

EXPLANATORY NOTE

BY-LAW NO. 2010-190

A By-law to amend By-law 2004-196, as amended

St. Maurice and St. Verena Coptic Orthodox Church
1050 Rodick Road (northwest corner of Highway 7 and Rodick Road)

LANDS AFFECTED

This by-law applies to a vacant 1.2 hectare (3 acre) property located at the northwest corner of Highway 7 and Rodick Road.

EXISTING ZONING

The subject property is zoned “Select Industrial and Limited Commercial” [M.C.(150%)] by By-law 165-80, as amended. This zoning permits industrial and office uses.

PURPOSE AND EFFECT

The purpose and effect of this by-law is to incorporate the subject property into the designated area of By-law 2004-196, zone it “Markham Centre – Downtown Two” (MC-D2) and incorporate site specific development standards in order to permit the property to be developed with a place of worship.



BY-LAW 2010-190

A by-law to amend the Markham Centre
Zoning By-law 2004-196, as amended

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

1. Zoning By-law 2004-196, as amended, be and the same is hereby further amended as follows:
 - 1.1 By expanding the designated area of By-law 2004-196, as amended, to include those lands comprising Part of Lot 11, Concession 4, as more particularly outlined on Schedule 'A' hereto.
 - 1.2 By zoning the lands:

Markham Centre Downtown Two *15
- MC-D2*15
as shown on Schedule 'G1' attached hereto.
 - 1.3 By amending Section 1.2 of By-law 2004-196, as amended, by deleting the words "Schedules A1 to A4, B1 to B4, C1 to C4, D1 to D4, E1 to E4 and F1 to F4" and replacing them with the words "Schedules A1 to A4, B1 to B4, C1 to C4, D1 to D4, E1 to E4, F1 to F4 and G1 to G4."
 - 1.4 By amending Section 2.2 of By-law 2004-196, as amended, by deleting the words "Schedules A1, B1, C1, D1, E1 and F1" and replacing them with the words "Schedules A1, B1, C1, D1, E1, F1 and G1."
 - 1.5 By adding the following new subsection to **Section 6 – Exceptions** to By-law 2004-196:

6.15 Special Provisions – Place of Worship at north-west corner of Highway 7 and Rodick Road.

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *15 (Exception 15) 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.

6.15.1 Special Use Provisions

The following uses are the only uses permitted:

- One (1) place of worship, including the following accessory uses:
 - one (1) *accessory dwelling unit*
 - banquet halls
 - day nurseries
 - community centres
 - private schools

6.15.2 Special Site Provisions

The following additional provisions apply:

- a) Special Provisions (2) and (7) to Table A1 shall not apply.
- b) Minimum width of *landscaping* area adjacent to *public streets*:
 - adjacent to Highway 7 – 9 metres
 - adjacent to Rodick Road - 6 metresAccess ramps shall be permitted to cross the *landscaping* provided the access ramps are more or less perpendicular to the *streetline*. Buildings may encroach into the *landscaping* provided they meet the setback requirements of this by-law. Any portions of buildings which contain a *private garage* may not encroach into the *landscaping*.
- c) Minimum width of *landscaping* area adjacent to the north *lot line* – 3 metres.

6.15.3 Special Parking Provisions


The following special parking provisions shall apply:

- a) Notwithstanding the provisions of Section 4.14.1, 300 *parking spaces* shall be required for a *place of worship*, provided that:
 - i) The *worship area capacity* is less than 801 persons; and
 - ii) The *net floor area* of the *place of worship*, including any accessory uses, is less than 5500 square metres.
- b) Section 4.14.8 shall not apply.
- c) Required *parking spaces* may be located on another *lot* provided the *parking spaces* are not more than 200 metres from the lands.

