

**OFFICIAL PLAN**  
**of the**  
**TOWN OF MARKHAM PLANNING AREA**  
**AMENDMENT NO. 177**

To amend the Official Plan (Revised 1987), as amended, to incorporate an amendment to the policies for the Angus Glen Planning District (Planning District No.31).

Kylemore Post Road Limited (Village Grocer)  
(North side of 16<sup>th</sup> Avenue, west of Kennedy Road, Part of Lot 16, Concession 5, Town of Markham, Regional Municipality of York)

(May 2009)

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To amend the Official Plan (Revised 1987), as amended, to incorporate an amendment to the policies for the Angus Glen Planning District (Planning District No.31).

This Official Plan Amendment was adopted by the Corporation of the Town of Markham, By-law No. 2009-56 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 26th day of May, 2009.



KIMBERLEY KITTERINGHAM  
TOWN CLERK



FRANK SCARPITTI  
MAYOR



## BY-LAW 2009-56

Being a by-law to adopt Amendment No. 177  
to the Town of Markham Official Plan (Revised 1987), as amended

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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. 177 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  
26<sup>TH</sup> DAY OF MAY, 2009.

KIMBERLEY KITTINGHAM  
TOWN CLERK

FRANK SCARPITTI  
MAYOR

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## **PART I - INTRODUCTION**

(This is not an operative part of Official Plan Amendment No. 177)

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## **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 constitutes Amendment No. 177 to the Official Plan (Revised 1987), as amended, including Schedules 'A', 'B', 'C', 'D' and Figure No. 31.2 attached hereto. Part II is the operative part of this Official Plan Amendment.

### **2.0 LOCATION**

This Amendment applies to a 0.614 hectare (1.517 acre) parcel of land located on the north side of 16<sup>th</sup> Avenue, west of Kennedy Road, municipally known as 4472 and 4476 16<sup>th</sup> Avenue.

### **3.0 PURPOSE**

The purpose of this Amendment is to:

- redesignate a portion of the subject lands from AGRICULTURE 1 to URBAN RESIDENTIAL in order to permit the proposed commercial development on the subject lands;
- delete the Future Urban Area overlay on a portion of the subject lands;
- ensure that the development of the proposed 0.614 ha (1.517 acre) commercial block is undertaken to the satisfaction of the Town.

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

In May 2006, Council approved OPA No. 155 which designated the majority of the subject lands from AGRICULTURE 1 to URBAN RESIDENTIAL (Neighbourhood Commercial Centre). OPA No. 155 permits convenience retail and office uses, with a maximum gross floor area of 1,900 m<sup>2</sup> within one building with a maximum retail component of 1,400 m<sup>2</sup>.

The applicant recently purchased additional lands to the east of the property. The purpose of this amendment is to incorporate this acquired parcel of land into the URBAN RESIDENTIAL (Neighbourhood Commercial Centre) designation, to allow the entire site to be developed with a commercial building with a total gross floor area of 3,128 m<sup>2</sup>. The increase in gross floor area is due to the addition of a basement (1,269 m<sup>2</sup>).

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

(This is an operative part of Official Plan Amendment No. 177)

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## **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 177 to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.
  - 1.2 Section 4.3.31.2 b) of Part II of the Official Plan (Revised 1987), as amended is hereby further amended by:
    - 1.2.1 Replacing “No. 155” under the title for this subsection with “Nos. 155 and 177.”
    - 1.2.2 Modifying Section 4.3.31.2 b) ii) third bullet by deleting the number “1,900 square metres” and replacing it with “3,200 square meters” and deleting the number “1,400 square meters” and replacing it with “1,500 square metres.”
    - 1.2.3 Deleting the fifth, sixth and seventh bullet items under the Neighbourhood Commercial Centre part of Section 4.3.31.2 b) iii) and replacing it with the following bullet items:

“

      - Service and loading facilities related to the Neighbourhood Commercial Centre may be permitted between the building and 16<sup>th</sup> Avenue provided the service and loading facilities are enclosed within the building and suitably screened from public streets and shall be subject to the review of a specific development proposal.
      - Built form shall be designed to visually screen rooftop equipment and mechanical rooms from public streets and driveways.
      - The parking lot shall be suitably screened from public streets and shall be subject to the review of a specific development proposal.”
  - 1.3 Schedule ‘A’ – LAND USE is hereby amended by redesignating the subject lands from AGRICULTURE 1 to URBAN RESIDENTIAL and removing the Future Urban Area overlay on the subject lands as shown on Schedule ‘A’, attached hereto.
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- 1.4 Schedule 'B' – PLANNING DISTRICTS is hereby amended by deleting the Future Urban Area overlay from the subject lands as shown on Schedule 'B' attached hereto.
- 1.5 Schedule 'C'- TRANSPORTATION is hereby amended by deleting the subject lands from the FUTURE URBAN AREA as shown in Schedule 'C', attached hereto.
- 1.6 Schedule 'D' – URBAN SERVICE AREA is hereby amended by deleting the subject lands from the FUTURE URBAN SERVICE AREA and including the subject lands into URBAN SERVICE AREA as shown in Schedule 'D', attached hereto.
- 1.7 Figure No. 31.2 is hereby replaced with a new Figure No. 31.2 as shown on Figure No. 31.2, attached hereto.

