

EXPLANATORY NOTE

BY-LAW 2008-269

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

Monarch Corporation
19T-05006
Part of Lot 25, Concession 3

LANDS AFFECTED

The by-law applies to a 10.85 ha (26.81 ac) property, located on the north side of Elgin Mills Road, west of Woodbine Avenue, in the Cathedral Secondary Plan Area.

EXISTING ZONING

The lands subject to this By-law are presently zoned Agriculture One (A1) by By-law 304-87 as amended, and Rural Residential Hamlet (RRH) and Rural Residential Fourth Density (RR4) by By-law 83-73, 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, as amended. The proposed zoning designations are Residential Two Hold (R2 (H)), which will permit the proposed 107 single detached units and Residential Two – Lane Access Hold One (R2-LA (H1)), which will permit the proposed 29 townhouse units.

The following are the conditions for lifting the Holding (H) Zone:

- a) York Region has advised in writing that the expected completion of the Duffin Creek Water Pollution Control Plan expansion project and the YDSS Flow Control Structures project will be within twelve (12) 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.

The following are the conditions for lifting the Holding One (H1) Zone:

- a) York Region has advised in writing that the expected completion of the Southeast Collector Sewer will be within twelve (12) 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 Cathedral West Landowners Group Cost Sharing Agreement has assigned 29 units of conditional servicing (water and sewer) allocation to the Owner; or,
- d) The Council of the Town of Markham approves servicing allocation the lands to 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 to this development.

This By-law also incorporates zoning designations of Open Space One (OS1), which will permit the creation of a public park; and, Open Space Two (OS2), which provides for a school development as one of the permitted uses.



BY-LAW 2008-269

A By-law to amend the Urban Expansion Area Zoning By-law 177-96, as amended
(To incorporate Draft Plan 19TM-05006 into the West Cathedral Community)

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 the By-law to include those lands comprising Part of Lot 26, Concession 3, outlined on Schedule 'A' hereto.
 - 1.2 By zoning the lands:

Residential Two (Hold)	(R2(H))
Residential Two – Lane Access*307*316(Hold One)	(R2-
LA*307*316(H1))	
Residential Two – Lane Access*5*307*316(Hold One)	(R2-
LA*5*307*316(H1))	
Open Space One	(OS1)
Open Space Two	(OS2)

1.3 HOLDING PROVISIONS

For the purpose of this By-law, Holding (H) and Holding (H1) *zones* are hereby established and are identified on Schedule 'A' attached hereto by the letters (H) and (H1) in parenthesis following the zoning symbol.

No person shall hereafter *erect* or *alter* any *building* or *structure* on lands subject to '(H) or (H1)' provisions for the purpose permitted under this By-law until amendments to this By-law to remove the letters '(H) & (H1)' have 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 Plan expansion project and the YDSS Flow Control Structures project will be within twelve (12) 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.

