

EXPLANATORY NOTE

BY-LAW 2010-120

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

**Greensborough North Group
Part of Lot 20, Concession 8
Greensborough Community
19TM-06009**

Lands Affected

The proposed by-law amendment applies to 21.14 ha. (52.23 acres) of land located south of Major Mackenzie Drive, between Donald Cousens Parkway and the GO Transit Rail Corridor.

Existing Zoning

The lands are presently zoned Rural Residential (RR4) 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*393(Holding)	R2*393(H)
Residential Two–Special*393(Holding)	R2-S*393(H)
Residential Two*133*207*394(Holding)	R2*133*207*394(H)
Residential Two-Special*134*207*394(Holding)	R2-S*134*207*394(H)
Residential Two*395	R2*395
Residential Two*396(Holding)	R2*396(H)
Residential Two*397*393(Holding)	R2*397*393(H)
Open Space One	OS1

which will permit the development of 302 residential units.

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



BY-LAW 2010-120

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*393(Holding)	R2*393(H)
Residential Two-Special*393(Holding)	R2-S*393(H)
Residential Two*133*207*394(Holding)	R2*133*207*394(H)
Residential Two-Special*134*207*394(Holding)	R2-S*134*207*394(H)
Residential Two*395	R2*395
Residential Two*396(Holding)	R2*396(H)
Residential Two*397*393(Holding)	R2*397*393(H)
Open Space One	OS1

as shown on Schedule 'A' attached hereto.

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

“7.393 GREENSBOROUGH NORTH

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *393 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.

7.393.1 Zone Standards

The following specific *zone* standards apply:

- a) On a *wide shallow lot* not accessed by a *lane*, with a *lot* frontage of 12.2 metres to 13.29 metres, the maximum:
 - i) Garage width – 5.5 metres
 - ii) Driveway width – 5.5 metres
- b) Minimum required *front yard* – 3.0 metres.”

“7.394 Certain Part Lots on Plan 19TM-06009

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *394 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.

7.394.1 Special Site Provisions

The following additional provisions shall apply:

- a) **Size of Porches**
Porches are subject to the development standards that were in effect prior to January 18, 2005.

b) **Encroachments of Architectural Features and Balconies**

The following provisions shall apply for window bays:

- i) Window bays are not required to be cantilevered
- ii) There is no maximum width.

c) **Encroachment of Porches and Underground Cellars**

Porches and underground cellars are subject to the development standards that were in effect prior to January 18, 2005."

"7.395 Block 325, Plan 19TM-06009

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *395 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.

7.395.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *day nurseries*
- b) *community centres.*

7.395.2 Zone Standards

The following specific *zone* standards apply:

- a) Minimum required *front yard* – 3.0 metres
- b) Minimum required *exterior side yard* – 3.0 metres
- c) Minimum required *interior side yard* – 1.2 metres
- d) Minimum required *rear yard* - 1.2 metres
- e) Private garages (attached or detached) are subject to the following:
 - i) minimum setback from the rear *lot line* – 1.2 metres
 - ii) minimum setback from an interior side *lot line* – 1.2 metres
 - iii) minimum setback from the *exterior side lot line* – 13 metres
 - iv) minimum setback from the *front lot line* – 3.0 metres
 - v) the wall of an attached or detached *private garage* that contains the opening for *motor vehicle* access shall be set back a minimum of 3.0 metres from the *front lot line* that is crossed by a driveway that accesses the *private garage*."

7.395.3 Special Site Provisions

The following additional provisions shall apply:

- a) The Bitola Drive *lot line* shall be deemed to be the *front lot line*
- b) An attached or detached *private garage* may be located in any *yard*.

"7.396 THROUGH LOTS ON THE WEST SIDE OF DELRAY DRIVE

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted with the symbol*396 on the 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.

7.396.1 Zone Standards

The following specific zone standards apply to *through lots*:

- a) *single detached dwellings* with an attached or detached *private garage* are permitted and are subject to the following specific zone standards:
 - i) Maximum *driveway* width – 6.1 metres
 - ii) Maximum *garage* width – 6.1 metres
 - iii) Minimum required *rear yard* – 4.5 metres
 - iv) For a single *detached dwelling* with a detached *private garage* the following provisions apply:
 - a) no maximum setback to the *rear lot line* shall apply to a detached *private garage*
 - b) no minimum setback between a detached *private garage* and the *main building* on the *lot* shall apply
 - v) An *outdoor amenity space* shall be provided and shall be subject to the following regulations:
 - a) The *outdoor amenity space* shall have a minimum area of 40 square metres;
 - b) Balconies and roofed porches shall not encroach into the required *outdoor amenity space*; and
 - c) Decks and associated stairs may encroach into the required *outdoor amenity space*.

7.396.2 Special Site Provisions

The following additional provisions shall apply:

- a) the Delray Drive street line shall be deemed to be the *front lot line*
- b) The *street* adjoining the rear lot line shall be deemed to be a public *lane*
- c) *Motor vehicle* access shall only be from a public *lane*

“7.397 LOTS WITH A SIDE LOT LINE SEPARATED FROM THE DONALD COUSENS PARKWAY AND MAJOR MACKENZIE DRIVE BY AN OPEN SPACE ZONE

Lots 74, 86, 100, 101, 253, 254 294 and 295, Plan 19TM-06009

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *397 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.

7.397.1 Zone Standards

The following specific Zone Standards apply:

- a) Minimum required *front yard* – 3.0 metres
- b) Minimum required *rear yard* – 7.0 metres
- c) A *private garage* is permitted to be within or attached to the *main building*
- d) An attached one-storey *private garage* shall be located no closer than 0.6 metres from the *rear lot line*, provided a minimum *rear yard* of 7.5 metres is provided between the *main building* and the *rear lot line* across at least 50% of the width of the *lot*.”

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:

- a) York Region has advised in writing that the expected completion of the Duffin Creek Water Pollution Control Plant expansion project and the YDSS Flow Control Structures project will be within six (6) months; and,
 - b) The Council of the Town of Markham has allocated adequate available water supply and sewage servicing capacity to the subject development; or,
 - c) The Council of the Town of Markham approves servicing allocation to the lands that are not dependent upon the construction of Regional infrastructure; or
 - d) 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.
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
8TH DAY OF JUNE, 2010.



KIMBERLEY KITTINGHAM
TOWN CLERK



FRANK SCARPITTI
MAYOR



DEVELOPMENT SERVICES COMMISSION

THIS IS SCHEDULE 'A' TO BY-LAW 2010-120
PASSED THIS 8th DAY JUNE, 2010

Paul Scarpitta MAYOR

[Signature] CLERK

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

BOUNDARY OF AREA COVERED BY THIS BY-LAW



ZONE BOUNDARY

☐ R2 RESIDENTIAL TWO

☐ R2-S RESIDENTIAL TWO-SPECIAL

☐ RR4 RURAL RESIDENTIAL FOUR

☐ OS1 OPEN SPACE ONE

☐ (H) HOLDING PROVISION

☐ *(No.) 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

MAJOR MACKENZIE DRIVE EAST

