

**OFFICIAL PLAN**  
**of the**  
**TOWN OF MARKHAM PLANNING AREA**  
**AMENDMENT NO. 175**

To amend the Official Plan (Revised 1987), as amended,  
and to incorporate Amendment No. 8 to the Secondary Plan (PD34-1)  
for the South Unionville Planning District (Planning District No.34).

**1475398 Ontario Inc. (Town and Country BMW)**  
**(East side of Kennedy Road between South Unionville Avenue and Helen Avenue)**

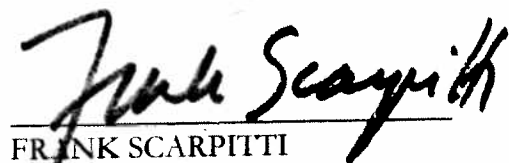
September 2008

**OFFICIAL PLAN**  
**of the**  
**MARKHAM PLANNING AREA**  
**AMENDMENT NO. 175**

To amend the Official Plan (Revised 1987), as amended and to incorporate Amendment No. 8 to the South Unionville Secondary Plan (PD 34-1).

This Official Plan Amendment was adopted by the Corporation of the Town of Markham, By-law No. 2008-197 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 9th day of September, 2008.

  
\_\_\_\_\_  
KIMBERLEY KITTERINGHAM  
TOWN CLERK

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



## BY-LAW 2008-197

Being a by-law to adopt Amendment No. 175  
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. 175 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  
9<sup>TH</sup> DAY OF SEPTEMBER, 2008.

KIMBERLEY KITTERINGHAM  
TOWN CLERK

FRANK SCARPITTI  
MAYOR

## CONTENTS

### PART I - INTRODUCTION

1.	GENERAL.....	6
2.	LOCATION.....	6
3.	PURPOSE .....	6
4.	BASIS .....	6

### PART II - THE OFFICIAL PLAN AMENDMENT

1.	THE OFFICIAL PLAN AMENDMENT.....	8
2.	IMPLEMENTATION AND INTERPRETATION.....	8

### PART III - THE SECONDARY PLAN AMENDMENT

1.	THE SECONDARY PLAN AMENDMENT .....	11
2.	IMPLEMENTATION AND INTERPRETATION.....	12
3.	FIGURE 34-1-8.....	13

## **PART I - INTRODUCTION**

(This is not an operative part of Official Plan Amendment No. 175)

## **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 Official Plan Amendment No. 175 to the Official Plan (Revised 1987), as amended. Part II is an operative part of this Official Plan Amendment.
- 1.3** PART III - THE SECONDARY PLAN AMENDMENT, including Figure 34-1-8, attached thereto, constitutes Amendment No. 8 to the South Unionville Secondary Plan (PD 34-1). This Secondary Plan Amendment may be identified by the symbol PD 34-1-8. Part III is an operative part of this Official Plan Amendment.

### **2.0 LOCATION**

This Amendment applies to approximately 3 hectares of land on the east side of Kennedy Road between South Unionville Avenue and Helen Avenue, as shown on Figure 34-1-8 attached to Part III of this Official Plan Amendment.

### **3.0 PURPOSE**

The purpose of the Official Plan Amendment is to:

- 1) enact Amendment No. 8 to the South Unionville Secondary Plan (PD 34-1).

The purpose of the Secondary Plan Amendment is to:

- 1) delete Sections 6.3.2 viii and viii along with corresponding Figure 34-1-2 introduced by Official Plan Amendment 83.
- 2) incorporate a site specific policy permitting the subject lands to be used for two (2) automobile sales establishments involving accessory outdoor storage and/or display of vehicles.
- 3) incorporate design guidelines to address built form, massing, landscaped open space and other design matters.

### **4.0 BASIS OF THIS AMENDMENT**

The intent of this Amendment is to permit one additional automobile sales establishment with permission for ancillary vehicle repair within a fully enclosed building, and outdoor storage/display of vehicles, on the Town and Country BMW lands on the east side of Kennedy Road between South Unionville Avenue and Helen Avenue.

Council has determined that the proposed use is appropriate and has directed staff to prepare an Official Plan Amendment to permit this use.

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

(This is an operative part of Official Plan Amendment No. 175)

## **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 175 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 175 to the list of amendments, including any required grammatical and punctuation changes in the bullet item dealing with the South Unionville Planning District (PD34-1).
- 1.3** Section 9.2.17 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number 175 to the list of amendments, including any required grammatical and punctuation changes.
- 1.4** 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 to the text of the South Unionville Secondary Plan (PD 34-1) for the South Unionville Planning District (Planning District No. 34). These changes are outlined in Part III which comprises Amendment No. 8 to the South Unionville Secondary Plan (PD34-1).

### **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.



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 (PD 34-1-8)**  
(This is an operative part of Official Plan Amendment No. 175)

## **PART III - THE SECONDARY PLAN AMENDMENT (PD 34-1-8)**

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

(Amendment No. 8 to the South Unionville Secondary Plan PD 34-1)

The South Unionville Secondary Plan (PD 34-1) for the South Unionville Planning District is hereby amended as follows for the designated area of this amendment:

1.1 By deleting Subsection 6.3.2 vii) and viii) along with corresponding Figure 34-1-2 introduced by Official Plan Amendment No. 83.

1.2 By adding a new sub-section and corresponding Figure 34-1-8 being Sub-section 6.3.2 (viii):

- “viii) The following additional provisions apply to the lands designated “Community Amenity Area” on the east side of Kennedy Road between South Unionville Avenue and Helen Avenue and identified on Figure 34-1-8:
- a) Notwithstanding the provisions of Section 3.4.6.2(c)(iv) of the Official Plan (Revised 1987), as amended, and Section 6.3.2(ii) of this Secondary Plan, the lands may be used for not more than two (2) automobile sales establishments involving accessory outdoor storage and/or display of vehicles.
  - b) The automobile sales establishments shall be subject to the following specific design guidelines:
    - The buildings should be oriented towards Kennedy Road.
    - Prominent building entries should be provided from Kennedy Road.
    - Any drive through facilities should be located to the rear or side of the building(s) where they are not visible from surrounding streets or can be screened from view by elements of the building(s).
    - Intensive high and low level landscaping should be provided adjoining all street frontages to screen the surface parking and reduce the impact of car headlights on nearby residential properties.
    - Extensive surface parking/car storage areas should incorporate landscaping to reduce the “heat island” effect.
    - If any fencing is proposed for the surface parking, the fence design should take into account the emerging urban character of the area.”

## **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.

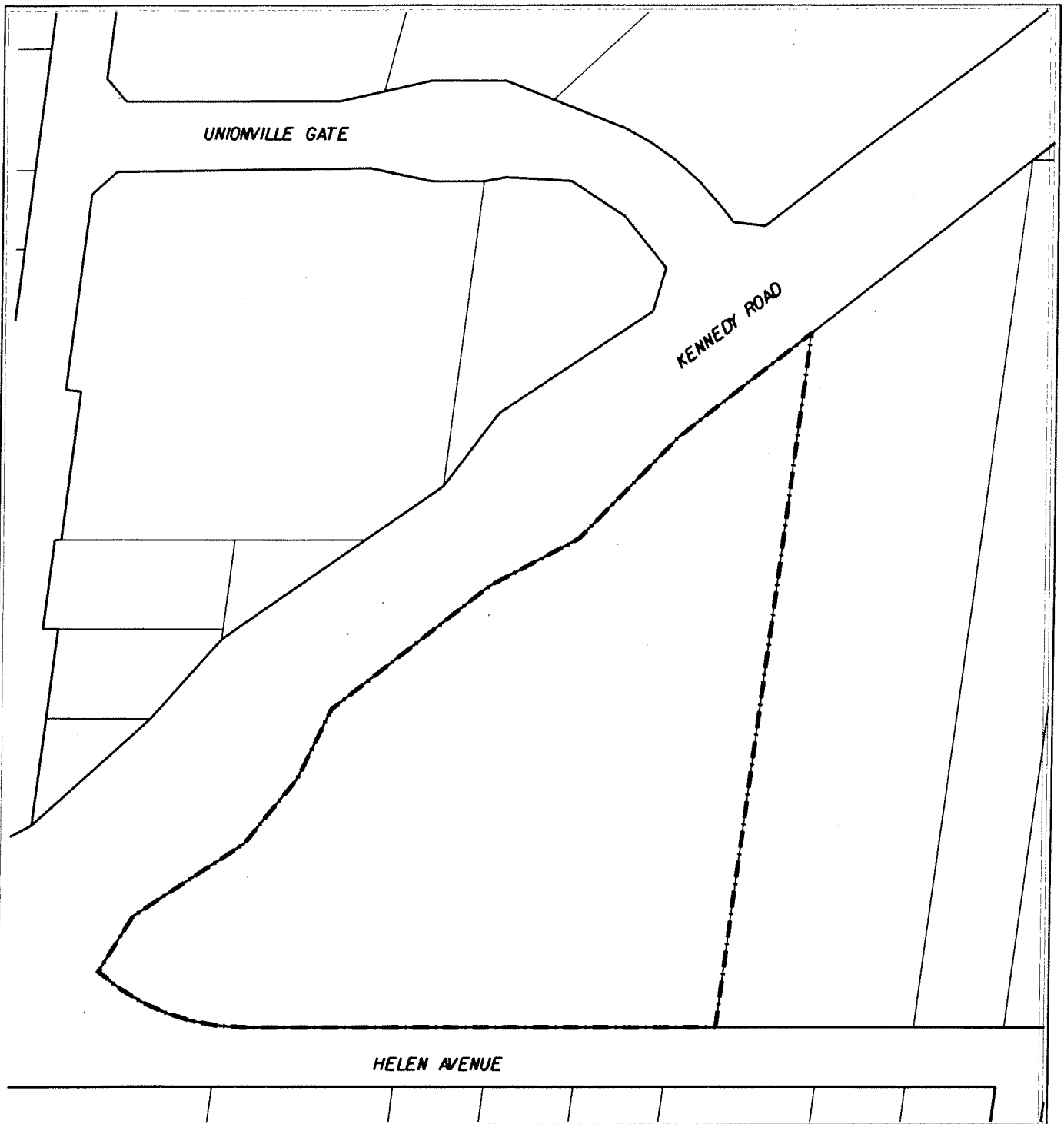
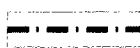


FIGURE No. 34-1-8



Boundary of area subject to the policies in Section (6.3.2 viii)  
 Land use designation: Community Amenity Area

