



EXPLANATORY NOTE

BY-LAW 2017-79

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

1695139 Ontario Inc. (HBNG Holborn Group)

Blocks 299, 300 and 301, Plan 65M-4026

North of Elgin Mills Road and west of Woodbine Avenue By-Pass

ZA 15 116651

Lands Affected

The proposed by-law amendment applies to a parcel of land with an approximate area of 5.7 hectares (14.0 acres), which is located north of Elgin Mills Road and west of Woodbine Avenue By-Pass in the Cathedral Community.

Existing Zoning

The subject lands are zoned Business Corridor (BC) and Business Park (BP) 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:

**Business Corridor (BC) Zone; and
Business Park (BP) Zone**

to:

**Residential Two*579 (R2*579) Zone;
Residential Two – Lane Access*580 (R2-LA*580) Zone;
Residential Two – Lane Access*581 (R2-LA*581) Zone;
Residential Two – Lane Access*581 Holding [(R2-LA*581)(H)] Zone;
Residential Two – Lane Access*582 (R2-LA*582) Zone;
Open Space One (OS1); and
Open Space Two (OS2)**

in order to permit a residential development on the lands.

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 2017-79

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:

**Business Corridor (BC) Zone; and
Business Park (BP) Zone**

to:

**Residential Two*579 (R2*579) Zone;
Residential Two – Lane Access*580 (R2-LA*580) Zone;
Residential Two – Lane Access*581 (R2-LA*581) Zone;
Residential Two – Lane Access*581 Holding [(R2-LA*581)(H)] Zone;
Residential Two – Lane Access*582 (R2-LA*582) Zone;
Open Space One (OS1); and
Open Space Two (OS2)**

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

Exception 7.579	1659139 Ontario Inc. (HBNG Holborn Group)	Parent Zone R2
File ZA 15 116651	North of Elgin Mills Road and west of Woodbine Avenue	Amending By-law 2017-79
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *579 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.		
7.579.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Townhouse Dwellings	
b)	Home Occupations	
c)	Home Childcare	
7.579.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Minimum Lot Frontage – 6.99 metres per unit on an interior lot, 8.4 metres per end unit on an interior lot	
b)	Minimum Front Yard Setback: i) 4.5 metres ii) 4.3 metres for the most easterly unit and the most westerly unit of the zone	
c)	Minimum Rear Yard Setback – 5.0 metres	
d)	Maximum Building Height – 14.0 metres	
e)	Provisions for Outdoor Amenity Space: i) Minimum combined Outdoor Amenity Space – 20.0 sq. m. ii) Outdoor Amenity Space may be located on a balcony	
f)	Home occupations may occupy a maximum of 35% of the gross floor area of the dwelling	

Exception 7.580	1659139 Ontario Inc. (HBNG Holborn Group) North of Elgin Mills Road and west of Woodbine Avenue	Parent Zone R2-LA
File ZA 15 116651		Amending By-law 2017-79
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *580 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.		
7.580.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	<i>Townhouse Dwellings</i>	
b)	<i>Home Occupations</i>	
c)	<i>Home Childcare</i>	
7.580.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	The <i>front lot line</i> shall be deemed to be the shortest lot line abutting an O1 Zone or an O2 Zone	
b)	<i>Minimum Lot Frontage</i> i) 5.79 m per unit on an interior lot ii) 7.15 m for an end unit on an interior lot iii) 8.35 m for an end unit on a corner lot	
c)	<i>Minimum Front Yard – 3.0 m</i>	
d)	<i>Minimum Rear Yard – 4.8 m</i>	
e)	<i>Minimum Rear Yard provision for main building with attached private garage – No Requirement</i>	
f)	<i>Maximum Building Height – 14.0 m</i>	
g)	Provisions for <i>Outdoor Amenity Space</i> : i) <i>Outdoor Amenity Space</i> may only be provided above the first storey ii) Minimum combined <i>Outdoor Amenity Space</i> – 20.0 sq. m. iii) <i>Outdoor Amenity Space</i> may be located on a balcony, or on the flat roof of an attached <i>private garage</i> . iv) A minimum of 2.2 sq. m. of <i>Outdoor Amenity Space</i> shall be provided on a balcony in the front yard	
h)	A <i>Balcony</i> above a <i>driveway</i> may encroach a maximum of 2.95 m into the required <i>rear yard</i>	
i)	<i>Home occupations</i> may occupy a maximum of 35% of the gross floor area of the <i>dwelling</i>	

Exception 7.581	1659139 Ontario Inc. (HBNG Holborn Group) North of Elgin Mills Road and west of Woodbine Avenue	Parent Zone R2-LA
File ZA 15 116651		Amending By-law 2017-79
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *581 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.		
7.581.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	<i>Townhouse Dwellings</i>	
b)	<i>Home Occupations</i>	
c)	<i>Home Childcare</i>	
7.581.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	<i>Minimum Lot Frontage:</i> i) 6.38 m per unit on an interior lot ii) 7.74 m for an end unit on an interior lot iii) 8.20 m for an end unit on a corner lot	
b)	<i>Minimum Front Yard – 3.0 m</i>	
c)	<i>Minimum Rear Yard – 4.8 m</i>	
d)	<i>Minimum Rear Yard provision for main building with attached private garage – No Requirement</i>	
e)	<i>Maximum Building Height – 14.0 m</i>	
f)	<i>Provisions for Outdoor Amenity Space:</i> i) <i>Outdoor Amenity Space</i> may only be provided above the first storey ii) Minimum combined <i>Outdoor Amenity Space</i> – 20.0 sq. m. iii) <i>Outdoor Amenity Space</i> may be located on a balcony, or on the flat roof of an attached <i>private garage</i> iv) A minimum of 3.0 sq. m. of <i>Outdoor Amenity Space</i> shall be provided on a balcony in the rear yard	
g)	<i>A balcony above a driveway may encroach a maximum of 2.95 m into the required rear yard</i>	
h)	<i>Home occupations may occupy a maximum of 35% of the gross floor area of the dwelling</i>	
i)	<i>Where the front lot line of a dwelling abuts Lord Melbourne Street, Medical Offices are permitted as a Home Occupation</i>	


Exception 7.582	1659139 Ontario Inc. (HBNG Holborn Group)	Parent Zone R2-LA
File ZA 15 116651	North of Elgin Mills Road and west of Woodbine Avenue	Amending By- law 2017-79
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *EEE 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.		
7.582.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Townhouse Dwellings	
b)	Home Occupations	
c)	Home Childcare	
7.582.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Lord Melbourne Street is deemed to be the Front Lot Line	
b)	Minimum Lot Frontage: i) Townhouse Dwelling – 5.79 m per unit on an interior lot ii) 7.15 m for an end unit on an interior lot iii) 8.35 m for an end unit on a corner lot	
c)	Minimum Front Yard – 2.5 m	
d)	Minimum Garage Setback – 5.8 m	
e)	Maximum Garage Door Width – 3.15 m and Driveway Width – 3.86 m	
f)	Minimum Rear Yard – 5.8 m	
g)	Minimum Rear Yard provision for main building with attached private garage – no requirement	
h)	Maximum Building Height – 14.0 m	
i)	Provisions for Outdoor Amenity Space: i) Outdoor Amenity Space can be provided above the first storey ii) Minimum combined Outdoor Amenity Space – 20.0 sq. m. iii) Outdoor Amenity Space may be located on a balcony, or on the flat roof of an attached private garage iv) A minimum of 2.2 sq. m. of Outdoor Amenity Space shall be provided on a balcony in the rear yard	
j)	A Balcony above a driveway may encroach a maximum of 2.95 m into the required rear yard	
k)	Maximum height of a porch - 5.0 m, measured from the established grade to the underside of the rafters or ceiling of the porch	
l)	Home occupations may occupy a maximum of 35% of the gross floor area of the dwelling	
m)	Where the front lot line of a dwelling abuts Lord Melbourne Street, Medical Offices are permitted as a Home Occupation	

