

## **EXPLANATORY NOTE**

### **BY-LAW 2010-67**

#### **A by-law to amend By-law 177-96, as amended**

Cornell Rouge Development Corporation  
19TM-08002  
Part of Lots 11-15, Concession 9  
Cornell Planning District

#### **LANDS AFFECTED**

The by-law applies to approximately 60 ha of land, located south of 16<sup>th</sup> Avenue, between Cornell Centre Boulevard and Reesor Road.

#### **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 categories are Residential Two (R2) with exceptions and Community Amenity One (CA1) and Open Space (OS1 and OS2). These zones will permit the proposed 996 residential units, and open space.

The conditions required to be met for lifting the Holding provisions relate to the availability of servicing allocation and site plan approval.

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## BY-LAW 2010-67

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

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 By-law 177-96, as amended, to include those lands comprising part of Lots 11 to 15, Concession 9, as outlined on Schedule 'A1' and Schedule 'A2', attached hereto.

- 1.2 By zoning the lands:

|                                       |                   |
|---------------------------------------|-------------------|
| Residential Two 190*192               | [R2*190*192]      |
| Residential Two 190*192 (Holding)     | [R2*190*192 (H)]  |
| Residential Two 190*192 (Holding One) | [R2*190*192 (H1)] |
| Residential Two 190*193               | [R2*190*193]      |
| Residential Two 190*193 (Holding)     | [R2*190*193 (H)]  |
| Residential Two 190*193 (Holding One) | [R2*190*193 (H1)] |

Community Amenity One \*420 (Holding Two) [CA1\*420 (H2)]

|                |       |
|----------------|-------|
| Open Space One | (OS1) |
| Open Space Two | (OS2) |

- 1.3 By adding the following new subsection to Section 7 – EXCEPTIONS, to By-law 177-96:

### **“7.420 Cornell Rouge**

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol \*420 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

#### **7.420.1 Permitted Uses:**

The following is the only permitted use:

- a) one *place of worship*

#### **7.420.2 Zone Standards**

The following specific zone standards apply:

- a) Minimum width of *landscaped open space* adjacent to the *front lot line* – 6.0 metres
- b) Minimum width of *landscaped open space* adjacent to all other *lot lines* – 3.0 metres

#### **7.420.3 Special Site Provisions**

The following specific site provisions shall apply:

- a) The north *lot line* is deemed to be the *front lot line*.

- b) *Buildings* may encroach a maximum of 3.0 metres into the required *landscaped open space* adjacent to the *front lot line*.
- c) No *parking areas* or *driveways* shall be permitted between the *building* and the *front lot line*."

#### 1.4 HOLDING PROVISIONS:

For the purpose of this By-law, Holding (H) and Holding (H1) *zones* are hereby established and are identified on Schedules 'A1' and 'A2' attached hereto by the letters (H) and (H1) in parenthesis following the zoning symbol.

No person shall hereafter *erect* or *alter* any *building* or *structure* on lands subject to (H) or (H1) provisions for the purpose permitted under this By-law until amendments to this By-law to remove the letters (H) and (H1) have come into effect pursuant to the provisions of Section 36 of the Planning Act.

1.4.1 Prior to removing the (H) Holding 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 Plan expansion project and the YDSS Flow Control Structures project will be within six (6) months; 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 Regional 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.

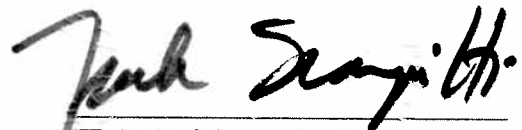
1.4.2 Prior to removing the (H1) Holding provision, the following conditions must be met to the satisfaction of the Town of Markham:

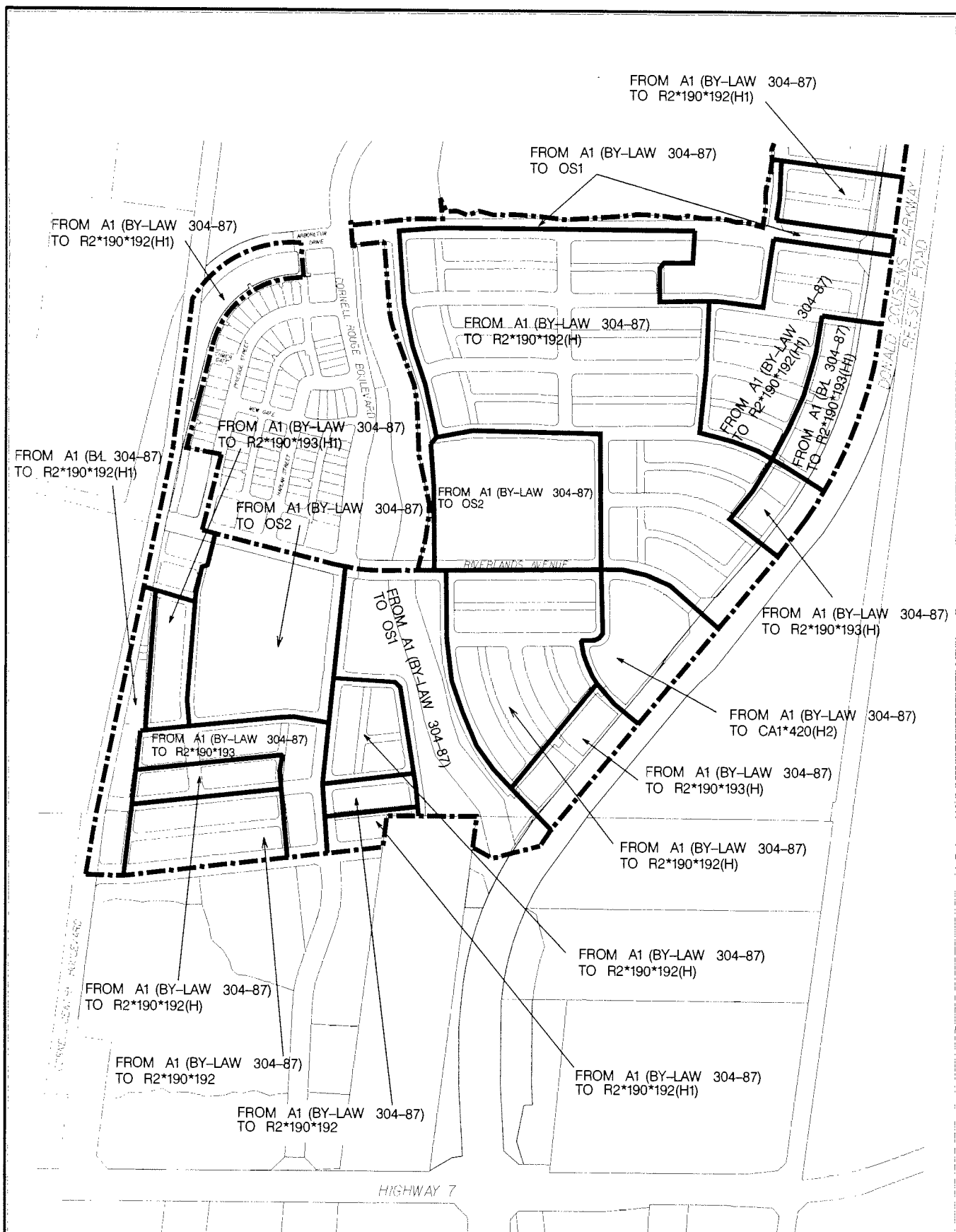
- a) York Region has advised in writing that the expected completion of the Southeast Collector Sewer will be within six (6) months;
- b) The Council of the Town of Markham has allocated adequate available water supply and sewage servicing capacity to the lands; and
- c) The Trustee for the Cornell Developers Group Cost Sharing Agreement has assigned the required units of servicing (water and sewer) allocation to the Owner; or
- d) The Council of the Town of Markham approves servicing allocation to the lands that are not dependent upon the construction of Regional infrastructure; or
- e) The Regional 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.

1.4.3 Prior to removing the (H2) Holding provision, the following conditions must be met to the satisfaction of the Town of Markham:

- a) The owner shall obtain site plan approval from 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  
27<sup>TH</sup> DAY OF APRIL, 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  
ZONE BOUNDARY

|                              |                       |                                |                  |                               |                       |
|------------------------------|-----------------------|--------------------------------|------------------|-------------------------------|-----------------------|
| <input type="checkbox"/> A1  | AGRICULTURE ONE       | <input type="checkbox"/> OS1   | OPEN SPACE ONE   | <input type="checkbox"/> (H)  | HOLDING PROVISION     |
| <input type="checkbox"/> CA1 | COMMUNITY AMENITY ONE | <input type="checkbox"/> OS2   | OPEN SPACE TWO   | <input type="checkbox"/> (H1) | HOLDING PROVISION ONE |
| <input type="checkbox"/> R2  | RESIDENTIAL TWO       | <input type="checkbox"/> *(No) | EXCEPTION NUMBER | <input type="checkbox"/> (H2) | HOLDING PROVISION TWO |

