

EXPLANATORY NOTE

BY-LAW 2009-155

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

Majorwood Developments
19T-02015
Part of Lot 21, Concession 3

LANDS AFFECTED

The by-law applies to a 4.53 ha (11.2 ac) property, located north of Major MacKenzie Drive, west of Woodbine Avenue, in the Cathedral Secondary Plan Area.

EXISTING ZONING

The lands subject to this By-law are presently zoned Agriculture One (A1) by By-law 304-87 as amended.

PURPOSE AND EFFECT

The purpose and effect of this by-law is to incorporate the lands into appropriate residential zone categories within By-law 177-96, as amended. The proposed zoning will permit the proposed construction of 94 semi detached units and 32 townhouse units.

The following are the conditions for lifting the Holding (H) Zone:

- g) Written confirmation from York Region that the completion of the Duffin Creek Water Pollution Control Plant expansion project and the YDSS Flow Control Structures project will be within six (6) months from the date of the lifting of the (H) symbol.
- h) Allocation of adequate available water supply and sewage capacity to serve the subject development by the Council of the Town of Markham; or,
- i) Approval of servicing allocation to the lands by the Council of the Town of Markham that is not dependent upon the construction of Regional infrastructure; or
- j) Confirmation from the Regional Commissioner of Environmental Services that servicing capacity for this development can be by a suitable alternative method and allocation of servicing capacity to this development by the Town of Markham.

This By-law also incorporates zoning designations of Open Space One (OS1), which will permit the creation of a public park; and, Open Space Two (OS2), which provides for a school development as one of the permitted uses.



BY-LAW 2009-155

A By-law to amend the New Urban Area Zoning By-law 177-96, as amended
(To incorporate Draft Plan 19TM-02015 into the West Cathedral Community)

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

- 1. By-law 177-96, as amended is hereby further amended as follows:
 - 1.1 By expanding the designated area of the By-law to include those lands comprising Part of Lot 21, Concession 3, outlined on Schedule ‘A’ hereto.
 - 1.2 By zoning the lands:

Residential Two – Lane Access*390 (Hold)	(R2-LA*390 (H))
Residential Two – Lane Access*390*391 (Hold)	(R2-LA*390*391 (H))
Residential Two *392 (Hold)	(R2*392 (H))
Open Space One	(OS1)
Open Space Two	(OS2)

By adding the following new subsections to Section 7 – EXCEPTIONS to By-law 177-96:

“7.390 - Majorwood Developments 19T-02015 - Part of Lot 21, Concession 3

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *390 on Schedule ‘A’ to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.390.1 Only uses permitted

The following uses are the only uses permitted:

- a) *Townhouse Dwellings*

7.390.2 Zone Standards

The following specific zone standards apply:

- a) Minimum *lot depth* - 26.0 m;
- b) Minimum *required front yard* - 3.5 m;
- c) Maximum *lot coverage* for *detached garages* – 20%;
- d) Maximum width of *attached* or *detached private garage* - 6.1 m;
- e) Minimum *required rear yard* - 0.6 m;
- f) Maximum *required rear yard* - 7.5 m;
- g) A detached *private garage* may share a common wall with an attached *private garage* on an abutting lot, and no setback from the *interior side lot line* is required on that side of the *lot*;

- h) A *private garage* is permitted to be within or attached to the *main building*, if the lot is accessed by a lane;
- i) Minimum setback for a detached *private garage* from the *main building* on a *lot* – 5.0 m;
- j) Minimum required setback of *porch* or landing from *front lot line* - 1.5 m;
- k) Minimum required setback of *porch* stairs or landing stairs from front lot line - 0.75 m;
- l) Minimum required setback of *porch*, *porch* stairs, landing or landing stairs from exterior side lot line - 0.75 m;
- m) An underground cold cellar may also encroach into the *required yard*, provided an underground cold cellar is located entirely underneath the *porch*, *porch* stairs, landing or landing stairs;
- n) Provisions for *outdoor amenity space*:
 - i) Minimum area of *outdoor amenity space* - 27 sq. m;
 - ii) A *deck* and associated stairs is permitted to encroach into the *outdoor amenity space*.

7.391 - Majorwood Developments 19T-02015 - Part of Lot 21, Concession 3

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *391 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.391.2 Zone Standards

The following specific zone standards apply:

- a) Minimum *required front yard* – 3.0 m;
- b) Minimum required setback of *porch* or landing from *front lot line* - 1.0 m;
- c) Minimum required setback of *porch* stairs or landing stairs from front lot line - 0.25 m;

7.392 - Majorwood Developments 19T-02015 - Part of Lot 21, Concession 3

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *392 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.392.1 Zone Standards

The following specific zone standards apply:

- a) Minimum required front yard – 4.5 m (2) (3)."

1.3 HOLDING PROVISIONS

For the purpose 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 '(H)' provisions for the purpose permitted under this By-law until amendments 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 '(H)' Holding provision, the following conditions must be met to the satisfaction of the Town of Markham:

- a) Written confirmation from York Region that the completion of the Duffin Creek Water Pollution Control Plant expansion project and the YDSS Flow Control Structures project will be within six (6) months from the date of the lifting of the (H) symbol.
 - b) Allocation of adequate available water supply and sewage capacity to serve the subject development by the Council of the Town of Markham; or,
 - c) Approval of servicing allocation to the lands by the Council of the Town of Markham that is not dependent upon the construction of Regional infrastructure; or
 - d) Confirmation from the Regional Commissioner of Environmental Services that servicing capacity for this development can be by a suitable alternative method and allocation of servicing capacity to this development by the Town of Markham.
2. All other provisions of By-law 177-96, 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
27TH DAY OF OCTOBER, 2009.



KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

WOODBINE

BY-PASS (TEMPORARY UNOPENED ROAD)

IVORY SILK DRIVE

IVORY SILK DRIVE

LANE WAY 13

RUSSELL

DRAGON ROAD

MARKLAND STREET

SILVERADO HILLS DRIVE

PRINCESS DIANA DRIVE

PRINCESS DIANA DRIVE


FROM A1(304-87)
TO OS2(177-96)

FROM A1(304-87)
TO OS1(177-96)

FROM A1 (304-87)
TO R2*392(H)(177-96)

FROM A1(304-87)
TO R2-LA*390*391(H)
(177-96)

A BY-LAW TO AMEND BY-LAW 177-96

..... CLERK

SCALE 1: 3000

A1	AGRICULTURE ONE	OS1	OPEN SPACE ONE
R2	RESIDENTIAL TWO	OS2	OPEN SPACE TWO
R2-LA	RESIDENTIAL TWO LANE ACCESS	*No	EXCEPTION SECTION

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