

# AREA CONTEXT /ZONING

APPLICANT: BOX GROVE HILL DEVELOPMENT INC.

FILE No: OP.06113600 (MW)



DEVELOPMENT SERVICES COMMISSION

DWN BY: CPW

CHK BY: MW

SCALE 1:



SUBJECT LANDS

DATE: 15/11/07

FIGURE No.2

OP06113600.dgn 15/11/2007 11:05:51 AM



# AIR PHOTO (2005)

APPLICANT: BOX GROVE HILL DEVELOPMENT INC.

FILE No: OP. 06113600 (MW)

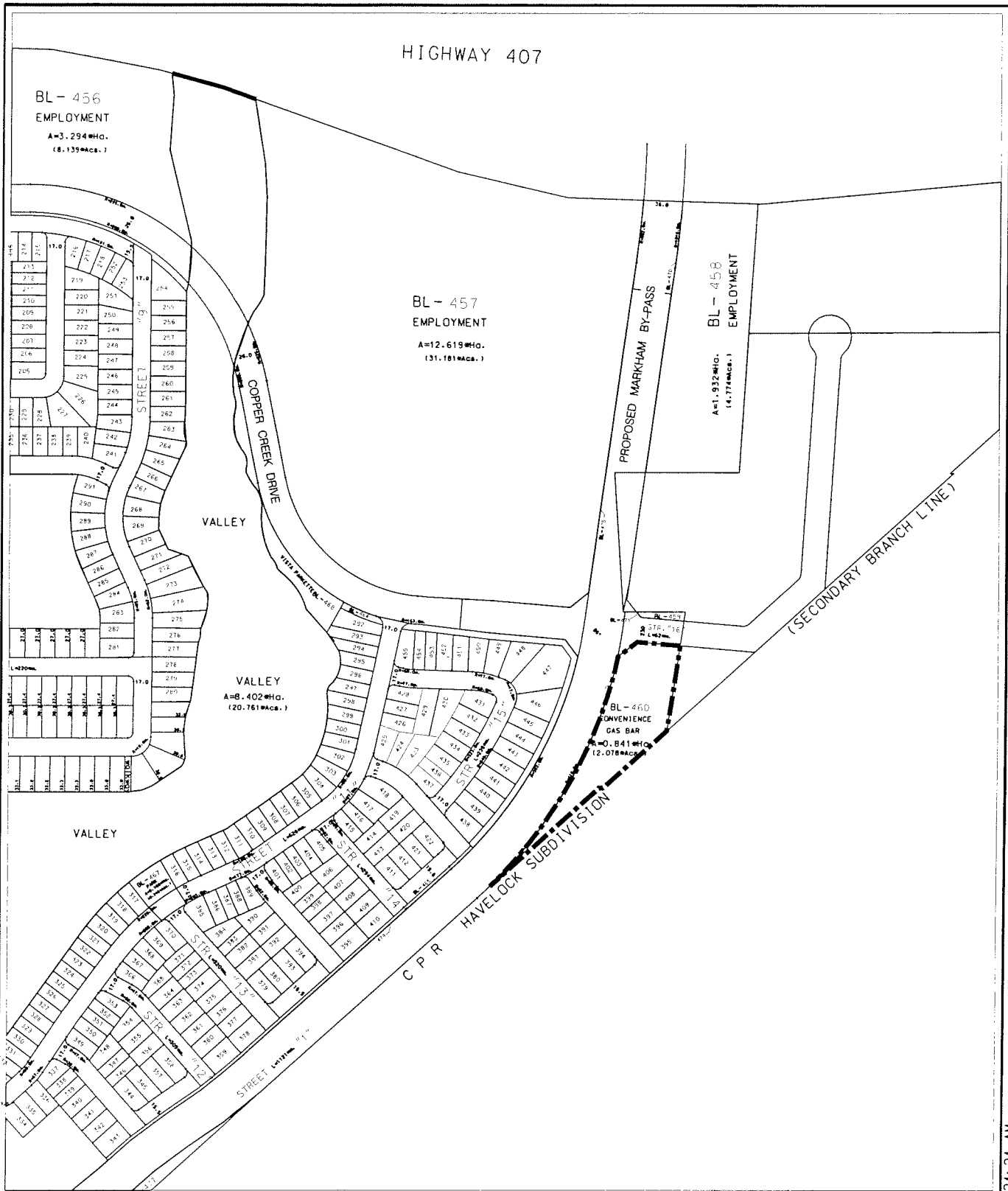
**MARKHAM** DEVELOPMENT SERVICES COMMISSION

DWN BY: CPW CHK BY: MW SCALE 1:

 SUBJECT LANDS

DATE: 151107

FIGURE No.3



# PLAN OF SUBDIVISION (DRAFT APPROVED)

APPLICANT: BOX GROVE HILL DEVELOPMENT INC.

FILE No: OP.06113600 (MW)



DEVELOPMENT SERVICES COMMISSION

DWN BY: CPW

CHK BY: MW

SCALE 1:



SUBJECT LANDS

DATE: 15/1/07

FIGURE No.4





**APPENDIX 'A'**

**OFFICIAL PLAN**  
**of the**  
**TOWN OF MARKHAM PLANNING AREA**  
**AMENDMENT NO. XXX**

To amend the Official Plan (Revised 1987), as amended,  
and to incorporate Amendment No. 1 to the Box Grove Secondary Plan (PD 18-1)  
for the Box Grove Planning District (Planning District No. 18).

*(Box Grove Hill Development Inc.)*

*November 2007*

**OFFICIAL PLAN**  
**of the**  
**MARKHAM PLANNING AREA**  
**AMENDMENT NO. XXX**

To amend the Official Plan (Revised 1987) as amended and to incorporate Amendment No. 1 to the Box Grove Secondary Plan (PD 18-1) for Box Grove Planning District (Planning District No. 18).

This Official Plan Amendment was adopted by the Corporation of the Town of Markham, By-law No. \_\_\_\_\_ - \_\_\_\_ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the \_\_\_\_\_ *st* **(or)** *nd* **(or)** *rd* **(or)** *th* day of      (month)     , 2007.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Town Clerk**



**THE CORPORATION OF THE TOWN OF MARKHAM**

**BY-LAW NO. \_\_\_\_\_**

Being a by-law to adopt Amendment No. XXX to the Town of Markham Official Plan (Revised 1987) as amended.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT, R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX to the Town of Markham Official Plan (Revised 1987), as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS \_\_\_\_ *st* (**or**) *nd* (**or**) *rd* (**or**) *th* DAY OF \_\_(*month*)\_\_, 2007.

\_\_\_\_\_  
**TOWN CLERK**

\_\_\_\_\_  
**MAYOR**

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## **PART I - INTRODUCTION**

(This is not an operative part of Official Plan Amendment No. XXX)

## **PART I - INTRODUCTION**

### **1.0 GENERAL**

- 1.1** PART I - INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.
- 1.2** PART II - THE OFFICIAL PLAN AMENDMENT, including Schedules “A” and “B”, attached thereto, constitute(s) Official Plan Amendment No. XXX to the Official Plan (Revised 1987), as amended and is required to enact Amendment No. 1 to the Box Grove Secondary Plan (PD 18-1) for the Box Grove Planning District (Planning District No. 18). Part II is an operative part of this Official Plan Amendment.
- 1.3** PART III - THE SECONDARY PLAN AMENDMENT, including Schedule “C” attached thereto, constitutes Amendment No. 1 to the Box Grove Secondary Plan (PD 18-1) for the Box Grove Planning District (Planning District No. 18). This Secondary Plan Amendment may be identified by the symbol PD 18-1-1. Part III is an operative part of this Official Plan Amendment.

### **2.0 LOCATION**

This Amendment applies to a parcel of land consisting of approximately 0.85 hectares (2 acres) located on the east side of the Planned Link and on the south side of the future extension of the employment collector road (Copper Creek Drive) within the northeast area of the Box Grove Community.

### **3.0 PURPOSE**

The purpose of this Official Plan Amendment is to modify Schedule ‘A’ – LAND USE and Schedule ‘H’ – COMMERCIAL/INDUSTRIAL CATEGORIES of the Official Plan (Revised 1987), as amended by redesignated the lands to INDUSTRIAL (Business Corridor Area), respectively.

The purpose of the Secondary Plan Amendment is to amend Schedule ‘AA’ – DETAILED LAND USE by redesignating the lands to Business Corridor Area to permit a service station and associated convenience retail uses and a stand alone restaurant.

### **4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT**

The subject property is designated “Transportation and Utilities” and “Business Park Area” in the Box Grove Secondary Plan. The lands are currently vacant. The proposed Planned Link (Town Arterial Road) will abut the property on the west side. To the east and to the north, across a future road, is a rural residential property

located on lands designated for Business Park uses. To the south, the subject lands are bounded by the CN Railway Tracks.

The Box Grove Community Design Plan identified a service station at the northwest corner of the employment collector road (Copper Creek Drive) and the proposed Markham By-Pass Link. Through an Environmental Assessment process for the proposed Markham By-Pass Link, the originally intended alignment for the By-Pass was shifted to the west, to address concerns of certain residents to the east. The slight re-alignment of the Markham By-Pass Link has resulted in a realignment of the employment collector road (Copper Creek Drive) northward, relative to its position in the Community Design Plan. These re-alignments resulted in the current configuration of the subject lands which is relatively isolated from the remainder of the Business Park lands.

Relocating the automobile service station from a prominent entry location in the Box Grove Community (the northwest corner of the employment collector road and the Markham By-Pass Link), to a less prominent location on the east side of the proposed Markham By-Pass Link will allow for the northwest corner, identified as primary gateway in the Community Design Plan, to be developed with a built form more suitable to a gateway location. Redesignating the subject lands to "Business Corridor Area" to permit a service station and associated convenience retail use as well as a stand alone restaurant is deemed to be appropriate.

## **PART II - THE OFFICIAL PLAN AMENDMENT**

(This is an operative part of Official Plan Amendment No. XXX)

## **PART II – THE OFFICIAL PLAN AMENDMENT**

### **1.0 THE OFFICIAL PLAN AMENDMENT**

- 1.1** Section 1.1.2 of Part II of the Official Plan (Revised 1987) as amended, is hereby amended by the addition of the number XXX to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.
- 1.2** Section 1.1.3 (c) of Part II of the Official Plan (Revised 1987) as amended, is hereby amended by the addition of the number XXX to the list of amendments, including any required grammatical and punctuation changes in the bullet item dealing with the Box Grove Planning District (PD18-1).
- 1.3** Section 9.2.18 of Part II of the Official Plan (Revised 1987) as amended, is hereby amended by the addition of the number XXX to the list of amendments, including any required grammatical and punctuation changes.
- 1.4** Schedule ‘A’ – LAND USE to the Official Plan (Revised 1987) as amended, is hereby amended by redesignating the subject lands from “TRANSPORTATION AND UTILITIES” to “INDUSTRIAL” as shown on Schedule ‘A’ attached hereto.
- 1.5** Schedule ‘H’ – COMMERICAL/INDUSTRIAL CATEGORIES is hereby amended by redesignating the subject lands from Business Park Area to Business Corridor Area – Automobile Service Centre as shown on Schedule ‘B’ attached hereto.
- 1.6** No additional changes to the text or schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment. This Amendment is being made to incorporate changes on Schedule “AA” – DETAILED LAND USE and the text of the Box Grove Secondary Plan (18-1) for the Box Grove Planning District. These changes are outlined in Part III which comprises Amendment No. XXX to the Box Grove Secondary Plan (18-1).

