

EXPLANATORY NOTE

BY-LAW 2007-287

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

Town of Markham
8100 Warden Avenue
Part of Lot 8, Concession 4

LANDS AFFECTED

The by-law applies to approximately 6 ha (15 ac) of lands located on the west side of Warden Avenue, north of Highway 407.

EXISTING ZONING

The lands subject to this by-law are presently zoned “Agriculture One” (A1) by By-law 304-87, as amended.

PURPOSE AND EFFECT

The purpose of this by-law is to incorporate the lands into the Markham Centre Zoning By-law No. 2004-196, as amended, and to zone them “Markham Centre Downtown One” (MC-D1). The effect of this by-law is to bring the zoning of the subject lands into conformity with the Markham Centre Secondary Plan (Official Plan Amendment No. 21). No new development is proposed.



BY-LAW 2007-287

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

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

1. THAT By-law 2004-196, as amended, is hereby further amended as follows:

1.1 By expanding the designated area of the By-law 2004-196 to include those lands comprising Part of Lot 8, Concession 4 as shown on Schedule 'A' attached hereto.

1.2 By zoning the lands:

- Markham Centre Downtown One (MC-D1)

as shown on Schedule 'A'.

1.3 By adding the following new subsection 6.7 (*7) to Section 6 – Exceptions:

“6.7 MC-D1 zoned lands on west side of Warden Avenue, north of Highway 407.

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *7 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

6.7.1 Additional permitted uses

The following additional uses are permitted:

- a) Industrial Uses, as follows:
 - i) warehousing of goods and materials
 - ii) assembly of manufactured goods
 - iii) repair and servicing of goods
 - iv) data processing centres and computer related functions, including related education/administration centres, and including related market research, analysis and service facilities and related supporting sales and including data and documentation processing centres and related marketing, sales and service and other supporting uses.
 - v) research laboratories.
 - vi) printing establishments.
 - vii) other industrial uses similar to the above uses.

6.7.2 Special Use Provisions

- a) Hydro electric and district heating facilities, including accessory outside storage, are permitted as public uses.

- b) The following uses are prohibited:
 - i) commercial "self storage" warehouses
 - ii) outdoor storage accessory to a permitted industrial use
 - iii) motor vehicle repair
 - iv) auto body repair
 - v) car washes

6.7.3 Special Parking Provisions

The following parking provisions apply:

- a) No parking shall be required for hydro electric and district heating facilities.
- b) Parking shall be required for industrial uses as follows:
 - i) net floor area of each premises up to 1,200 square metres – 1 parking space per 40 square metres or portion thereof of net floor area; and
 - ii) net floor area of each premises between 1,200 square metres and 6,000 square metres – 1 parking space per 100 square metres or portion thereof of net floor area.
 - iii) net floor of each premises in excess of 6,000 square metres – 1 parking space per 200 square metres or portion thereof of net floor area; and
- c) Parking may be located entirely in a surface lot as follows:
 - i) for uses within the existing building.
 - ii) for industrial uses within any addition to the existing building or within any new separate industrial building provided that the combined gross floor area of the existing building and the addition or new building does not exceed 18,500 m².

6.7.4 Special Site Provisions

The following additional provisions apply:

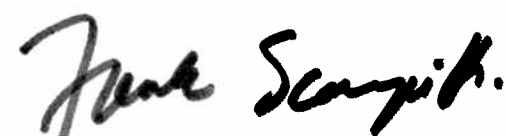
- a) Hydro electric and district heating facilities are exempt from the development standards of the by-law.
- b) No part of any outside storage area accessory to hydro electric and district heating facilities shall be located within 60 metres of the front lot line.

