

EXPLANATORY NOTE

BY-LAW 2008-202

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

Dougson Investment Inc. (Village Nissan)
South side of South Unionville Avenue, east of Kennedy Road
South Unionville Planning District

LANDS AFFECTED

The by-law applies to 1.1 ha (2.7 ac) of land, located on the south side of South Unionville Avenue, east of Kennedy Road.

EXISTING ZONING

The lands subject to this By-law are presently zoned Rural Residential One (RR1) by By-law 304-87, as amended.

PURPOSE AND EFFECT

The purpose and effect of this by-law is to incorporate the lands into By-law 177-96, as amended, zone them “Community Amenity,” and permit an automobile sales establishment by site specific exception to the by-law.

The effect of this by-law is to permit the lands to be developed with one automobile dealership for Dougson Investments Inc. (Village Nissan).



BY-LAW 2008-202

A by-law to amend Urban Expansion Area
Zoning By-law 177-96, as amended

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 expanding the designated area of By-law 177-96, as amended, to include those lands comprising part of Lot 8, Concession 6, as outlined on Schedule 'A', attached hereto.
 - 1.2 By zoning the lands:

Community Amenity Area One (Hold) [CA1*364(H)]

as outlined on Schedule "A" herein.
 - 1.3 By adding the following new subsections to Section 7 – EXCEPTIONS, to By-law 177-96:
 - "7.364 Dougson Investments Inc. (Village Nissan)
South side of South Unionville Avenue, east of
Kennedy Road**

Notwithstanding any other provisions of this By-law, the provisions of this section shall apply to those lands denoted by the symbol *364 on the Schedules of this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.
 - 7.364.1 Additional Permitted Uses
 - a) one (1) *motor vehicle sales establishment*
 - b) a maximum of 4 vehicles on display associated with the *motor vehicle sales establishment*
 - 7.364.2 Prohibited Uses

The following uses are prohibited:

 - a) autobody paint and repair.
 - 7.364.3 Zone Standards – *Motor Vehicle Sales Establishments*
 - a) Minimum required *front yard* – 0 metres
 - b) Maximum permitted *front yard* – 6 metres
 - c) Minimum required *side yard* – 6 metres
 - d) Minimum required *rear yard* – 50 metres
 - e) Minimum required *building height* – 5.8 metres
 - f) Maximum permitted *building height* – 14 metres
 - g) Minimum required *landscaped open space*:

- Adjoining the easterlyeasterly *side lot line* - 4 metres
- Adjoining an *interior side lot line* – 3 metres
- Adjoining a *rear lot line* – 6 metres
- Adjoining the *front lot line*- 3 metres

For the purposes of this section, the *lot line* dividing the lands from South Unionville Avenue shall be considered the *front lot line*.

7.364.4 Special Site Provisions – ***Motor Vehicle Sales Establishments***

The following additional site provisions apply:

- a) Access ramps and driveways may encroach into the required *landscaped open space* provided they are more or less perpendicular to the *street line*.
- b) The *main building* may encroach into the required *landscaped open space* adjoining the *front lot line*.
- c) *Loading space(s)* shall not be required.
- d) Any vehicles on display shall not encroach into the required *landscaped open space*, and cannot be located between the building face and *street line*.

1.4 HOLDING PROVISIONS

For the purposes of this By-law, a Holding (H) Zones is hereby established and is identified on Schedule 'A' attached hereto by the zone symbol followed by the letter H, in parenthesis.


1.4.1 The Holding (H) provision shall not be removed until the following condition has been met:

- a) The rights-of-way of the section of South Unionville Avenue adjoining the north boundary of the lands and the north-south local road adjoining the east boundary of the lands have been conveyed to the Town and arrangements satisfactory to the Town have been made for the construction of these roads.
- b) A site plan agreement has been executed to the satisfaction of the Town.

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
9TH DAY OF SEPTEMBER, 2008.


KIMBERLEY KITTINGHAM
TOWN CLERK


FRANK SCARPITTI
MAYOR



DEVELOPMENT SERVICES COMMISSION

THIS IS SCHEDULE 'A' TO BY-LAW 2008-202
PASSED THIS 9TH DAY SEPT. 2008

Frank Sargis MAYOR

[Signature] CLERK

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

BOUNDARY OF AREA COVERED BY THIS BY-LAW



☐ RR1 RURAL RESIDENTIAL ONE
☐ (H) HOLDING PROVISION

☐ CA1 COMMUNITY AMENITY ONE
☒ *No. EXCEPTION SECTION NUMBER

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: 2500