

## **EXPLANATORY NOTE**

### **BY-LAW NO. 2024-XX**

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

**TH (Warden) Developments Inc.**

**10506 and 10508 Warden Avenue**

**South of Elgin Mills Road East, West of Warden Avenue**

### **Lands Affected**

The Subject Lands have an area of approximately 20.22 hectares and are located south of Elgin Mills Road, west of Warden Avenue, north of Major Mackenzie Drive and east of an existing residential subdivision, municipally known as 10506 and 10508 Warden Avenue. The lands are currently used for agricultural and rural residential purposes.

### **Existing Zoning**

The Subject Lands are zoned “Agriculture One Zone (A1)” 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 as follows:

- Residential Two – Special \*739 (R2-S\*739) Zone
- Residential Two – Lane Access \*740 (R2-LA\*740) Zone
- Community Amenity Two \*741 (Hold) (CA2\*741)(H1)
- Community Amenity Two \*742 (Hold) (H2) (CA2\*742(H1)(H2)
- Community Amenity Two \*743 (Hold) (CA2\*743)(H1)
- Open Space Two \*744 (OS2\*744) and;
- Open Space One (OS1) Zone

in order to facilitate the development of a residential plan of subdivision including the introduction of site-specific development standards for medium and high-density blocks, rear lane townhouses, back-to-back townhouses, a school block, a park block, and a park block with a below grade stormwater management facility uses.



**BY-LAW 2024-\_\_\_\_**

**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 (By-law 304-87)**

to:

**Residential Two-Special \*739 (R2-S\*739) Zone (By-law 177-96)**  
**Residential Two-Lane Access \*740 (R2-LA\*740) Zone (By-law 177-96)**  
**Community Amenity Two \*741 (CA2\*741)(H1) Zone (By-law 177-96)**  
**Community Amenity Two \*742 (CA2\*742)(H1)(H2) Zone (By-law 177-96)**  
**Community Amenity Two \*743 (CA2\*743)(H1) Zone (By-law 177-96)**  
**Open Space Two \*744 (OS2\*744)**  
**Open Space One (OS1)**
3. By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 7.739	TH (Warden) Developments Inc. 10506 and 10508 Warden Avenue	Parent Zone R2-S
File PLAN 22 265291		Amending By-law 2024-000
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands shown on Schedule 'A' attached to By-law 2024-XX and denoted by the symbol *739.		
7.739.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Townhouse dwellings	
b)	Home Occupation	
c)	Home Child Care	
7.739.2 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 rear yard – 0 metres	
c)	Minimum required lot frontage: i) 6.7 metres on an interior lot ii) 8.1 metres on an interior end unit or a corner lot	
d)	Notwithstanding the definition of townhouse dwelling, units are not required to provide direct access to the rear yard	
e)	Townhouse dwellings must share a common wall above grade with a townhouse dwelling to the rear	
f)	The total combined number of townhouse dwelling units, apartment dwellings units, and multiple dwelling units, zoned: R2-S*739 R2-LA*740 CA2*741 CA2*742 CA2*743 shall not exceed 1,443.	
g)	Maximum number of dwelling units in a building – 12 units	
h)	Maximum height – the lesser of 13.5 metres or 3 storeys	
i)	Maximum garage width on a lot that is not accessed by a lane – 3.5 metres	
j)	Maximum garage door width – 50% of the building façade	
k)	Notwithstanding h) above, a portion of a building providing rooftop access is permitted to project above the maximum height, provided the gross floor area of the rooftop access does not exceed 12 square metres. This rooftop access shall not be considered an additional storey.	
l)	Non-cantilevered window bays are permitted to encroach into a required front yard or exterior side yard provided such window bays extend no more than 0.6 m into the required yard and are no more than 3 metres wide.	

