



# By-law 2018-106

## 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. By-law 177-96, as amended, is hereby further amended as follows:
- 1.1 By rezoning the lands outlined on Schedule ‘A’ attached hereto as follows:

from:  
Business Corridor (BC)\*373

to:  
Residential Two \* 602 (R2\*602) and  
Residential Two \* 604 (R2\*604)
- 1.2 By adding the following subsection to Section 7- EXCEPTIONS

Exception 7.602	Box Grove Residential East Inc. North-west corner of Donald Cousens Parkway and Copper Creek Drive	Parent Zone R2
File ZA 17 150349		Amending By-law 2018-106
Notwithstanding any other provisions of this By-law, the provisions of this Section shall apply to those lands denoted by the symbol *602 on Schedule 'A' 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.		
<b>7.602.1 Only Permitted Uses</b>		
The following are the only permitted uses:		
a)	<i>Townhouse dwellings</i>	
b)	One (1) accessory <i>dwelling unit</i> is permitted within any <i>townhouse dwelling</i> .	
c)	<i>Home Child Care</i>	
d)	<i>Home Occupations</i>	
<b>7.602.2 Special Zone Standards</b>		
The following specific Zone Standards shall apply:		
a)	Minimum width of a <i>townhouse dwelling</i> i) Interior unit – 4.5 metres ii) End unit – 4.5 metres	
b)	Minimum combined <i>private park</i> area – 1000 m2	
c)	Maximum number of <i>townhouse dwelling units</i> - 203	
d)	Minimum <i>required yard</i> i) Donald Cousens Parkway – 3 metres ii) Copper Creek Drive – 2 metres iii) All other <i>lot lines</i> – 2 metres	
e)	Notwithstanding the provisions of d) above, architectural features such as sills, belt courses, cornices, eaves, chimney breasts, pilasters, roof overhangs, balconies, <i>porches</i> , and cold cellars located entirely under the <i>porches</i> , may encroach a maximum 2 metres into the required yard abutting a public street, but may be located no closer than 0.3 metres from the lot line.	
f)	Notwithstanding 7.602.2 (g) below, eaves and roof overhands are permitted to encroach a maximum of 0.3 metres between buildings.	
g)	Minimum distance between buildings – 3 metres	
h)	The provisions of section 6.6.1 c) and d) apply to the <i>yards</i> abutting Donald Cousens Parkway and Copper Creek Drive.	
i)	Maximum <i>building height</i> – 13 metres	
j)	Notwithstanding any further division or partition of the lands subject to this Section, all lands zoned R2*602 shall be deemed to be one <i>lot</i> for the purposes of this By-law.	
k)	A minimum of 5 additional visitor <i>parking spaces</i> shall be provided for <i>townhouse dwelling units</i> on the lands zoned *604.	
l)	No more than 50% of a <i>dwelling unit</i> may be located below <i>average grade</i> .	
m)	That no additions or alterations to permit an <i>accessory dwelling unit</i> may occur after occupancy.	

Exception 7.604	Box Grove Residential East Inc. North-west corner of Donald Cousens Parkway and Copper Creek Drive	Parent Zone R2
File ZA 17 150349		Amending By-law 2018-106
Notwithstanding any other provisions of this By-law, the provisions of this Section shall apply to those lands denoted by the symbol *604 on Schedule ‘A’ 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.		
7.604.1 Only Permitted Uses		
The following are the only permitted uses:		
Residential Uses:		
a)	Townhouse dwellings	
b)	One (1) accessory dwelling unit is permitted within any townhouse dwelling.	
c)	Home Child Care	
d)	Home Occupations	
Non-Residential Uses		
a)	Commercial Fitness Centre	
b)	Day Nurseries	
c)	Financial Institutions	
d)	Medical Offices	
e)	Business Offices	
f)	Restaurants	
g)	Retail Stores	
h)	Commercial Schools	
i)	Private Schools	
j)	Personal Service Shops	
7.604.2 Special Zone Standards		
The following specific Zone Standards shall apply to townhouse dwellings:		
a)	Minimum width of a townhouse dwelling i) Interior unit – 4.5 metres ii) End unit – 4.5 metres	
b)	Maximum number of townhouse dwelling units - 18	
c)	Minimum required yard i) Copper Creek Drive – 2 metres ii) Northerly lot line – 2 metres	
d)	Notwithstanding any further division or partition of any of the lands subject to this Section, all lands zoned R2*604 shall be deemed to be one lot for the purposes of this By-law.	
e)	Maximum building height – 13 metres	
f)	Notwithstanding the provisions of c) above, architectural features such as sills, belt courses, cornices, eaves, chimney breasts, pilasters, roof overhangs, balconies, porches, and cold cellars located entirely under the porches, may encroach a maximum 2 metres into the required yard abutting a public street, but may be located no closer than 0.3 metres from the lot line.	
g)	Notwithstanding 7.604.2 (h) below, eaves and roof overhands are permitted to encroach a maximum of 0.3 metres between buildings.	
h)	Minimum distance between buildings – 3 metres	
i)	The provisions of section 6.6.1 c) and d) apply to the yards abutting Copper Creek Drive.	
j)	Visitor parking required under Section 3, Table A of By-law 28-97 may be provided on the lands zoned with *602.	
k)	Non-residential uses may only be located within buildings existing on the date of the passing of this by-law.	
l)	Section 6.9.1 shall not apply	
m)	No more than 50% of a dwelling unit may be located below average grade.	
n)	That no additions or alterations to permit an accessory dwelling unit may occur after occupancy.	

