

OFFICIAL PLAN  
of the  
TOWN OF MARKHAM PLANNING AREA  
AMENDMENT NO. 165

To amend the Official Plan (Revised 1987), as amended, to incorporate an amendment to the policies for the Risebrough Planning District (Planning District No. 2).

2097358 Ontario Inc.

(East side of Kennedy Road, north of 14<sup>th</sup> Avenue – Part of Lot 6, Concession 6,  
Town of Markham, Regional Municipality of York)


*(June 2007)*

**OFFICIAL PLAN**  
**of the**  
**MARKHAM PLANNING AREA**  
**AMENDMENT NO. 165**

To amend the Official Plan (Revised 1987), as amended to incorporate an amendment to the policies for the Risebrough Planning District (Planning District No. 2).

This Official Plan Amendment was adopted by the Corporation of the Town of Markham, by By-law No. 2007-176 in accordance with the Planning Act, R.S.O. 1990, c.P.13, as amended, on the 26th day of June, 2007.

  
SHEILA BIRRELL, TOWN CLERK

  
FRANK SCARPITTI, MAYOR



## BY-LAW 2007-176

Being a by-law to adopt Amendment No. 165  
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. 165 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 JUNE, 2007.

  
SHEILA BIRRELL, 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.....	9
3. FIGURE 2.10 .....	10

## **PART I – INTRODUCTION**

(This is not an operative part of Official Plan Amendment No. 165)

## **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.

PART II – THE OFFICIAL PLAN AMENDMENT constitutes Amendment No. 165 to the Official Plan (Revised 1987) as amended, including Figure 2.10 attached hereto. Part II is the operative part of this Official Plan Amendment.

### **2.0 LOCATION**

The lands subject to this Amendment are approximately 1.0 hectares (2.5 acres) located on the east side of Kennedy Road, north of 14<sup>th</sup> Avenue, municipally known as 7779, 7781 and 7787 Kennedy Road.

### **3.0 PURPOSE**

The purpose of this Official Plan Amendment is to:

- permit a retirement home;
- recognize an existing private Montessori school located on the property; and
- permit office uses in the heritage building on the property.

### **4.0 BASIS**

The property is designated URBAN RESIDENTIAL in the Official Plan. There is an existing building on the property that is being used as a private Montessori school. The property also contains a heritage building, which is being restored to accommodate future office uses.

The remainder of the site is proposed to be developed with a 62 unit retirement home with a gross floor area of 5,749 m<sup>2</sup> (61,881 ft<sup>2</sup>). The retirement home will consist of bachelor units, 1 bedroom and 2 bedroom units. The average age of the residents will be 55 years and up.

The proposed development will contribute to the availability of seniors housing in Markham, as well as provide for the restoration of a heritage house through adaptive re-use.

The site layout and built form of the retirement home is compatible with the height and architectural style of the surrounding residential community. The proposed development is considered to be appropriate.

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

(This is an operative part of Official Plan Amendment No. 165)

## **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 165 to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.
- 1.2 Section 4.3.2.2. of the Official Plan (Revised 1987) as amended, is hereby amended by adding the following new Subsection j), and accompanying Figure 2.10 (attached):

**“ j) 7779, 7781 and 7877 Kennedy Road**

(Official Plan Amendment No. 165)

Notwithstanding any other provisions of this Plan to the contrary, where certain lands are designated URBAN RESIDENTIAL, and are described as Part of Lot 6, Concession 6, municipally known as 7779, 7781 and 7877 Kennedy Road, as shown on Figure 2.10, the following provisions shall apply:

Notwithstanding the provisions of Section 3.3 of this Plan, the following policies shall apply to lands designated URBAN RESIDENTIAL on the east side of Kennedy Road, north of 14<sup>th</sup> Avenue, municipally known as 7779, 7781 and 7877 Kennedy Road as shown on Figure 2.10, as follows:

- i) The lands may only be used for:
  - a private school
  - a retirement home
  - residential uses and/or business offices within the existing Heritage house (John Morley house)
- ii) The existing Heritage house (John Morley house) shall be retained on-site.
- iii) The permitted retirement home may contain a maximum of 62 units, and shall not exceed 4 storeys.
- iv) Through the site plan approval process, the final site plan, landscape plans, and building elevations shall demonstrate a commitment to good urban design, to the satisfaction of the Town.
- v) The final grading and landscaping plan shall be designed to protect as many existing trees along the westerly property line as possible.
- vi) A Traffic Study shall be completed, to the satisfaction of the Town for the development of these lands at the time of site plan approval.
- vii) The provisions of Section 4.3.2.2 j) shall supersede provisions of the non-statutory Secondary Plan (PD 2-2) as they relate to these lands.



