



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

A By-law to amend By-law 304-87, as amended  
(to delete lands from the designated areas of By-law 304-87)  
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 304-87, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated areas of By-law 304-87, 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:  
**Rural Residential Four (RR4) Zone**  
  
to:  
**Community Amenity Two \*764 (CA2\*764) Zone**  
**Community Amenity Two \*765 (CA2\*765) Zone**  
**Community Amenity Two \*766 (CA2\*766) Zone**  
**Community Amenity Two \*767 (Hold) (CA2\*767 (H)) Zone**

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

Exception 7.764	JD Elm Cornell Lands Ltd. Northwest corner of Highway 7 East and Bur Oak Avenue, Cornell Centre	Parent Zone CA2
File PLAN 22 118754		Amending By-law 2024-_____
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *764 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.AAA.1 Special Zone Standards		
The following special zone standards shall apply:		
a)	For the purposes of this By-law, the <i>lot line</i> abutting Highway 7 shall be deemed to be the <i>front lot line</i> .	
b)	Minimum setbacks: <ul style="list-style-type: none"><li>i) <i>Front yard</i> – 13.5 metres</li><li>ii) <i>Exterior side yard</i> (west) – 14.7 metres</li><li>iii) <i>Exterior side yard</i> (east) – 8.7 metres</li><li>iv) <i>Rear yard</i> – 6 metres</li></ul>	

c)	<p>For the purposes of this By-law the following definitions apply:</p> <p><i>Podium</i> means the base or lower portion of a multi-storey <i>building</i>, which is located above the <i>established grade</i>, and is measured from the <i>established grade</i> to the maximum <i>podium height</i> as set out in the applicable <i>zone</i>. A <i>podium</i> may or may not have a <i>point tower</i> projecting above it.</p> <p><i>Point Tower</i> means portions of a <i>building</i> that projects above a <i>podium</i>.</p> <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>
d)	<p>Mechanical features, such as <i>structures</i> containing the equipment necessary to control an elevator, 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 a <i>building</i>.</p>
e)	<p>Maximum <i>height</i> exclusive of mechanical penthouse or parapet:</p> <p>Point tower: 85 metres</p> <p>Podium: 25.5 metres</p>
i)	<p>Minimum setback for the portion of the podium above 19.5metres – 3.0 metres</p>
j)	<p>Maximum number of <i>dwelling units</i> – 768 units</p>
k)	<p>Maximum <i>gross floor area</i> of all <i>buildings</i> – 56,069 square metres</p>
l)	<p>Minimum separation between <i>point towers</i> – 30 metres.</p>
m)	<p>Maximum <i>gross floor area</i> of a <i>point tower</i> floorplate – 850 square metres.</p>
n)	<p>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 55% of the <i>gross floor area</i> of the <i>first storey</i>.</p>
o)	<p>Non-residential <i>uses</i> shall only be permitted on the first two <i>storeys</i> of a <i>building</i></p>
p)	<p>For the purpose of n) above, <i>loading spaces</i> and parking ramps shall not be included in the <i>gross floor area</i> of a <i>building</i>.</p>
q)	<p>Minimum <i>outdoor amenity space</i> for <i>apartment dwelling unit</i> – 2 square metres per <i>dwelling unit</i>, subject to the following provision:</p> <p>i) A balcony may be used as outdoor amenity space</p>
r)	<p>Minimum <i>parking space</i> requirements:</p> <p>ii) <i>Dwelling units</i> - 0.90 <i>parking spaces</i> per <i>dwelling unit</i> plus 0.15 <i>parking spaces</i> per <i>dwelling unit</i> for visitor parking.</p>

	<div>iii) Non-residential uses – 1 space per 30m<sup>2</sup> of <i>gross floor area</i></div> <div>iv) Notwithstanding ii) above, <i>restaurant</i> spaces 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.</div>
s)	<div>Minimum <i>bicycle parking space requirements</i>:</div> <div>a. Residential Uses:</div> <div><div>i) A minimum of 0.8 spaces per <i>dwelling unit</i> identified as designated <i>long-term bicycle parking</i>.</div><div>ii) A minimum of 0.2 spaces per <i>dwelling unit</i> identified as designated <i>short-term bicycle parking</i>.</div></div> <div>b. Non-Residential Uses:</div> <div><div>i) A minimum of 0.15 spaces per 100m<sup>2</sup> identified as designated <i>long-term bicycle parking</i>.</div><div>ii) A minimum of 0.25 spaces per 100 square metres of gross floor area or 6 spaces identified as designated as <i>short-term bicycle parking</i>, whichever is greater.</div></div>

