



BY-LAW 2020-_____

A By-law to amend By-law 304-87, as amended
(to delete lands from the designated areas 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)

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

1. That By-law 304-87, as amended, are hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated areas 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 additional lands as shown on Schedule "A" attached hereto.
 - 2.2 By zoning the lands outlined on Schedule "A" attached hereto:

from:
Agriculture One (A1) Zone (By-law 304-87);

to:
Residential Two - Special *A (R2-S*A) Zone (By-law 177-96);
Residential Two – Lane Access*B (R2-LA*B) Zone (By-law 177-96);
Community Amenity Four *E (CA4*E) Zone (By-law 177-96);
Residential Two - Special *F (R2-S*F) Zone (By-law 177-96);
Residential Two – Lane Access*G (R2-LA*G) Zone (By-law 177-96);
Residential Three *H (R3*H) Zone (By-law 177-96);
Residential Three *I (R3*I) Zone (By-law 177-96);
Residential Two – Special *A*J (R2-S*A*J) Zone (By-law 177-96);
Residential Two – Special *A*K (R2-S*A*K) Zone (By-law 177-96);

**Open Space One (OS1) Zone (By-law 177-96;
Open Space Two (OS2) Zone (By-law 177-96)**

3. By adding the following subsection to Section 7- EXCEPTIONS:

Exception 7.A	Berczy Warden Holdings Inc.	Parent Zone R2-S
File ZA 18 235516		Amending By-law 2020-_____
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule “A” attached to By-law 2020-____ and denoted by the symbol *A.		
7.A.1 Only Permitted Uses		
The following uses are the only permitted uses:		
a)	Uses permitted for the R2-S zone in Table A1	
b)	In addition to the uses permitted for the R2-S zone in Table A1, one accessory dwelling unit per lot	
7.A.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Minimum lot frontage for single detached dwellings – 9.0 metres	
b)	Minimum required front yard – 3.0 metres	
c)	Maximum garage width – 50 % of the lot frontage	
d)	Minimum required exterior side yard – 2.4 metres	
e)	Minimum required interior side yard – 1.2 metres and 0.3 metres	
f)	Minimum required rear yard – 6.0 metres	
g)	Maximum height – 12.5 metres	
h)	The wall of an attached private garage that contains the opening for motor vehicle access shall be set back a minimum of 5.5 metres from the lot line that the driveway crosses to access the private garage. If the driveway does not cross a sidewalk, the minimum setback is reduced to 4.5 metres. A parking space on a driveway where part of the parking space is located outside of the lot is deemed to comply with Section 6.1.1.a) of By-law 28-97 (as amended).	
i)	i) Notwithstanding the provisions of Section 6.6.1.c), a window bay and bow or boxout window with or without foundation may encroach into the minimum required rear yard or into the minimum required interior side yard a distance of no more than 0.6 metres. ii) Notwithstanding the provisions of Section 6.6.1.d), a window bay and bow or boxout window with or without foundation may encroach into the minimum required front yard or into the minimum required exterior side yard a distance of 1 metre.	
j)	Special Provision #1 of Table B3 shall not apply.	
k)	Section 6.2.4.2.b of By-law 28-97, as amended, shall not apply	
l)	The maximum driveway width of a driveway crossing the front or exterior side lot line shall be the garage width plus 1.5 metres.	

Exception 7.B	Berczy Warden Holdings Inc.	Parent Zone R2-LA
File ZA 18 235516		Amending By-law 2020-____
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2020-____ and denoted by the symbol *B.		
7.B.1 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Minimum lot frontage for townhouse dwellings – 6.0 metres	
b)	Minimum required front yard – 0.6 metres	
c)	Minimum required exterior side yard – 2.4 metres	
d)	Minimum required interior side yard – 0.0 metres for interior unit and 1.2 metres for end unit.	
e)	Minimum required rear yard – 0.0 metres	
f)	Maximum height – 14.5 metres	
g)	Minimum setback for garage from laneway – 0.6 metres	
h)	Maximum number of dwellings in a block – 8 units	
i)	Special Provision #2 of Table B4 shall not apply.	
j)	Notwithstanding the provisions of Section 6.6.1.(a) encroachments shall include a fireplace encroachment, and all encroachments may be located no closer than 0.1 metres from the rear and side lot lines.	
k)	Notwithstanding the provisions of Section 6.6.1.c), a window bay, and bow or boxout window with or without foundation may encroach into the minimum required front yard, minimum required rear yard, or minimum required exterior side yard a distance of no more than 0.6 metres.	

