

EXPLANATORY NOTE

BY-LAW No. 2008-161

At the southeast corner of Markham Road and Elson Street
Block 157 on Registered Plan 65M- 3669
Armada East Planning District

LANDS AFFECTED

The proposed By-law Amendment applies to a 1.44 ha (3.6 ac) parcel of land legally described as Block 157 on Registered Plan 65M-3669 located at the southeast corner of Markham Road and Elson Street within the Armada East Planning District.

EXISTING ZONING

The lands are Zoned (Hold) Second Density – Medium Density Residential [(H)RMD2] under By-law 90-81, as amended.

PURPOSE AND EFFECT OF THIS BY-LAW

The purpose and effect of this By-law is to remove the Holding provision and to establish appropriate zoning standards to permit the proposed linked townhouse dwellings (with the appearance of semi-detached and single-detached dwellings). The Hold provision relates to confirmation of water and sanitary servicing allocation. As part of the February 2008 Servicing Allocation Update, servicing allocation is available for this project.



BY-LAW 2008-161

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

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

1. By-law No. 90-81, as amended, is hereby further amended as follows

1.1 By rezoning the lands outlined on Schedule 'A' attached here to:

From (Hold) Second Density – Medium Density Residential [(H)RMD2] to Second Density – Medium Density Residential (RMD2)

1.2 By-law adding the following new subsection to Section 7 – EXCEPTIONS to By-law 90-81, as amended:

“7.52 Notwithstanding any other provision of this By-law, the provision in this section shall apply to the lands located at the southeast corner of Markham Road and Elson Street, legally described as Block 157 on Registered Plan 65M-3669, as shown on Schedule 'A' attached to By-law 2008-161. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section:

1. Zoning Standards

The following specific zone standards apply:

- a) Minimum LOT FRONTAGE – 6 metres
- b) Minimum FRONT YARD – 5.8 metres
- c) Minimum REAR YARD – 6 metres
- d) Minimum SIDE YARD:
 - (i) Interior unit – 0.0 metres
 - (ii) End unit – 1.2 metres
- e) Minimum EXTERIOR SIDE YARD – 2 metres
- f) Maximum HEIGHT – 10.7 metres

2. Special Provisions

The following additional provisions apply:

- a) For the lands subject to this by-law, a STREET shall include a private street or driveway, where private street means a private right of way that is used by motor vehicles but is not owned by the CORPORATION or any other PUBLIC AUTHORITY.

- b) Maximum number of DWELLING UNITS permitted within the designated area of this by-law - 41.
 - c) ACCESSORY BUILDINGS are only permitted in the REAR YARD.
 - d) The following provisions shall not apply:
 - i) Minimum LOT AREA
 - ii) Maximum LOT COVERAGE
 - iii) Maximum NUMBER OF STOREYS
 - iv) SETBACK to the centreline of any arterial road or PROVINCIAL HIGHWAY
 - e) Roofed porches with unenclosed sides above the foundation (including any BASEMENT or CELLAR below), uncovered platforms and steps may encroach 1.5 metres into the minimum FRONT YARD and 1 metre into the minimum EXTERIOR SIDE YARD. Associated roof overhangs, eaves and steps may encroach a further 0.6 metres into the minimum FRONT YARD.
2. All other provisions of By-law 90-81, as amended, not consistent with the provisions of this By-law shall continue to apply.

