



TO: Mayor and Members of Council

FROM: Valerie Shuttleworth, Director of Planning & Urban Design

DATE: September 9, 2008

Re: **Zoning By-law Amendment**
Michael Jacobs
13, 15, 17 & 19 Deer Park Lane
File No. ZA 07 110580

Background

On June 26, 2007, staff held a public meeting for a proposed rezoning to permit four dwelling units at 15 Deer Park Lane. At this meeting, staff flagged the potential for on-street parking as a concern associated with the proposal. While the applicant is providing two on-site parking spaces per dwelling unit in accordance with the Town's Parking By-law, potential on-street parking is a concern on Deer Park Lane, which is narrower than a typical street. Staff undertook to review the appropriateness of a parking prohibition on Deer Park Lane to address this issue. The Council resolution at the public meeting was that the rezoning application be approved and that the proposed amendment to By-law 1229, as amended, be enacted without further notice.

Parking prohibition may be required for Deer Park Lane

Staff have consulted the Town's Engineering Department with regard to the parking concerns. A parking prohibition already exists on the north side of Deer Park Lane. However, the lane widths are narrow and may require a parking prohibition on both sides of Deer Park Lane to ensure that emergency vehicles will have full access into the community. Engineering staff will monitor parking activities in the area and proceed with a parking prohibition if it is warranted.

EXPLANATORY NOTE
BY-LAW NO. 2008-XXX

A by-law to amend By-law 1229, as amended.

Michael Jacobs
13, 15, 17 & 19 Deer Park Lane
Part of lot 15, Concession 8

LANDS AFFECTED

The proposed by-law amendment applies to four lots, ranging in size from 212 m² to 252 m², situated on the south side of Deer Park Lane and east of Main Street Markham. A vacant single-detached dwelling is currently situated on the lands subject to this by-law amendment.

EXISTING ZONING

The lands subject to this by-law are presently zoned “Residential” (R1) by By-law 1229, as amended.

PURPOSE AND EFFECT

The purpose and effect of this by-law amendment is to amend the development standards applying to the subject lands to allow for the construction of four dwelling units.

A by-law to amend Zoning By-law 1229, as amended

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

- 1. That By-law 1229, as amended, is hereby further amended as it applies to the lands shown on Schedule ‘A’ attached hereto as follows:
 - 1.1 That the provisions of by-law 99-90 shall not apply.
 - 1.2 Notwithstanding any other provision of this by-law, the following provisions in this section shall apply to those lands zoned R1 – RESIDENTIAL within the designated area of this by-law as shown on Schedule ‘A’. All other provisions of By-law 1229, as amended, unless specifically modified/amended by this by-law, continue to apply to the lands subject to this section.

ZONE REQUIREMENTS

In the R1- RESIDENTIAL ZONE shown on Schedule ‘A’ attached hereto, no person shall hereafter ERECT or use a BUILDING except in conformity with the following:

Minimum LOT AREA	210.0 square metres
Minimum LOT FRONTAGE	10.0 metres
Minimum FRONT YARD setback	3.0 metres
Minimum REAR YARD setback	5.9 metres
Maximum BUILDING HEIGHT	8.6 metres
Maximum LOT COVERAGE for a DWELLING UNIT	44%
<u>Minimum SIDE YARD setbacks</u>	
Minimum interior SIDE YARD	1.5 metres/0.0 metres
Minimum flankage SIDE YARD	2.5 metres

SPECIAL SITE PROVISIONS

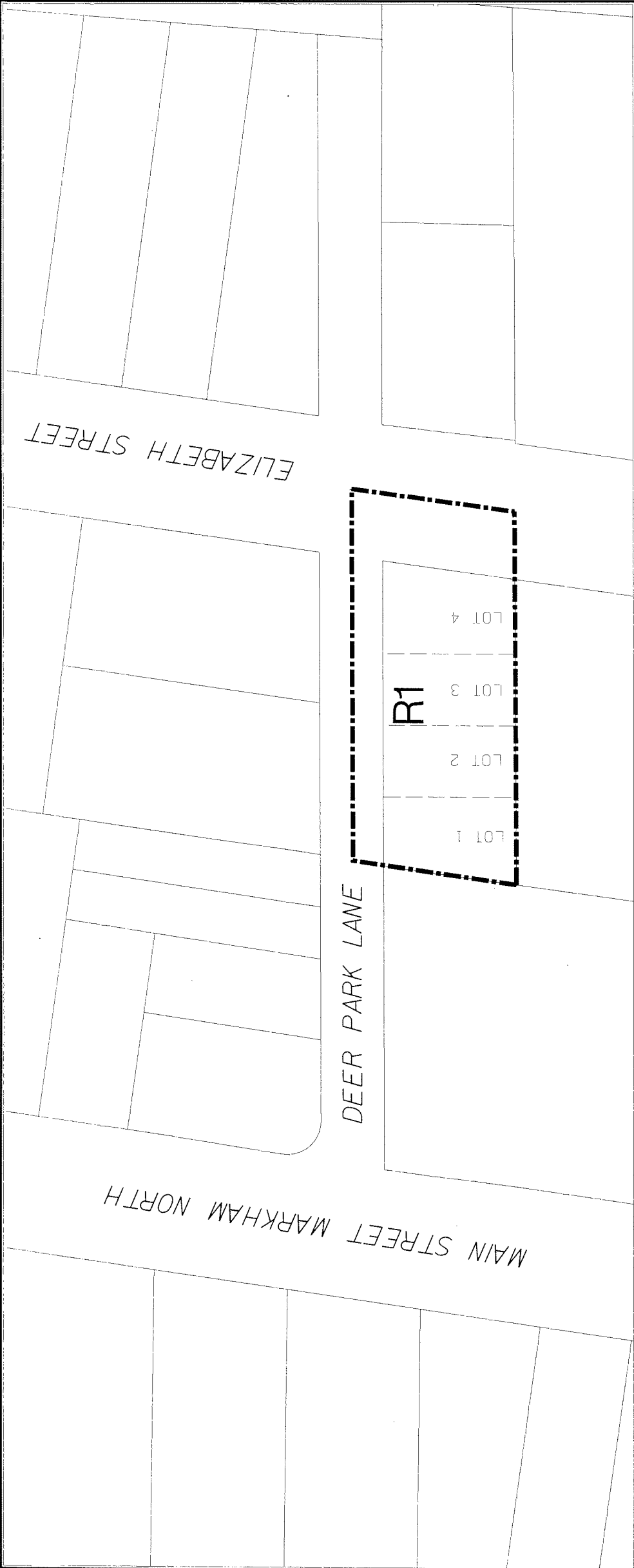
The following additional provisions shall apply:

- a) A DWELLING UNIT must share a common wall above grade with an adjacent DWELLING UNIT on a separate LOT.
- 2. All other provisions of By-law 1229, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 9TH DAY OF SEPTEMBER, 2008.

KIMBERELY KITTERINGHAM

FRANK SCARPITTI, MAYOR



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 1229



THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS DAY

.....MAYOR

.....CLERK

--- BOUNDARY OF AREA COVERED BY THIS BY-LAW

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: