

EXPLANATORY NOTE

TO BY-LAW 2008-146

A by-law to amend Zoning By-law 108-81, as amended.

Alderland Group

Plan M1738, Lot 3, municipally known as 201 Hood Road

LANDS AFFECTED

This by-law amendment applies to a 0.96 hectare (2.4 acres) property, municipally known as 201 Hood Road, located north of Steeles Avenue, on the west side of Warden Avenue.

EXISTING ZONING

The lands are zoned Select Industrial and Limited Commercial (60%) (Hold) - [MC(60%)(H)] by By-law 108-81, as amended.

PURPOSE AND EFFECT OF BY-LAW

The purpose and effect of the zoning by-law amendment is to rezone the lands to Hold - Business Corridor [(H)BC], to permit four buildings containing offices, restaurants, retail and other commercial uses.



BY-LAW 2008-146

A by-law to amend Zoning By-law 108-81, as amended

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

1. That By-law 108-81, as amended, be and the same is hereby further amended as follows:
 - 1.1 By zoning the lands identified on Schedule 'A' attached hereto from Select Industrial and Limited Commercial (60%)-Hold [MC (60%)(H)] to Hold - Business Corridor [(H)BC].
 - 1.2 By adding to Section 8-Exceptions, the following new subsection:
 - 8.91 Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to Plan M1738, Lot 3, municipally known as 201 Hood Road, as shown on Schedules 'A' and 'B' attached to By-law 2008-146. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

"8.91 Permitted Uses

Only the following uses are permitted:

- a) Banks and Financial Institutions
- b) Offices
- c) COMMERCIAL SCHOOLS
- d) HEALTH CENTRES
- e) CLINICS
- f) PERSONAL SERVICE SHOPS
- g) RESTAURANTS and FAST FOOD RESTAURANTS
- h) RETAIL STORES

8.91.1 Special Site Provisions

The following additional provisions shall apply:

- a) The combined GROSS FLOOR AREA devoted to all RESTAURANTS and FAST FOOD RESTAURANTS shall not exceed 20% of the total GROSS FLOOR AREA of all BUILDINGS;
- b) The combined maximum GROSS FLOOR AREA devoted to all RESTAURANTS and FAST FOOD RESTAURANTS shall be 1,240 m²;

- c) The combined GROSS FLOOR AREA devoted to all business and professional offices, banks and financial institutions shall not be less than 20% of the total GROSS FLOOR AREA of all BUILDINGS;
- d) The combined minimum GROSS FLOOR AREA devoted to all business and professional offices, banks and financial institutions shall be 1,240 m²;
- e) The combined GROSS FLOOR AREA devoted to all RETAIL STORES and PERSONAL SERVICE SHOPS shall not exceed 45% of the total GROSS FLOOR AREA of all BUILDINGS;
- f) The combined maximum GROSS FLOOR AREA devoted to all RETAIL STORES and PERSONAL SERVICE SHOPS shall be 2,790 m²;
- g) The combined GROSS FLOOR AREA devoted to all COMMERCIAL SCHOOLS, HEALTH CENTRES AND CLINICS shall not exceed 15% of the GROSS FLOOR AREA of all BUILDINGS;
- h) The combined maximum GROSS FLOOR AREA devoted to all COMMERCIAL SCHOOLS, HEALTH CENTRES AND CLINICS shall be 930 m²;
- i) The maximum GROSS FLOOR AREA of all BUILDINGS shall not exceed 6,200 m².

8.91.2 Zone Standards

The following specific zone standards shall apply:

- a) MINIMUM AND MAXIMUM YARDS for the Buildings as shown on Schedule 'B' attached hereto.

Building 1

- i) SETBACKS to Warden Avenue shall be in accordance with Detail 'A' on Schedule 'B'.
- ii) SETBACKS to the north property line shall be in accordance with Detail 'A' on Schedule 'B'.

Building 2

- i) Minimum SETBACK to Warden Avenue STREET LINE – 1.8m
- ii) Minimum SETBACK to Gibson Drive – 4.8m

Building 3

- i) Minimum SETBACK to Gibson Drive – 3m
- ii) Minimum SETBACK to Hood Road – 3m

Building 4

- i) Minimum SETBACK to Hood Road – 3m

- b) Encroachment of underground parking garage and structures

- i) Underground parking garage and structures shall be permitted to encroach a maximum of 1.8m into any required yard adjacent to Buildings 2, 3 and 4.

