



BY-LAW 2023-28

A By-law to amend By-law 1229, as amended  
(to delete lands from the designated area of By-law 1229)  
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 1229, as amended, is hereby further amended by deleting the lands shown on Schedule ‘A’ attached hereto, from the designated area of By-law 1229, as amended.
2. That By-law 177-96, as amended, is hereby further amended as follows:

21 By expanding the designated area of By-law 177-96, as amended, to include the lands shown on Schedule ‘A’ attached hereto.

22 By zoning the lands outlined on Schedule ‘A’ attached hereto as follows:

Residential Two\*677 [R2\*677] Zone;  
Residential Two\*678 [R2\*678] Zone; and,  
Greenway\*679 [G\*679]

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

Exception 7.677	Garden Homes (Markham) Inc. Southeast corner of Main Street South and Mill Street (73 Main Street South) Townhouse Dwellings	Parent Zone R2
File ZA 17 157341		Amending By- law 2023-28
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to the lands denoted by the symbol *677 on the schedule to this By-law.		
7.677.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Townhouse Dwellings	
b)	Home Occupations	
c)	Home Child Care	
d)	One (1) Accessory Dwelling unit within a Townhouse Dwelling	
7.677.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Notwithstanding any further division or partition of the land subject to this Section, all lands zoned with Exception *677 shall be deemed to be one lot for the purposes of this By-law.	
b)	For the Purposes of this by-law, the lot lines abutting Main Street S. shall be deemed to be the front lot line.	
c)	Minimum lot frontage – 40 metres	
d)	Minimum required yard: i) Front Yard - 2.0 metres ii) Interior Side Yard – 6 metres iii) Notwithstanding ii) above, southerly interior side yard – 1.8 metres iv) Exterior side yard – 0.0 metres	
e)	Maximum garage width: i) 3.1 m ii) Notwithstanding i) above, a maximum of 7 units are permitted a maximum garage width of 5.5 m	
f)	Maximum height: i) 12 m ii) Within 30 m of the front lot line – 13 m	
g)	Maximum number of townhouse dwelling units – 13	

h)	Retaining Walls may encroach into any required <i>yard</i> .
i)	Minimum outdoor amenity space for a townhouse unit – 11 square metres

Exception 7.678	Garden Homes (Markham) inc. Southeast corner of Main Street South and Mill Street (73 Main Street South) Single Detached Dwelling	Parent Zone R2
File ZA 17 157341		Amending By-law 2023-28
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to the lands denoted by the symbol *678 on the schedule to this By-law.		
7.678.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Single Detached Dwelling	
b)	Home Occupations	
c)	Home Child Care	
d)	One (1) Accessory Dwelling Unit	
7.678.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Minimum lot frontage – 9.15 metres	
b)	Special Provision #4 of Table B2 shall not apply	
c)	Retaining Walls may encroach into any required yard.	
d)	Maximum garage width on a lot that is not accessed by a lane – 5.6 metres;	
e)	Notwithstanding Section 6.2.2.a) to the contrary, for porches that are located in the front yard the floor of any porch that is located between the main wall of a building and a streetline shall extend at least 1.0 metres towards the streetline from the main wall that abuts the porch. Windows, stairs, columns, pier and/or railings associated with the porch are permitted to encroach within this area.	
f)	Section 6.2.4.2.b) of By-law 28-97 shall not apply.	
g)	The maximum driveway width shall be 5.6 metres.	

Exception 7.679	<b>Garden Homes (Markham) inc.</b> <b>Southeast corner of Main Street South and Mill Street (73 Main Street South)</b> <b>Single Detached Dwelling</b>	<b>Parent Zone G</b>
File ZA 17 157341		Amending By-law 2023-XXX
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to the lands denoted by the symbol *679 on the schedule to this By-law.		
<b>7.679.2 Special Zone Standards</b>		
The following special zone standards shall apply:		
a)	Notwithstanding any other provisions within this by-law, private roads or driveways, guide rails, signage, fences, walkways, stairs, retaining walls, hard and soft landscaping, mail boxes, hydrants, light standards, benches, and other services and utilities required for the adjacent residential use are permitted within the G – Greenway Zone.	

Read a first, second and third time and passed on February 8, 2023.

Kimberley Kitteringham  
City Clerk

Michael Chan  
Deputy Mayor



## EXPLANATORY NOTE

### BY-LAW 2023-28

#### **A By-law to amend By-law 1229, as amended**

(to delete lands from the designated area of By-law 1229)

#### **And By-law 177-96, as amended**

(to incorporate lands into the designated area of By-law 177-96)

#### **Garden Homes (Markham) Inc.**

**73 Main Street South**

**Southeast corner of Main Street South and Mill Street**

**File No. ZA 17 157341**

The proposed by-law amendment applies to lands comprising approximately 0.41 hectares (1.01 acres) located at the Southeast corner of Main Street South and Mill Street municipally known as 73 Main Street South

#### **Existing Zoning**

The subject lands are zoned in accordance with By-law 1229, as amended, as follows:

Residential One (R1); and,  
Residential Two (R2)

#### **Purpose and Effect**

The purpose and effect of this By-law is to delete the lands from the designated area of By-law 1229, as amended, incorporate the lands into the designated area of By-law 177-96, as amended, and zone the subject lands to “**Residential Two\*677 [R2\*677] Zone**”, “**Residential Two\*678 [R2\*678] Zone**”, and **Greenway\*679 [G\*679]** with several site specific exceptions in order to facilitate the development of thirteen (13) townhouse dwellings with common element tenure and one (1) freehold single detached dwelling.