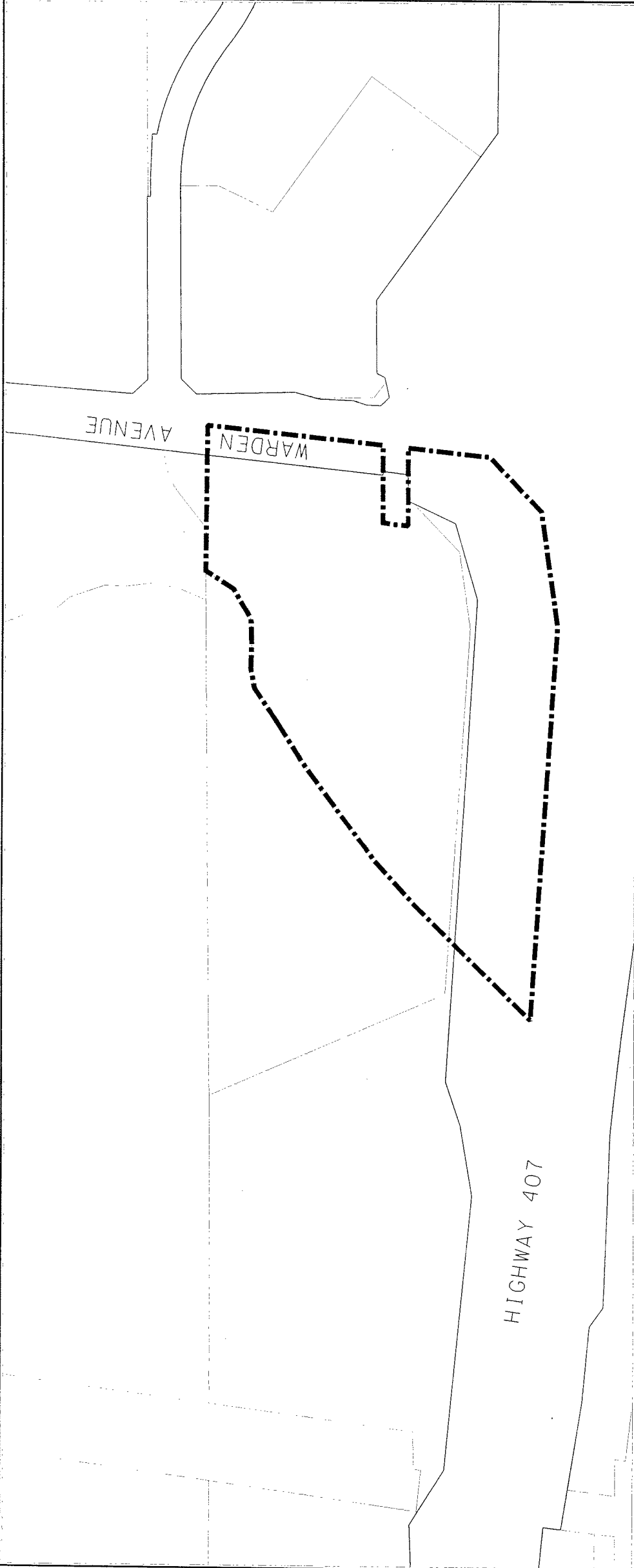
1.3 By incorporating Schedules D1, D2, D3 and D4 into the By-law.

- 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
11TH DAY OF DECEMBER, 2007.