m)	<p><i>Outdoor amenity space</i> shall be provided and shall be subject to the following provisions:</p> <ul style="list-style-type: none"> <li>i) Minimum combined <i>outdoor amenity space</i> per unit on an <i>interior lot</i>: 15 square metres;</li> <li>ii) One <i>outdoor amenity space</i> on an <i>interior lot</i> shall have a contiguous minimum area of 12 square metres;</li> <li>iii) One <i>outdoor amenity space</i> on an end unit on an <i>interior lot</i>, or end unit on a <i>corner lot</i> shall have a contiguous minimum area of 15 square metres;</li> <li>iv) The <i>outdoor amenity space</i> may be located on a rooftop, above a <i>private garage</i>, and/or on a <i>balcony</i>; and</li> <li>v) For the purposes of this By-law, the <i>outdoor amenity space</i> may include steps, partitions, railings, air conditioner units, and planters.</li> <li>vi) Notwithstanding any other provisions in this By-law, <i>decks</i> are permitted to be located above the <i>first storey</i> and <i>balconies</i> are not required to be cantilevered.</li> </ul>
n)	Notwithstanding Section 6.2.4.2 b) of By-law 28-97, as amended, for <i>lots</i> with a <i>frontage</i> of less than 10.1 metres, a minimum 20% <i>soft landscaping</i> shall be provided in the <i>front</i> or <i>exterior side yard</i> in which the <i>driveway</i> is located.

Exception 7.740	TH (Warden) Developments Inc. 10506 and 10508 Warden Avenue	Parent Zone R2-LA
File PLAN 22 265291		Amending By-law 2024-000
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands shown on Schedule 'A' attached to By-law 2024-XX and denoted by the symbol *740.		
7.740.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Townhouse dwellings	
b)	One (1) Accessory Dwelling Unit within a Townhouse Dwelling	
c)	Home Occupation	
d)	Home Child Care	
7.740.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Minimum required lot frontage: i. 4.5 m per unit on an interior lot ii. 5.8 m for an end unit on an interior lot iii. 7.0 m for an end unit on a corner lot	
b)	Maximum number of townhouse dwelling units in a building – 8 units	
c)	The total combined number of townhouse dwelling units, apartment dwellings units, and multiple dwelling units, zoned: R2-S*739	

	<p>R2-LA*740 CA2*741 CA2*742 CA2*743</p> <p>shall not exceed 1,443.</p>
d)	<p>Minimum required <i>rear yard</i> to a <i>dwelling unit</i>:</p> <ul style="list-style-type: none"> <li>i. with attached <i>private garage</i> <ul style="list-style-type: none"> <li>a) 0.6 metres for the <i>first storey</i></li> <li>b) 3 metres for any <i>storey</i> above the <i>first storey</i></li> </ul> </li> <li>ii. with detached <i>private garage</i> – 11.6 metres</li> </ul>
e)	Minimum <i>side yard</i> setback from an <i>interior side lot line</i> created by a utility or snow storage notch – 2.4 metres
f)	Maximum <i>height</i> – the lesser of 13.5 metres or 3 <i>storeys</i>
g)	Notwithstanding e) above, a portion of a <i>building</i> providing rooftop access is permitted to project above the maximum <i>height</i> , provided the floor area of the rooftop access does not exceed 12 square metres. This rooftop access shall not be considered an additional <i>storey</i> .
h)	<p><i>Outdoor amenity space</i> shall be provided and shall be subject to the following provisions:</p> <ul style="list-style-type: none"> <li>i. Minimum combined <i>outdoor amenity space</i> per unit on an <i>interior lot</i>: 18 square metres;</li> <li>ii. One <i>outdoor amenity space</i> on an <i>interior lot</i> shall have a contiguous minimum area of 15 square metres;</li> <li>iii. One <i>outdoor amenity space</i> on an end unit on an <i>interior lot</i>, or end unit on a <i>corner lot</i> shall have a contiguous minimum area of 18 square metres;</li> <li>iv. The <i>outdoor amenity space</i> may be located on a rooftop, above a <i>private garage</i>, and/or be located on a <i>balcony</i>; and</li> <li>v. For the purposes of this By-law, the <i>outdoor amenity space</i> may include steps, partitions, railings, air conditioner units, and planters.</li> <li>vi. Notwithstanding any other provisions in this By-law, <i>decks</i> are permitted to be located above the <i>first storey</i> and <i>balconies</i> are not required to be cantilevered.</li> </ul>
i)	<i>Porches</i> and <i>balconies</i> may encroach into a required <i>front yard</i> or <i>exterior side yard</i> provided that no part of the stairs is located closer than 0.3 metres from the <i>front lot line</i> or <i>exterior side lot line</i> .
j)	<i>Balconies</i> may encroach into a <i>rear yard</i> a distance of no more than 2.4 metres.
k)	Notwithstanding Section 3.0, Table A of By-law 28-97, where an <i>accessory dwelling unit</i> is provided on a <i>lot</i> , the minimum number of <i>parking spaces</i> required for a <i>townhouse dwelling</i> shall be one <i>parking space</i> per unit.

