

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 Lots 16 and 17, Concession 6, as shown on Schedule ‘A’ attached hereto.

1.2 By zoning the lands:

Residential Two*AAA(Holding)	R2*AAA(H)
Residential Two*AAA*BBB(Holding)	R2*AAA*BBB(H)
Residential Two*AAA*CCC(Holding)	R2*AAA*CCC(H)
Residential Two*AAA*DDD(Holding)	R2*AAA*DDD(H)
Open Space One	OS1
Open Space One*EEE	OS1*EEE
Open Space Two	OS2

as shown on Schedule ‘A’ attached hereto.

1.3 By adding the following subsections to Section 7 – EXCEPTIONS:

“7.AAA Upper Unionville Residential Lands

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

7. AAA.1 Zone Standards For All Lots Not Accessed By A Lane

The following specific *zone* standards apply to all lots not accessed by a lane:

- a) Minimum required front yard – 3.0 metres;
- b) Special Provision 5 of Table B2 shall not apply;
- c) Maximum building height for a main building – 12.5 metres;
- d) Notwithstanding Special Provision 2 of Table B2, the wall of the first storey of the main building or porch facing the front lot line shall not be located more than 3.0 metres farther from the front lot line than the wall of the attached garage facing the front lot line on conventional lots;
- e) Notwithstanding Section 6.6.1.c), a window bay, with or without foundations, may encroach into a required interior or rear yard in accordance with Section 6.6.1.a) provided it extend no more than 1.0 metre into the required yard and be no more than 3.0 metres wide;

- f) Notwithstanding Section 6.6.1.d), a window bay, with or without foundations, may encroach into a required front or exterior yard in accordance with Section 6.6.1.a) provided it extend no more than 1.0 metre into the required yard and be no more than 3.0 metres wide. The width of the window bay can be increased to 4.0 metres if a porch does not abut the main wall of the dwelling unit;
- g) Architectural features, such as sills, belt cornices, eaves, roof overhangs may encroach into the required front yard and/or exterior side yard provided no part of such architectural features are located closer than 0.1 metres to the front lot line and/or exterior side lot line;
- h) Stairs are permitted to encroach into the required front yard and/or exterior side yard provided no part of the stairs is located closer than 0.6 metres to the front lot line and/or exterior side lot line.

7. AAA.2 Zone Standards For Lots With Single Detached Dwellings Where A Driveway Crosses The Front Lot Line

The following specific *zone* standards apply to single detached dwellings on lots where the driveway crosses the front lot line:

- a) On a wide shallow lot, the minimum lot frontage shall be 10.4 metres;
- b) On a *wide shallow lot* with a *lot* frontage of less than 12.2 metres, the maximum:
 - i) Garage width – 3.5 metres;
 - ii) Driveway width – 3.5 metres;
- c) On a *wide shallow lot* with a *lot* frontage of 12.2 metres to 13.29 metres, the maximum:
 - i) Garage width – 6.1 metres;
 - ii) Driveway width – 6.1 metres;
- d) Minimum required rear yard – 7.0 metres;
- e) On a lot with a private garage within or abutting the rear yard, the minimum driveway width shall be 2.75 metres;
- f) Notwithstanding any other provision of this by-law or By-law 28-97 (as amended) to the contrary, the minimum setback from an interior side lot line for driveways shall be 0.3 metres;
- a) Section 6.2.4.2.b) of By-law 28-97 (as amended) shall not apply.

7. AAA.3 Zone Standards For Lots With Single Detached Dwellings Where A Driveway Crosses The Exterior Side Lot Line

The following specific *zone* standards apply to single detached dwellings on lots where the driveway does not cross the front lot line:

- a) Maximum garage width – 6.1 metres;
- b) Maximum driveway width – 6.1 metres;
- c) Minimum required rear yard – 0.6 metres;
- d) If a lot has a detached private garage, the detached private garage shall be located:
 - i) a minimum of 0.6 metres from the rear lot line;
 - ii) a minimum of 0.6 metres from the interior side lot line.

7. AAA.4 Zone Standards For Lots With Semi-Detached Dwellings

The following specific *zone* standards apply to lots with semi-detached dwellings:

- b) Minimum lot frontage on a wide shallow lot – 8.0 metres per unit;
- c) Minimum required rear yard – 7.0 metres;
- d) Notwithstanding any other provision of this by-law or By-law 28-97 (as amended) to the contrary, the minimum setback from an interior side lot line for driveways shall be 0.3 metres;
- e) Section 6.2.4.2.b) of By-law 28-97 (as amended) shall not apply;
- f) On a *wide shallow lot*, the maximum:
 - i) Garage width – 3.5 metres;
 - ii) Driveway width – 3.5 metres;

7. AAA.5 Zone Standards For Lots With Townhouse Dwellings With A Driveway Crossing The Front Lot Line

The following specific *zone* standards apply to lots with townhouse dwellings with a driveway crossing the front lot line:

