

APPENDIX B

Appendix 1: Proposed Amendment to Markham Zoning By-laws

BY-LAW 2016- _____

A By-law to amend By-laws 1229, 1442, 1507,1767,1914,2053,2150, 2237, 2284-8, 2402, 2489, 2551, 2571, 2612, 11-72,122-72,77-73, 83-73, 84-73, 119-73, 151-75,88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79,91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-81, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94 and 177-96, as amended

WHEREAS the City of Markham is empowered to pass By-laws pursuant to the Planning Act R.S.O. 1990 c. P 13.

AND WHEREAS By-laws 1229, 1442, 1507, 1767, 1914, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79,134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-81, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94 and 177-96 as amended, are intended to provide for the orderly development of land in the City of Markham;

AND WHEREAS the City of Markham wishes to ensure that By-laws 1229, 1442,1507,1767,1914,2053,2150,2237,2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81,108-81, 193-81, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94 and 177-96 as amended, permit a secondary dwelling unit within detached, semi detached and row houses within the City, provided certain conditions are met;

AND WHEREAS Council held a public meeting on _____ for the purposes of obtaining public input;

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

1.0 By-laws 1229, 1442, 1507, 1767, 1914, 2053, 2150, 2237, 2284-68,2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73,119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78,72-79,91-79, 118-79, 134-79, 153-80, 165-80,72-81,90-81, 108-81, 193-81, 221-81, 28-82, 194-82, 196-82,47-85, 304-87, 19-94 and177-96, as amended are hereby further amended as follows:

1.1 For the purpose of this by-law only, the following definitions shall apply:

“Detached house” means a single residential structure containing no more than two dwelling units.

“Floor Area” means the aggregate of the areas of each floor of a dwelling unit above or below established grade, measured between the exterior faces of the exterior walls, but not including the floor area of a private garage.

“Garage Door” means the door of a private garage that permits a motor vehicle to access a private garage from the outside.

“Main Wall” means the exterior front, side and/or rear wall of a building and all structural components essential to the support of a fully enclosed space.

“Principal Dwelling Unit” means a dwelling unit that has a floor area that is greater than the floor area of the other unit in the same building.

“Row house” means a residential structure which is one of a group of three or more horizontally attached residential structures and is separated vertically from one or two of the other structures by common walls which do not provide for internal access from the living space in one structure to another.

“Semi-detached house” means a residential structure which is one of two horizontally attached residential structures and is separated vertically from the other residential structure by a common wall which does not provide internal access from the

living space in one structure to the other.

“Secondary Dwelling Unit” means a dwelling unit that has a floor area that is less than the floor area of the other unit in the same building.

“Streetline” means the boundary between a public street and a lot.

- 1.2 Notwithstanding any other provisions contained within the aforementioned by-laws, and subject to the provisions of this by-law, one *secondary dwelling unit* is permitted in a *detached house, semi-detached house or row house* in any Zone provided:
- a) both the *principal dwelling unit* and the *secondary dwelling unit* are wholly contained within the same *detached house, semi-detached house or row house*;
 - b) there are no more than two dwelling units in the same *detached house, semi-detached house or row house*;
 - c) there are no more than two dwelling units on the same *lot*;
 - d) the *secondary dwelling unit* has a *floor area* of no less than 35m²;
 - e) no more than one dwelling entrance is contained within any *main wall* facing a *streetline*,
 - g) the entrance to either the *principal or secondary dwelling unit* is not contained within the *garage door*; and,
 - h) all other provisions of By-laws 1229, 1442, 1507, 1767, 1914, 2053, 2150, 2237, 2284-68, 2402, 2489, 2551, 2571, 2612, 11-72, 122-72, 77-73, 83-73, 84-73, 119-73, 151-75, 88-76, 127-76, 250-77, 145-78, 162-78, 163-78, 184-78, 72-79, 91-79, 118-79, 134-79, 153-80, 165-80, 72-81, 90-81, 108-81, 193-81, 221-81, 28-82, 194-82, 196-82, 47-85, 304-87, 19-94 and 177-96, as amended are complied with, unless specifically modified or amended by this By-law,.
- 1.3 Notwithstanding any other provisions contained within the

aforementioned by-laws, and By-law 28-97, and subject to the provisions of this by-law, no parking spaces are required for a *secondary dwelling unit*.

- 2.0 Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the City of Markham or any other requirement of the Region of York, the Province of Ontario or the Government of Canada that may affect the use of lands, buildings or structures in the municipality.

READ A FIRST AND SECOND TIME THIS ____ DAY OF _____, 2016.

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2016.

KIMBERLY KITTERINGHAM

CITY CLERK

FRANK SCARPIITI, MAYOR