

EXPLANATORY NOTE

BY-LAW NO. 2011-242

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

8200 Warden Avenue
Part Lot 9, Concession 4

The IBM Software Development Facility is situated on the north side of the Rouge River, west of Warden Avenue. A portion of the parking for the facility is provided in a temporary surface parking lot on the opposite side of the river. The long term plan is to construct the second phase of the software development facility on the lands occupied by the temporary parking lot and replace the surface parking lot with a parking structure.

The temporary parking lot is permitted by a temporary use by-law, which has expired.

IBM is not proceeding at this time with the second phase of the software development facility and has submitted a zoning application to extend the temporary use by-law for a further 3 years.

The purpose of the attached by-law is to extend the temporary use by-law permitting the temporary parking lot for 3 years.



BY-LAW 2011-242

A By-law to amend By-law 304-87, as amended, being a by-law to regulate the temporary use of land to permit a parking lot in a defined location in the Town of Markham

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

1. By-law 304-87, as amended, be and the same is hereby further amended as follows:
 - 1.1 Notwithstanding the list of permitted uses in Section 6.1, the following use shall also be permitted on the lands outlined on Schedule "A" attached hereto:

- PARKING LOT
 - 1.2 Notwithstanding any other provisions of By-law 304-87, as amended, the following provision shall apply to the lands outlined on Schedule "A" hereto:

No building, parking structure or paved surface of any kind shall be permitted within 10 metres of the limit of development along the Rouge River, as defined by the Toronto and Region Conservation Authority. Lands within the 10 metres setback shall only be used for the planting of trees, shrubs and other plant material intended to provide protection to the valleylands and may also provide walking pathways for passive recreational uses.
2. All other provisions of By-law 304-87, as amended, not inconsistent with the provisions of this by-law shall continue to apply.
3. This by-law shall expire three (3) years from the date of its passing by the Council of the Corporation of the Town of Markham, in accordance with the provisions of Section 39 of the Planning Act, (R.S.O. 1990)
4. By-law 2006-129 is hereby repealed.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
13TH DAY OF DECEMBER, 2011.


KIMBERLEY KITTERINGHAM
TOWN CLERK


FRANK SCARPITTI
MAYOR

