



EXPLANATORY NOTE

BY-LAW 2016-82

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)

Wykland Estates Inc. (Mattamy Cornell Centre)

East side of Bur Oak Avenue, north of Highway 7

Lands Affected

The proposed by-law amendment applies to parcels of land which are located on the east side of Bur Oak Avenue, north of Highway 7 and south of Church Street within Cornell Centre. These parcels are within Draft Approved Plan of Subdivision 19TM-14101 and include:

- Two blocks fronting Bur Oak Avenue with a combined area of 1.07 ha (2.63 ac) to be developed with mixed use midrise apartment buildings and stacked townhouses;
- One block fronting Bur Oak Avenue with an area of 6.4 ha (15.8 ac) to be developed with a potential future Catholic high school;
- One block on the east side of Cornell Centre Boulevard with an area of 5.2 ha (12.7 ac) to be developed as a community park; and
- One block on the east side of Cornell Centre Boulevard with an area of 1.4 ha (3.5 ac) to be developed with a future public elementary school.

Existing Zoning

The subject lands are zoned Agricultural One (A1) and Rural Residential Four (RR4) under By-law 304-87, as amended.

Purpose and Effect

The purpose of this By-law is to remove the subject lands from the designated area of By-law 304-87, as amended, to be incorporated into the designated area of By-law 177-96, as amended by rezoning them into the following zone categories:

Community Amenity One*547(Hold)	CA1*547(H)
Community Amenity One*547*555	CA1*547*555
Open Space One	OS1
Open Space Two	OS2

The effect of this by-law is to permit mixed use mid rise apartment buildings and stacked townhouses on the lands zoned Community Amenity One*547 and Community Amenity One *547*555 (CA1*547 and CA1*547*555), a community park on the lands zoned Open Space One (OS1), and a potential Catholic high school and public elementary school on the on the lands zoned Open Space Two (OS2).



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and to amend By-law 177-96, as amended
(to incorporate lands into the designated area of By-law 177-96, as amended)

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 area 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 the lands shown on Schedule 'A' attached hereto.
 - 2.2 By zoning the lands outlined on Schedule 'A' attached hereto as follows:

Community Amenity One*547(Hold) [CA1*547(H)] Zone
Community Amenity One*547*555 (CA1*547*555) Zone
Open Space One (OS1) Zone
Open Space Two (OS2) Zone

- 2.3 By adding the following subsections to Section 7 – EXCEPTIONS:

“7.547 Wykland Estates Inc. (Mattamy Cornell Centre)
East side of Bur Oak Avenue, north of Highway 7

Notwithstanding any other provisions of By-law 177-96, as amended, the provisions in this Section shall apply to those lands denoted by symbol *547 on Schedule 'A' to this By-law.

- 7.547.1 Only Permitted Uses**
Only the following uses are permitted:

Residential Uses:

- a) *Apartment Dwellings;*
- b) *Multiple Dwellings*
- c) *Home Occupations*
- d) *Private Home Day Care*

Non-Residential Uses:

- e) *Art Galleries;*
- f) *Business Offices*
- g) *Commercial Fitness Centres;*
- h) *Financial Institutions*
- i) *Medical Offices*
- j) *Personal Service Shops*
- k) *Repair Shops;*
- l) *Restaurants;*
- m) *Retail Stores;*
- n) *School, Commercial;*
- o) *Sales Office; and*
- p) *Take Out restaurants.*

7.547.2 Special Zone Provisions

The following special zone provisions shall apply:

- a) The Bur Oak Avenue *streetline* is deemed to be the *front lot line*;
- b) Non-residential uses are permitted only in the *first storey* of a *building* containing *apartment dwellings*;
- c) A minimum of 55% of the *Gross Floor Area* of units fronting Bur Oak Avenue shall contain non-residential uses
- d) Maximum *Gross Floor Area* of a *medical office* – 225 square metres per *premise*;
- e) Minimum *Front Yard* – 0.0 metres;
- f) Minimum *Rear Yard* for an apartment *building* – 0.0 metres;
- g) Minimum *Rear Yard* for a *building* containing *multiple dwellings* – 1.0 metre;
- h) Minimum *Interior Side Yard* for an *apartment building* or building containing *multiple dwellings* – 10.0 metres;
- i) Minimum *Exterior Side Yard* – 0.0 metres;
- j) Access to the below grade *parking garage* is not permitted from Bur Oak Avenue;
- k) Minimum *Height* of an apartment *building* – 18.0 metres;
- l) Maximum *Height* of an apartment *building* – 24.0 metres;
- m) Minimum *Height* of a *building* containing *multiple dwellings* – 8.5 metres;
- n) Maximum *Height* of a building containing *multiple dwellings* – 13.0 metres;
- o) Minimum *Floor Space Index* 1.9;
- p) Minimum *Landscaped Open Space* – 10%; and
- q) *Loading Spaces* are not required.”

**“7.555 Wykland Estates Inc. (Mattamy Cornell Centre)
East side of Bur Oak Avenue, north of Highway 7**

Notwithstanding any other provisions of By-law 177-96, as amended, the provisions in this Section shall apply to those lands denoted by symbol *555 on Schedule ‘A’ to this By-law.

7.555.1 Special Zone Provisions

The following special zone provisions apply:

- a) Minimum number of *parking spaces* for an *apartment dwelling* – 1.1 *parking spaces* per unit;
- b) Minimum number of *parking spaces* for visitor and non-residential uses within a *building* containing *apartment dwellings* – 32 spaces;
- c) Minimum number of *parking spaces* for multiple units – 1.5 *parking spaces* per unit; and
- d) Required Parking for multiple units may be provided in tandem and located on a *Driveway* and within a *private garage*.”

3. SECTION 37 AGREEMENT

3.1 Part 1

The applicant shall be required to enter into a Section 37 Agreement to secure the provision of community facilities and services by the City for the lands shown as Part 1 on Schedule 'A' to this By-law.

4. HOLD (H) PROVISION

4.1 Part 2


For the purposes of this By-law, a Hold (H) provision is hereby established and is identified on lands shown as Part 2 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 Hold (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.

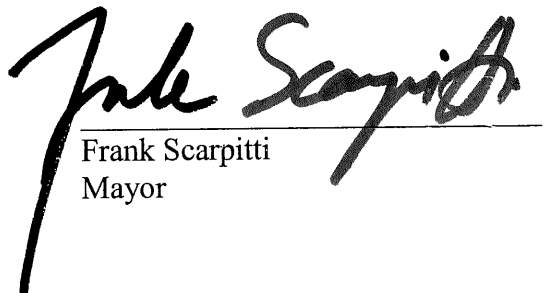
Prior to removing the Hold (H) provision the following condition must be met to the satisfaction of the City of Markham:

- i) The applicant shall be required to enter into a Section 37 Agreement to secure the provision of community facilities and services to the City.

