

EXPLANATORY NOTE

BY-LAW 2010-45

Mattamy (Robinson Creek) Limited
Part of Lot 16, Concession 7
19TM-03008, Phase 3
Wismer Commons Community

Lands Affected

The proposed by-law amendment applies to 2.94 ha (7.26 acres) of land located north of 16th Avenue, west of Roy Rainey Avenue, within the Wismer Commons community

Existing Zoning

The lands are presently zoned Agricultural One (A1) under By-law 304-87, as amended.

Purpose and Effect

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

| | |
|-------------------------------------|-------------|
| Residential Two * 419 (Holding One) | R2*419 (H1) |
| Residential Two * 419 (Holding Two) | R2*419 (H2) |

which will permit the development of 60 single detached units.

Holding provisions (H1 and H2) have been applied to the lands and shall not be lifted until sufficient servicing capacity has been allocated.



BY-LAW 2010-45

A by-law to amend Urban Expansion Area Zoning By-law 177-96, as amended
[To incorporate Mattamy (Robinson Creek) Limited – 19TM-03008, Phase 3]

THE COUNCIL OF THE CORPORATION 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 the By-law to include those lands comprising Lot 16, Concession 7, outlined on Schedule 'A' attached hereto.
 - 1.2 By zoning the lands

| | |
|-------------------------------------|--------------|
| Residential Two * 419 (Holding One) | R2 *419 (H1) |
| Residential Two * 419 (Holding Two) | R2 *419 (H2) |
 - 1.3 By adding the following new subsection to Section 7 – EXCEPTIONS to By-law 177-96, as amended.

**7.419 Mattamy (Robinson Creek) Limited (19TM-03008, Phase 3)
Part of Lot 16, Concession 7**

Notwithstanding any other provision of this By-law, the provision in this Section shall apply to those lands denoted by the symbol *419 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.

7.419.1 Zone Standards

The following specific zone standards apply:

- a) The maximum garage width and driveway width on a *wide shallow lot* with a frontage of 13.1 metres and not accessed by a lane – 5.8 metres;
- b) Minimum lot depth of a *wide shallow lot* - 25 metres.

1.4 Holding Provisions

For the purpose of this By-law, Holding One (H1) and Holding Two (H2) zone provisions are hereby established and identified on Schedule 'A' attached hereto by the letter (H1) and (H2) in parenthesis following the zoning symbol.

No person shall hereafter erect or alter any building or structure on lands subject to (H1) and (H2) provisions for the purpose permitted under this By-law until an amendment to this By-law to remove the letter (H1) and (H2) has come into effect pursuant to the provisions of Section 36 of the Planning Act.

Prior to removing the (H1) Holding provision, the following condition 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.

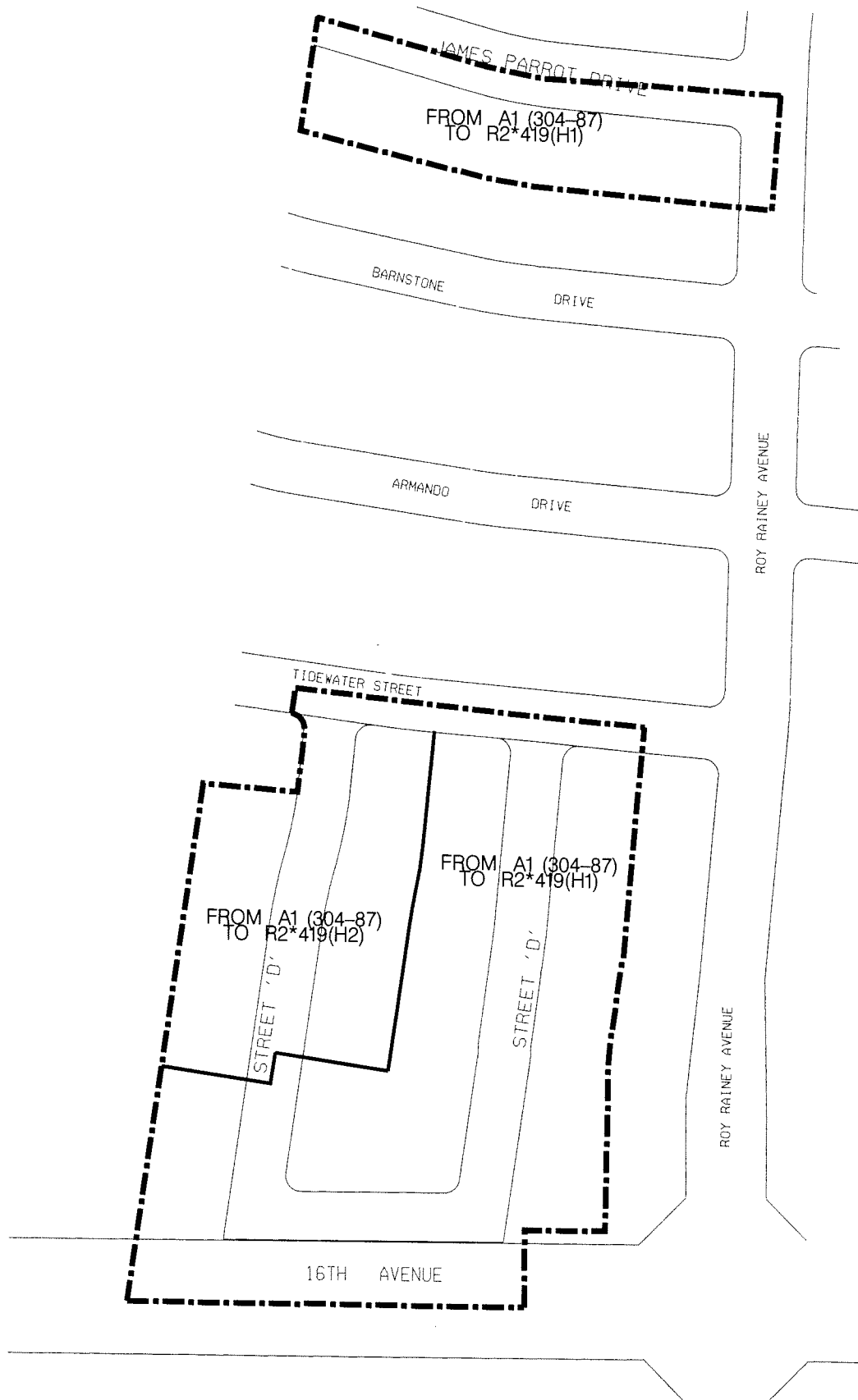
Prior to removing the (H2) Holding provision, the following condition must be met, to the satisfaction of the Town of Markham:

- a) York Region has advised in writing that the expected completion of the Southeast Collector Sewer will be within six (6) months;
 - b) The Council of the Town of Markham has allocated adequate available water supply and sewage servicing capacity to the lands; and
 - c) The Trustee for the Wismer Commons Developers Group Cost Sharing Agreement has assigned the remaining 16 units of conditional servicing (water and sewer) allocation to the Owner; or
 - d) The Council of the Town of Markham approves servicing allocation to the lands that are not dependent upon the construction of Regional infrastructure; or
 - e) 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 of 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
24TH DAY OF MARCH, 2010.


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
ZONE BOUNDARY

R2

RESIDENTIAL TWO

A1

AGRICULTURE ONE

*(No)

EXCEPTION NUMBER

(H)

HOLDING PROVISION

THIS IS SCHEDULE 'A' TO BY-LAW 2010-45
PASSED THIS 24TH DAY MARCH, 2010.

Paul Scarpitta
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: