



## BY-LAW 2019-\_\_\_\_\_

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

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

1. By-law 177-96, as amended, is hereby further amended as follows:
  - 1.1 By rezoning the lands outlined on Schedule ‘A’ attached hereto as follows:

from:  
Open Space Two \*428 (OS2\*428)

to:  
Residential Two \*629 (R2\*629)
  - 1.2 By adding the following subsection to Section 7- EXCEPTIONS

Exception 7.629	Andrin Wismer Markham Limited Concession 7, Lot 16, Part 5 65R256001, Part 1 65R37416 (North-east corner 16 <sup>th</sup> Ave and Alexander Lawrie Ave)	Parent Zone R2
File ZA 17 151060		Amending By- law 2019-XXX
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted *629 as shown on ‘Schedule A’ to this By-law		
7.629.1 Special Zone Standards		
The following additional uses are permitted:		
a)	Accessory Dwelling Units	
7.629.2 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*629 shall be deemed to be one lot for the purposes of this By-law.	
b)	Minimum required interior side yard -1.3 m	
c)	Minimum required rear yard – 7 m	
d)	Minimum required front yard – 3 m	
e)	Minimum width of a townhouse dwelling: a) Interior unit - 5.4 m b) End or corner unit – 5.6 m	
f)	Minimum width of a semi-detached dwelling: a) Corner unit – 7.7 m b) All other units – 7 m	
g)	The minimum lot frontage provisions of table B2 Pat 1 of 3, A, shall not apply	
h)	Maximum height: a) Townhouse dwelling fronting onto Alexander Lawrie Avenue - 11.5 m b) All other townhouse dwellings – 12 m c) Semi-detached dwelling – 9 m	
i)	Minimum area of outdoor amenity space - 700 m2	
j)	Minimum distance between buildings: a) Townhouse buildings - 2.9 m b) Semi-detached buildings - 2.4 m	
k)	Notwithstanding the provisions of Section 6.2, decks are permitted to be located above the first storey, and shall have a minimum interior side yard setback of 4 metres	
l)	Stairs located in the required front yard are to be no closer than 0.6 m from the front lot line	
m)	Porches may encroach into the required distance between townhouse buildings with distance between porches no closer than 2.6 m	

2. SECTION 37 AGREEMENT

- 2.1 A contribution by the Owner to the City for the purpose of public art, in the amount of \$1425.00 per townhouse dwelling and \$2300.00 per semi-detached dwelling in 2019 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 2019-\_\_\_\_\_**

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

**Andrin Wismer Markham Limited  
North-east corner 16<sup>th</sup> Avenue and Alexander Lawrie Avenue  
CON 7 LOT 16 PART 5 65R26001, PART 1 65R37416**

#### **Lands Affected**

The proposed by-law amendment applies to 1.77 hectares (4.37 acres) of land located at the north-east corner of 16<sup>th</sup> Avenue and Alexander Lawrie Avenue.

#### **Existing Zoning**

By-law 177-96, as amended, currently zoned the subject lands as Open Space Two \*428 (OS2\*428) which will be zoned to Residential Two \*629 (R2\*629).

#### **Purpose and Effect**

The purpose and effect of this By-law is to amend By-law 177-96, as amended, to rezone the subject property to Residential Two \*629 (R2\*629) in order to facilitate the development of common element condominium development which will be comprised of 68 freehold townhouses and 10 semi-detached homes.