



BY-LAW 2024-115

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

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

1. That By-law 177-96, as amended, is hereby further amended as it applies to the lands outlined on Schedule 'A' as follows:
2. By deleting Section 7.336;
3. By adding the following to Section 7.337.1:
 - d) *Industrial uses*
4. By adding the following to Section 7.340.1:
 - p) *Industrial uses*
5. By deleting Section 7.340.4;
6. By rezoning the lands outlined on Schedule 'A' attached hereto

from:

**Business Corridor Exception *336*337 (HOLD) (BC*336*337(H));
 Business Corridor Exception *338 (HOLD) (BC*338(H));
 General Industrial *341 (HOLD) (GI*341(H)); and
 Major Commercial *336*340(HOLD) (MJC*336*340(H));**

to:

**Business Corridor Exception *337*770 (HOLD) (BC*337*770(H));
 Business Corridor Exception *338*770 (HOLD) (BC*338*770(H));
 General Industrial *341*774 (HOLD) (GI*341*774(H)); and
 Major Commercial *340*775 (HOLD) (MJC*340*775(H)).**

7. By adding the following subsections to Section 7 – EXCEPTIONS:

Exception 7.770	White Owl properties 405 Miler Avenue	Parent Zone BC
File PLAN 23.150318		Amending By-law 2024-115
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *770 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.770.1 Special Zone Standards		
The following special zone standards shall apply:		
a)	<i>Industrial uses</i> shall provide parking at a rate of 2 <i>parking spaces</i> per premises, plus 1 <i>parking space</i> for every 200 square metres of <i>gross floor area</i> .	

b)	Maximum <i>front yard</i> – not applicable
c)	Maximum depth of <i>parking area</i> in a <i>front yard</i> and <i>exterior side yard</i> – not applicable
d)	Maximum <i>setback</i> from Woodbine Ave 30 metres
e)	Minimum <i>height</i> – not applicable

Exception 7.774	White Owl properties 405 Miler Avenue	Parent Zone GI
File PLAN 23.150318		Amending By-law 2024-115
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *774 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.774.1 Special Zone Standards		
The following special zone standards shall apply:		
a)	<i>Industrial uses</i> shall provide parking at a rate of 2 <i>parking spaces</i> per premises, plus 1 <i>parking space</i> for every 200 square metres of <i>gross floor area</i> .	
b)	Maximum <i>floor space index</i> – not applicable	
c)	Maximum <i>height</i> – 21 metres	

Exception 7.775	White Owl properties 405 Miler Avenue	Parent Zone MJC
File PLAN 23.150318		Amending By-law 2024-115
Notwithstanding any other provisions of this By-law, the following provisions shall apply to the land denoted by the symbol *775 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.775.1 Special Zone Standards		
The following special zone standards shall apply:		
a)	<i>Industrial uses</i> shall provide parking at a rate of 2 <i>parking spaces</i> per premises, plus 1 <i>parking space</i> for every 200 square metres of <i>gross floor area</i> .	
b)	Maximum <i>front yard</i> or <i>exterior side yard</i> – not applicable	
c)	Minimum width of <i>landscaping</i> adjacent to <i>interior side lot line</i> and <i>rear lot line</i> – not applicable	
d)	Minimum <i>landscaped open space</i> – not applicable	
e)	Maximum <i>height</i> – 21 metres	
f)	Maximum <i>setback</i> from Woodbine Ave – 30 metres	

8. HOLDING PROVISION

5.1 For the purpose of this By-law, a Holding (H) provision is hereby established on lands zoned BC*337*770(H), BC*338*770(H), GI*341*774(H), and MJC*340*775 as identified on Schedule 'A' attached hereto by the letter (H) in parenthesis following the zoning symbols.

5.2 No person shall hereafter erect or alter any building or structure on lands subject to the Holding (H) provision

for the purpose permitted under this By-law until amendment(s) to this By-law to remove the letter (H) have come into effect pursuant to the provisions of Section 36 of the *Planning Act*.

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

- a) A Plan of Subdivision has been draft approved and the related subdivision agreement between the landowner and the City has been executed;
- b) 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;
- c) 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;
- d) The City and the TRCA are satisfied with the arrangements made to implement the proposed stormwater management strategy;
- e) The City is satisfied that adequate water, sanitary, storm sewer and stormwater management facilities are in place to service the subject lands; and,
- f) Any real or potential off-site contamination has been addressed to the satisfaction of the Ministry of Environment.

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

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



EXPLANATORY NOTE

BY-LAW 2024-115

A By-law to amend By-law 177-96, 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 14th Avenue.

Existing Zoning

The subject lands are zoned Major Commercial Area *336*340 (Hold) [MJC*336*340 (H)], Business Corridor *336*337 (Hold) [BC*336*337(H)], Business Corridor *338 (Hold) [BC*338(H)], and General Industrial *341 (Hold) [GI*341(H)] under By-law 177-96, as amended.

Purpose and Effect

The purpose and effect of this By-law is to rezone the subject lands to implement site specific development standards to permit a commercial/industrial development.