



## **EXPLANATORY NOTE**

### **BY-LAW 2011-171**

A By-law to amend By-law 1229, as amended

**Seven Star Plaza Inc.**

**8495 McCowan Road, 5261 and 5293 Highway 7 East**

### **LANDS AFFECTED**

This By-law amendment applies to a 0.30 hectares (0.74 acres) site, located property at 8495 McCowan Road, and a 0.41 hectares (1.72 acres) site located at 5761 Highway 7 East. The properties are located on the east side of McCowan Road, south of Highway 7 East and north of Southdale Road.

These properties share access and parking with the 5293 Highway 7 East, which contains a mixed use/commercial retail building with grade related retail and second story business offices, including medical uses.

### **EXISTING ZONING**

The lands at 8495 McCowan Road are presently zoned Residential (R1) by By-law 1229, as amended.

The lands at 5261 Highway 7 and 5293 Highway 7, are presently zoned Commercial One (C1) by By-law 1229, as amended.

### **PURPOSE AND EFFECT**

The purpose and effect of the by-law amendment is to rezone the lands at 8495 McCowan Road from Residential One (R1) to Commercial One (C1) within the designated area of By-law 1229, as amended, consistent with the zoning on the lands at 5261 Highway 7 and 5293 Highway 7.

This By-law provides for a range of commercial uses and establishes development standards for the properties.

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## By-law 2011-171

A by-law to amend Zoning By-law 1229, as amended

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

1. THAT By-law 1229, as amended, is hereby further amended as follows:

1.1 By rezoning the lands within the designated area of this by-law as outlined on Schedule 'A' hereto from Residential One (R1) to General Commercial (C1) Zone.

1.2 By adding the following to Section 12 – EXCEPTIONS, the following:

“12.31 Notwithstanding any other provisions of By-law 1229, the provisions in this Section shall apply to those lands subject to By-law 2011 – 171 as shown on Schedule 'A' attached hereto. All other provisions of By-law 1229, as amended, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

### 12.31.1 ONLY USES PERMITTED

The following uses are the only uses permitted:

- a) *Bake Shops*
- b) *Banks and Financial Institutions*
- c) *Business and Professional offices*
- d) *Medical Offices*
- e) *Medical Laboratories*
- f) *Personal Service Shops*
- g) *Restaurants*
- h) *Restaurant – Take-Out*
- i) *Retail Stores*
- j) *Service Shops*

### 12.31.2 ZONE STANDARDS

The following additional specific zone standards apply:

- a) *Maximum Height* within 60 metres of the front lot line – 10 metres
- b) *Maximum Height* within 40 metres of the rear lot line – 9.5 metres
- c) *Maximum Lot Coverage* – 31 percent
- d) *Maximum Gross Floor Area* – 4,823 square metres
- e) *Minimum Rear Yard* – 5.5 metres
- f) *Minimum Front Yard* – 2.0 metres
- g) *Minimum Exterior Side Yard* – 3.0 metres
- h) *Minimum Interior Side Yard* – 10.5 metres

12.31.3 SPECIAL PARKING PROVISIONS

The following parking provisions apply:

- a) Minimum number of required parking spaces  
– 231


12.31.4 SPECIAL SITE PROVISIONS

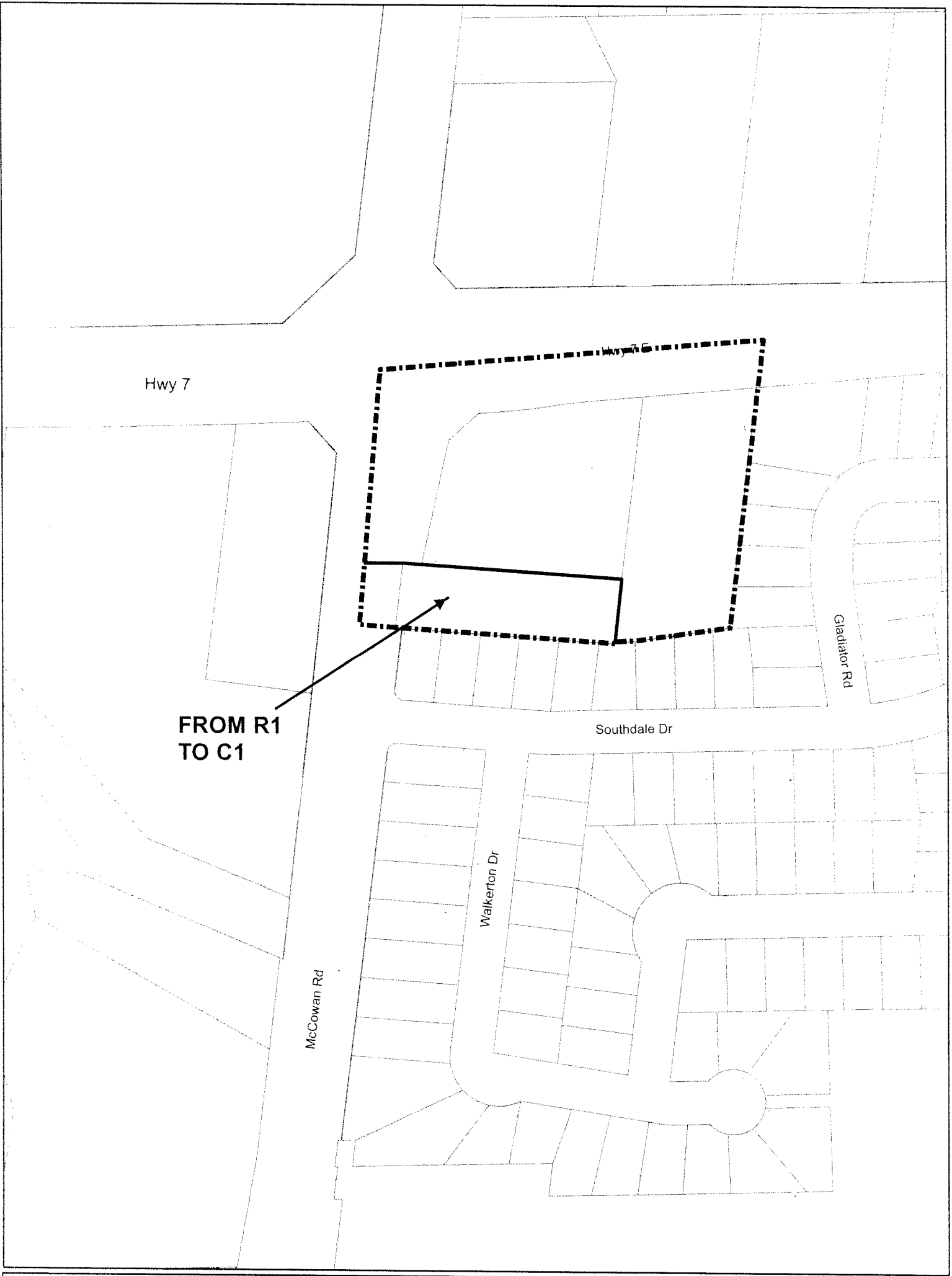
The following additional provisions apply:

- a) Notwithstanding any further division or partition on lands subject to this Section, all lands zoned Commercial One (C1) shall be deemed to be one lot for the purposes of this By-law.
  - b) The north property line, abutting Highway 7 East is deemed to be the front lot line.
  - c) Maximum loading spaces – 1
  - d) *Bake Shops, Restaurants and Restaurants – Take Out* shall be limited to a building located within 60 metres of the Highway 7 East street line and within 60 metres of the McCowan Road street line.
  - e) Unenclosed platforms and associated steps may project a maximum of 1.2 metres into a required yard.
2. All other provisions of By-law 1229, as amended, not inconsistent with the provisions of this By-law shall continue to apply.


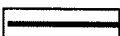

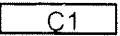
READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS  
28<sup>th</sup> DAY OF JUNE 2011.

  
KIMBERLEY KITTINGHAM  
TOWN CLERK

  
FRANK SCARPITTI  
MAYOR


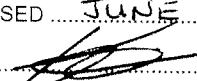


BY-LAW SCHEDULE " A " TO AMEND BY-LAW 1229

-  BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
-  BOUNDARY OF ZONE DESIGNATION(S)
-  R1 RESIDENTIAL
-  C1 GENERAL COMMERCIAL



BY-LAW AMENDMENT No. 2011-171 PASSED JUNE 28, 2011

 (MAYOR)  (CLERK)