

# **EXPLANATORY NOTE**

## **By-law 2011-46**

### **A By-law to amend By-law 177-96**

Times Group Corp.  
Block 50 Plan 65M-3226  
Leitchcroft Community

#### **LANDS AFFECTED**

The proposed rezoning applies to a 1.72 ha (4.25 ac) parcel of land, located on the south side of South Park Road, east of Times Avenue in the Leitchcroft Community.

#### **EXISTING ZONING**

The lands subject to this amendment are currently zoned Community Amenity Area 1 \* 38 (H2) [CA1\*38(H2)] by By-law 177-96 as amended.

#### **PURPOSE AND EFFECT OF THE BY-LAW**

The purpose of this By-law is to:

- Increase the maximum number of residential units permitted within the \*38 zone from 1,800 to 1,903 (increase of 103 units);
- Reduce parking requirements for apartment dwellings from 1.3 resident parking spaces and 0.2 visitor parking spaces per dwelling unit to 1.2 resident parking spaces plus 0.1 visitor parking spaces per dwelling unit;
- Remove the Hold 2 (H2) provision in effect on the site, relating to the availability of servicing capacity, and to replace it with a new Hold (H) provision. An amendment to remove the (H) provision shall not be passed prior to execution of a Section 37 agreement between the Town and the owner.

The effect of the by-law will be to permit development of a total of 438 units on the site consisting of 416 apartment units in two, 13 storey apartment buildings and 22 townhouse units.

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## BY-LAW 2011-46

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

*(To increase the maximum number of dwelling units permitted in the CA1 \* 38 zone by 103 units; to revise the holding zone provision and to revise parking standards for apartment dwellings on Block 50 Plan 65M-3226;)*

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

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

1.1. By rezoning the lands shown on Schedule 'A' attached hereto, as follows:

From Community Amenity Area One \* 38 (Hold 2) [CA1\*38(H2)]  
To Community Amenity Area One \* 38 \* 434 (Hold) [CA1\*38\*434(H)]

1.2. By deleting Section 7.38.1 b) and replacing it with the following:

“b) Maximum number of dwelling units – 1,903”

1.3. By adding the following to Section 7 Exceptions immediately after sub-section 7.433:

#### **7.434 MINIMUM PARKING REQUIREMENTS FOR APARTMENT DWELLINGS.**

Notwithstanding any other provision of this By-law, the provisions of this section shall apply to those lands denoted by the symbol \*434 on the Schedules to this By-law. All provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

##### **7.434.1 Special Parking Provision:**

The following parking provision applies:

*Apartment Dwellings:* 1.2 parking spaces per *dwelling unit* plus 0.1 parking spaces per *dwelling unit* for visitors (including guest *suites*)

1.4 The following Hold provision shall apply:

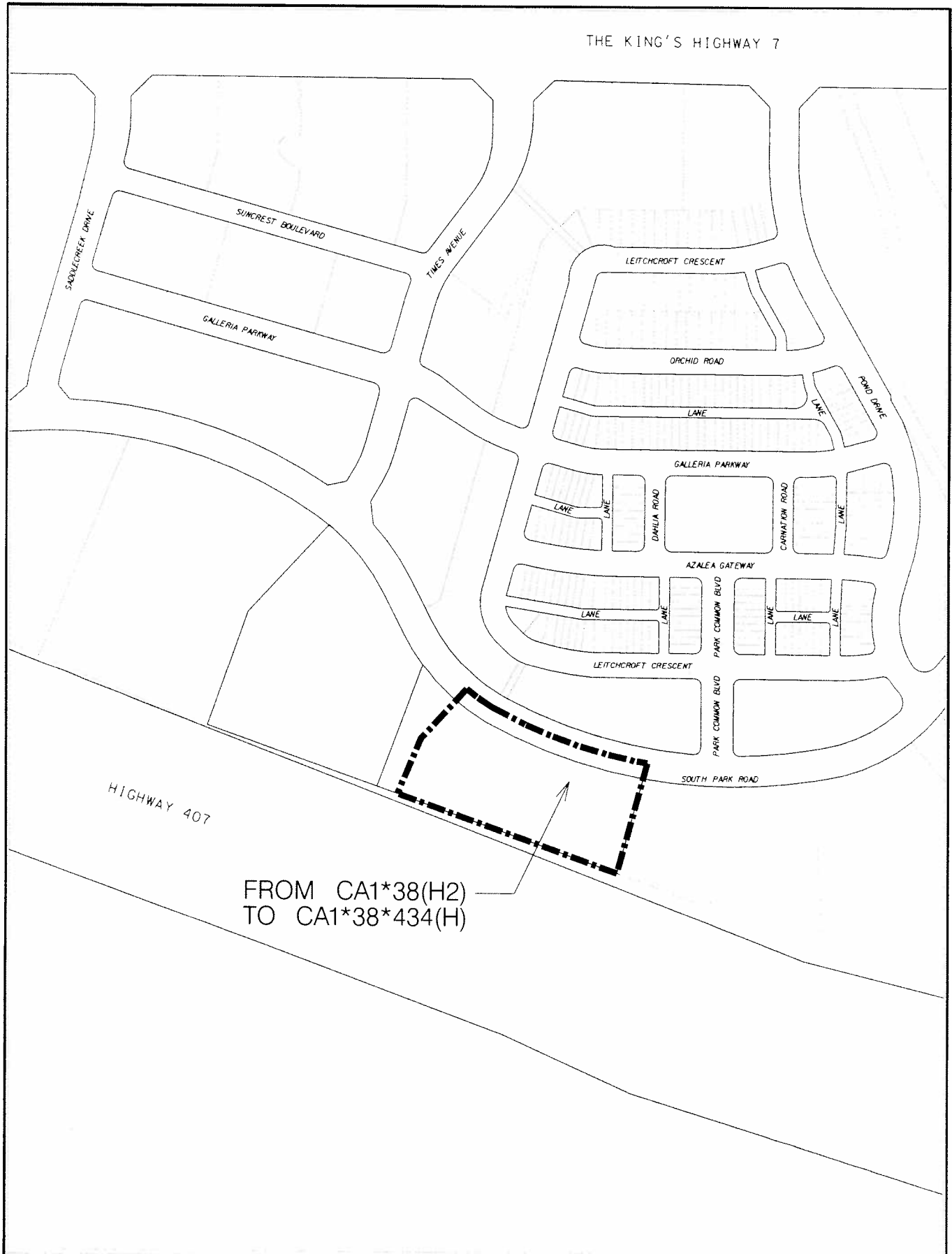
- a) An amendment to remove the (H) provision shall not be passed prior to:
  - i) Execution of a Section 37 agreement between the Town and the owner.

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  
25<sup>TH</sup> DAY OF JANUARY, 2011.

  
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KIMBERLEY KITTERINGHAM  
TOWN CLERK

  
\_\_\_\_\_  
FRANK SCARPITTI  
MAYOR



DEVELOPMENT SERVICES COMMISSION

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

--- BOUNDARY OF AREA COVERED BY THIS BY-LAW

- CA1 COMMUNITY AMENITY ONE
- (H) HOLDING PROVISION
- (H2) HOLDING PROVISION TWO
- \*No. EXCEPTION SECTION NUMBER

THIS IS SCHEDULE 'A' TO BY-LAW 2011-46  
PASSED THIS 25<sup>TH</sup> DAY JAN., 2011

*John Scarpitti*  
MAYOR  
*[Signature]*  
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: 3700