SHEILA BIRRELL, TOWN CLERK


FRANK SCARPITTI, MAYOR



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW

2004-196

2007-287

THIS IS SCHEDULE 'A' TO BY-LAW
PASSED THIS 11TH DAY DEC., 2007

Paul Sanghi MAYOR

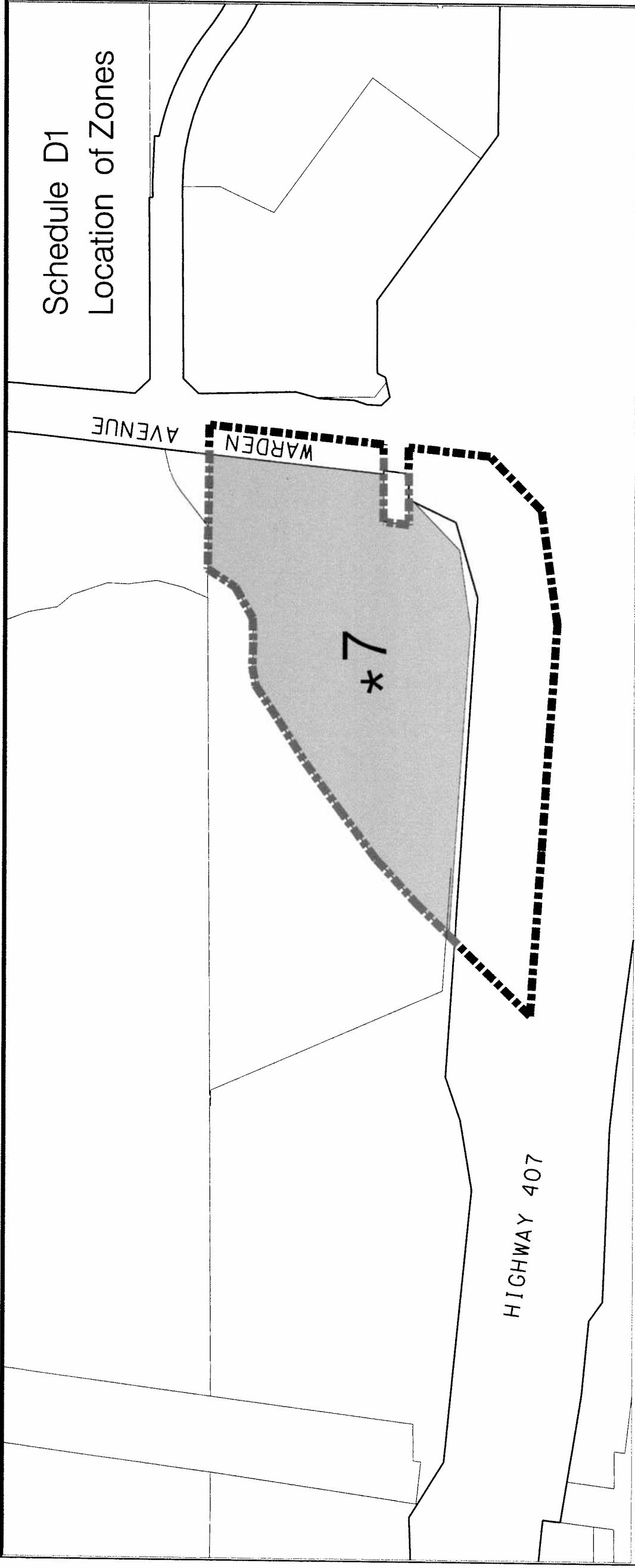
Philip Bussell CLERK

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: 6000



Schedule D1
Location of Zones



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

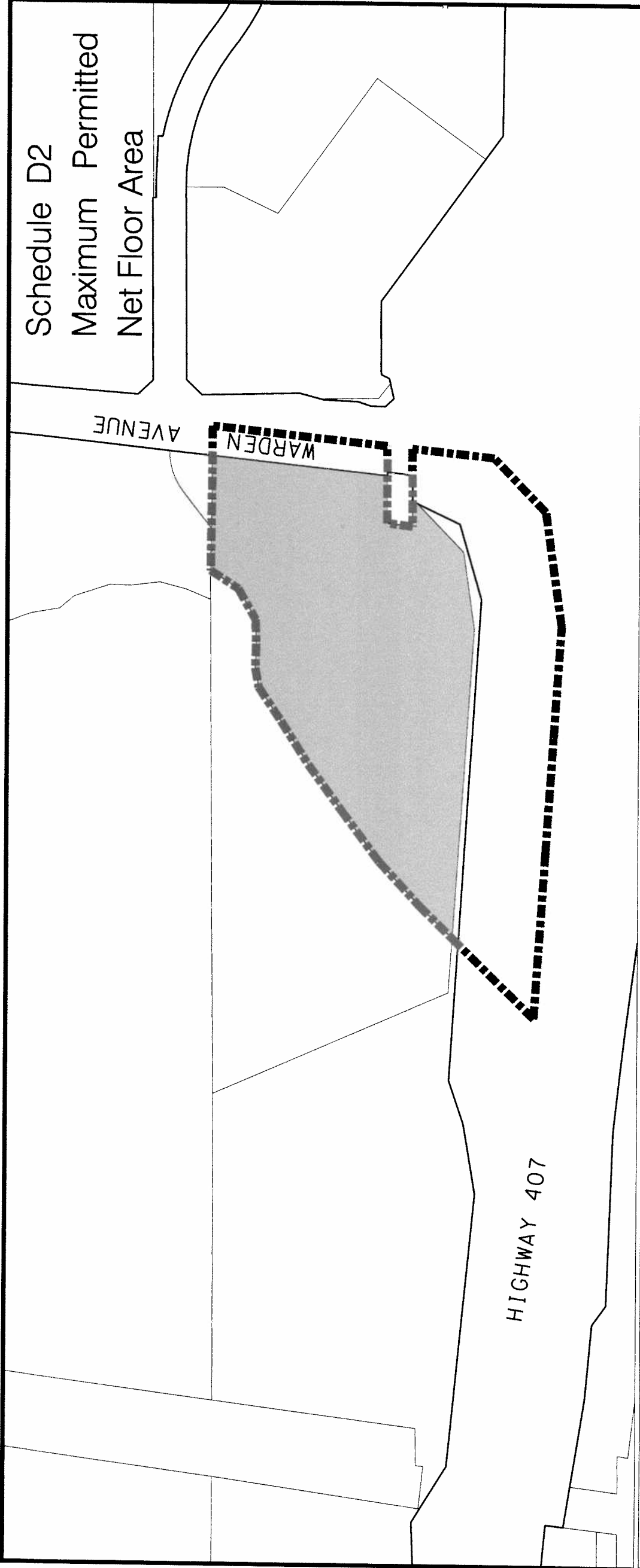


THIS IS SCHEDULE 'D1' TO BY-LAW 2007-287
PASSED THIS 41TH DAY OF FEBRUARY, 2007
Paul Sargent MAYOR
Debra Burdick CLERK