- ii) Underground parking garage and structures shall be permitted to encroach a maximum of 0.62m into the required north yard adjacent to Building 1.
- c)
 - i) Maximum HEIGHT of Building 2 – 30m
 - ii) Minimum HEIGHT of Building 2 – 22m
- d)
 - i) Maximum number of STOREYS of Building 2 – 5
 - ii) Minimum number of STOREYS of Building 2 – 4
- e) LANDSCAPING
 - i) Adjoining Gibson Drive and Hood Road, a strip of land having a minimum width of 3 m immediately abutting the STREET LINE shall be provided and maintained as LANDSCAPED OPEN SPACE.
 - ii) Adjoining Warden Avenue a strip of land having a minimum width of 1m immediately abutting the STREET LINE shall be provided and maintained as LANDSCAPED OPEN SPACE.

8.91.3 Special Parking Provisions

- a) Minimum number of PARKING SPACES – 333.
- b) Maximum number of surface PARKING SPACES – 92.”

1.3 Hold Provision

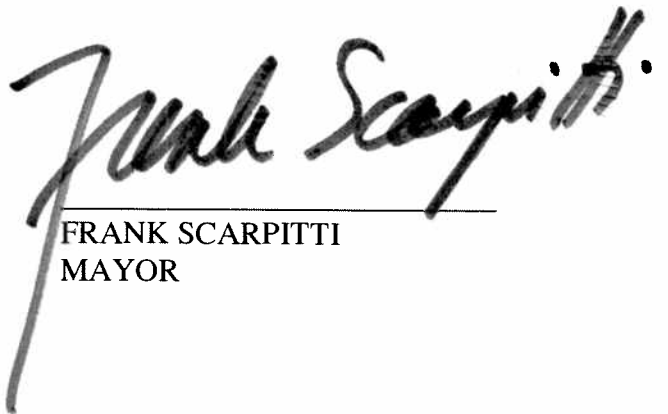
The Hold (H) provision on the lands subject of this By-law shall not be removed by the Town of Markham until the Owner has executed a site plan agreement containing provisions for required improvements to municipal services serving the area to the satisfaction of the Town.

- 2. All other provisions of By-law 108-81, 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
24TH DAY OF JUNE, 2008.



