

## **EXPLANATORY NOTE**

### **BY-LAW 2009-89**

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

Clera Holding Limited  
Block 82 65M-4033

### **LANDS AFFECTED**

The By-law applies to a 0.63 hectare (1.56 acre) property, located on the south side of Elgin Mills Road, west of Woodbine Avenue, in the Cathedral Secondary Plan Area.

### **EXISTING ZONING**

The lands subject to this By-law are presently zoned Business Corridor (BC) under By-law 177-96, as amended.

### **PURPOSE AND EFFECT**

The purpose and effect of this by-law amendment is to permit additional commercial uses and to protect an existing drainage channel on the western portion of the subject lands. The amendment will permit a gas bar, car wash, a drive through service facility and accessory retail uses.

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## BY-LAW 2009-89

A by-law to amend Urban Expansion Area Zoning By-law 177-96, as amended  
(Clera Holding Limited, Block 82 65M-4033)

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 rezoning the lands identified as Block 82 65M-4033, shown on Schedule 'A' attached hereto;  
  
From Business Corridor \*309 (B.C.\*309)  
to  
Business Corridor \*309\*370 (B.C.\*309\*370) and Open Space One (OS1)
  - 1.2 By adding the following new subsection to Section 7 – EXCEPTIONS to By-law 177-96:
    - 7.370 South side of Elgin Mills, west of Woodbine Avenue – Clera Holdings Limited  
  
Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol \*370 on the Schedule 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.
    - 7.370.1 **Additional Permitted Uses**  
  
The following additional uses are permitted:
      - a) *Gas bar*
    - 7.370.2 **Special Site Provisions**  
  
The following additional provisions apply to a gas bar:
      - a) An accessory *retail store* and *restaurant* with a *drive-through service facility* is permitted provided the *net floor area* for the *restaurant* with a *drive-through service facility* does not exceed 75 m<sup>2</sup>.
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  
3<sup>RD</sup> DAY OF JUNE, 2009.

KIMBERLEY KITTERINGHAM  
TOWN CLERK

  
FRANK SCARPITTI  
MAYOR

REG. PLAN 65M-4026

ELGIN MILLS ROAD EAST

REG. PLAN 65M-4033

FROM BC\*309  
TO BC\*309\*370

BLOCK 82

FROM BC\*309  
TO OS1

REG. PLAN 65M-4033

WOODBINE AVENUE BY-PASS

BLOCK 81



DEVELOPMENT SERVICES COMMISSION

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



BOUNDARY OF AREA COVERED BY THIS BY-LAW  
ZONE BOUNDARY

BC BUSINESS CORRIDOR

\*No.

EXCEPTION SECTION NUMBER

OS1

OPEN SPACE ONE

THIS IS SCHEDULE 'A' TO BY-LAW 2009-89  
PASSED THIS 3RD DAY JUNE 2009

*Paul Scarpith* 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: