

Appendix A: Draft Zoning By-law Amendment

EXPLANATORY NOTE

BY-LAW NO. 2021-XX

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

1212763 Ontario Limited

Part of Lots 22 & 23, Concession 4

Lands Affected

The Subject Lands have an area of approximately 37.15 hectares and are located south of Elgin Mills Road, west of Warden Avenue, north of existing estate residential and east of the hydro corridor and an existing residential subdivision. The lands are currently used for agricultural purposes.

Existing Zoning

The Subject Lands are zoned “Agriculture One Zone (A1)” and “Open Space One Zone (O1)” under the City of Markham Zoning By-law 304-87, as amended.

Purpose and Effect

The purpose and effect of this By-law is to delete the Subject Lands from the designated area of By-law 304-87, incorporate them into the designated area of By-law 177-96, and zone them to permit the following:

- Residential development consisting of single-detached and townhouse dwellings;
- A portion of the community park required for the Berczy Gen Secondary Plan and a parkette;
- The Greenway System; and,
- Two stormwater management ponds.

By-law 2021-

A By-law to amend By-law 304-87, as amended

(to delete lands from the designated area 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, as amended)

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 amend 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:
 - a. By expanding the designated area of By-law 177-96, as amended, to include the lands shown on Schedule 'A' attached hereto.
 - b. By rezoning the lands outlined on Schedule 'A' attached hereto:

From:

Agricultural One (A1) Zone (304-87)
Open Space One (O1) Zone (304-87)

To:

Residential One – Special *A (R1-S*A) Zone (By-law 177-96)
Residential Two-Special *B (R2-S*B) Zone (By-law 177-96)
Residential Two-Special *C (R2-S*C) Zone (By-law 177-96)
Residential Two-Lane Access *D (R2-LA*D) Zone (By-law 177-96)
Residential Two-Lane Access *E (R2-LA*E) Zone (By-law 177-96)
Greenway (G) Zone (By-law 177-96)
Open Space One (OS1) Zone (By-law 177-96)
 - c. By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 8.A	1212763 Ontario Limited	Parent Zone R1
File ZA 19 142694		Amending By-law 2021-000

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 2021-____ and denoted by the symbol *A.

8.A.1 Only Permitted Uses

The following uses are the only permitted uses:

- | | |
|----|----------------------------------|
| a) | <i>Single Detached Dwellings</i> |
| b) | <i>Home Occupations</i> |
| c) | <i>Home Child Care</i> |

8.A.2 Special Zone Standards

The following specific Zone Standards shall apply:	
a)	The provisions of Table B1 shall apply to all lots
b)	Minimum required <i>lot frontage</i> – 21.3 metres
c)	Minimum required <i>rear yard</i> – 21.3 metres

Exception 8.B	1212763 Ontario Limited	Parent Zone R2-S
File ZA 19 142694		Amending By-law 2021-000

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 2021-____ and denoted by the symbol *B.

8.B.1 Only Permitted Uses

The following uses are the only permitted uses:

a)	<i>Single Detached Dwellings</i>
b)	One (1) <i>Accessory Dwelling Unit</i> per lot
c)	<i>Home Occupations</i>
d)	<i>Home Child Care</i>

8.B.2 Special Zone Standards

The following specific Zone Standards shall apply:

a)	The provisions of Table B3, Part 3 of 3 shall apply to all lots
b)	Minimum required <i>lot frontage</i> – 9.1 metres
c)	Minimum required <i>lot frontage</i> on a <i>corner lot</i> – 11.8 m
d)	Minimum <i>front yard</i> setback – 4 metres
e)	Minimum <i>rear yard</i> setback – 6 metres
f)	Maximum <i>Garage width</i> : i) 5.8 metres for lots having a minimum frontage of 11.6 metres ii) 3.5 m for lots having a minimum lot frontage of less than 11.6 m
g)	Maximum height – 12.5 metres
h)	Non cantilevered window bays are permitted to encroach into a required <i>front, exterior or rear yard</i> provided such window bay extends no more than 0.6 m into the required yard and are no more than 3 metres wide
i)	Notwithstanding Section 6.2.4.2 b) of By-law 28-97, as amended, for lots that are 10.1 metres or greater, a minimum 30% <i>soft landscaping</i> shall be provided in the <i>front or exterior side yard</i> in which the driveway is located

Exception 8.C	1212763 Ontario Limited	Parent Zone R2-S
File ZA 19 142694		Amending By-law 2021-000

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 2021-____ and denoted by the symbol *C.

8.C.1 Only Permitted Uses	
The following uses are the only permitted uses:	
a)	<i>Townhouse Dwellings</i>
b)	One (1) <i>Accessory Dwelling Unit</i> per lot
c)	<i>Home Occupations</i>
d)	<i>Home Child Care</i>
8.C.2 Special Zone Standards	
The following specific Zone Standards shall apply:	
a)	The provisions of Table B3, Part 3 of 3 shall apply to all lots
b)	Minimum required <i>lot frontage</i> - 7.0 metres per unit on an <i>interior lot</i> , 8.10 metres per end unit on an <i>exterior lot</i> or on a <i>corner lot</i>
c)	Maximum <i>height</i> - 12.5 metres
d)	Non cantilevered window bays are permitted to encroach into a required <i>front, exterior or rear yard</i> provided such window bays extend no more than 0.6 m into the required <i>yard</i> and are no more than 3 metres wide.

Exception 8.D	1212763 Ontario Limited	Parent Zone R2-LA
File ZA 19 142694		Amending By-law 2021-000
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 2021-____ and denoted by the symbol *D.		
8.D.1 Only Permitted Uses		
The following uses are the only permitted uses:		
a)	<i>Townhouse Dwellings</i>	
b)	One (1) <i>Accessory Dwelling Unit</i> per lot within a <i>townhouse dwelling</i>	
c)	<i>Home Occupations</i>	
d)	<i>Home Child Care</i>	
8.D.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Special Provision # 2 of Table B4 (Part 2) shall not apply	
b)	Minimum required <i>lot frontage</i> – 6.0 metres	
c)	Minimum required <i>front yard</i> – 3.0 metres	
d)	Minimum required <i>rear yard</i> – 0.6 metres	
e)	<i>Outdoor Amenity Space</i> shall be provided and shall be subject to the following provisions: <ul style="list-style-type: none"> i. The <i>Outdoor Amenity Space</i> shall be located on a rooftop, above a <i>private garage</i>, and/or be located on a <i>balcony</i>; ii. One <i>Outdoor Amenity Space</i> shall have a contiguous minimum area of 20 square metres; iii. Notwithstanding ii) above, no more than two (2) units per building may have a minimum contiguous <i>Outdoor Amenity Space</i> of 15 square metres; and, 	

	iv. The minimum combined <i>Outdoor Amenity Space</i> per unit shall be 25 square metres
f)	The minimum <i>side yard</i> setback shall be 0.30 metres from an <i>interior side lot line</i> created by a utility notch
g)	Maximum height – 14.5 metres
h)	Maximum setback for a garage from laneway – 0.6 metres
i)	Maximum number of <i>townhouse</i> units in a building – 8 units
j)	Non cantilevered window bays are permitted to encroach into a required <i>front, exterior or rear yard</i> provided such window bays extend no more than 0.6 m into the required <i>yard</i> and are no more than 3 metres wide

Exception 8.E	1212763 Ontario Limited	Parent Zone R2-LA
File ZA 19 142694		Amending By-law 2021-000

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 2021-___ and denoted by the symbol *E.

8.E.1 Only Permitted Uses

The following uses are the only permitted uses:

a)	<i>Townhouse Dwellings</i>
b)	One (1) <i>Accessory Dwelling Unit</i> per lot within a <i>townhouse dwelling</i>
c)	<i>Home Occupations</i>
d)	<i>Home Child Care</i>

