



EXPLANATORY NOTE

BY-LAW 2016-142

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

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

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

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

Cornell Rouge Development Corporation

West of Donald Cousens Parkway and north of Highway 7

Lands Affected

The proposed by-law amendment applies to a 1.66 hectare parcel which is located west of Donald Cousens Parkway and north of Highway 7.

Existing Zoning

The subject lands are zoned Rural Residential Four (RR4) under By-law 304-87, as amended.

Purpose and Effect

The purpose of this By-law is to remove the subject lands from the designated area of By-law 304-87, as amended, to be incorporated into the designated area of By-law 177-96, as amended by rezoning them into the following zone categories:

Residential Two*562	R2*562
Open Space One	OS1

The effect of this by-law is to permit townhouse dwellings on the lands zoned Residential Two*562 (R2*562) and a neighbourhood park on the lands zoned Open Space One (OS1).

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.



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and to amend By-law 177-96, as amended
(to incorporate lands into the designated area of By-law 177-96, as amended)

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*562 (R2*562)
Open Space One (OS1) Zone

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

**“7.562 Auriga Developments Inc. and Cornell Rouge
Development Corporation**

**West side of Donald Cousens Parkway, north of
Highway 7**

Notwithstanding any other provisions of By-law 177-96, as amended, the provisions in this Section shall apply to those lands denoted by symbol *562 on Schedule 'A' to this By-law.

7.562.1 Only Permitted Uses

Residential Uses:

- a) *Townhouse Dwellings;*
- b) *Home Occupations; and*
- c) *Private Home Day Care.*

7.562.2 Special Zone Provisions

The following special zone provisions shall apply:

- a) Minimum *Lot Frontage* – 4.5 metres, except as follows:
 - (i) End unit on an *interior lot* – 5.7 metres; and
 - (ii) End unit on a *corner lot* – 6.9 metres;
- b) The provisions of Table B2 Part 1 of 3 shall apply;
- c) *Minimum Required Front Yard* – 2.5 metres;
- d) *Minimum Required Rear Yard* – 5.8 metres, except that the *Minimum Required Rear Yard* for an *Outdoor Amenity Space* located above a *private garage* and/or a support structure for


the *Outdoor Amenity Space*, which is located on the *first storey* and adjacent to a *private garage* is 1.2 metres;

- e) *Outdoor Amenity Space* shall be provided and shall be subject to the following provisions:
 - i) The *Outdoor Amenity Space* shall be located above a *private garage* or *driveway*; and
 - ii) The *Outdoor Amenity Space* shall have a minimum area of 6 square metres;
- f) *Maximum Building Height* – 12 metres;
- g) *Porches* may encroach into the *required front yard* or *exterior side yard* provided that no part of the *porch* is located closer than 1.0 metre from the *front lot line* or *exterior side lot line* and no part of the stairs accessing a *porch* is located closer than 0.3 metres from the front lot line or exterior side lot line; and
- h) Any part of a *building*, *Outdoor Amenity Space* *private garage* or *driveway* adjacent to a hydro transformer notch may encroach into the *required interior side yard* to the *interior side yard lot line*.”

3. SECTION 37 AGREEMENT

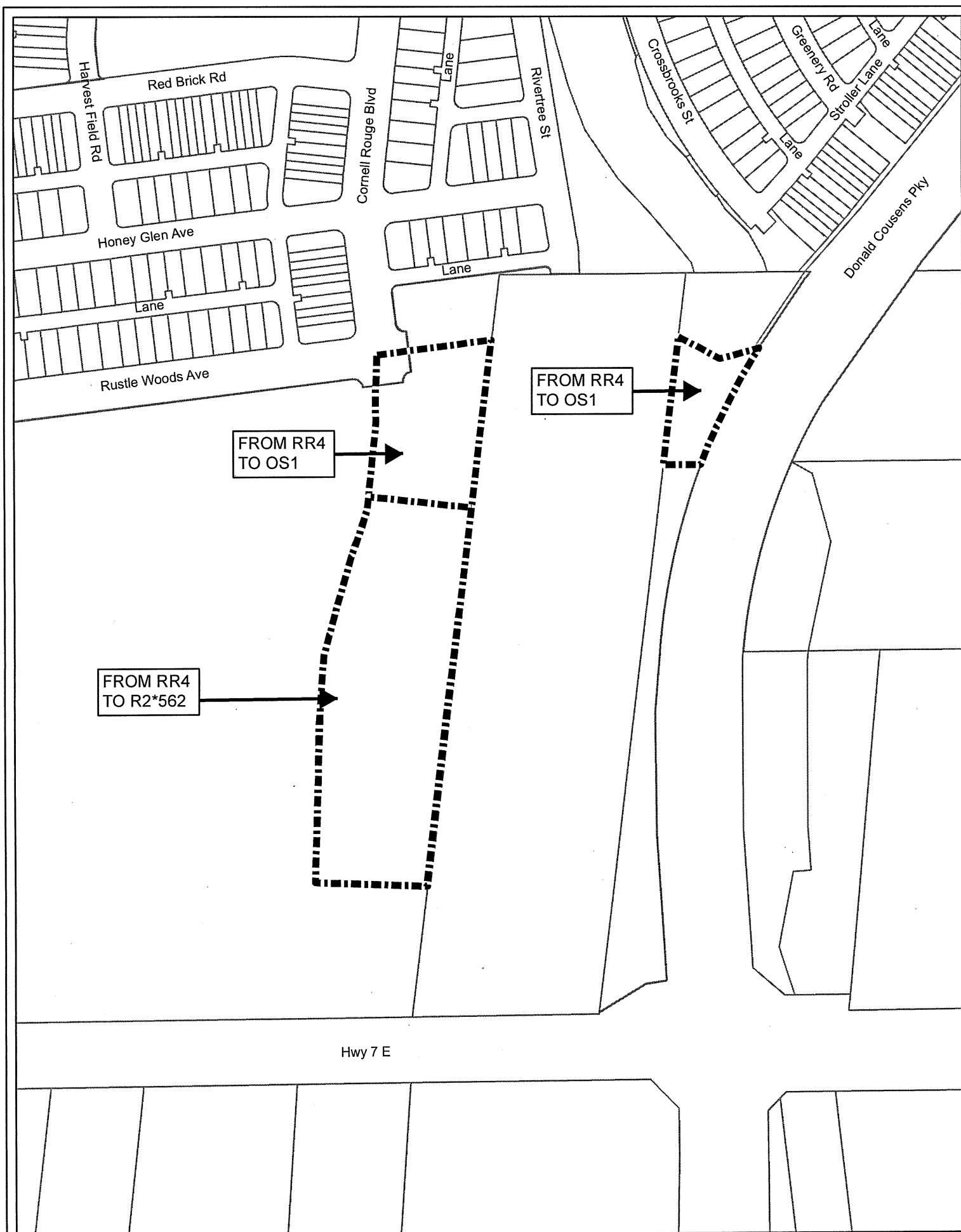
- 3.1 The applicant shall be required to enter into a Section 37 Agreement to secure the provision of community facilities and services by the City for the lands zoned Residential Two*562 (R2*562), as shown on Schedule ‘A’ to this By-law.

Read a first, second, and third time and passed on December 13, 2016.



Kimberley Lutteringham
City Clerk

Frank Scarpitti
Mayor




SCHEDULE "A" TO BY-LAW 2016-142

AMENDING BY-LAWS 304-87 AND 177-96 DATED December 13, 2016

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

 RR4 RURAL RESIDENTIAL

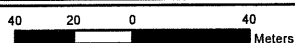
 OS1 OPEN SPACE

 R2 SINGLE AND MULTIPLE DETACHED DWELLING

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DEVELOPMENT SERVICES COMMISSION



Drawn By:LW Checked By:SC

Date: 13/10/2016