Exception 7.765	JD Elm Cornell Lands Ltd. Northwest corner of Highway 7 East and Bur Oak Avenue, Cornell Centre	Parent Zone CA2
File PLAN 22 118754		Amending By-law 2024-____
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *765 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.		
7.765.1 Special Zone Standards		
The following special zone standards shall apply:		
a)	For the purposes of this By-law, the <i>lot line</i> abutting Arthur Bonner Avenue shall be deemed to be the <i>front lot line</i> .	
b)	<div>Minimum setbacks:</div> <div><div>i) <i>Front yard</i> – 6 metres</div><div>ii) <i>Exterior side yard</i> (west) – 13.5 metres</div><div>iii) <i>Exterior side yard</i> (east) – 6 metres</div><div>iv) <i>Rear yard</i> – 6 metres</div></div>	
c)	<div><i>For the purposes of this By-law the following definitions apply:</i></div> <div><i>Podium</i> means the base or lower portion of a multi-storey <i>building</i>, which is located above the established grade, and is measured from the established grade to the maximum <i>podium height</i> as set out in the applicable zone. A <i>podium</i> may or may not have a <i>point tower</i> projecting above it.</div> <div><i>Point Tower</i> means portions of a <i>building</i> that projects above a <i>podium</i>.</div> <div><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.</div> <div><i>Bicycle Parking Space, Long-term</i> means a <i>bicycle parking space</i> within a <i>building or 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.</div>	

	<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.
d)	Mechanical features, such as <i>structures</i> containing the equipment necessary to control an elevator, 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> .
e)	Maximum <i>height</i> exclusive of mechanical penthouse or parapet:  <i>Point tower</i> : 67.5 metres  <i>Podium</i> : 19.5 metres
i)	Minimum setback for the portion of the <i>podium</i> above 19.5 metres – 3.0 metres
j)	Maximum number of <i>dwelling units</i> – 493 units
k)	Maximum <i>gross floor area</i> of all <i>buildings</i> – 33,200 square metres
l)	Minimum separation between <i>point towers</i> – 30 metres.
m)	Maximum <i>gross floor area</i> of a <i>point tower</i> floorplate– 850 square metres.
n)	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 55% of the <i>gross floor area</i> of the <i>first storey</i> .
o)	Non-residential <i>uses</i> shall only be permitted on the first two <i>storeys</i> of a <i>building</i>
p)	For the purpose of n) above, <i>loading spaces</i> and parking ramps shall not be included in the <i>gross floor area</i> of a <i>building</i> .
q)	Minimum outdoor amenity space for apartment dwelling – 2 square metres per unit, subject to the following provision:  i) A balcony may be used as outdoor amenity space
r)	Minimum parking requirements: i) Dwelling units - 0.90 parking spaces per <i>dwelling unit</i> plus 0.15 <i>parking spaces</i> per <i>dwelling unit</i> for visitor parking. ii) Non-residential uses – 1 space per 30m <sup>2</sup> of gross floor area iii) Notwithstanding ii) 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.
s)	Minimum <i>bicycle parking space requirements</i> : a. Residential Uses: iii) A minimum of 0.8 spaces per <i>dwelling unit</i> identified as designated <i>long-term bicycle parking</i> . iv) A minimum of 0.2 spaces per <i>dwelling unit</i> identified as designated <i>short-term bicycle parking</i> . b. Non-Residential Uses: iii) A minimum of 0.15 spaces per 100m <sup>2</sup> identified as designated <i>long-term bicycle parking</i> . iv) A minimum of 0.25 spaces per 100 square metres of gross floor area or 6 spaces identified as designated as <i>short-term bicycle parking</i> , whichever is greater.

Exception 7.766	JD Elm Cornell Lands Ltd. Northwest corner of Highway 7 East and Bur Oak Avenue, Cornell Centre	Parent Zone CA2
File PLAN 22 118754		Amending By-law 2024-__
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *766 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.		
7.766.1 Special Zone Standards		
The following special zone standards shall apply:		
a)	For the purposes of this By-law, the <i>lot line</i> abutting Rustle Woods Avenue shall be deemed to be the <i>front lot line</i> .	
b)	Minimum at grade setback: i) <i>Front yard</i> – 12.3 metres ii) <i>Exterior side yard</i> (west) – 4 metres iii) <i>Exterior side yard</i> (east) – 5 metres iv) <i>Rear yard</i> – 6 metres	
c)	<i>For the purposes of this By-law the following definitions apply:</i>  <i>Podium</i> means the base or lower portion of a multi-storey <i>building</i> , which is located above the established grade, and is measured from the established grade to the maximum <i>podium height</i> as set out in the applicable zone. A <i>podium</i> may or may not have a <i>point tower</i> projecting above it.  <i>Point Tower</i> means portions of a <i>building</i> that projects above a <i>podium</i> .  <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.	
d)	Mechanical features, such as <i>structures</i> containing the equipment necessary to control an elevator, 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> .	
e)	Maximum <i>height</i> exclusive of mechanical penthouse or parapet  Point tower: 49.5 metres  <i>Podium: 19.5 metres</i>	
i)	Minimum setback for the portion of a <i>podium</i> above 19.5 metres – 3.0 metres	
j)	Maximum number of <i>dwelling units</i> – 524 units	

k)	Maximum <i>gross floor area</i> of all <i>buildings</i> – 40,769 square metres
l)	Minimum separation between <i>point towers</i> – 30 metres.
m)	Maximum <i>gross floor area</i> of a <i>point tower</i> floorplate– 850 square metres.
n)	Non-residential <i>uses</i> on the <i>first storey</i> of a <i>building</i> abutting Bur Oak Avenue and Rustle Woods Avenue shall occupy a minimum of 55% of the <i>gross floor area</i> of the <i>first storey</i> .
o)	Non-residential <i>uses</i> shall only be permitted on the first two <i>storeys</i> of a <i>building</i>
p)	For the purpose of n) above, <i>loading spaces</i> and parking ramps shall not be included in the <i>gross floor area</i> of a <i>building</i> .
q)	Minimum outdoor amenity space for <i>apartment dwelling</i> – 2 square metres per unit, subject to the following provision: <div><div>i)</div><div>A balcony may be used as outdoor amenity space</div></div>
r)	Minimum parking requirement: <div><div>i)</div><div>Dwelling units - 0.90 parking spaces per <i>dwelling unit</i> plus 0.15 <i>parking spaces</i> per dwelling unit for visitor parking.</div><div>ii)</div><div>Non-residential uses – 1 space per 30m<sup>2</sup> of <i>gross floor area</i></div><div>iii)</div><div>Notwithstanding ii) 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.</div></div>
s)	Minimum <i>bicycle parking space requirements</i> : <div><div>a.</div><div>Residential Uses:<div><div>i)</div><div>A minimum of 0.8 spaces per <i>dwelling unit</i> identified as designated <i>long-term bicycle parking</i>.</div><div>ii)</div><div>A minimum of 0.2 spaces per <i>dwelling unit</i> identified as designated <i>short-term bicycle parking</i>.</div></div></div><div><div>b.</div><div>Non-Residential Uses:<div><div>i)</div><div>A minimum of 0.15 spaces per 100m<sup>2</sup> identified as designated <i>long-term bicycle parking</i>.</div><div>ii)</div><div>A minimum of 0.25 spaces per 100 square metres of gross floor area or 6 spaces identified as designated as <i>short-term bicycle parking</i>, whichever is greater.</div></div></div></div></div>

Exception 7.767	JD Elm Cornell Lands Ltd. Northwest corner of Highway 7 East and Bur Oak Avenue, Cornell Centre	Parent Zone CA2
File PLAN 22 118754		Amending By-law 2024-____
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *767 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.		
7.767.1 Special Zone Standards		
The following special zone standards shall apply:		
a)	For the purposes of this By-law, the lot line abutting Rustle Woods Avenue shall be deemed to be the <i>front lot line</i> .	

