



EXPLANATORY NOTE

BY-LAW 2016-75

A By-law to amend By-law 90-81, as amended

**OHM Markham Manor Inc.
5072 14th Avenue
Eight (8) single-detached dwellings**

Lands Affected

The proposed by-law amendment applies to a 4,550 m² (48,976 ft²) parcel of land located on the north side of 14th Avenue, west of McCowan Road, and municipally known as 5072 14th Avenue.

Existing Zoning

By-law 90-81, as amended, currently zones the subject lands as Residential Development (RD) and Ninth Density – Single Detached Residential (R9).

Purpose and Effect

The purpose and effect of this By-law is to amend 90-81, as amended, to rezone the subject property to Ninth Density – Single Detached Residential (Hold) [R9(Hold) Zone] in order to facilitate the development of eight (8) single-detached dwellings, including the introduction of site-specific development standards and holding provision.



By-law 2016-75

A By-law to amend By-law 90-81, as amended

The Council of the Corporation of the City of Markham hereby enacts as follows:

1. By-law 90-81, as amended, is hereby further amended as follows:
- 1.1 By rezoning the lands outlined on Schedule 'A' attached hereto as follows:

from

Residential Development (RD) Zone and

Ninth Density – Single Detached Residential (R9) Zone

to

Ninth Density – Single Detached Residential (Hold) [R9(H)] Zone

- 1.2 By adding the following subsection to Section 7- EXCEPTIONS

“7.67

OHM Markham Manor Inc.

5072 14th Avenue

Eight (8) single-detached dwellings

Notwithstanding any other provisions of By-law 90-81, as amended, the provisions in this Section shall apply to those lands delineated on Schedule 'A' of this By-law.

7.67.1

Special Zone Provisions

The following special zone provisions shall apply:

- a) Maximum HEIGHT of the finished floor from the ESTABLISHED GRADE along the front door of a DWELLING UNIT – 1.2 metres.
- b) Garage width, as measured from inside wall to inside wall, shall be no more than 50% of the LOT FRONTAGE.
- c) The front wall of an attached garage shall be set back a minimum of 0.3 metres from the front of a porch.
- d) Covered porches and stairs may encroach into the required FRONT YARD – 2 metres.
- e) A *driveway* shall include a hammerhead extension for vehicular access to 14th Avenue subject to the following requirements:
 - i) Maximum width of the hammerhead extension of the *driveway* – 4.2 m
 - ii) Maximum length of a hammerhead extension perpendicular from the *driveway* – 3.5 m
 - iii) Maximum *driveway* width including a hammerhead extension – 8.5 m;
 - iv) Minimum setback of a hammerhead extension from the *front lot line* – 1.8 m
 - v) *Interior side yard* setback for a *driveway* – 0 m

7.67.2

Section 37 Benefits

Zoning by-law compliance for eight (8) residential lots upon lands outlined on Schedule 'A' to this by-law, is dependent upon provision of community benefits in the form of a contribution towards public art in accordance with Section 37 of the *Planning Act*, as amended."

2. Holding Provision

For the purposes of this By-law, a Holding (H) provision is hereby established and is identified on Schedule 'A' attached hereto by the letter (H) in parenthesis following the zoning symbol.

No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H) provision for the purpose permitted under this By-law until amendment(s) to this By-law to remove the letter (H) have come into effect pursuant to the provisions of Section 36 of the *Planning Act*.


Prior to removing the Holding (H) provision the following conditions must be met to the satisfaction of the City of Markham:

- i) Execution of a subdivision agreement; and
- ii) Execution of an agreement respecting a contribution towards public art in accordance with Section 37 of the *Planning Act*, as amended.

