



Development Services Commission PUBLIC MEETING INFORMATION REPORT

DATE:	Tuesday, September 29, 2026
APPLICATION TYPE:	Official Plan and Zoning By-law Amendment (the “Applications”)
OWNER:	City of Markham (the “City”)
AGENT:	Brad Roberts
LOCATION WARD:	WARD 5 Figure 1 shows parts of Bur Oak Avenue - lands south of Gas Lamp Lane to Whites Hill Avenue; south of Cornell Meadows Avenue to The Meadows Avenue; and, south of Riverlands Avenue to Church Street (the “Subject Lands”)
FILE NUMBER:	PR 26 129581
PREPARED BY:	Brad Roberts, Manager of Zoning and Special Projects Geoff Day, RPP, MCIP, Senior Planner, Zoning and Special Projects Philip English, Planner II, Policy and Research Duran Wedderburn, RPP, MCIP, Manager, Policy
REVIEWED BY:	Stephen Lue, RPP, MCIP, Senior Development Manager
PROPOSAL:	Proposed reintroduction of certain previously permitted non-residential uses and the permission of several additional non-residential uses consistent with the mixed-use low-rise designation in existing residential units (the “Proposal”)

PURPOSE

This preliminary information pertains to the City-initiated Proposal and contains general information on the applicable Official Plan policies, Zoning By-law Amendments and the identified issues that warrant the modifications to the Planning documents noted above.

PROCESS TO DATE

Staff conducted several site visits to the area on May 5, and September 10, 2026.

NEXT STEPS

- **September 29, 2026** - Statutory Public Meeting (notice posted in accordance with the [Planning Act](#) on September 9, 2026)
- **November 3, 2026** - Recommendation Report (if required) for consideration by the Development Services Committee (“DSC”)
- **November 10, 2026** - If approved by the DSC, Council’s adoption of the site-specific Official Plan Amendment and enactment of the site-specific Zoning By-law Amendment

BACKGROUND

In 1993, the City adopted Official Plan Amendment No. 5 to the 1987 Official Plan, expanding the urban area and creating new neighbourhoods, including Cornell, Greensborough, Wismer Commons, and Berczy Village. The original vision included a low-rise mixed-use corridor along what became Bur Oak Avenue. As the area developed in the mid-1990s, large-format retail and lifestyle centres across the GTA reduced demand for small-scale, community-serving commercial nodes. As a result, only some Bur Oak Avenue units were built with ground-floor commercial space, while most were built to residential standards.

The 2014 Official Plan removed the mixed-use designation along Bur Oak Avenue, eliminating policy support for many uses previously permitted in commercially constructed units. Zoning By-law 2024-19 subsequently implemented these policies by removing several permitted uses, rendering many existing businesses, legally non-conforming.

The original zoning was highly prescriptive, permitting primarily business and medical offices, retail, and personal service uses. Non-residential floor area was capped at 90 square metres, with two additional parking spaces required per commercial unit. Two units also permitted restaurant uses, though these permissions were never exercised.

During the preparation of By-law 2024-19, Staff identified concerns regarding the long-term evolution of existing non-residential uses. In the interim, applications for new or relocating businesses had to be refused by Markham's Building Department due to lack of compliance with the new zoning provisions.

THE PROPOSAL

Zoning

The proposed amendment would restore permissions for office, medical office, retail, and personal service uses on the Subject Lands. Staff also propose additional small-scale commercial uses contemplated by the Mixed-Use Low-Rise designation, including a broader range of restaurant uses, to better serve the local community. Consultation with Transportation Engineering and By-law Enforcement confirmed that there are existing parking constraints in the area. Accordingly, Staff propose maintaining the formerly existing requirement of two parking spaces per non-residential unit.

Staff note that the underlying Residential Low Rise Five (RES-LR5) zoning under By-law 2024-19, as amended, would continue to apply to the Subject Lands. No amendments are proposed that would facilitate significant redevelopment or larger commercial spaces. No height or density increases are proposed. The existing 90 square metres gross floor area cap would be retained to limit parking supply and maintain the small-scale, neighbourhood-serving character of these uses.

Official Plan

Section 9 of the City's Official Plan (the "2014 Official Plan") identifies certain areas or sites in Markham that are subject to special policies that supplement or vary from the 2014 Official Plan. These policies recognize unique historical approvals, site-specific circumstances, or provide additional local direction, primarily regarding land use. The City proposes to amend Section 9 of the 2014 Official Plan to permit the following additional non-residential uses on the Subject Lands:

- Convenience retail and personal service in accordance with Section 8.13.1 of the 2014 Official Plan
- Restaurant
- Additional complimentary non-residential uses

ACCOMPANYING FIGURES AND APPENDICES:

Figure 1:	Location Map
Figure 2:	Aerial Photo
Appendix 'A':	Draft Official Plan Amendment
Appendix 'B':	Draft Zoning By-law Amendment

Figure 1: Location Map

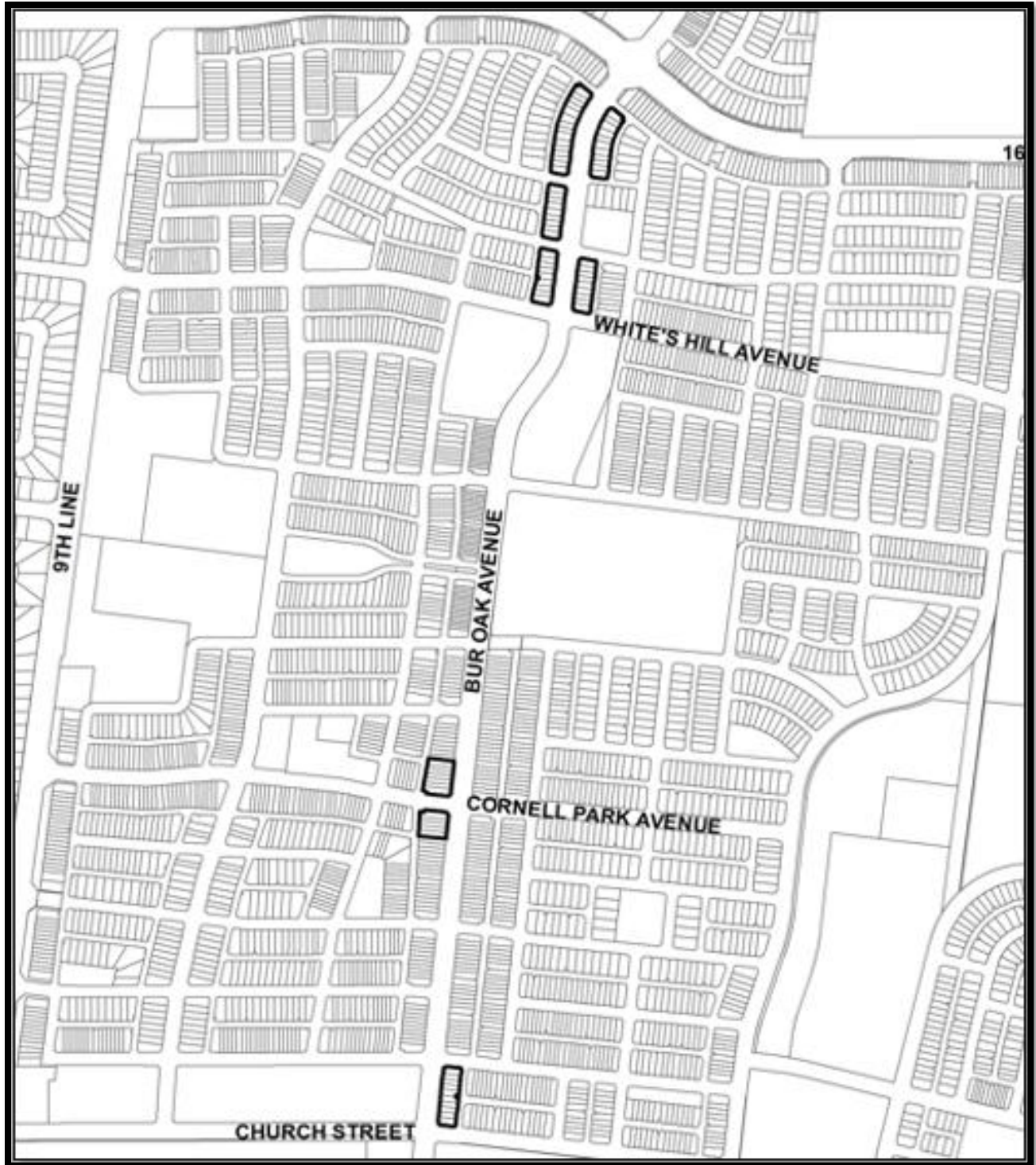


Figure 2: Aerial Photo



CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan, 2014, as amended.

Parts of Bur Oak Avenue - lands south of Gas Lamp Lane to Whites Hill Avenue; south of Cornell Meadows Avenue to The Meadows Avenue; and, south of Riverlands Avenue to Church Street

September 2026

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan, 2014, as amended.

This Official Plan Amendment was adopted by the Corporation of the City of Markham By-law No. 2026-XXX in accordance with the *Planning Act*, R.S.O., 1990 c. P.13, as amended, on the XX day of Month Year.

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor
(Signed)



By-law 2026-XXX

Being a by-law to adopt Amendment No. XXX
to the City of Markham Official Plan, 2014, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM, IN ACCORDANCE WITH
THE PROVISIONS OF THE *PLANNING ACT*, R.S.O., c. P.13, 1990 HEREBY ENACTS AS
FOLLOWS:

1. THAT Amendment No. XXX to the City of Markham Official Plan, 2014, as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS XX DAY OF MONTH 2026.

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor

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PART I – INTRODUCTION

(This is not an operative part of the Official Plan Amendment No. XXX)

PART I – INTRODUCTION

1.0 GENERAL

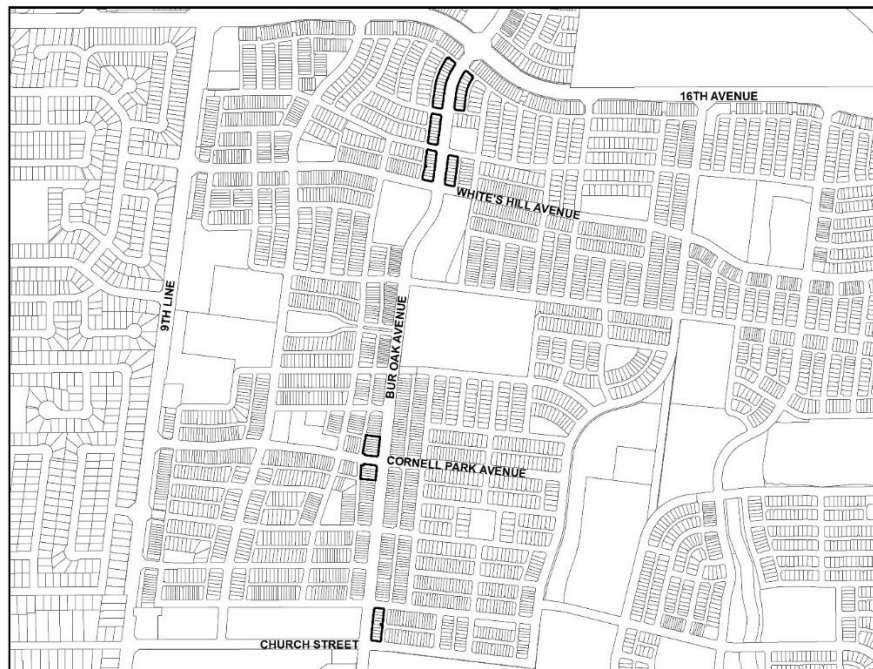
- 1.1. PART I – INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.
- 1.2. PART II – THE OFFICIAL PLAN AMENDMENT constitutes Official Plan Amendment No. XXX to the City of Markham Official Plan, 2014, as amended. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment applies to several parcels of land with frontage on Bur Oak Avenue. The Subject Lands include:

- Blocks on the east and west side of Bur Oak south of Gas Lamp Lane to Whites Hill Avenue;
- Blocks on the west side of Bur Oak on the north and south side of Cornell Park Avenue, and
- Blocks on the east side of Bur Oak, between Riverlands and Church Street

The subject lands are comprised of 75 individual lots as shown on Figure 1 below:



3.0 PURPOSE

The purpose of this Official Plan Amendment is to add site specific policies to reintroduce certain previously permitted non-residential uses and permit some additional non-residential uses for existing residential units, which were originally built to accommodate these non-residential uses. These uses are consistent with the mixed-use low-rise designation; however, the Subject Lands will remain designated as Residential Low Rise in the City of Markham, Official Plan 2014.

No increases to existing unit sizes and/or height permissions are proposed through these amendments.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The Subject Lands were previously designated 'Mixed Use Low Rise' in the City of Markham Official Plan, 1987 and the built form was designed to accommodate certain non-residential uses that served the local neighbourhood. The Subject Lands were re-designated and are now designated 'Residential Low Rise' in the City of Markham Official Plan, 2014, as amended. This designation provides for low rise housing forms consisting of detached dwellings, semi-detached dwellings, townhouses excluding back to back townhouses, and small multiplex buildings containing 3 to 6 units, all with direct frontage on a public street and a maximum height of 3 storeys.

The existing non-residential uses are currently deemed to be 'legal non-conforming'. The proposed amendment will bring the Subject Lands back into conformity with the in-effect City of Markham, Official Plan, 2014.

This Amendment will add a site specific policy to permit convenience retail and personal service and restaurant uses with restrictions, along with additional complimentary non-residential uses, which will be further refined in the accompanying amending Zoning By-Law.

The proposed amendment is consistent with the policies of the Provincial Planning Statement, 2024 (the "PPS, 2024") as the Subject Lands are located within a defined Settlement Area, which permits a range of residential, commercial and institutional uses. The proposed amendment promotes the efficient use of land and infrastructure, complete communities, and alternative modes of transportation including walking and active transportation and would further contribute to the mix of residential building typologies.

The proposed amendment also conforms to the York Region Official Plan, 2022 (the "YROP, 2022"). The Subject Lands are designated "Urban Area", which provides for a wide range of residential, commercial, industrial, and institutional uses.

The proposed amendment also conforms with the YROP, 2022's intensification policies as it promotes a built form that is compact, street-oriented, and transit supportive.

The proposed amendment conforms to the Markham Official Plan, 2014 as it provides an appropriate interface to the existing residential neighbourhood and supports an active frontage, and appropriate local commercial uses along Bur Oak Avenue, a main arterial.

The proposed amendment is appropriate and represents good planning, as it supports Provincial, Regional, and Local planning policies.

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PART II – THE OFFICIAL PLAN AMENDMENT

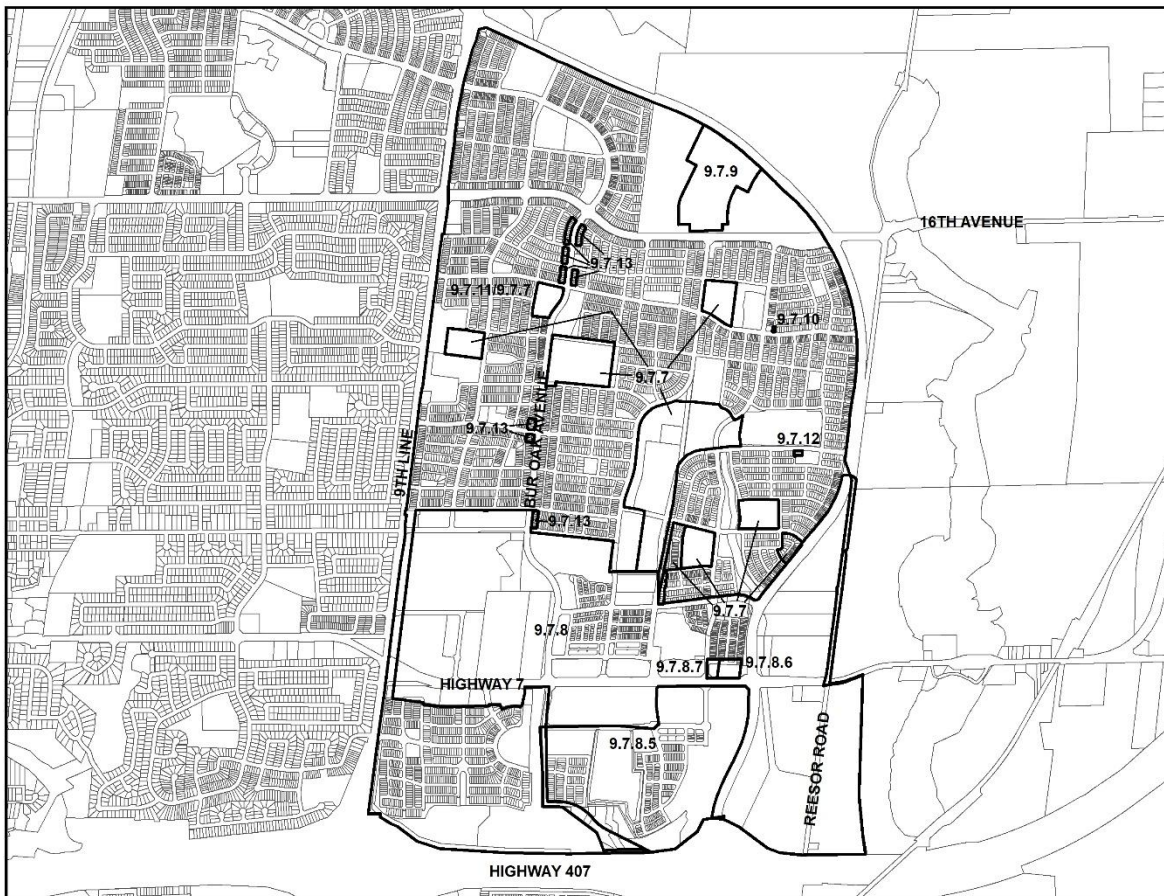
(This is an operative part of Official Plan Amendment No. XXX)

PART II – THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

1.1 The following maps and appendices of Part I of the City of Markham Official Plan, 2014, as amended, are hereby amended as follows:

- a) Figure 9.7.1 – Area and Site Specific Policies is amended by identifying the subject lands and a reference to the site specific policies contained in the new subsection 9.7.13 as follows:



1.2 Section 9.7 of Part I of the City of Markham Official Plan, 2014, as amended, is hereby amended by:

- a) Adding a new subsection 9.7.13 as follows:

On the lands identified in figure 9.7.1, the following non-residential uses may be permitted up to a maximum gross floor area generally not exceeding 90 square metres, and further refined in the accompanying Zoning By-Law:

- Convenience retail and personal service in accordance with Section 8.13.1
- Restaurant
- Additional complimentary non-residential uses

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the City of Markham Official Plan, 2014, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law, and other Planning Act approvals, in conformity with the provisions of this Amendment.

This Amendment is exempt from approval by the Ministry of Municipal Affairs and Housing and the decision of Council is final if a notice of appeal is not received before or on the last day for filing such notice.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and associated figure(s) and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. The notice provisions of Section 10.7.5 of the City of Markham Official Plan, 2014, as amended, shall apply.



BY-LAW 2026-_____

A By-law to amend By-law 2024-19, as amended

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That By-law 2024-19, as amended, is hereby further amended as it applies to the lands outlined on Schedule ‘A’ as follows:

1.1 By rezoning the lands outlined on Schedule ‘A’ attached hereto

from:

Residential - Low Rise Five (RES-LR5)

to:

Residential - Low Rise Five (RES-LR5)*168

2. By adding the following subsections to Section 18 – EXCEPTIONS:

Exception 18.168	Lands abutting Bur Oak Avenue south of Gas Lamp Lane to – Whites Hill Avenue	Parent Zone RES-LR5
File Number PR 26 129581	Lands south of Cornell Mews Avenue to The Meadows Avenue Lands south of Riverlands Avenue to Church Street	Amending By-law 2026-____

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *168 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.

18.168.1 Only Permitted Uses
The following are the only permitted uses:
Residential Uses
a) Home child care
b) Home occupation
c) Multiple dwelling (1) (2)
d) Shared housing - small scale
e) Townhouse dwelling
Non-Residential Uses
f) Art gallery
g) Artist studio
h) Business office
i) Child care centre
j) Commercial school
k) Financial institution
l) Fitness centre, recreational
m) Library
n) Massage establishment
o) Medical office
p) Minor local entertainment centre

18.168.1 Only Permitted Uses	
q)	Personal service establishment
r)	Pet services establishment
s)	Restaurant
t)	Restaurant, take-out
u)	Retail store (3)
v)	Service and repair establishment
w)	Veterinary clinic
x)	Any use not listed above that legally existed on the date this By-law was enacted by Council

18.168.2 Special Use Provisions	
The following special use provisions shall apply:	
(1)	Refer to RES-LR7 RESIDENTIAL - LOW RISE SEVEN for zone standards
(2)	Multiple dwellings in the form of back to back townhouse dwellings are not permitted
(3)	Outdoor display and sales area is permitted

18.168.3 Special Zone Standards	
The following special zone standards shall apply:	
a)	Maximum gross floor area for all non-residential uses – 90 square metres
b)	Parking requirements:
(i)	Residential uses – 2 parking spaces
(ii)	Non-residential uses - 2 parking spaces

Read and first, second and third time and passed on _____, 2026.