### **2.0 IMPLEMENTATION AND INTERPRETATION**

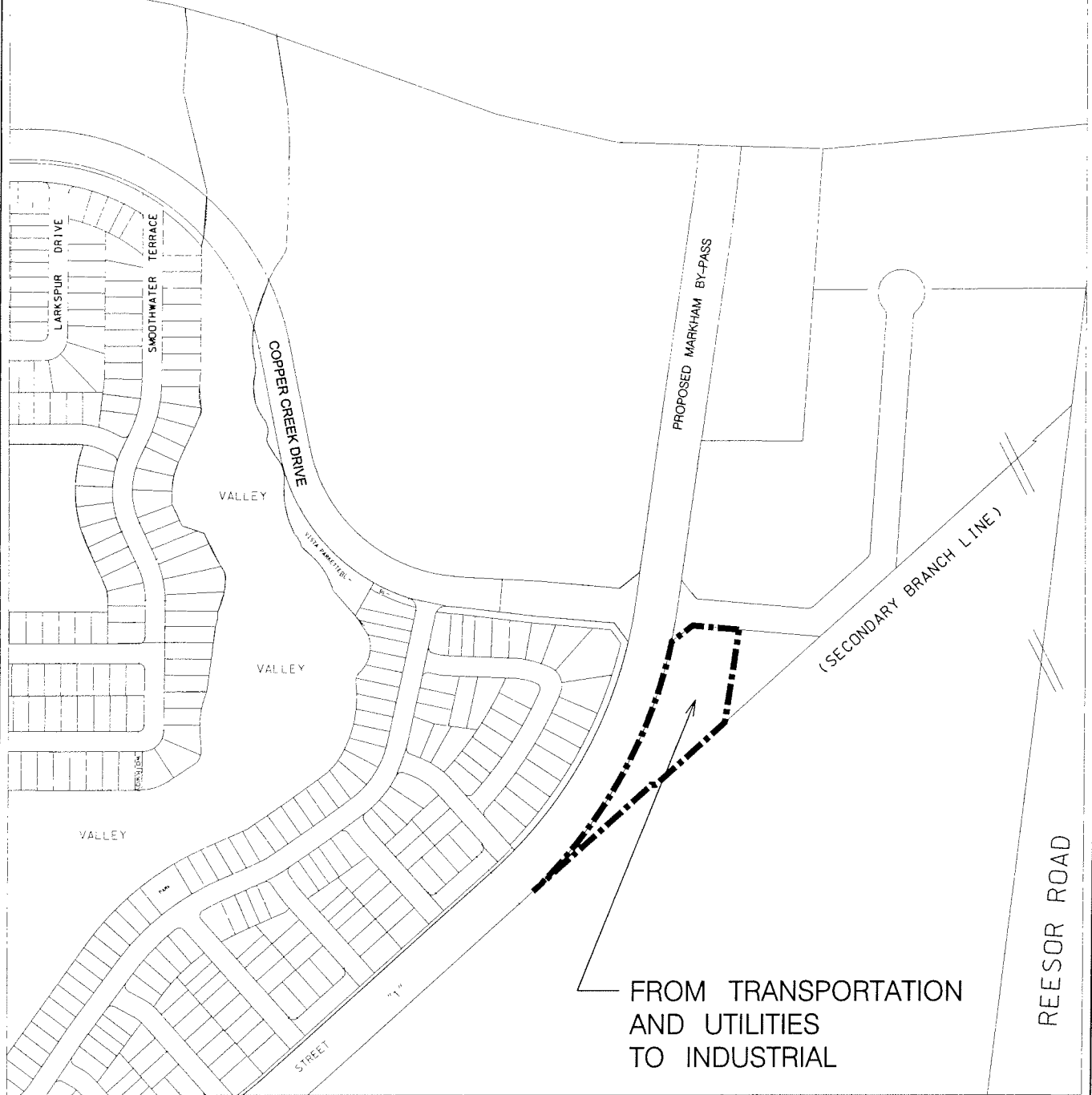
The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law and Site Plan Approval in conformity with the provisions of this Amendment.

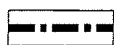
This Amendment to the Official Plan (Revised, 1987), as amended is exempt from the approval by the Region of York. Following adoption, notice of Council's decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.



HIGHWAY 407



AMENDMENT TO SCHEDULE 'A' – LAND USE  
TOWN OF MARKHAM OFFICIAL PLAN (REVISED 1987) AS AMENDED



BOUNDARY OF AREA COVERED BY THIS AMENDMENT



DEVELOPMENT SERVICES COMMISSION

SCHEDULE 'A' TO OPA No.

DRAWN BY: CPW  
CHECKED BY: NS

SCALE: NTS  
DATE: 12/1/07

OP06113600.DGN 15/11/2007 11:15:43 AM

HIGHWAY 407  
 LARKSPUR DRIVE  
 SMOOTHWATER TERRACE  
 COPPER CREEK DRIVE  
 VALLEY  
 VALLEY  
 VALLEY  
 PARK  
 STREET  
 PROPOSED MARKHAM BY-PASS  
 (SECONDARY BRANCH LINE)  
 REESOR ROAD  
 FROM BUSINESS PARK AREA  
 TO BUSINESS CORRIDOR AREA

— 224 —

**MARKHAM** DEVELOPMENT SERVICES COMMISSION

DRAWN BY: CPW  
CHECKED BY: NS

SCALE: NTS  
DATE: 12/1/07

OP06113600.DGN 15/11/2007 11:10:31 AM

**PART III - THE SECONDARY PLAN AMENDMENT (PD 18-1-1)**  
(This is an operative part of Official Plan Amendment No. XXX)

## **PART III - THE SECONDARY PLAN AMENDMENT (PD 18-1-1)**

### **1.0 THE SECONDARY PLAN AMENDMENT**

(Amendment No. 1 to the Box Grove Secondary Plan (PD 18-1))

The Box Grove Secondary Plan (PD 18-1) for the Box Grove Planning District is hereby amended as follows:

**1.1** SCHEDULE “AA” – DETAILED LAND USE is amended by re-designating the subject lands from “Transportation and Utilities” and “Business Park Area” to “Business Corridor Area – Automobile Service Centre” as shown on Schedule “C” attached hereto.