b)	Minimum at grade setback: i) <i>Front yard</i> – 4 metres ii) <i>Exterior side yard (west)</i> – 5 metres iii) <i>Exterior side yard (east)</i> – 6 metres iv) <i>Rear yard</i> – 6 metres
c)	<p><i>For the purposes of this By-law the following definitions apply:</i></p> <p><i>Podium</i> means the base or lower portion of a multi-storey <i>building</i>, which is located above the established grade, and is measured from the established grade to the maximum <i>podium height</i> as set out in the applicable zone. A <i>podium</i> may or may not have a <i>point tower</i> projecting above it.</p> <p><i>Point Tower</i> means portions of a <i>building</i> that projects above a <i>podium</i>.</p> <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>
d)	Mechanical features, such as <i>structures</i> containing the equipment necessary to control an elevator, 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> .
e)	Maximum <i>height exclusive of mechanical penthouse or parapet</i> :  <i>Point tower</i> : 55.5 metres  <i>Podium</i> : 19.5 metres
i)	Minimum setback for the portion of the <i>podium</i> above 19.5 metres – 3.0 metres
j)	Maximum number of <i>dwelling units</i> – 354 units
k)	Maximum <i>gross floor area</i> of all <i>buildings</i> – 27,251 square metres
l)	Minimum separation between <i>point towers</i> – 30 metres.
m)	Maximum <i>gross floor area</i> of a <i>point tower</i> floorplate– 850 square metres.
n)	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 55% of the <i>gross floor area</i> of the <i>first storey</i> .
o)	For the purpose of c) above, <i>loading spaces</i> and parking ramps shall not be included in the <i>gross floor area</i> of a <i>building</i> .
q)	Minimum outdoor amenity space for <i>apartment dwelling</i> – 2 square metres per unit, subject to the following provision:

	i) A balcony may be used as outdoor amenity space
p)	Minimum parking requirement: i) Dwelling units - 0.90 parking spaces per <i>dwelling unit</i> plus 0.15 parking spaces per <i>dwelling unit</i> for visitor parking. ii) Non-residential uses – 1 space per 30m <sup>2</sup> of <i>gross floor area</i> iii) Notwithstanding ii) 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.
q)	Minimum <i>bicycle parking space requirements</i> : a. Residential Uses: i) A minimum of 0.8 spaces per <i>dwelling unit</i> identified as designated <i>long-term bicycle parking</i> . ii) A minimum of 0.2 spaces per <i>dwelling unit</i> identified as designated <i>short-term bicycle parking</i> . b. Non-Residential Uses: i) A minimum of 0.15 spaces per 100m <sup>2</sup> identified as designated <i>long-term bicycle parking</i> . ii) A minimum of 0.25 spaces per 100 square metres of gross floor area or 6 spaces identified as designated as <i>short-term bicycle parking</i> , whichever is greater. c. Public School: i) A minimum of 0.10 spaces per 200 square metres of <i>gross floor area</i> identified as designated <i>long-term bicycle parking</i> ii) A minimum of 0.40 spaces per 100 square metres of <i>gross floor area</i> or 6 spaces identified as designated <i>short-term bicycle parking</i> , whichever is higher.

4. HOLDING PROVISION

- 4.1 For the purpose of this By-law, a Holding (H) provision is hereby established on lands zoned Community Amenity Two \*767 (Hold) (CA2\*767 (H)) as identified on Schedule ‘A’ attached hereto by the letter (H) in parenthesis following the zoning symbols.
- 4.2 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.
- 4.3 A Zoning By-law Amendment to remove the Holding (H) symbol from the lands shown on Schedule “A” shall not be passed until the following conditions have been met:
- i. That the requirement for a public elementary school on the Subject Lands has been secured or is longer required by York Region District School Board, to the satisfaction of the Director of Planning and Urban Design or designate.

Read and first, second and third time and passed on \_\_\_\_\_, 2024.

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

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





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

**A By-law to amend By-law 304-87, as amended**  
*(to delete lands from the designated area of By-law 304-87)*  
**And to amend By-law 177-96, as amended**  
*(to incorporate lands into the designated area of By-law 177-96, as amended)*  
**JD Elm Cornell Lands Ltd.**  
**Northwest corner of Highway 7 East and**  
**Bur Oak Avenue, Cornell Centre**

**Lands Affected**

The proposed by-law amendment applies to approximately 4.49 ha (11.09 ac) of land located at the northwest corner of Highway 7 East and Bur Oak Avenue, in the City of Markham within the Regional Municipality of York.

**Existing Zoning**

The subject land is currently zoned **Rural Residential Four (RR4)** under By-law 304-87, as amended.

