



By-law 2018-33

A By-law to amend By-laws 108-81 and 304-87, as amended
(to delete lands from the designated areas of By-laws 108-81 and 304-87)
and to amend By-law 177-96, as amended
(to incorporate lands into the designated area of By-law 177-96)

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

1. That By-laws 108-81 and 304-87, as amended, are hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated areas of By-law 108-81 and 304-87, as amended.

2. That By-law 177-96, as amended, is hereby further amended as follows:
 - 2.1 By expanding the designated area of By-law 177-96, as amended, to include additional lands as shown on Schedule "A" attached hereto.

 - 2.2 By zoning the lands outlined on Schedule "A" attached hereto:

from:

General Industrial (M) Zone (By-law 177-96);
Rural Residential Two (RR2) Zone (By-law 304-87);
Rural Residential Four (RR4) Zone (By-law 304-87);
Major Commercial (MJC) (By-law 108-81)
Business Corridor (BC) Zone (By-law 177-96); and
General Industrial *114 (M*114) Zone (By-law 177-96)

to:

Residential Two * 588 (R2*588) Zone (By-law 177-96);
Residential Two *589 (R2*589) Zone (By-law 177-96);
Business Corridor *590 (BC*590) Zone (By-law 177-96); and
Business Corridor *591 (BC*591) Zone (By-law 177-96)

3. By adding the following subsection to Section 7- EXCEPTIONS

Exception 7.588	Neamsby Investments Inc., Cedarland Properties Limited, 517737 Ontario Limited, Ruland Properties Inc., & Three Gems Developments Inc. 5659 to 5933 14 th Avenue	Parent Zone R2 Amending By-law 2018-33
File ZA 16 130764		
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2018-33 and denoted by the symbol *588.		
7.588.1 Only Permitted Uses		
The following uses are the only permitted uses:		
a)	<i>Single Detached Dwellings</i>	
b)	<i>Home Occupation</i>	
c)	<i>Home Child Care</i>	
7.588.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Minimum lot <i>frontage</i> – 10.7m	
b)	Minimum required <i>front yard</i> – 3m on a lot not accessed by a lane	
c)	Maximum <i>garage width</i> – 6.1m	
d)	Maximum <i>driveway width</i> shall be the maximum <i>garage width</i> plus 1m	
e)	Minimum required <i>rear yard</i> - 6m	
f)	Maximum <i>height</i> – 12m	
g)	Section 6.2.4.2 of By-law 28-97, as amended, shall not apply	

h)	Section 6.2.4.4.a) i) of By-law 28-97, as amended, shall not apply
i)	The provisions of Table B2 – Part 1 apply to all lots, unless amended by this Section 7.588

Exception 7.589	Neamsby Investments Inc., Cedarland Properties Limited, 517737 Ontario Limited, Ruland Properties Inc., & Three Gems Developments Inc. 5659 to 5933 14 th Avenue	Parent Zone R2
File Z A 16 130764		Amending By-law 2018-33
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2018-33 and denoted by the symbol *589		
7.589.1 Only Permitted Uses		
The following uses are the only permitted uses:		
a)	<i>Townhouse dwellings</i>	
b)	<i>Home Occupation</i>	
c)	<i>Home Child Care</i>	
7.589.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Minimum lot <i>frontage</i> : i) 6.0m per unit on an <i>interior lot</i> ; ii) 7.0m per end unit on an <i>interior lot</i> ; iii) 8.5m per end unit on a <i>corner lot</i>	
b)	Minimum required <i>front yard</i> : i) 3m on a lot not accessed by a lane	
c)	Maximum <i>garage width</i> and <i>driveway width</i> on lots not accessed by a lane- 3.5m	
d)	Minimum required <i>rear yard</i> : i) 7m on a lot not accessed by a lane; ii) 5.8m on a lot accessed by a lane.	
e)	Maximum <i>height</i> – 12m	
f)	Minimum required <i>yard</i> abutting a transformer notch – 0m	
g)	Notwithstanding the provisions of Section 6.6.1 (a) encroachments as outlined in the provisions of Section 6.6.1 (a), may be located no closer than 0.3m from the <i>front lot line, rear lot line or exterior lot line</i>	
h)	The provisions of Table B2 – Part 1 apply to all lots, unless amended by this Section 7.589.	
i)	Special Provision #5 of Table B2 shall not apply	
j)	For the purposes of this By-law the public street labelled "Street Three (3)" on the attached Schedule 'A' shall be deemed to be a <i>lane</i>	
k)	The minimum setback for driveways crossing the rear lot line from the exterior side lot line shall be 1.5m	