**1.2** Section 5.3 Land Use Designations – Employment District is hereby added amended by adding the following new designation after Section 5.3.3:

#### **“5.3.4 Business Corridor Area – Automotive Service Centre**

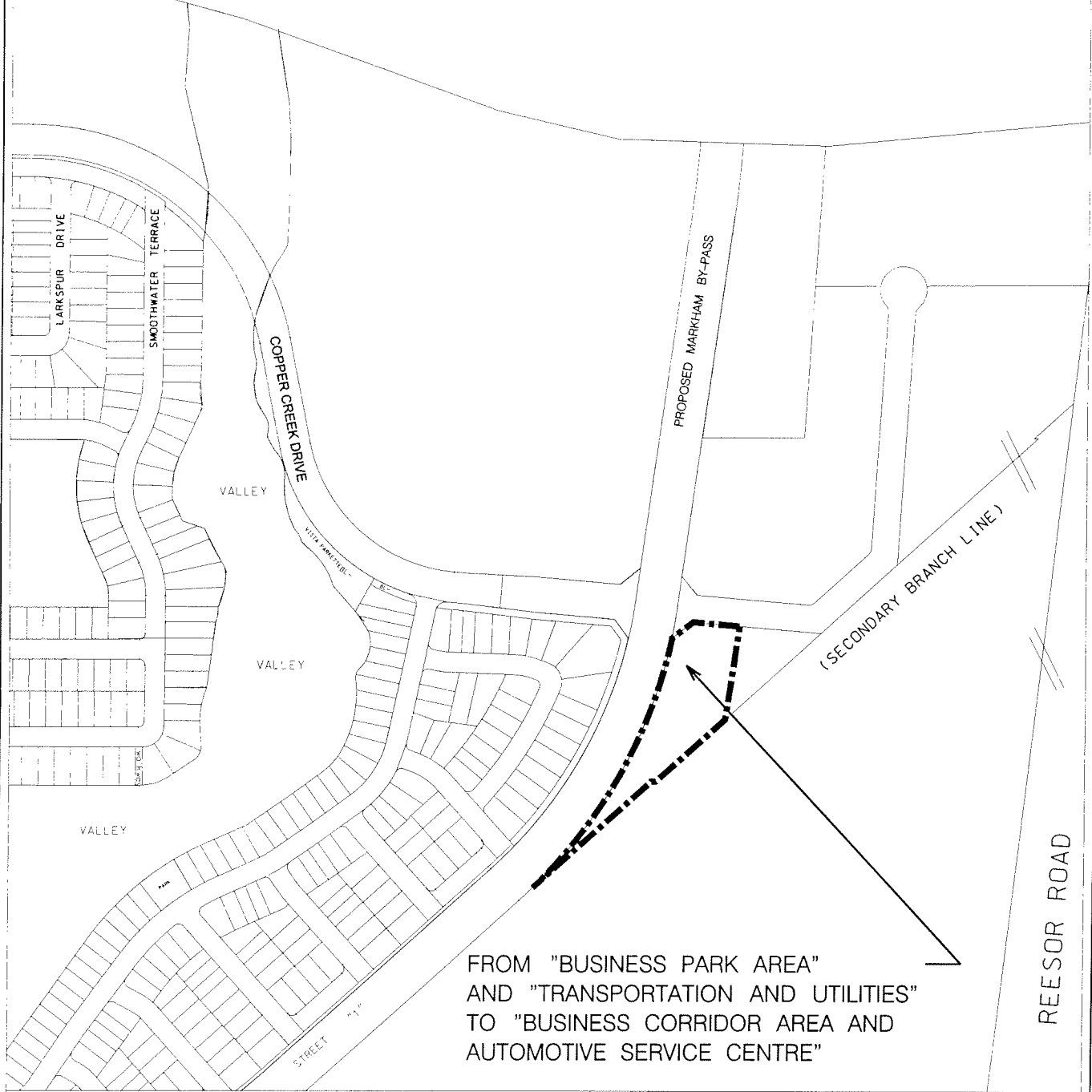
- a) Permitted uses within the ‘Business Corridor Area – Automotive Service Centre designation shall only include the following uses:
  - automobile service station, including accessory retail uses;
  - and,
  - restaurants.
- b) The permitted uses shall be subject to the provisions of Section 3.5.5.1 of the Official Plan (Revised 1987) as amended.”

