



## **EXPLANATORY NOTE**

### **BY-LAW 2012-149**

#### **A By-law to amend By-law 304-87, as amended**

**Mr and Mrs Bobotsis  
9921 and 9941 Woodbine Avenue**

#### **Lands Affected**

The by-law amendment applies to lands on the east side of Woodbine Avenue, south of Major Mackenzie Drive, municipally known as 9921 and 9941 Woodbine Avenue.

#### **Existing Zoning**

The lands subject to this By-law are presently zoned Rural Residential Estate (RRE) by By-law 304-87, as amended.

#### **Purpose and Effect**

The purpose of this By-law is to:

- add Private School and Day Nursery as permitted uses at 9941 Woodbine Avenue and establish development standards for 9921 and 9941 Woodbine Avenue
- rezone a 10 metre wide portion of the rear of the lands adjacent to the Regional Floodline as defined by the TRCA to Open Space – Environmental Buffer (03)

The effect of the By-law is to permit an expansion of an existing Montessori school at 9921 Woodbine Avenue onto 9941 Woodbine Avenue.



## BY-LAW 2012-149

A By-law to amend Zoning By-law 304-87, as amended

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

1.0 By-law 304-87, as amended, is hereby further amended as follows:

1.1 By deleting Subsection 13.78 and adding the following new Subsection to Section 13-Exceptions:

“13.82 Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to the lands at 9921 and 9941 Woodbine Avenue shown as Parts 1, 2 and 3 on Schedule 13.82 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.

A) By rezoning the lands shown as Part 3 on Schedule 13.82 to this By-law from Rural Residential Estate (RRE) to Open Space – Environmental Buffer (O3).

i) DEFINITIONS

In addition to the Definitions of Section 2 of By-law 304-87, as amended, the following definition shall also apply for the purposes of this by-law:

**ENVIRONMENTAL BUFFER LANDSCAPING**

means any combination of trees, shrubs, grass, or other plants which are intended collectively to provide protection to valleylands adjoining any development in respect of valley slope stability, erosion control and other detrimental impacts of development. Any existing vegetation on lands to be used for environmental buffer landscaping shall be preserved and maintained, except in the case of noxious weeds subject to the Weed Control Act or the removal of diseased, dead or hazardous trees certified as such by the Commissioner of Development Services. The existing soils and grading of lands to be used for environmental buffer landscaping shall be preserved.

ii) PROVISIONS

The following provisions shall apply in the OPEN SPACE-ENVIRONMENTAL BUFFER (O3) ZONE within the designated area of this by-law as outlined on Schedule 13.82 hereto:

a) ZONE AND SYMBOL

The Zone is referred by name and symbol as follows:  
OPEN SPACE – ENVIRONMENTAL BUFFER (O3)

b) O3 BOUNDARIES

The boundary of the OPEN SPACE - ENVIRONMENTAL BUFFER (O3) ZONE as shown on Schedule 13.82 hereto shall be deemed as extending

10 metres from the Regional floodline as defined by the TRCA.

c) USES PERMITTED

No person shall hereafter change the use, or use land in an OPEN SPACE – ENVIRONMENTAL BUFFER (O3) ZONE except for the following purposes:

ENVIRONMENTAL BUFFER LANDSCAPING, as defined in this by-law and subject to the further provisions in Sub-section 1.1 (A)(ii)(d) of this by-law.

d) PROHIBITION OF BUILDINGS OR STRUCTURES

In an OPEN SPACE ENVIRONMENTAL BUFFER (O3) ZONE, no person shall hereafter ERECT any BUILDING or STRUCTURE, including SWIMMING POOLS, tennis courts, gazebos, sheds, or ACCESSORY BUILDINGS of any kind, excepting fences along the lot lines.

Notwithstanding this provision, the shed located within this zone shall be permitted to remain in the location and with dimensions as existing on the date of passing of the zoning by-law.

B) The lands shown as Parts 1 and 2 on Schedule 13.82 are subject to the following provisions:

i) Additional Permitted Uses

The following additional uses are permitted within the Rural Residential Estate (RRE) zone:

- a) Private School
- b) Day Nursery

ii) Zone Standards

The following specific zone standards apply:

- a) minimum *lot area* – 0.15 hectares
- b) minimum *lot frontage* – 33 metres

iii) Special Site Provisions

The following special site provisions shall apply:

- a) For the purposes of applying the zone standards, Parts 1, 2 and 3 as shown on Schedule 13.82 to this By-law may be considered as one lot, if a building straddles the boundary between Parts 1 and 2.
- b) For the purposes of calculating the number of parking spaces required in accordance with By-law 28-97, as amended, common activity rooms and areas including auditoriums, gymnasiums, art rooms, music rooms, drama rooms, computer rooms and libraries are not considered as classrooms.
- c) Section 5.5 of By-law 304-87, as amended (Woodbine centreline setback) shall not apply.


