



EXPLANATORY NOTE

BY-LAW 2014-12

A By-law to amend By-laws 122-72, as amended

**Philip K. H. Eng
5 Oakcrest Ave
CON 6 PT LOT 10**

Lands Affected

The proposed by-law amendment applies to approximately 0.13 hectares (0.34 acres) of land on the northeast corner of Oakcrest Avenue and River Bend Road, municipally known as 5 Oakcrest Avenue.

Existing Zoning

The lands are presently zoned Single Family Rural Residential (RRH) Zone. The existing zoning allows for a detached dwelling located on a lot with a minimum lot frontage of 30.48m (100 feet) and a minimum lot area of 2043.86m² (22,000 square feet).

Purpose and Effect

The purpose of this By-law amendment is to rezone the subject lands from Single Family Rural Residential (RRH) to Single Family Residential (R3), including an exception to provide for site-specific development standards.

The effect of the By-law is that the lands will be rezoned to facilitate the severance of the existing property, in order to maintain the existing detached dwelling at 5 Oakcrest Avenue and create a new lot fronting on River Bend Road for the purposes of developing one new detached dwelling.



By-Law 2014-12

A by-law to amend By-law 122-72, as amended

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

1. By-law 122-72, as amended, is hereby further amended as follows:

- 1.1 By rezoning the lands:

- (i) from Single Family Rural Residential (RRH) Zone to Single Family Residential (R3) Zone

as shown on Schedule 'A' attached hereto.

- 1.2 By adding to Section 19 – EXCEPTIONS, the following subsection:

“19.22 5 OAKCREST AVENUE, PHILIP K.H. ENG

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands zoned Single Family Residential (R3) and shown as Parts 1 and 2 on Schedule “A” attached hereto:

- 19.22.1 By-law 16-93 shall not apply to the lands shown as Parts 1 and 2 on Schedule “A” attached to this By-law.

- 19.22.2 Definitions

Notwithstanding Section 2 of By-law 122-72, definition of Floor Area Ratio: for the purpose of Section 19.22.3 of this By-law the following definitions shall apply:

FLOOR AREA RATIO means the maximum aggregate floor area of a building above grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building, on a lot, expressed as the percentage of the lot area.

- 19.22.3 Zone Requirements

Notwithstanding the provisions of Sections 5.7, 7.1 and 11.2 of By-law 122-72, as amended, the following provisions shall apply to the lands zoned Single Family Residential (R3) on Schedule “A” attached hereto:

PART 1 ON SCHEDULE 'A'


Minimum LOT FRONTAGE	26m
Minimum LOT AREA	816m ²
Minimum FRONT YARD (excluding a covered porch, and basement area beneath, which may project up to 1.1m into the FRONT YARD setback)	7.4m
Minimum FLANKAGE YARD (excluding a covered porch, and basement area beneath, which may project up to 1.1m into the FLANKAGE YARD setback)	8.4m
Minimum east SIDE YARD	1.8m
Minimum REAR YARD	4.7m
Maximum FLOOR AREA RATIO (see S. 19.22.2)	55%
MAXIMUM LOT COVERAGE	33.3%

PART 2 ON SCHEDULE 'A'


Minimum LOT FRONTAGE	18.9m
Minimum LOT AREA	577m ²
Minimum FRONT YARD (excluding a covered porch, and basement area beneath, which may project up to 0.5m into the FRONT YARD setback)	7.5m
Minimum east SIDE YARD	3.0m
Minimum west SIDE YARD	2.4m
Minimum REAR YARD	8.0m
Maximum FLOOR AREA RATIO (see S. 19.22.2)	47%
MAXIMUM LOT COVERAGE	33.3%

