

EXPLANATORY NOTE

By-law 2009-49

A By-law to amend By-law 28-82, as amended

Ontario Realty Corporation
2601 14th Avenue
Concession 3, Part Lot 5, Plan 65R-29619

LANDS AFFECTED

The By-law applies to lands south of 14th Avenue, east of Highway 404, municipally known as 2601 14th Avenue.

EXISTING ZONING

The lands subject to this By-law are presently zoned Agriculture One (A1) under By-law 2284-68, as amended.

PURPOSE AND EFFECT

The purpose of this amendment is to incorporate the lands into By-law 28-82, as amended, under the Select Industrial and Limited Commercial (MC) zone. This will allow the lands to develop with industrial/office uses.

The property will also be subject to Hold provisions to ensure that:

1. A tree preservation plan is submitted to the Town for review and approval, to the satisfaction of the Town; and
 2. That a site plan agreement is executed with the Town, to the satisfaction of the Town.
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BY-LAW 2009-49

A By-law to amend Zoning By-law 28-82, as amended

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

1. By-law 28-82, as amended, is hereby further amended as follows:

1.1 By expanding the designated area of By-law 28-82, as amended to include those lands comprising Concession 3, Part of Lot 5, Plan 65R-29619 as outlined on Schedule 'A', attached hereto.

1.2 By zoning the lands:

Select Industrial and Limited Commercial (60%)-Hold – [MC(60%) Hold]

as shown on Schedule 'A' attached hereto.

1.3 Zone Standards

The following specific zone standards apply:

- | | |
|--|-----------|
| (a) Minimum west side yard setback | 23 metres |
| (b) Minimum landscaped open space (west side yard) | 17 metres |
| (c) Minimum landscaped open space (east side yard) | 3 metres |

1.4 HOLDING PROVISION

For the purpose of this By-law, a Holding (H) Zone is hereby established and is identified on Schedule 'A' attached hereto by the letter (H) in parenthesis following the zoning symbol.

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter (H), no person shall use the land to which the letter (H) applies for any use other than the use which existed on the date this By-law was passed, until the (H) is removed in accordance with the policies of the Official Plan, the provisions of this Zoning By-law and any amendment to this By-law, as amended, and the Planning Act as amended.

Prior to removing the Holding provision, the following conditions must be met, to the satisfaction of the Town of Markham:

- (a) A Site Plan Agreement must be executed with the Town of Markham, to the satisfaction of the Town.
- (b) A tree preservation plan must be submitted to the Town for review and approval, to the satisfaction of the Town.

2. All other provisions of By-law 28-82, as amended, not inconsistent with the provisions of this By-law shall continue to apply.

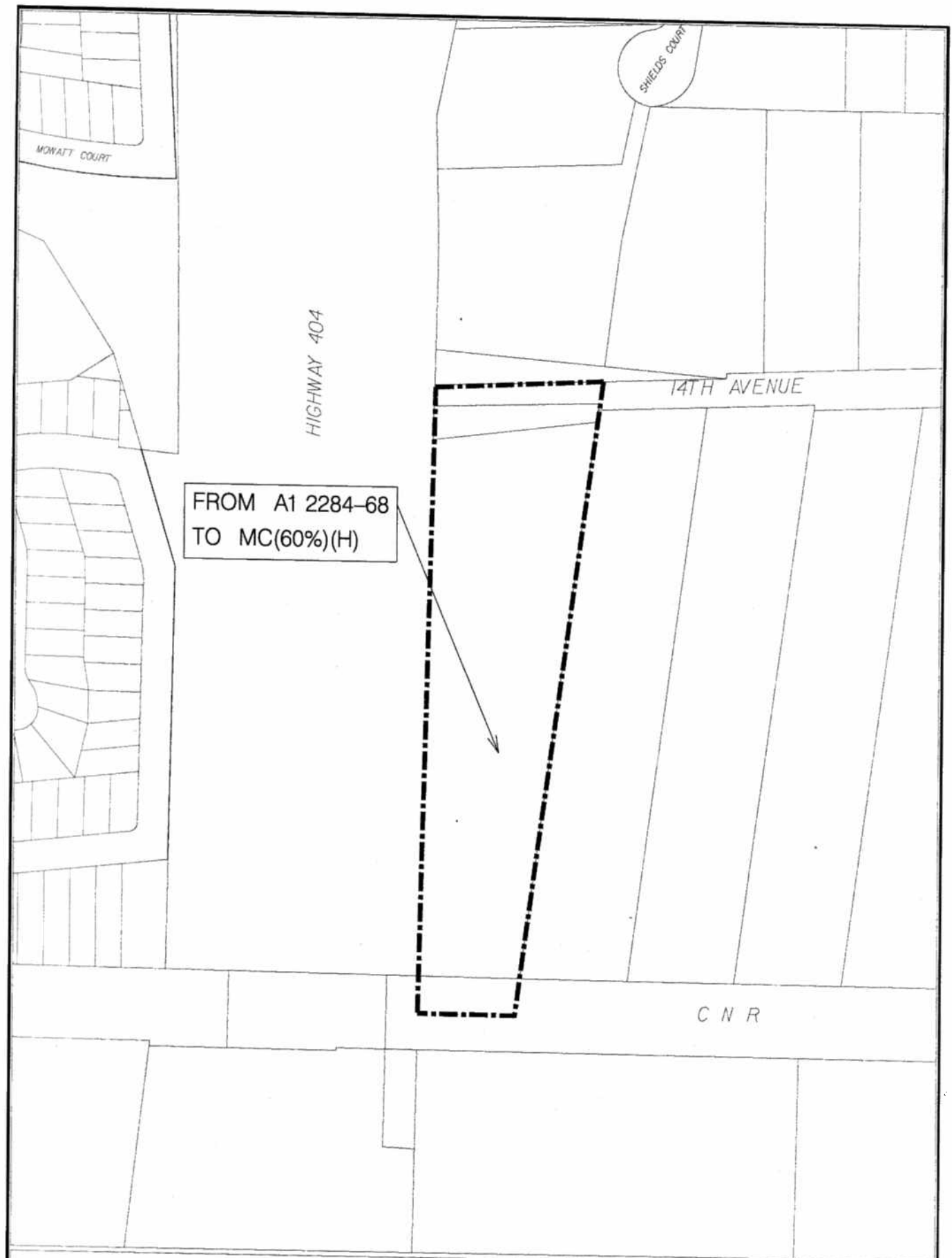
READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
12TH DAY OF MAY, 2009.



KIMBERLEY KITTINGHAM
TOWN CLERK



FRANK SCARPITTI
MAYOR



DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 28-82



BOUNDARY OF AREA COVERED BY THIS BY-LAW

☐ A1

AGRICULTURE ONE

☐ MC(60%)

SELECT INDUSTRIAL/LIMITED COMMERCIAL

☐ (H)

HOLDING PROVISION

THIS IS SCHEDULE 'A' TO BY-LAW 2009-49
PASSED THIS 12TH DAY MAY 2009

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: 3000