



EXPLANATORY NOTE

BY-LAW 2017-108

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

**National Homes (Old Kennedy) Inc.
146 Old Kennedy Road
West side of Old Kennedy Road and north of Sunrise Drive
ZA 16 138057**

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 1.55 hectares (3.83 acres), which is located on the west side of Old Kennedy Road and north of Sunrise Drive, municipally known as 146 Old Kennedy Road.

Existing Zoning

The subject lands are zoned Community Amenity One*279 (Hold)*280 [CA1*279(H)*280], Community Amenity Two*283 (Hold)*280 [CA2*283(H)*280] and Community Amenity One*281 (CA1*281) under By-law 177-96, as amended.

Purpose and Effect

The purpose and effect of this By-law is to amend the above noted Zoning By-law in order to rezone the subject lands to Community Amenity One*585 (CA1*585) and Community Amenity One*585*586 (CA1*585*586) and to implement site specific development standards for the site. The effect of this By-law is to permit the lands to be developed with townhouses and live-work units.

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 2017-108

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:

Community Amenity One*279 (Hold)*280 [CA1*279(H)*280] Zone
Community Amenity Two*283 (Hold)*280 [CA2*283(H)*280] Zone;
and
Community Amenity One*281 (CA1*281) Zone

to:

Community Amenity One*585 (CA1*585) Zone; and
Community Amenity One*585*586 (CA1*585*586) Zone


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

Exception 7.585	National Homes (Old Kennedy) Inc. 146 Old Kennedy Road	Parent Zone CA1
File ZA 16 138057		Amending By-law 2017-108
Notwithstanding any other provisions of By-law, 177-96 the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2017-108 and denoted by the symbol *585.		
7.585.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Townhouse Dwellings	
b)	Home Occupations	
c)	Home Child Care	
7.585.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	For the purposes of this By-law, all lands zoned CA1*585 shall be deemed to be one lot	
b)	For the purposes of this By-law, the lot line abutting Old Kennedy Road shall be deemed to be the front lot line	
c)	For the purposes of this By-law, the provisions of Table B7 do not apply	
d)	Minimum front yard – 2.4 metres	
e)	Minimum setback of a townhouse dwelling from a private street – 3 metres	
f)	Minimum setback of a wall not containing any doors used to access the main building from a private street – 0.6 metres	
g)	Minimum setback of an attached private garage from a private street – 5.8 metres	
h)	Minimum interior side yard – 5 metres	
i)	Minimum rear yard – 5 metres	
j)	Minimum separation distance between end walls of separate blocks of townhouse dwellings – 1.2 metres	
k)	Minimum width of a townhouse dwelling – 5.5 metres	
l)	Maximum Floor Space Index (FSI) – 1.25	
m)	Maximum height – 12 metres	
n)	Decks that have a height greater than 1 metre above the lowest ground surface at any point around the perimeter of the platform are permitted to extend from the wall closest	

