



## **Explanatory Note**

**By-law 2015-116**

**A By-law to amend By-law 118-79, as amended**

**Times Group Inc.**

**4002 - 4022 Highway 7**

**Part Lot 10 Concession 5**

### **Lands Affected**

The proposed by-law amendment applies to approximately 1.2 hectares of land in Part of Lot 10, Concession 5, located at the north-east corner of Highway 7 East and Village Parkway.

### **Existing Zoning**

The subject lands are zoned “Second Density – High Density Residential (Hold) [RHD2(H)] by By-law 118-79, as amended. This zoning permits the lands to be used for a maximum of 393 apartment dwellings in building(s) up to 8 storeys in height and a maximum of 12 townhouse dwelling units.

### **Purpose and Effect**

The purpose and effect of this by-law is to amend the zoning of the subject lands to increase in the number of townhouses permitted from 12 to 56.

The Owner is proposing to develop the lands with a total of 56 townhouses and no apartments.



## BY-LAW 2015-116

### A By-law to amend 118-79, as amended

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

THAT By-law 118-79, as amended by By-law 273-94 and By-law 2013-148, is hereby further amended as it applies to the lands outlined on Schedule 'A' attached hereto, as follows:

- 1.1 By deleting Subsection 1.2.2 of By-law 273-94, as amended by By-law 2013-148, and replacing it with the following:

**“1.2.2 Permitted Uses**

No person shall hereafter change the use of any BUILDING, STRUCTURE or land, nor ERECT and use any BUILDING or STRUCTURE in the SECOND DENSITY – HIGH DENSITY RESIDENTIAL (RHD2) ZONE except for the following uses:

A maximum of 405 DWELLING UNITS. A maximum of 56 of the DWELLING UNITS may be TOWNHOUSE DWELLING UNITS. A maximum of 393 of the DWELING UNITS may be APARTMENT DWELLING UNITS, exclusive of GUEST SUITES. For the purposes of this section, STREET TOWNHOUSE DWELLINGS shall be considered TOWNHOUSE DWELLINGS.”

- 1.2 By deleting Subsection 1.2.3(c) of By-law 273-94, as amended by By-law 2013-148, and replacing it with the following:

**“(c) Minimum Yards and Setbacks**

**APARTMENT DWELLINGS:**

- 2 metres from any STREET LINE, except where any part of any DWELLING UNIT within the FIRST STOREY of a building is located within 10 metres of the STREET LINE, the minimum BUILDING SETBACK shall be 3 metres. Notwithstanding the above, a maximum of 25% of the length of the wall facing the STREET LINE may be located no closer than 0.3 metres from the STREET LINE.
- 3.5 metres from any other LOT LINE.
- 10 metres from any TOWNHOUSE DWELLING.

**TOWNHOUSE DWELLINGS:**

- 3 metres from any STREET LINE.
- 3 metres from any other LOT LINE.
- 10 metres from any APARTMENT DWELLING.

In addition to the provisions of Section 5.7, the following STRUCTURES may project a maximum of 2 metres into any required YARD: canopies, cantilevered window bays, garden walls, porches, steps, stoops, underground cold cellars located entirely underneath roofed porches, and trellises.”

- 1.3 By deleting Subsections 1.2.3(e) of By-law 273-94, as amended by By-law 2013-148 and replacing it with the following:

**“(e) Building Height**

- APARTMENT DWELLINGS – the maximum BUILDING HEIGHT shall be the lesser of 8 storeys or 210.00 Canadian Geodetic Datum.
- TOWNHOUSE DWELLINGS:
  - Within 25 metres of the LOT LINE adjacent to Highway 7, an interior unit of a TOWNHOUSE DWELLING shall be either 4 or 5 storeys;
  - Within 25 metres of the LOT LINE adjacent to Highway 7, the end unit of a TOWNHOUSE DWELLING shall not be less than 3 storeys or greater than 5 storeys;
  - Remainder of LOT – the maximum BUILDING HEIGHT shall be 13 metres.

Any ornamental roof construction features including towers, landscaping features, steeples or cupolas, shall not be included in the calculation of height. Mechanical features, such as structures containing the equipment necessary to control an elevator, are permitted to project to a maximum of 5.0 metres above the highest point of the roof surface, regardless of the height of the building.”