Kimberley Kitteringham

City Clerk

Frank Scarpitti

Mayor

Amanda File No. PR 26 129581



EXPLANATORY NOTE

BY-LAW 2026-____

A By-law to amend By-law 2024-19, as amended

Lands abutting Bur Oak Avenue south of Gas Lamp Lane to – Whites Hill Avenue

Lands south of Cornell Mews Avenue to The Meadows Avenue

Lands south of Riverlands Avenue to Church Street

Lands Affected

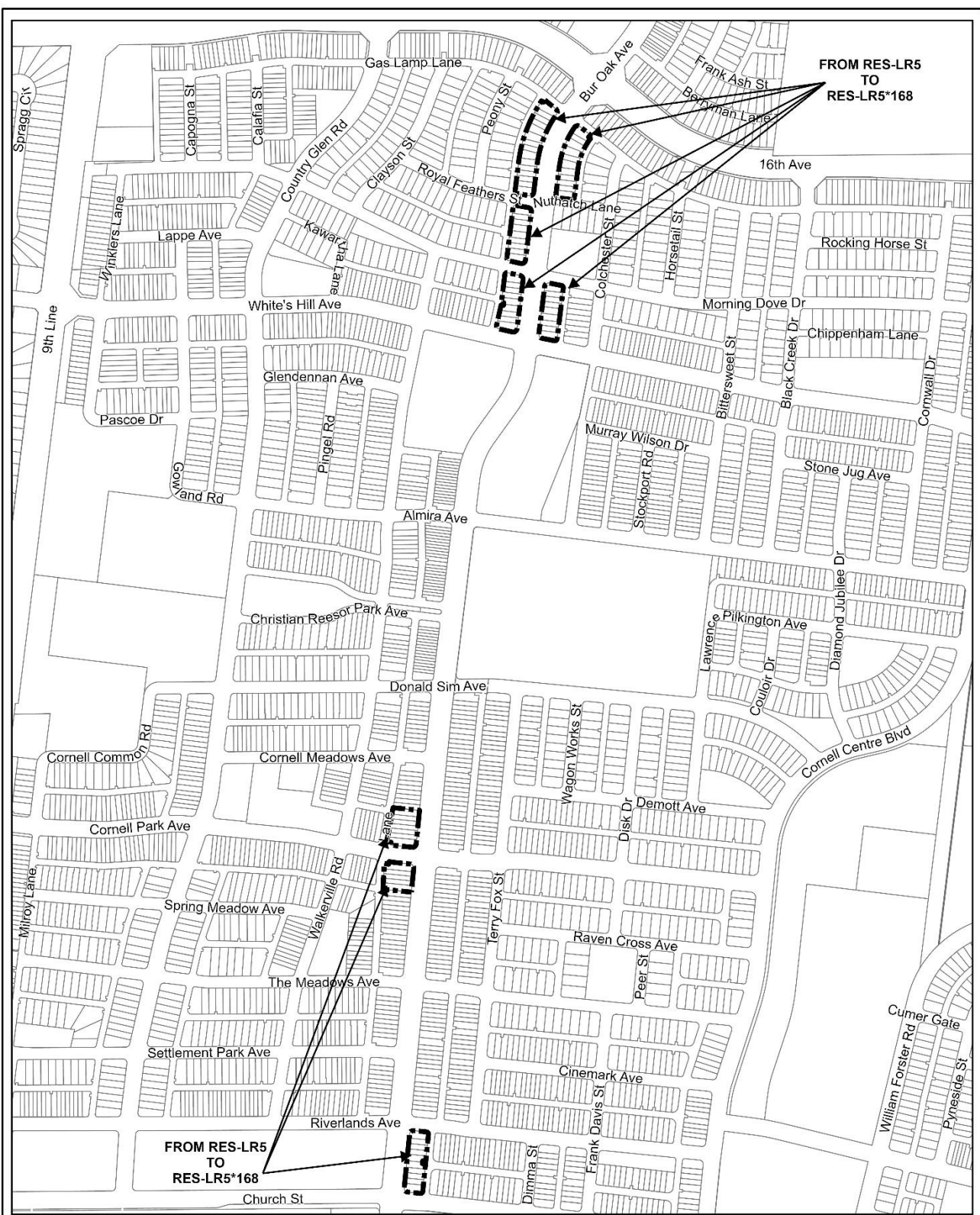
The proposed by-law amendment applies to lands abutting Bur Oak Avenue south of Gas Lamp Lane to – Whites Hill Avenue; lands south of Cornell Mews Avenue to The Meadows Avenue; and, lands south of Riverlands Avenue to Church Street.

Existing Zoning

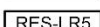
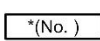
The subject lands are zoned **Residential - Low Rise Five (RES-LR5)**, under By-law 2024-19, as amended.

Purpose and Effect

The purpose and effect of this By-law is to rezone the subject lands to **Residential - Low Rise Five*168 (RES-LR5*168)** in order to permit non-residential uses in the areas identified in Schedule 'A' to this By-law.



SCHEDULE 'A' TO BY-LAW **AMENDING BY-LAW 2024-19**

-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  RESIDENTIAL - LOW RISE FIVE
-  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.

Y:\Geomatics\New Operation\By-Laws\PR\PR26_12958\1\ZBLA.aprx



DEVELOPMENT SERVICES COMMISSION

0 30 60 120 Meters

Drawn By: BE

Checked By: GD

DATE: 9/8/2026

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