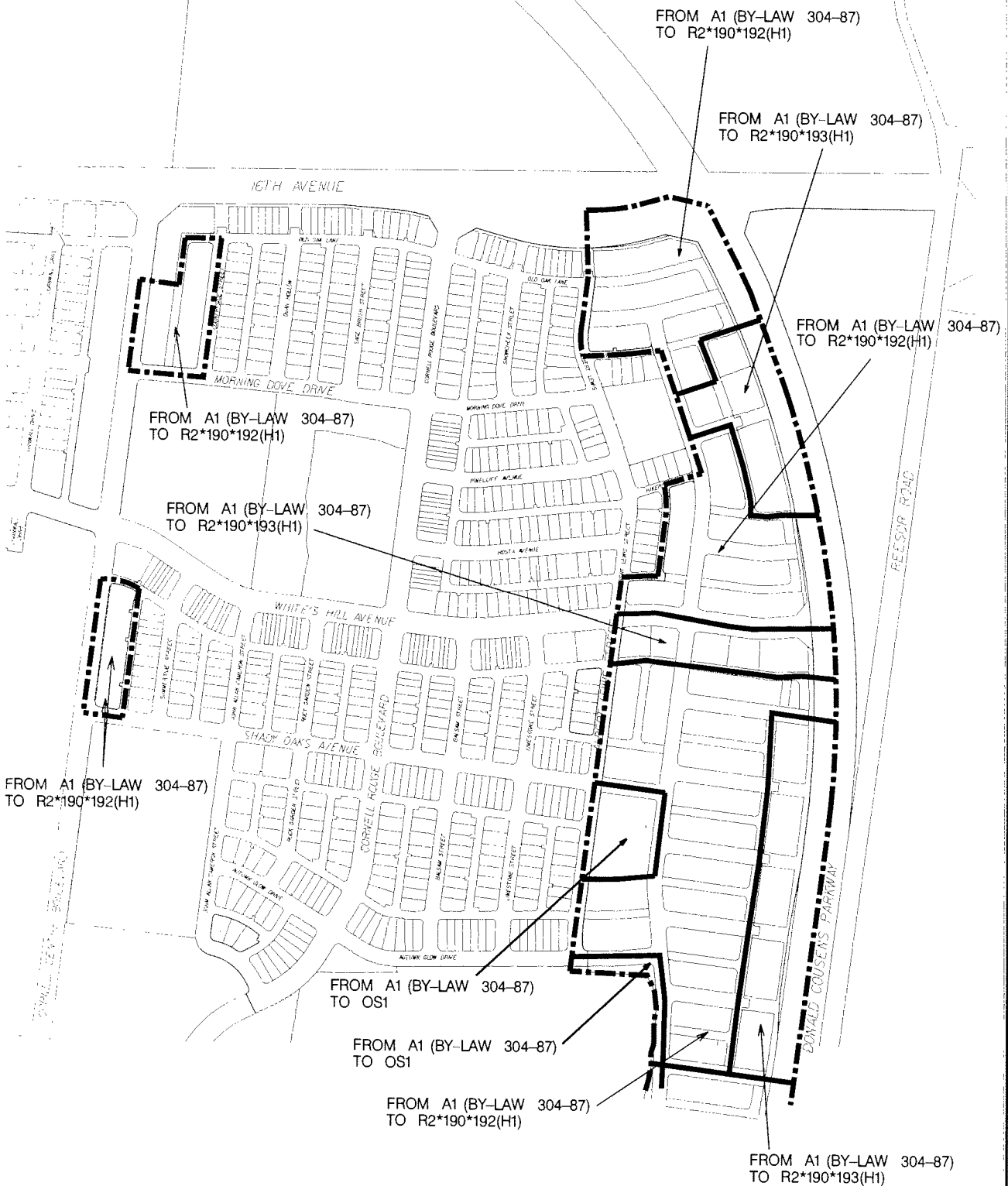
THIS IS SCHEDULE 'A1' TO BY-LAW **2010-67**  
PASSED THIS **27<sup>TH</sup>** DAY **APRIL** 2010

*Frank Sengitt* 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: 6000



DEVELOPMENT SERVICES COMMISSION

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



BOUNDARY OF AREA COVERED BY THIS BY-LAW  
ZONE BOUNDARY

A1 AGRICULTURE ONE  
R2 RESIDENTIAL TWO  
OS1 OPEN SPACE ONE

\*(No) EXCEPTION NUMBER  
(H) HOLDING PROVISION  
(H1) HOLDING PROVISION ONE

THIS IS SCHEDULE 'A2' TO BY-LAW 2010-67  
PASSED THIS 27<sup>TH</sup> DAY APRIL, 2010

*Paul S. Smith* 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: 6000