

# EXPLANATORY NOTE

## BY-LAW 2011-122

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

Digram Developments Inc.  
North of Donald Cousens Parkway, south of Major Mackenzie Drive  
Greensborough Community  
19TM-09004

### Lands Affected

The proposed by-law amendment applies to a 14 ha (34.5 ac) parcel of land, located north of Donald Cousens Parkway, south of Major Mackenzie Drive.

### EXISTING ZONING

The lands subject to this amendment are currently zoned Rural Residential Four (RR4) and Open Space One (O1) by By-law 304-87 as amended.

### Purpose and Effect

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

Residential Two*440 (Hold)	R2*440 (H)
Residential Two*441 (Hold)	R2*441(H)
Residential Two*441	R2*441
Residential Two-Lane Access*442	R2-LA*442
Residential Two-Lane Access*442*446	R2-LA*442*446
Residential Two-Lane Access*442 (Hold)	R2-LA*442 (H)
Community Amenity Three*443 (Hold)	CA3*443 (H)
Community Amenity Three*444 (Hold)	CA3*444 (H)
Community Amenity Three*445 (Hold)	CA3*445 (H)
Open Space One	OS1

which will permit the development of residential units.

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

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## BY-LAW 2011-122

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:

Residential Two*440 (Hold)	R2*440 (H)
Residential Two*441 (Hold)	R2*441 (H)
Residential Two*441	R2*441
Residential Two-Lane Access*442	R2-LA*442
Residential Two-Lane Access*442*446	R2-LA*442*446
Residential Two-Lane Access*442 (Hold)	R2-LA*442 (H)
Community Amenity Three*443 (Hold)	CA3*443 (H)
Community Amenity Three*444 (Hold)	CA3*444 (H)
Community Amenity Three*445 (Hold)	CA3*445 (H)
Open Space One	OS1

as shown on Schedule 'A' attached hereto.

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

**“7.440 Front Access Townhouse Dwellings between Major MacKenzie Drive and Donald Cousens Parkway, Greensborough**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol \*440 on the Schedules 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. 440.1 Zone Standards**

The following specific *zone* standards apply:

- The development standards for conventional lots apply regardless of *lot depth*.
- Minimum *lot frontage* for a *townhouse dwelling* – 6.0 metres;
- Minimum required *front yard* on a *lot* not accessed by a *lane* – 3.0 metres;
- Minimum required *exterior side yard* – 1.8 metres;
- Minimum required *rear yard* – 7.0 metres;
- Minimum required *interior side yard* abutting a *lane* shall be 1.2 metres;
- Maximum *building height* – 13 metres.

**“7.441 Front Access Semi Detached and Townhouse Dwellings between Major MacKenzie Drive and Donald Cousens Parkway, Greensborough**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol \*441 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. 441.1 Zone Standards**

The following specific *zone* standards apply:

- (a) The development standards for conventional lots apply regardless of *lot depth*.
- (b) Minimum *lot frontage* per unit for a *townhouse dwelling* – 5.5 metres;
- (c) Minimum required *front yard* on a *lot* not accessed by a *lane* – 3.0 metres;
- (d) Minimum required *exterior side yard* – 1.8 metres;
- (e) Minimum required *rear yard* – 7.0 metres;
- (f) Minimum required *interior side yard* abutting a *lane* shall be 1.2 metres;
- (g) Maximum *building height* – 13 metres.

**“7.442 Public Lane Accessed Townhouse Dwellings between Major MacKenzie Drive and Donald Cousens Parkway, Greensborough**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol \*442 on the Schedules 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.

**7.442.1 Additional Permitted Uses**

The following additional uses permitted:

- (a) A *private garage* is permitted to be within or attached to the *main building*.

**7.442.2 Zone Standards**

The specific *zone* standards apply:

- (a) Minimum *lot frontage* for *townhouse dwelling*
  - (i) *interior lot* - 4.5 metres
  - (ii) end unit *interior lot* – 5.7 metres
  - (iii) end unit *corner lot* – 6.3 metres
- (b) Minimum required *rear yard* – 5.8 metres;
- (c) Minimum required *exterior side yard* – 1.8 metres;
- (d) Maximum *building height* – 13.0 metres.

**“7.443 Condominium Block, south of Major MacKenzie Drive, west of Delray Drive, Greensborough**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol \*443 on the Schedules 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.

**7.443.1 Additional Permitted Uses**

The following additional uses are permitted:

- (a) A *private garage* is permitted to be within or attached to the *main building*.

**7.443.2 Zone Standards**

The following specific *zone* standards apply:

- (a) Maximum *front yard* shall not apply;
- (b) Minimum required *exterior side yard* – 1.8 metres;
- (c) Maximum *exterior side yard* shall not apply;
- (d) Minimum required *rear yard* – 1.8 metres;
- (e) Minimum *landscaped open space* provisions shall not apply;
- (f) Maximum *building height* – 15.0 metres;
- (g) Minimum setback to an R2 zone boundary – 7.0 metres;
- (h) Minimum number of *parking spaces* – 1.0 per *dwelling unit*;

**7.443.3 Special Site Provisions**

The following additional provisions apply:

- (a) Where a *lot* has access from a *lane* and does not have frontage on a *public street* the north *lot line* shall be deemed to be the *front lot line*.
- (b) For the purposes of this by-law a *multiple unit building* means a *building* containing three or more *dwelling units*, with the *dwelling units* accessed by a common corridor system and/or entrance, but not including a *triplex*, a *fourplex*, a *townhouse building* or an *apartment building*.
- (c) No provision of this By-law shall prevent the further division of the lands denoted by the symbol \*443 on the schedules to this By-law, except that required parking must be located on the same lot as the building structure or use requiring the parking.
- (d) The requirement for no less than 25% of the wall of the *first storey* facing the *front lot line* shall be located any further than 5.1 metres from the *front lot line* shall not apply.

**“7.\*444 Condominium Block, north of Donald Cousens Parkway,  
east of Delray Drive, Greensborough**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol \*444 on the Schedules 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.

**7.444.1 Additional Permitted Uses**

The following additional uses are permitted:

- (a) A *private garage* is permitted to be within or attached to the *main building*.

**7.444.2 Zone Standards**

The following specific *zone* standards apply:

- (a) Maximum *front yard* shall not apply;
- (b) Maximum *exterior side yard* shall not apply;
- (c) Minimum required *exterior side yard* – 1.8 metres;
- (d) Minimum required *rear yard* – 1.8 metres;
- (e) Minimum *landscaped open space* provisions shall not apply;
- (f) Maximum *building height* – 15.0 metres;
- (g) Minimum number of *parking spaces* – 1.0 per *dwelling unit*.

**7.444.3 Special Site Provisions**

The following additional provisions apply:

- (a) Where a lot has access from a *lane*, and does not have frontage on a *public street*, and abuts a park, the north *lot line* shall be deemed to be the *front lot line*.
- (b) For the purposes of this by-law a *multiple unit building* means a *building* containing three or more *dwelling units*, with all of the *dwelling units* accessed directly from the outside, but not including a *triplex*, a *fourplex*, a *townhouse building* or an *apartment building*.
- (c) No provision of this By-law shall prevent the further division of the lands denoted by the symbol \*444 on the schedules to this By-law, except that required parking must be located on the same lot as the *building* structure or use requiring the parking.
- (d) The requirement for no less than 25% of the wall of the *first storey* facing the *front lot line* shall be located any further than 5.1 metres from the *front lot line* shall not apply.

**“7.\*445 Condominium Block, north of Donald Cousens Parkway,  
west of Delray Drive, Greenborough**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol \*445 on the Schedules 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.

**7.445.1 Additional Permitted Uses**

The following additional uses are permitted:

- (a) A private garage is permitted to be within or attached to the main building.

**7.445.2 Zone Standards**

The following specific *zone* standards apply:

- (a) Maximum *front yard* shall not apply;
- (b) Minimum exterior *side yard* – 1.8 metres;
- (c) Maximum *exterior side yard* shall not apply;
- (d) Minimum *required rear yard* – 1.8metres;
- (e) Minimum *landscaped open space* provisions shall not apply;
- (f) Maximum *building height* – 15.0 metres;
- (g) Minimum setback to the R2 zone boundary – 7.0 metres;
- (h) Minimum number of *parking spaces* – 1.0 per *dwelling unit*.

**7.445.3 Special Site Provisions**

The following site specific provisions apply:

- (a) For the purposes of this by-law a *multiple unit building* means a *building* containing three or more *dwelling units*, with all of the *dwelling* units accessed directly from the outside, but not including a *triplex*, a *fourplex*, a *townhouse building* or an apartment building.
- (b) No provision of this By-law shall prevent the further division of the lands denoted by the symbol \*445 on the schedules to this By-law, except that required parking must be located on the same lot as the building structure or use requiring the parking.
- (c) The requirement for no less than 25% of the wall of the *first storey* facing the *front lot line* shall be located any further than 5.1 metres from the *front lot line* shall not apply.

**“7.446 Public Lane Accessed Townhouse Dwellings between Major MacKenzie Drive and Donald Cousens Parkway,  
Greensborough**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol \*446 on the Schedules 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.

**7.446.1 Special Site Provisions**

The following additional provisions apply:

- (a) Maximum number of *townhouse building* dwelling units - 9.

**1.4 HOLDING PROVISIONS**

For the purpose of this By-law, a Holding (H) provision 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 the '(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. York Region has advised in writing that final plan registration can proceed;
  - b. The Council of the Town of Markham has allocated adequate available servicing capacity to the lands; and
  - c. The Trustee for the Greensborough Developers Group Cost Sharing Agreement has assigned the remaining 374 units of conditional servicing allocation to the Owner;
2. All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

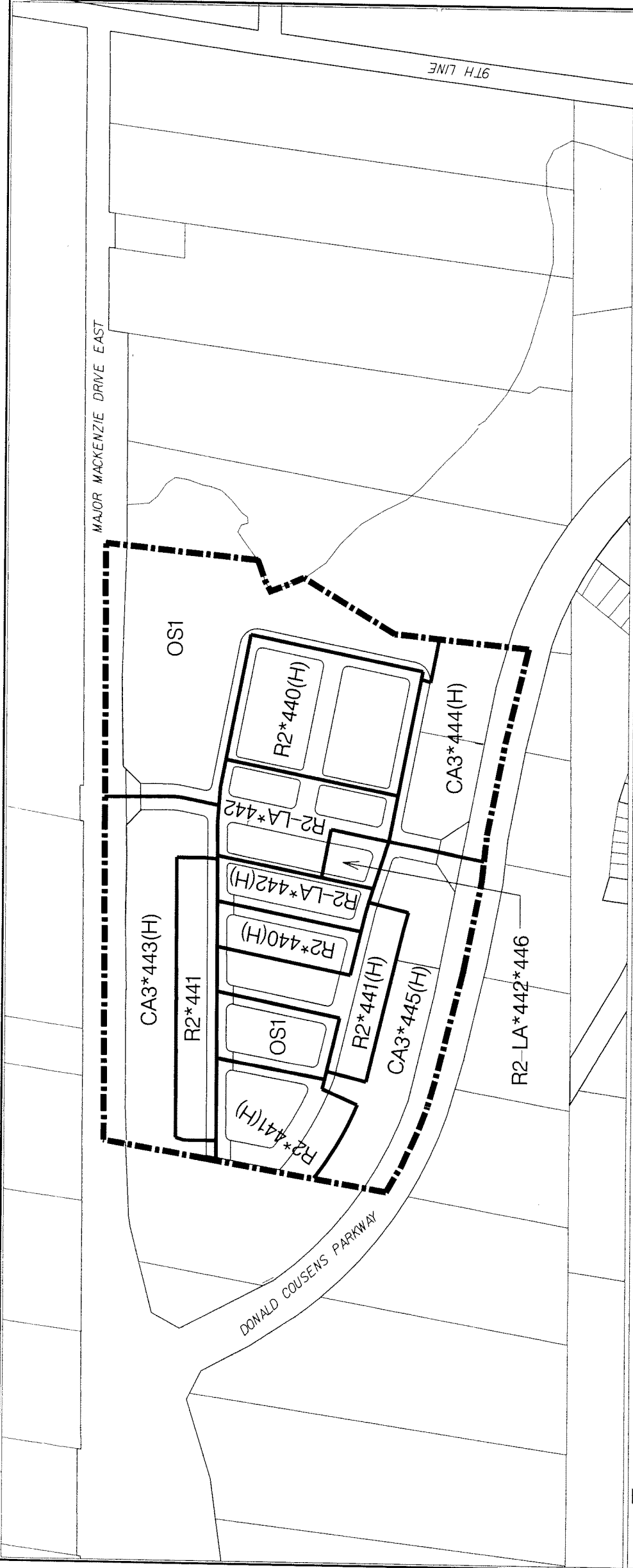
READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
31<sup>ST</sup> DAY OF MAY, 2011.



KIMBERLEY KITTINGHAM  
TOWN CLERK



FRANK SCARPITTI  
MAYOR



DEVELOPMENT SERVICES COMMISSION

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

THIS IS SCHEDULE 'A' TO BY-LAW 2011-182  
PASSED THIS 31<sup>ST</sup> DAY MAY, 2011

*Paul Smith* MAYOR

*[Signature]* CLERK



BOUNDARY OF AREA COVERED BY THIS BY-LAW



ZONE BOUNDARY



RESIDENTIAL TWO



RESIDENTIAL TWO-SPECIAL LANE ACCESS



COMMUNITY AMENITY THREE



OPEN SPACE ONE



HOLDING PROVISION



EXCEPTION SECTION NUMBER

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: NTS