



BY-LAW 2010-XXX

A by-law to amend Zoning By-law 304-87.

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

1. By-law 304-87, as amended, be and the same is hereby further amended by deleting the lands outlined on Schedule 'A' hereto from the designated area of By-law 304-87. as amended.
2. This by-law shall not come into effect until By-law 2010-XXX, amending By-law 177-96, as amended, comes into effect and the lands, as shown on Schedule 'A' attached hereto, are incorporated into the designated area of By-Law 177-96, as amended.
3. All other provisions of By-law 304-87, 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 ____ DAY OF
JANUARY, 2010.

KIMBERLY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



EXPLANATORY NOTE

BY-LAW 2010-XXX

A By-law to amend By-law 304-87, as amended

**Springhill Macwood Homes Inc.
Concession 9, Part Lot 11
7128, 7170 and 7186 Highway 7.
Cornell Community**

LANDS AFFECTED

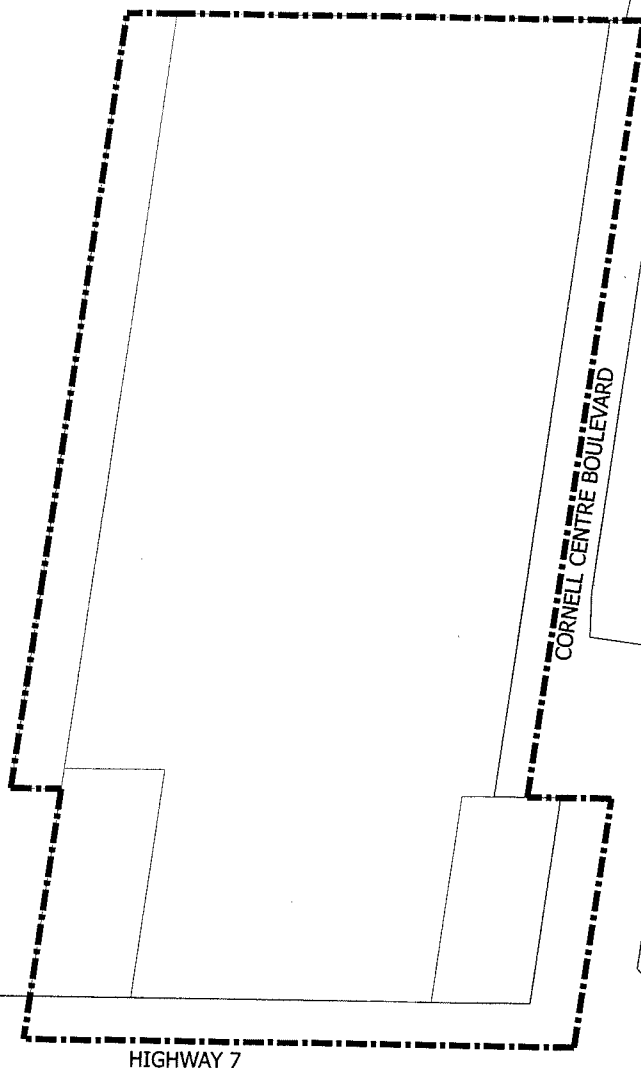
The proposed by-law amendment applies to 7.8 hectares (19 acres), located west Cornell Centre Boulevard and north of Highway 7, within the Cornell community. The lands are identified as 7128, 7170 and 7186 Highway 7.

EXISTING ZONING

The lands are currently zoned Rural Residential Four (RR4) in By-law 304-87, as amended.

PURPOSE AND EFFECT

The purpose and effect of this by-law is to delete the lands from By-law 304-87, as amended, so they may be incorporated into By-law 177-96, as amended, to permit a residential subdivision consisting of medium and high density residential development blocks.



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 304-87



BOUNDARY OF AREA COVERED BY THIS BY-LAW

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY 2010

..... MAYOR

..... CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK

SCALE 1:

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BY-LAW 2010-XXX

A by-law to amend Urban Expansion Area Zoning By-law 177-96, as amended, to rezone the lands at the northwest corner of Cornell Centre Boulevard and Highway 7, to permit medium and high density mixed commercial and residential development.