## **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.

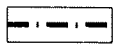
This Amendment shall be implemented by an amendment to the Zoning By-law and site plan approval in conformity with the provisions of this Amendment.

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.



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

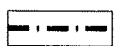
 BOUNDARY OF AREA COVERED BY THIS AMENDMENT



16TH AVENUE

KENNEDY ROAD

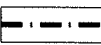
AMENDMENT TO SCHEDULE 'B' – PLANNING DISTRICTS  
TOWN OF MARKHAM OFFICIAL PLAN (REVISED 1987) AS AMENDED

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT

 REMOVE FUTURE URBAN AREA OVERLAY



AMENDMENT TO SCHEDULE 'C' – TRANSPORTATION  
TOWN OF MARKHAM OFFICIAL PLAN (REVISED 1987) AS AMENDED

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT



DEVELOPMENT SERVICES COMMISSION

SCHEDULE 'C' TO OPA No. 177

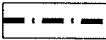
DRAWN BY: CPW  
CHECKED BY: TK

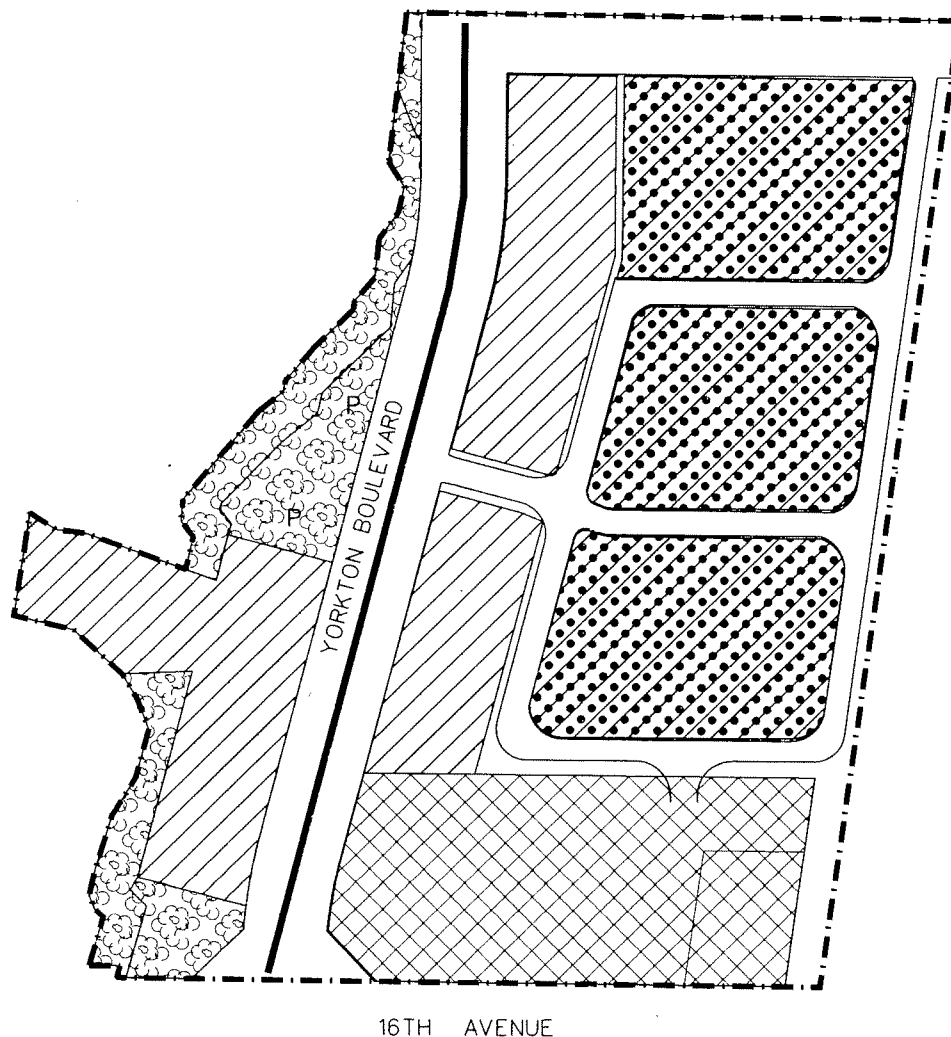
SCALE:  
DATE: 02/02/09

SCH 'C' .dgn 19/03/2009 3:10:18 PM



AMENDMENT TO SCHEDULE 'D' – URBAN SERVICE AREA  
TOWN OF MARKHAM OFFICIAL PLAN (REVISED 1987) AS AMENDED

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT



# FIGURE No. 31.2 SPECIFIC SITE AND AREA POLICIES TOWN OF MARKHAM OFFICIAL PLAN (Revised 1987) AS AMENDED

Boundary of area subject to the policies in Section 4.3.31.2 b)  
Land use designation: URBAN RESIDENTIAL

LOW DENSITY HOUSING

LOW DENSITY-TOWNHOUSE DWELLINGS

NEIGHBOURHOOD COMMERCIAL CENTRE

OPEN SPACE

P PARKETTE

MINOR COLLECTOR ROAD

OFFICIAL PLAN AMENDMENT Nos. 155 and 177

PLANNING DISTRICT No. 31

FIGURE 31.2.dgn 19/03/2009 3:09:01 PM