



BY-LAW 2023-_____

A By-law to amend By-law 19-94, as amended
(to delete lands from the designated areas of By-law 19-94)
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 19-94, as amended, are hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated areas of By-law 19-94, 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:
Residential Medium Density One - Special (RMD1-S) Zone

to:
Residential Three (R3) Zone
3. By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 7.000	Name of Applicant 8985 Woodbine Avenue	Parent Zone R3
File PLAN 21.139043		Amending By-law 2023-__
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *000 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.000.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Multiple Dwellings	
b)	One (1) Dwelling Unit located above a Private Garage	
c)	Home Occupations	
d)	Home Child Care	
7.000.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	For the purposes of this by-law, the Front Lot Line shall be the lot line abutting Woodbine Avenue	
b)	Maximum number of Dwelling Units - 5	
c)	Minimum Front Yard – 3.9 m	
d)	Minimum north Interior Side Yard – 0.9 m	
e)	Notwithstanding d) above, the minimum north Interior Side Yard within 8 m of the Rear Lot Line shall be 0.2 m.	
f)	Minimum south Interior Side Yard – 7.7 m	
g)	Notwithstanding d) above, the minimum south Interior Side Yard within 19 m of the Rear Lot Line shall be 0.3 m.	
h)	Minimum Rear Yard – 0 m	

i)	Maximum <i>Height</i> – 9.0 m
j)	Notwithstanding i) above, the maximum Height within 8 m of the <i>Rear Lot Line</i> , and 8 m of the north <i>Interior Side Lot Line</i> shall be 7.0 m.
k)	Notwithstanding i) above, the maximum Height within 19 m of the <i>Rear Lot Line</i> , and 8 m of the south <i>Interior Side Lot Line</i> shall be 5.5 m.
l)	Notwithstanding Section 6.6, stairs are permitted to encroach into the north <i>Interior Side Yard</i> , and are permitted to be located 0 m from the north <i>Interior Side Lot Line</i> . Roof Overhangs and eaves may encroach into any required <i>Interior Side Yard</i> , and are permitted to be located 0 m from any <i>lot line</i> .
m)	Notwithstanding Section 6.1.2, amending by-law 28-97, the minimum size of one (1) required <i>Parking Space</i> , located within a <i>Parking Garage</i> – 5.5 m
m)	Section 6.3 shall not apply.

2. SECTION 37 CONTRIBUTION

2.1 A contribution by the Owner to the City of \$____.00 per residential unit in 2017 dollars, based on the total number of units, 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 and first, second and third time and passed on _____, 2023.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2023-____

A By-law to amend By-laws 19-94 and 177-96, as amended

**SC Property Investment Holdings (Sue Chen) c/o Galbraith & Associates Inc.
(Susan Mintz)
CON 4 PT LOT 14
8985 Woodbine Avenue
PLAN 21.139043**

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 0.1 hectares (0.25 acres), located on the east side of Woodbine Avenue in the Buttonville Heritage Conservation District, and occupied by a heritage dwelling known as the William Sutton House.

Existing Zoning

The subject lands are zoned Residential Medium Density One-Special (RMD1-S) Zone under By-law 177-96, as amended.

Purpose and Effect

The purpose and effect of this By-law is to rezone the subject lands under By-law 177-96, as amended as follows:

from:

Residential Medium Density One - Special (RMD1-S) Zone

to:

Residential Three (R3) Zone;

in order to permit a residential development on the lands.

Note Regarding Further Planning Applications on this Property

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.