Exception 7.590	Applicant Name Neamsby Investments Inc., Cedarland Properties Limited, 517737 Ontario Limited, Ruland Properties Inc., & Three Gems Developments Inc. 5659 to 5933 14 th Avenue	Parent Zone BC
File ZA 16 130764		Amending By-law 2018-33
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted *590 as shown on 'Schedule A' attached to By-law 2018- 33 subject to any holding provisions applying to the subject lands.		
7.590.1 Additional Permitted Uses		
1. The following uses are additional permitted uses:		
a)	<i>Retail Stores</i>	
b)	<i>Community College or University</i>	
c)	<i>Motor Vehicle Sales Establishment</i>	
7.590.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	The combined gross floor area devoted to all retail stores, including accessory retail uses, is limited to a maximum of 50% of the total gross floor area of the building, or 3000m ² , whichever is less	
b)	Maximum total gross floor area devoted to all retail stores – 3000m ²	
c)	Restaurants shall be located within a multiple unit building containing office and/or industrial uses, and the combined gross floor area devoted to all restaurants is limited to a maximum of 50% of the total gross floor area of the building.	
d)	Minimum lot <i>frontage</i> – 50m	
e)	The front lot line shall be the streetline so designated in an application for a building permit.	

Exception 7.591	Applicant Name	Parent Zone BC
File Z A 16 130764	Neamsby Investments Inc., Cedarland Properties Limited, 517737 Ontario Limited, Ruland Properties Inc., & Three Gems Developments Inc. 5659 to 5933 14th Avenue	Amending By-law 2018-33
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted *591 as shown on 'Schedule A' attached to By-law 2018-33 subject to any holding provisions applying to the subject lands.		
7.591.1 Additional Permitted Uses		
The following uses are additional permitted uses:		
a)	<i>Retail Stores</i>	
b)	<i>Community College or University</i>	
c)	<i>Motor Vehicle Sales Establishment</i>	
d)	<i>One (1) Single Detached Dwelling</i>	
e)	<i>Home Occupation</i>	
7.591.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	The combined gross floor area devoted to all retail stores, including accessory retail uses, is limited to a maximum of 50% of the total gross floor area of the building, or 3000m ² , whichever is less	
b)	Maximum total gross floor area devoted to all retail stores – 3000m ²	
c)	Restaurants shall be located within a multiple unit building containing office and/or industrial uses, and the combined gross floor area devoted to all restaurants is limited to a maximum of 50% of the total gross floor area of the building.	
d)	Minimum lot frontage – 50m	
e)	The front lot line shall be the streetline so designated in an application for a building permit.	

3. SECTION 37 AGREEMENT

3.1 The applicant shall be required to enter into a Section 37 Agreement to secure the provision of community facilities and services by the City for the lands zoned R2*588 and R2*589, as shown on Schedule 'A' to this By-law.

Read a first, second and third time and passed on April 24, 2018.