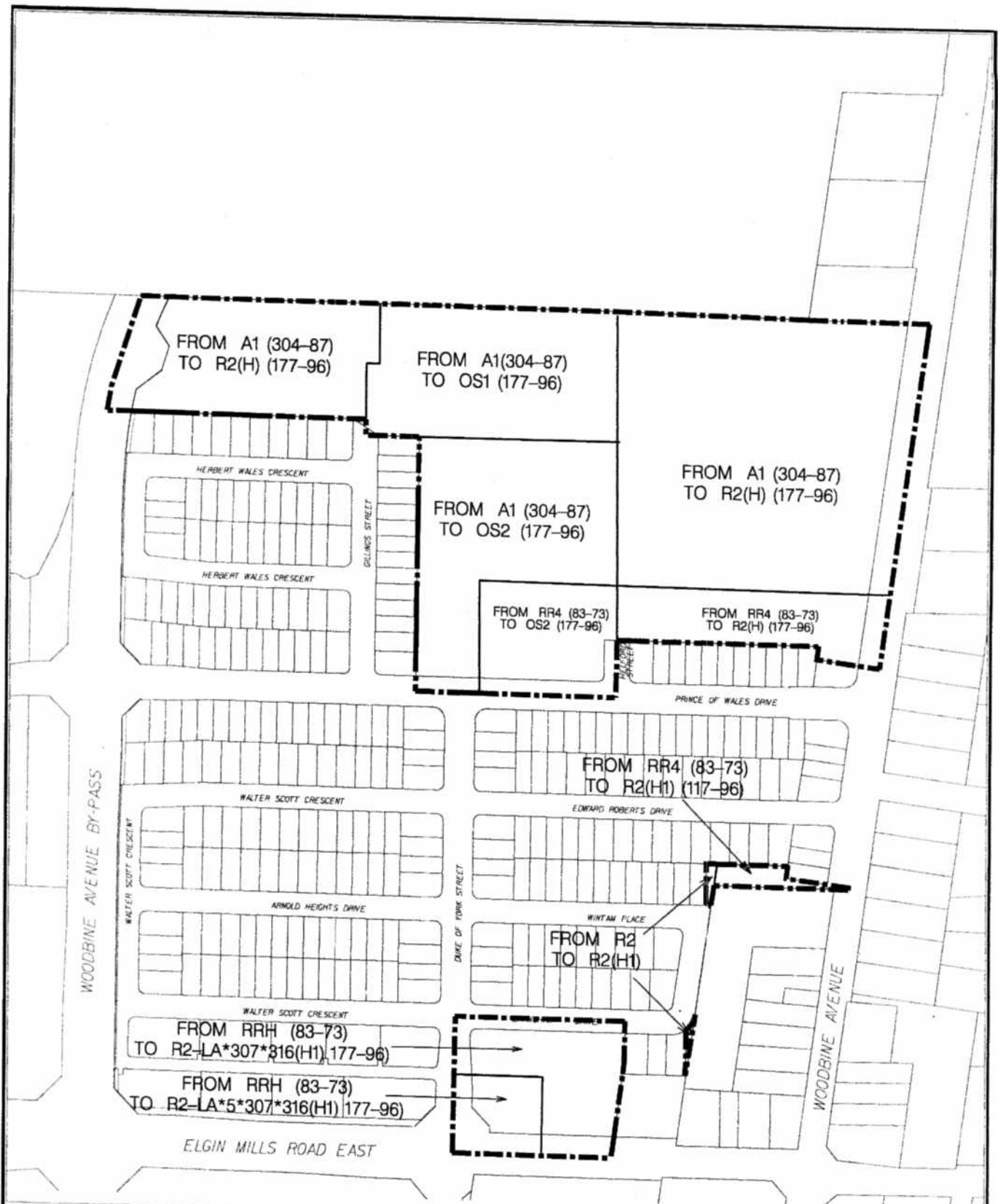
Prior to removing the '(H1)' Holding provision, the following conditions must be met to the satisfaction of the Town of Markham:

- a) York Region has advised in writing that the expected completion of the Southeast Collector Sewer will be within twelve (12) 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 Cathedral West Landowners Group Cost Sharing Agreement has assigned 29 units of conditional servicing (water and sewer) allocation to the Owner; or,
 - d) The Council of the Town of Markham approves servicing allocation the lands to 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 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
16TH DAY OF DECEMBER, 2008.

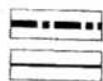

KIMBERLEY KITTERINGHAM
TOWN CLERK


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

A1	AGRICULTURE ONE	RR4	RURAL RESIDENTIAL FOUR
R2	RESIDENTIAL TWO	RRH	RURAL RESIDENTIAL HAMLET
OS1	OPEN SPACE ONE	R2-LA	RESIDENTIAL TWO-LANE ACCESS
OS2	OPEN SPACE TWO	(H)	HOLDING PROVISION
		*(No)	EXCEPTION NUMBER

THIS IS SCHEDULE 'A' TO BY-LAW 2008-269
PASSED THIS 16TH DAY DEC. 2008

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: 4000