

EXPLANATORY NOTE

TO BY-LAW 2008-266

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

U486 Builders Incorporated

LANDS AFFECTED

The proposed by-law amendment applies to approximately a 1.29 ha (3.19 acres) site located on the east side of Markham Road, north of Kirkham Drive, municipally known as 7635 Markham Road.

EXISTING ZONING

The lands subject to this by-law are presently zoned Major Commercial [MJC*248 (H)] under By-law 177-96, as amended.

The applicable conditions for the removal of the Holding Provision have been met, to the satisfaction of the Town. These conditions include:

- a) Execution of a subdivision agreement, development agreement and/or site plan agreement;
- b) Adequate water, sanitary sewer and stormwater management facilities are available to service the subject lands;
- c) The lands proposed to be released for development can be adequately served by the existing and committed transportation network without adverse impact on the road system or to other committed development; and
- d) A Development Charges By-law applicable to the lands within the Secondary Plan Area has been adopted, or the Town Solicitor has confirmed a satisfactory arrangement for the payment to the Town by the landowner(s), without recourse, of an amount equal to the applicable development charges has been made.
- e) An agreement in regarding phasing of development within the plan of subdivision has been executed.
- f) A site plan agreement indicating the location of the automobile tire sales and repair, propane dispensing facility and outdoor display and sales uses permitted in Exception *252, has been executed.

The site plan agreement was executed on November 25, 2008.

PURPOSE

The purpose of this By-law is to remove the Holding Zone on the subject lands.

EFFECT OF BY-LAW

The effect of this By-law is to remove the Holding Zone, to permit the construction of a new 2,186.15 m² (23,531.52 sq ft) retail-commercial building.



BY-LAW 2008-266

A by-law to amend Zoning By-law 177-96, as amended
(To remove a Holding (H) zoning provision)

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

1. By-law 177-96, as amended, is hereby further amended as follows:
 - 1.1 By rezoning the lands outlined on Schedule 'A' hereto from:

Major Commercial (Hold) [MJC*248(H)] to
Major Commercial (MJC*248)
2. All other provisions of By-law 177-96, 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
16TH DAY OF DECEMBER, 2008.

KIMBERLEY KITTINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

MARKHAM ROAD

FROM MJC*248(H)
TO MJC*248

KIRKHAM DRIVE

NEW DELHI DRIVE



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 177-96



BOUNDARY OF AREA COVERED BY THIS BY-LAW
ZONE BOUNDARY

MJC MAJOR COMMERCIAL

(H) HOLDING PROVISION

*No. EXCEPTION SECTION NUMBER

THIS IS SCHEDULE 'A' TO BY-LAW2008-266
PASSED THIS 16TH ... DAY ... DEC., 2008

Paul Scarpitta MAYOR

[Signature] CLERK

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: NTS