(To incorporate lands into the designated area of this By-law)

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

1. THAT By-law 177-96, as amended, 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 Lot 11, as shown on Schedule 'A' attached hereto.
 - 1.2 By zoning the lands:
 - Residential Three *409 (Holding Provision One) [R3*409(H1)]
 - Residential Three *410 (Holding Provision Two) [R3 *410 (H2)]
 - Community Amenity Two *411 (Holding Provision One) [CA2 *411 (H1)]
 - Open Space One (OS1)
 - Open Space Two (OS2)
 - 1.3 By addition the following new subsections to Section 7 – EXCEPTIONS to By-law 177-96:

7.409 Cornell Centre – Lands North of Highway 7 and west of Cornell Centre Boulevard (Residential Three)

Notwithstanding any other provision of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *409 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.

7.409.1 Permitted Uses

The following are the only uses permitted:

- i) *Apartment dwellings*
- ii) *Multiple unit dwellings*
- iii) *Home occupations*
- iv) *Parks, public*
- v) *Private home daycare*

7.409.2 Zone Standards

Only the following specific *zone* standards shall apply:

- a) Minimum setback for all *buildings* and *structures* from a *streetline* or open space zone - 3.0 metres
- b) Minimum width of *landscaping* along a *streetline* or open space zone – 3.0 metres
- c) Minimum floor space index of all *buildings* on lands zoned R3*409 – 1.5
- d) Minimum required setback to a lot line of a *building* or *structure* located below grade – 0 metres
- e) Minimum *height* of *buildings* – 14 metres
- f) Maximum *height* of *buildings* – 20 metres

7.409.3 Special Site Provisions

The following additional provisions shall apply:

- a) The provisions of this exception shall apply collectively to the lands zoned R3*409, notwithstanding any future division into more than one *lot*.

7.409.4 Special Parking Provisions

The following parking provisions apply:

- a) The parking spaces required for uses on lands zoned R3*409 may be provided on lands zoned R3*410.

7.410 Cornell Centre – Lands north of Highway 7, west of Cornell Centre Boulevard (Residential Three - Heritage Building)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *410 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, shall continue to apply to the lands subject to this exception.

7.410.1 Permitted Uses

The following are the only uses permitted:

- a) One single *detached* dwelling
- b) *day nurseries*
- c) *home occupations*
- d) *private home daycare*
- e) *school, private*
- f) *community centre, private or public*
- g) uses accessory to other uses on the same lot

7.410.2 Zone Standards

Only the following specific *zone* standards shall apply:

- a) Minimum required setback from a *streetline* - 20 metres
- b) Minimum *height* – 7 metres
- c) Maximum *height* – 14 metres
- d) Minimum width of landscaping strip adjacent the main wall of a *building* – 10 metres

7.410.3 Special Site Provisions

The following additional uses are only permitted within a single *detached* dwelling:

- a) The permitted uses outlined in 7.410.1 b) to k) are permitted only in a single *detached* dwelling existing on the date of the passing of this by-law.
- b) A drive through facility associated with any use is not permitted.

7.410.4 Special Parking Provisions

The following parking provisions apply:

- a) The parking spaces required for uses on lands zoned R3*410 may be provided on lands zoned R3*409.

7.411 Cornell Centre – Lands at the northwest corner of Highway 7 and Cornell Centre Boulevard (Community Amenity Two) – High Density – Mixed Use

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol

*411 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, shall continue to apply to the lands subject to this exception.