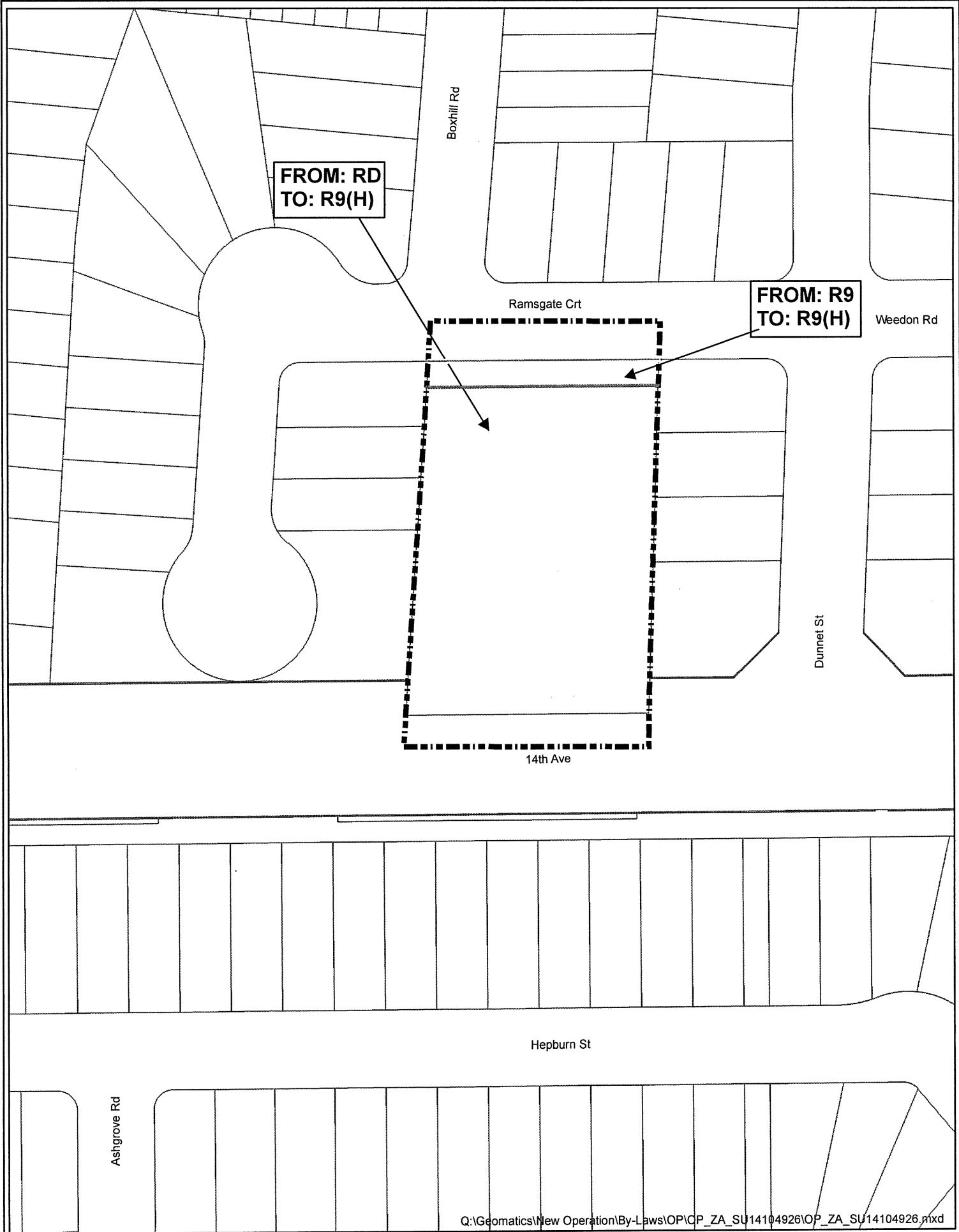
Read a first, second, and third time and passed on June 28, 2016.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor



SCHEDULE "A" TO BY-LAW 2016-75

AMENDING BY-LAW 90-81 DATED June 28, 2016



 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

- | | | | |
|--|---|---|-------------------|
|  RD | RESIDENTIAL DEVELOPMENT |  (H) | HOLDING PROVISION |
|  R9 | NINTH DENSITY SINGLE DETACHED RESIDENTIAL | | |

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