8.E.2 Special Zone Standards

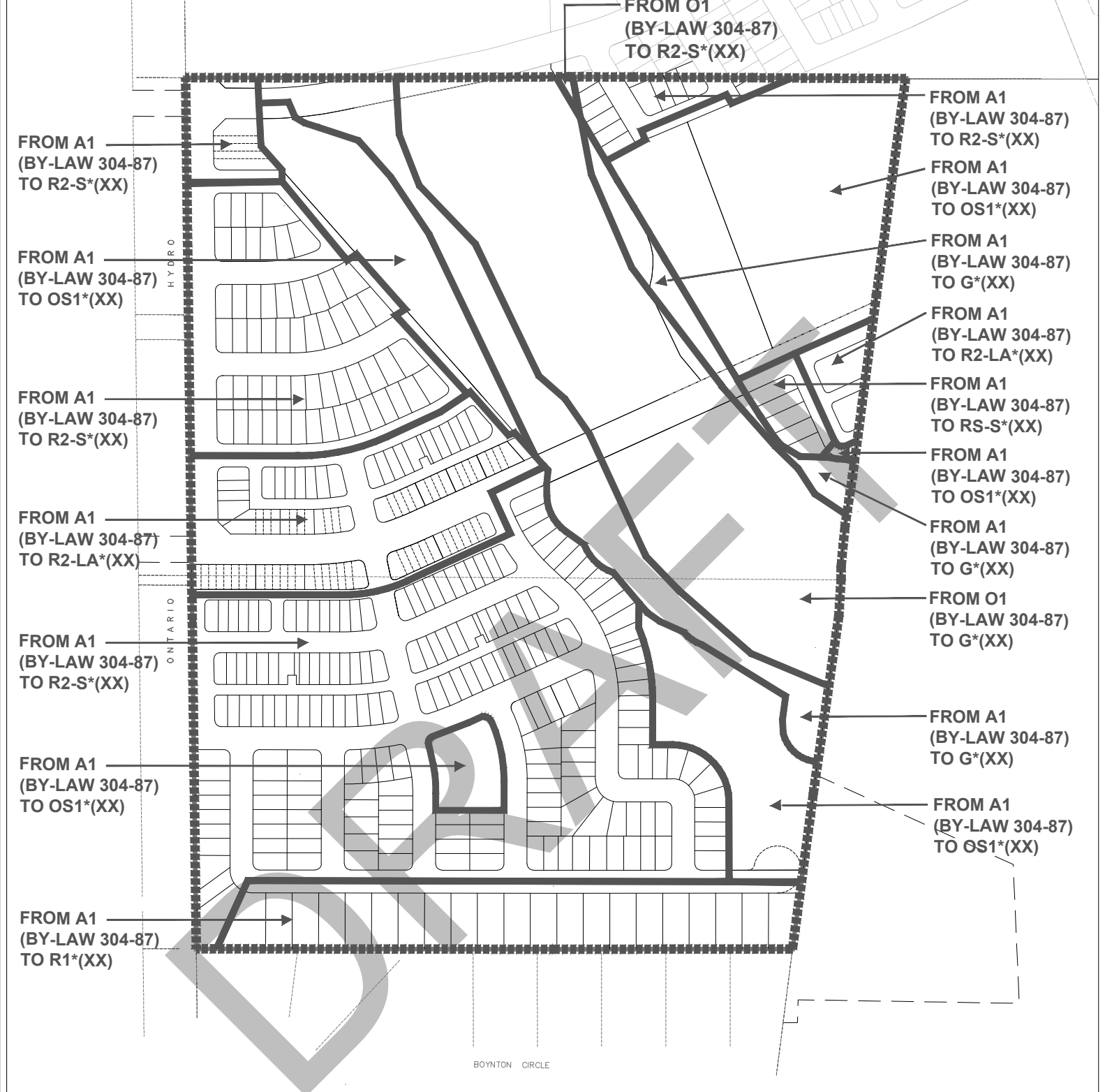
The following specific Zone Standards shall apply:

a)	Special Provision # 2 of Table B4 (Part 2) shall not apply
b)	Minimum lot frontage for <i>townhouse dwellings</i> : <ul style="list-style-type: none"> i) 4.5 metres per unit on an interior lot ii) 5.7m per end unit on an interior lot; iii) 6.9m per end unit on a corner lot.
c)	Minimum required <i>rear yard</i> : <ul style="list-style-type: none"> i) 0.6 metres ii) Any storey above the first storey: 3 metres
d)	<i>Outdoor Amenity Space</i> shall be provided and shall be subject to the following provisions: <ul style="list-style-type: none"> i) The <i>Outdoor Amenity Space</i> shall be located on a rooftop, above a <i>private garage</i>, and/or be located on a balcony; ii) One <i>Outdoor Amenity Space</i> shall have a contiguous minimum area of 20 square metres iii) Notwithstanding any other provisions in this by-law, decks are permitted to be located above the first storey and balconies are not required to be <i>cantilevered</i>
e)	Maximum height – the lesser of 12.5 metres or 3 storeys

f)	Notwithstanding e) above, a portion of a building providing rooftop access is permitted to project above the maximum height, provided the floor area not exceed 12 square metres
g)	Maximum number of <i>townhouse</i> units in a building – 9 units
h)	Non <i>cantilevered</i> window bays are permitted to encroach into a required front, exterior or rear yard provided such window bays extend no more than 0.6 m into the required yard and are no more than 3 metres wide
i)	The minimum <i>side yard</i> setback shall be 0.30 metres from an <i>interior side lot line</i> created by a utility notch
j)	Minimum building setback from a daylighting triangle – 0.6 metres.
k)	The minimum <i>exterior side yard</i> setback for a driveway or parking pad crossing the <i>rear lot line</i> – 1.0 metre

Read a first, second and third time and passed on _____, 20_____.

DRAFT



SCHEDULE "A" TO BY-LAW 2021-XXX

AMENDING BY-LAWS 304-87 AND 177-96 AS DATED

BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

- | | |
|--|--|
| <p>R1 RESIDENTIAL ONE</p> <p>R2-LA RESIDENTIAL TWO - LANE ACCESS</p> <p>R2-S RESIDENTIAL TWO - SPECIAL</p> | <p>OS1 OPEN SPACE ONE</p> <p>G GREENWAY</p> <p>*(No.) EXCEPTION NUMBER</p> |
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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.



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