

OFFICIAL PLAN
of the
TOWN OF MARKHAM PLANNING AREA
AMENDMENT NO. 176

To amend the Official Plan (Revised 1987), as amended,
and to incorporate Amendment No. 7 to the Secondary Plan (PD34-1)
for the South Unionville Planning District (Planning District No.34).

Dougson Investments Inc. (Village Nissan)
(South side of South Unionville Avenue, east of Kennedy Road)

September 2008

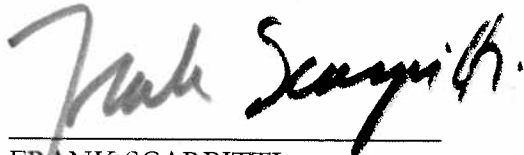
OFFICIAL PLAN
of the
MARKHAM PLANNING AREA
AMENDMENT NO. 176

To amend the Official Plan (Revised 1987), as amended and to incorporate Amendment No. 7 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. 2008-200 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 9th day of September, 2008.



KIMBERLEY KITTINGHAM
TOWN CLERK



FRANK SCARPITTI
MAYOR



BY-LAW 2008-200

Being a by-law to adopt Amendment No. 176
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. 176 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
9TH DAY OF SEPTEMBER, 2008.

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. 176)

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, constitutes Official Plan Amendment No. 176 to the Official Plan (Revised 1987), as amended. This amendment is required to enact Amendment No. 7 to the South Unionville Secondary Plan (PD 34-1). Part II is an operative part of this Official Plan Amendment.
- 1.3** PART III - THE SECONDARY PLAN AMENDMENT, including Schedule “C” and Figure 34-1-7, attached thereto, constitutes Amendment No. 7 to the South Unionville Secondary Plan (PD 34-1). This Secondary Plan Amendment may be identified by the symbol PD 34-1-7. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment applies to approximately 1.1 hectares of land on the south side of South Unionville Avenue, east of Kennedy Road as shown on Figure 34-1-7 attached to Part III of this Official Plan Amendment.

3.0 PURPOSE

The purpose of the Official Plan Amendment is to:

- 1) amend Schedule ‘A’ – Land Use of the Official Plan to extend the “Commercial” designation across all of the subject lands.
- 2) amend Schedule ‘H’ – Commercial / Industrial Categories of the Official Plan to extend the “Community Amenity Area” category across all of the subject lands.
- 3) enact Amendment No. 7 to the South Unionville Secondary Plan (PD 34-1).

The purpose of the Secondary Plan Amendment is to:

- 1) amend Schedule ‘AA’ - Detailed Land Use to extend the “Community Amenity Area” designation across all of the subject lands.
- 2) incorporate a site specific policy permitting the subject lands to be used for one automobile sales establishment 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 automobile sales establishment with permission for ancillary vehicle repair within a fully enclosed building, and outdoor storage/display of vehicles.

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. 176)

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 176 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 176 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 176 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 re-designating a portion of the subject lands from “URBAN RESIDENTIAL” to “COMMERCIAL” as shown on Schedule ‘A’ attached hereto.
- 1.5** Schedule ‘H’ – COMMERCIAL / INDUSTRIAL CATEGORIES is hereby amended by designating a portion of the subject lands COMMERCIAL (Community Amenity Area) 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 also being made to incorporate changes to Schedule ‘AA’ – DETAILED LAND USE and 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. 7 to the South Unionville Secondary Plan (PD34-1).

