



EXPLANATORY NOTE

BY-LAW 2015-123

A By-law to amend By-law 177-96, as amended

Box Grove Hill Developments Inc.

Copper Creek Drive

PLAN 65M3908 BLK 62 & PLAN 65M-4008 BLOCK 292

Lands Affected

The proposed by-law amendment applies to 8.12 ha (20 acre) parcel of land located on the north side of Copper Creek Drive, between Ninth Line and Donald Cousens Parkway.

Existing Zoning

The subject property is zoned “Business Park (BP)” and “Business Park*229 (BP*229).”

Purpose and Effect

The purpose and effect of this By-law is to amend the above-noted Zoning By-law in order to rezone the subject property to “Community Amenity Three *540 (Holding) [CA3*540 (H)]”, “Community Amenity Three *540 *541 (Holding) [CA3*540 *541 (H)]”, “Residential Two *542 (Holding) [R2*542 (H)]”, “Residential Two *542 *543 (Holding) [R2*542 *543 (H)]”, and “Greenway (G)”, in order to permit the lands to be developed for and townhouses, some with live-work units.



By-law 2015-123

A By-law to amend By-law 177-96, as amended

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

1. By-law 177-96, as amended, is hereby further amended as follows:

1.1 By rezoning the lands outlined on Schedule 'A' attached hereto from Business Park (BP), and Business Park*229 (BP*229), to Community Amenity Three *540 (Holding) (CA3*540(H)), Community Amenity Three *540*541 (Holding) (CA3*540*541(H)), Residential Two *542 (Holding) (R2*542(H)), Residential Two *542*543 (Holding) (R2*542*543(H)), and Greenway (G).

1.2 By adding the following subsections to Section 7 – EXCEPTIONS

“7.540 Live-Work Townhouses Dwellings

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *540 on Schedule 'A' of this By-law. All other provisions of this By-law, unless specifically modified/ amended by this Section, continue to apply to the lands subject to this Section.

7.540.1 Permitted Uses

The following additional uses are permitted:

- 1) *Financial Institutions*
- 2) *Medical Offices*
- 3) *Repair Shops*
- 4) *Restaurants*
- 5) *Retail Stores*
- 6) *Schools, Commercial*

7.540.2 Special Zone Standards

The following special zone standards shall apply:

- 1) Minimum *lot frontage* on an *interior lot* – 7.3 metres;
- 2) Minimum *lot frontage* on a *corner lot* – 8.5 metres;
- 3) Minimum *lot frontage* on a *lot* abutting a Greenway (G) zone – 8 metres;
- 4) Minimum *front yard* – 0.5 metres;
- 5) Maximum *front yard* shall not apply;
- 6) Minimum *exterior side yard* – 0.5 metres;
- 7) Maximum *exterior side yard* shall not apply;
- 8) Minimum *rear yard* – 0.6 metres;
- 9) Minimum *height* shall not apply;
- 10) Maximum *height* – 15 metres;
- 11) Minimum *gross floor area* for non-residential uses – 46 square metres;
- 12) Special Provision #12 of Table B7 shall not apply;
- 13) The development standards for *townhouse dwellings* as amended by Sections 7.540 shall apply for all building forms or use;
- 14) Table B of Parking By-law 28-97, as amended, shall not apply;

- 15) Minimum number of *parking spaces* required per *dwelling unit* – 2
- 16) Minimum number of *parking spaces* required per *lot* – 4
- 17) *Dwelling units* are prohibited on the *first storey*;
- 18) Notwithstanding 17) above, stairways leading to *dwelling units* are permitted;
- 19) Notwithstanding the provisions of section 6.6.1 (a), encroachments as outlined in the provisions of section 6.6.1 (a) may be located no closer than 0.1 metres from the *front lot line*, *rear lot line* or *exterior lot line*;
- 20) A *private garage* is permitted to be within the *main building* ;
- 21) No *loading spaces* are required;
- 22) In the case of a *lot* abutting a *public street* or *lane* with a curved corner, the *interior side lot line* and/or *exterior side lot line* shall be deemed to extend to its hypothetical point of intersection with the extension of the *front lot line* or *rear lot line* for the purposes of calculating minimum *yard* setbacks, provided no portion of a *structure* is located within the *public street* or *lane*.
- 23) A single *outdoor amenity area* of a minimum of 14 square metres per *lot* shall be required;
- 24) Minimum width of a *driveway* – 3 metres;
- 23) Stairs are permitted to encroach into the required *front yard*, *rear yard*, and/or *exterior side yard* provided no part of the stairs are located closer than 0.1 metres from the *front lot line*, *rear lot line*, and/or *exterior side lot line*.

7.541 Live-Work Townhouse Dwellings abutting Copper Creek Drive

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *541 on Schedule ‘A’ to this By-law. All other provisions of this By-law, unless specifically modified/ amended by this Section, continue to apply to the lands subject to this Section.

7.541.1 Special Zone Standards

The following site provisions shall apply:

- 1) The *lot line* abutting Copper Creek Drive shall be deemed the *front lot line*.

7.542 Townhouse Dwellings

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *542 on Schedule ‘A’ to this By-law. All other provisions of this By-law, unless specifically modified/ amended by this Section, continue to apply to the lands subject to this Section.

7.542.1 Special Zone Standards

The following zone standards shall apply:

- 1) Maximum garage width – 3.5 metres;
- 2) Maximum driveway width – 3.5 metres;
- 3) The standards for *wide-shallow lots* shall apply;
- 4) Special provision 4 of Table B2 shall not apply.

- 5) A window bay, with or without foundations, may encroach into a required *interior side yard* or *rear yard* provided it encroaches no more than 1 metre into the required *interior side yard* or *rear yard* and be no more than 3 metres wide;
- 6) The width of a window bay can be increased to 4 metres if a *porch* does not abut the *main wall* of the *dwelling unit*;
- 7) Notwithstanding the provisions of section 6.6.1 (a), encroachments as outlined in the provisions of section 6.6.1 (a) may be located no closer than 0.1 metres from the *front lot line*, *rear lot line* or *exterior lot line*;
- 8) Stairs are permitted to encroach into the required *front yard* and/or *exterior side yard* but in no case shall the stairs be located closer than 0.6 metres from the *front lot line* or *exterior side lot line*.
- 9) In the case of a *lot* abutting a *public street* or *lane* with a curved corner, the *interior side lot line* and/or *exterior side lot line* shall be deemed to extend to its hypothetical point of intersection with the extension of the *front lot line* or *rear lot line* for the purposes of calculating minimum yard setbacks, provided no portion of a *structure* is located within the *public street* or *lane*.

7.543

Townhouse Dwellings with Reduced Rear Yards

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *543 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/ amended by this Section, continue to apply to the lands subject to this Section.

7.543.1

Special Zone Standards

The following special zone standards shall apply:

- 1) Minimum *rear yard* – 6 metres

2. HOLDING PROVISION

For the purposes of this By-law, a Holding (H) provision is hereby established and is 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 (H) provision 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 (H) provision the following conditions must be met to the satisfaction of the City of Markham:

- 1) That the City of Markham approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure.
- 2)
 - a) York Region advises in writing that the required infrastructure to support the capacity assignment associated with this development has been completed within a timeframe acceptable to the Region to permit plan registration; or
 - b) The Regional Commissioner of Environmental Services confirms servicing allocation for the development by a

suitable alternative method and the City of Markham allocated the capacity to this development.

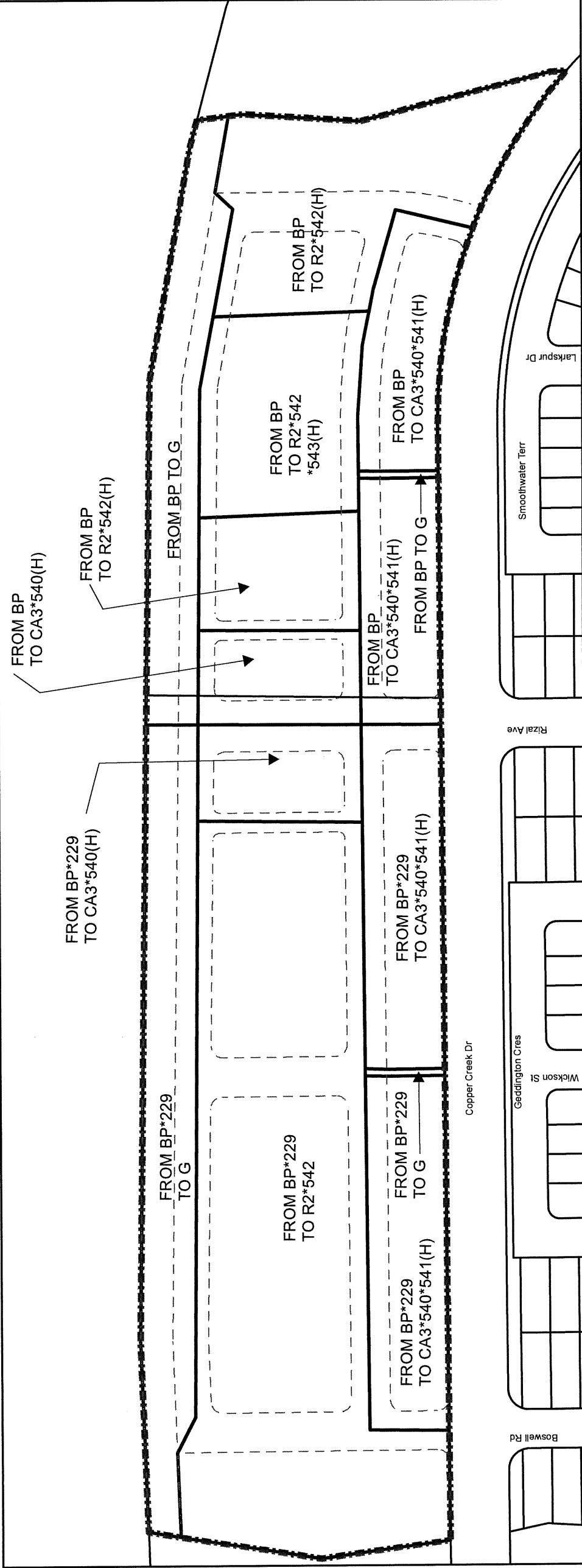
- 3) That the Owner has executed a subdivision agreement to the satisfaction of the City Solicitor.

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 2015-123

AMENDING BY-LAW 177-96 DATED June 23, 2015

☐ **BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE** ☐ **BOUNDARY OF ZONE DESIGNATION(S)**

☐ **R2** ☐ **RESIDENTIAL TWO** ☐ **CA3** ☐ **COMMUNITY AMENITY AREA THREE** ☐ **BP** ☐ **BUSINESS PARK**

☐ **G** ☐ **GREENWAY** ☐ ***(No)** ☐ **EXCEPTION NUMBER** ☐ **(H)** ☐ **HOLDING PROVISION**

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