



## **EXPLANATORY NOTE**

### **BY-LAW 2012-105**

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

**Amber Plain Investments Ltd  
5443, 5521 and 5565 Major Mackenzie Drive East  
Wismer Commons Community  
19TM-11002**

#### **Lands Affected**

The proposed by-law amendment applies to a 2.4 ha (5.9 ac) parcel of land, located east of Roy Rainey Avenue and south of Major Mackenzie Drive East

#### **EXISTING ZONING**

The lands subject to this amendment are currently zoned Rural Residential Four (RR4) by By-law 304-87 as amended.

#### **Purpose and Effect**

The purpose and effect of this By-law is to incorporate the lands into By-law 177-96, as amended, and to apply the lands into appropriate residential zone categories within By-law 177-96. The proposed zone categories are:

Residential Two (Hold)

R2 (Hold)

which will permit the development of 17.5 single-detached and 50 semi-detached units.

Conditions required to be met for lifting the Holding (H) provision relate to the availability of servicing allocation.



## BY-LAW 2012-105

A by-law to amend the New Urban Area By-law 177-96, as amended  
(To incorporate lands into the designated area of this By-law)

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

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

1.1 By expanding the designated area of By-law 177-96, as amended, to include the lands in Lot 20, Concession 8, as shown on Schedule 'A' attached hereto.

1.2 By zoning the lands:

From Rural Residential Four (RR4) to Residential Two (Hold) [R2 (H)]

as shown on Schedule 'A' attached hereto.

1.3 HOLDING PROVISION

For the purpose of this By-law, a Holding (H) *zone* 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 an (H) provision for the purpose permitted under this By-law until an amendment to this By-law to remove the letter (H) has come into effect pursuant to the provisions of Section 36 of the Planning Act.

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

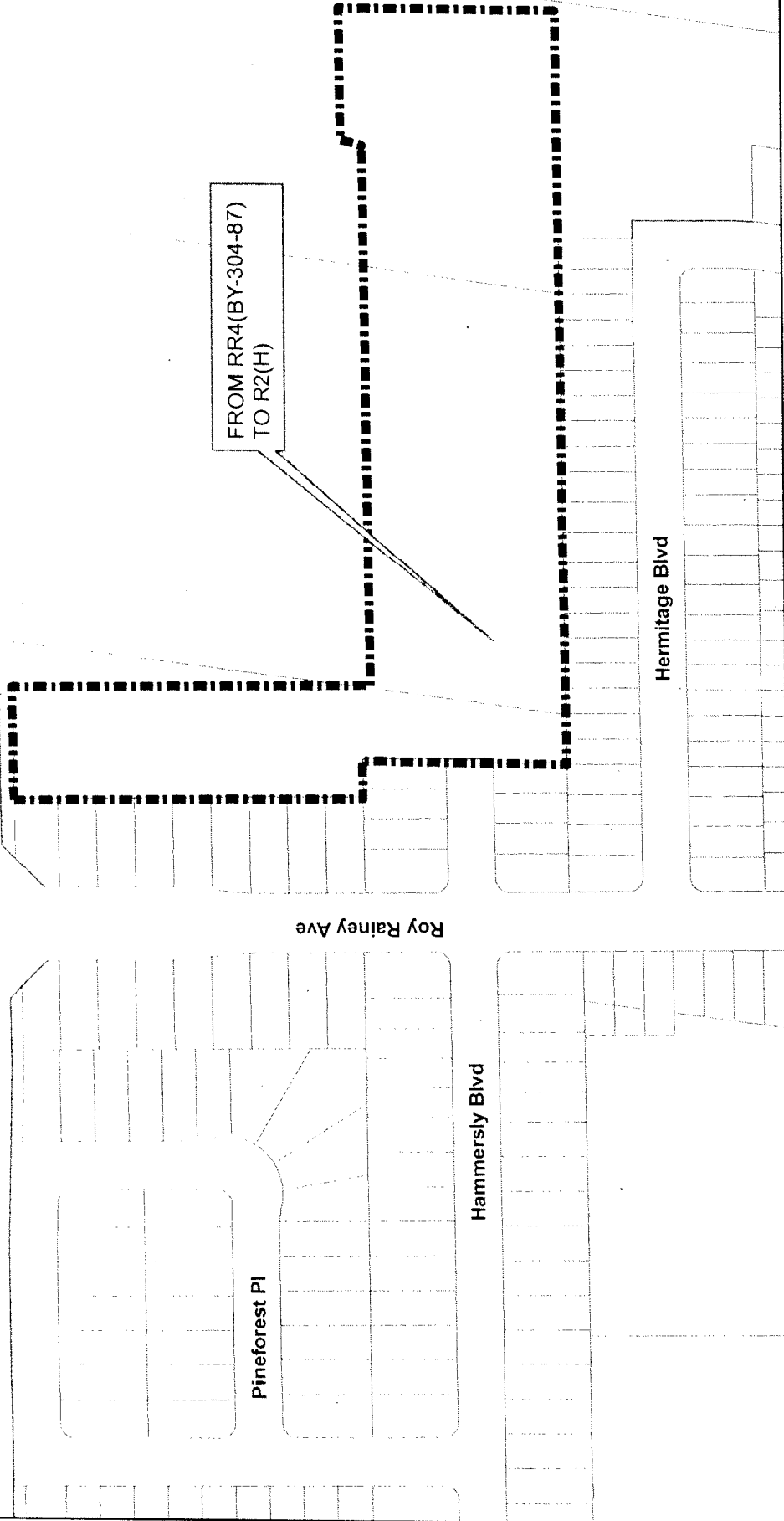
- a) the Town of Markham approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
- b) York Region has advised in writing that it is no earlier than six (6) months prior to the expected completion of the Southeast Collector Trunk Sewer; or,
- c) the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the Town of Markham allocates the capacity to this development.

2. 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 THIS  
15<sup>TH</sup> DAY OF MAY, 2012.

ALIDA TARI  
DEPUTY TOWN CLERK

FRANK SCARPITTI  
MAYOR



Q:\Geomatics\New Operation\By-Laws\SU\SU1120547\SU1120547.mxd

## BY-LAW SCHEDULE 'A' TO AMEND BY-LAW 177-96

 BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE

☒ RR4 RURAL RESIDENTIAL FOUR ☐ R2 RESIDENTIAL TWO


BY-LAW AMENDMENT No. 2012-105

PASSED

MAY 15, 2012

(MAYOR)

(CLERK)

 MARKHAM DEVELOPMENT SERVICES COMMISSION

Checked By: SK

Drawn By: DD

DATE: 03/08/12

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