Exception 7.E	Berczy Warden Holdings Inc.	Parent Zone CA4
File ZA 18 235516		Amending By-law 2020-____
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2020-____ and denoted by the symbol *E		
7.E.1 Additional Permitted Uses		
The following additional uses are permitted:		
a)	Apartment Dwellings	
b)	Multiple Dwellings	
c)	Child Care Centre	
d)	Home Occupations	
e)	Retail Stores; Special Provision #7 of Table A2 shall not apply.	
7.E.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Minimum required front yard: - 3.0 metres	
b)	Maximum front yard – not applicable	
c)	Minimum required exterior side yard – 3.0 metres	
d)	Maximum exterior side yard – not applicable	
e)	Minimum required interior side yard – 3.0 metres	

f)	Minimum required rear yard – 3.0 metres
g)	Minimum width of landscaping adjacent to front and exterior side lot lines – not applicable.
h)	Minimum width of landscaping adjacent to the interior side and rear lot lines – not applicable.
i)	Maximum height – 24 metres
j)	Special Provisions #13 and #14 of Table B7 shall not apply.
k)	Minimum building setback from a daylighting triangle – 0.6 metres.
l)	Sills, cornices, eaves, and roof overhangs may be located no closer than 0.1 metres from a daylighting triangle.
m)	Section 6.5 – <u>Dwelling Units</u> and Section 6.7 – <u>Frontage on a Public Street</u> shall not apply.
n)	Notwithstanding Section 6.1.4 – <u>Regulations for Parking Spaces</u> of By-law 28-97, as amended, to the contrary, tandem parking is permitted on lots with buildings containing more than 4 dwelling units and for Condominium Townhouse Dwellings with parking provided at grade and accessed via a private road.

Exception 7.F	Berczy Warden Holdings Inc.	Parent Zone R2-S
File ZA 18 235516		Amending By-law 2020-_____
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted *F as shown on 'Schedule A' to this By-law subject to any holding provisions applying to the subject lands.		
7.F.1 Only Permitted Uses		
The following uses are the only permitted uses:		
a)	Uses permitted for the R2-S zone in Table A1	
b)	In addition to the uses permitted for the R2-S zone in Table A1, one accessory dwelling unit per lot	
e)	Public School	
7.F.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	The provisions of Table B3 as amended by Section 7.A shall apply for residential uses on a lot not accessed by a lane.	
b)	The provisions of Table B5 as amended by Section 7.B or the provisions of Table B5 as amended by Section 7.G shall apply for residential uses on a lot accessed by a lane.	
c)	The provisions of Table B9 shall apply for a Public School	

Exception 7.G	Berczy Warden Holdings Inc.	Parent Zone R2-LA
File ZA 18 235516		Amending By-law 2020-____
Notwithstanding any other provisions of By-law, 177-96 the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2020-____ and denoted by the symbol *G.		
7.G.1 Only Permitted Uses		
The following uses are the only permitted uses:		
a)	Uses permitted for the R2-LA zone in Table A1	