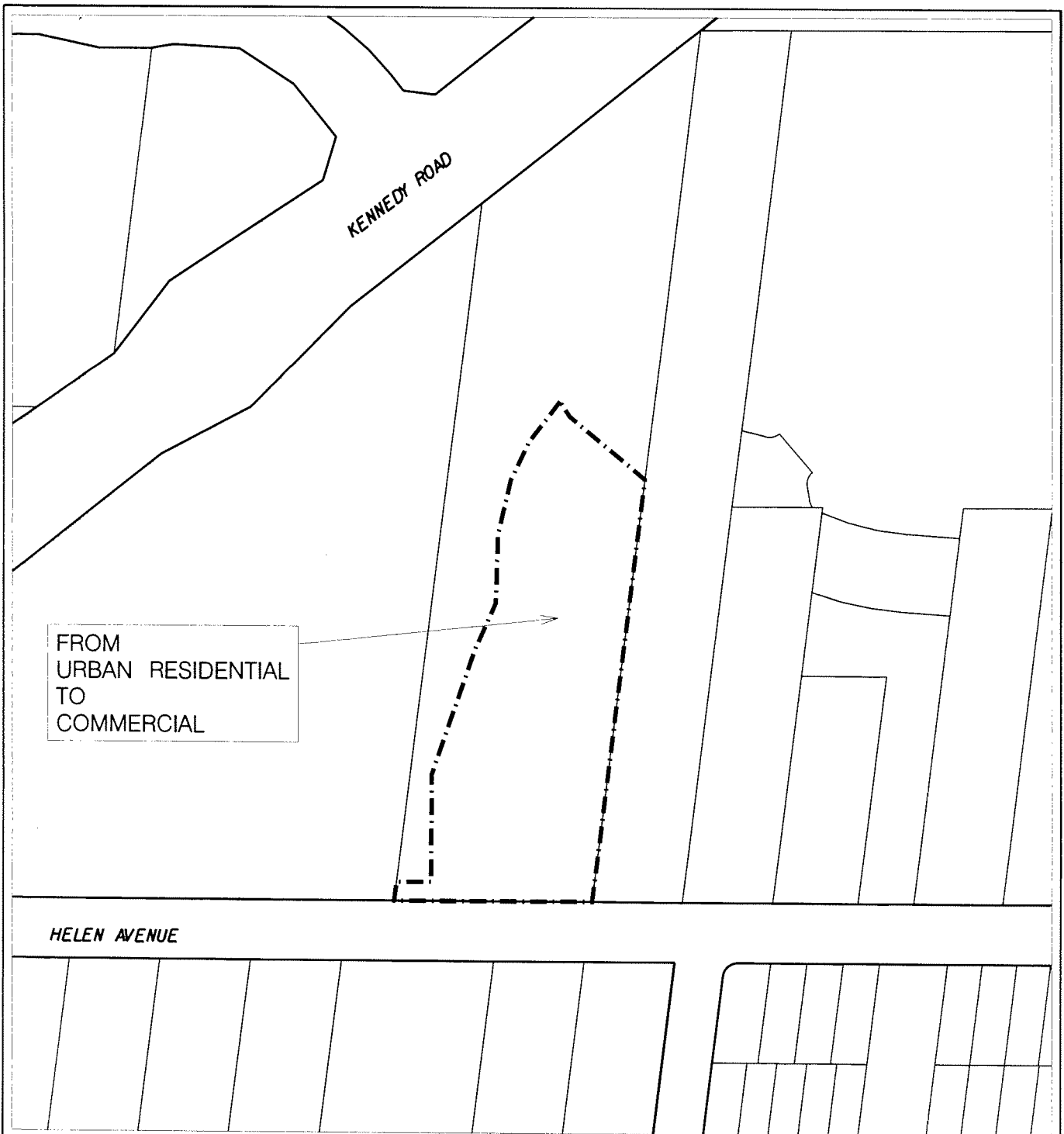
2.0 IMPLEMENTATION AND INTERPRETATION

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.

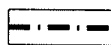
This Amendment shall be implemented by an amendment to the Zoning By-law and Site Plan Approval in conformity with the provisions of this Amendment.

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.



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

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT



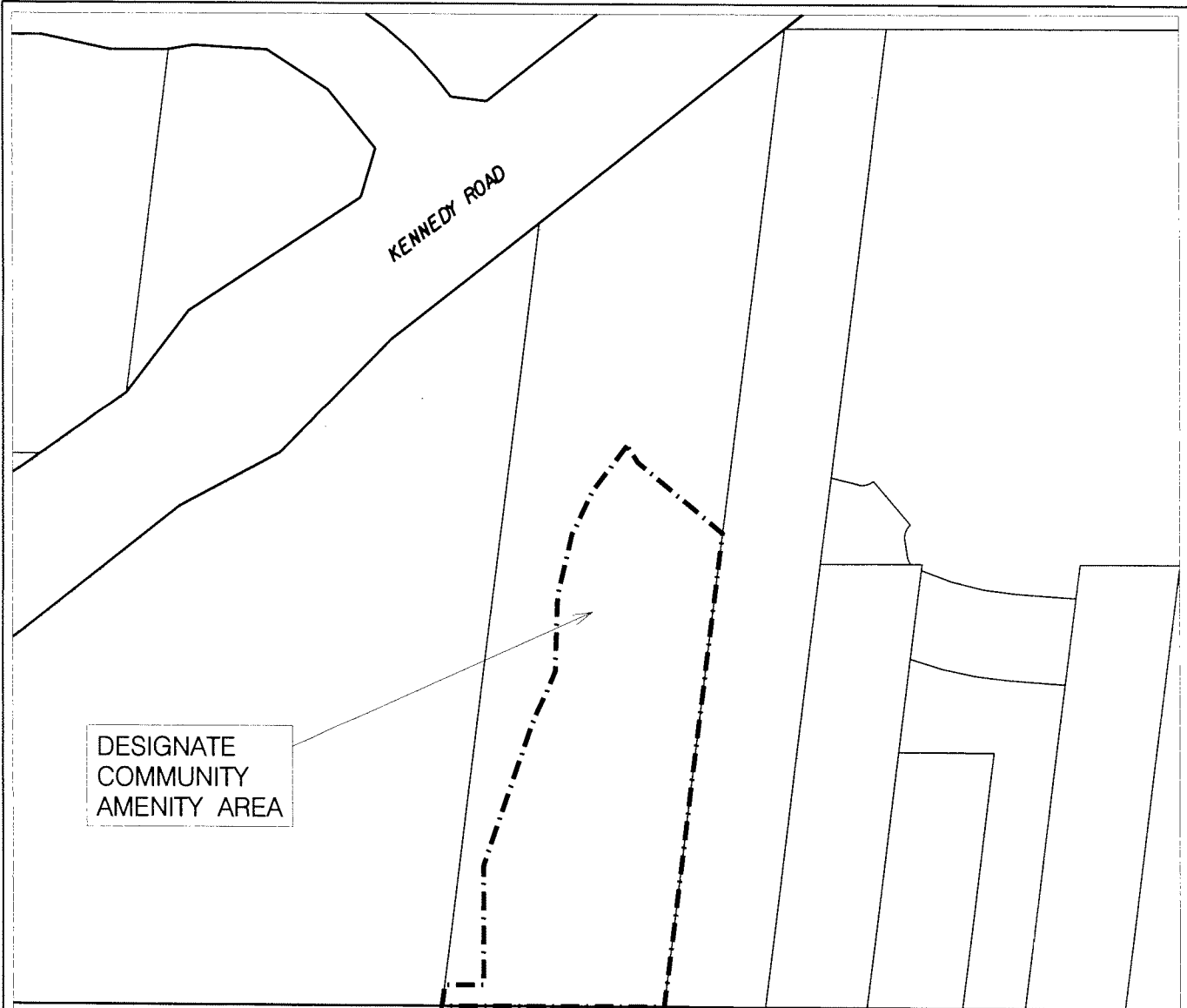
DEVELOPMENT SERVICES COMMISSION

SCHEDULE "A" TO OPA No. 176

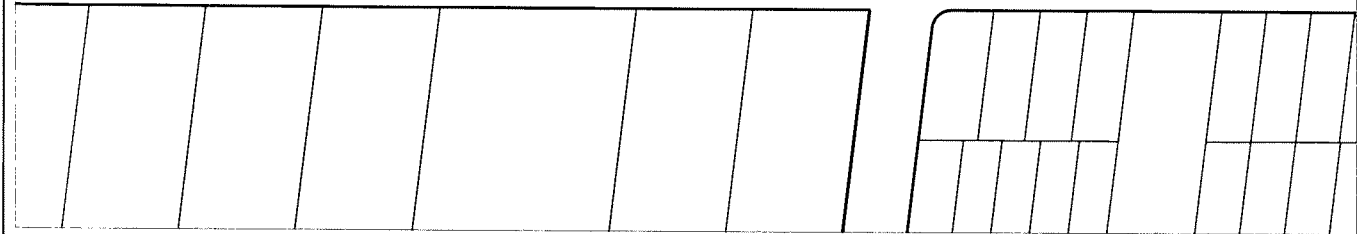
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HELEN AVENUE



AMENDMENT TO SCHEDULE 'H' – COMMERCIAL /INDUSTRIAL CATEGORIES
TOWN OF MARKHAM OFFICIAL PLAN (REVISED 1987), AS AMENDED



BOUNDARY OF AREA COVERED BY THIS AMENDMENT



DEVELOPMENT SERVICES COMMISSION

SCHEDULE "B" TO OPA No. 176

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PART III - THE SECONDARY PLAN AMENDMENT (PD 34-1-7)
(This is an operative part of Official Plan Amendment No. 176)

PART III - THE SECONDARY PLAN AMENDMENT (PD 34-1-7)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 7 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:

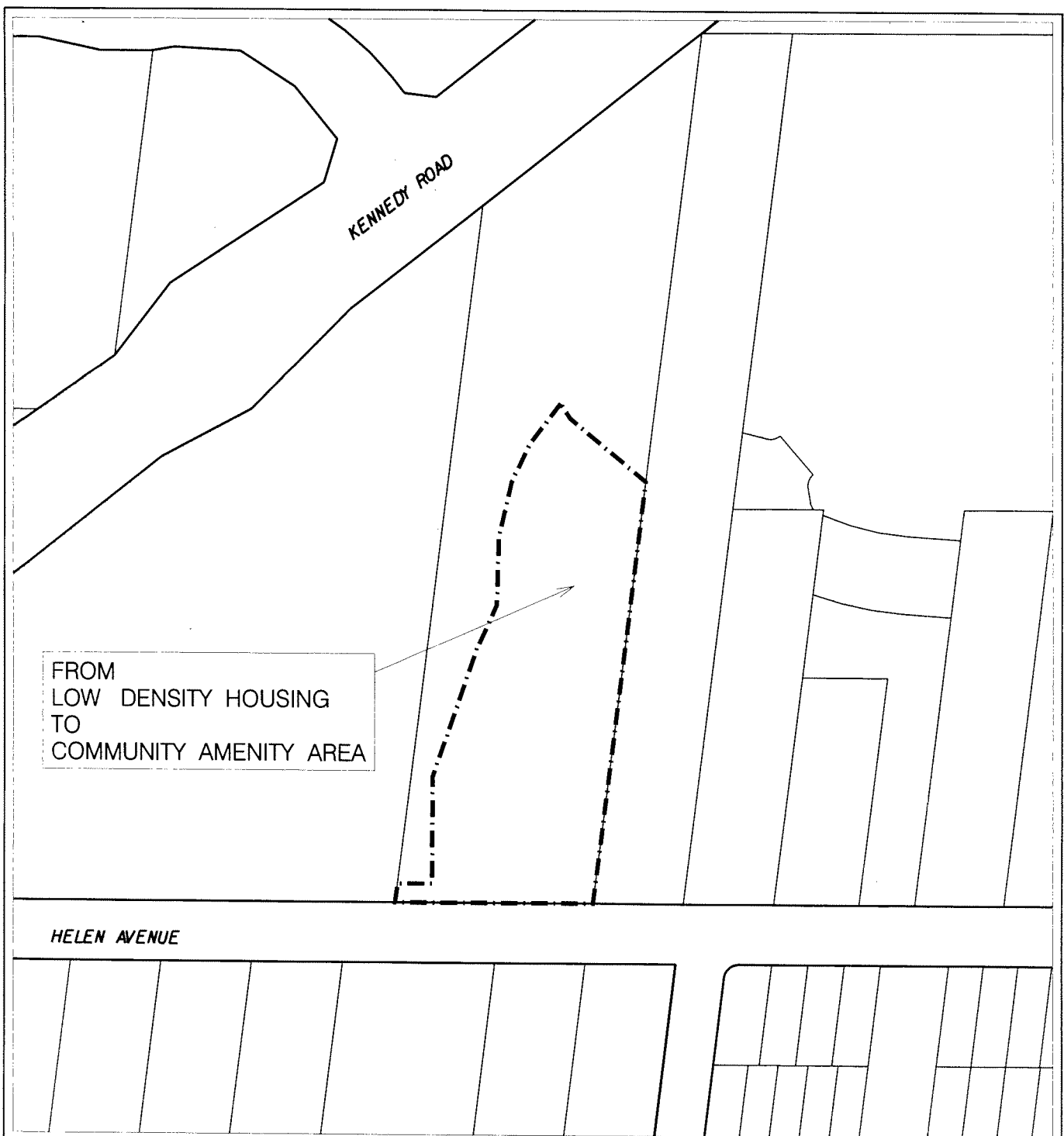
- 1.1 By amending Schedule AA – “Detailed Land Use” of Secondary Plan PD 34-1, to extend the Community Amenity Area designation as shown on Schedule ‘C’ to this Amendment.
- 1.2 By adding a new sub-section and corresponding Figure 34-1-7 being Sub-section 6.3.2 (x):
 - “vii) The following additional provisions apply to the lands designated “Community Amenity Area” on the South side of South Unionville Avenue, east of Kennedy Road and identified on Figure 34-1-7:
 - 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 one (1) automobile sales establishment involving accessory outdoor storage and/or display of vehicles.
 - b) The automobile sales establishment shall be subject to the following specific design guidelines:
 - All vehicular access should be from South Unionville Avenue.
 - Vehicular access should be located and designed to not compromise the safety of pedestrian movements along abutting residential streets and to the nearby public park.
 - The building should be located in close proximity to the public sidewalk along South Unionville and be oriented towards the public street.
 - A prominent building entry should be provided from South Unionville Avenue.
 - There should be no display of vehicles in the area between the sidewalk along South Unionville and the front of the building.
 - 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).
 - All service areas and activities should be oriented away from the residential community to the east and south of the subject lands, and enclosed within the building or mitigated adequately by screening walls and landscaping.

- Intensive high and low level landscaping incorporating large scale trees 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.
- The site development must allow for a future public street with sidewalks and street trees along its east boundary.”

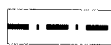
2.0 IMPLEMENTATION AND INTERPRETATION

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.