### **2.0 IMPLEMENTATION AND INTERPRETATION**

The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

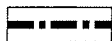
This Amendment shall be implemented by an amendment to the Zoning By-law and Site Plan Approval in conformity with the provisions of this Amendment.

HIGHWAY 407



FROM "BUSINESS PARK AREA"  
AND "TRANSPORTATION AND UTILITIES"  
TO "BUSINESS CORRIDOR AREA AND  
AUTOMOTIVE SERVICE CENTRE"

AMENDMENT TO SCHEDULE 'AA' – DETAILED LAND USE  
OF THE BOX GROVE SECONDARY PLAN PD18-1  
FOR THE BOX GROVE PLANNING DISTRICT No.18



BOUNDARY OF AREA COVERED BY THIS AMENDMENT

## **APPENDIX 'B'**

### **Explanatory Note:**

#### **By-law No. 2007-XXX**

A By-law to amend By-law 177-76, as amended.

Southeast corner of future Copper Creek Drive extension and future Markham Bypass Link  
Block 460 on draft plan 19TM-030012  
Box Grove Planning District

#### **LANDS AFFECTED**

This proposed By-law amendment applies to a 0.85 hectare (2 acre) parcel of land located at the southeast corner of Copper Creek Drive extension and Markham Bypass Planned Link within the Box Grove community.

#### **EXISTING ZONING**

The lands are zoned Business Park (Hold) [BP(H)] under By-law 177-76, as amended.

#### **PURPOSE OF THIS BY-LAW**

The purpose of this By-law is to:

1. rezone the lands to Business Corridor \*357 (Hold) [BC\*357(H)] as outlined on Schedule 'A' to this By-law.
2. place a holding zone provision on the lands, subject to the following requirements:
  - i. Execution of a site plan agreement.
  - ii. Confirmation from the Ministry of Transportation that the lands outlined on Schedule 'A' attached to this By-law are not required for Regional Gateway purposes in this area.
  - iii. The Town is satisfied that lands for required road right-of-ways have been secured.

#### **EFFECT OF THIS BY-LAW**

The effect of this By-law is to permit a gas bar and an accessory retail store, and a stand alone restaurant.



A By-law to amend By-law 177-96, as amended

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

1. By-law No. 177-96, as amended, is hereby further amended as follows:

1.1 By rezoning the lands

From Business Park (Holding) [BP(H)] to  
Business Corridor\*357 (Holding) [BC\*357(H)]

1.2 By adding the following new subsection to Section - EXCEPTIONS  
to By-law 177-96:

"7.357 Southeast corner of Copper Creek Drive Extension and  
Markham By-Pass Link

Notwithstanding any other provision of this By-law, the  
provisions in this section shall apply to those lands  
denoted by the symbol \*356 on 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.

7.357.1 Only Uses Permitted

The following are the only uses permitted:

- a) GAS BARS
- b) RESTAURANTS
- c) RESTAURANTS, TAKE-OUT

7.357.2 Zone Standards

The following specific zone standards apply:

- a) Minimum LOT FRONTAGE – 45 metres

7.357.3 Special Site Provisions

The following additional provisions shall apply:

- a) GAS BARS may include an accessory retail  
store provided the NET FLOOR AREA does  
not exceed 150 m<sup>2</sup>.
- b) Maximum number of RESTAURANTS is  
One (1).
- c) Drive-through lanes shall not be permitted  
between a PUBLIC STREET and a  
BUILDING."