b)	In addition to the uses permitted for the R2-LA zone in Table A1, one accessory dwelling unit per lot
7.G.2 Special Zone Standards	
The following specific Zone Standards shall apply:	
a)	Minimum lot frontage for townhouse dwellings: <ul style="list-style-type: none"> i) 4.0 metres per unit on an interior lot ii) 5.2m per end unit on an interior lot; iii) 6.4m per end unit on a corner lot.
b)	Minimum required front yard – 0.6 metres
c)	Minimum required exterior side yard – 2.4 metres
d)	Minimum required interior side yard – 0.0 metres for interior unit and 1.2 metres for end unit.
e)	Minimum required rear yard – 0.6 metres
f)	Maximum height – 14.5 metres
g)	Maximum number of dwellings in a block – 9 units
h)	Special Provision #2 of Table B4 shall not apply.
i)	Notwithstanding the provisions of Section 6.6.1.(a) encroachments shall include a fireplace encroachment, and all encroachments may be located no closer than 0.1 metres from any lot line.
j)	<ul style="list-style-type: none"> i) Notwithstanding the provisions of Section 6.6.1.c), a window bay and bow or boxout window with or without foundation may encroach into the minimum required rear yard or into the minimum required interior side yard a distance of no more than 0.6 metres. ii) Notwithstanding the provisions of Section 6.6.1.d), a window bay and bow or boxout window with or without foundation may encroach into the minimum required front yard or into the minimum required exterior side yard a distance of 1 metre.
k)	Minimum required yard abutting a transformer notch – 0 metres
m)	The minimum setback from the exterior setback shall be 1 metre for a driveway or parking pad crossing the rear lot line.

Exception 7.H	Berczy Warden Holdings Inc.	Parent Zone R3
File ZA 18 235516		Amending By-law 2020-_____
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule “A” attached to By-law 2020-____ and denoted by the symbol *H.		
7.H.1 Only Permitted Uses		
The following uses are the only permitted uses:		
a)	Townhouse Dwellings	
b)	Triplex Dwellings	
c)	Quadruplex Dwellings	
d)	Multiple Dwellings	
e)	Apartment Dwellings	
f)	Home Occupation	
g)	Home Child Care	
i)	In addition to the other permitted uses, one accessory dwelling unit on a lot is permitted	
7.H.2 Special Zone Standards		

The following specific Zone Standards shall apply:	
a)	Minimum lot frontage for a townhouse dwellings accessed by a lane: i) 4.0m per unit on an interior lot; ii) 5.2m per end unit on an interior lot; iii) 6.4m per end unit on a corner lot.
b)	Minimum required rear yard: i) On a lot accessed by a lane – 0.6 metres. ii) On a lot not accessed by a lane – 6.0 metres
c)	Maximum height – 16 metres
d)	Special Provisions #4 and #5 of Table B5 shall not apply
e)	Minimum required yard abutting a transformer notch – 0m
f)	Minimum building setback from a daylighting triangle – 0.6 metres.
g)	The minimum setback for a driveway or parking pad crossing the rear lot line from the exterior side lot line shall be 1.0m
h)	Section 6.5 – <u>Dwelling Units</u> and Section 6.7 – <u>Frontage on a Public Street</u> shall not apply.
ij)	Minimum required rear front yard for townhouse dwellings: 0.6 metres
j)	Maximum garage width on a lot not accessed by a lane: not applicable
m)	Notwithstanding the provisions of Section 6.6.1.(a) encroachments shall include a fireplace encroachment, and all encroachments may be located no closer than 0.1 metres from any lot line.
n)	i) Notwithstanding the provisions of Section 6.6.1.c), a window bay and bow or boxout window with or without foundation may encroach into the minimum required rear yard or into the minimum required interior side yard a distance of no more than 0.6 metres. ii) Notwithstanding the provisions of Section 6.6.1.d), a window bay and bow or boxout window with or without foundation may encroach into the minimum required front yard or into the minimum required exterior side yard a distance of 1 metre.
p)	The minimum setback from the exterior setback shall be 1 metre for a driveway or parking pad crossing the rear lot line.
q)	The provisions of Table B5 as amended by Section 7.H shall apply for multiple dwellings lane.

