



EXPLANATORY NOTE

BY-LAW 2015-60

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)

Pagnello Homes Inc. and Ostrya Homes Ltd.

10 Rouge Bank Drive, and 2, 6 and 8 Pagnello Court

Lands Affected

The proposed by-law amendment applies four existing residential properties located at the southwest corner of Pagnello Court and Rouge Bank Drive, which are municipally known as 10 Rouge Bank Drive, and 2, 6 and 8 Pagnello Court. The subject lands are located east of 9th Line and north of 14th Avenue in the Box Grove community.

Existing Zoning

The subject properties are each zoned Rural Residential Two (RR2) under By-law 304-87, as amended.

Purpose and Effect

This By-law will delete the subject properties from the area zoned by By-law 304-87, as amended, to incorporate them into appropriate Residential Zone categories within By-law 177-96, as amended. The proposed Zone categories are:

Residential Two*224(Hold)	R2*224 (H)
Residential Two*224*533(Hold)	R2*224*533(H)
Residential Two*224*533*534(Hold)	R2*224*533*534(H)

The effect of this By-law will be to permit the development of a single detached dwelling on each of the subject properties, once the Holding provisions have been removed.

The Holding (H) provision may be removed once:

- The Owner has provided confirmation from the Trustee of the Box Grove Developers Group, that any obligations, financial or otherwise, have been satisfied;
- Access and maintenance easements have been duly registered on title to Parts 12, 13, 14, 15 on Reference Plan 65R-29421, in favour of the City, to provide sanitary services to Parts 1, 2 and 9 on Reference Plan 65R-29421; and
- The Owner has submitted to the City confirmation from the Region of York that all of the Region's conditions related to the sanitary trunk sewer easement located on Parts 4, 7, 14 and 15 on Reference Plan 65R-29421 have been satisfied.



BY-LAW 2015-60

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. 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 the lands shown on Schedule 'A' attached hereto, and by zoning the lands:

Residential Two (Hold)	R2(H)
Residential Two*533(Hold)	R2*533(H)
Residential Two*534(Hold)	R2*534(H)

- 2.2 By adding the following subsections to Section 7 – EXCEPTIONS:

“7.533 Pagnello Homes Inc. & Ostrya Homes Ltd

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *533 on Schedule 'A' to this By-law.

7.533.1 Zone Standards

The following specific *zone* standard applies:

- a) No *Buildings* or *Structures* shall be located within a *public easement*.”

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

“7.534 Pagnello Homes Inc. & Ostrya Homes Ltd

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *534 on Schedule 'A' to this By-law.

7.534.1 Zone Standards

The following specific *zone* standard applies:

- a) Minimum required *rear yard* – 6.0 metres;
- b) A porch may encroach into the required exterior side yard provided that no part of the porch is located closer than 0.8 metre from the exterior lot line.
- c) No *Buildings* or *Structures* shall be located within a *public easement*.”

3. HOLDING PROVISIONS:


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

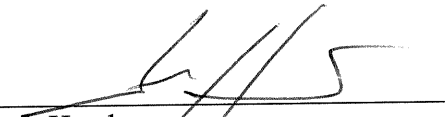
No person shall hereafter erect or alter any *building* or *structure* on lands subject to the Holding Provision (H) for the purpose permitted under this By-law until amendment(s) to this By-law to remove the letter (H) have come into effect pursuant to the provisions of Section 36 of the Planning Act.

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

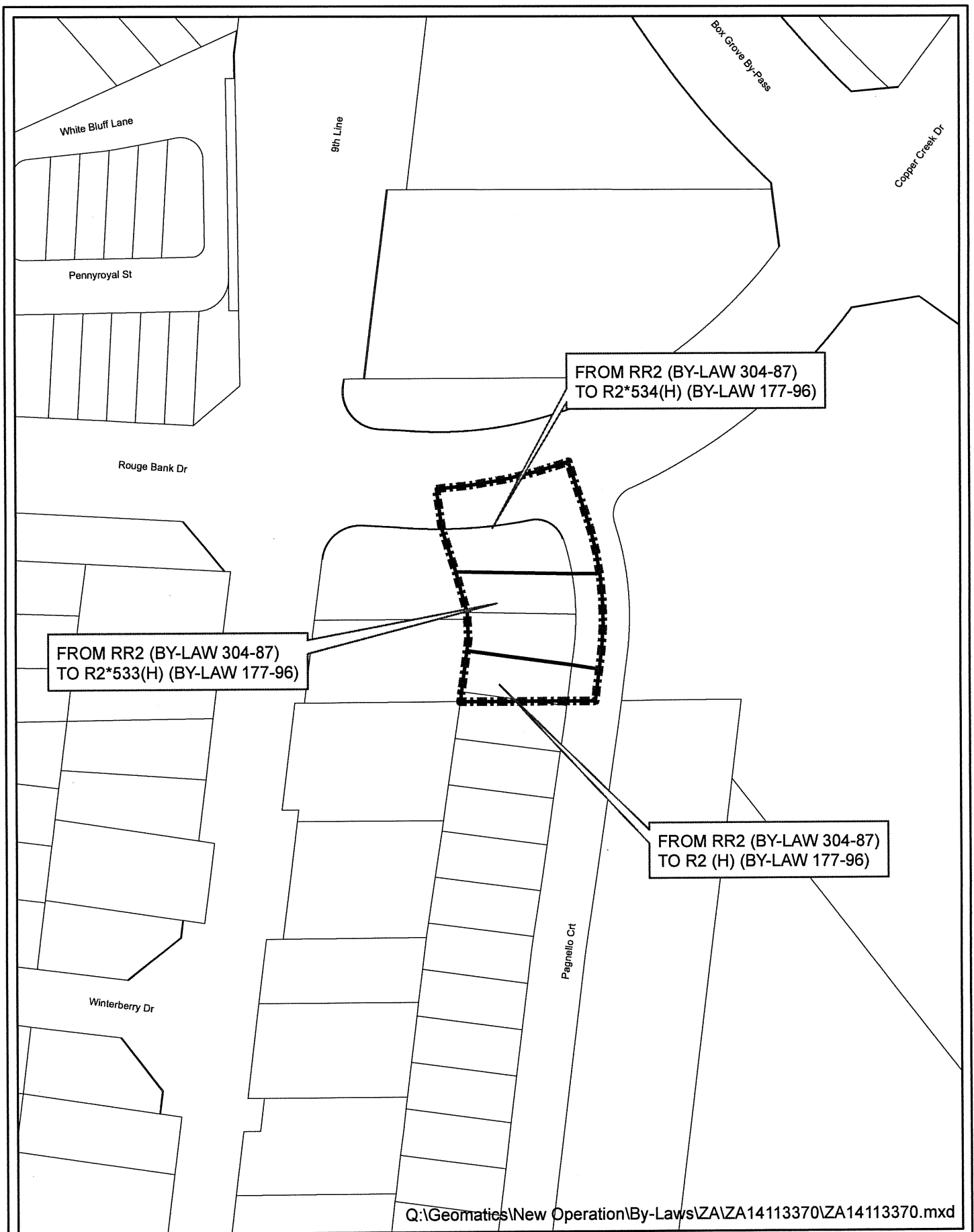
- a) The Owner has submitted to the City confirmation from the Trustee of the Box Grove Developers Group that any obligations, financial or otherwise, have been satisfied;
 - b) Access and maintenance *easements* have been duly registered on title to Parts 12, 13, 14, 15 on Reference Plan 65R-29421, in favour of the City, to provide sanitary services to Parts 1, 2 and 9 on Reference Plan 65R-29421; and
 - c) The Owner has submitted to the City confirmation from the Region of York that all of the Region's conditions related to the sanitary trunk sewer *easement* located on Parts 4, 7, 14 and 15 on Reference Plan 65R-29421 have been satisfied.
4. All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

Read a first, second, and third time and passed on April 15, 2015.



Kimberley Kitteringham
City Clerk


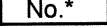
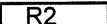
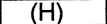
Jack Heath
Deputy Mayor



BY-LAW SCHEDULE "A" TO BY-LAW 2015-60 **AMENDING BY-LAWS 304-87 AND 177-96 DATED April 15, 2015**

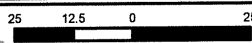
 BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
 TO BE DELETED FROM 304-87 AND ADDED TO 177-96

 BOUNDARY OF ZONE DESIGNATION(S)

 RR2	RURAL RESIDENTIAL TWO	 No.*	EXCEPTION NUMBER
 R2	RESIDENTIAL TWO	 (H)	HOLDING PROVISION



DEVELOPMENT SERVICES COMMISSION



Drawn By:DD Checked By:SC

DATE: 03/20/15

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