- a) Minimum required rear yard – 7.0 metres;
- b) Notwithstanding any other provision of this by-law or By-law 28-97 (as amended) to the contrary, the minimum setback from an interior side lot line for driveways shall be 0.3 metres;
- g) Section 6.2.4.2.b) of By-law 28-97 (as amended) shall not apply;
- c) Maximum garage width – 3.5 metres;
- d) Maximum driveway width – 3.5 metres;

7. AAA.6 Zone Standards For Lots With Townhouse Dwellings With A Driveway Crossing The Exterior Side Lot Line

The following specific *zone* standards apply to lots with townhouse dwellings with a driveway crossing the exterior side lot line:

- a) Maximum garage width – 6.1 metres;
- b) Maximum driveway width – 6.1 metres;
- c) Minimum required rear yard – 0.6 metres;
- d) If a lot has a detached private garage, the detached private garage shall be located:
 - i) a minimum of 0.6 metres from the rear lot line;
 - ii) a minimum of 0.6 metres from the interior side lot line;

7. AAA.7 Zone Standards For Lots With Townhouse Dwellings Accessed by a lane

The following specific *zone* standards apply to lots with townhouse dwellings accessed by a lane

- a) Minimum lot frontage – 4.0m per unit on an interior lot, 5.2m per end unit on an interior lot and 6.4m per end unit on a corner lot;
- b) Special Provision 6 of Table B2 shall not apply;
- c) Minimum required rear yard for a main building if the private garage is detached – 12.5 metres;
- d) Minimum required rear yard for a main building if the private garage is attached or within the main building – 0.6 metres;
- e) Maximum height of a main building – 12.5 metres;
- f) Notwithstanding any other provision to contrary:
 - i) the minimum building setback from a daylighting triangle abutting either Kennedy Road or 16th Avenue shall be 0.6 metres;
 - ii) sills, cornices, eaves, and roof overhangs may be located no closer than 0.1 metres from a daylighting triangle abutting either Kennedy Road or 16th Avenue;
- g) No maximum setback from the rear lot line shall apply for a detached private garage;
- h) Maximum permitted lot coverage for a detached private garage – 22%;
- i) If a detached garage is located on the lot, covered porches, with or without foundations, may encroach a maximum of 1.8 metres into the setback area required in Section 6.3.1.3. Unenclosed stairs associated with a covered porch may encroach an additional 1.8 metres into the setback area required in Section 6.3.1.3.

7. AAA.8 Special Site Provisions For Lots With Townhouse Dwellings Accessed by a lane:

The following additional provisions apply to lots with townhouse dwellings accessed by a lane:

- a) Table B2 – Part One, as amended by Sections 7.AAA.7 and 7.AAA.8, shall be used regardless of lot depth;
- b) A private garage is permitted to be within or attached to the main building if the lot is accessed by a lane
- c) Notwithstanding Section 6.6.1.c), a window bay, with or without foundations, may encroach into a required interior or rear yard in accordance with Section 6.6.1.a) provided it extend no more than 1.0 metre into the required yard and be no more than 3.0 metres wide;
- d) Notwithstanding Section 6.6.1.d), a window bay, with or without foundations, may encroach into a required front or exterior yard in accordance with Section 6.6.1.a) provided it extend no more than 1.0 metre into the required yard and be no more than 3.0 metres wide. The width of the window bay can be increased to 4.0 metres if a porch does not abut the main wall of the dwelling unit;
- e) Architectural features, such as sills, belt cornices, eaves, roof overhangs may encroach into the required front yard and/or exterior side yard provided no part of such architectural features are located closer than 0.1 metres to the front lot line and/or exterior side lot line;
- f) Stairs are permitted to encroach into the required front yard and/or exterior side yard provided no part of the stairs is located closer than 0.1 metres to the front lot line and 0.6 metres to the exterior side lot line.

7.BBB Townhouses Separated From Kennedy Road By A Landscape or Servicing Block

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

7. BBB.1 Special Site Provisions For Townhouse Lots Separated From Kennedy Road By A Landscape or Servicing Block

The following additional provisions apply to lots separated from Kennedy Road by a landscape or servicing block:

- a) The lot is deemed to have frontage on a public road;
- b) The westerly lot line shall be deemed to be the Front Lot Line.

7.CCC Townhouses Separated From 16th Avenue By A Landscape or Servicing Block

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

7. CCC.1 Special Site Provisions For Townhouse Lots Separated From 16th Avenue By A Landscape or Servicing Block

The following additional provisions apply to lots separated from 16th Avenue by a landscape or servicing block:

- a) The lot is deemed to have frontage on a public road;
- b) The southerly lot line shall be deemed to be the Front Lot Line.

7.DDD Reduced Rear Yard

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

7. DDD.1 Reduced Rear Yard for Single Detached lot

The following additional provisions apply:

- a) Notwithstanding Table B2 – Part 2 and Section 7.AAA.2.d), the minimum required rear yard shall be 6.0 metres.

