



Explanatory note

By-law 2014-110

A By-law to amend By-laws 77-73, 177-96 and 151-75 as amended

**Shining Hill Homes Inc.
360 John St
PLAN 2382 PT LOT 6 & LOT 13**

Lands Affected

The proposed by-law amendment applies to approximately 3.13 hectares (7.70 acres) of land on the north side of John Street between the CN Rail Line and Aileen Road in Thornhill.

Existing Zoning

The property is zoned Industrial Hold Zone [M(H)] under By-law 77-73, as amended.

Purpose and Effect

The purpose of this By-law is to amend By-law 77-73, as amended, by deleting the subject property from the designated area of By-law 77-73, as amended. This By-law will also amend By-law 177-96, as amended, to include a large portion of the subject property into the designated area of By-law 177-96, as amended, to permit street townhouse development on these lands and at grade commercial uses within buildings facing John Street. Finally, this By-law will also amend 151-75, as amended, to rezone 5 parcels on the east side of the property to match the zoning of the abutting residential properties.



By-law 2014-110

A By-law to amend By-law 77-73, as amended,
(to delete lands from the designated area of By-law 77-73),
to amend By-law 177-96, as amended
(to incorporate lands into the designated area of By-law 177-96)
and amend By-law 151-75, as amended
(to incorporate lands into the designated area of By-law 151-75)

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

1. THAT By-law 77-73, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated area of By-law 77-73, 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 shown on Schedule 'A' attached hereto.
 - 2.2 By rezoning the lands:
 - (i) from Industrial Hold Zone [M(H)] under By-law 77-73 to Residential Two (Holding) [R2*513(H)] under By-law 177-96
 - (ii) from Industrial Hold Zone [M (H)] under By-law 77-73 to Community Amenity Three (Holding) [CA3*523(H)] under By-law 177-96
 - (iii) from Industrial Hold Zone [M(H)] under By-law 77-73 to Open Space One (OS1) under By-law 177-96as shown on Schedule 'A' attached hereto.
 - 2.3 By adding the following subsection to Section 7 – EXCEPTIONS:

**“7.513 Shining Hill Homes Inc.
 360 John Street – Part of Lots 6 and Lot 13
 Registered Plan 2382**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *513 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.

7.513.1 Zone Standards

The following specific Zone Standards apply:

- a) Minimum required *rear yard* – 0.8 metres;
- b) Minimum required *interior side yard* - 7.5 metres;
- c) Maximum *height* – 12.0 metres; and
- f) Minimum required *lot frontage* - not applicable.

7.513.2 Special Site Provisions

The following additional provisions apply:

- a) Notwithstanding any further division or partition of lands subject to this Section, all lands zoned with the symbol *513 and *523, as shown on Schedule 'A', shall together be deemed to be one lot for the purposes of this By-law.
- b) The John Street *streetline* is deemed to be the *front lot line*.
- c) The Green Lane *streetline* is deemed to be the *rear lot line*.
- d) The maximum *height* of a *dwelling unit* within 40 metres of the east *interior side lot line* shall not exceed 11.0 metres.
- e) A *Lot* may front or abut a *Private Street*.
- f) Visitor *parking* shall be provided at a rate of 0.25 spaces per *townhouse dwelling*.
- g) *Decks* are permitted on a lot used for residential purposes in accordance with the following regulations:
 - i) Section 6.2.1 a) i) and ii), and b) i) and ii) of By-law 177-96, as amended, shall not apply;
 - ii) The deck shall not be located close than 3.0 metres to the *interior side lot line*;
- h) *Accessory buildings* are permitted in the interior side yard provided they are no closer than 1.2 metres from the *interior side lot line*. Notwithstanding this provision, setback may be reduced to 0.5 metres if there are no doors or windows in the wall facing the *interior side lot line*.
- i) Where an *interior side lot line* is less than 42 metres in length, the minimum required *interior side yard* may be reduced to 1.5 metres.

7.523 Shining Hill Homes Inc. 360 John Street – Part of Lots 6 and Lot 13 Registered Plan 2382

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *523 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.

7.523.1 Zone Standards

The following specific Zone Standards apply:

- a) Minimum required *front yard* – 0.6 metres;
- b) Minimum required *interior side yard* – 7.5 metres;
- c) Minimum required *rear yard* – 0.8 metres;
- d) Minimum required *lot frontage* – not applicable.

7.523.2 Additional Permitted Uses

The following additional uses are permitted:

- a) *Medical offices*
- b) *Financial Institutions*
- c) *Repair Shops*
- d) *Retail Stores*

7.523.3 Special Site Provisions

The following additional provisions apply:

- a) Notwithstanding any further division or partition of lands subject to this Section, all lands zoned with the symbol *513 and *523, as shown on Schedule 'A', shall together be deemed to be one lot for the purposes of this By-law.
- b) The John Street *streetline* is deemed to be the *front lot line*.
- c) The Green Lane *streetline* is deemed to be the *rear lot line*.
- d) A Lot may front or abut a *Private Street*.
- e) Visitor parking shall be provided at a rate of 0.25 spaces per townhouse dwelling.
- f) Commercial uses are permitted only in the first storey of a building.

3. By-law 151-75, as amended, is hereby further amended as follows:

3.1 By expanding the designated area of By-law 151-75, as amended, to include the lands shown on Schedule 'A' attached hereto.

3.2 By rezoning the lands:

- (i) from Industrial Hold Zone [M(H)] under By-law 77-73 to Single Family Residential Eighth Density (R8) under By-law 151-75

as shown on Schedule 'A' attached hereto.

4. **HOLDING PROVISIONS:**

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) The City of Markham shall approve a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,

The Council of the City of Markham has allocated adequate available water supply and sewage servicing capacity to the subject development; or,

The Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the City of Markham allocates the capacity to this development; and,

- b) Execution of A Site Plan Control Agreement applying to the proposed townhouse development;


- c) The Sanitary Sewer Capacity Analysis including flow monitoring and sewer upgrades are completed to the Satisfaction of the Director of Engineering;

- d) The lands being rezoned to Single Family Residential Eighth Density (R8) as shown on 'Schedule A' to this By-law are conveyed to each adjoining lot to the east which front onto McKelvey Drive to the satisfaction of the Director of Planning and Urban Design or his designate; and,

- e) That land adjacent to the westerly terminus of Congress Court are conveyed to the City of Markham to the satisfaction of the Director of Planning and Urban Design or his designate.

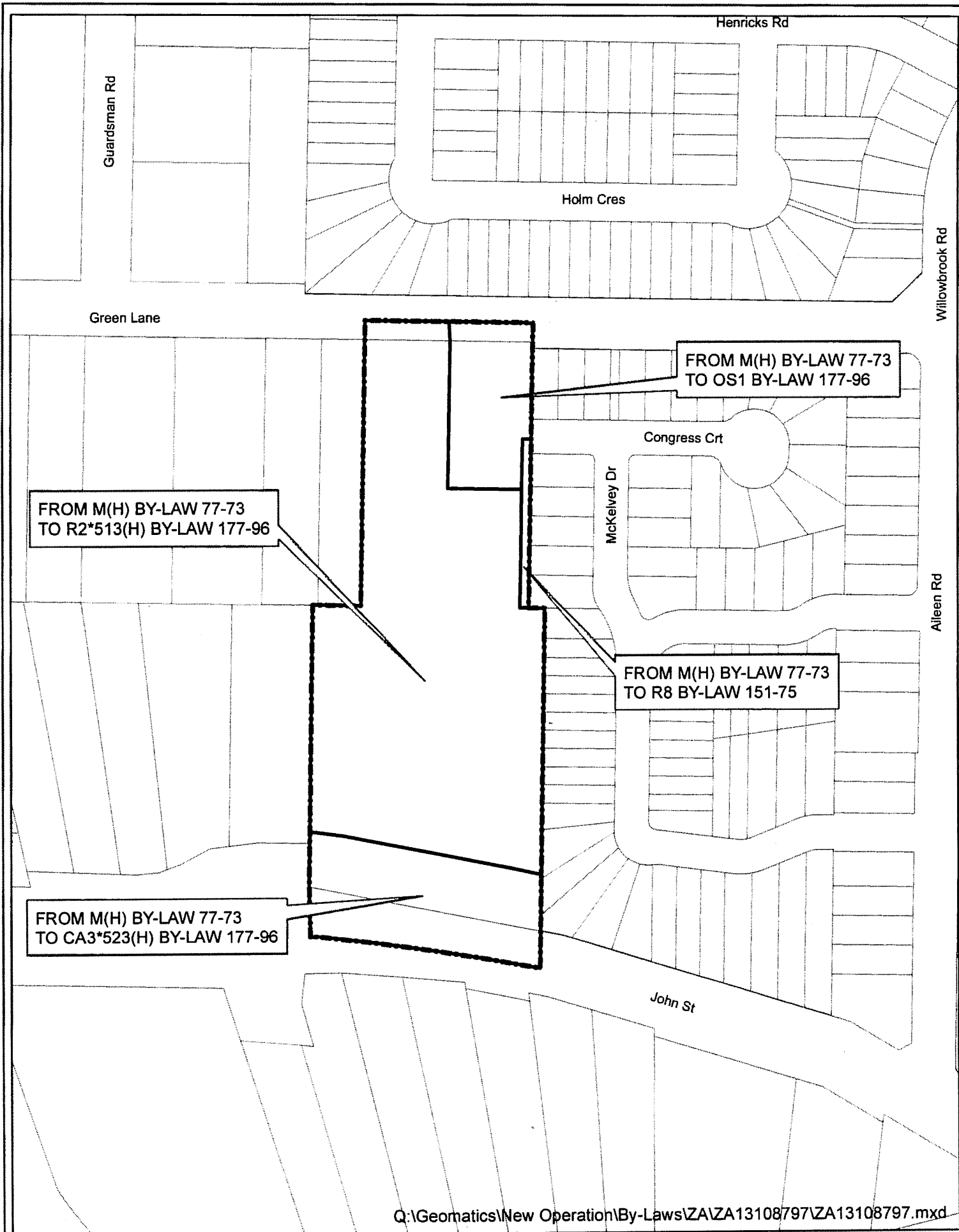
5. All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

Read a first, second, and third time and passed on June 24, 2014.




Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



BY-LAW SCHEDULE "A" TO BY-LAW 2014-110

AMENDING BY-LAWS 77-73, 151-75 AND 177-96 DATED June 24, 2014

 BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
TO BE DELETED FROM 77-73 AND ADDED TO 177-96 AND 151-75

 BOUNDARY OF ZONE DESIGNATION(S)

- | | |
|--|--|
|  INDUSTRIAL |  COMMUNITY AMENITY THREE |
|  SINGLE FAMILY RESIDENTIAL EIGHTH DENSITY |  EXCEPTION NUMBER |
|  RESIDENTIAL TWO |  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