



# BY-LAW 2024-116

A By-law to amend By-law 2024-19, as amended

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

1. That By-law 2024-19, as amended, is hereby further amended as follows:

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

from:

**Employment – General Employment (EMP-GE)  
Employment-Service Employment (EMP-SE) and,  
Commercial (COM)**

to:

**Employment – General Employment \*10 Hold Two (EMP-GE\*10 (H2));  
Employment-Service Employment \*4 Hold Two (EMP-SE\*4(H2));  
Employment-Service Employment \*5 Hold Two (EMP-SE\*5(H2)); and, Commercial\*6 Hold Two (COM\*6(H2))**

3. By adding the following subsections to Section 14 – EXCEPTIONS:

<b>Exception</b> 14.004	<b>White Owl Properties Ltd.</b> 405 and 505 Miller Ave.	<b>Parent Zone</b> <b>EMP-SE</b>
<b>File Number</b> <b>PLAN 23 150318</b>		<b>Amending By-law</b> 2024--116
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted *4 on Schedule 'A' to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
<b>14.004.1 Only Permitted Uses</b>		
The following are the only permitted uses:		
a)	<b>Business office</b>	
b)	<b>Restaurant</b>	
c)	<b>Industrial use</b>	
<b>14.004.2 Special Zone Standards</b>		
The following special zone standards shall apply:		
a)	Minimum <b>height</b> – 8.0 metres	
b)	Minimum <b>gross floor area</b> of an <b>office building</b> - 2,787 square metres.	



<b>Exception</b> 14.005	<b>White Owl Properties Ltd.</b> 405 and 505 Miller Ave.	<b>Parent Zone</b> <b>EMP-SE</b>
<b>File Number</b> <b>PLAN 23 150318</b>		<b>Amending By-law</b> 2024-116

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted \*5 on Schedule 'A' to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

**14.005.1 Additional Permitted Uses**

The following additional uses are permitted:

- a) **Child Care Centre**
- b) **Commercial Fitness Centres**
- c) **Financial Institution**
- d) **Retail stores**

**14.005.2 Special Zone Standards**

The following special zone standards shall apply:

- a) **Restaurants** are only permitted in an **office building**
- b) Maximum combined **gross floor area** devoted to **retail stores** and/or retail **uses** accessory to other permitted **use(s)** - 30%.

<b>Exception</b> 14.006	<b>White Owl Properties Ltd.</b> 405 and 505 Miller Ave.	<b>Parent Zone</b> <b>COM</b>
<b>File Number</b> <b>PLAN 23 150318</b>		<b>Amending By-law</b> 2024-116

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted \*6 on Schedule 'A' to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

**14.006.1 Additional Permitted Uses**

The following additional uses are permitted:

- a) **Private school**
- b) **Child care centre**
- c) **Financial Institution**

**14.006.2 Special Zone Standards**

The following special zone standards shall apply:

- a) 8.3.1.2 Standards – The following Standards shall not apply (C 2), (H), (L)
- b) Within 20 metres of a **lot line** abutting Woodbine Avenue, the following additional provisions apply:
  - (i) Doors associated with **loading spaces** are not permitted; and,
  - (ii) **Drive through service establishments** and **stacking spaces** are not permitted.
- b) Only two **retail stores** are permitted to have a **gross floor area** exceeding 4,000 square metres.

<b>Exception</b> 14.010	<b>White Owl Properties Ltd.</b> 405 and 505 Miller Ave.	<b>Parent Zone</b> EMP-GE
<b>File Number</b> <b>PLAN 23 150318</b>		<b>Amending By-law</b> 2024-116
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted *10 on Schedule 'A' to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
<b>14.010.1 Special Zone Standards</b>		
The following special zone standards shall apply:		
a)	Notwithstanding Section 5.2.6 c), no more than 17 <b>parking spaces</b> may be permitted as <b>dead end parking spaces</b>	

4. HOLDING PROVISION

4.1 For the purpose of this By-law, a Holding (H2) provision is hereby established on lands zoned Employment – General Employment (EMP-GE), Employment-Service Employment (EMP-SE) and, Commercial (COM) as identified on Schedule 'A' attached hereto by the letter (H2) in parenthesis following the zoning symbols.

<b>Exception</b> 16.002	<b>White Owl Properties Ltd.</b> 405 and 505 Miller Ave.	<b>Parent Zone</b> <b>EMP-GE, EMP-SE, COM</b>
<b>File Number</b> <b>PLAN 23 150318</b>		<b>Amending By-law</b> 2024-116
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:		
<b>16.002.1 Hold Removal Conditions</b>		
The following additional uses are permitted:		
a)	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.	
b)	A Plan of Subdivision has been draft approved and the related subdivision agreement between the landowner and the City has been executed.	
c)	The Owner provides written confirmation from the Toronto and Region Conservation Authority (TRCA) that they have been satisfied that the proposed development is located outside of and/or adequately protected from the Regulatory flood plain spill(s) occurring within the vicinity of the site, and that such measure(s) to protect the development from flooding will not have adverse impacts on the flood plain or other properties. Such process will involve the completion of a Flood Plain Analysis and grading plans by the Owner in accordance with TRCA's Conditions of Draft Plan Approval.	
d)	The Owner shall provide an updated Functional Traffic Design Study and updated Transportation Demand Management Plan to the satisfaction of the Director of Engineering or their delegate.	
e)	The City and the TRCA are satisfied with the arrangements made to implement the proposed stormwater management strategy.	
f)	The City is satisfied that adequate water, sanitary, storm sewer and stormwater management facilities are in place to service the subject lands.	

Read and first, second and third time and passed on June 12, 2024.

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor



**EXPLANATORY NOTE**

**BY-LAW 2024-116**

**A By-law to amend By-law 2024-19, as amended**

**White Owl Properties Limited**

**Property Legal Description**

**405-505 Miller Avenue**

**PLAN 23 150318**

**Lands Affected**

The proposed by-law amendment applies to a 29.24 ha (72.69 ac) parcel of land located on the east side of Woodbine Avenue and north of 14<sup>th</sup> Avenue.

**Existing Zoning**

The subject lands are zoned Employment – General Employment (EMP-GE), Employment-Service Employment (EMP-SE) and, Commercial (COM) under By-law 2024-19, as amended.

**Purpose and Effect**

The purpose and effect of this By-law is to rezone the subject lands with appropriate Hold provisions to implement site specific development standards to permit a commercial/employment development. The applicable Hold provisions shall be removed through application, once the conditions of the Hold provisions have been met, to the satisfaction of the City and any applicable external agencies.