- viii) If required, the provisions of Section 4.3.2.2 j) will be incorporated into a Secondary Plan at such time as a statutory Secondary Plan incorporating the subject lands is prepared.”

## **2.0 INTERPRETATION AND IMPLEMENTATION**

The provisions of the Official Plan (Revised 1987), 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 to the Official Plan (Revised, 1987) 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.

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.

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) shall not apply.

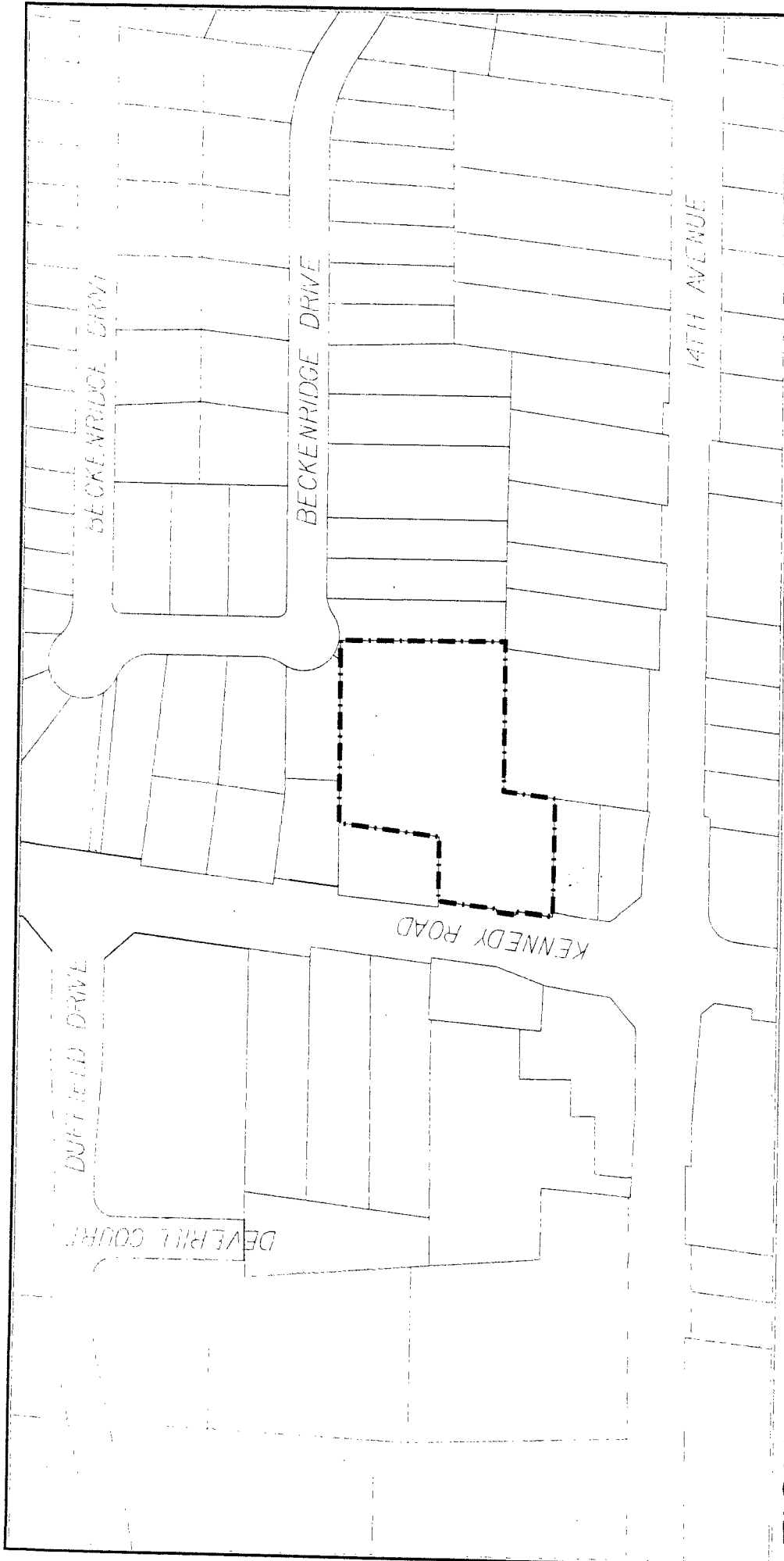


FIGURE No. 2.10

SPECIFIC SITE AND AREA POLICIES  
TOWN OF MARKHAM OFFICIAL PLAN (Revised 1987) AS AMENDED

--- Boundary of area subject to the policies in Section 4.3.2.2 i)  
--- Land use designation: URBAN RESIDENTIAL