KIMBERLEY KITTINGHAM
DEPUTY CLERK



FRANK SCARPITTI
MAYOR



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 108-81

 BOUNDARY OF AREA COVERED BY THIS BY-LAW

☐ MC SELECT INDUSTRIAL AND LIMITED COMMERCIAL ☐ B.C. BUSINESS CORRIDOR
☐ (H) HOLDING PROVISION

THIS IS SCHEDULE 'A' TO BY-LAW 2008-146
PASSED THIS 24TH DAY June, 2008

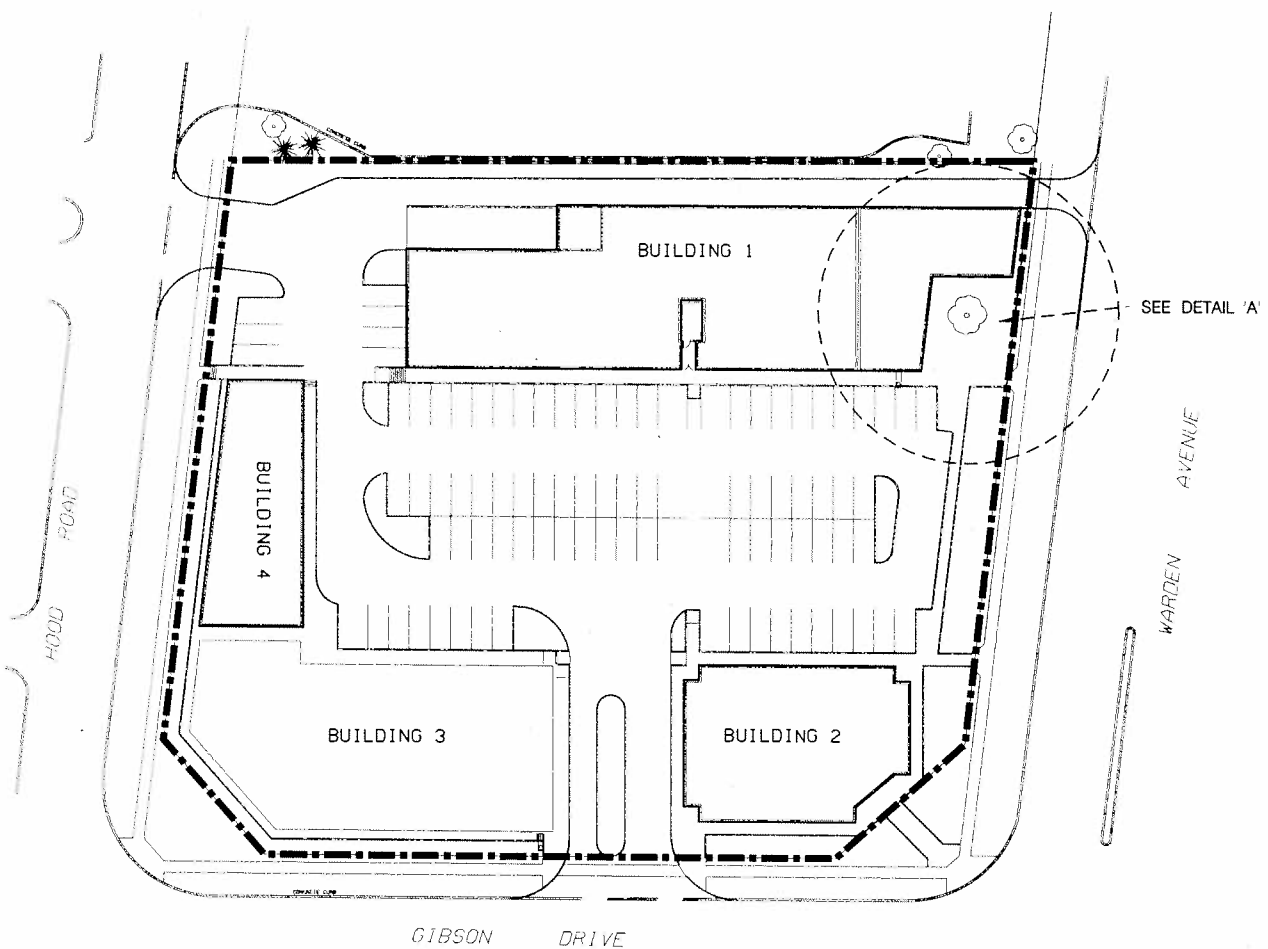
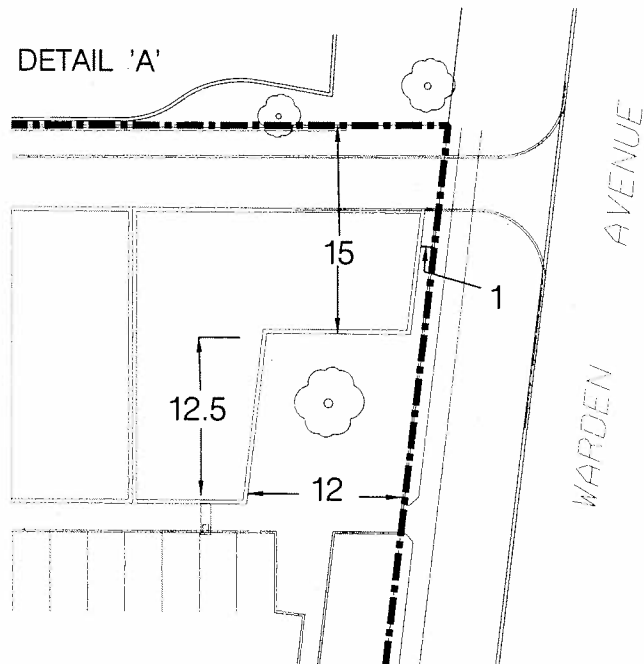
MAYOR

DEPUTY CLERK

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

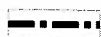
SCALE 1: 3000

DETAIL 'A'



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 108-81



BOUNDARY OF AREA COVERED BY THIS BY-LAW

THIS IS SCHEDULE 'B' TO BY-LAW 2008-146
PASSED THIS 24TH DAY JUNE, 2008

MAYOR

DEPUTY CLERK

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