Exception 7.741	TH (Warden) Developments Inc. 10506 and 10508 Warden Avenue	Parent Zone CA2
File PLAN 22 265291		Amending By-law 2024-000
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands shown on Schedule 'A' attached to By-law 2024-XX and denoted by the symbol *741.		
7.741.1 Only Permitted Uses		
The following uses are the only permitted uses:		
	Residential Uses	
a)	Apartment Dwellings	
b)	Multiple Dwellings	
c)	Home Child Care	
d)	Home Occupations	
7.741.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Notwithstanding any further division or partition of land subject to this Section, all lands zoned with Exception *741 shall be deemed one lot for the purposes of this By-law.	
b)	For the purposes of this By-law, the northern lot line shall be deemed to be the front lot line.	
c)	Minimum required yards: i. Front yard – 4.5 metres ii. Rear yard – 3.0 metres iii. Exterior side yard – 3.0 metres	
d)	Provisions DD, EE, FF, and Special Provision #15 of Table B7 (Part 2 of 4) shall not apply.	
e)	Multiple Dwelling minimum unit width for any storey above the first storey – 6.0 metres	
f)	Multiple dwellings in the form of stacked back-to-back townhouses are permitted.	
g)	For the purposes of this By-law, the following provisions shall apply: i. Maximum number of dwelling units – 210 units ii. Notwithstanding i) above, the total combined number of townhouse dwelling units, apartment dwellings units, and multiple dwelling units, zoned: R2-S*739 R2-LA*740 CA2*741 CA2*742 CA2*743 shall not exceed 1,443.	
h)	Maximum building height – the lesser of 6 storeys or 20 metres	

i)	<p>Private <i>outdoor amenity space</i> shall be provided and shall be subject to the following provisions:</p> <ul style="list-style-type: none"> <li>i. Minimum combined private <i>outdoor amenity space</i> per <i>dwelling unit</i>: 11 square metres;</li> <li>ii. Minimum contiguous <i>outdoor amenity space</i> per <i>dwelling unit</i>: 8 square metres and shall have a minimum depth of 2.5 metres;</li> <li>iii. Private <i>outdoor amenity space</i> may be located on a rooftop, above a <i>private garage</i>, and/or be located on a <i>balcony</i>; and</li> <li>iv. For the purposes of this By-law, the <i>outdoor amenity space</i> may include steps, partitions, railings, air conditioner units, and planters.</li> </ul>
j)	<p>Notwithstanding By-law 28-97, for the purposes of this By-law, the following parking provisions apply:</p> <ul style="list-style-type: none"> <li>i. Minimum <i>parking space</i> required per <i>dwelling unit</i> – 1.0 <i>parking space</i>; and</li> <li>ii. Minimum visitor <i>parking space</i> required per <i>dwelling unit</i> – 0.25 <i>parking space</i>.</li> </ul>
k)	<p>Minimum bicycle parking space requirements:</p> <ul style="list-style-type: none"> <li>i. Long-term bicycle parking space: 1.0 spaces per <i>dwelling unit</i>; and</li> <li>ii. Short-term bicycle parking space: 0.1 spaces per <i>dwelling unit</i></li> </ul>
l)	<p>For the purpose of this By-law, a bicycle parking space means space that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle where:</p> <ul style="list-style-type: none"> <li>i. A long-term bicycle parking space means a bicycle parking space within a <i>building</i> or <i>structure</i> designed for use by the residents or occupants of a <i>building</i>; and</li> <li>ii. A short-term bicycle parking space, means a bicycle parking space located in a publicly accessible indoor or outdoor facility and is available for use by the general public.</li> </ul>
m)	Minimum required setback from a daylighting triangle – 1.8 metres
o)	Porches, stairs, balconies and/or landings used to access a main building are permitted to encroach into the required <i>front yard</i> provided they are not closer than 2.0 metres from the <i>lot line</i> .
p)	Porches, stairs, balconies and/or landings used to access a main building are permitted to encroach into the required <i>exterior side yard</i> and <i>rear yard</i> provided they are not closer than 1.0 metre from the <i>lot line</i> .

Exception 7.742	TH (Warden) Developments Inc. 10506 and 10508 Warden Avenue	Parent Zone CA2
File PLAN 22 265291		Amending By-law 2024-000
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands shown on Schedule 'A' attached to By-law 2024-XX and denoted by the symbol *742.		
7.742.1 Only Permitted Uses		
The following uses are the only permitted uses:		
	Residential Uses	
a)	Apartment Dwellings	
b)	Home Occupations	
	Non-Residential Uses	
c)	Retail store	
d)	Child Care Centre	
e)	Commercial Fitness Centre	
f)	Art Gallery	
g)	Parking Garage	
h)	Financial Institutions	
i)	Medical Office	
j)	Business Office	
k)	Personal Service Shop	
l)	Place of Worship	
m)	Restaurant	
n)	Private School	
o)	Public School	
p)	Commercial School	
q)	Supermarket	
r)	Veterinary Clinic	
7.742.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Notwithstanding any further division or partition of land subject to this Section, all lands zoned with Exception *742 shall be deemed one lot for the purposes of this By-law.	
b)	For the purposes of this By-law, the eastern lot line shall be deemed to be the front lot line.	
c)	For the purpose of this By-law, the following definitions shall apply: i. Podium means the base or lower portion of a multi-storey building, which is located above average grade, and is measured from average grade to the maximum podium height as set out in the	



	<p>applicable zone. A <i>podium</i> may or may not have a <i>Point Tower</i> projecting above it.</p> <p>ii. <i>Point Tower</i> means portions of a <i>building</i> that projects above a <i>podium</i>.</p>
d)	Provisions DD and FF of Table B7 (Part 2 of 4) shall not apply.
e)	<p>Minimum required <i>yards</i>:</p> <p>i. <i>Front yard</i> – 4.5 metres</p> <p>ii. <i>Rear yard</i> – 3.0 metres</p> <p>iii. <i>Exterior side yard</i> – 4.5 metres</p> <p>iv. <i>Interior side yard</i> – 6.0 metres</p>
f)	<i>Place of worship, public schools, or private schools</i> are only permitted within a multi-storey non-residential or mixed-use <i>apartment building</i>
g)	Non-residential uses shall be provided on the ground floor or a portion of the ground floor of a building
h)	The maximum <i>net floor area</i> permitted for individual <i>retail store, supermarket, or personal service shop</i> premises is 2,000 square metres
i)	<p>For the purposes of this By-law, the following provisions shall apply:</p> <p>i. Maximum number of <i>units</i> – 850 <i>units</i></p> <p>ii. Notwithstanding i) above, the total combined number of townhouse dwelling units, apartment dwellings units, and multiple dwelling units, zoned:</p> <p style="padding-left: 40px;">R2-S*739</p> <p style="padding-left: 40px;">R2-LA*740</p> <p style="padding-left: 40px;">CA2*741</p> <p style="padding-left: 40px;">CA2*742</p> <p style="padding-left: 40px;">CA2*743</p> <p style="padding-left: 40px;">shall not exceed 1,443.</p>
j)	Maximum <i>height</i> – the lesser of 19 <i>storeys</i> or 59 metres
k)	Maximum <i>podium height</i> – 6 <i>storeys</i> or 19.5 metres
l)	The maximum <i>point tower</i> floorplate shall be 800 square metres of <i>gross floor area</i>
m)	The minimum <i>point tower</i> separation distance is 30 metres

Exception 7.743	TH (Warden) Developments Inc. 10506 and 10508 Warden Avenue	Parent Zone CA2
File PLAN 22 265291		Amending By-law 2024-000
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands shown on Schedule 'A' attached to By-law 2022-XX and denoted by the symbol *743.		
<b>7.743.1 Only Permitted Uses</b>		
The following uses are the only permitted uses:		

