TWO
- OPEN SPACE ONE
- 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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NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office