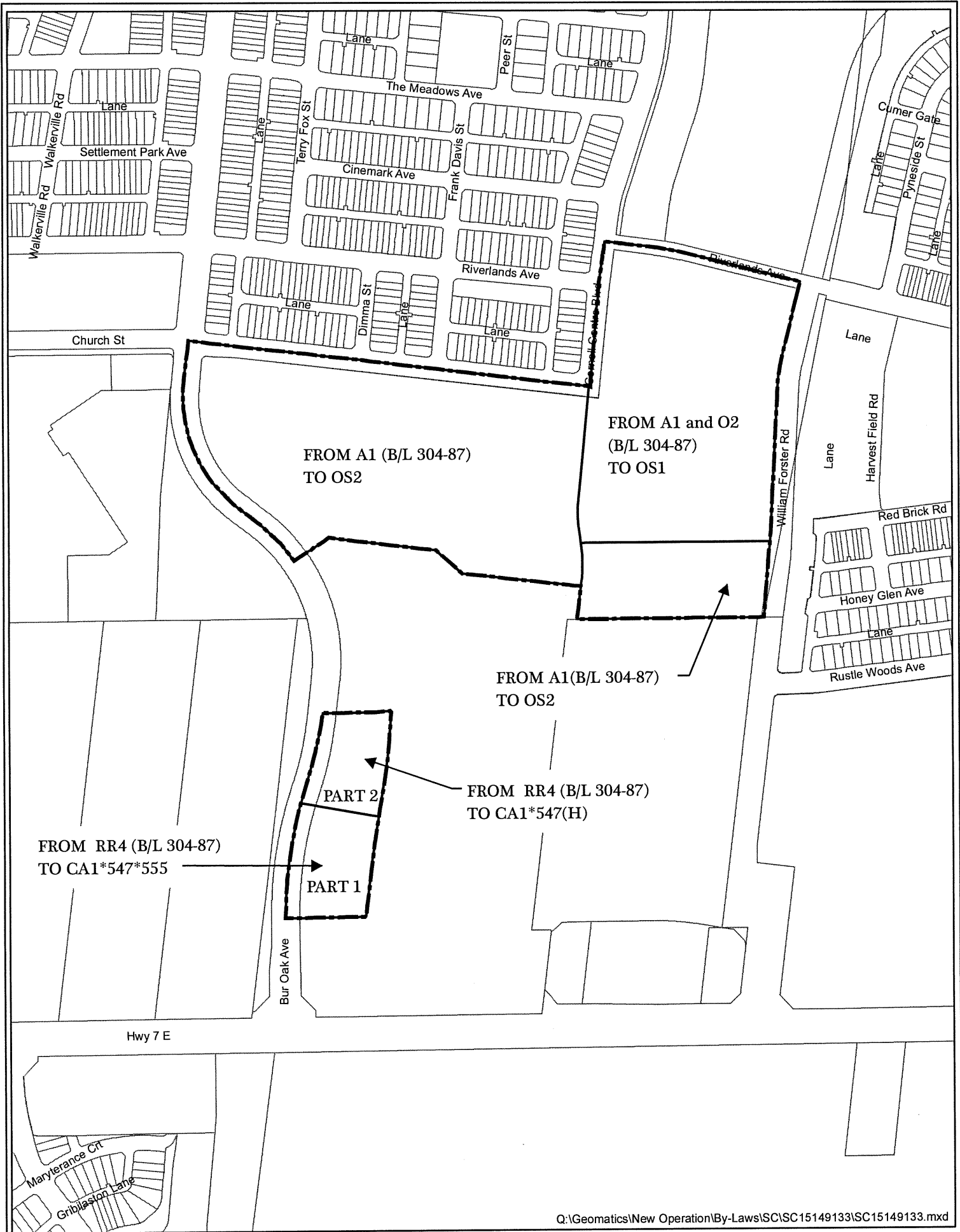
Read a first, second, and third time and passed on June 28, 2016.



Kimberley Kitteringham
City Clerk

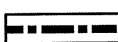
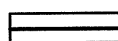







Frank Scarpitti
Mayor



SCHEDULE "A" TO BY-LAW 2016-82

AMENDING BY-LAWS 304-87 AND 177-96 DATED June 28, 2016

-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
TO BE DELETED FROM 304-87 AND ADDED TO 177-96
-  BOUNDARY OF ZONE DESIGNATION(S)

- | | | | | | |
|---|-----------------------|--|--------------------------|---|-------------------|
|  A1 | AGRICULTURE ONE |  RR4 | RURAL RESIDENTIAL FOUR |  (H) | HOLDING PROVISION |
|  CA1 | COMMUNITY AMENITY ONE |  *No. | EXCEPTION SECTION NUMBER | | |

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