



EXPLANATORY NOTE

BY-LAW 2017-49

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

1691913 Ontario Inc.

South of Elgin Mills Road and west of Victoria Square Boulevard

Plan 65M-4033, Block 79

Lands Affected

The proposed by-law amendment applies to approximately 1.38 hectares (3.41 acres) of land known legally as Plan 65M-4033, Block 79. The lands are located west of Prince Regent Street, north of Reflection Road, within the Cathedral Community.

Existing Zoning

The subject land is zoned Open Space Two (OS2) Zone by By-law 177-96, as amended.

Purpose and Effect

The purpose and effect of this by-law amendment is to rezone the subject lands into the following zone categories:

**Residential Two*572 (R2*572) Zone;
Residential Two*573 (R2*573) Zone; and
Open Space One (OS1) Zone,**

in order to facilitate the development of 26 single detached dwellings.

Note Regarding Further Planning Applications on this Property

In accordance with Section 45(1.3) and 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended on July 1, 2016 through the enactment of Bill 73, no person shall apply for a minor variance from the provisions of the by-law in respect of land, building or structure before the second anniversary of the day on which the by-law was amended, unless Council has declared by resolution that such an application is permitted.



By-law 2017-49

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 zoning the lands outlined on Schedule 'A' attached hereto as follows:

**Residential Two*572 (R2*572) Zone;
Residential Two*573 (R2*573) Zone; and
Open Space One (OS1) Zone.**

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

Exception 7.572	1696913 Ontario Inc. South of Elgin Mills Road and west of Victoria Square Boulevard	Parent Zone R2
File ZA 16 177627		Amending By-law 2017-_____
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *572 on the schedules to this By-law.		
7.572.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Single Detached Dwellings	
b)	Home Occupations	
c)	Home Child Care	
7.572.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Minimum Rear Yard – 6.5 metres	

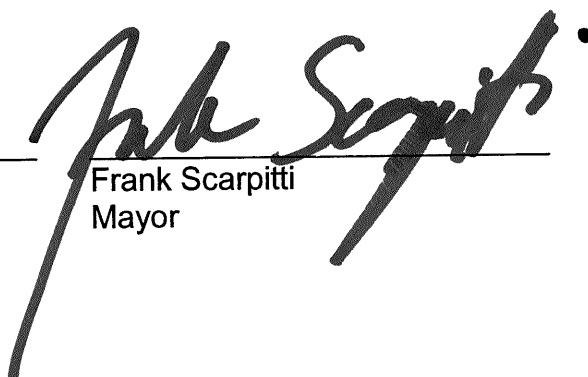
Exception 7.573	1696913 Ontario Inc. South of Elgin Mills Road and west of Victoria Square Boulevard	Parent Zone R2
File ZA 16 177627		Amending By-law 2017-_____
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *573 on the schedules to this By-law.		
7.573.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	<i>Single Detached Dwellings</i>	
b)	<i>Home Occupations</i>	
c)	<i>Home Child Care</i>	
7.573.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	<i>Minimum Rear Yard – 5.5 metres</i>	

2. SECTION 37 CONTRIBUTION

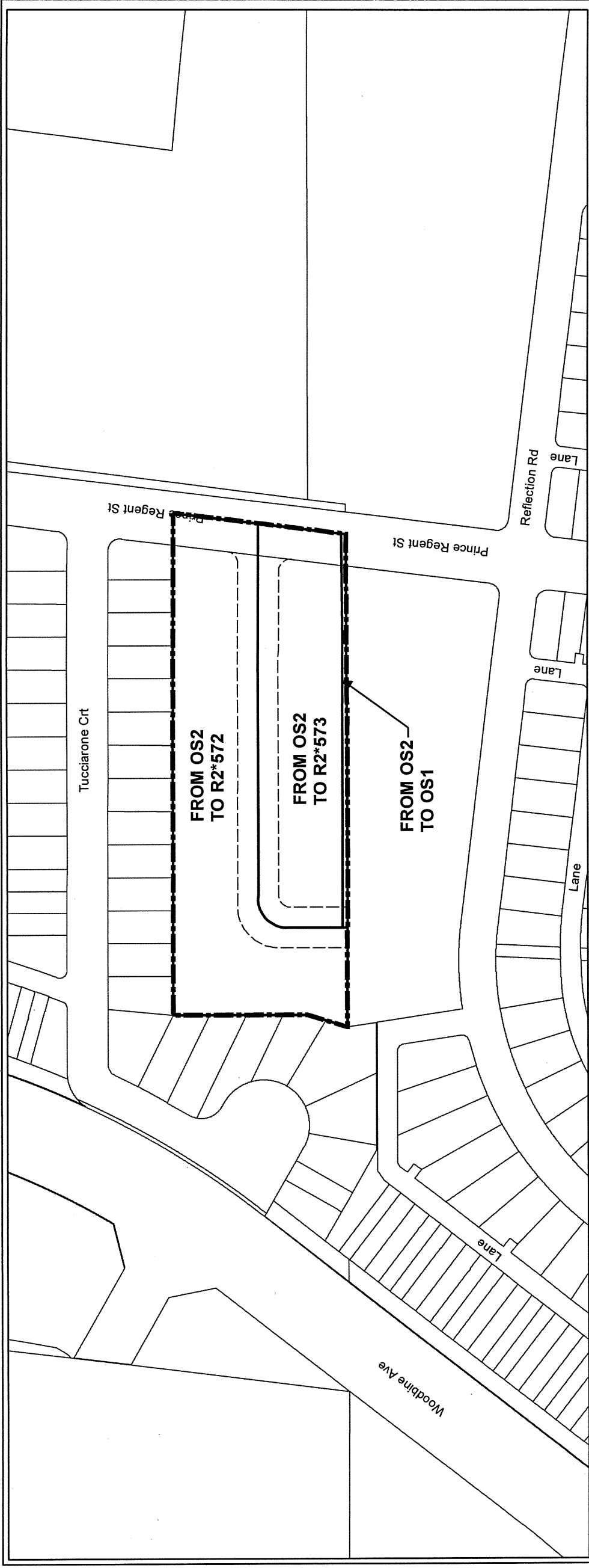
- 2.1 A contribution by the Owner to the City for the purposes of public art, in the amount of \$39,000.00 in 2017 dollars, to be indexed to the Ontario rate of inflation as per the consumer price index (CPI), in accordance with Section 37 of the Planning Act, as amended, shall be required. Payments 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 May 29, 2017.



Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



SCHEDULE "A" TO BY-LAW 2017-49

AMENDING BY-LAW 177-96 DATED May 29, 2017



NB: 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.

BOUNDARY OF ZONE DESIGNATION(S)
☐ OS1 OPEN SPACE ONE
☐ *No. EXCEPTION SECTION NUMBER

BOUNDARY OF AREA COVERED BY THIS SCHEDULE
☐ R2 RESIDENTIAL TWO
☐ OS2 OPEN SPACE TWO