



## By-law 2020-xx

**A By-law to amend By-law 304-87, as amended**  
*(to delete lands from the designated area of By-law 304-87)*  
**and 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, 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:

### **Residential Two\*607 (R2\*607) Zone**

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

Exception 7.607	Forest Hill Homes (Cornell Towns) Ltd. (South side of Rustle Woods Avenue, west of Cornell Rouge Boulevard)	Parent Zone R2
File ZA 12 111705		Amending By-law 2020- XXX
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted *607 as shown on ‘Schedule A’ to this By-law subject to any holding provisions applying to the subject lands.		
7.607.1 Only Permitted Uses		
a)	Townhouse Dwellings	
b)	Home Occupation	
c)	Home Child Care	
7.607.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Notwithstanding any further division or partition of any lands subject to this Section all lands zoned R2*607 shall be deemed to be one lot for the purposes of this By-law;	
b)	Rustle Woods Avenue is deemed to be the front lot line;	
c)	The provisions of table B2 shall not apply;	
d)	Minimum width of a townhouse dwelling – 4.5 m;	
e)	Minimum front yard – 2.0 m;	
f)	Minimum setback to any other lot line – 1.6 m	
g)	Minimum setback of porches and architectural features such as sills, belt courses, cornices, eaves, chimney breasts, pilasters, roof	

	overhangs, balconies, window bays and window wells to any <i>lot line</i> – 0.55m
h)	<i>Minimum</i> setback to any <i>lot line</i> of stairs accessing a <i>porch</i> – 0.15m
i)	<i>Minimum</i> distance between <i>townhouse buildings</i> – 2.5 m
j)	Notwithstanding i) above, porches and mechanical rooms accessed from the exterior are permitted to encroach into the required minimum distance a maximum of 1 metre from each <i>townhouse building</i> , providing a minimum setback of 0.9 m to the adjacent building, <i>porch</i> or mechanical room is maintained.
k)	<i>Maximum height</i> of a <i>townhouse dwelling</i> –15.0 m
l)	<i>Decks and balconies</i> may be located above the <i>first storey</i> of a <i>building</i>
m)	Projections of <i>Decks and balconies</i> on the first storey above the garage: i) Minimum - 2.59 m ii) Maximum – 4.5 m

4. SECTION 37 AGREEMENT

- 4.1 A contribution by the Owner to the City for the purpose of public art, in the amount of \$1425.00 per townhouse dwelling in 2020 dollars, 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.

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

\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk

\_\_\_\_\_  
Frank Scarpitti  
Mayor



## **EXPLANATORY NOTE**

**BY-LAW 2020-\_\_\_\_\_**

**A By-law to amend By-law 177-96, as amended**

**Forest Hill Homes (Cornell Towns) Ltd.**

**Block 2, Plan 65M-4525**

**South side of Rustle Woods Avenue, west of Cornell Rouge Boulevard**

### **Lands Affected**

The proposed by-law amendment applies to 1.2 hectares (3.0 acres) of land located within Cornell Centre, on the south side of Rustle Woods Avenue and west of Cornell Rouge Boulevard.

### **Existing Zoning**

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

### **Purpose and Effect**

The purpose of this By-law is to delete the lands from the designated area of By-law 304-87, as amended, incorporate the lands into the designated area of By-law 177-96, as amended, and zone the subject lands to a “Residential Two\*607 (R2\*607) Zone”. The effect of this by-law is to permit the development of 75 townhouse dwellings which are part of a common element condominium.

### **Notice Regarding Further Planning Applications on this Property**

In accordance with Section 45(1.3) and 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended on July 1, 2016 through the enactment of Bill 73, no person shall apply for a minor variance from the provisions of the by-law in respect of land, building or structure before the second anniversary of the day on which the by-law was amended, unless Council has declared by resolution that such an application is permitted.