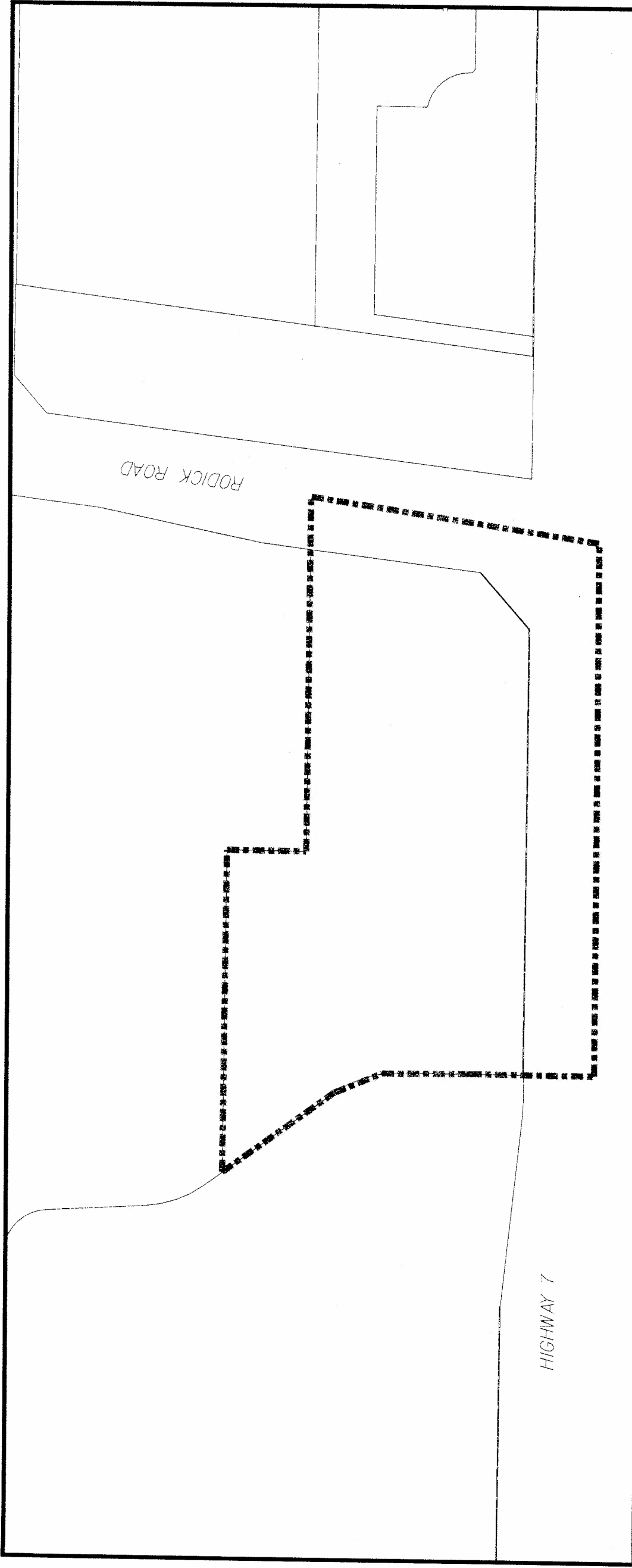
1.6 By adding the following schedules to By-law 2004-196, as amended Schedule G1, G2, G3 and G4.

2. All other provisions of By-law 2004-196, 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
21ST DAY OF SEPTEMBER, 2010.