2. SECTION 37 CONTRIBUTION

- 2.1 A contribution by the Owner to the City of \$1100.00 per townhouse dwelling unit based on the total number of units, 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 June 26, 2018.

  
\_\_\_\_\_  
Kimberley Kitteringham  
City Clerk  
\_\_\_\_\_  
Frank Scarpitti  
Mayor



## **EXPLANATORY NOTE**

### **BY-LAW 2018-106**

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

**Part of Block 1, 65M4141**

**North-west corner of Donald Cousens Parkway and Copper Creek Drive**

#### **Lands Affected**

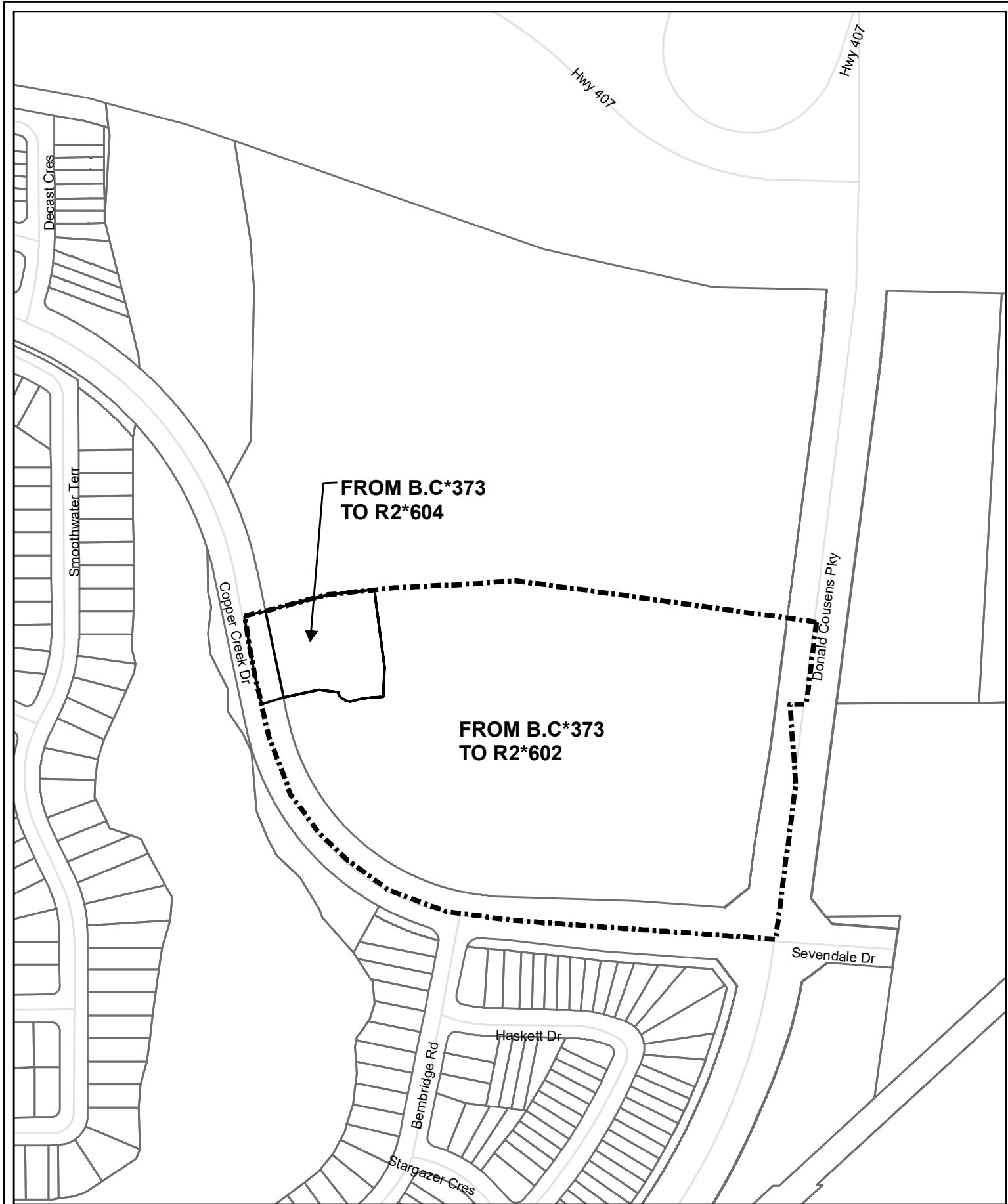
The proposed by-law amendment applies to 4.93 hectares (12.18 acres) of land located at the north-west corner of Donald Cousens Parkway and Copper Creek Drive.

#### **Existing Zoning**

By-law 177-96, as amended, currently zones the subject land “Business Corridor \*373 (BC\*373)”.

#### **Purpose and Effect**

The purpose and effect of this By-law is to amend By-law 177-96, as amended, to rezone the subject property to “Residential Two \*602 (R2\*602)” and “Residential Two \*604 (R2\*604)” to permit development comprised of a total of 221 townhouses. The By-law also recognizes the existing CIBC bank on the Phase 2 parcel and permits commercial uses only within the existing building.



# SCHEDULE "A" TO BY-LAW 2018-106

## AMENDING BY-LAW 177-96 DATED 26 JUNE 2018



- BOUNDARY OF AREA COVERED BY THIS SCHEDULE
- ZONE DESIGNATION
- BC BUSINESS CORRIDOR
- R2 RESIDENTIAL TWO
- \*No. 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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NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office