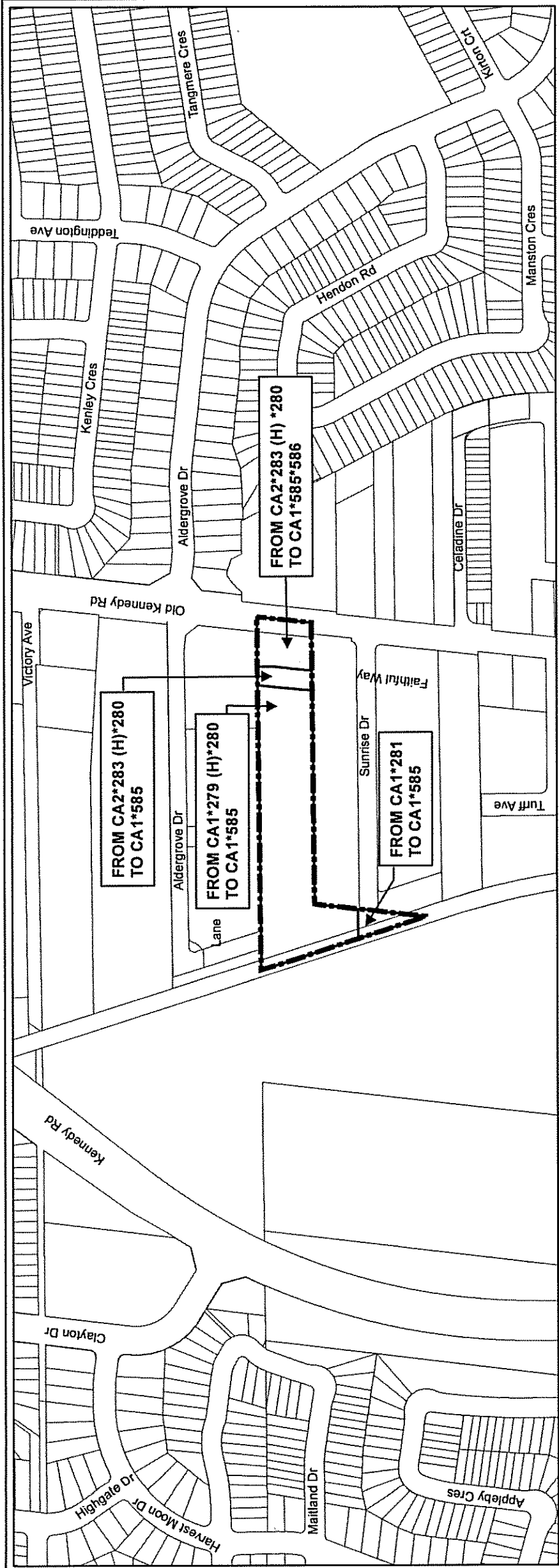
	to the <i>interior side lot lines</i> a maximum of 2 metres provided that the floor of the <i>deck</i> is not higher than the floor level of the second <i>storey</i> of the <i>townhouse dwelling</i>
o)	Architectural features such as sills, belt courses, cornices, eaves, chimney breasts, pilasters, roof overhangs, balconies and awnings may project up to 1 metre from any wall of a <i>building</i>
p)	Minimum number of <i>parking spaces</i> for visitor and non-residential uses – 17
q)	Maximum number of <i>dwelling units</i> – 76

Exception 7.586	National Homes (Old Kennedy) Inc. 146 Old Kennedy Road	Parent Zone CA1
File ZA 16 138057		Amending By-law 2017-108
Notwithstanding any other provisions of By-law,177-96 the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2017-108 and denoted by the symbol *586.		
7.586.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Multiple Dwellings	
b)	Townhouse Dwellings	
c)	Home Occupations	
d)	Home Child Care	
e)	Art Galleries	
f)	Business Offices	
g)	Personal Service Shops	
h)	Repair Shops	
i)	Retail Stores	
j)	Commercial Schools	
7.586.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Minimum interior side yard setback – 2 metres	
b)	Minimum width of a unit – 6 metres	
c)	Maximum height – 14 metres	
d)	Minimum setback of a balcony, carport or outdoor amenity space from a private street – 2 metres	
e)	Notwithstanding Section 6.9, loading spaces are not required.	
f)	Residential uses are not permitted within the ground floor of any building with the exception of mechanical features and utilities, carports and garages accessed from a private street, interior vestibules containing closets and storage areas, and stairways leading to dwelling units above the ground floor	
g)	Non-residential uses are permitted only within the ground floor of any building	
h)	The establishment of a drive-through service facility is not permitted	

Read a first, second, and third time and passed on November 14, 2017.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor



SCHEDULE "A" TO BY-LAW 2017-108

AMENDING BY-LAW 177-96 DATED November 14, 2017

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

 BOUNDARY OF ZONE DESIGNATION(S)

☐ CA1

COMMUNITY AMENITY ONE

☐ CA2

COMMUNITY AMENITY TWO

*No.

☐

EXCEPTION SECTION NUMBER

(H)

☐

HOLDING PROVISION

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.