7.EEE Upper Unionville Cemetery

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

7. EEE.1 Additional Permitted Uses

The following additional use is permitted:

- a) A cemetery.”

1.4 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:

Servicing Allocation:

- a. the Town of Markham approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;

or,

- b. i. 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 and,
- ii. The Council of the Town of Markham has allocated adequate available water supply and sewage servicing capacity to the subject development;

or,

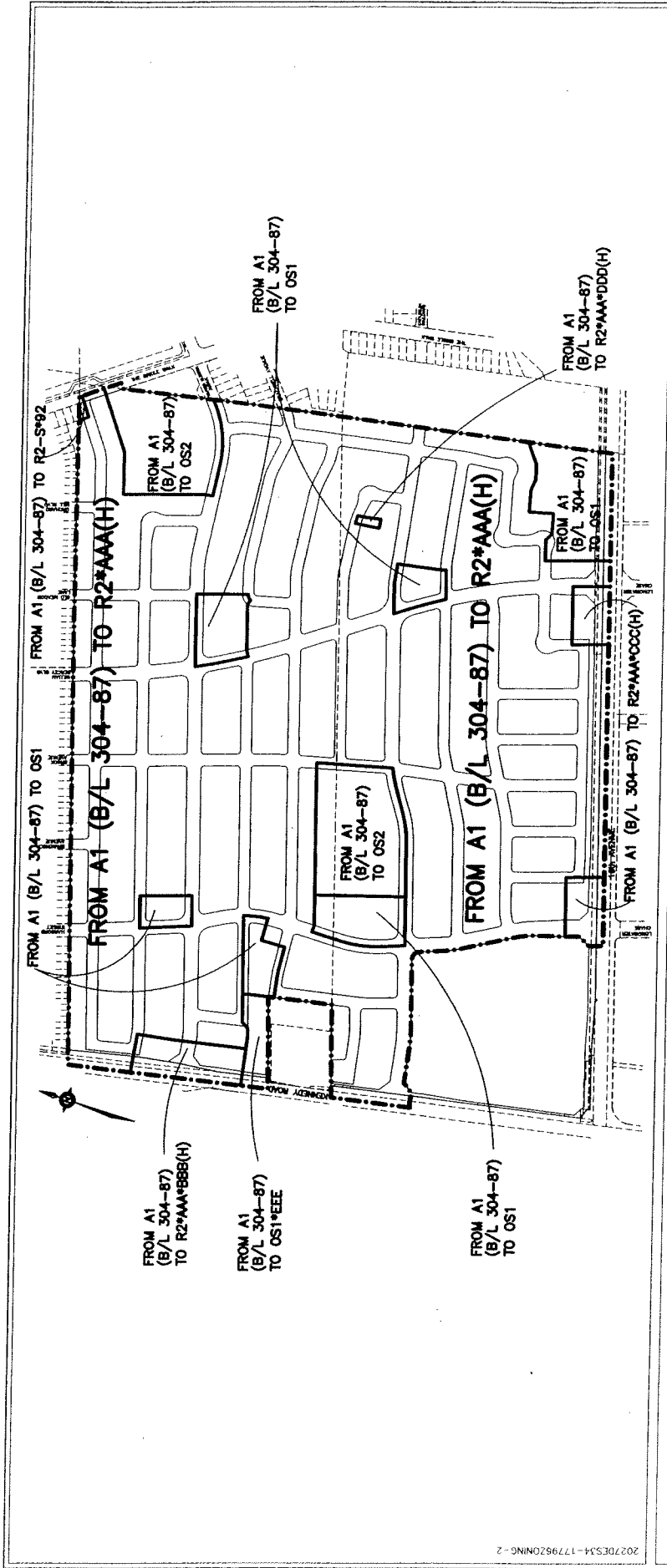
- c. the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the Town of Markham allocates the capacity to this development.

White Cedar Swamp:

A study of the White Cedar Swamp has been completed for Phase 2 of Draft Plan 19TM-10003 to the satisfaction of the TRCA, and the TRCA confirms that the swamp is not required to be retained.

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

DRAFT



A BY-LAW TO AMEND BY-LAW 177-96

THIS IS SCHEDULE 'A' TO BY-LAW
 PASSED THIS _____ DAY _____
 _____ MAYOR
 _____ CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW		ZONE BOUNDARY	
<input type="checkbox"/> A1	AGRICULTURAL ONE	<input type="checkbox"/> OS2	OPEN SPACE TWO
<input type="checkbox"/> R2	RESIDENTIAL TWO	<input type="checkbox"/> *No.	EXCEPTION SECTION NUMBER
<input type="checkbox"/> OS1	OPEN SPACE ONE	<input type="checkbox"/> (H)	HOLDING SYMBOL

NOTE: 1) DIMENSIONS ARE IN METRES
 2) REFERENCE SHOULD BE MADE TO THE ORIGINAL BY-LAW LODGED IN THE OFFICE OF THE CLERK

SCALE N.T.S.