



## **EXPLANATORY NOTE**

### **BY-LAW 2018-128**

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

**Digram Developments Markham 2 Inc.**

**Part of Block 78, 65M-3834**

**North of Castlemore Avenue, East side of Swan Park Road**

**ZA 16 113212**

### **Lands Affected**

The proposed by-law amendment applies to a parcel of land with an approximate area of 0.4 hectares (1 acre), which is located north of Castlemore Avenue, south of Alfred Patterson Drive, on the east side of Swan Park Road, in the Greensborough Community.

### **Existing Zoning**

The subject lands are zoned Open Space Two (OS2) Zone under By-law 177-96, as amended.

### **Purpose and Effect**

The purpose and effect of this By-law is to rezone the subject lands under By-law 177-96, as amended as follows:

from:

**Open Space Two (OS2)**

to:

**Residential Two \* 605 (R2\*605) and**

**Open Space One (OS1);**

in order to permit residential development on the lands in addition to zoning two (2) Vegetation Protection Zone (VPZ) blocks.

### **Note Regarding Further Planning Applications on this Property**

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.



## By-law 2018-128

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

The Council of The Corporation of the City of Markham hereby enacts as follows:

1. That By-law 177-96, as amended, is hereby further amended as it applies to the lands outlined on Schedule 'A' as follows:

1.1 By rezoning the lands outlined on Schedule 'A' attached hereto

from:

**Open Space Two (OS2) Zone**

to:

**Residential Two \* 605 (R2\*605) Zone**

**Open Space One (OS1) Zone**


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


Exception 7.605	Digram Developments Markham 2 Inc.	Parent Zone R2
File ZA 16 113212	Part of Block 78, 65M-3834 (North of Castlemore Ave, East of Swan Park Rd)	Amending By-law 2018-128
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *605 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.		
<b>7.605.1 Only Permitted Uses</b>		
The following are the only permitted uses:		
a)	<i>Townhouse dwellings</i>	
b)	<i>Home Occupation</i>	
c)	<i>Home Child Care</i>	
<b>7.605.2 Special Zone Standards</b>		
The following special zone standards shall apply:		
a)	Minimum width of all <i>townhouse dwellings</i> - 5.5m	
b)	Minimum required <i>interior side yard</i> –	
	i) <i>Abutting an Open Space Zone One (OS1) – 1.2 metres</i>	
	ii) <i>All other side yards - 1.5 metres</i>	
c)	Maximum <i>height</i> – 12 metres	
d)	Maximum <i>garage width</i> – 3.1 metres	
e)	Notwithstanding the definition in section 3.8, a <i>Balcony</i> is not required to be partially enclosed, and may have foundations supporting it	

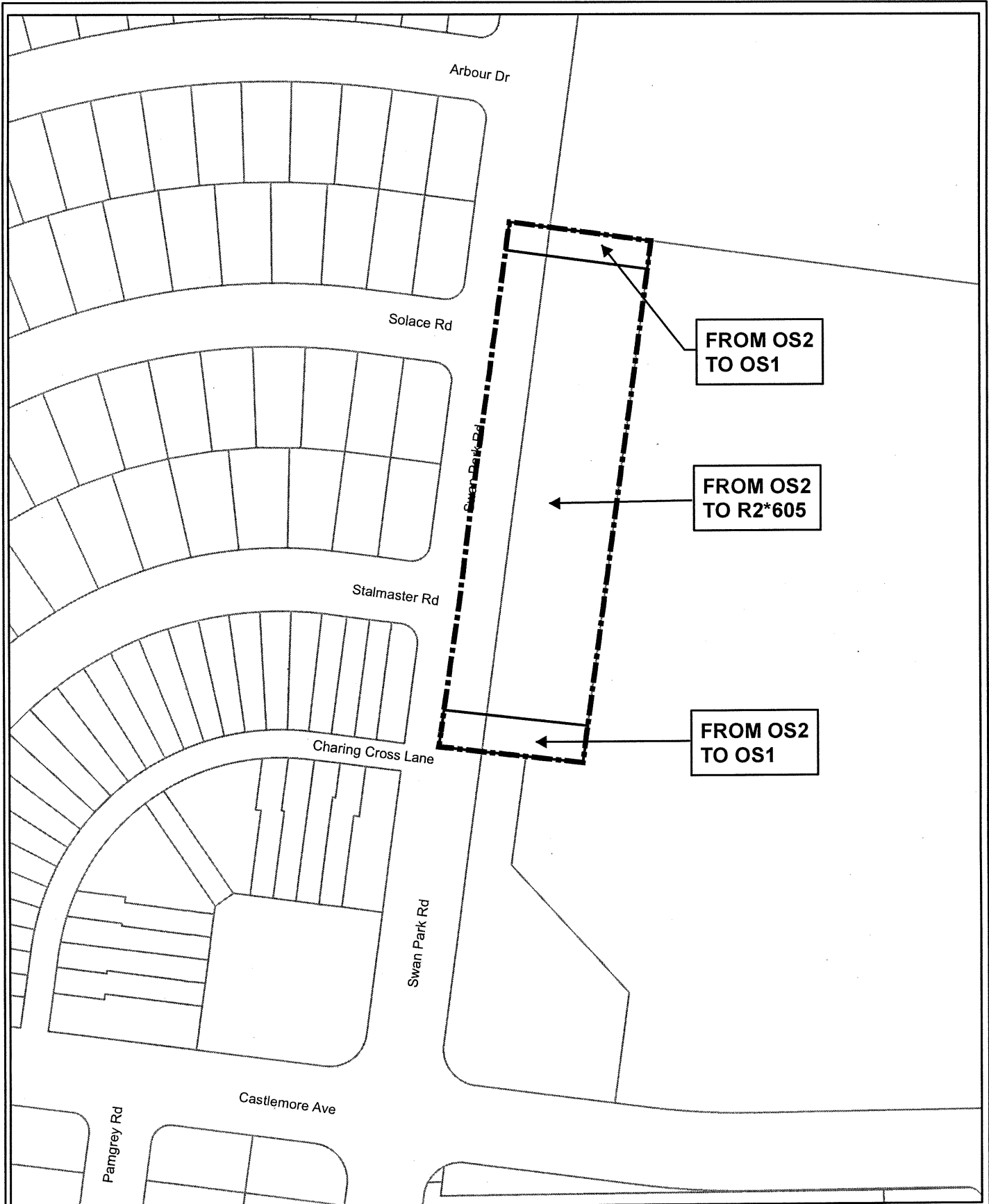
2. SECTION 37 CONTRIBUTION

- 2.1 A contribution by the Owner to the City for the purposes of public art, in the amount of \$ 1425.00 per residential unit in 2017 dollars, based on the total number of units, to be indexed to the Ontario rate of inflation as per the consumer price index (CPI), in accordance with Section 37 of the Planning Act, as amended, shall be required. Payments shall be collected in accordance with the terms of an agreement to secure for the Section 37 contribution. Nothing in this section shall prevent the issuance of a building permit as set out in Section 8 of the Building Code Act or its successors.

Read a first, second and third time and passed on September 12, 2018.

  
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Kimberley Kitteringham  
City Clerk


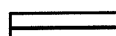
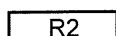
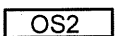


  
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Frank Scarpitti  
Mayor



# SCHEDULE "A" TO BY-LAW 2018-128

## AMENDING BY-LAW 177-96 DATED SEPTEMBER 12, 2018



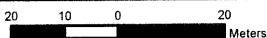
-  BOUNDARY OF AREA COVERED BY THIS SCHEDULE
-  BOUNDARY OF ZONE DESIGNATION(S)
-  RESIDENTIAL TWO
-  OPEN SPACE TWO
-  OPEN SPACE ONE
-  EXCEPTION SECTION NUMBER

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

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DEVELOPMENT SERVICES COMMISSION



Drawn By: CPW Checked By: SM

DATE: 08/21/2018

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office