BY-LAW 2019-_____

A By-law to amend By-law 90-81, as amended
(to delete lands from the designated areas of By-laws 90-81)

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 90-81, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated areas of By-law 90-81, 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:
   Special Commercial One (SC1) Zone

   to:
   Community Amenity One (CA1) Zone

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

Exception 7.627	**2522584 Ontario Inc.** **Registered Plan 65M-2599, Block 93** **(Marydale Avenue)**	**Parent Zone CA1**
File ZA 18 229047		Amending By-law 2019-XXX
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *627 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.		
7.627.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	*Townhouse Dwellings*	
b)	*Home Occupations*	
c)	*Home Child Care*	
7.627.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Maximum *Floor Space* Index requirements of Table B7 shall not apply	
b)	Special Provision 3 of Table B7 shall not apply	
c)	Minimum *interior side yard* of an end unit abutting the southerly *lot line* – 2 metres	
d)	Maximum *height* of a portion of a building within 8 metres of the southerly *lot line* – 11 metres	

2. SECTION 37 CONTRIBUTION

2.1 A contribution by the Owner to the City of $11,400.00 per residential unit in 2019 dollars, based on the total number of units, to be indexed to the Ontario rate of inflation as per the consumer price index (CPI), in accordance with Section 37 of the Planning Act, as amended, shall be required. Payments shall be collected in accordance with the terms of an agreement to secure for the Section 37 contribution. Nothing in this section shall prevent the issuance of a building permit as set out in Section 8 of the Building Code Act or its successors.

3. HOLDING PROVISION

3.1 For the purpose of this By-law, a Holding (H) provision is hereby established on lands zoned Community Amenity One (CA1) as identified on Schedule 'A' attached hereto by the letter (H) in parenthesis following the zoning symbols.

3.2 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.

3.3 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:

a) Execution by the City of Markham of a Development Agreement between the Owner and the City of Markham

Read a first, second and third time and passed on _____, 2019.

_____ _____

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

Amanda File No. ZA 18 229047

EXPLANATORY NOTE

BY-LAW 2019-___
A By-law to amend By-law 177-96, as amended

2522584 Ontario Inc.
PLAN 65M2599 BLK 93
Marydale Avenue
ZA 18 229047

Lands Affected
The proposed by-law amendment applies to a parcel of land with an approximate area of 0.17 hectares (0.425 acres), which is located north of Denison Street and west of Markham Road in the Armadale Community.

Existing Zoning
The subject lands are zoned Special Commercial One (SC1) Zone under By-law 90-81, as amended.

Purpose and Effect
The purpose and effect of this By-law is to rezone the subject lands under By-law 177-96, as amended as follows:

from:
Special Commercial One (SC1) Zone

to:
Community Amenity One (CA1) Zone;

in order to permit a residential development on the lands.

Note Regarding Further Planning Applications on this Property
The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.