

Date:	Tuesday, October 24, 2023		
Application Type:	Zoning By-law Amendment (the "Application")		
Owner:	First Elgin Mills Development Inc. and First Elgin North Ltd. (the "Owners")		
Agent:	Emily Grant, Malone Given Parsons Ltd.		
Proposal:	A 568 dwelling residential development (single detached, townhouses, a mid-rise block, a mixed use block), including blocks for a school, park, stormwater management, open space and greenway, and new public roads (the "Proposed Development")		
Location:	North of Elgin Mills Road East and east of Victoria Square Boulevard, municipally known as 3208 Elgin Mills Road East (the "Subject Lands")		
File Number:	PLAN 23 129239	Ward:	2
Prepared By:	Jennifer Kim, MCIP, RPP, ext. 2156 Senior Planner, West Planning District		
Reviewed By:	Clement Messere, MCIP, RPP Manager, West Planning District	Stephen Lue, MCIP, RPP Senior Manager, Development	

PURPOSE

This preliminary information pertains to the Application submitted by the Owners and contains general information on the applicable Official Plan policies and the identified issues and should not be taken as Staff’s opinion or recommendation.

PROCESS TO DATE

Staff received the Application (along with the required fees) on June 30, 2023 and deemed the Application complete on July 18, 2023. The 90-day period set out in the *Planning Act* before the Owners can appeal to the Ontario Land Tribunal for a non-decision ended on September 28, 2023.

NEXT STEPS

- Statutory Public Meeting is tentatively scheduled for October 24, 2023
- Recommendation Report for consideration by the Development Services Committee (“DSC”)
- In the event of an approval, enactment of the site-specific Zoning By-law Amendment and issuance of Draft Plan Approval, which is being concurrently reviewed with this Application
- Submission of a future Site Plan Approval and Draft Plan of Condominium Applications, as required, for the proposed medium density and mixed-use blocks

BACKGROUND

Subject Lands and Area Context

The 33.66 ha (83.18 ac) of developable area in the Subject Lands are vacant with the exception of one single detached dwelling (see Figure 2). Figure 3 shows the surrounding land uses.

In addition to the Application to permit the Proposed Development, the Owners also submitted a Draft Plan of Subdivision, as shown in Figure 4.

Table 1: the Proposed Draft Plan of Subdivision			
Land Use	Lot/Block Number	Units	Area (ha)
Residential Low Rise	Lots 1 to 402	402	14.02
Residential Mid Rise	Block 403	102	1.68
Mixed Use Low Rise	Block 404	60 Live/Work	1.44
Future Development	Blocks 405 and 406	4 Residential	0.42
Park	Block 407		2
School	Block 408		2.43
Open Space	Blocks 409 and 410		0.44
Stormwater Management	Blocks 411 and 412		2.43
Servicing and Walkway	Blocks 413, 414, 415, 416		0.12
Road Widening	Block 417		0.37
Roads	Streets A-M, Lanes A-D		8.3
Total		568	33.66
Other Lands Owned by the Owners:	These lands consist of the Greenway System as identified in the Victoria Glen Secondary Plan and are to be conveyed to the City through the processing of the Application and the Draft Plan of Subdivision.		

The Subject Lands are located within the Future Urban Area of the Markham 2014 Official Plan (the “2014 Official Plan”) and subject to the Victoria Glen Secondary Plan (the “VGSP”). The Proposed Development conforms to the VGSP.

Table 2: 2014 Official Plan Information

Current Designation:	“Future Neighbourhood Area”
Permitted uses:	The detailed land use designations and permitted uses are deferred to the Victoria Glen Secondary Plan as shown in Table 2.

Table 2: Victoria Glen Secondary Plan Information

Current Designation:	“Residential Low Rise”, “Residential Mid Rise”, “Mixed Use Low Rise” and “Greenway System”.
Permitted uses:	<p><u>“Residential Low Rise”</u></p> <ul style="list-style-type: none"> • Compact neighbourhoods consisting of primarily ground-related housing types and also convenience retail and personal services, day care centres, place of worship, public schools, subject to additional provisions in the Secondary Plan • maximum building height of 3 storeys • density between 25 to 45 units per net hectare <p><u>“Residential Mid Rise”</u></p> <ul style="list-style-type: none"> • medium density residential development along with the school and neighbourhood park to create a focal point for the Victoria Glen Community • all of the uses in the “Residential Low Rise” designation and shared housing subject to additional provisions in the Secondary Plan • maximum building height of 4 storeys • density between 40 to 70 units per net hectare <p><u>“Mixed Use Low Rise”</u></p> <ul style="list-style-type: none"> • opportunities for small scale retail and personal service uses that contribute to the characteristics of a complete community • a range of commercial uses including, but not limited to, sports and fitness recreation, commercial school, day care centers, financial institution, office, restaurant, retail, dwelling unit including a home occupation and shared housing • maximum building height of 3 storeys (except stacked townhouses fronting arterial roads may achieve a maximum height of 4 storeys)

Table 2: Victoria Glen Secondary Plan Information	
	<ul style="list-style-type: none"> density of 40 to 60 units per net hectare <p><u>“Greenway System”</u></p> <ul style="list-style-type: none"> contains the Natural Heritage network, the Rouge Watershed Protection Area, the Greenbelt Plan Area and certain proposed naturalized stormwater management facilities and are intended to protect natural heritage features, passive recreation uses and nature appreciation
Permitted Building Types:	<p><u>“Residential Low Rise”</u></p> <ul style="list-style-type: none"> detached dwellings, semi-detached dwellings, townhouses, duplexes, small multi-plex buildings containing 3 to 6 units (all with direct frontage on a public street) Coach houses, buildings associated with day care centres, places of worship and public schools Back-to-back townhouses, subject to additional criteria <p><u>“Residential Mid Rise”</u></p> <ul style="list-style-type: none"> townhouses, back-to-back townhouses, small multiple buildings with 3 to 6 units, stack townhouses, apartment buildings, coach houses, and buildings associated with day care centres, places of worship and public schools <p><u>“Mixed Use Low Rise”</u></p> <ul style="list-style-type: none"> townhouses (excluding back-to-back townhouses), small scale non-residential buildings, multi-storey mixed use buildings, and stacked townhouses where a development block has frontage on an arterial road.

The Application is required to permit the Proposed Development (see Figure 3), which is subject to By-law 304-87, as amended

Table 3: Zoning By-law Amendment Information	
Current Zone:	“Agriculture One” (A1) and “Open Space One” (O1)
Permissions:	<p><u>Agricultural One Zone</u></p> <ul style="list-style-type: none"> agricultural uses and related storage of agricultural produce or single detached dwelling accessory to the primarily agricultural uses, a private home day care, or a public conservation project <p><u>The Open Space One Zone</u></p>

Table 3: Zoning By-law Amendment Information	
	<ul style="list-style-type: none"> • a golf course, public or private parks, athletic field or public conservation projects
Proposal:	The Owners propose to rezone the Subject Lands to “Residential Two-Special (R2-S)”, “Residential Two – Lane Access (R2-LA)”, “Residential Three (R3)”, “Community Amenity Three (CA3)”, “Open Space One (OS1)”, and “Open Space Two (OS2)” in By-law 177-96, and incorporate site-specific development standards including, but not limited to, heights, setbacks, and encroachments.

Staff identified the following preliminary list of matters that will be assessed through the review of the Application, including other matters and issues, and addressed in a future Recommendation Report to the DSC

- a) Conformity and Consistency with Provincial, and York Region and City Official Plan**
 - i) The appropriateness of the proposed Zoning By-law Amendment to allow the Proposed Development.
 - ii) Review of the Proposed Development in the context of the existing policy framework
 - iii) Review of the technical studies submitted in support of the Proposed Development.
- b) Parkland Dedication**
 - i) The Applications will be reviewed in consideration of the appropriate amount of parkland dedication and/or cash-in-lieu of parkland, public art contribution, and other financial contributions.
- c) Affordable Housing**
 - i) The Application and the concurrent Draft Plan of Subdivision will be reviewed in consideration of Provincial, Regional, and City polices to ensure that the Proposed Development provides an appropriate level, range, and mix of unit sizes and types to meet the City’s affordable housing goals.
 - ii) Incorporating appropriate affordable housing, purpose built rental, secondary suites, seniors housing, and family friendly units.
- d) Allocation and Servicing**
 - i) The availability of water and sanitary servicing capacity for the Proposed Development must be identified and allocated by Council, if the Application is approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol, which will be removed once servicing capacity is identified and allocated to the Subject Lands by Council.

- e) Review of the Proposed Development will include, but not limited to, the following:**
- i) Examination of whether the height, density, built form, and mix of land uses proposed are appropriate.
 - ii) Evaluation of the compatibility with existing and planned development within the surrounding area.
 - iii) Review of the technical studies submitted in support of the Proposed Development.
 - iv) Coordination of the concurrent Draft Plan of Subdivision with the adjacent subdivision to the north (File PLAN 23 121495) to ensure appropriate road alignment, phasing of infrastructures, servicing arrangement, and trail and parkland integration.
 - v) Traffic impact, road network, vehicular access, transportation demand management, pedestrian and active transportation connections, and ensuring the adequate supply of parking spaces for the commercial and residential uses.
 - vi) Road widening requirements, specifically for the widening of Elgin Mills Road East, will be coordinated and reviewed.
 - vii) The submission of future Site Plan Applications, as applicable, will examine appropriate landscape, site layout, snow storage areas, building elevations, and amenity areas.
 - viii) The conveyance into public ownership of the “Other Lands Owned by the Applicant” which are designated “Greenway System” in the VGSP, will be reviewed through this Application.
- f) Archaeological Resources Through the Concurrent Draft Plan of Subdivision**
- i) The site is located within an area of archaeological resource potential and an Archaeological Assessment is required. The Applicant has submitted a Stage 3 Site-Specific Archaeological Assessment Report as well as the associated Record of Indigenous Engagement and Supplementary Documents: Detailed Site Location.
 - ii) Prior to development approval, the Owners are required to provide a clearance letter from the Ministry of Tourism, Culture and Sport indicating that work has been completed and accepted into the provincial data base and the subject lands are cleared, in accordance with Section 4.6.2.2 of the Official Plan.
- g) Sustainable Development**
- i) The Applications will be reviewed in consideration of the City’s Policies and emerging Sustainability Metrics Program.

h) External Agency Review

- i) The Application and the concurrent Draft Plan of Subdivision must be reviewed by external agencies including, but not limited to, York Region, Toronto and Region Conservation Authority, Hydro One, and School Boards, and any applicable requirements must be incorporated into the Proposed Development.

i) Required Future Applications

- i) The Owners must submit future applications for Site Plan Control and Draft Plan of Condominium should the Applications be approved, to permit the Proposed Development and facilitate the standard condominium tenure of the proposed development, as needed for the applicable development blocks, such as the Medium Density Residential Block and the Mixed Use Low Rise Block.

Accompanying Figures:

Figure 1: Location Map

Figure 2: Aerial Photo

Figure 3: Area Context and Zoning

Figure 4: Proposed Draft Plan of Subdivision

Figure 5: Proposed Conceptual Site Plan – Medium Density Residential Block

Figure 6: Proposed Conceptual Site Plan – Mixed Use Low Rise Block

Figure 7: Owner's Proposed Draft Zoning By-law Amendment

Figure 1

Location Map

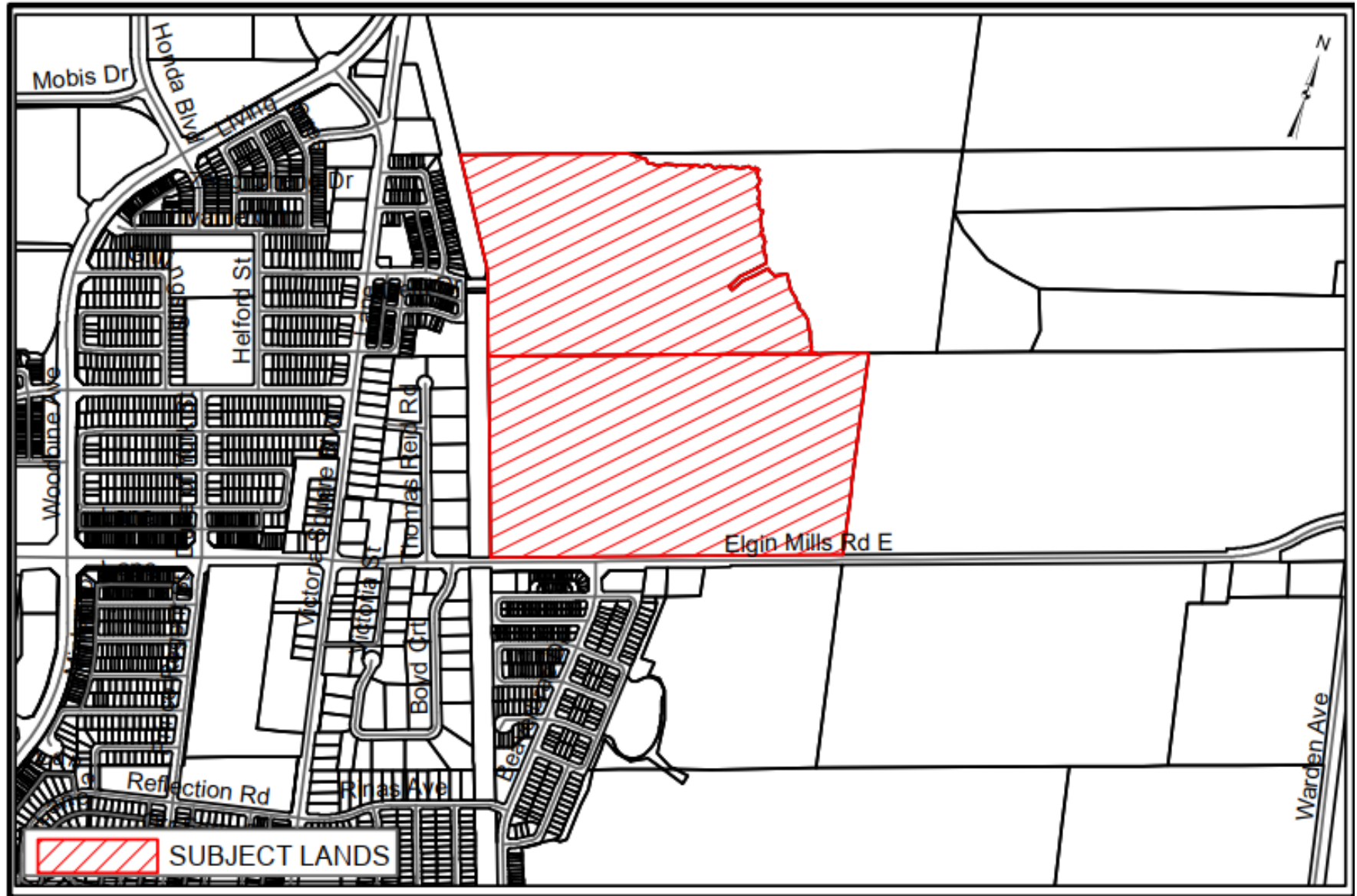


Figure 2

Aerial Photo

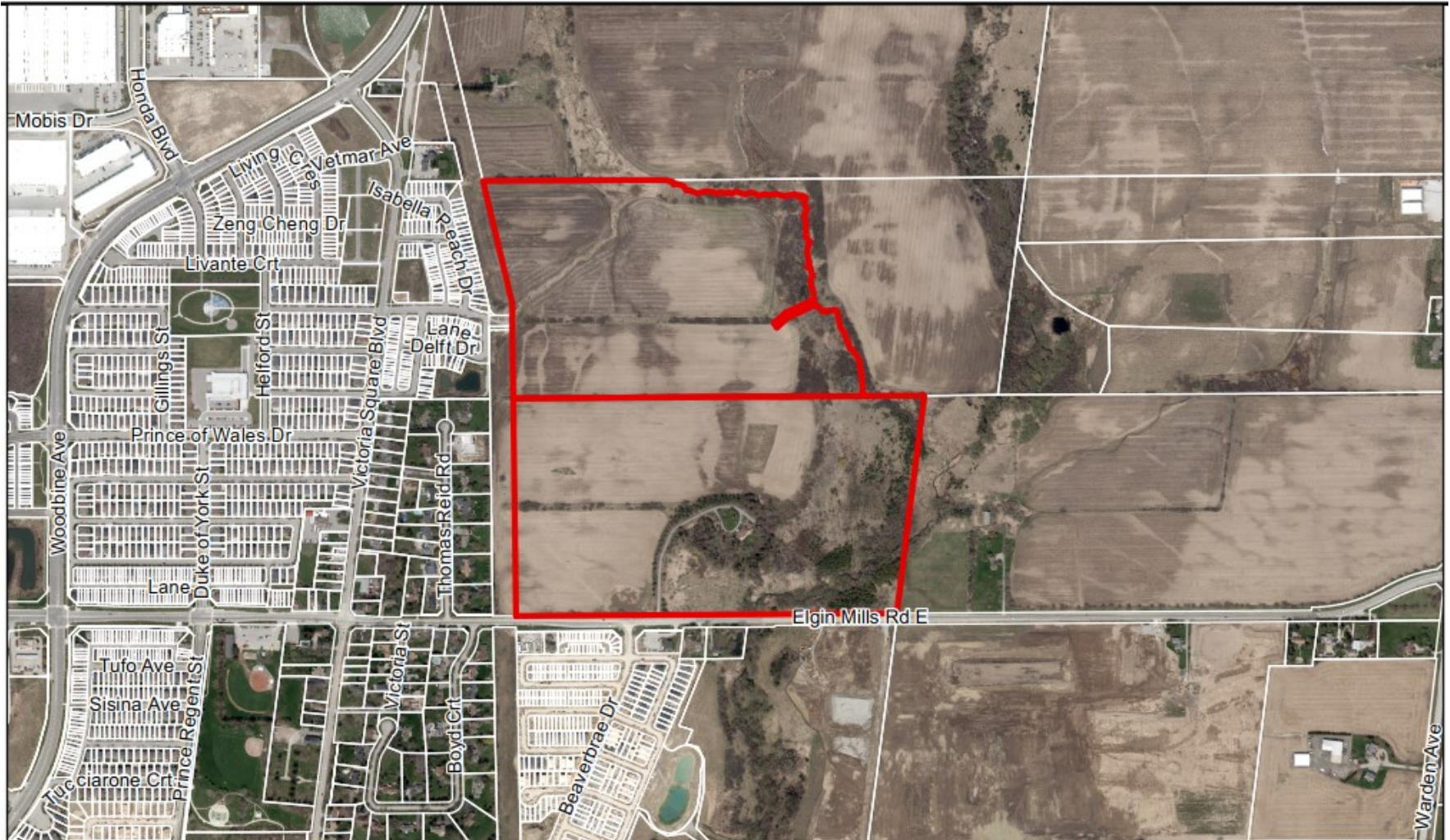
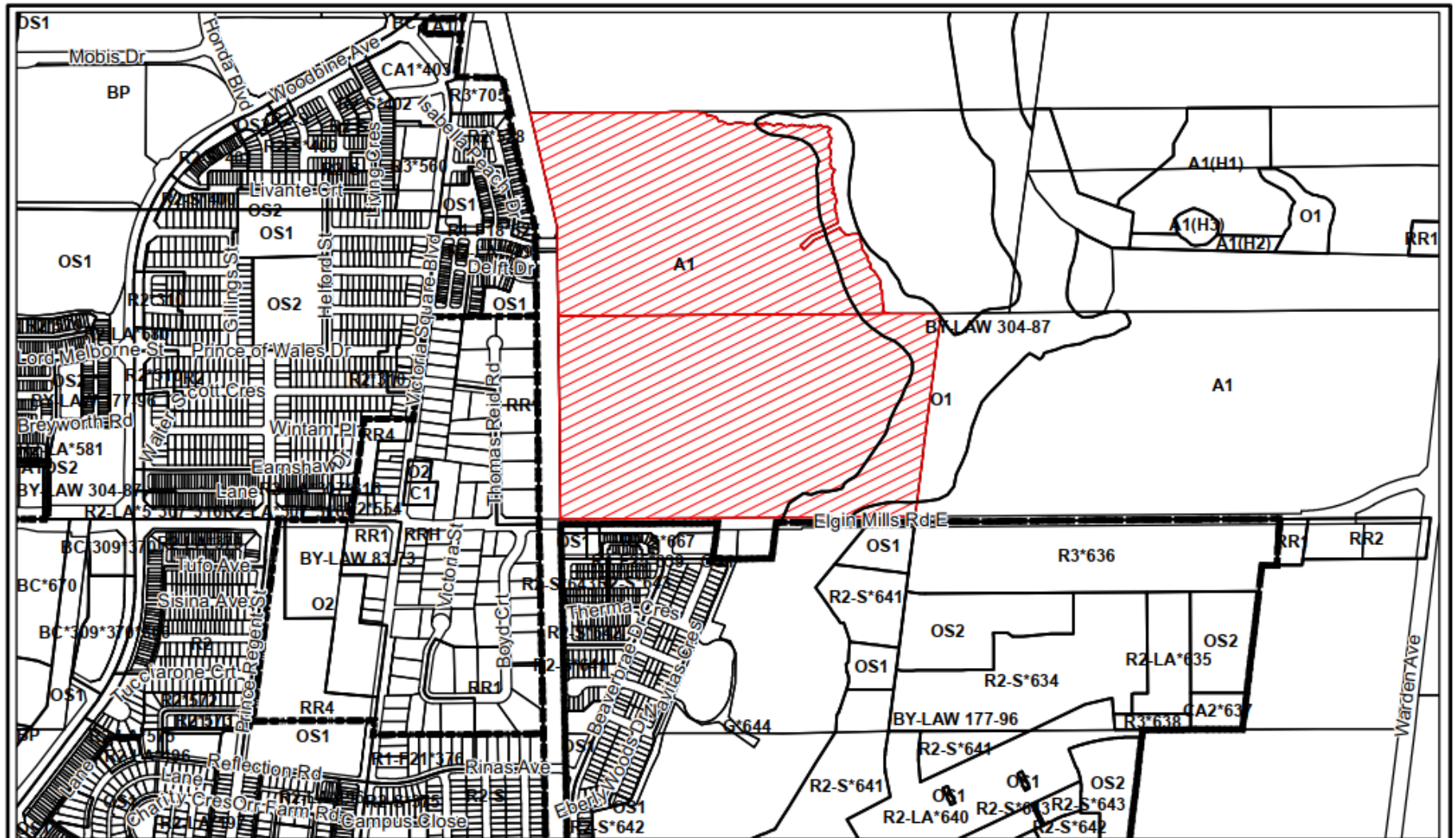


Figure 3

Area Context and Zoning



AREA CONTEXT / ZONING

Figure 4

Proposed Draft Plan of Subdivision

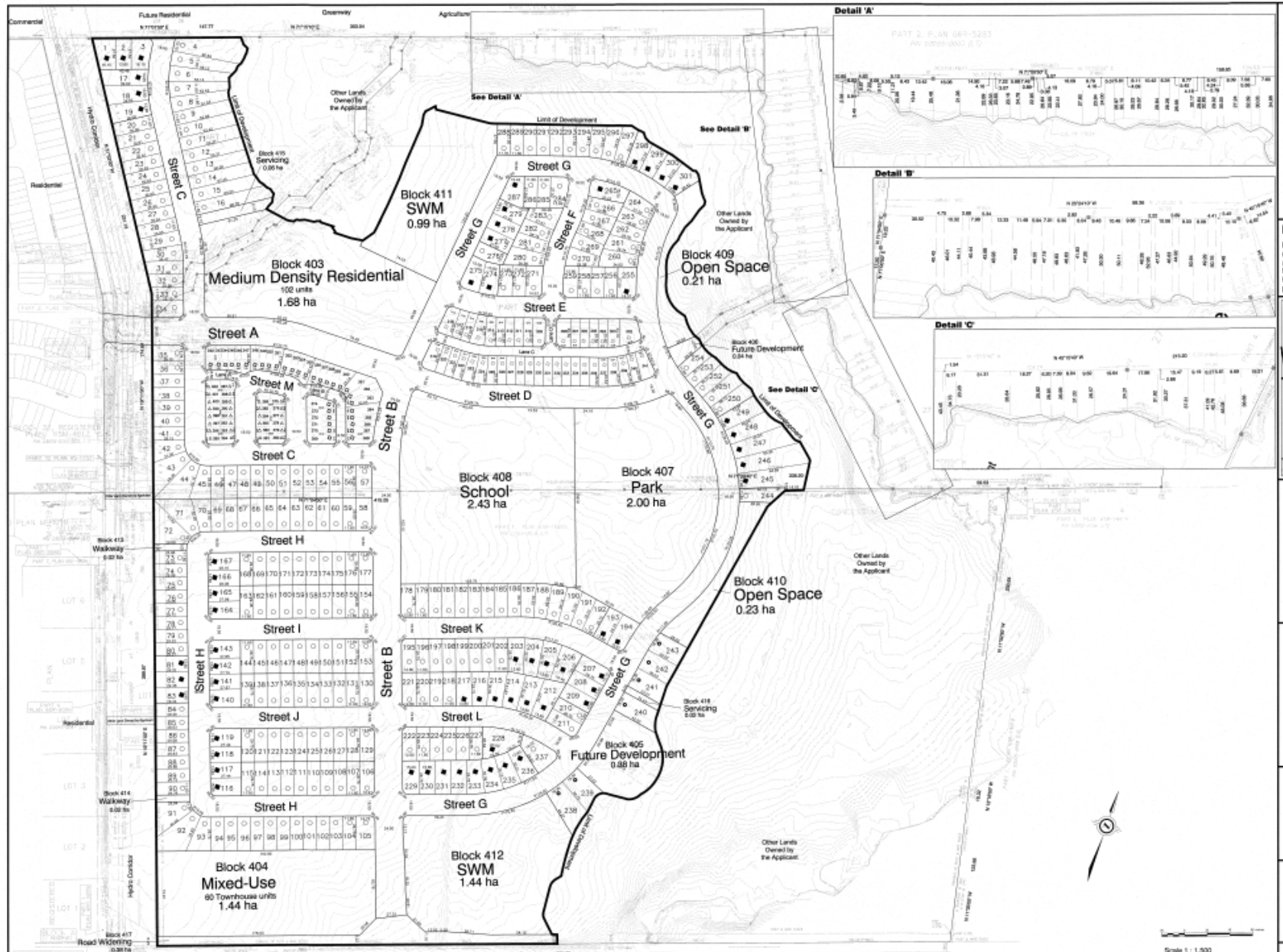


Figure 5

Proposed Conceptual Site Plan – Medium Density Residential Block

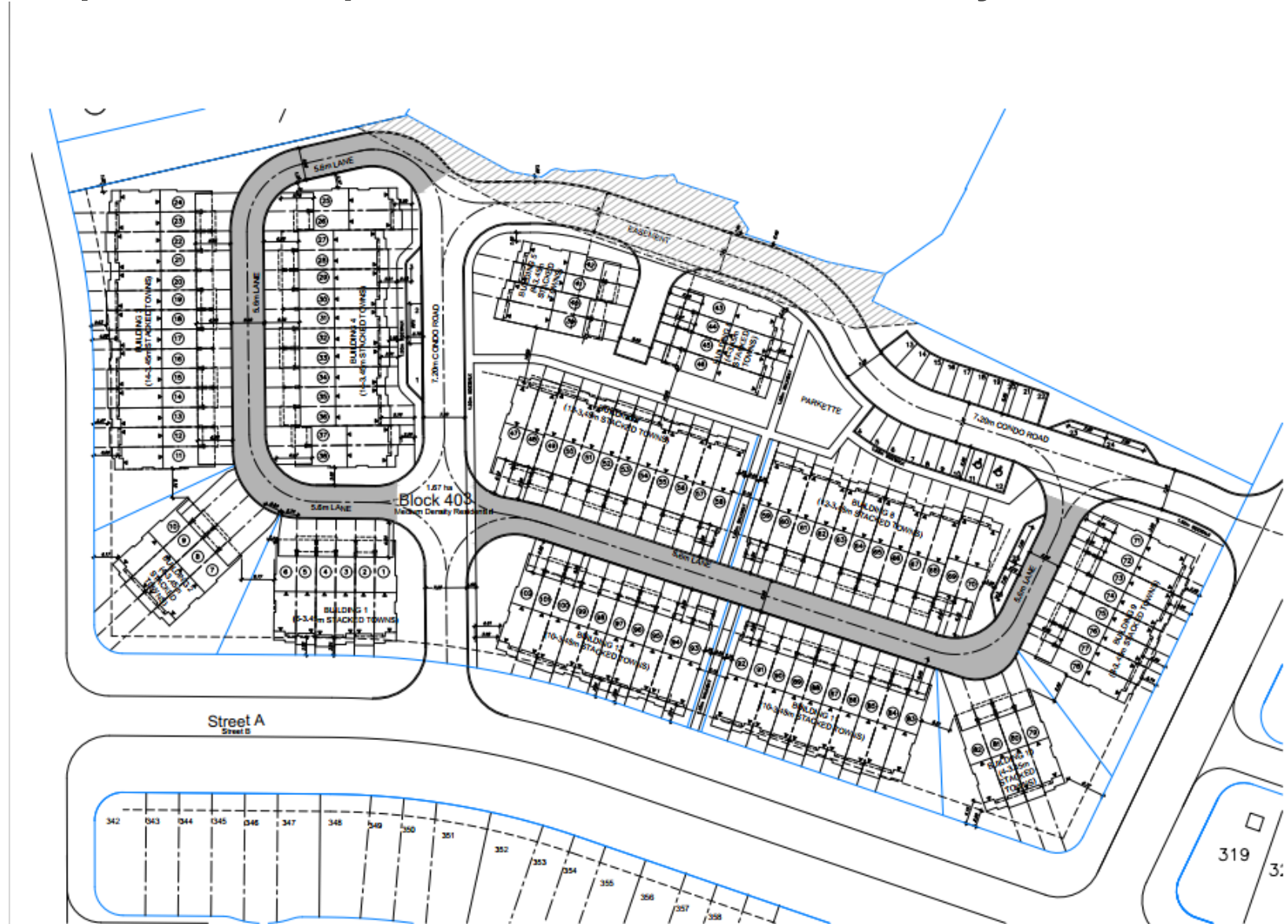


Figure 6

Proposed Conceptual Site Plan – Mixed Use Low Rise Block

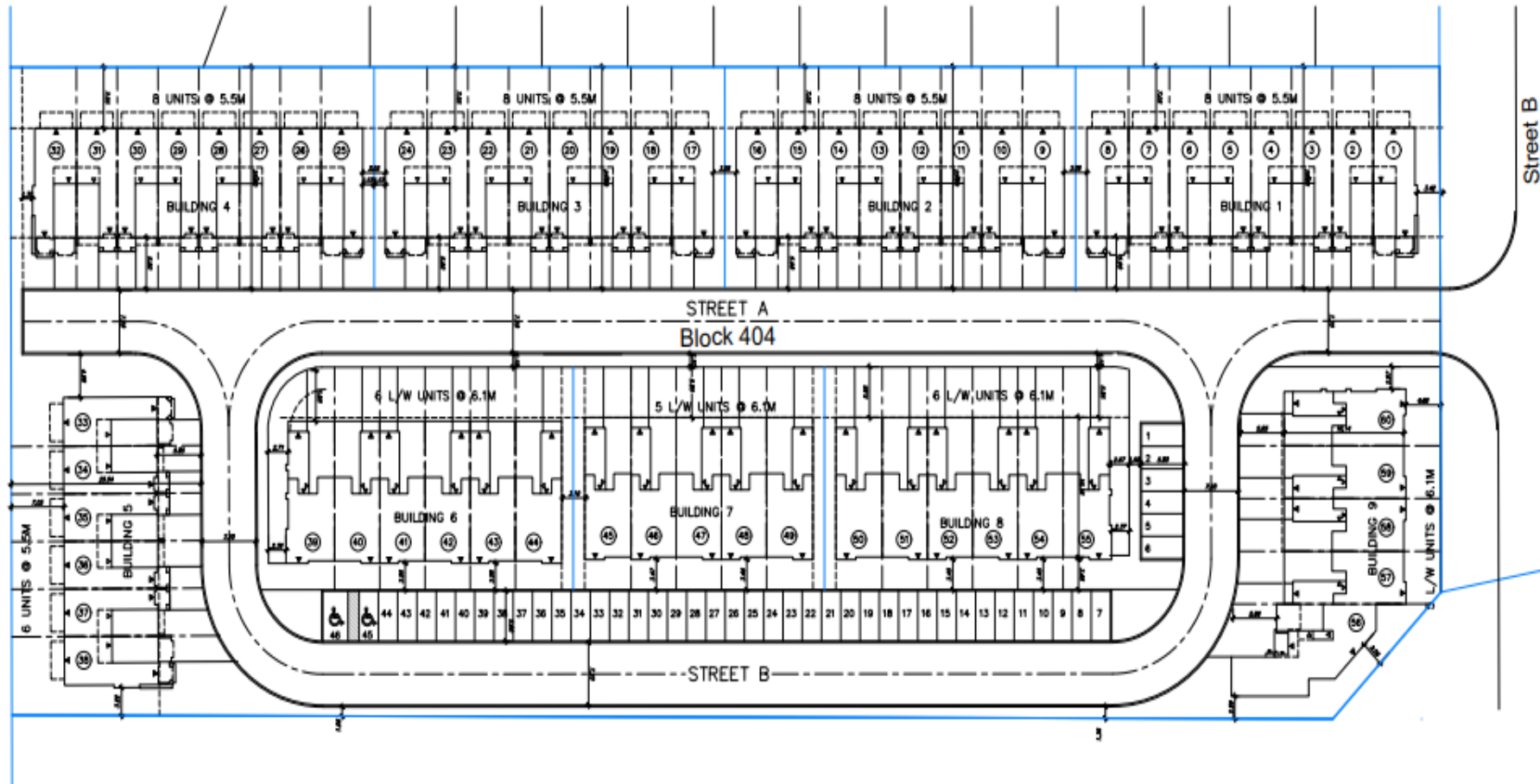


Figure 7

EXPLANATORY NOTE

BY-LAW NO. 2022-XX

A By-law to amend By-law 304-87 and 177-96, as amended.

First Elgin Mills Developments Inc and First Elgin North Ltd.

3208 Elgin Mills Road East

Part of Lots 26 and 27, Concession 4, City of Markham

North of Elgin Mills Road East, East of Victoria Square Boulevard

Lands Affected

The Subject Lands have an area of approximately 33.66 hectares and are bounded by Elgin Mills Road East to the south, Woodbine Avenue and the Hydro Corridor to the west, and the Berczy Creek and Berczy Creek Tributary to the north and east, municipally known as 3208 Elgin Mills Road East. The lands are currently used for agricultural and rural residential purposes.

Existing Zoning

The Subject Lands are zoned "Agriculture One Zone (A1)" under the City of Markham Zoning By-law 304-87, as amended.

Purpose and Effect

The purpose and effect of this By-law is to delete the Subject Lands from the designated area of By-law 304-87, incorporate them into the designated area of By-law 177-96, and zone them as follows:

- Residential Two-Special *686 (R2-S*686) Zone
- Residential Two-Special *687 (R2-S*687) Zone
- Residential Two-Special *A (R2-S*A) Zone
- Residential Two-Lane Access *B (R2-LA*B) Zone
- Residential Two-Special *C (R2-S*C) Zone
- Residential Two-Lane Access *D (R2-LA*D) Zone
- Residential Two-Special *E (R2-S*E) Zone
- Residential Three *F (R3 *F) Zone
- Community Amenity Three *G (CA3-G) Zone
- Open Space One (OS1) Zone
- Open Space Two (OS2) Zone

in order to facilitate the development of a residential plan of subdivision including the introduction of site-specific development standards for medium and high density blocks, rear lane townhouses, back to back townhouses, a school block, a park block, and a park block with a below grade stormwater management facility uses.



