

MARKHAM

BY-LAW 2022-_____

A By-law to amend By-law 304-87, 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 amended as follows:

1.1 By zoning the lands outlined on Schedule ‘A’ attached hereto:

From:

**Agricultural One (A1) Zone (304-87); and
Open Space One (O1) Zone (304-87)**

To:

**Agricultural One (Hold) (A1) Zone (304-87)
Agricultural One (Hold) (A1(H1)) Zone (304-87)
Agricultural One(Hold) (A1(H2)) Zone (304-87)
Agricultural One(Hold) (A1(H3)) Zone (304-87)
Open Space One (O1) Zone (304-87)**

2. By adding the following subsection to Section 13 – EXCEPTIONS:

Exception 13.87	Regional Municipality of York 10998 – 10990 Warden Avenue	Parent Zone A1
File PLAN 21 119856		Amending By-law 2022-XXXXX
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands outlined on Schedule ‘A’ attached to this by-law.		
13.87.1 Additional Permitted Uses		
The following additional uses are permitted:		
a)	Notwithstanding Section 5.3.2 b), an accessory office building and open storage of goods and materials is permitted by a <i>PUBLIC AUTHORITY</i> .	
13.87.2 Special Zone Standards		
The following special zone standards shall apply:		
a)	Minimum <i>LANDSCAPED OPEN SPACE</i> width abutting the northern <i>LOT LINE</i> – 10 metres.	
b)	Maximum <i>HEIGHT</i> of a <i>BUILDING</i> or <i>STRUCTURE</i> – 20 metres.	
c)	Open storage of goods and materials shall be screened from public view by opaque architectural screening, <i>LANDSCAPED OPEN SPACE</i> , building placement, or a combination of such treatments.	
d)	Open storage of goods and materials must not be located any closer than: i) 40 metres of Warden Avenue. ii) 10 metres to any other <i>STREET LINE</i> .	
e)	The provisions of 28-97 shall not apply to any <i>BUILDING</i> or <i>STRUCTURE</i> used exclusively for storage, or for the storage or repair of motor vehicles associated with a <i>PUBLIC AUTHORITY</i> .	

3. HOLDING PROVISIONS

- 3.1.1 For the purpose of this By-law, a Holding (H1) provision is hereby established and is identified on Schedule 'A' attached hereto by the letter (H1) in parenthesis following the zoning symbols.
- 3.1.2 No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H1) provision for the purpose permitted under this By-law until amendment(s) to this By-law to remove the letter (H1) have come into effect pursuant to the provisions of Section 36 of the Planning Act.
- 3.1.3 A Zoning By-law Amendment to remove the Holding (H1) symbol from the lands shown on Schedule 'A' shall not be passed until the following conditions have been met:
- a) That the Municipal Class Environmental Assessment for the north-south collector road (from Elgin Mills Road to 19th Avenue) within the Employment Block of the North Markham Future Urban Area, has been approved by the Ministry of Environment.
 - b) Notwithstanding 3.1.2 above, the installation of screening for open storage areas outlined in 13.87.2 c) above is required to be installed prior to the removal of the hold.
- 3.1.5 Notwithstanding the above, roads and driveways are permitted until the hold is removed.
- 3.2.1 For the purpose of this By-law, a Holding (H2) provision is hereby established and is identified on Schedule 'A' attached hereto by the letter (H2) in parenthesis following the zoning symbols.
- 3.2.2 No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H2) provision for the purpose permitted under this By-law until amendment(s) to this By-law to remove the letter (H2) have come into effect pursuant to the provisions of Section 36 of the Planning Act.
- 3.2.3 A Zoning By-law Amendment to remove the Holding (H2) symbol from the lands shown on Schedule 'A' shall not be passed until the following conditions have been met:
- a) That the Municipal Class Environmental Assessment for the north-south collector road (from Elgin Mills Road to 19th Avenue) within the Employment Block of the North Markham Future Urban Area, has been approved by the Ministry of Environment.
 - b) A technical study, such as a Master Environmental Servicing Plan, has been completed to the satisfaction of the Director of Planning and Urban Design to identify the recommended alignment for the Core Linkage Enhancement (Berczy-Bruce Ecological Corridor).
 - c) Notwithstanding 3.2.2 above, the installation of screening for open storage areas outlined in 13.87.2 c) above is required to be installed prior to the removal of the hold.
- 3.3.1 For the purpose of this By-law, a Holding (H3) provision is hereby established and is identified on Schedule 'A' attached hereto by the letter (H3) in parenthesis following the zoning symbols.
- 3.3.2 No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H3) provision for the purpose permitted under this By-law until

amendment(s) to this By-law to remove the letter (H3) have come into effect pursuant to the provisions of Section 36 of the Planning Act.

3.3.3 A Zoning By-law Amendment to remove the Holding (H3) symbol from the lands shown on Schedule ‘A’ shall not be passed until the following conditions have been met:

- a) That the Municipal Class Environmental Assessment for the north-south collector road (from Elgin Mills Road to 19th Avenue) within the Employment Block of the North Markham Future Urban Area, has been approved by the Ministry of Environment.
- b) A technical study, such as a Master Environmental Servicing Plan, has been completed to the satisfaction of the Director of Planning and Urban Design to identify the recommended alignment for the Core Linkage Enhancement (Berczy-Bruce Ecological Corridor).
- c) Completion of a Stage 4 Site-Specific Archeological Assessment and implementation of any recommendations from the Study to the satisfaction of the Ministry of Tourism, Culture and Sport and Director of Planning and Urban Design.

Read and first, second and third time and passed on _____, 2022.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

Amanda File No. PLAN 21 119856



EXPLANATORY NOTE

BY-LAW 2022-_____

A By-law to amend By-law 304-87, as amended

10998 - 10990 Warden Avenue

Lands Affected

The subject lands have an area of approximately 22.57 hectares, located on the west side of Warden Avenue, north of Elgin Mills Road East, south of 19th Avenue.

Existing Zoning

The subject lands are zoned “Agriculture One Zone (A1) and Open Space One Zone (O1)” under By-law 304-87, as amended.

Purpose and Effect

The purpose and effect of this By-law is to permit an accessory office building and open storage of goods and materials as additional uses permitted by a public authority.

The effect of this by-law is to facilitate the development of a road operations and snow management facility known as the Southeast District Maintenance Yard and Snow Management Facility. Holding provisions have been included to restrict further development on certain lands subject to certain conditions being met.

Note Regarding Further Planning Applications on this Property

In accordance with Section 45(1.3) and 45(1.4) of the Planning Act, R.S.O. 1990, cP.13, as amended on July 1, 2016 through the enactment of Bill 73, no person shall apply for a minor variance from the provisions of the by-law in respect of land, building or structure before the second anniversary of the day on which the by-law was amended, unless Council has declared by resolution that such an application is permitted.