Read a first, second, and third time on June 23, 2015.

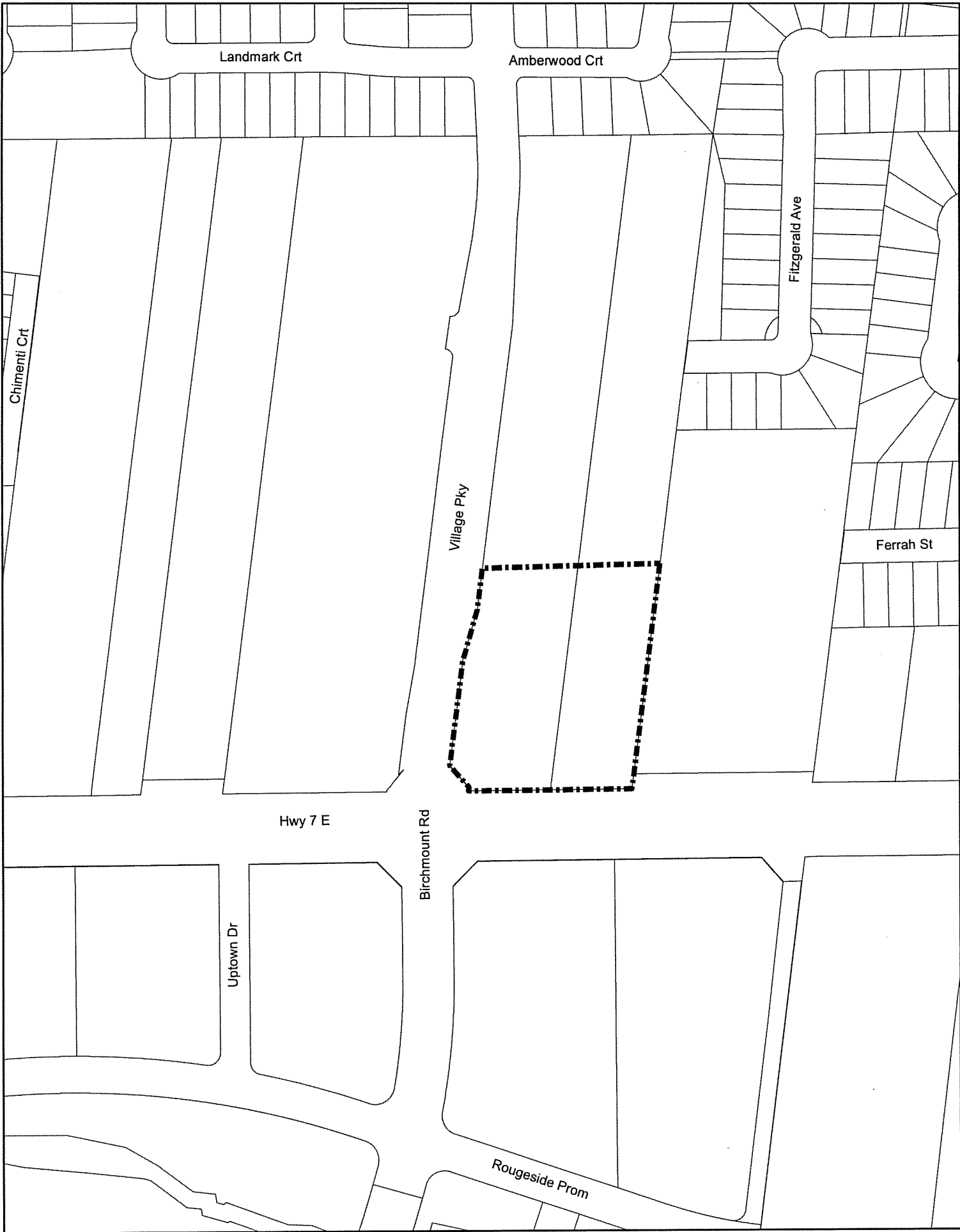
Signed, sealed and passed on November 2, 2015.



Kimberley Kitteringham  
City Clerk



Frank Scarpitti  
Mayor



# SCHEDULE "A" TO BY-LAW 2015-116

## AMENDING BY-LAW 118-79 DATED NOVEMBER 2, 2015



 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

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