	<b>Residential Uses</b>
a)	<i>Apartment Dwelling</i>
b)	<i>Multiple Dwelling</i>
c)	<i>Home Occupations</i>
	<b>Non-Residential Uses</b>
d)	<i>Long-Term Care Facility</i>
e)	<i>Retirement Home</i>
f)	<i>Nursing Home</i>
g)	<i>Retail store</i>
h)	<i>Child Care Centre</i>
i)	<i>Commercial Fitness Centre</i>
j)	<i>Art Gallery</i>
k)	<i>Parking Garage</i>
l)	<i>Financial Institution</i>
m)	<i>Medical Office</i>
n)	<i>Business Office</i>
o)	<i>Personal Service Shop</i>
p)	<i>Place of worship</i>
q)	<i>Restaurant</i>
r)	<i>Private School</i>
s)	<i>Public school</i>
t)	<i>Commercial School</i>
u)	<i>Supermarket</i>
v)	<i>Veterinary Clinic</i>
<b>7.743.2 Special Zone Standards</b>	
The following specific Zone Standards shall apply:	
a)	Notwithstanding any further division or partition of land subject to this Section, all lands zoned with Exception *743 shall be deemed one <i>lot</i> for the purposes of this By-law.
b)	For the purposes of this By-law, the eastern <i>lot line</i> shall be deemed to be the front <i>lot line</i> .
c)	Minimum required yards: <ul style="list-style-type: none"> <li>i. <i>Front yard – 4.5 metres</i></li> <li>ii. <i>Rear yard – 3.0 metres</i></li> <li>iii. <i>Exterior side yard – 3.0 metres</i></li> <li>iv. <i>Interior side yard – 4.5 metres</i></li> </ul>
d)	Provisions DD, EE, FF and Special Provision #15 of Table B7 (Part 2 of 4) shall not apply.
e)	Porches, stairs, balconies and/or landings used to access a main building are permitted to encroach into the required <i>front yard</i> provided they are not closer than 2.0 metres from the <i>lot line</i> .

f)	Porches, stairs, balconies and/or landings used to access a main building are permitted to encroach into the required <i>exterior side yard</i> and <i>rear yard</i> provided they are not closer than 1.0 metre from the <i>lot line</i> .
g)	Porches, stairs and/or landings used to access a main building are permitted to encroach into the required <i>interior side yard</i> provided they are not closer than 2.5 metres from the <i>lot line</i> .
h)	For the purposes of this By-law, the following provisions shall apply: <ul style="list-style-type: none"> <li>i. Maximum number of <i>dwelling units</i> – 160 units</li> <li>ii. Notwithstanding i) above, the total combined number of townhouse dwelling units, apartment dwellings units, and multiple dwelling units, zoned: <ul style="list-style-type: none"> <li>R2-S*739</li> <li>R2-LA*740</li> <li>CA2*741</li> <li>CA2*742</li> <li>CA2*743</li> </ul> shall not exceed 1,443. </li> </ul>
i)	<i>Multiple Dwelling</i> minimum unit width for any <i>storey</i> above the first <i>storey</i> – 6.0 metres
j)	<i>Multiple dwellings</i> in the form of stacked back-to-back townhouses are permitted.
k)	Maximum <i>height</i> for a <i>building</i> fronting onto an arterial road – the lesser of 8 <i>storeys</i> or 30 metres
l)	Maximum <i>height</i> for a <i>building</i> that does not front onto an arterial road – the lesser of 6 <i>storeys</i> or 20 metres
m)	Private <i>outdoor amenity space</i> shall be provided and shall be subject to the following provisions: <ul style="list-style-type: none"> <li>i. Minimum combined private <i>outdoor amenity space</i> per <i>dwelling unit</i>: 11 square metres;</li> <li>ii. Minimum contiguous <i>outdoor amenity space</i> per <i>dwelling unit</i>: 8 square metres and shall have a minimum depth of 2.5 metres; and</li> <li>iii. Private <i>outdoor amenity space</i> may be located on a rooftop, above a <i>private garage</i>, and/or be located on a <i>balcony</i>; and</li> <li>iv. For the purposes of this By-law, the <i>outdoor amenity space</i> may include steps, partitions, railings, air conditioner <i>units</i>, and planters.</li> </ul>
n)	Notwithstanding By-law 28-97, for the purposes of this By-law, the following parking provisions apply: <ul style="list-style-type: none"> <li>i. Minimum <i>parking space</i> required per dwelling unit – 1.0 <i>parking space</i>; and</li> <li>ii. Minimum visitor <i>parking space</i> required per dwelling unit – 0.25 <i>parking space</i>.</li> </ul>
o)	Minimum bicycle parking space requirements: <ul style="list-style-type: none"> <li>i. Long-term bicycle parking space: 1.0 spaces per <i>dwelling unit</i>; and</li> </ul>

	ii. Short-term bicycle parking space: 0.1 spaces per <i>dwelling unit</i>
p)	For the purpose of this By-law, a bicycle parking space means space that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle where: <ul style="list-style-type: none"> <li>i. A long-term bicycle parking space means a bicycle parking space within a <i>building</i> or <i>structure</i> designed for use by the residents or occupants of a <i>building</i>; and</li> <li>ii. A short-term bicycle parking space, means a bicycle parking space located in a publicly accessible indoor or outdoor facility and is available for use by the general public.</li> </ul>
q)	Minimum required setback from a daylighting triangle – 1.8 metres

Exception 7.744	TH (Warden) Developments Inc. 10506 and 10508 Warden Avenue	Parent Zone OS2
File PLAN 22 265291		Amending By-law 2024-000
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands shown on Schedule 'A' attached to By-law 2024-XX and denoted by the symbol *744.		
<b>7.744.1 Special Zone Standards</b>		
The following specific Zone Standards shall apply:		
a)	Maximum <i>height</i> – the lesser of 4 <i>storeys</i> or 20 metres	

## HOLDING PROVISION

3.1.1 For the purpose of this By-law, a Holding (H1) provision is hereby established and is identified on Schedule 'A' attached hereto by the letter (H1) in parenthesis following the zoning symbols.

3.1.2 No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H1) provision for the purpose permitted under this By-law until amendment(s) to this By-law to remove the letter (H1) have come into effect pursuant to the provisions of Section 36 of the *Planning Act*.

3.1.3 A Zoning By-law Amendment to remove the Holding (H1) symbol from the lands shown on Schedule "A" shall not be passed until the following conditions have been met:

- a) The Owner shall submit a Watermain Analysis to the City to determine whether upgrades are required for the development to the satisfaction of the Director of Engineering. If the Watermain

Analysis recommends watermain upgrades are necessary to accommodate to the proposed development, the Owner agrees to execute a construction agreement with the City at no cost to the City, provide financial securities, submit detailed engineering drawings, pay the required fees in accordance with the latest Fee By-Law, provide insurance, etc. as required, to the satisfaction of the Director of Engineering.

- b) Alternatively, the Owner agrees to provide the required proportionate financial contribution for the watermain upgrades to the City, if the proposed watermain upgrades are to be constructed by the City, to the satisfaction of the Director of Engineering.

3.2.1 For the purpose of this By-law, a Holding (H2) provision is hereby established and is identified on Schedule 'A' attached hereto by the letter (H1) in parenthesis following the zoning symbols.

3.2.2 No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H2) provision for the purpose permitted under this By-law until amendment(s) to this By-law to remove the letter (H1) have come into effect pursuant to the provisions of Section 36 of the Planning Act.

3.2.3 A Zoning By-law Amendment to remove the Holding (H2) symbol from the lands shown on Schedule "A" shall not be passed until the following conditions have been met:

- a) The Owner shall submit a Sanitary Capacity Analysis to the City to determine whether upgrades may be required for the development to the satisfaction of the Director of Engineering. If the Sanitary Capacity Analysis recommends any sanitary sewer upgrades/improvements necessary to accommodate the proposed development, the Owner agrees to execute a construction agreement with the City at no cost to the City, provide financial securities, submit detailed engineering drawings, pay required fees in accordance with the latest Fee By-Law, provide insurance, etc. as required, to the satisfaction of the Director of Engineering.
- b) Alternatively, the Owner agrees to provide the required proportionate financial contribution for the sanitary sewer upgrades to the City, if the proposed sanitary sewer upgrades are to be constructed by the City, to the satisfaction of the Director of Engineering.

Read a first, second and third time and passed on \_\_\_\_\_, 2024.

\_\_\_\_\_

Kimberley Kitteringham  
City Clerk

Frank Scarpitti  
Mayor