

EXPLANATORY NOTE

By-law 2009-205

A By-law to amend By-law 1229

Chartwell Seniors Housing REIT, Woodhaven Retirement Residence
380 Church Street
Cornell Community

LANDS AFFECTED

The proposed rezoning applies to 1.7 ha (4.2 ac) of lands at the northwest corner of Bur Oak Avenue and Church Street, legally described as Parts 1, 2, 5 and 6 of Reference Plan 65R-24471.

EXISTING ZONING

The eastern portion of the lands subject to this amendment are currently zoned Agricultural (A1) under By-law 304-87 as amended, and the western portion is zoned Institutional-Special (I(S)) under By-law 1229 as amended.

PURPOSE AND EFFECT OF THE BY-LAW

The purpose and effect of this By-law is to incorporate the eastern portion of the subject lands into By-law 1229, as amended, under the Institutional (Special) – I(S) Zone, and amend the development standards to permit the development of a five storey 103-suite retirement residence.



BY-LAW 2009-205

A by-law to amend Zoning By-law 1229, as amended
(To permit a retirement residence on lands at the northwest corner of Bur Oak
Avenue and Church Street, legally described as Parts 1, 2, 5 and 6 of
Reference Plan 65R-24471)

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

1. By-law 1229, as amended, be and the same is hereby further amended as follows:
 - 1.1. By expanding the designated area of By-law 1229, as amended, to include lands legally described as Parts 1 and 2 of Reference Plan 65R-24471 as shown on Schedule 'A' attached hereto;
 - 1.2. By zoning the lands 'Institutional (Special) – I(S) Zone as shown on Schedule 'A' attached hereto.
 - 1.3. By adding to Section 12 – EXCEPTIONS, the following new subsection:
 - 12.28 Notwithstanding any other provisions of By-law 1229, the following provisions shall apply to those lands subject to By-law 2009-205 as shown on Schedule 'A' attached thereto. All other provisions of By-law 1229, as amended, unless specifically modified/amended by this Section, continue to apply.
 - 12.28.1 Additional Uses Permitted

The following additional use is permitted:

 - i) RETIREMENT HOME
 - 12.28.2 Zone Standards

The following specific zone standards apply:

 - i) Minimum FRONT YARD setback – 6.0 metres
 - ii) Minimum setback abutting Church Street – 5.5 metres
 - iii) Minimum setback abutting Riverlands Avenue – 7.5 metres
 - iv) Maximum HEIGHT – 17.0 metres
 - v) Minimum Landscaped Open Space:
 - a) abutting Bur Oak Avenue – 6.0 metres
 - b) abutting Church Street – 4.0 metres
 - c) abutting Riverlands Avenue – 7.5 metres
 - d) abutting REAR LOT LINE – 7.5 metres
 - vi) LOADING SPACES shall not be required for a RETIREMENT HOME

12.28.3 Special Site Provisions

- a) With the exception of parking requirements, for the purposes of this by-law, the lands as shown on Schedule 'A' attached hereto shall be deemed to be one LOT.
- b) For the purposes of this by-law, the Bur Oak Avenue LOT LINE shall be deemed to be the FRONT LOT LINE.
- c) Maximum number of RETIREMENT HOME units – 103
- d) Maximum number of NURSING HOME beds – 192

12.28.4 Special Parking Provisions

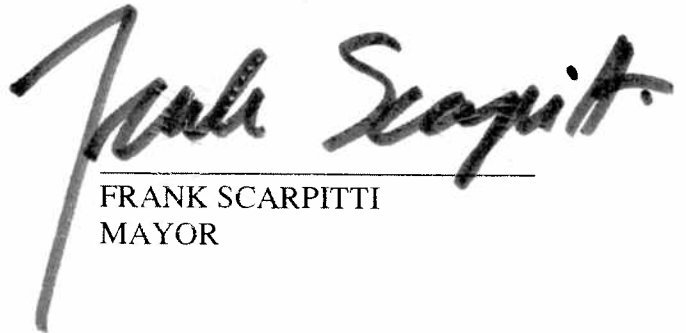
The following specific parking standards apply:

- i) Minimum number of PARKING SPACES for a RETIREMENT HOME – 33
 - ii) Minimum number of PARKING SPACES for a NURSING HOME – 106
2. All other provisions of By-law 1229, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

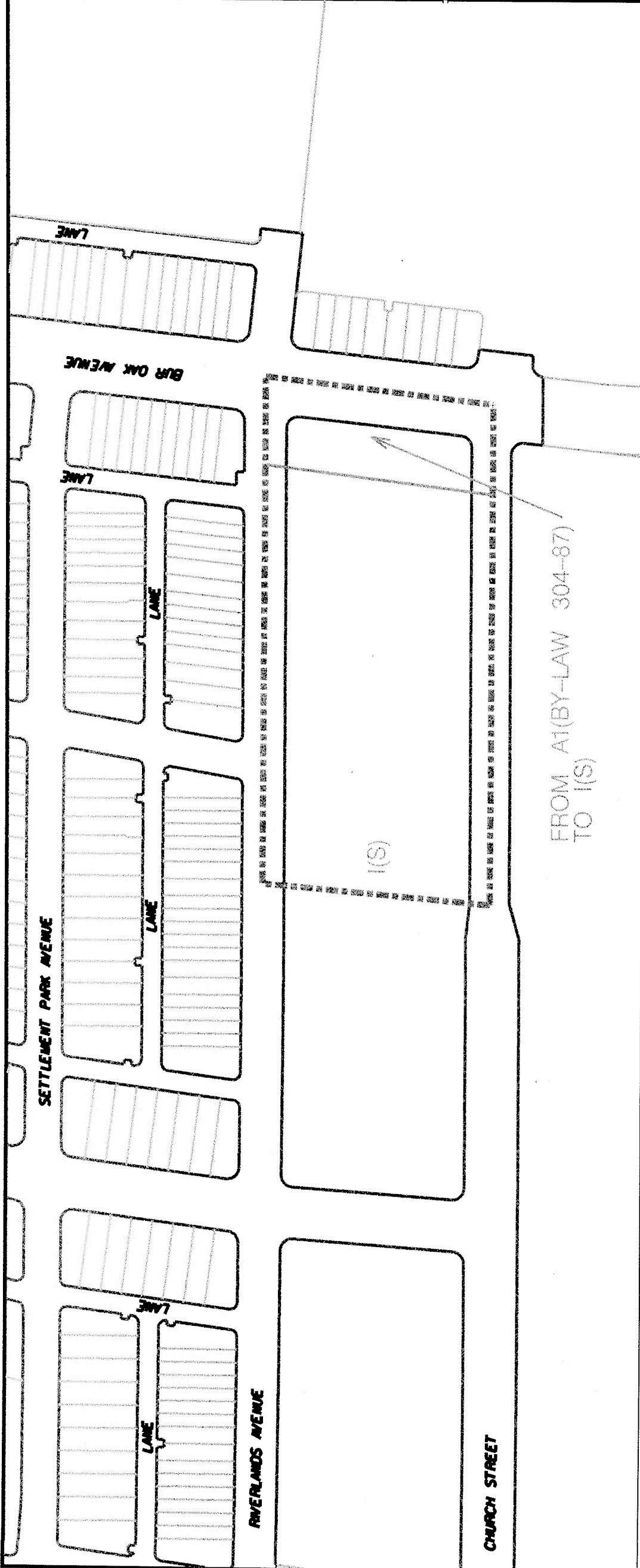
READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
15TH DAY OF DECEMBER, 2009.



KIMBERLEY KITTERINGHAM
TOWN CLERK



FRANK SCARPITTI
MAYOR



DEVELOPMENT SERVICES COMMISSION

THIS IS SCHEDULE 'A' TO BY-LAW 2009.2005
PASSED THIS 15TH DAY DEC., 2009

Peter Scarpitta MAYOR
[Signature] CLERK

A BY-LAW TO AMEND BY-LAW 1229

<input checked="" type="checkbox"/> BOUNDARY OF AREA COVERED BY THIS BY-LAW	<input type="checkbox"/> ZONE BOUNDARY
<input type="checkbox"/> INSTITUTIONAL (SPECIAL)	<input type="checkbox"/> AGRICULTURE ONE

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