

**EXPLANATORY NOTE**

**BY-LAW 2011-48**

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

**Lasseter Development Inc.  
Part of Lot 20, Concession 6  
Berczy Village Community**

**Lands Affected**

The proposed by-law amendment applies to 6 ha. (15 acres) of land located south of Major Mackenzie Drive, west of McCowan Road, within the Berczy Village community.

**Existing Zoning**

The lands are presently zoned Agriculture (A1) by By-law 304-87, as amended.

**Purpose and Effect**

The purpose of the by-law amendment is to incorporate the lands into appropriate residential and open space zone categories within By-law 177-96, as amended. The proposed zone categories are:

Residential Two *435	(R2*435)
Residential Two *436	(R2*436)
Residential Two *437	(R2*437)
Open Space One	(OS1)

The proposed zoning will permit the development of 251 townhouse units and a stormwater management pond.

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## BY-LAW 2011-48

A by-law to amend the New Urban Area Zoning 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. 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 Part of Lot 20, Concession 6, as shown on Schedule 'A' attached hereto;
  - 1.2 By zoning the lands:

Residential Two *435	(R2*435)
Residential Two *436	(R2*436)
Residential Two *437	(R2*437)
Open Space One	(OS1)

as shown on Schedule 'A' attached hereto.
  - 1.3 By adding the following subsections to Section 7 – EXCEPTIONS:

**“7.435 INTERNAL LOTS ACCESSED BY A ROAD**

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol \*435 on the schedule 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.

**7.435.1 Zone Standards**

The following specific zone standards apply:

- a) Minimum *lot frontage* - 6.0m
- b) Minimum *lot frontage* for an end unit on a *corner lot* – 8.4m

**7.435.2 Special Site Provision**

The following additional provisions apply:

No part of the *main wall* of the *first storey* facing the *front lot line* shall be located farther than 6.5 metres from the *front lot line*. For the purposes of this Special Provision, the wall and/or foundation of a covered *porch* above *established grade* and facing the *front lot line* may be considered part of the *main wall* of the *building*.

In the case of a *lot* where any part of the *front lot line* is curved, any portion of the *main wall* facing the *front lot line* may be located farther than 6.5 metres from the *front lot line*, provided the portion or point of the *main wall* closest to the *front lot line* is no more than 6.5 metres from the *front lot line*.

#### **7.436 INTERNAL LOTS ACCESSED BY A REAR LANE**

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol \*436 on the schedule 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.

##### **7.436.1 Zone Standards**

The following specific zone standards apply:

- a) Minimum *lot frontage* - 4.0m
- b) Minimum *lot frontage* for an end unit on a *corner lot* – 6.4m
- c) Minimum required *front yard* - 3.0m
- d) Minimum required *rear yard* - 5.8m

##### **7.436.2 Special Site Provision**

The following additional provisions apply:

- a) For the purposes of this by-law, all *lots* are deemed to be *wide shallow lots*
- b) A *private garage* is permitted to be within or attached to the *main building*

#### **7.437 LOTS ADJACENT TO MAJOR MACKENZIE DRIVE AND McCOWAN ROAD ACCESSED BY A REAR LANE**

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol \*437 on the schedule 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.

##### **7.437.1 Zone Standards**

The following specific zone standards apply:

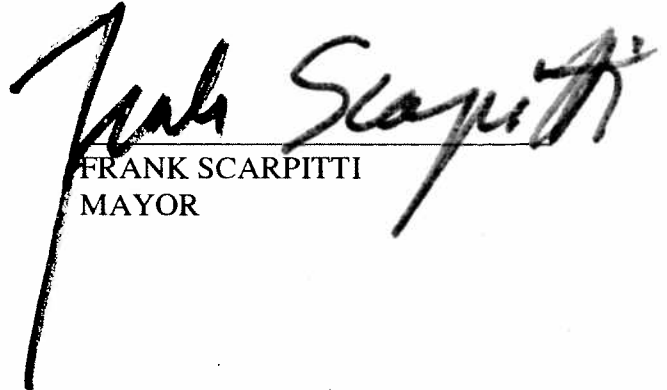
- a) Minimum *lot frontage* - 4.0m
- b) Minimum *lot frontage* for an end unit on a *corner lot* – 6.4m
- c) Minimum required *front yard* - 0.6m
- d) Minimum required *rear yard* - 5.8m
- e) Minimum *building* setback from a daylighting triangle abutting McCowan Road - 0.6m
- f) Sills, cornices, eaves and roof overhangs may be located no closer than 0.1 metres from a daylighting triangle abutting McCowan Road

#### 7.437.2 Special Site Provision

The following additional provisions apply:

- a) For the purposes of this by-law, all *lots* are deemed to be *wide shallow lots*
  - b) A *private garage* is permitted to be within or attached to the *main building*
  - c) The *rear lot line* shall be deemed to be abutting a lane"
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  
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FRANK SCARPITTI  
MAYOR