- BOUNDARY OF AREA COVERED BY THIS BY-LAW
- MC-D1 ZONE
- REFER TO SECTION 6.7 OF THE BY-LAW

NOTE: 1) DIMENSIONS ARE IN METRES
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THE OFFICE OF THE CLERK





Schedule D2
Maximum Permitted
Net Floor Area



DEVELOPMENT SERVICES COMMISSION

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

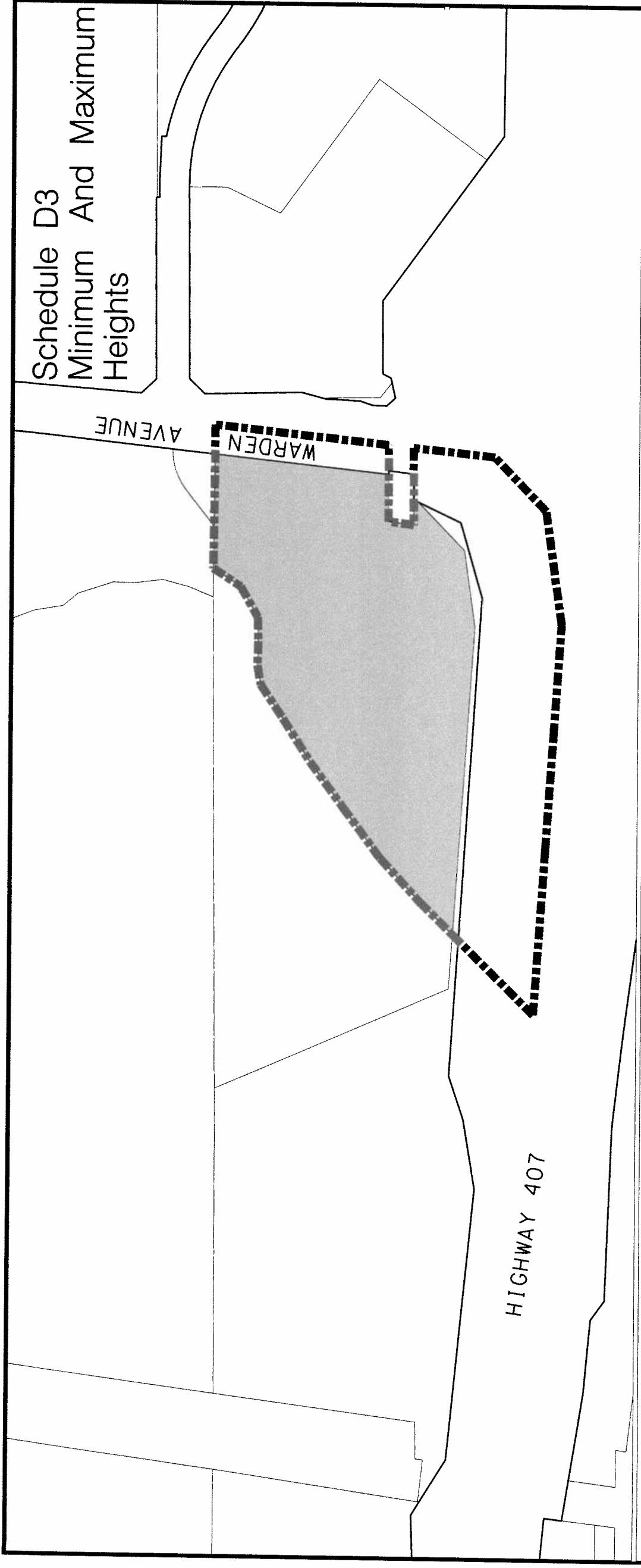
THIS IS SCHEDULE 'D2' TO BY-LAW 2007-287
PASSED THIS 11TH DAY OF 2007
James Smith MAYOR
Sharon Bennett CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW

NON RESIDENTIAL - 91,000 sq m

NOTE: 1) DIMENSIONS ARE IN METRES
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THE OFFICE OF THE CLERK





Schedule D3
Minimum And Maximum
Heights



DEVELOPMENT SERVICES COMMISSION

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

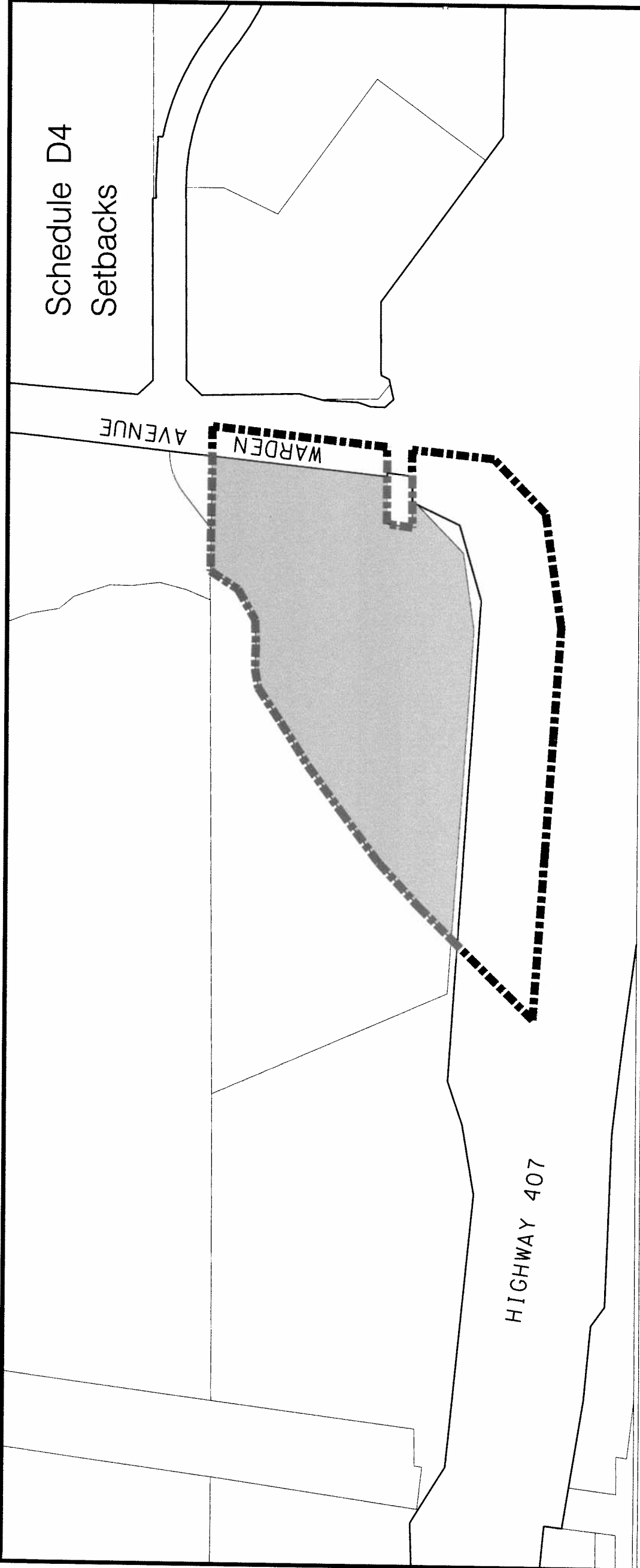
THIS IS SCHEDULE 'D3' TO BY-LAW 2007-287
PASSED THIS 11TH DAY OF DEC., 2007
[Signature] MAYOR
[Signature] CLERK

BOUNDARY OF AREA COVERED BY THIS BY-LAW

MIN 12.0M, MAX 31.0M

NOTE: 1) DIMENSIONS ARE IN METRES
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THE OFFICE OF THE CLERK





DEVELOPMENT SERVICES COMMISSION

2007-287

THIS IS SCHEDULE 'D4' TO BY-LAW
PASSED THIS 11TH DAY .DEC., 2007
.....*Paul Sampitt*.....MAYOR
.....*D. Buchanan*.....CLERK

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

BOUNDARY OF AREA COVERED BY THIS BY-LAW

THE MINIMUM SETBACK FOR ALL BUILDINGS IS 1.0 METRE FROM ANY LOT LINE

Notwithstanding the above the following exceptions apply:

- No new buildings, structures, outside storage areas, driveways or parking spaces shall be located within 10 metres of the stable top-of-bank or regulatory flood line, whichever is greater, as defined by the Toronto and Region Conservation Authority.
- The minimum setback for all buildings from the Highway 407 right-of-way is 14 metres.

NOTE: 1) DIMENSIONS ARE IN METRES
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