

EXPLANATORY NOTE BY-LAW 2008-XX

LANDS AFFECTED

This by-law applies to 1.10 ha (2.74 acre) parcel of land located on the north side of Lee Avenue between Brimley Road and Noble Street, municipally known as 78 and 90 Lee Avenue.

EXISTING ZONING

The property is currently zoned Suburban Residential Three – Hold [SUR3 (H)] under By-law 193-81, as amended.

PURPOSE AND EFFECT OF BY-LAW

The purpose of this By-law is to add site-specific development standards and to zone Parcels 'A' and 'B' from Suburban Residential Three – Hold [SUR 3 (H)] to Suburban Residential Three (SUR 3). The effect of the By-law is to permit the development of 12 lots for single detached houses, including two lots created through previous severance applications which are also part of this by-law amendment. The site-specific development standards which are being introduced include standards previously approved through severance and minor variance applications.

The By-law retains the Hold (H) provision on Lots 1 through 10 to ensure that the subdivision agreement is executed to the satisfaction of the Town of Markham and servicing allocation for the proposed development is confirmed by the Town. The Hold (H) provision is lifted from Parcels 'A' and 'B' which were previously severed to facilitate development prior to the draft plan of subdivision.

BY-LAW 2008-XX

*A by-law to amend By-law 193-81, as amended
being a By-law to rezone the lands to permit a plan of subdivision*

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

I. That By-law 193-81, as amended, is hereby further amended as follows:

I.1 By zoning Parcels 'A' and 'B' from Suburban Residential Three-Hold [SUR 3 (H)]
to Suburban Residential Three (SUR 3).

I.2 By adding to Section 7 – Exceptions, the following:

“7.26 Notwithstanding any other provisions of this By-law, the provisions of this
section shall apply to those lands identified 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.

I. Zone Standards

The following specific zone standards apply:

a) Lot 1

- | | | |
|------|-----------------------------|---------------|
| i) | Minimum LOT FRONTAGE- | 15 metres |
| ii) | Minimum LOT AREA- | 0.09 hectares |
| iii) | Minimum front yard SETBACK- | 12.19 metres |

b) Lots 2, 3, 4 and 7

- | | | |
|-----|-----------------------|---------------|
| i) | Minimum LOT FRONTAGE- | 22 metres |
| ii) | Minimum LOT AREA- | 0.09 hectares |

c) Lots 5 and 6

- | | | |
|-----|-----------------------|--------------|
| i) | Minimum LOT FRONTAGE- | 16 metres |
| ii) | Minimum LOT AREA- | 0.1 hectares |

d) Lots 8 and 9

- | | | |
|-----|-----------------------|--------------|
| i) | Minimum LOT FRONTAGE- | 24 metres |
| ii) | Minimum LOT AREA- | 0.1 hectares |

e) Lot 10

- | | | |
|------|-----------------------------|--------------|
| i) | Minimum LOT FRONTAGE- | 16 metres |
| ii) | Minimum LOT AREA- | 0.1 hectares |
| iii) | Minimum front yard SETBACK- | 12.19 metres |
-

f) Parcel B

- | | | |
|------|-----------------------------|---------------|
| i) | Minimum LOT FRONTAGE- | 26 metres |
| ii) | Minimum LOT AREA- | 0.14 hectares |
| iii) | Minimum front yard SETBACK- | 12.19 metres |

g) Parcel A

- | | | |
|------|-----------------------------|---------------|
| i) | Minimum LOT FRONTAGE- | 22 metres |
| ii) | Minimum LOT AREA- | 0.09 hectares |
| iii) | Minimum side yard SETBACK- | 4.5 metres |
| iv) | Minimum front yard SETBACK- | 12.19 metres |

2. Special Site Provisions

The maximum number of lots permitted within the area covered by this By-law, as shown on Schedule 'A', shall be 12.

3. HOLDING PROVISION

Notwithstanding any other provision in this By-law, where a zone symbol is followed by the letter (H), no person shall use the land to which the letter (H) applies for any use other than the use which existed on the date this By-law was passed, until the (H) is removed in accordance with the policies of the Official Plan, the provisions of this Zoning by-law and any amendments to this By-law, as amended, and the Planning Act as amended.

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

- (a) A subdivision agreement is executed to the satisfaction of the Town of Markham; and
- (b) Servicing allocation is confirmed with the Town of Markham.

4. All other provisions of By-law 193-81, 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 ____ DAY of _____, 2008.

SHEILA BIRRELL, TOWN CLERK

FRANK SCARPITTI, MAYOR



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 193-81



BOUNDARY OF AREA COVERED BY THIS BY-LAW

ZONE BOUNDARY

SUR3

SUBURBAN RESIDENTIAL THIRD DENSITY

(H)

HOLDING PROVISION

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY, 2008

.....MAYOR

.....CLERK

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

SCALE 1:

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