



EXPLANATORY NOTE

BY-LAW 2010-15

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

**Best Homes Canada Inc.
Concession 7, Part Lot 18
9582 Highway 48
Wismer Commons Community**

LANDS AFFECTED

The proposed by-law amendment applies to 0.13 hectares (0.33 acres) located at the westerly limit of 9582 Highway 48 which is located west of Highway No. 48, south of Bur Oak Avenue, within the Wismer Commons community.

EXISTING ZONING

The lands are presently zoned Rural Residential (RR2) by By-law 304-87, as amended.

PURPOSE AND EFFECT

The purpose of the by-law amendment is to incorporate the lands into the designated area of By-law 177-96 and to zone the lands to permit the development of four semi-detached lots and one single-detached lot. A Holding provision (H) has been included to prevent development until available servicing allocation is confirmed by the Region of York and the Town of Markham, and Hammersley Boulevard is constructed to provide frontage for the lots.

The effect of the by-law amendment will be to permit the lands to be developed for residential purposes once the Holding provision is removed.



BY-LAW 2010-15

A by-law to amend New Urban Area
By-law 177-96, as amended
(To incorporate lands into the designated area of this By-law)

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

1. THAT By-law 177-96, as amended, is hereby further amended as follows:
 - 1.1 By expanding the designated area of By-law 177-96 to include a portion of the lands in Concession 7, Part Lot 18, as shown on Schedule 'A' attached hereto.
 - 1.2 By zoning the lands:

Residential Two-Special *413 (Holding) [R2-S*413 (H)] Zone

as shown on Schedule 'A' attached hereto.
 - 1.3 By adding the following new subsections 7.413 to Section 7.0 – EXCEPTIONS:

7.413.1 Zone Standards

The following specific zone standards apply:

 - a) Minimum *lot frontage* for *single detached* dwellings on a *lot* not accessed by a *lane* – 9.0 metres
 - b) Minimum *lot frontage* for *semi-detached* dwellings on a *lot* not accessed by a *lane* – 7.8 metres
 - c) Minimum *garage* width for *single detached* dwellings on a *wide-shallow lot* with a *frontage* of less than 10.7 m – 3.5 m
 - 1.4 **HOLDING PROVISIONS:**

For the purpose of this By-law, Holding (H) *zones* are hereby established and are 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 Holding '(H)' provisions for the purpose permitted under this By-law until amendments to this By-law to remove the letters '(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 Town of Markham:

 - a) York Region has advised in writing that the expected completion of the Duffin Creek Water Pollution Control Plant expansion project and the YDSS Flow Control Structures project will be within six (6) months of removing the Holding (H) provision; and

- b) The Council of the Town of Markham has allocated adequate available water supply and sewage servicing capacity to the subject development; or
 - c) The Council of the Town of Markham approves servicing allocation to the lands that are not dependent upon the construction of Regional infrastructure; or
 - d) The Region's Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the Town of Markham allocates the capacity to this development; and
 - e) Hammersley Boulevard has been constructed to provide access to the lands from a public road, to the satisfaction of the Town.
2. All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

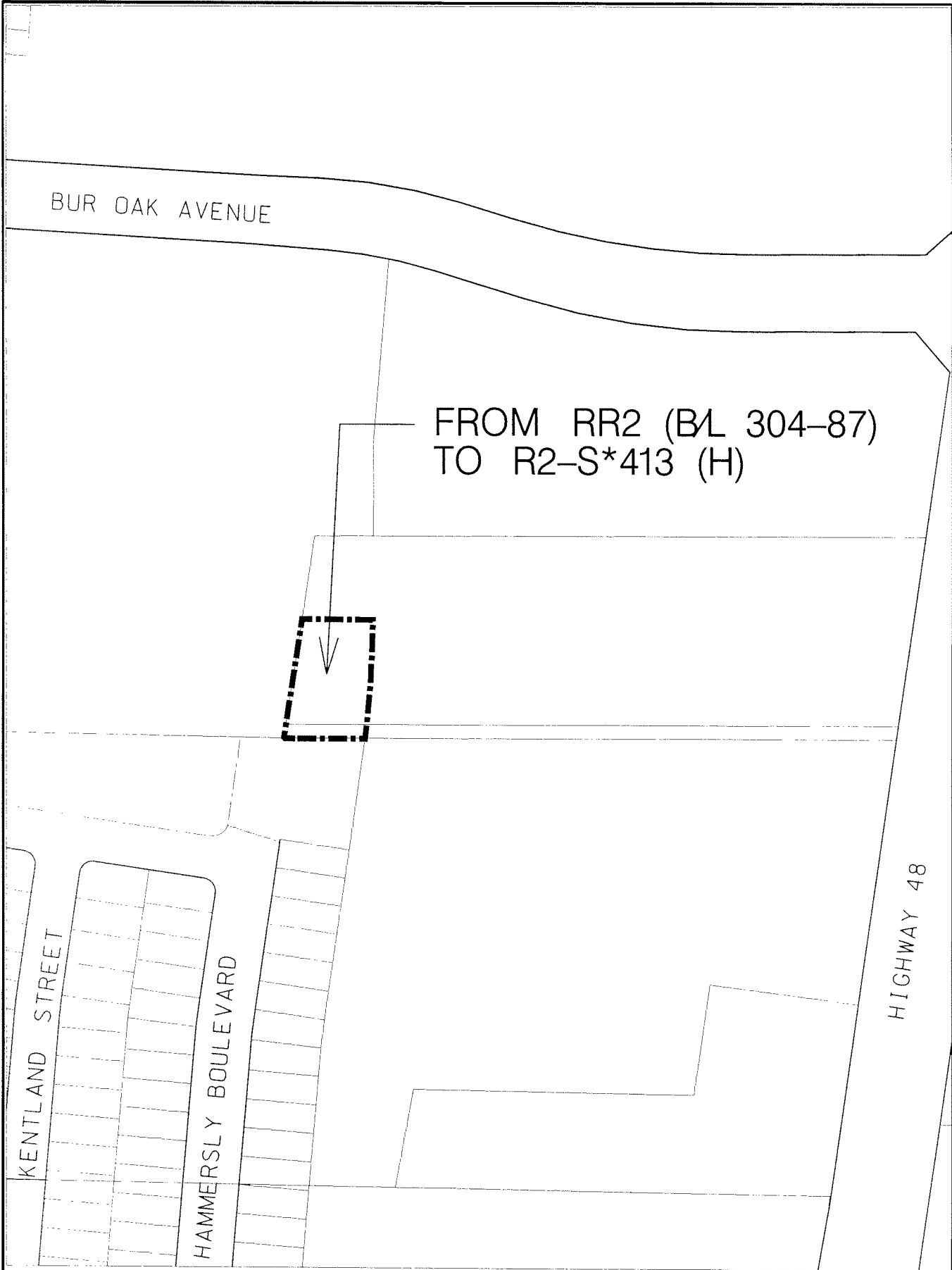
READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
23RD DAY OF FEBRUARY, 2010.



KIMBERLEY KITTERINGHAM
TOWN CLERK



FRANK SCARPITTI
MAYOR



DEVELOPMENT SERVICES COMMISSION

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



BOUNDARY OF AREA COVERED BY THIS BY-LAW

RR2 RURAL RESIDENTIAL TWO
R2-S RESIDENTIAL TWO-SPECIAL

(H) HOLDING PROVISION
*No. EXCEPTION SECTION NUMBER

THIS IS SCHEDULE 'A' TO BY-LAW 2010-15
PASSED THIS 23RD DAY FEB., 2010

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