7.411.1 Permitted Uses

The following are the only uses permitted:

- a) *Apartment dwellings*
- b) *Multiple unit dwellings*
- c) *Private home daycare*
- d) *Home occupations*
- e) *Retail stores*
- f) *Personal service shops*
- g) *Business offices*
- h) *Financial institutions*
- i) *Commercial fitness centres*
- j) *Non-profit fitness centres*
- k) *Community centres*
- l) *Day nurseries*
- m) *Private and commercial schools*
- n) *Restaurants*
- o) *Restaurants, take-out*
- p) *Art galleries*

7.411.2 Zone Standards

Only the following specific *zone* standards shall apply:

- a) Minimum height
 - For *buildings* fronting the Highway 7 *streetline* – 28 metres
 - For *buildings* fronting a *streetline* other than Highway 7 – 14 metres
- b) Maximum *height* – 42 metres
- c) Minimum *floor space index* – 2.5
- d) Maximum setback from the Highway 7 *streetline* – 4.5 metres
- e) Minimum setback from a *streetline* other than Highway 7 – 3.0 metres

7.411.3 Special Site Provisions

The following additional provisions shall apply:

- a) The following uses are permitted only in the *first storey* and *second storey* of an *apartment building*:
 - i) *Retail stores*
 - ii) *Personal service shops*
 - iii) *Business offices*
 - iv) *Financial institutions*
 - v) *Commercial fitness centres*
 - vi) *Non-profit fitness centres*
 - vii) *Community centres*
 - viii) *Day nurseries*
 - ix) *Private and commercial schools*
 - x) *Restaurants*
 - xi) *Restaurants, take-out*
 - xii) *Art galleries*
- b) Residential uses on the ground floor of an *apartment building* shall not exceed 35% of the total ground floor *gross floor area*.
- c) Maximum *gross floor area* for a *retail premises* – 500 m²
- d) *Floor space index* shall be calculated over the total area of the lands within the CA2*411 zone.

1.4 HOLDING PROVISIONS:

For the purpose 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 H1 or H2 in parentheses.

No person shall hereafter *erect* or *alter* any *building* or *structure* on lands subject to Holding '(H)' provisions for the purpose permitted under this By-law until amendments to this By-law to remove the letters '(H1)' or '(H2)' have come into effect pursuant to the provisions of Section 36 of the Planning Act.

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

- a) Execution of a site plan agreement; and
- b) York Region has advised in writing that the expected completion of the Duffin Creek Water Pollution Control Plant expansion project and the YDSS Flow Control Structures project will be within eighteen (18) months; and
- c) The Council of the Town of Markham has allocated adequate available water supply and sewage servicing capacity to the subject development; or

- d) The Council of the Town of Markham approves servicing allocation to the lands that are not dependent upon the construction of Regional infrastructure; or
- e) The Region's Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the Town of Markham allocates the capacity to this development.

1.4.2 The Holding (H2) provision shall not be removed until the following conditions have been met to the satisfaction of the Town of Markham:

- a) The relocation of the Heritage building from the property municipally known as 7170 Highway 7 at the date of the passing of this by-law, to the lands zoned R3*410(H2).
- b) Execution of a site plan agreement for the lands zoned R3*410(H2).

2. 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 ____ DAY OF JANUARY, 2010.

KIMBERLY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



EXPLANATORY NOTE

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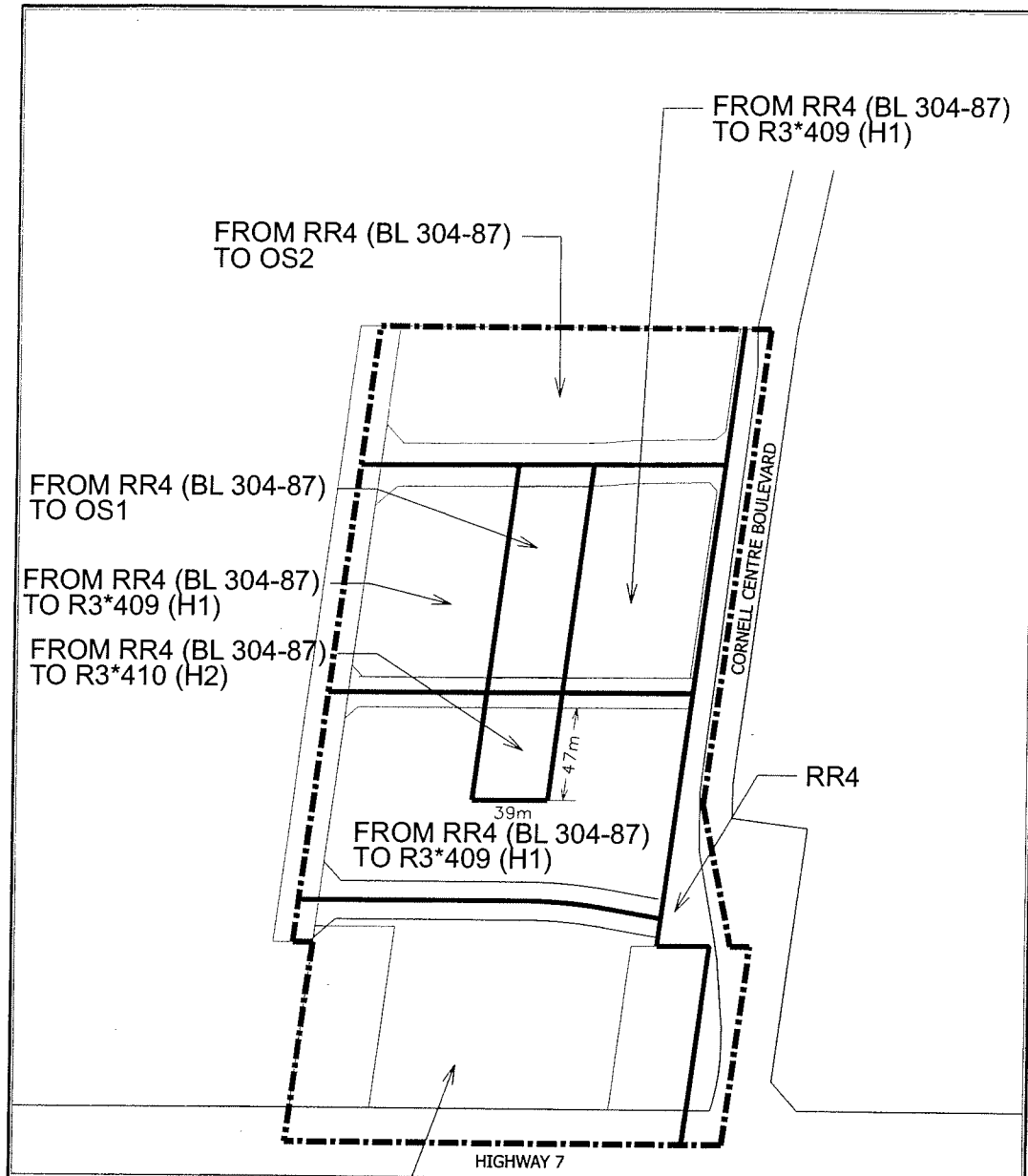
EXISTING ZONING

The lands are presently zoned Agriculture (A1) by By-law 304-87, as amended.

PURPOSE AND EFFECT

The purpose of the by-law amendment is to incorporate the lands into the designated area of By-law 177-96 and zone them to permit a residential subdivision consisting of medium and high density residential development. A Holding provisions (H) have been included to prevent development until available servicing allocation is confirmed by the Region of York and the Town of Markham.

The effect of the by-law amendment will be to permit the lands to be developed for residential purposes once the Holding provisions are removed.



DEVELOPMENT SERVICES COMMISSION

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



BOUNDARY OF AREA COVERED BY THIS BY-LAW
ZONE BOUNDARY

CA2 COMMUNITY AMENITY TWO

OS1 OPEN SPACE ONE

(H2) HOLDING PROVISION TWO

R3 RESIDENTIAL THREE

OS2 OPEN SPACE TWO

*No. EXCEPTION SECTION NUMBER

RR4 RURAL RESIDENTIAL FOUR

(H1) HOLDING PROVISION ONE

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY 2010

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..... CLERK

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SCALE 1:

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