



EXPLANATORY NOTE

BY-LAW 2015-121

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

Kylemore Communities (Yorkton) Limited

9350 to 9392 Kennedy Road

Plan 19TM-14009

Lands Affected

The proposed by-law amendment applies to 4.48 hectares (11.07 acres) of land on the west side of Kennedy Road north of 16th Avenue in the Angus Glen Planning District (PD No. 31).

Existing Zoning

The property is zoned Commercial Recreational Zone (CR) and Residential Zone (RR1) under By-law 304-87, as amended.

Purpose and Effect

The purpose and effect of this By-law is to amend By-law 304-87, as amended, by deleting the subject property from the designated area of By-law 304-87, as amended, to amend By-law 177-96, as amended, to include the subject property in the designated area of By-law 177-96, as amended, and to zone the lands to permit a townhouse development, a Public Park and the retention of a single detached Heritage dwelling.



BY-LAW 2015-121

A By-law to amend By-laws 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)

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 amended by deleting the lands shown on Schedule 'A' attached hereto from the designated area of By-law 304-87, as amended.
2. 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 the lands as shown on Schedule 'A' attached hereto.
 - 2.2 By rezoning the lands:
 - (i) from Rural Residential One Zone (RR1) under By-law 304-87 to Residential One R1-F15*537 under By-law 177-96;
 - (ii) from Commercial Recreational Zone (CR) and Rural Residential One Zone (RR1) under By-law 304-87 to Residential Two R2*538 and R2*539 under By-law 177-96;
 - (iii) from Commercial Recreational Zone (CR) and Rural Residential One Zone (RR1) under By-law 304-87 to Residential Two Hold Zone [R2*539(H)] under By-law 177-96;
 - (iv) from Rural Residential One Zone (RR1) under By-law 304-87 to Open Space One (OS1) under By-law 177-96; and
 - (v) from Commercial Recreational Zone (CR) and Rural Residential One Zone (RR1) under By-law 304-87 to Open Space One (OS1) under By-law 177-96,

as shown on Schedule 'A' attached hereto.

- 2.3 By adding the following subsection to Section 7 – EXCEPTIONS:

**“7.537 Kylemore Communities (Yorkton) Limited
Plan 19TM-14009**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *537 as shown on 'Schedule A' to this By-law subject to any holding provisions applying to the subject lands. All other provisions of By-law 177-96, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.537.1 Specific Zone Standards

The following specific Zone Standards apply:

- a) Minimum required *front yard* – 0.7 metres.

**7.538 Kylemore Communities (Yorkton) Limited
Plan 19TM-14009**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *538 as shown on 'Schedule A' to this By-law subject to any holding provisions applying to the subject lands. All other provisions of By-law 177-96, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.538.1 Special Zone Standards

The following additional provisions apply:

- a) For the purpose of this By-law, all lands zoned R2*538 shall be deemed to be one lot;
- b) Maximum number of dwelling units – 46;
- c) Minimum width of a *townhouse dwelling unit*:
 - (i) interior unit – 4.57 metres;
 - (ii) end unit – 5.75 metres;
- d) Minimum setback to the *streetline* of a *public street*:
 - (i) Kennedy Road – 6.0 metres;
 - (ii) All other *public streets* – 3.0 metres;
- e) Minimum required setback:
 - (i) Northern side yard setback – 7.5 metres;
 - (ii) Eastern side yard setback – 1.2 metres;
 - (iii) Setback from an OS1 zone – 1.2 metres;
- f) Maximum garage door width – 5.5 metres;
- g) Maximum *driveway* width – 5.5 metres;
- h) The maximum garage width provisions shall not apply;
- i) The main wall of a *dwelling unit* shall be setback a minimum of 4.7 metres from the *centre-line* of a *private street*;
- j) The *main wall* of a an attached *private garage* that contains an opening for motor vehicle access shall be setback a minimum of 9.3 metres from the *centreline* of a *private street*;
- k) The *main wall* of a an attached *private garage* that contains an opening for motor vehicle access shall be setback a minimum of 9.3 metres from the *centreline* of a *private street*;
- l) Maximum *height* of the finished floor from the *established grade* along the front door or *porch* of a *dwelling unit* – 1.2 metres
- m) *Accessory buildings* are not permitted.

**7.539 Kylemore Communities (Yorkton) Limited
Plan 19TM-14009**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *539 as shown on 'Schedule A' to this By-law subject to any holding provisions applying to the subject lands. All other provisions of By-law 177-96, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.539.1 Special Zone Standards

The following additional provisions apply:

- a) For the purpose of this By-law, all lands zoned R2*539 shall be deemed to be one lot;
- b) The Kennedy Road *streetline* is deemed to be the *front lot line*;
- c) Maximum number of dwelling units – 86;
- d) Maximum *building height* of a *townhouse dwelling unit* within 25 metres of the *streetline* of Kennedy Road – 17 metres; except that within 22 metres of lands zoned R1-F15*537 the maximum *building height* of a *townhouse dwelling unit* shall be 12 metres
- e) Maximum *building height* of a *townhouse dwelling unit* within 22 metres of lands zoned R1-F15*537 – 12 metres
- f) Minimum width of a *townhouse dwelling unit*:
 - (i) interior unit – 4.57 metres;
 - (ii) end unit – 5.75 metres;
- g) Minimum setback to the *streetline* of a *public street*:
 - (i) Kennedy Road – 6.0 metres;
 - (ii) All other *public streets* – 3.0 metres;
- h) Minimum required setback:
 - (i) Southern side yard setback – 1.2 metres;
 - (ii) Eastern side yard setback – 1.2 metres;
 - (iii) Setback from an OS1 zone – 1.2 metres;
 - (iv) To a daylight triangle – 0.60 metres;
- i) Maximum garage door width – 5.5 metres;
- j) Maximum *driveway* width – 5.5 metres;
- k) The maximum garage width provisions shall not apply;
- l) The main wall of a *dwelling unit* shall be setback a minimum of 4.7 metres from the *centre-line* of a *private street*;
- m) The *main wall* of a an attached *private garage* that contains an opening for motor vehicle access shall be setback a minimum of 9.3 metres from the *centreline* of a *private street*;
- n) Maximum *height* of the finished floor from the *established grade* along the front door or *porch* of a *dwelling unit* – 1.2 metres
- o) *Accessory buildings* are not permitted.”

3.0 HOLDING PROVISION:

For the purpose of this By-law, the Holding Provision (H) is hereby established and are identified on Schedule ‘A’ attached hereto by the letter (H) in parenthesis following the zoning symbol.


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

Prior to removing the Holding Provision (H), the following conditions must be met to the satisfaction of the City of Markham:

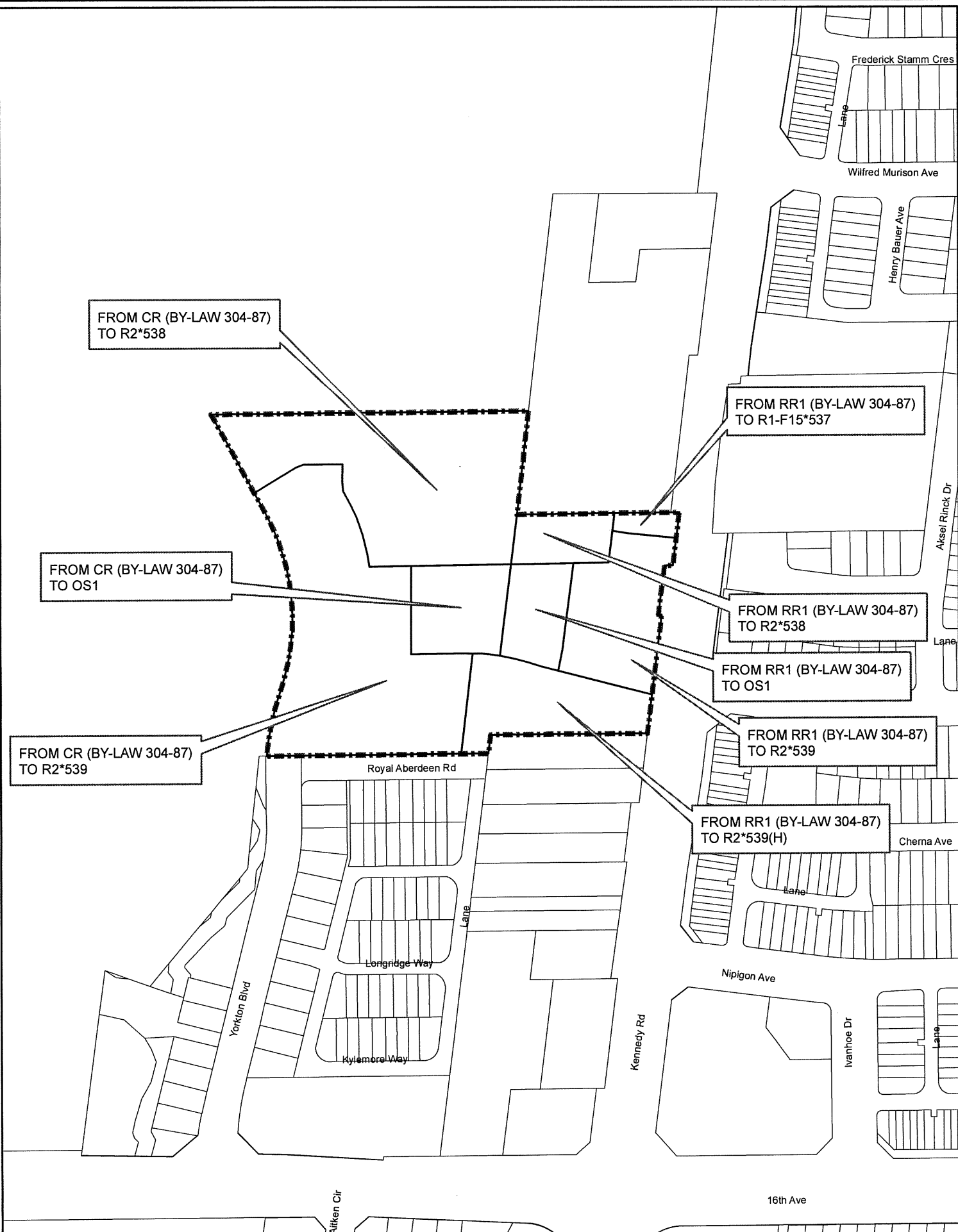
- a) Execution of a subdivision agreement and site plan agreement to address matters pertaining to tree preservation, building siting and potential future access integration with the property to the south (9346 Kennedy Road), to the satisfaction of the Director of Planning and Urban Design, or his designate.

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



Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



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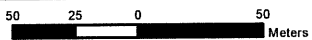
SCHEDULE "A" TO BY-LAW 2015-121

AMENDING BY-LAWS 304-87 AND 177-96 DATED June 23, 2015

- BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE TO BE DELETED FROM 304-87 AND ADDED TO 177-96
- BOUNDARY OF ZONE DESIGNATION(S)
- | | | | | | |
|-----|-----------------------|----|-----------------|-----|------------|
| CR | COMMERCIAL RECREATION | R2 | RESIDENTIAL TWO | F | FRONTAGE |
| RR1 | RURAL RESIDENTIAL ONE | R1 | RESIDENTIAL ONE | OS1 | OPEN SPACE |
| (H) | HOLDING PROVISION | | | | |



DEVELOPMENT SERVICES COMMISSION



Drawn By:DD

Checked By:RC

DATE:06/04/15

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