2. SECTION 37 CONTRIBUTION

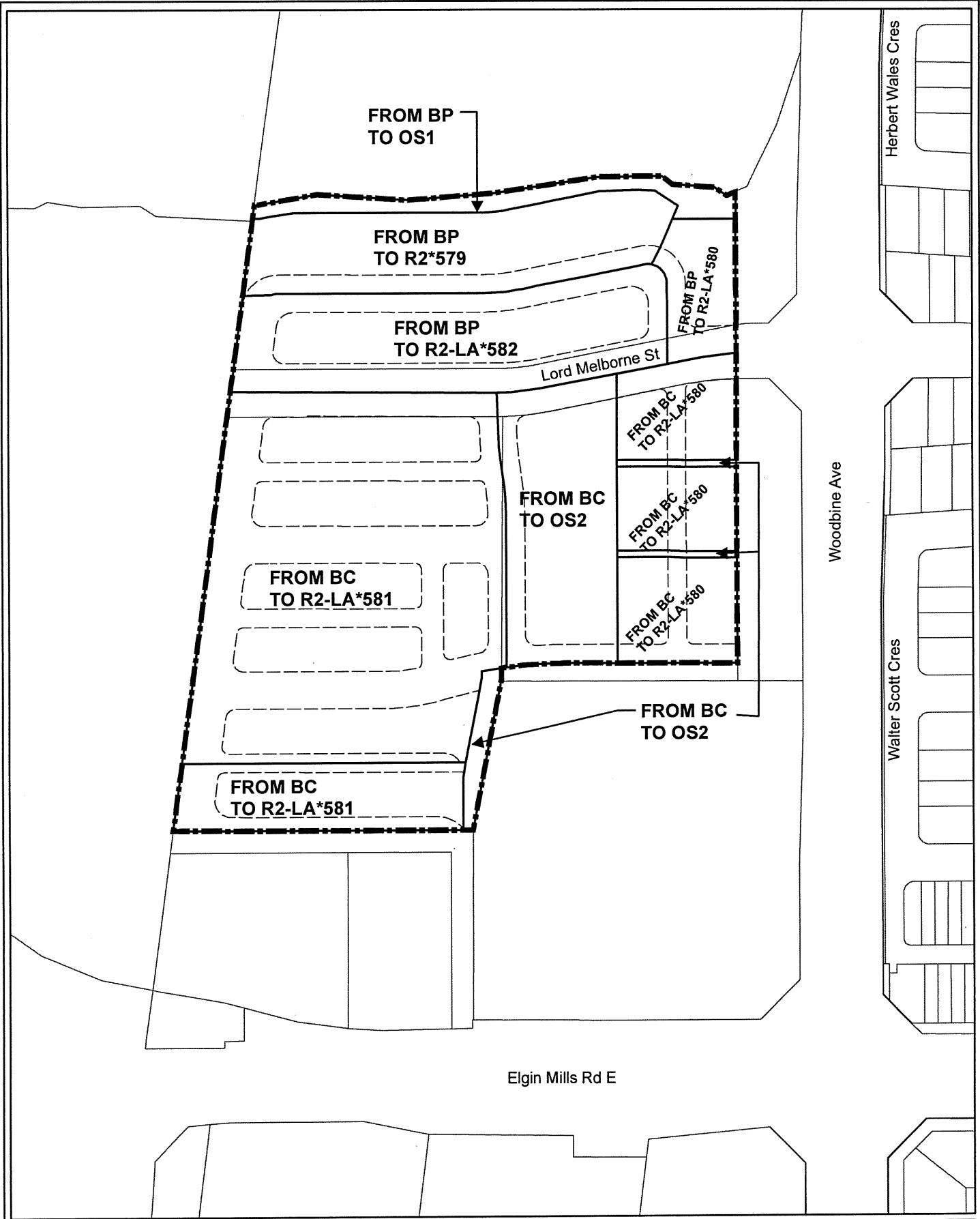
2.1 A contribution by the Owner to the City of \$1,100.00 per residential unit in 2017 dollars, based on the total number of units, to be indexed to the Ontario rate of inflation as per the consumer price index (CPI), in accordance with Section 37 of the Planning Act, as amended, shall be required. Payments 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 June 27, 2017.



Kimberley Kitteringham
City Clerk

Jack Heath
Deputy Mayor



SCHEDULE "A" TO BY-LAW 2017-79

AMENDING BY-LAW 177-96 DATED June 27, 2017

- BOUNDARY OF AREA COVERED BY THIS SCHEDULE
- BOUNDARY OF ZONE DESIGNATION(S)
- BC

BUSINESS CORRIDOR

BP

BUSINESS PARK

R2

RESIDENTIAL TWO

R2-LA

RESIDENTIAL TWO - LANE ACCESS

OS1

OPEN SPACE ONE

OS2

OPEN SPACE TWO

*No.

EXCEPTION SECTION NUMBER

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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