



# BY-LAW 2023-128

## A By-law to amend By-law 28-82, as amended

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

1. That By-law 28-82, as amended, is hereby further amended as follows:

7.29 Notwithstanding any other provisions of By-law no. 28-82, as amended, is further amended as it applies to the lands outlined on Schedule 'A', attached hereto.

### 7.29.1 Permitted Uses

The following additional uses are permitted:

- i) RETAIL STORE, provided the GROSS FLOOR AREA does not exceed 15% of the total GROSS FLOOR AREA of buildings on site
- ii) BUSINESS OFFICE.

### 7.29.2 Special Site Provisions

- i) Notwithstanding Section 4.3.7 of By-law 28-82, the storage and sale of ammunition is permitted;
- ii) The minimum required LANDSCAPING abutting a STREET: 5.5 m
- iii) The Following parking standards are required for the proposed uses on the subject property:

*Industrial use – 1 parking space per 46 square metres of net floor area.*

2. That all other respective provisions of Zoning By-law No. 28-82, as amended, shall apply.

3. That this By-law shall come into force and effect in accordance with the provisions of the planning Act, R.S.O., 1990, cP.13.

Read and first, second and third time and passed on September 12, 2023.

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor



**EXPLANATORY NOTE**

**BY-LAW 2023-128**

**A By-law to amend By-law 28-82, as amended**

**1000038852 ONTARIO INC.**

**Part of Block 1 Plan 65M-2135, City of Markham, Regional Municipality  
of York**

**44 Riviera Drive**

**PLAN 22 266738**

**Lands Affected**

The proposed by-law amendment applies to a parcel of land with an approximate area of 0.308 hectares (0.76 acres), which is located north of Riviera Drive and east of Rodrick Road.

**Existing Zoning**

The subject lands are zoned *Select Industrial with Controlled Storage -0.3 ha (MCS3)* under By-law 28-82, as amended.

**Purpose and Effect**

The purpose and effect of this By-law is to permit Retail Uses up to a maximum of 15% of the total Gross Floor Area of buildings on site, Business Office Uses, the storage and sale of ammunition and to provide site specific parking standards.

**Note Regarding Further Planning Applications on this Property**

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.