

## EXPLANATORY NOTE

BY-LAW NO. 2009-127

A by-law to amend By-law 1767, as amended

Chak Cheng  
7165 Bayview Avenue

### **Lands Affected**

This proposed by-law amendment applies to a 0.59 hectares (1.46 acres) located on the east side of Bayview Avenue north of Steeles Avenue, municipally known as 7165 Bayview Avenue.

### **Existing Zoning**

The property is currently zoned Greenbelt Residential (GR) by By-law 1767.

### **Purpose and Effect**

The purpose of the proposed zoning by-law amendment is to rezone the subject property from Greenbelt Residential (GR) by By-law 1767 to Single Family Detached Dwelling Residential Third Density (R3), Open Space Environmental Buffer (O3) and Open Space (O1).

The effect of the proposed zoning by-law amendment will facilitate the division of land and development of two single detached residential dwelling units on two separate lots of record.



## BY-LAW 2009-127

A by-law to amend  
Zoning By-law 1767, as amended

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

1. Zoning By-law 1767, as amended, be and the same is hereby further amended as follows:

Notwithstanding any other provisions of By-law 1767, as amended, the following provisions in this By-law shall apply to those lands shown on Schedule 'A' attached to this by-law. All other provisions of this by-law, unless specifically modified/amended by this by-law continue to apply to the lands subject to this by-law.

- 1.1 For the purposes of this By-law, the following definition shall apply:

OPEN SPACE means an area on a *lot*, unobstructed by buildings, used exclusively for landscaping.

2. By rezoning the lands shown on Schedule 'A' hereto from Single Family Dwelling Greenbelt Residential (GR) to:

Single Family Detached Dwelling Residential Third Density (R3)  
Open Space - Environmental Buffer (O3); and,  
Open Space (O1)

- 2.1 Zone Standards

The following specific zone standards apply to the Residential Third Density (R3) zone:

- a) Minimum *lot* area: - 800 square metres
- b) Minimum required *front yard*: - 14 metres
- c) Minimum required *interior side yards* for the northerly property: - 1.8 metres
- d) Minimum required *interior side yards* for the southerly property:
  - i) north side - 1.2 metres
  - ii) south side - 3.0 metres
- e) Minimum required *rear yard*: - 7.0 metres

- 2.2 Special Site Provisions

The following additional provisions apply to the Open Space - Environmental Buffer (O3) Zone:

- a) No part of the Open Space - Environmental Buffer (O3) Zone shall be covered by buildings or *structures*.
- b) Notwithstanding the provisions outlined in subsection 2.2a), a *deck* and associated steps or patio connected to the *main building* is permitted to encroach a distance of no more than 3.0 metres into the Open Space - Environmental Buffer (O3) Zone;


2.3 Open Space (O1) uses permitted

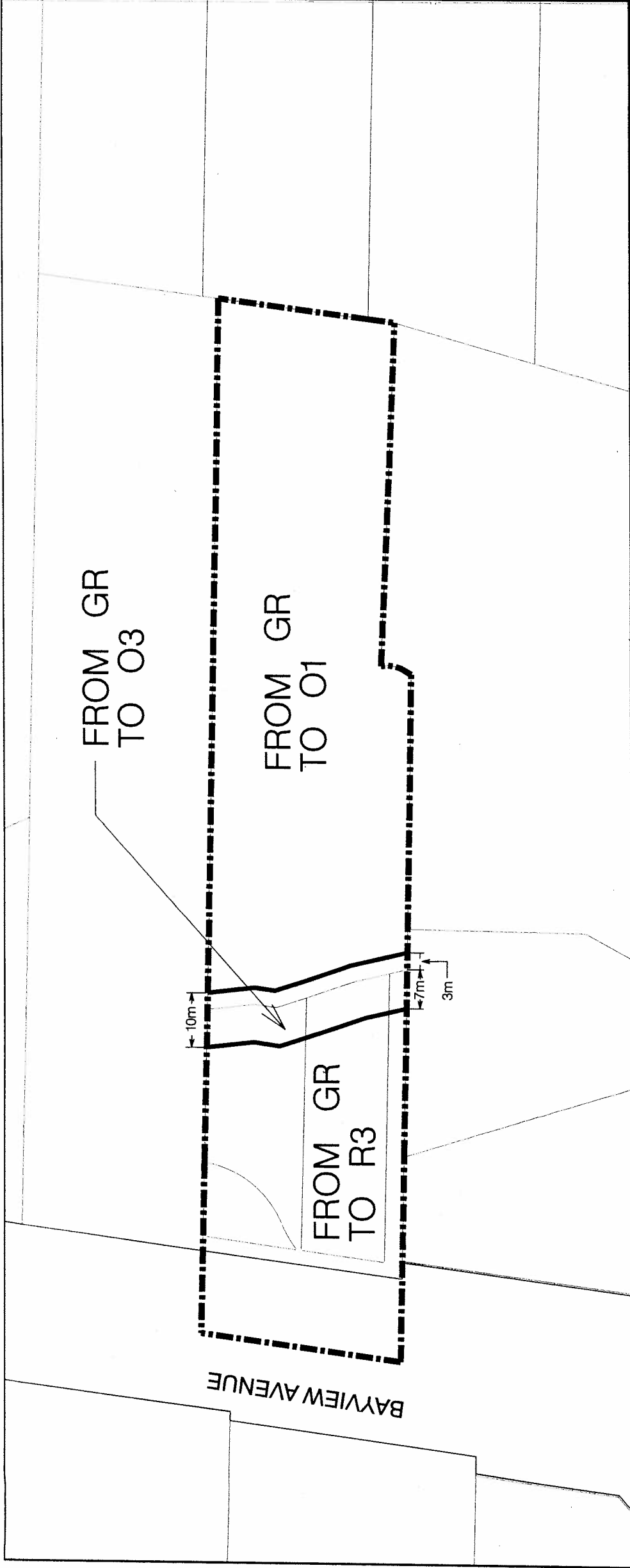
No person shall hereafter change the use or use land in an Open Space (O1) zone except for one (1) or more of the following uses:

- *public* or private *parks*
- *public* conservation projects

3. All other provisions of By-law 1767, 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  
15<sup>TH</sup> DAY OF SEPTEMBER, 2009.

  
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KIMBERLY KITTERINGHAM  
TOWN CLERK  
\_\_\_\_\_  
FRANK SCARPITTI  
MAYOR



DEVELOPMENT SERVICES COMMISSION

## A BY-LAW TO AMEND BY-LAW 1767

THIS IS SCHEDULE 'A' TO BY-LAW 2009-127  
PASSED THIS 15<sup>th</sup> DAY SEPT., 2009

*[Signature]* MAYOR

CLERK



BOUNDARY OF AREA COVERED BY THIS BY-LAW

ZONE BOUNDARY

R3

THIRD DENSITY SINGLE FAMILY RESIDENTIAL

GR

GREENBELT RESIDENTIAL

O1

OPEN SPACE

O3

OPEN SPACE ENVIRONMENTAL BUFFER

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: N/A