



BY-LAW 2019-_____

A By-law to amend By-law 177-96, as amended *(Removal of Hold Provision)*

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law prohibiting the use of land, buildings or structures within a defined area or areas; and

WHEREAS Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law to specify the use to which lands, buildings or structures may be put at such time in the future as the hold symbol is removed by amendment to the by-law; and

WHEREAS Zoning By-law No. 177-96 as amended by By-law 2006-179 is the governing By-law of the Corporation of the City of Markham pertaining to the subject lands; and

WHEREAS the Council of the Corporation of the City of Markham has deemed it advisable to amend Zoning By-law No. 177-96; and

WHEREAS condition “ii)” for the removal of the Holding (H) Symbol from the subject lands was repealed from subsection 1.9 b) of By-law 2006-179 by the Ontario Municipal Board on February 8, 2017; and

WHEREAS it has been confirmed to Council that all of the conditions required for the removal of the Hold (H) Symbol from the subject lands have been completed to the satisfaction of the City;

NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. THAT By-law 177-96 is hereby further amended as follows:
 - 1.1 By removing the Holding (H2) provision from the Business Park (Hold Two) [BP (H2)] Zone for the lands outlined on Schedule ‘A’ attached hereto.
2. THAT Zoning By-law No. 177-96 is hereby amended to give effect to the foregoing, but shall in all other respects remain in full force and effect.
3. THAT this By-law shall come into effect upon final passing, pursuant to Section 34(21) of the Planning Act, 1990.

Read a first, second and third time and passed on September 24, 2019.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

AMANDA FILE NO: HOLD 19-135087



EXPLANATORY NOTE

BY-LAW 2019-____

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

2599519 Ontario Inc.

Markland Street

65R-33070 Parts 1 to 3 Markham Concession 3 Part Lot 22 RP

Lands Affected

The proposed by-law amendment applies to a 3.1 hectare (7.7 acre) area of lands located on the north side of Markland Street and the west side of Woodbine Avenue.

Existing Zoning

The subject lands are zoned "Business Park (Hold Two) [BP (H2)] Zone", per By-law 177-96, as amended.

Purpose and Effect

The purpose and effect of this by-law is to remove the Holding (H) symbol provision from the zoning of the subject property in order to permit the property to be developed as a 3 storey private high school with an adjoining 9 storey student dormitory. The dormitory is proposed to have 450 student beds. The proposed school has a total gross floor area of 19,217 m².

Condition "i)" for the removal of the Holding (H) Symbol from the subject lands requires an Environmental Assessment Study of the Highway 404 flyover to be approved by the City and the appeal period to expire without a Part 2 Order (Bump-up). The Environmental Assessment Study has been approved.

Condition "ii)" required the draft plan of subdivision to be revised to incorporate any changes relating to the Highway 404 flyover. This condition was repealed by the Ontario Municipal Board on February 8, 2017.