



Explanatory Note

By-law 2017-14

A By-law to amend By-law 304-87, as amended

(to delete lands from the designated area of By-law 304-87)

And By-law 177-96, as amended

(to incorporate lands into the designated area of By-law 177-96)

McCowan Developments Limited

9329 & 9365 McCowan Rd and 5286 16th Ave

CON 7, PT LT 16, 65R5155, PARTS 1, 2 & 3

File No. ZA 15 110451

Lands Affected

The proposed by-law amendment applies to lands with an approximate area of 3.3 hectares (8.15 acres) located on the east side of McCowan Rd and on the north side of 16th Ave and municipally known as 9329 & 9365 McCowan Rd and 5286 16th Ave.

Existing Zoning

The subject lands are zoned in accordance with By-law 304-87, as amended, as follows:

Rural Residential One (RR1) and
Rural Residential Four (RR4)

Purpose and Effect

The purpose and effect of this By-law is to delete the lands from the designated area of By-law 304-87, as amended, incorporate the lands into the designated area of By-law 177-96, as amended, and zone the subject lands to “Residential Two *567 (R2*567) Zone” and “Residential Two *568 (R2*568) Zone”, in order to facilitate the development of 151 townhouses including the introduction of site-specific development standards.

Notice 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 2017-14

A By-law to amend By-law 304-87, as amended
(to delete lands from the designated area of By-law 304-87)
and 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-law 304-87, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated area of By-law 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 the lands shown on Schedule 'A' attached hereto.
 - 2.2 By zoning the lands outlined on Schedule 'A' attached hereto as follows:

**Residential Two *567 (R2*567) Zone and
Residential Two *568 (R2*568) Zone**

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

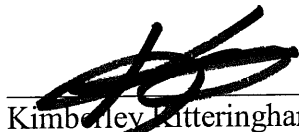
Exception 7.567	McCowan Developments Limited East Side of McCowan Rd, north of 16 th Ave (North of West Bay Dr)	Parent Zone R2
File ZA 15 114051		Amending By-law 2017-
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to the land denoted by the symbol *567 on the schedule to this By-law.		
7.567.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Townhouse Dwellings	
7.567.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	For the purposes of this by-law, the lot line abutting McCowan Road shall be deemed to be the front lot line	
b)	Minimum width of an internal townhouse dwelling unit – 5.4m	
c)	Minimum width of a townhouse dwelling unit (measured at its widest points) abutting West Bay Drive and the (north) interior lot line – 6.2m	
d)	Maximum number of townhouse dwelling units – 58	
e)	Minimum distance between buildings – 3m	
f)	Minimum required front yard setback – 4m	
g)	Minimum required rear yard – 6m	
h)	Minimum required exterior side yard – 1.5m	
i)	Maximum height of a townhouse dwelling – 12m	
j)	Porches may encroach into a required exterior side yard provided that no part of the porch is located closer than 0.3m from the lot line.	
k)	Porches may encroach into a required setback to a daylight triangle provided that no part of the porch is located closer than 0.3m from the lot line.	
l)	Eaves may encroach into a required exterior side yard setback provided that no part of the eaves is located closer than 0.3m from the lot line.	
m)	Eaves may encroach into a required setback to a site triangle provided that no part of the eaves is located closer than 0.3m from the lot line.	
n)	The floor of any porch that is located between a main wall of a building and an exterior side yard shall extend at least 1.2m towards the streetline from the main wall that abuts the porch. Windows, stairs, columns, piers and/or railings associated with the porch are permitted to encroach within this area.	
o)	Notwithstanding any further division or partition of any lands subject to this Section, all lands zoned R2*567 shall be deemed to be one lot for the purposes of this By-law.	


Exception 7.568	McCowan Developments Limited East side of McCowan Rd, north of 16 th Ave (south of West Bay Dr)	Parent Zone R2
File ZA 15 114051		Amending By-law 2017-
Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to the land denoted by the symbol *568 on the schedule to this By-law.		
7.568.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Townhouse Dwellings	
b)	Private Park	
7.568.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	For the purposes of this by-law, the <i>lot line</i> abutting McCowan Road shall be deemed to be the <i>front lot line</i> .	
b)	Minimum width of an internal townhouse dwelling unit- 5.4m	
c)	Minimum width of a townhouse dwelling unit (measured at its widest points) abutting West Bay Drive – 6.2m	
d)	Maximum number of townhouse dwelling units- 93	
e)	Minimum distance between buildings – 3m	
f)	Minimum required <i>front yard</i> setback – 4m	
g)	Minimum required <i>rear yard</i> – 6m	
h)	Minimum required <i>exterior side yard</i> – 1.2m	
i)	Maximum height of a <i>townhouse dwelling</i> – 12m	
j)	Porches may encroach into a required <i>exterior side yard</i> provided that no part of the porch is located closer than 0.3m from the <i>lot line</i> .	
k)	Porches may encroach into a required setback to a daylight triangle provided that no part of the porch is located closer than 0.3m from the <i>lot line</i> .	
l)	Eaves may encroach into a required <i>exterior side yard</i> setback provided that no part of the eaves is located closer than 0.3m from the <i>lot line</i> .	
m)	Eaves may encroach into a required setback to a site triangle provided that no part of the eaves is located closer than 0.3m from the <i>lot line</i> .	
n)	The floor of any porch that is located between a main wall of a building and an exterior side yard shall extend at least 1.2m towards the streetline from the main wall that abuts the porch. Windows, stairs, columns, piers and/or railings associated with the porch are permitted to encroach within this area.	
o)	Notwithstanding any further division or partition of nay lands subject to this Section, all lands zoned R2*568 shall be deemed to be one lot for the purposes of this By-law	
p)	Minimum <i>private park</i> area – 1300 m2	

4. SECTION 37 CONTRIBUTION

- 4.1 A contribution by the Owner to the City for the purposes of public art, in the amount of \$150,000.00 in 2016 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 March 21, 2017.

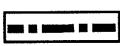

Kimberley Litteringham
City Clerk


Frank Scarpitti
Mayor

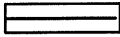


SCHEDULE "A " TO BY-LAW 2015-14

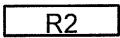
AMENDING BY-LAWS 304-87 AND 177-96 DATED March 21, 2017



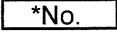
BOUNDARY OF AREA COVERED BY THIS SCHEDULE
TO BE DELETED FROM 304-87 AND ADDED TO 177-96



BOUNDARY OF ZONE DESIGNATION(S)



RESIDENTIAL TWO



EXCEPTION SECTION NUMBER



RURAL RESIDENTIAL FOUR

Q:\Geomatics\New Operation\By-Laws\ZA\ZA15110451\ZA15110451.mxd



DEVELOPMENT SERVICES COMMISSION

40 20 0 40 Meters

Drawn By: CPW Checked By: SM

DATE:01/02/2017

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