

EXPLANATORY NOTE

BY-LAW NO. _____

A By-law to amend By-law 165-80, as amended

Naam Group Inc.

South-west corner of Yorktech Drive and Rodick Road

Lots 3 and 4, Plan 65M-2755

LANDS AFFECTED

This by-law applies to a 1 ha (2.5 acre) parcel of land located at the south-west corner of Yorktech Drive and Rodick Road.

EXISTING ZONING

The property is currently zoned "Industrial with Controlled Storage" [M(CS)] under By-law 165-80, as amended.

PURPOSE AND EFFECT

The purpose of this proposed amendment is to:

- rezone the property to "Select Industrial"(M).
- permit accessory retail uses in addition to the permitted industrial uses.

The effect of this proposed amendment is to permit construction of a proposed multiple tenant industrial building with accessory retail uses.

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

1. That By-law 165-80, as amended, be and the same is hereby further amended as follows:

- 1.1 By rezoning the lands shown on Schedule 'A' attached hereto from Select Industrial with Controlled Storage [M(CS)] to Select Industrial (M).

- 1.2 By adding to Section 7 – Exceptions the following new subsection:

“7.110 South-west corner of Rodick Road and Yorktech Drive

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to Lots 3 and 4, Plan 65M-2755, as shown on Schedule 'A' attached to By-law 2007-XX. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.110.1 Additional Permitted Uses

The following additional uses are permitted:

- a) retail sales accessory to a permitted industrial use.

7.110.2 Special Site Provisions

The following additional provisions shall apply:

- a) Special Use Provisions

Retail sales accessory to a permitted industrial use shall be subject to the following provisions:

- i) Located wholly within an industrial PREMISE.
 - ii) The FLOOR AREA shall not exceed thirty percent (30%) of the total GROSS FLOOR AREA of the PREMISES.
 - iii) The FLOOR AREA shall be distinctly and physically separated by a wall or similar partition from the balance of the area devoted to the principle industrial use within the PREMISES.

7.110.3 Special Parking Provisions

The following specific parking provisions shall apply:

- a) Industrial uses and Industrial uses with accessory retail sales – 1 parking space per 36 m² of NET FLOOR AREA.

2. All other provisions of By-law 165-80, as amended, not inconsistent with the provisions of this by-law shall continue to apply.