



## **EXPLANATORY NOTE**

### **BY-LAW 2022 - 32**

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

**K16 Urban Development Inc. (formerly Uptown Green Garden Inc.)  
9332 Kennedy Road  
Part of Lot 3, Lots 4 and 5, Registered Plan 4113, Parts 1 and 2  
65R14073  
(Proposed Mixed Use Mid-Rise Development)  
HOLD 21 145667**

#### **Lands Affected**

The proposed by-law amendment applies to 0.75 hectares (1.85 acres) of land on the west side of Kennedy Road between New Yorkton Avenue to the north and 16<sup>th</sup> Avenue to the south, municipally known as 9332 Kennedy Road.

#### **Existing Zoning**

The subject lands are zoned Neighbourhood Commercial Three\*646 (Holding) [NC3\*646(H)] under 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 lands in order to permit the development of a nine (9) storey mixed use mid-rise building.



## By-law 2022-32

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

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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 holding symbol is removed by amendment to the by-law; and,

WHEREAS Zoning By-law No. 177-96 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 it has been confirmed to Council that all of the conditions required for the removal of the Holding (H) Symbol from the subject lands have been completed to the satisfaction of the City;

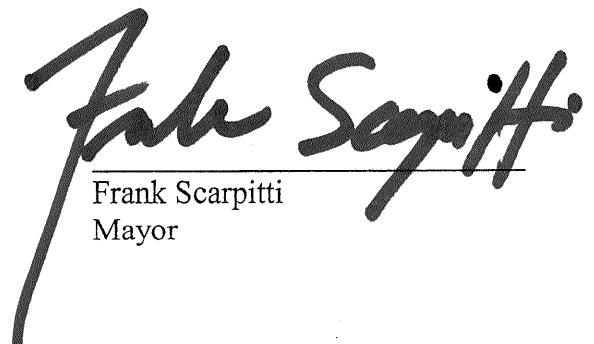
NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. By-law 177-96, as amended, is hereby further amended as follows:
  - 1.1 By removing the Holding (H) provision from the **NC\*646(H) 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 forgoing, 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.

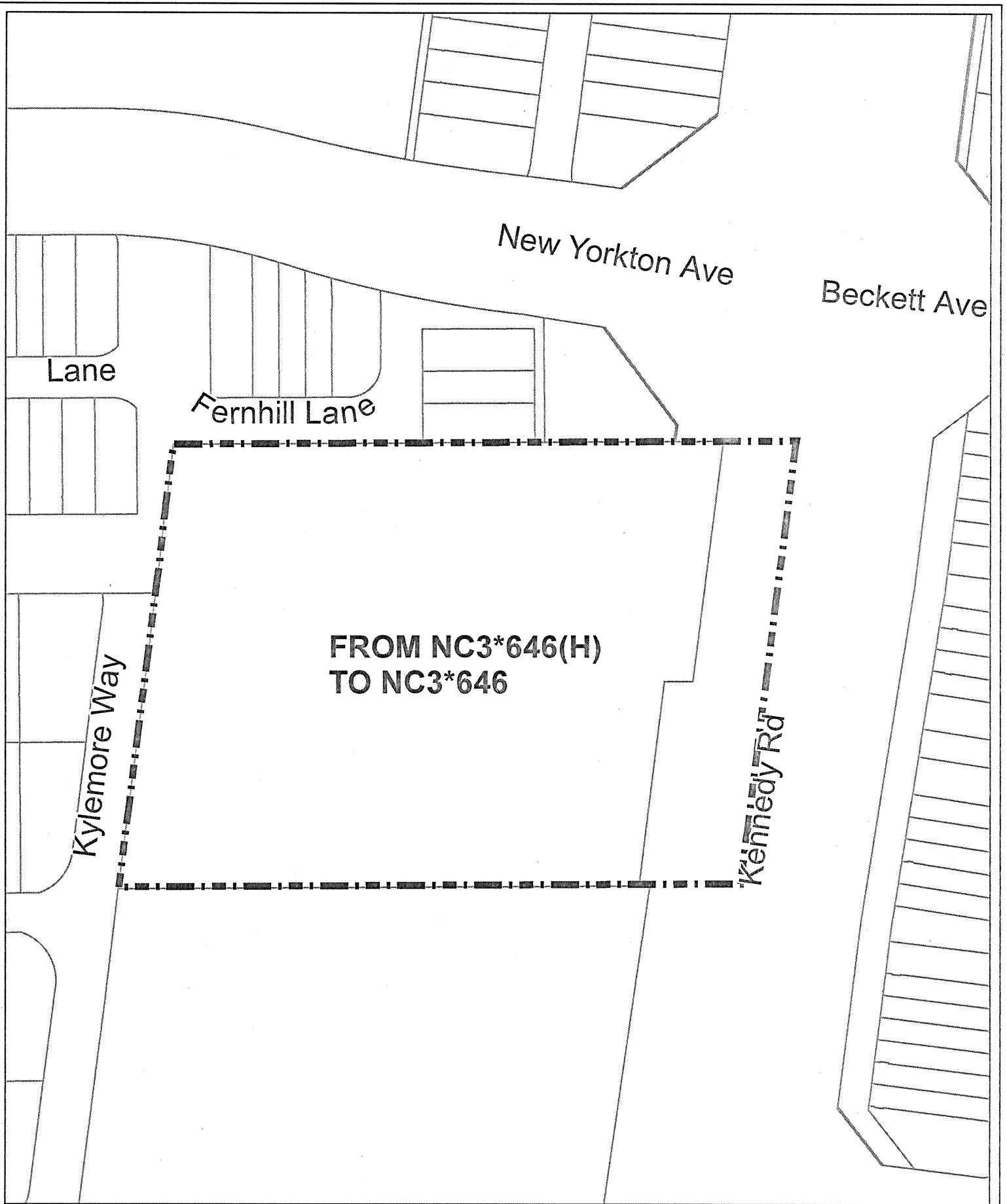
Read a first, second and third time and passed on April 26, 2022.



Kimberley Kitteringham  
City Clerk

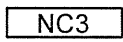
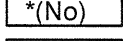
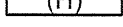


Frank Scarpitti  
Mayor



**SCHEDULE 'A' TO BY-LAW 2022-32**  
**AMENDING BY-LAW 177-96 DATED APRIL 26, 2022**

 BOUNDARY OF AREA COVERED BY THIS SCHEDULE

-  NEIGHBOURHOOD COMMERCIAL THREE
-  EXCEPTION NUMBER
-  HOLDING PROVISION



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.

Q:\Geomatics\New Operation\By-Laws\HOLD\HOLD21\_145667\Schedule A.mxd

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office