- 2.0 All other provisions of By-law 304-87, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
26<sup>TH</sup> AND 27<sup>TH</sup> DAY OF JUNE, 2012.



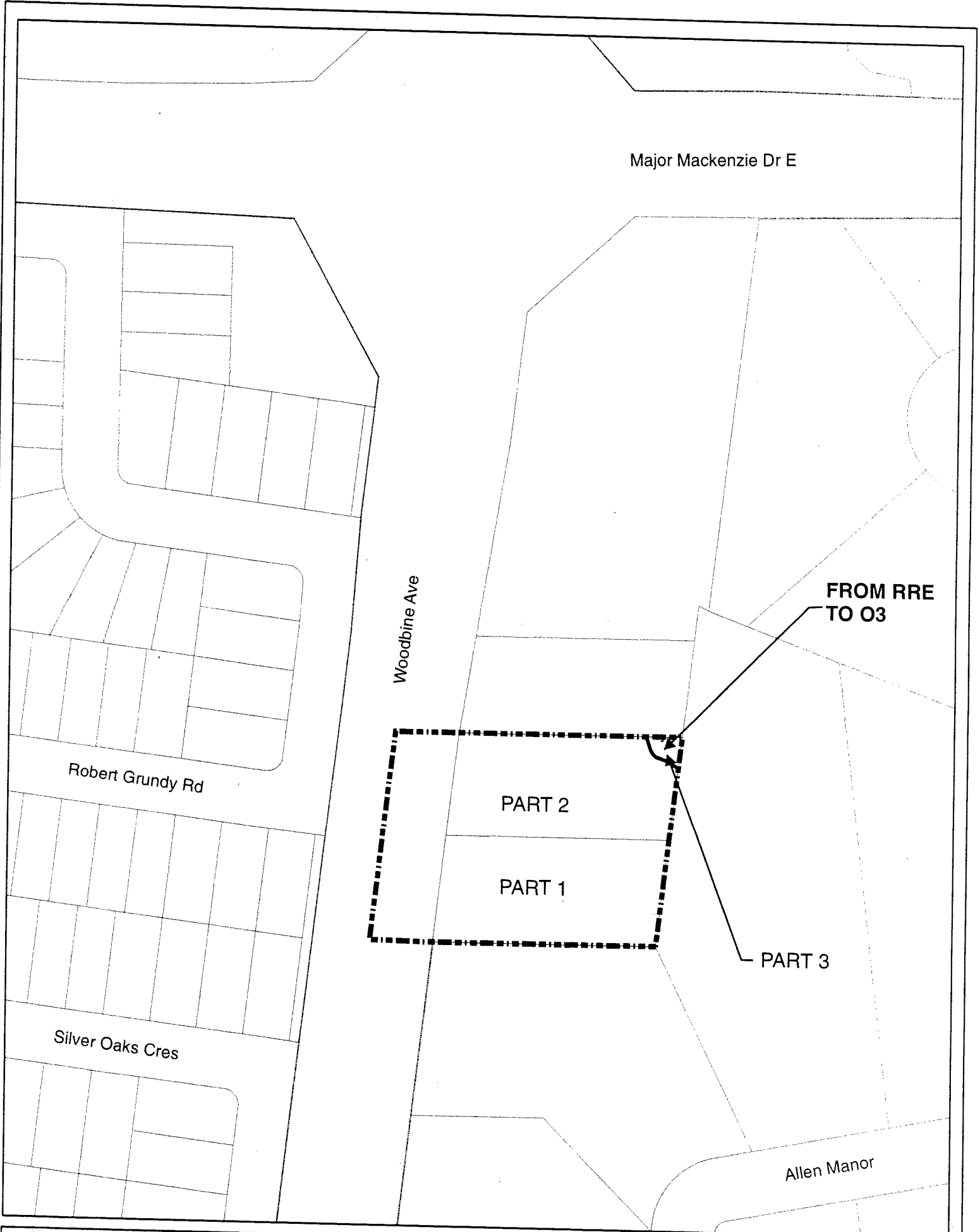
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KIMBERLEY KITTERINGHAM  
TOWN CLERK



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FRANK SCARPITTI  
MAYOR



BY-LAW SCHEDULE 13.82 TO AMEND BY-LAW 304-87

- BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
- BOUNDARY OF ZONE DESIGNATION(S)
- RRE RURAL RESIDENTIAL ESTATE
- O3 OPEN SPACE-ENVIRONMENTAL BUFFER



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BY-LAW AMENDMENT NO. 2012-149 PASSED JUNE 26<sup>th</sup> AND JUNE 27<sup>th</sup>, 2012

*John Sayith* (MAYOR) *[Signature]* (CLERK)



MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: GS

DATE: 06/12/2012

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