KIMBERLEY KITTINGHAM
TOWN CLERK


FRANK SCARPITTI
MAYOR



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 2004-196

THIS IS SCHEDULE 'A' TO BY-LAW 2010-190
PASSED THIS 21ST DAY OF SEPT., 2010

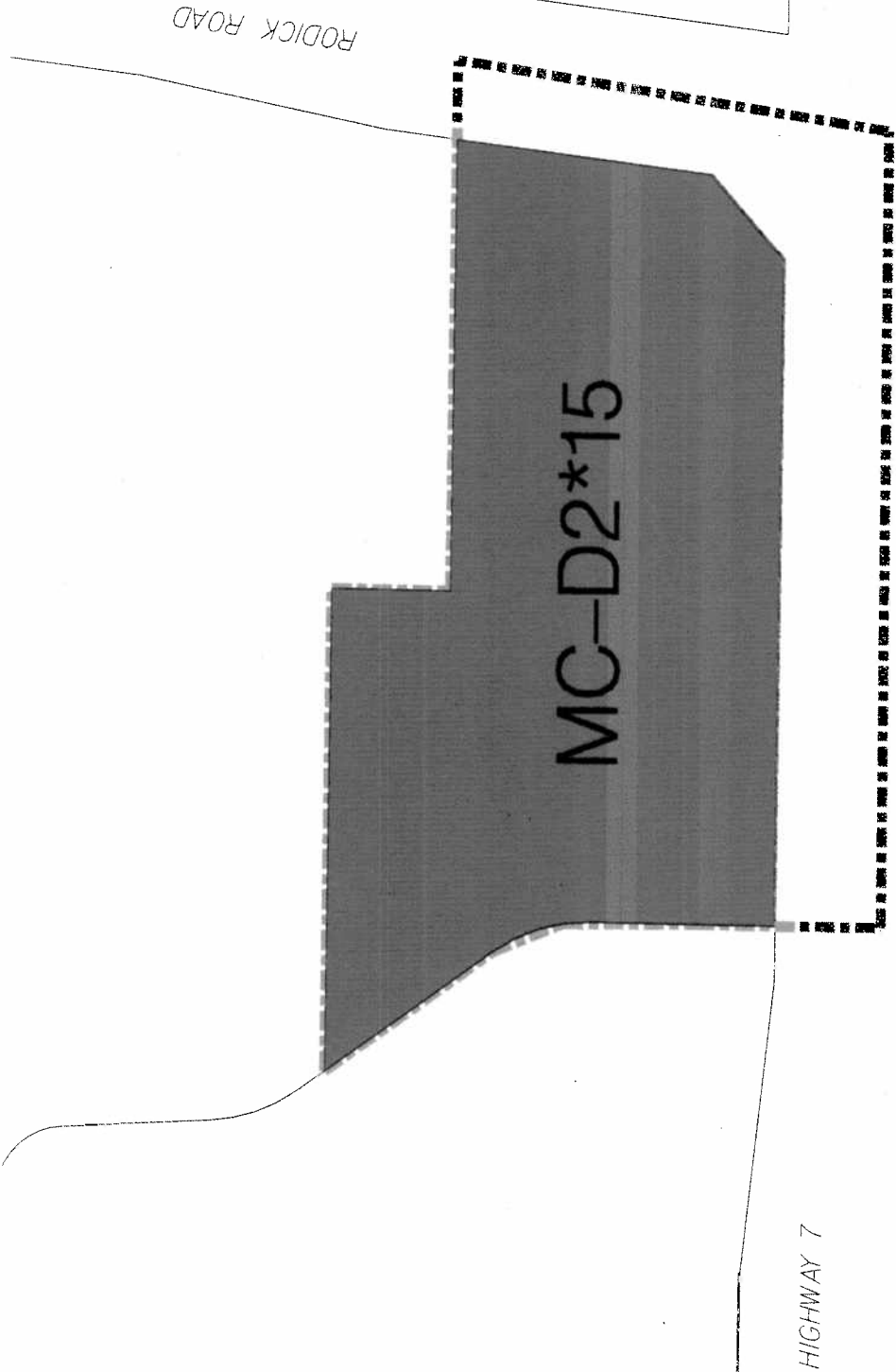
John S. ... MAYOR
[Signature] CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW

NOTE: 1) DIMENSIONS ARE IN METRES
2) REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK

SCALE 1:

Schedule G1
Location of Zones



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 2004-196

THIS IS SCHEDULE 'G1' TO BY-LAW 2004-196

PASSED THIS 21ST DAY SEPT, 2010

Pat Smyth MAYOR

[Signature] CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW

MC-D2 ZONE

*

REFER TO SECTION 6 OF THE BY-LAW

NOTE: REFERENCE SHOULD BE MADE TO
THE ORIGINAL BY-LAW LODGED IN
THE OFFICE OF THE CLERK



Schedule G2
Permitted net floor
area & dwelling
units.