### 1.3 HOLDING PROVISION

The Holding (H) provision as shown on Schedule 'A' attached to this By-law shall not be removed until the following conditions have been met to the satisfaction of the Town of Markham:

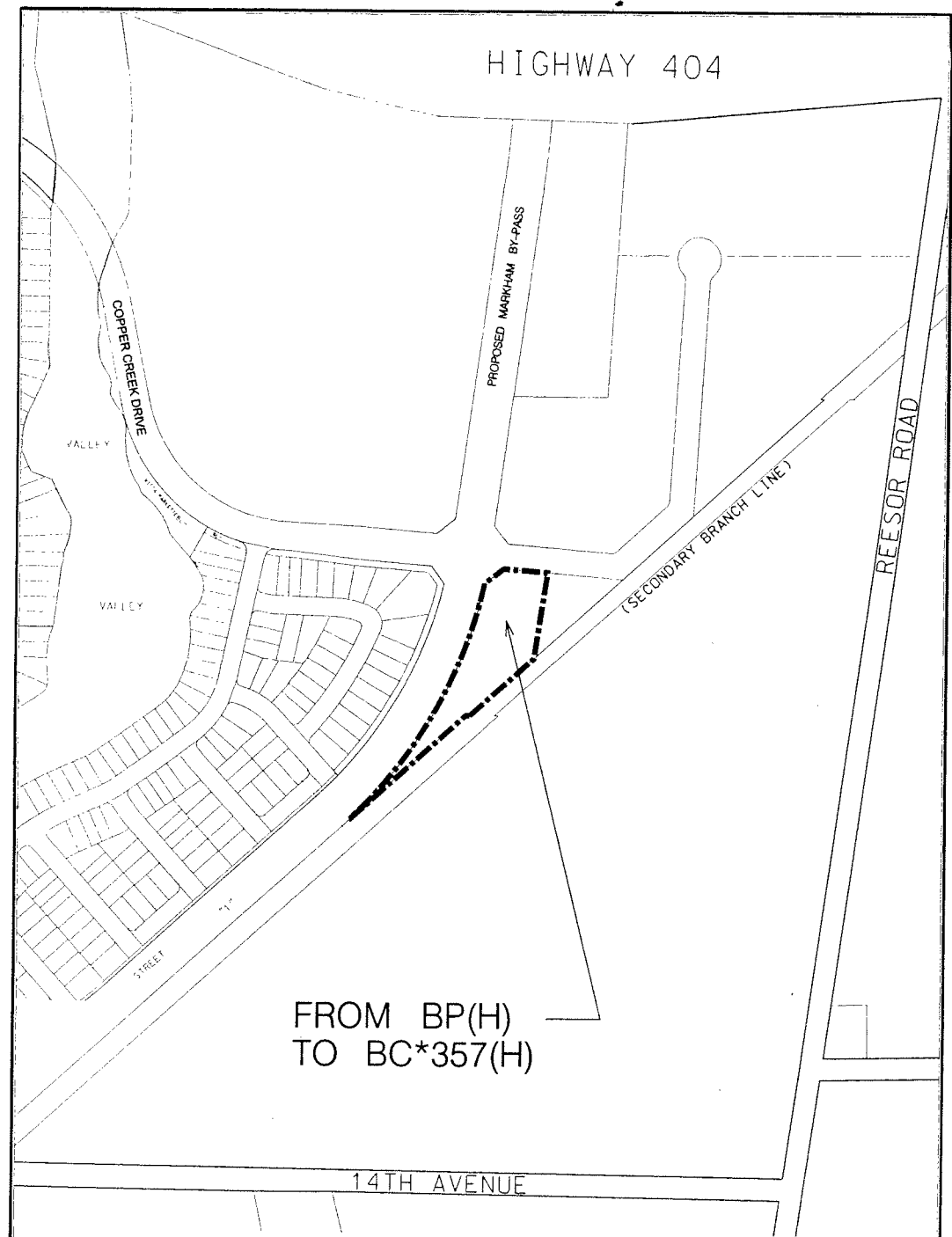
- a) Execution of a site plan agreement.
  - b) Confirmation from the Ministry of Transportation that the lands outlined on Schedule 'A' attached to this By-law are not required for Regional Gateway purposes in this area.
  - c) The Town is satisfied that lands for required road right-of-ways have been secured.
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  
DAY OF \_\_\_\_\_, 2007.

\_\_\_\_\_  
SHEILA BIRRELL, TOWN CLERK

\_\_\_\_\_  
FRANK SCARPITTI, MAYOR





FROM BP(H)  
TO BC\*357(H)



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



BOUNDARY OF AREA COVERED BY THIS BY-LAW

☐ BC BUSINESS CORRIDOR

☐ (H) HOLDING PROVISION

☐ BP BUSINESS PARK

☐ \*No. EXCEPTION SECTION NUMBER

THIS IS SCHEDULE 'A' TO BY-LAW .....  
PASSED THIS ..... DAY ..... 2007

..... MAYOR

..... 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: NTS