



EXPLANATORY NOTE

BY-LAW 2016-144

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)

Auriga Developments Inc.

West side of Donald Cousens Parkway, north of Highway 7

Lands Affected

The proposed by-law amendment applies to a 3.83 hectare parcel which is located on the west side of Donald Cousens Parkway and north of Highway 7. These lands include a strip of land along the west side of Donald Cousens Parkway which is owned by the Region of York and anticipated to be conveyed to Auriga Developments Inc. as part of the Draft Plan of Subdivision proposing a townhouse development on the subject lands.

Existing Zoning

The subject lands are zoned Rural Residential Two (RR2) and 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*190*192	R2*190*192
Residential Two*562	R2*562
Open Space One	OS1

The effect of this by-law is to permit single detached dwellings on the lands zoned Residential Two *190*192 (R2*190*192), townhouse dwellings on the lands zoned Residential Two*562 (R2*562) and a community park and part of a stream corridor 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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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*190*192 (R2*190*192) Zone
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) and Residential Two *190*192 (R2 *190*192), as shown on Schedule ‘A’ to this By-law.

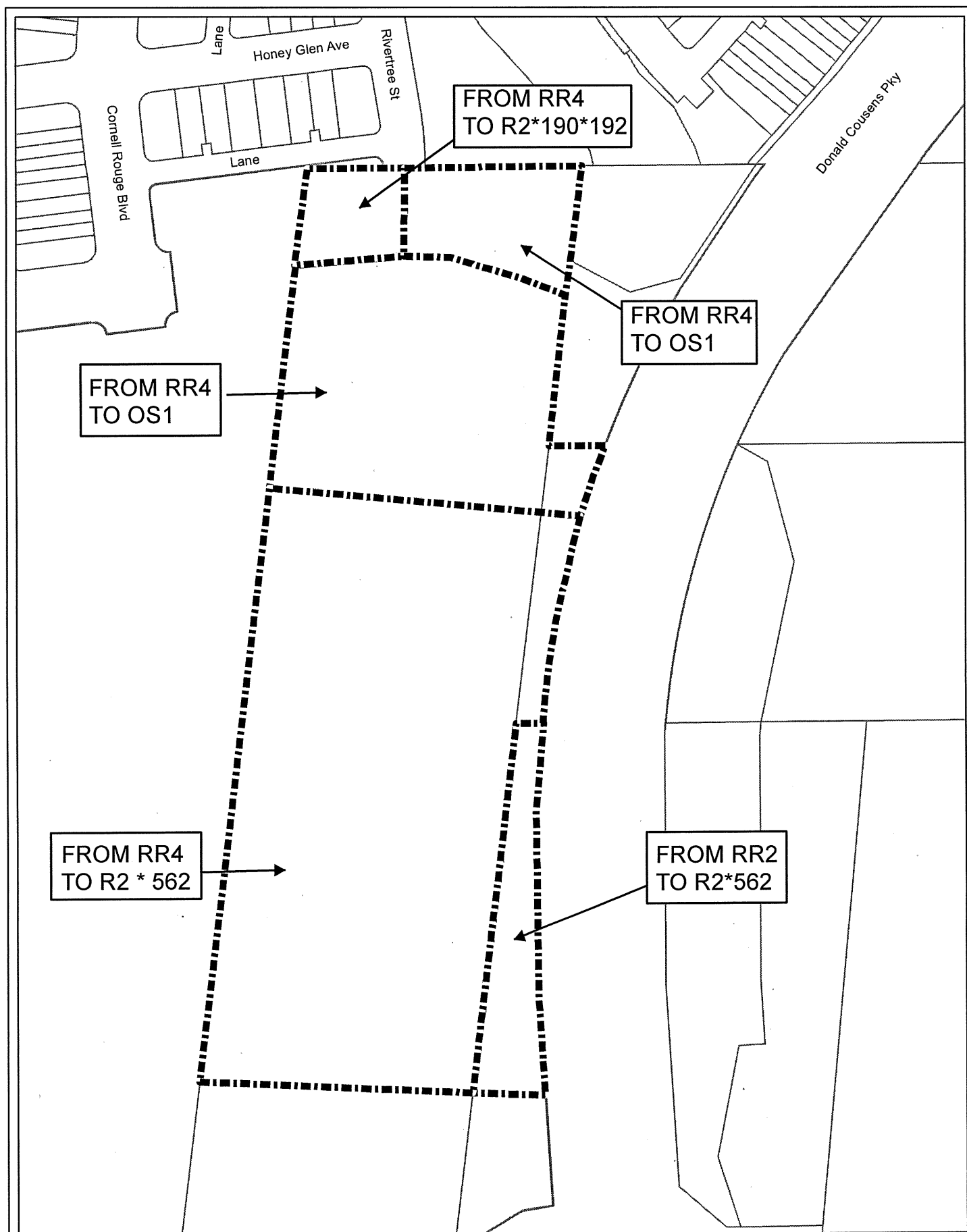
Read a first, second, and third time and passed on December 13, 2016.



Kimberley Kitteringham
City Clerk




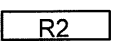

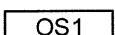
Frank Scarpitti
Mayor



SCHEDULE "A" TO BY-LAW 2016-144

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

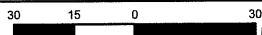
 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

 RR4	RURAL RESIDENTIAL	 R2	SINGLE AND MULTIPLE DETACHED DWELLING
 RR2	RURAL RESIDENTIAL	 OS1	OPEN SPACE

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DEVELOPMENT SERVICES COMMISSION



Drawn By: LW Checked By: SC

DATE:26/09/2016

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