

MEMORANDUM

TO: Mayor and Members of Council

FROM: Jim Baird, Commissioner of Development Services
Valerie Shuttleworth, Director of Planning and Urban Design

DATE: June 26, 2007

RE: 1473092 Ontario Limited (Metrus Developments)
North of 16th Avenue, East of 9th Line
Cornell Community
Implementing zoning by-law amendments
File: SU 01 118320 and ZA 07 108415 (19TM-01015, Phase 2)

RECOMMENDATION:

That the attached amendments to Zoning By-laws 304-87, as amended and 177-96, as amended, be enacted without further notice;

And that servicing allocation for 47 units (153.34 population) be granted to plan of subdivision 19TM-01015, Phase 2 from the total allocation for the Cornell Community, assigned in accordance with the June 20, 2006 report on servicing allocation.

BACKGROUND:

On May 15, 2007 a Development Services Committee Public Meeting was held to consider applications for draft plan approval and implementing zoning for a residential plan of subdivision that includes 20 single-detached lots, 16 semi-detached lots and 11 townhouse lots (total 47 units). The plan is the second phase of a larger draft plan of subdivision that has already been partially draft approved, zoned and registered based on the availability of servicing allocation. Servicing allocation is available for this plan.

No concerns/issues were identified at the Public Meeting and the proposal is acceptable to staff. Attached are the implementing zoning by-law amendments for Council approval in accordance with the Public Meeting resolution. Delegated approval of the draft plan of subdivision by the Director of Planning and Urban Design will follow Council approval of the implementing zoning by-law amendments, in accordance with Section 2(b)(iv) of Delegation By-law 2002-202, as amended, and the granting of servicing allocation.

Attach.

EXPLANATORY NOTE

By-law 2007-XXX

A by-law to amend By-law 304-87, as amended

1473092 Ontario Limited (Metrus Developments)
Part of Lots 16, 17 and 18, Concession 9
Cornell Planning District

LANDS AFFECTED

The by-law applies to three parcels of land totally 1.3 ha (3.2 ac), east of 9th Line and north of 16th Avenue in the Cornell Community.

EXISTING ZONING

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

PURPOSE AND EFFECT

The purpose and effect of this by-law amendment is to delete the lands from the designated area of By-law 304-87, as amended, to allow the lands to be included in By-law 177-96, as amended to permit development in accordance with residential plan of subdivision 19TM-01015, Phase 2.

BY-LAW 2007-XXX

A by-law to amend By-law 304-87, as amended
To delete lands comprising Part of Lots 16, 17 and 18, Concession 9, Cornell Planning Area,
from the designated area of By-law 304-87

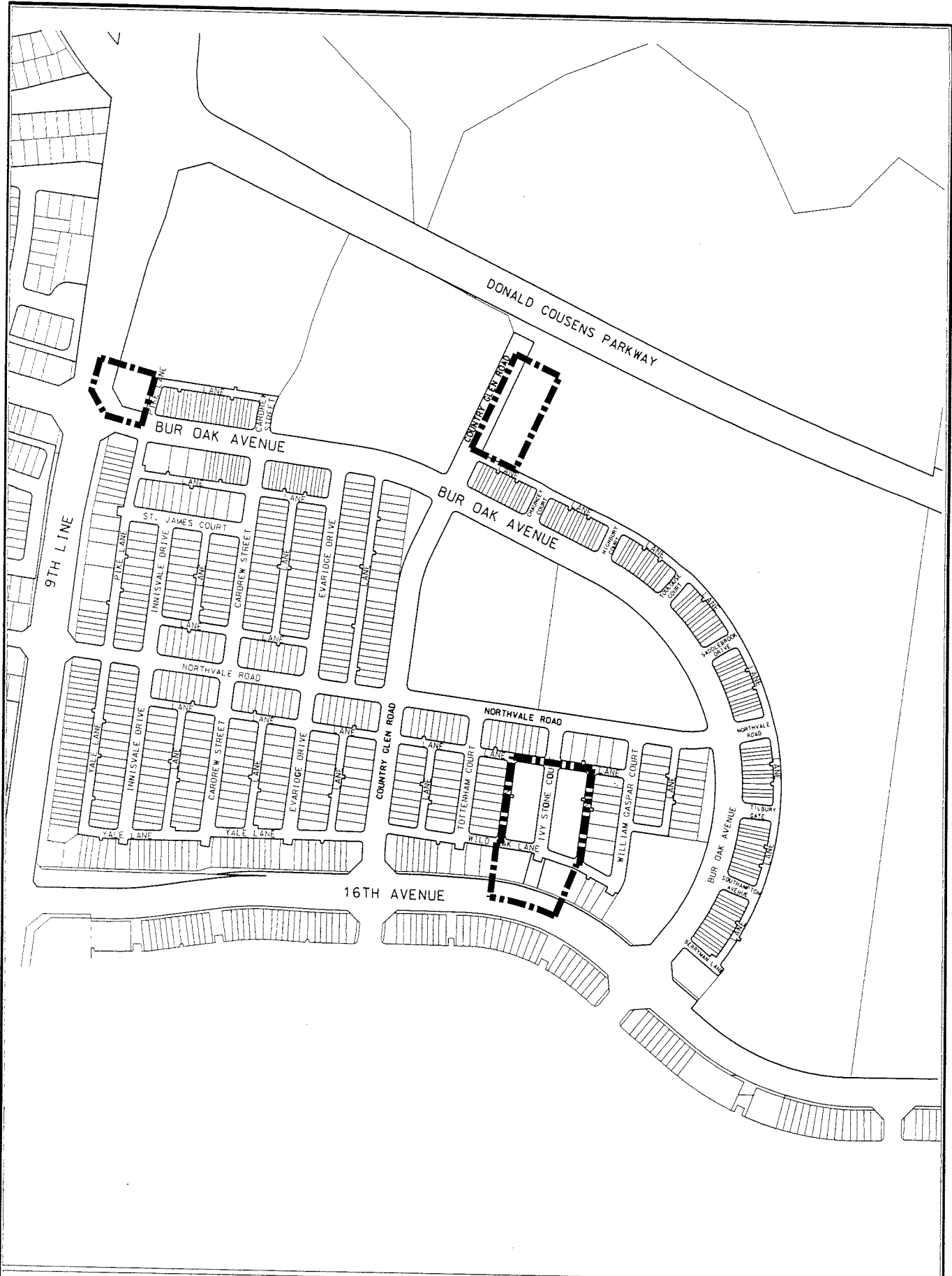
THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY
ENACTS AS FOLLOWS:

1. By-law 304-87, as amended, is hereby further amended by deleting those lands comprising Part of Lots 16, 17 and 18, Concession 9, as shown on Schedule 'A' attached hereto, from the designated area of By-law 304-87, as amended.
2. This By-law shall not come into effect until By-law 2007-XXX, amending By-law 177-96, as amended, comes into effect and the lands, as shown on Schedule 'A' attached hereto, are incorporated into the designated area of By-law 177-96, as amended.
3. All other provisions of By-law 304-87, 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____ DAY OF
____, 2007.

SHEILA BIRRELL, TOWN CLERK

FRANK SCARPITTI, MAYOR



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 304-87



BOUNDARY OF AREA COVERED BY THIS BY-LAW



THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY 2007

.....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

EXPLANATORY NOTE

By-law 2007 -

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

1473092 Ontario Limited (Metrus Developments)
Part of Lots 16, 17 and 18, Concession 9
Cornell Planning District

LANDS AFFECTED

The by-law applies to three parcels of land totalling 1.3 ha (3.2 ac), east of 9th Line and north of 16th Avenue in the Cornell Community.

EXISTING ZONING

The lands subject to this By-law are presently zoned Agricultural One (A1) by By-law 304-87, as amended.

PURPOSE AND EFFECT

The purpose and effect of this by-law is to incorporate the lands within the designated area of By-law 177-96, as amended, to permit the development of 47 single-detached, semi-detached and townhouse dwellings.

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 those lands comprising part of Lots 16, 17 and 18, Concession 9, as outlined on Schedule 'A', attached hereto.

- 1.2 By zoning the lands:

Residential Two *190 *210*344	(R2*190 *210*344)
Greenway	(G)

- 1.3 By adding the following new subsections to Section 7 – EXCEPTIONS, to By-law 177-96:

“7.344 East of 9th Line, north of 16th Avenue (Metrus Developments)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *344 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.344.1 Zone Standards

The following specific zone standards apply:

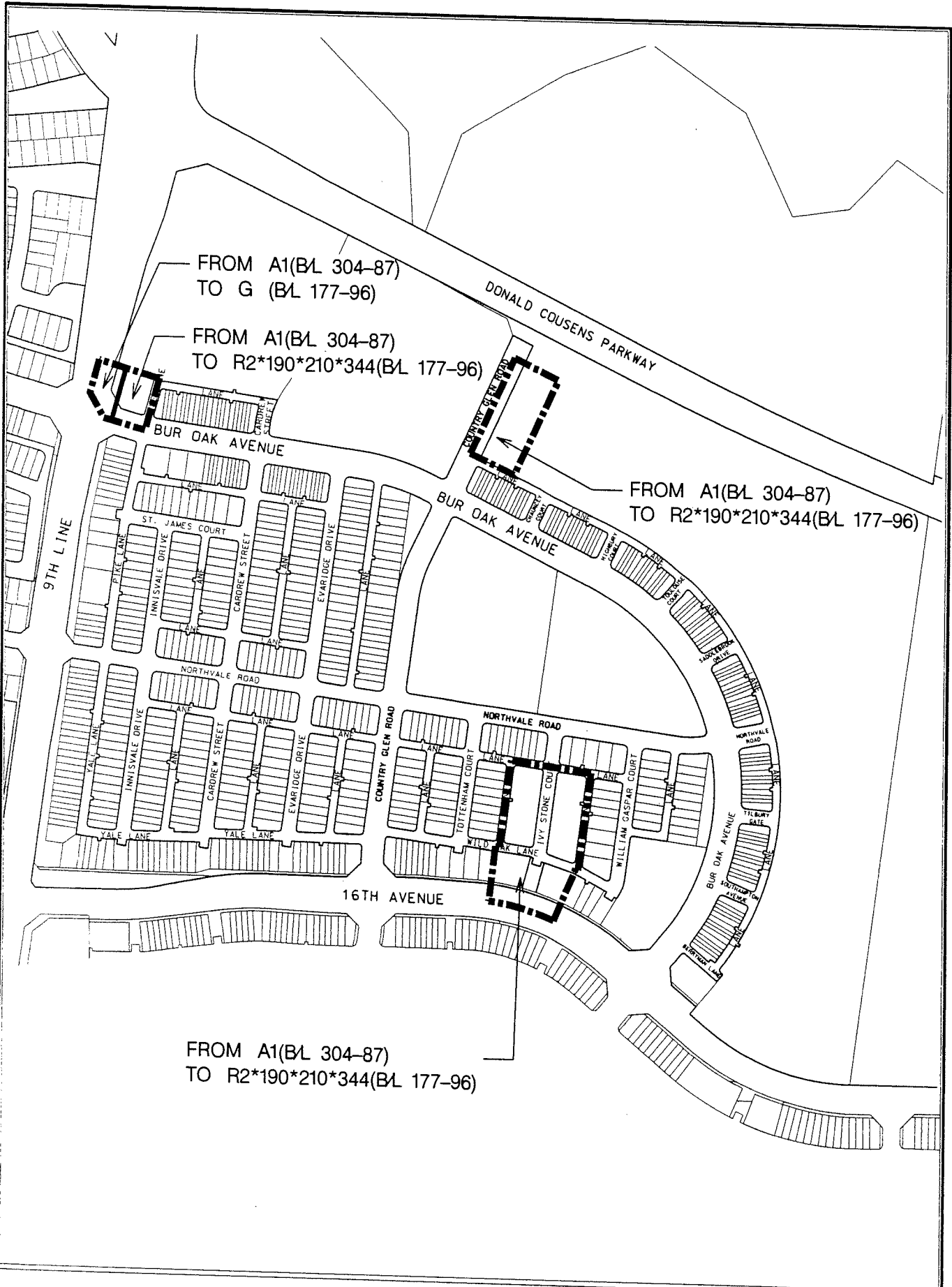
- a) *minimum required front yard* for *townhouse dwellings* fronting 9th Line – 1.8 m
- b) *minimum required front yard* for *dwelling units* fronting 16th Avenue – 3.0 m

7.344.2 Special Site Provisions

The following provisions shall apply:

- a) No *buildings* or *structures* are permitted within 2.0 m of any *lot line* abutting 16th Avenue.
 - b) The minimum width of a parking space shall be 2.5m where the parking space is located on a parking pad between a *private garage* and a side *lot line* created by a Hydro Transformer Notch.
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 __ DAY OF _____, 2007.



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
 G GREENWAY

R2 RESIDENTIAL TWO
 *No. EXCEPTION SECTION NUMBER

THIS IS SCHEDULE 'A' TO BY-LAW
 PASSED THIS DAY 2007

.....MAYOR

..... CLERK

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