



## **EXPLANATORY NOTE**

### **BY-LAW 2013-124**

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

**Linvest Properties (Cornell) Limited  
South side of Highway 7 East, east of 9<sup>th</sup> Line.  
Cornell Community**

#### **Lands Affected**

The proposed by-law amendment applies to 3 blocks, 1 semi-detached lot and 1 single detached part lot comprising approximately 3.43 ha (8.4 ac), located on the south side of Highway 7, east of 9<sup>th</sup> Line.

#### **Existing Zoning**

The lands are currently zoned Agriculture One (A1) and Rural Residential One (RR1) by By-law 304-87, as amended.

#### **Purpose and Effect**

The purpose of this by-law is to zone the subject lands to permit 3 blocks of stacked townhouses, 1 semi-detached lot and 1 single detached part lot. Holding provisions (H) and (H1) have been included to prevent development until site plan approval is obtained, registration of the plan of subdivision and available servicing allocation is confirmed by the Region of York and the City of Markham.

The effect of this by-law is that the lands may be developed for residential purposes once the Holding provisions are removed.



## BY-LAW 2013-124

A By-law to amend By-law 177-96

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THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM  
HEREBY ENACTS AS FOLLOWS:

1.0 By-law 177-96, as amended, be and the same is hereby further amended as follows:

1.1 By expanding the designated area of By-law 177-96 to include the lands located in Concession 9, Part of Lot 10, as shown on Schedule 'A' attached hereto.

1.2 By zoning the lands:

Community Amenity Three\*493 (Holding) [CA3\*493(H)]  
Community Amenity Three\*494 (Holding) [CA3\*494 (H)]  
Residential Two\*241(Holding 1) [R2\*241(H1)]

1.3 By adding the following new subsection to Section 7 – EXCEPTIONS to by-law 177-96:

7.493 Cornell Centre – Lands south of Highway 7 and east of Ninth Line

Notwithstanding any other provision of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol \*493 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.

7.493.1 Definitions

The following definition shall apply:

a) DWELLING, MULTIPLE

Means a *dwelling unit* in a *building* containing three or more *dwelling units* that would not be considered any other type of *dwelling unit* as defined by By-law 177-96, as amended.

7.493.2 Only Uses Permitted

The following uses are the only uses permitted

- a) *Multiple dwellings*
- b) *Underground parking garages* associated with *multiple dwellings*.
- c) *Home Occupations*
- d) *Private home daycares*

#### 7.493.3 Zone Standards

The following specific zone standards apply:

- a) *Minimum Required Yard* – 3 metres to the *lot line*.
- b) *Height*
  - (i) *Maximum building height* - 21.6 metres.
  - (ii) *Minimum building height* – 13.0 metres.
- c) *Minimum Floor Space Index* – 1.0
- d) The following standards apply to underground parking structures:
  - i) *Minimum required yard* – 0 metres
- e) *Decks, porches, balconies* and patios can be located within *front, rear, and side yards* provided no part of the *structure* is within 1.5 metres of the *lot line*, provided it does not cross over any shared walkways.
- f) Stairs associated with *decks, porches balconies* and patios may be located 0.3 metres to the *lot line*.

#### 7.493.4 Special Provisions

The following additional provisions apply:

- a) Where there is no entrance and/or exit on a side *main wall* to a *building*, the *minimum required yard* shall be 1.8 metres to the *lot line*.
- b) The minimum *Landscaped Open Space* requirement shall not apply.
- c) For *buildings* adjacent to and facing the south or west lot lines:
  - i) The maximum *building height*, within 3 metres of the face of the *main wall(s)* which is adjacent to and facing the south or west lot line shall be 11 metres.  
  
Beyond the 3 metres, the maximum *building height* shall be 13 metres and the minimum *building height* provision shall not apply.
- d) For the purpose of this Section, *established grade* shall be the point along the north, south or west *lot line* perpendicular to the mid-point of the *building*, that is subject of the *building height* calculation.

- e) Mechanical features are included in the height calculation.

7.494 Cornell Centre – Lands south of Highway 7 and east of Ninth Line

Notwithstanding any other provision of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol \*494 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.

7.494.1 Definitions

The following definition shall apply:

a) DWELLING, MULTIPLE

Means a *dwelling unit* in a *building* containing three or more *dwelling units* that would not be considered any other type of *dwelling unit* as defined by By-law 177-96, as amended.

7.494.2 Only Uses Permitted

The following uses are the only uses permitted

a) *Multiple dwellings*

b) *Underground parking garages* associated with *multiple dwellings*.

c) *Home Occupations*

d) *Private home daycares*

7.494.3 Zone Standards

a) *Minimum Required Yard* – 3 metres to the *lot line*.

b) *Height*

i) *Maximum building height* – 21.6 metres.

ii) *Minimum building height* – 13.0 metres.

c) *Minimum Floor Space Index* – 1.0

d) The following standards apply to underground parking structures:

i) *Minimum Required Yard* – 0 metres

e) *Decks*, *porches*, *balconies* and *patios* can be located within *front*, *rear*, and *side yards* provided no part of the *structure* is within 1.5 metres of the *lot line*, provided it does not cross over any shared walkways.

f) *Stairs* associated with *decks*, *porches*, *balconies* and *patios* may be located 0.3 metres to the *lot line*.

#### 7.494.4 Special Provisions

The following additional provisions apply:

- a) Where there is no entrance and/or exit on the side *main wall* to a *building*, the *minimum required yard* shall be 1.8 metres to the *lot line*.
- b) The *minimum landscaped open space* requirement shall not apply.
- c) For *buildings* adjacent to and facing the south *lot lines*:
  - i) The maximum *building height*, within 3 metres of the face of the *main wall(s)* which is adjacent to and facing the south lot line shall be 11 metres.  
  
Beyond the 3 metres, the maximum *building height* shall be 13 metres and the minimum *building height* provision shall not apply.
  - d) For the purpose of this Section, *established grade* shall be the point along the north or south *lot line* perpendicular to the mid-point of the *building*, that is subject of the *building height* calculation.
  - e) Mechanical features are included in the height calculation.

#### 1.4 HOLDING PROVISIONS

For the purposes of this By-law, Holding (H) zones are hereby established and are identified on Schedule 'A' attached hereto by the zone symbol followed by the letter (H) or (H1) in parentheses.

No person shall hereafter erect or alter any building or structure on lands subject to Holding (H) or (H1) provisions for the purpose permitted under this By-law until amendments to this By-law to remove the letter '(H)' or (H1) have come into effect pursuant to the provisions of Section 36 of the Planning Act.

1.4.1 The Holding (H) provision shall not be removed until the following conditions have been met to the satisfaction of the City of Markham:

- a) York Region has advised in writing that final plan registration can proceed.
- b) The Council of the City of Markham has allocated adequate available servicing capacity to the lands; and,
- c) The Trustee for the Cornell Developers Group Cost Sharing Agreement has assigned conditional servicing allocation to the Owner.
- d) Registration of plan of subdivision 19TM-06012
- e) The updated Traffic Study has been submitted and approved to the satisfaction of the Director of Engineering.

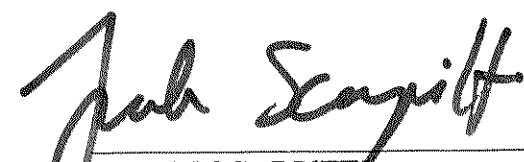
f) Execution of a site plan agreement.

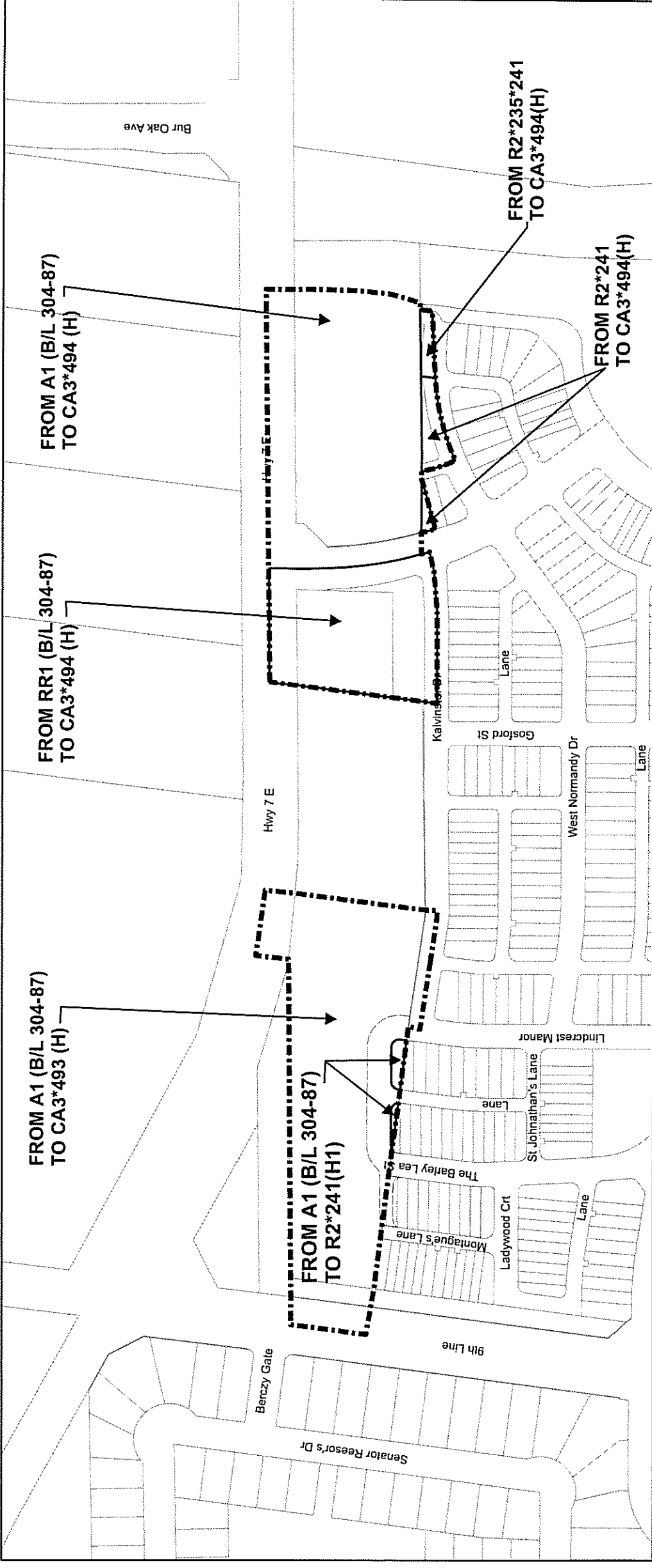
1.4.2 The Holding (H1) provision shall not be removed until the following conditions have been met to the satisfaction of the City of Markham:

- a) York Region has advised in writing that final plan registration can proceed.
- b) The Council of the City of Markham has allocated adequate available servicing capacity to the lands; and,
- c) The Trustee for the Cornell Developers Group Cost Sharing Agreement has assigned conditional servicing allocation to the Owner.
- d) The updated Traffic Study has been submitted and approved to the satisfaction of the Director of Engineering.
- e) Registration of plan of subdivision 19TM-06012

2.0 All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
26<sup>TH</sup> DAY OF JUNE, 2013.

  
\_\_\_\_\_  
KIMBERLEY KITTERINGHAM  
CITY CLERK  
\_\_\_\_\_  
FRANK SCARPITTI  
MAYOR



BY-LAW SCHEDULE 'A' TO AMEND BY-LAW 177-96

<input checked="" type="checkbox"/> BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE	<input type="checkbox"/> BOUNDARY OF ZONE DESIGNATION(S)	
<input type="checkbox"/> A1 AGRICULTURE ONE	<input type="checkbox"/> CA3 COMMUNITY AMENITY THREE	<input type="checkbox"/> *No. EXCEPTION SECTION NUMBER
<input type="checkbox"/> RR1 RURAL RESIDENTIAL ONE	<input type="checkbox"/> R2 RESIDENTIAL TWO	<input type="checkbox"/> (H)(H1) HOLDING PROVISIONS

BY-LAW AMENDMENT No. 2013-124	PASSED June 26, 2013	(MAYOR)	(CLERK)
DRAWN BY: CPW		CHECKED BY: SK	DATE: 05/01/2013
MARKHAM DEVELOPMENT SERVICES COMMISSION		Meters 0 40 80	

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