BY-LAW 2023-____

A By-law to amend By-law 304-87, as amended
(to delete lands from the designated area of By-law 304-87)

and to amend By-law 177-96, as amended
(to incorporate lands into the designated area of By-law 177-96, as amended)

The Council of the Corporation of the City of Markham hereby enacts as follows:

1. That By-law 304-87 as amended, is hereby further amend by deleting the lands shown on Schedule 'A' attached hereto, from the designated area of By-law 304-87, as amended.
2. That By-law 177-96 as amended, is hereby further amended, as follows:
 - a. By expanding the designated area of By-law 177-96, as amended, to include the lands shown on Schedule 'A' attached hereto.
 - b. By rezoning the lands outlined on Schedule 'A' attached hereto:

from:

Agricultural One (A1) Zone (By-law 304-87)

to:

Residential Two-Special *686 (R2-S*686) Zone (By-law 177-96)
Residential Two-Special *687 (R2-S*687) Zone (By-law 177-96)
Residential Two-Special *A (R2-S*A) Zone (By-law 177-96)
Residential Two-Lane Access *B (R2-LA*B) Zone (By-law 177-96)
Residential Two-Special *C (R2-S*C) Zone (By-law 177-96)
Residential Two-Lane Access *D (R2-LA*D) Zone (By-law 177-96)
Residential Two-Special *E (R2-S*E) Zone (By-law 177-96)
Residential Three *F (R3*F) Zone (By-law 177-96)
Community Amenity Three *G (CA3-G) Zone (By-law 177-96)
Open Space One (OS1) Zone (By-law 177-96)
Open Space Two (OS2) Zone (By-law 177-96)

3. By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 7.A	First Elgin Mills Developments Inc and First Elgin North Ltd.	Parent Zone R2-S
File ZA 23 XXXXXX		Amending By-law 2023-000 Single Detached
Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2023-____ and denoted by the symbol *A.		
7.A.1 Only Permitted Uses		
The following uses are the only permitted uses:		
a)	<i>Single Detached Dwellings</i>	
b)	Two (2) <i>Accessory Dwelling Units</i> per lot	
c)	<i>Home Occupation</i>	
d)	<i>Home Child Care</i>	
7.A.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	The provisions of Table B3, Part 3 of 3 shall apply to all lots	
b)	Minimum required <i>lot frontage</i> – 11.6 metres	
c)	Minimum <i>front yard</i> setback – 4.0 metres	
d)	Maximum <i>Garage width</i> : i) 8.6 metres for lots having a minimum frontage of 18.0 metres ii) 5.8 metres for lots having a minimum frontage of 11.6 metres iii) 3.5 m for lots having a minimum lot frontage of less than 11.6 m	
e)	Minimum <i>rear yard</i> setback – 6.0 metres	
f)	Maximum <i>height</i> – the lesser of 12.5 metres or 3 storeys	
g)	Notwithstanding f) above, for the purposes of this By-law, a basement with direct access to grade at the rear of a <i>dwelling</i> , which is partially or fully below grade at the front of the <i>dwelling</i> , shall not be considered a <i>storey</i>	
h)	Non cantilevered window bays are permitted to encroach into a required <i>front, exterior or rear yard</i> provided such window bay extends no more than 0.6 m into the required yard and are no more than 3 metres wide	
i)	<i>Porches</i> may encroach to a required <i>front yard or exterior side yard</i> provided that no part of the stairs is located closer than 0.3 metres from the <i>front lot line or exterior side lot line</i>	
j)	Notwithstanding Section 6.2.4.2 b) of By-law 28-97, as amended, for lots that are 11.6 metres or less, a minimum 25% soft landscaping shall be provided in the <i>front or exterior side yard</i> in which the <i>driveway</i> is located. For lots that are greater than 11.6 metres 40% soft landscaping shall be provided in the <i>front or exterior side yard</i> in which the <i>driveway</i> is located	

Exception 7.B	First Elgin Mills Developments Inc and First Elgin North Ltd.	Parent Zone R2-LA
File ZA 23 XXXXXX		Amending By-law 2023-000 Lane Based Single Detached

Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2023-____ and denoted by the symbol *B.

7.B.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) *Single Detached Dwellings*
- b) *Two (2) Accessory Dwelling Units* per lot
- c) *Home Occupation*
- d) *Home Child Care*

7.B.2 Special Zone Standards

The following specific Zone Standards shall apply:

- a) *Driveways and garages* are permitted to access a *lane* across an *interior side lot line*
- b) Minimum required *rear yard* to a *dwelling unit* accessed by a *lane*:
 - i) with attached *private garage*
 - a) 0.6 metres for the first and second *storey*
 - b) 3 metres for any *storey* above the second *storey*
 - ii) with detached *private garage* - 11.6 metres
- c) Maximum *lot coverage* for detached *private garages* – no maximum
- d) Minimum *side yard* setback from an *interior side lot line* created by a utility notch - 0.3 metres
- e) Maximum *height* – the lesser of 12.5 metres or 3 storeys
- f) *Outdoor Amenity Space* shall be provided and shall be subject to the following provisions:
 - i. The *Outdoor Amenity Space* may be located at grade, on a rear yard, rooftop, above a *private garage*, and/or be located on a *balcony*;
 - ii. One *Outdoor Amenity Space* shall have a contiguous minimum area of 20 square metres
 - iii. Notwithstanding any other provisions in this By-law, *decks* are permitted to be located above the first *storey* and *balconies* are not required to be *cantilevered*
- g) Non cantilevered window bays are permitted to encroach into a required *front, exterior or rear yard* provided such window bay extends no more than 0.6 m into the required yard and are no more than 3 metres wide

h)	<i>Porches</i> may encroach to a required <i>front yard</i> or <i>exterior side yard</i> provided that no part of the stairs is located closer than 0.3 metres from the <i>front lot line</i> or <i>exterior side lot line</i>
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Exception 7.C	First Elgin Mills Developments Inc and First Elgin North Ltd.	Parent Zone R2-S
File ZA 23 XXXXXX		Amending By-law 2023-000 Lane Based Townhouse

Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the lands shown on Schedule “A” attached to By-law 2022-___ and denoted by the symbol *C.

7.C.1 Only Permitted Uses

The following uses are the only permitted uses:

- | | |
|----|--|
| a) | <i>Townhouse Dwellings</i> |
| b) | Two (2) <i>Accessory Dwelling Units</i> within a <i>Townhouse Dwelling</i> |
| c) | <i>Home Occupation</i> |
| d) | <i>Home Child Care</i> |

7.C.2 Special Zone Standards

The following specific Zone Standards shall apply:

- | | |
|----|---|
| a) | Minimum required <i>lot frontage</i> :
i) 5.8 metres on an interior lot
ii) 7.0 metres on an interior end unit
iii) 8.2 metres on a corner unit |
| b) | Minimum required <i>rear yard</i> to a <i>dwelling unit</i> with attached <i>private garage</i>
i. 3 metres to the <i>building</i>
ii. 5.8 metres to a <i>private garage</i> |
| c) | Maximum <i>height</i> – the lesser of 12.5 metres or 3 storeys |
| d) | Notwithstanding e) above, a portion of a <i>building</i> providing rooftop access is permitted to project above the maximum <i>height</i> , provided the floor area of the rooftop access does not exceed 12 square metres. This rooftop access shall not be considered an additional <i>storey</i> . |
| e) | <i>Outdoor Amenity Space</i> shall be provided and shall be subject to the following provisions:
i. The <i>Outdoor Amenity Space</i> may be located at grade, on a <i>rear yard</i> , rooftop, above a <i>private garage</i> , and/or be located on a <i>balcony</i> ;
ii. One <i>Outdoor Amenity Space</i> shall have a contiguous minimum area of 20 square metres;
iii. Notwithstanding any other provisions in this by-law, <i>decks</i> are permitted to be located above the first <i>storey</i> and <i>balconies</i> are not required to be <i>cantilevered</i> . |

f)	Non cantilevered window bays are permitted to encroach into a required <i>front, exterior or rear yard</i> provided such window bays extend no more than 0.3 m into the required <i>yard</i> and are no more than 3 metres wide
g)	<i>Porches</i> and <i>balconies</i> may encroach to a required <i>front yard</i> or <i>exterior side yard</i> provided that no part of the stairs is located closer than 0.3 metres from the <i>front lot line</i> or <i>exterior side lot line</i>
h)	The <i>front lot line</i> for any <i>through lot</i> shall be deemed to be the main entrance to the <i>dwelling unit</i> or municipal street side

Exception 7.D	First Elgin Mills Developments Inc and First Elgin North Ltd.	Parent Zone R2-LA
File ZA 23 XXXXXX		Amending By-law 2023-000 Lane Based Townhouse

Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the lands shown on Schedule “A” attached to By-law 2023-____ and denoted by the symbol *D.

7.D.1 Only Permitted Uses

The following uses are the only permitted uses:

a)	<i>Townhouse Dwellings</i>
b)	Two (2) <i>Accessory Dwelling Unit</i> within a <i>Townhouse Dwelling</i>
c)	<i>Home Occupation</i>
d)	<i>Home Child Care</i>

7.D.2 Special Zone Standards

The following specific Zone Standards shall apply:

a)	Minimum required <i>lot frontage</i> – 5.8 m per unit on an interior lot, 7.7 m for an end unit on an interior lot and 8.8 m for an end unit on a corner lot
b)	Minimum required rear yard to a dwelling unit: <ul style="list-style-type: none"> iii. with attached private garage <ul style="list-style-type: none"> a) 0.6 metres for the first and second storey b) 3 metres for any storey above the second storey iv. with detached private garage – 11.6 metres
c)	Maximum height – the lesser of 12.5 metres or 3 storeys
d)	Notwithstanding e) above, a portion of a <i>building</i> providing rooftop access is permitted to project above the maximum <i>height</i> , provided the floor area of the rooftop access does not exceed 12 square metres. This rooftop access shall not be considered an additional <i>storey</i> .
e)	<i>Outdoor Amenity Space</i> shall be provided and shall be subject to the following provisions: <ul style="list-style-type: none"> iv. The <i>Outdoor Amenity Space</i> may be located at grade, on a rear yard, rooftop, above a <i>private garage</i>, and/or be located on a <i>balcony</i>;

	<ul style="list-style-type: none"> v. One <i>Outdoor Amenity Space</i> shall have a contiguous minimum area of 20 square metres; vi. Notwithstanding any other provisions in this by-law, <i>decks</i> are permitted to be located above the first <i>storey</i> and <i>balconies</i> are not required to be <i>cantilevered</i>.
f)	Non cantilevered window bays are permitted to encroach into a required <i>front, exterior or rear yard</i> provided such window bays extend no more than 0.3 m into the required <i>yard</i> and are no more than 3 metres wide
g)	<i>Porches</i> and <i>balconies</i> may encroach to a required <i>front yard</i> or <i>exterior side yard</i> provided that no part of the stairs is located closer than 0.3 metres from the <i>front lot line</i> or <i>exterior side lot line</i>

Exception 7.E	First Elgin Mills Developments Inc and First Elgin North Ltd.	Parent Zone R2-S
File ZA 23 XXXXXX		Amending By-law 2023-000 Back to Back Townhouse

Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2023-___ and denoted by the symbol *E.

7.E.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) *Townhouse Dwellings*
- b) *Home Occupation*
- c) *Home Child Care*

7.E.2 Special Zone Standards

The following specific Zone Standards shall apply:

- a) The provisions of Table B3, Part 3 of 3 shall apply to all lots
- b) Minimum required *lot frontage*:
 - iv) 6.4 metres on an interior lot
 - v) 7.6 metres on an interior end unit
 - vi) 8.9 metres on a corner unit
- c) Notwithstanding the definition of *townhouse dwelling*, units are not required to provide direct access to the *rear yard*
- d) *Townhouse dwellings* must share a common wall above grade with *townhouse dwellings* to the rear
- e) Minimum *rear yard* setback – 0 metres
- f) Maximum *height* – the lesser of 12.5 metres or 3 storeys
- g) Notwithstanding f) above, for the purposes of this By-law, a portion of a *building* providing rooftop access is permitted to project above the maximum *height*, provided the floor area of the rooftop access does not exceed 12 square metres. This rooftop access shall not be considered a *storey*.

h)	Non cantilevered window bays are permitted to encroach into a required <i>front or exterior side yard</i> provided such window bay extends no more than 0.6 m into the required yard and are no more than 3 metres wide
	<p><i>Outdoor Amenity Space</i> shall be provided and shall be subject to the following provisions:</p> <ul style="list-style-type: none"> i. The <i>Outdoor Amenity Space</i> shall be located on a rooftop, above a <i>private garage</i>, and/or be located on a <i>balcony</i>; ii. One <i>Outdoor Amenity Space</i> shall have a contiguous minimum area of 10 square metres; and, iii. The minimum combined <i>Outdoor Amenity Space</i> per unit shall be 15 square metres. iv. Notwithstanding any other provisions in this By-law, <i>decks</i> are permitted to be located above the first <i>storey</i> and <i>balconies</i> are not required to be <i>cantilevered</i>
i)	For the purposes of the By-law, the <i>Outdoor Amenity Space</i> shall include steps, partitions, railings, air conditioner units, and planters.
j)	Notwithstanding Section 6.2.4.2 b) of By-law 28-97, as amended, for lots that are 10.1 metres or less, a minimum 20% soft landscaping shall be provided in the <i>front or exterior side yard</i> in which the <i>driveway</i> is located.

Exception 7.F	First Elgin Mills Developments Inc and First Elgin North Ltd.	Parent Zone R3
File ZA 23 XXXXXX		Amending By-law 2023-000 Residential Mid Rise

Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2023-___ and denoted by the symbol *F.

7.F.1 Only Permitted Uses

The following uses are the only permitted uses:

a)	<i>Multiple Dwellings</i>
b)	<i>Apartment Dwellings</i>
c)	<i>Home Occupation</i>
d)	<i>Home Child Care</i>

7.F.2 Special Zone Standards

The following specific Zone Standards shall apply:

a)	Minimum <i>lot frontage</i> – not applicable
b)	Minimum required <i>exterior side yard</i> – 1.2 metres
c)	Minimum required <i>interior side yard</i> : <ul style="list-style-type: none"> i. 0 metres for an interior unit ii. 1.2 metres for an end unit
d)	Minimum required rear yard – 5.8 metres, except:

	<ul style="list-style-type: none"> i. with attached <i>private garage</i> <ul style="list-style-type: none"> a) 0.6 metres for the first and second <i>storey</i> b) 2.4 metres for any <i>storey</i> above the second <i>storey</i> i. For an <i>Outdoor Amenity Space</i> located above a <i>private garage</i> and/or a support <i>structure</i> for the <i>Outdoor Amenity Space</i> which is located on the first <i>storey</i> and adjacent to a <i>private garage</i> – 1.2 metres
e)	Maximum <i>height</i> – 14 metres or 4 <i>storeys</i>
f)	Minimum <i>parking space</i> length for units where the <i>side yard</i> abuts a <i>lane</i> – 5.15 metres
g)	<p><i>Outdoor Amenity Space</i> shall be provided and shall be subject to the following provisions:</p> <ul style="list-style-type: none"> i. The <i>Outdoor Amenity Space</i> may be located at grade, on a rooftop, above a <i>private garage</i>, and/or be located on a <i>balcony</i>; ii. The minimum combined <i>Outdoor Amenity Space</i> per unit shall be 6 square metres. iii. Notwithstanding any other provisions in this By-law, <i>decks</i> are permitted to be located above the first <i>storey</i> and <i>balconies</i> are not required to be <i>cantilevered</i>
h)	Special Provision #4 of Table B5 (Part 2 of 2) shall not apply
i)	Any part of a <i>building</i> , <i>Outdoor Amenity Space</i> , <i>private garage</i> or <i>driveway</i> adjacent to a hydro transformer notch may encroach into the required <i>interior side yard</i> to the <i>interior side yard lot line</i>

Exception 7.G	First Elgin Mills Developments Inc and First Elgin North Ltd.	Parent Zone CA3
File ZA 23 XXXXXX		Amending By-law 2022-000 Mixed Use Low Rise

Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the lands shown on Schedule "A" attached to By-law 2023-____ and denoted by the symbol *G.

7.G.1 Only Permitted Uses

The following uses are the only permitted uses:

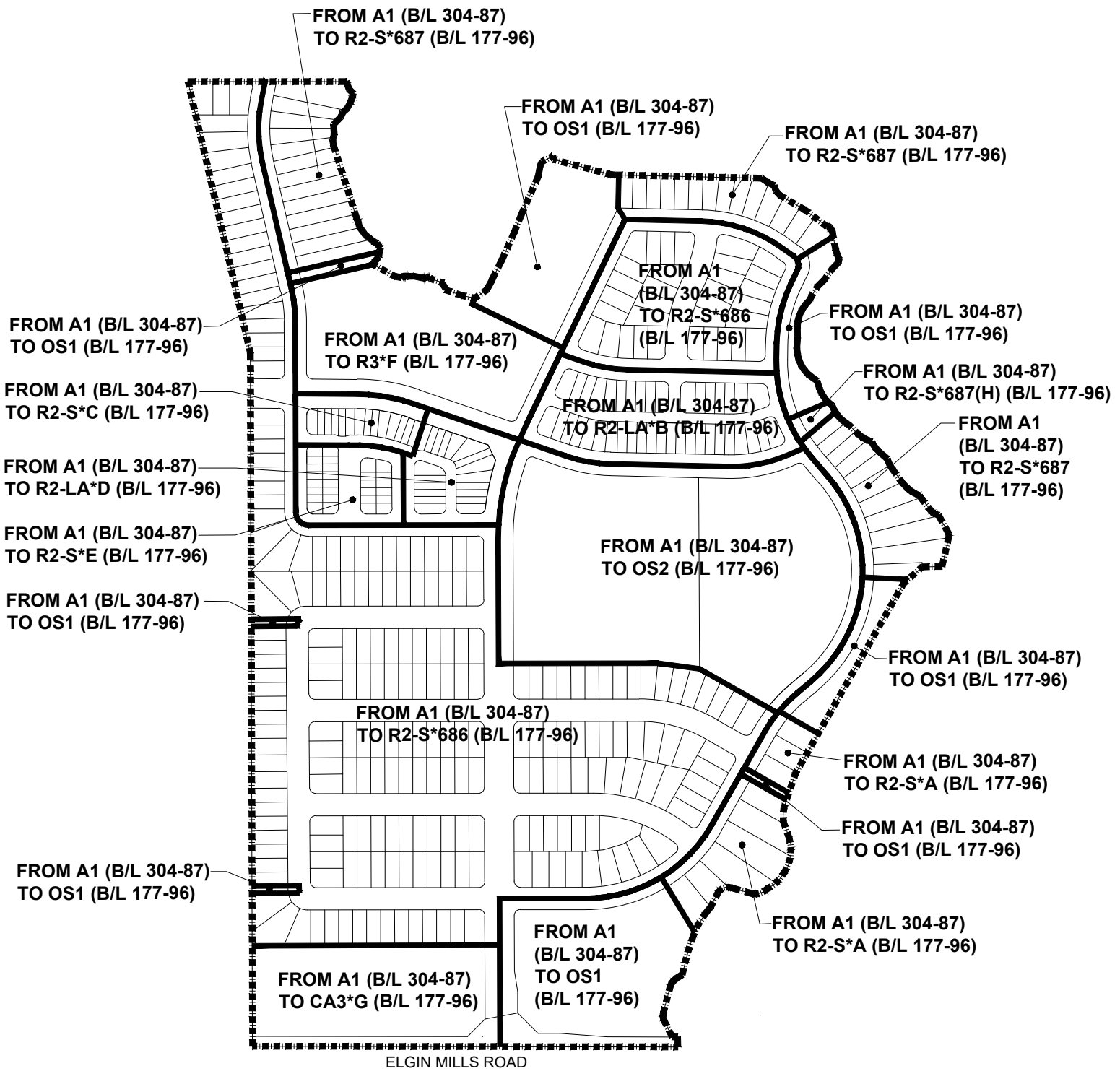
	Residential Uses
a)	<i>Townhouse Dwellings</i>
b)	<i>Multiple Dwellings</i>
c)	<i>Apartment Dwellings</i>
d)	<i>Home Occupation</i>
	Non Residential Uses
e)	<i>Child Care Centre</i>
f)	<i>Financial Institutions</i>
g)	<i>Medical Offices</i>

h)	<i>Business Offices</i>
i)	<i>Personal Service Shop</i>
j)	<i>Restaurants</i>
k)	<i>Restaurants, Take-Out</i>
l)	<i>Repair Shops</i>
m)	<i>Retail Stores</i>
7.G.2 Special Zone Standards	
The following specific Zone Standards shall apply:	
a)	Minimum required <i>lot frontage</i> – not applicable
b)	Minimum required <i>front yard</i> – 0.6 metres
c)	Minimum required <i>rear yard</i> – 0.8 metres
d)	Maximum <i>height</i> – the lesser of 15.0 metres or 3 <i>storeys</i>
e)	A <i>lot</i> may front or abut a <i>private street</i>
f)	Visitor parking shall be provided at a rate of 0.25 spaces per <i>townhouse dwelling</i>
g)	Commercial uses are only permitted on the first <i>storey</i> of a <i>building</i>
h)	The maximum <i>gross floor area</i> of the <i>first storey</i> for any individual non-residential premise shall not exceed 500 square metres

Read a first, second and third time and passed on _____, 2023.









 Kimberley Kitteringham
 City Clerk

 Frank Scarpitti
 Mayor



SCHEDULE "A" TO BY-LAW 2023-XXX

AMENDING BY-LAWS 304-87 AND 177-96 AS DATED

	BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE		OPEN SPACE ONE
	RESIDENTIAL TWO - SPECIAL		OPEN SPACE TWO
	RESIDENTIAL TWO - LANE ACCESS		EXCEPTION NUMBER
	RESIDENTIAL THREE		
	COMMUNITY AREA THREE		

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.