Kimberly Witteringham
City Clerk



Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2018-33

A By-law to amend By-law 304-87, 108-81 and 177-96, as amended

5659 to 5933 14th Ave

Lands located south of 14th Avenue, east of Middlefield Road

CON 7 PT LOT 5

Lands Affected

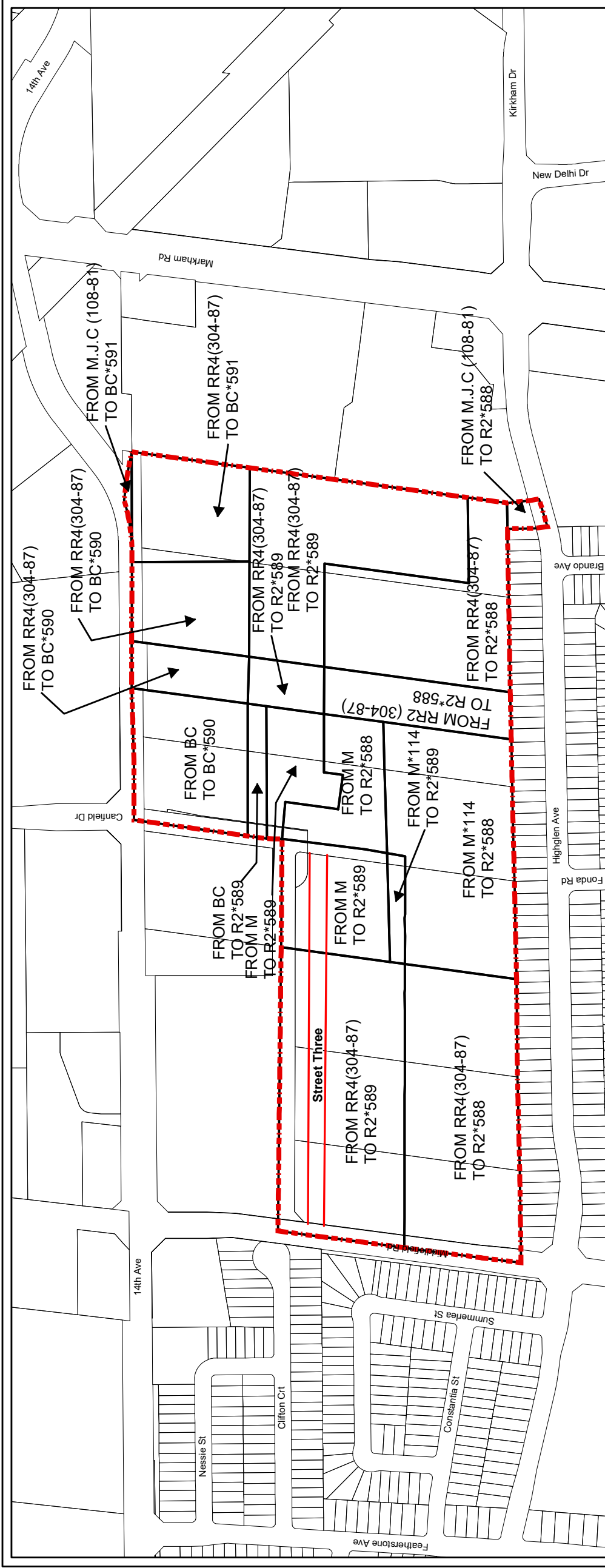
The proposed by-law amendment applies to 25.4 hectares (62.8 acres) of land comprised of 9 properties located on the east side of Middlefield Road, south of 14th Avenue and municipally known as 5659 to 5933 14th Avenue.

Existing Zoning

The subject land is currently zoned “Rural Residential Two (RR2)” and “Rural Residential Four (RR4)” under By-law 304-87, as amended, “General Industrial (M)”, “General Industrial*114 (M*114)” and “Business Corridor (BC)” under By-law 177-96, as amended, and “Major Commercial (MJC)” under By-law 108-81, as amended.

Purpose and Effect

The purpose and effect of this By-law is to amend By-law 304-87, as amended, By-law 177-96, as amended and By-law 108-81, as amended and to rezone the subject land to “Residential Two*588 (R2*588)”, “Residential Two*589 (R2*589)”, “Business Corridor *590 (BC*590)” and “Business Corridor *591 (BC*591)” in By-law 177-96, as amended in order to facilitate residential development consisting of single detached and townhouse dwellings, future commercial development and retention of an existing heritage dwelling, including the introduction of site-specific development standards.



BY-LAW SCHEDULE "A" TO BY-LAW 2018-33

AMENDING BY-LAWS 108-81, 177-96 AND 304-87 DATED APRIL 24, 2018

BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE TO BE DELETED FROM 108-81 AND 304-87 AND ADDED TO 177-96 BOUNDARY OF ZONE DESIGNATION(S)

- RR2 RURAL RESIDENTIAL TWO (304-87) M INDUSTRIAL (304-87)
- RR4 RURAL RESIDENTIAL FOUR (304-87) R2 RESIDENTIAL TWO (177-98)

- M.J.C. MAJOR COMMERCIAL (108-81) BC BUSSINESS CORRIDOR (177-96)
- M GENERAL INDUSTRIAL (177-96) *(No) ZONE DESIGNATION

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.

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