2. All other provisions of By-law 122-72, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

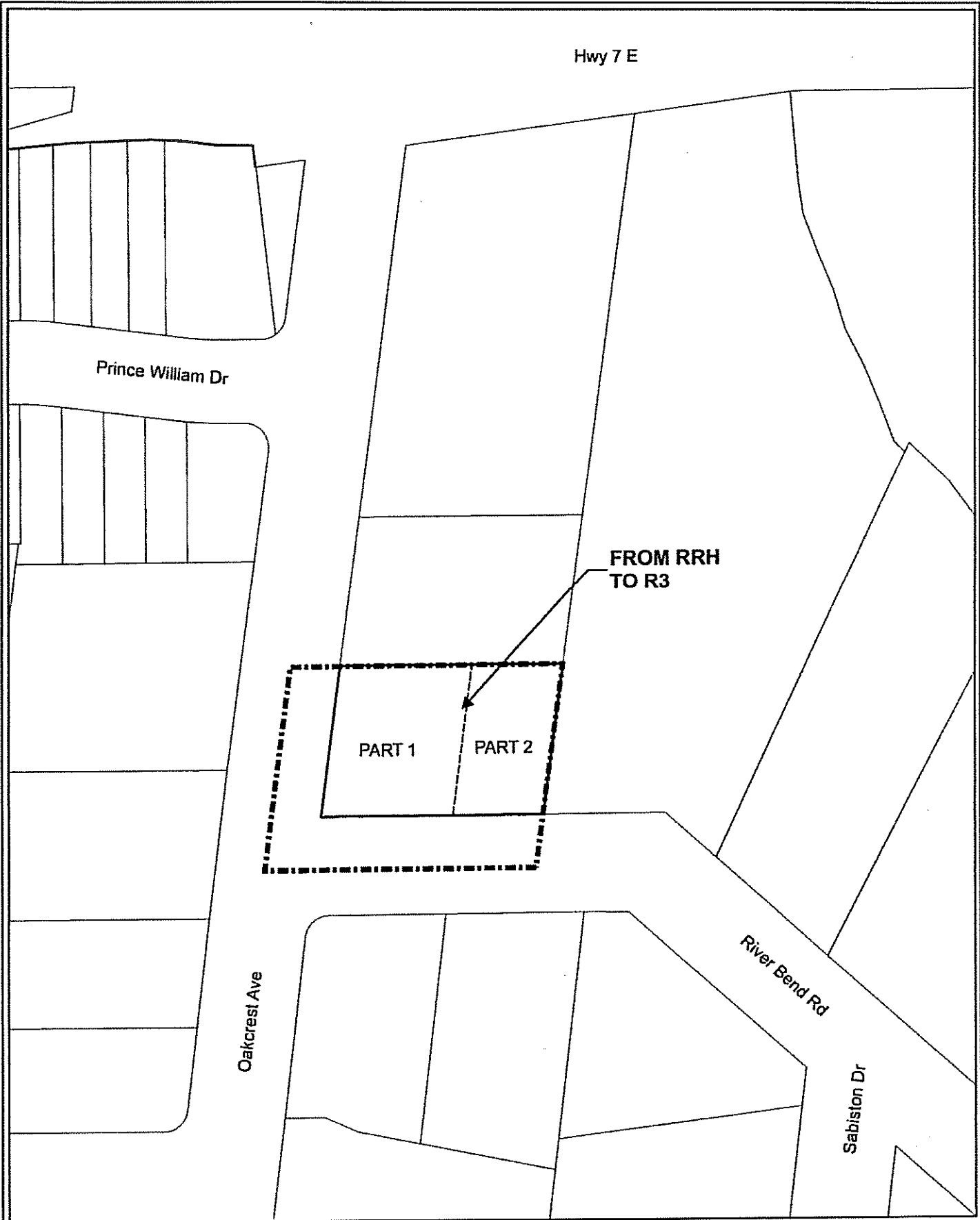
Read a first, second, and third time and passed on January 28, 2014.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor



BY-LAW SCHEDULE 'A' TO AMEND BY-LAW 122-72

--- BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

RRH SINGLE FAMILY RURAL RESIDENTIAL

R3 SINGLE FAMILY RESIDENTIAL

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BY-LAW AMENDMENT No. 201412 PASSED January 28, 2014
John Sanyal (MAYOR) *[Signature]* (CLERK)



MARKHAM DEVELOPMENT SERVICES COMMISSION Drawn By: CPW Checked By: MF DATE: 10/10/2013

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