Number on Schedule G2	Maximum Net Floor Area (M2) non-residential	Maximum Number of Dwelling Units
1	5500	1

RODICK ROAD

1

HIGHWAY 7



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 2004-196

THIS IS SCHEDULE 'G2' TO BY-LAW 2010-190

PASSED THIS 21ST DAY SEPT, 2010

Paul Sanyal MAYOR
CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW

NOTE: REFERENCE SHOULD BE MADE TO
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THE OFFICE OF THE CLERK



Schedule G3
Minimum
& Maximum
Building Heights

RODICK ROAD

HIGHWAY 7



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 2004-196



THIS IS SCHEDULE 'G3' TO BY-LAW 2004-196

PASSED THIS 21ST DAY OF SEPT, 2010

John S. Smith MAYOR

..... CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW

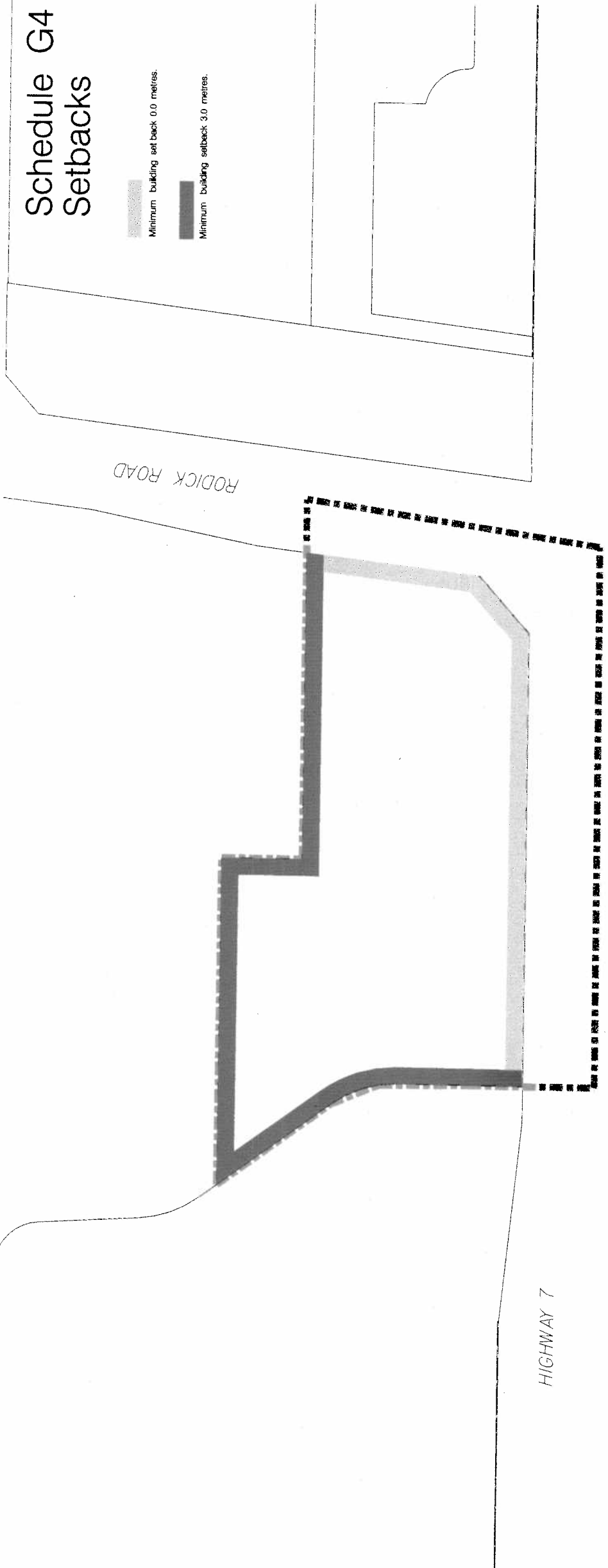


MAX. 35.0 m



NOTE: REFERENCE SHOULD BE MADE TO
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THE OFFICE OF THE CLERK





Schedule G4
Setbacks

- Minimum building setback 0.0 metres.
- Minimum building setback 3.0 metres.



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 2004-196

THIS IS SCHEDULE 'G4' TO BY-LAW 2010-190

PASSED THIS 21ST DAY SEPT, 2010

Pat Sayin MAYOR

[Signature] CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW

NOTE: REFERENCE SHOULD BE MADE TO
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THE OFFICE OF THE CLERK