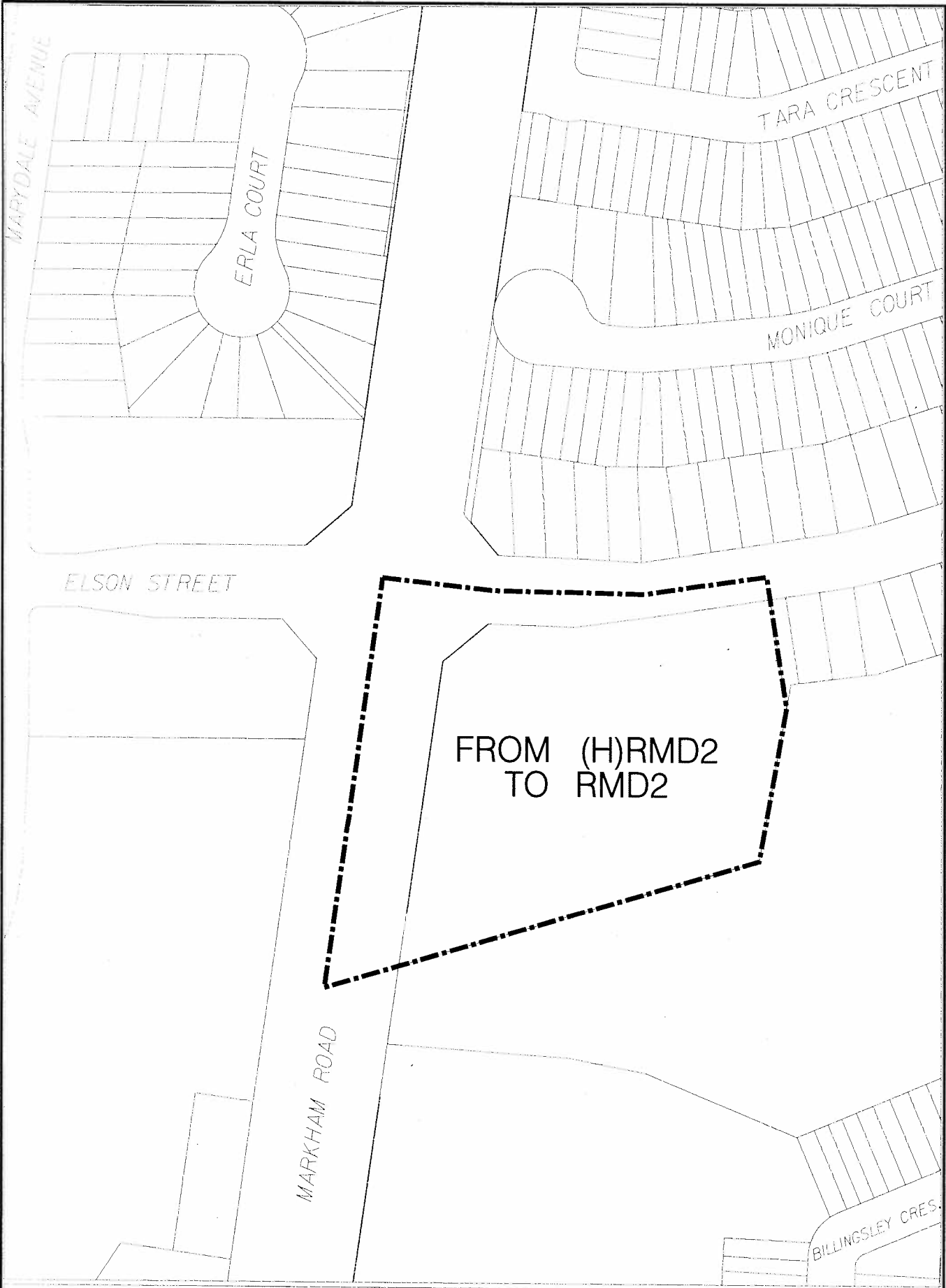
READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
24TH DAY OF JUNE, 2008.



KIMBERLEY KITTERINGHAM
DEPUTY CLERK

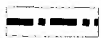


FRANK SCARPITTI
MAYOR



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 90-81



BOUNDARY OF AREA COVERED BY THIS BY-LAW

RMD2

SECOND DENSITY-MEDIUM DENSITY RESIDENTIAL

(H)

HOLDING PROVISION

THIS IS SCHEDULE 'A' TO BY-LAW 2008-161
PASSED THIS 24TH DAY JUNE, 2008

Paul Scarpitti
MAYOR
[Signature]
CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK

SCALE 1: 2000