Exception 7.I	Berczy Warden Holdings Inc.	Parent Zone R3
File ZA 18 235516		Amending By-law 2020-_____
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule “A” attached to By-law 2020-____ and denoted by the symbol *I.		
7.I.1 Only Permitted Uses		
The following uses are the only permitted uses:		
a)	Uses permitted for the R3 zone in Table A1	
i)	In addition to the uses permitted for the R3 zone within Table A1, one accessory dwelling unit on a lot is permitted	
7.I.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Minimum lot frontage for multiple dwellings – 6.5 metres	
b)	Maximum garage width for multiple dwellings on a lot not accessed by a lane – 4.5 metres	

c)	Minimum required interior side yard for multiple dwellings: 0.0 metres for interior unit and 1.2 metres for an end unit.
d)	Minimum required rear yard for multiple dwellings: 0.0 metres
e)	Maximum height – 12.5 metres
f)	The wall of an attached private garage that contains the opening for motor vehicle access shall be set back a minimum of 5.5 metres from the lot line that the driveway crosses to access the private garage. If the driveway does not cross a sidewalk, the minimum setback is reduced to 4.5 metres. A parking space on a driveway where part of the parking space is located outside of the lot is deemed to comply with Section 6.1.1.a) of By-law 28-97 (as amended).
g)	Special Provisions # 2 and #4 of Table B5 shall not apply
h)	Notwithstanding the provisions of Section 6.6.1.(a) encroachments shall include a fireplace encroachment, and all encroachments may be located no closer than 0.1 metres from any lot line.
i)	Notwithstanding the provisions of Section 6.6.1.d), a window bay and bow or boxout window with or without foundation, may encroach into the required front yard or into the required exterior side yard a distance of 1 metre.

Exception 7.J	Berczy Warden Holdings Inc.	Parent Zone R2-S
File ZA 18 235516		Amending By-law 2020-_____
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule “A” attached to By-law 2020-____ and denoted by the symbol *J.		
7.J.1 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Notwithstanding Section 7.A.2.f) to the contrary, the minimum required rear yard shall be 3.0 metres.	
b)	Maximum height – 14.5 metres.	

Exception 7.K	Berczy Warden Holdings Inc.	Parent Zone R2-LA
File ZA 18 235516		Amending By-law 2020-_____
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule “A” attached to By-law 2020-____ and denoted by the symbol *K.		
7.K.1 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Notwithstanding the provisions of Section 7.A.2.g) to the contrary, the Maximum height – 14.5 metres.	

4. HOLDING PROVISIONS

4.1 To be filled in later.

Read a first, second and third time and passed on _____, 2020.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

DRAFT



EXPLANATORY NOTE

BY-LAW 2020-_____

A By-law to amend By-law 304-87 and 177-96, as amended

10348 Warden Avenue

Lands located west of Warden Avenue between Warden Mills Road and Major Mackenzie Drive.

Part of Lots 22 and 23, Concession 4.

Lands Affected

The proposed by-law amendment applies to approximately 45 hectares (111.2 acres) of land located on the west side of Warden Avenue mid-way between Warden Mills Road and Major Mackenzie Drive and municipally known as 10348 Warden Avenue.

Existing Zoning

The subject land is currently zoned “Agriculture One (A1)” under By-law 304-87, as amended.

Purpose and Effect

The purpose and effect of this By-law is to amend By-law 304-87, as amended and By-law 177-96, as amended by rezoning the subject land to “Residential Two - Special *A (R2-S*A)”, Residential Two – Lane Access *B (R2-LA*B), “Community Amenity Four *E (CA4*E)”, “Residential Two - Special *F (R2-S*F)”, “Residential Two – Lane Access *G (R2-LA*G)”, “Residential Three *H (R3*H)”, “Residential Three *I (R3*I)”, “Residential Two - Special *A*J (R2-S*A*J)”, “Residential Two - Special *A*K (R2-S*A*K)”, “Open Space One (OS1)”, and “Open Space Two (OS2)” in By-law 177-96, as amended in order to facilitate residential development consisting of single detached and townhouse dwellings, a school, parkland, mixed use development, stormwater management facilities, and open space, including the introduction of site-specific development standards.