

OFFICIAL PLAN
of the
TOWN OF MARKHAM PLANNING AREA
AMENDMENT NO. 190

To amend the Official Plan (Revised 1987), as amended,
and to incorporate Amendment No. 5 to the Leitchcroft Secondary Plan (PD 38-1)
for the Leitchcroft Planning District (Planning District No.38).


Times Group Corp.

January 25, 2011

OFFICIAL PLAN
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This Official Plan Amendment was adopted by the Corporation of the Town of Markham, By-law No. 2011-45 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 25th day of January, 2011.



KIMBERLEY KITTINGHAM
TOWN CLERK



FRANK SCARPITTI
MAYOR



BY-LAW 2011-45

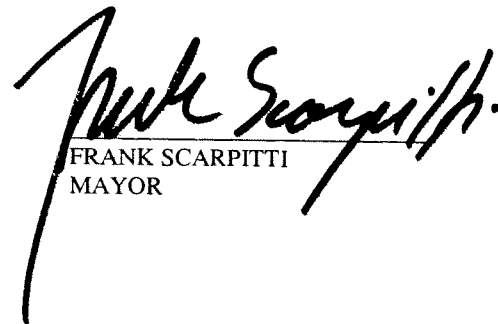
Being a by-law to adopt Amendment No. 190
to the Town of Markham Official Plan (Revised 1987) as amended

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. 190 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
25TH DAY OF JANUARY, 2011.


KIMBERLEY KITTERINGHAM
TOWN CLERK


FRANK SCARPITTI
MAYOR

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 190)

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, constitute(s) Official Plan Amendment No. 190 to the Official Plan (Revised 1987), as amended and is required to enact Amendment No. 5 to the Leitchcroft Secondary Plan (PD 38-1) for the Leitchcroft Planning District (Planning District No.38). Part II is an operative part of this Official Plan Amendment.
- 1.3** PART III - THE SECONDARY PLAN AMENDMENT, constitutes Amendment No. 5 to the Leitchcroft Secondary Plan (PD 38-1) for the Leitchcroft Planning District (Planning District No. 38). This Secondary Plan Amendment may be identified by the symbol PD 38-1-5. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan and to the Leitchcroft Secondary Plan (PD 38-1) applies to the following blocks within Plan 65M-3226: Blocks 41, 42, 43 bordered by Times Avenue, Galleria Parkway, Saddlecreek Drive, and South Park Road; the portion of Block 49 located south of South Park Road and east of Times Avenue; and Block 50 located east of Block 49, south of South Park Road.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to permit an increase in the maximum allowable unit count for blocks 41, 42, 43, 50 and part of block 49, from a total of 1,205 units to 1,308 units, a net increase of 103 units. All of the above blocks except Block 50 are built out. This amendment will allow the number of residential units on Block 50 to increase from 335 to 438.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

Block 50 is the last remaining undeveloped residential Block in the Leitchcroft Community. The site fronts onto the south side of South Park Road, between Highway 7, Bayview Avenue, Leslie Street, and Highway 407. The subject lands have access to these major roads through an internal road network.

The applicant is proposing two thirteen storey apartment buildings along the Highway 407 frontage, and 22 townhouse units fronting South Park Road. This development exceeds, by 103 units, the provisions for total residential units on Blocks 41, 42, 43, 49 and 50, as set out in the Leitchcroft Secondary Plan.

The proposed Official Plan and Secondary Plan amendments to provide for 103 additional residential units on the above-noted blocks is considered minor and does not negatively impact the infrastructure of the area. The height and massing of the proposed buildings will be compatible with the height and massing of existing development in the Leitchcroft area.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. 190)

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 190 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 190 to the list of amendments listed in the second sentence of the bullet item dealing with the Leitchcroft Secondary Plan PD38-1, for the Leitchcroft Planning District, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.3** Section 9.2.22 of Part II of the Official Plan (Revised 1987) as amended, is hereby amended by the addition of the number 190 to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.4** No additional changes to the text or schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment.

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.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987), as amended, shall not apply.

PART III - THE SECONDARY PLAN AMENDMENT (PD38-1-5)
(This is an operative part of Official Plan Amendment No. 190)

PART III - THE SECONDARY PLAN AMENDMENT (PD38-1-5)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 5 to the Leitchcroft Secondary Plan PD38-1)

The Leitchcroft Secondary Plan (PD38-1) for the Leitchcroft Planning District is hereby amended as follows:

- 1.1** By deleting the number “1,205” and replacing it with the number “1,308” in Section 5.3.2.2 g) (ii).

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.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987), as amended, shall not apply.

(January 25, 2011)