**Purpose and Effect**

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

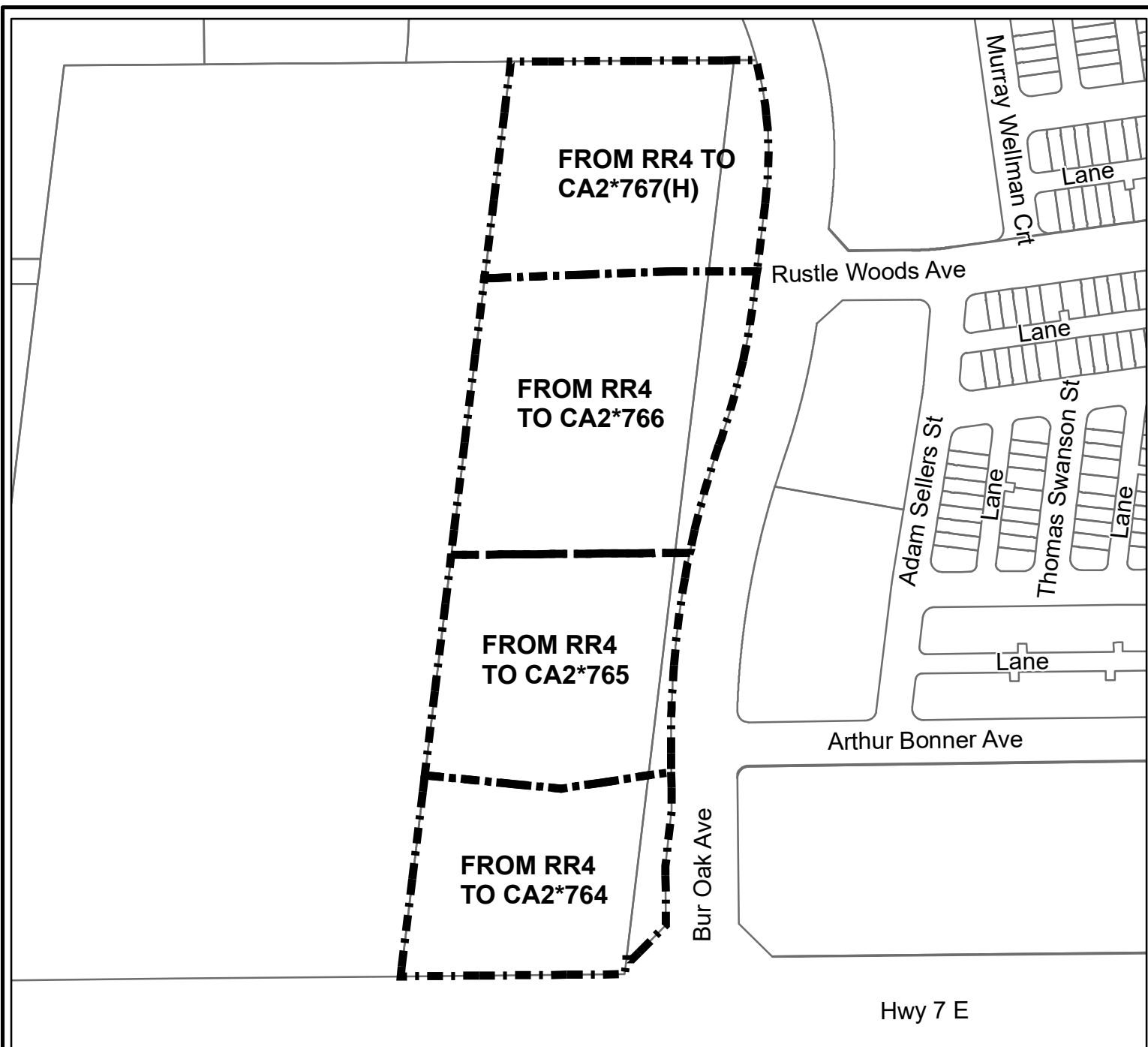
from:

**Rural Residential Four (RR4) Zone**

to:


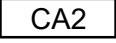


**Community Amenity Two \*764 (CA2\*764) Zone**  
**Community Amenity Two \*765 (CA2\*765) Zone**  
**Community Amenity Two \*766 (CA2\*766) Zone**  
**Community Amenity Two \*767 (Hold) (CA2\*767 (H)) Zone**

The effect of this by-law amendment is to permit seven high-rise mixed use buildings with building height up to 28 storeys, and at-grade non-residential uses along Bur Oak Avenue and Rustle Woods Avenue.



## BY-LAW SCHEDULE "A" TO BY-LAW 2024-XXX

### AN AMENDMENT TO ZONING B-LAW 177-96 AS AMENDED

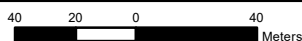
	BOUNDARY OF AREA COVERED BY THIS AMENDMENT
	COMMUNITY AMENITY TWO
	RURAL RESIDENTIAL 4
	EXCEPTION NUMBER

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.

G:\New Operation\2022 Agenda\PLAN\PLAN22\_118754\Report Figures.mxd



DEVELOPMENT SERVICES COMMISSION



Drawn By: JC

Checked By: CT

DATE: 4/25/2024

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