AMENDMENT TO SCHEDULE 'AA' – DETAILED LAND USE
OF THE SOUTH UNIONVILLE SECONDARY PLAN (PD 34-1)
FOR THE SOUTH UNIONVILLE PLANNING DISTRICT (PLANNING DISTRICT No. 34)

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT



DEVELOPMENT SERVICES COMMISSION

SCHEDULE "C" TO OPA No. 176

PD 34-1-7

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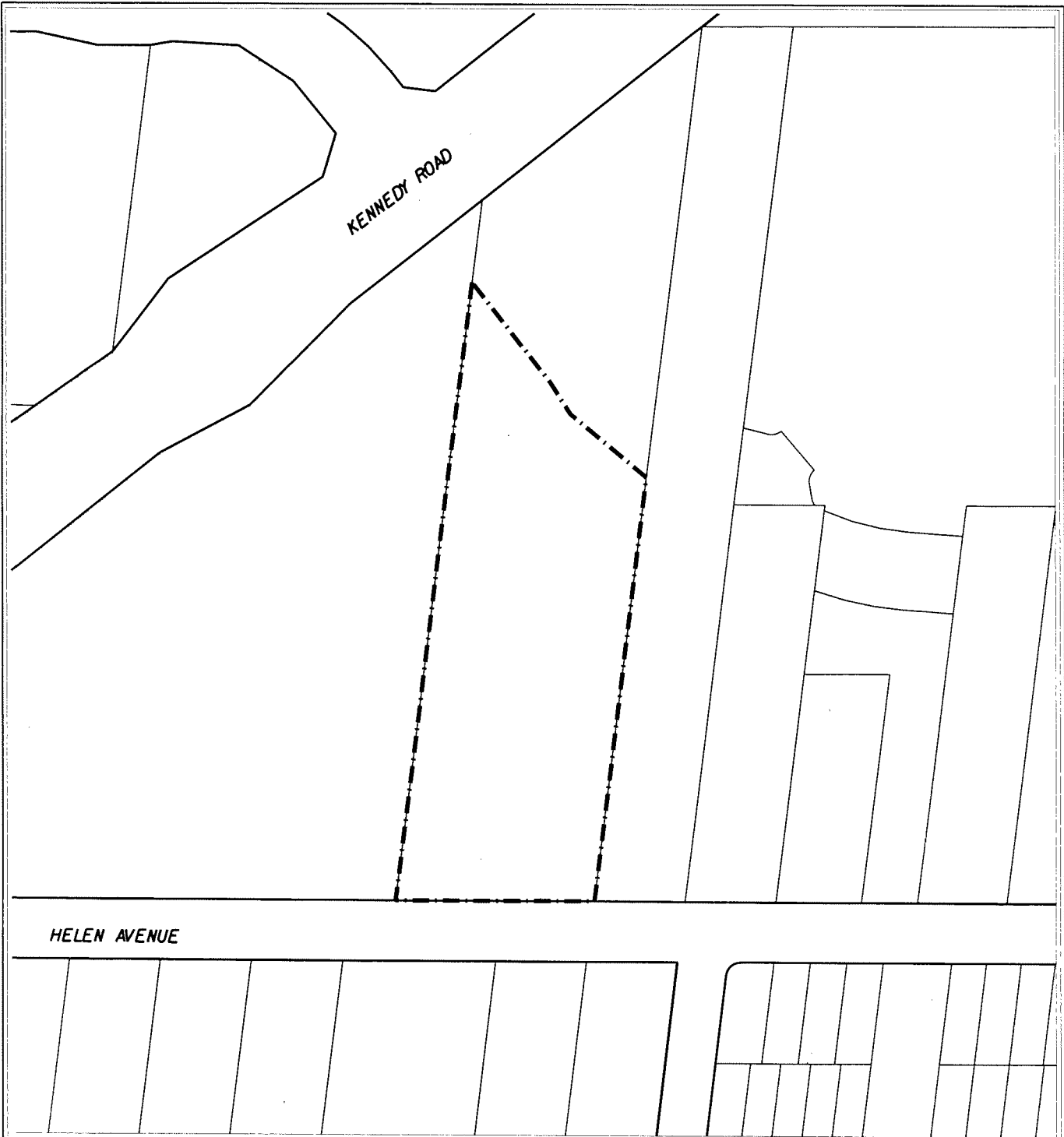
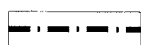


FIGURE No. 34-1-7



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