

APPENDIX 'B' –Draft Official Plan Amendment

OFFICIAL PLAN

of the

TOWN OF MARKHAM PLANNING AREA

AMENDMENT NO.

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

(GREENBELT VOLKSWAGEN LTD.)

May ___, 2006.

OFFICIAL PLAN
of the
MARKHAM PLANNING AREA
AMENDMENT NO. _

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

This Official Plan Amendment was adopted by the Corporation of the Town of Markham, By-law No. _____ - ____ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the _____ day of May 2006.

Mayor

Town Clerk

THE CORPORATION OF THE TOWN OF MARKHAM

BY-LAW NO. _____

Being a by-law to adopt Amendment No._ 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._ to the Town of Markham Official Plan (Revised 1987) 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 _____ DAY OF MAY, 2006.

TOWN CLERK

MAYOR

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PART I - INTRODUCTION

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

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 AMENDMENT, including Schedules "A" and "B" constitutes Amendment No. _ to the Official Plan (Revised 1987), as amended. Amendment No. _ is required to enact Amendment No.4 to Secondary Plan PD 34-1 for the South Unionville Planning District (Planning District No.34). Part II is an operative part of this Official Plan Amendment.

PART III- THE SECONDARY PLAN AMENDMENT including Schedule "C", attached thereto, constitutes Amendment No.-- to Secondary Plan PD 34-1 for the South Unionville Planning District (Planning District No.34). Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

The Amendment applies to the lands municipally known as 7997 Kennedy Road and 31 Helen Avenue which are legally described as Part of lot 8, Concession 5 and Part of Lot 12, Registered Plan 2196, Town of Markham. The subject lands have an area of approximately 1.72 ha (4.3 acres) and are located east of Kennedy Road and north of Highway 407, within the South Unionville Planning District. The property municipally known as 7997 Kennedy Road contains the Greenbelt Volkswagen Dealership and the property immediately to the east, 31 Helen Avenue, contains a designated heritage house, the James Brander House. A drainage ditch traverses the subject lands generally in the area of the mutual property line that separates both properties. The drainage ditch conveys drainage from the stormwater management pond serving Highway 407 and the lands immediately south of the highway and drains northward to Tributary 5 of the Rouge River, across Kennedy Road.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to enact Amendment No.-- to the Secondary Plan PD 34-1 for the South Unionville Planning District (Planning District No. 34). This Official Plan amendment will also modify Schedule 'A' – LAND USE and Schedule 'H' – COMMERCIAL AND INDUSTRIAL CATEGORIES of the Official Plan by re-designating the lands to COMMERCIAL and COMMUNITY AMENITY AREA, respectively.

The purpose of the Secondary Plan Amendment is to:

- 1) amend Schedule 'AA' by re-designating the lands as COMMUNITY AMENITY AREA.
- 2) add a site specific permission permitting accessory

outdoor storage and/or display of merchandise associated with an automobile sales establishment.

These Official Plan and Secondary Plan Amendments will facilitate the expansion of the existing Greenbelt Volkswagen Automobile Dealership at 7997 Kennedy Road in South Unionville.

The expansion will include the construction of a 1060m² addition to the existing dealership building and the construction of a 1168m² new building intended for the sale and service of prestige Volkswagen models.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The rationale for the Amendment is to facilitate the expansion of an established automobile dealership use which includes an addition to the existing building and the construction of a new building. The amendment will also permit retail uses with accessory outdoor storage and/or display of merchandise within the Community Amenity Area designation to serve the dealership. The expansion will establish a new logical boundary between commercial and residential land uses while maintaining and enhancing existing heritage and environmental features on the lands.

PART II - THE AMENDMENT

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

PART II - THE AMENDMENT

1.0 THE 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 ____ 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 ____ to the list of amendments, including any required grammatical and punctuation changes in the bullet item dealing with the South Unionville Planning District Secondary Plan (PD 34-1).
- 1.2 Section 9.2.17 of Part II of the Official Plan (Revised 1987) as amended, is hereby amended by the addition of the number ____ to the list of amendments, including any required grammatical and punctuation changes.
- 1.3 Schedule 'A' LAND USE to the Official Plan (Revised 1987) as amended, is hereby amended by re-designating the subject lands at 31 Helen Avenue from "URBAN RESIDENTIAL" to "COMMERCIAL" as shown on Schedule 'A' attached.
- 1.4 Schedule 'H' COMMERCIAL / INDUSTRIAL CATEGORIES is hereby amended by re-designating the subject lands at 31 Helen Avenue to "COMMUNITY AMENITY AREA" as shown on Schedule 'B' attached.

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) 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) shall not apply.

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

PART III - THE SECONDARY PLAN AMENDMENT

1.0 THE SECONDARY PLAN AMENDMENT

The South Unionville Planning District Secondary Plan is hereby amended as follows:

- 1.1 SCHEDULE 'AA' – DETAILED LAND USE is amended by re-designating the subject lands from LOW DENSITY HOUSING to COMMUNITY AMENITY AREA as shown on Schedule 'C' attached hereto.
- 1.2 Section 6.3.2 of this Secondary Plan is hereby amended by the addition of the following text:

“(vi) Notwithstanding the provision of Section 3.4.6.2 (c) (iv) of the Official Plan (Revised 1987), as amended, permitted uses at 7997 Kennedy Road and 31 Helen Avenue shall include accessory outdoor storage and/or display of merchandise associated with an automobile sales establishment only.”

2.0 IMPLEMENTATION AND INTERPRETATION

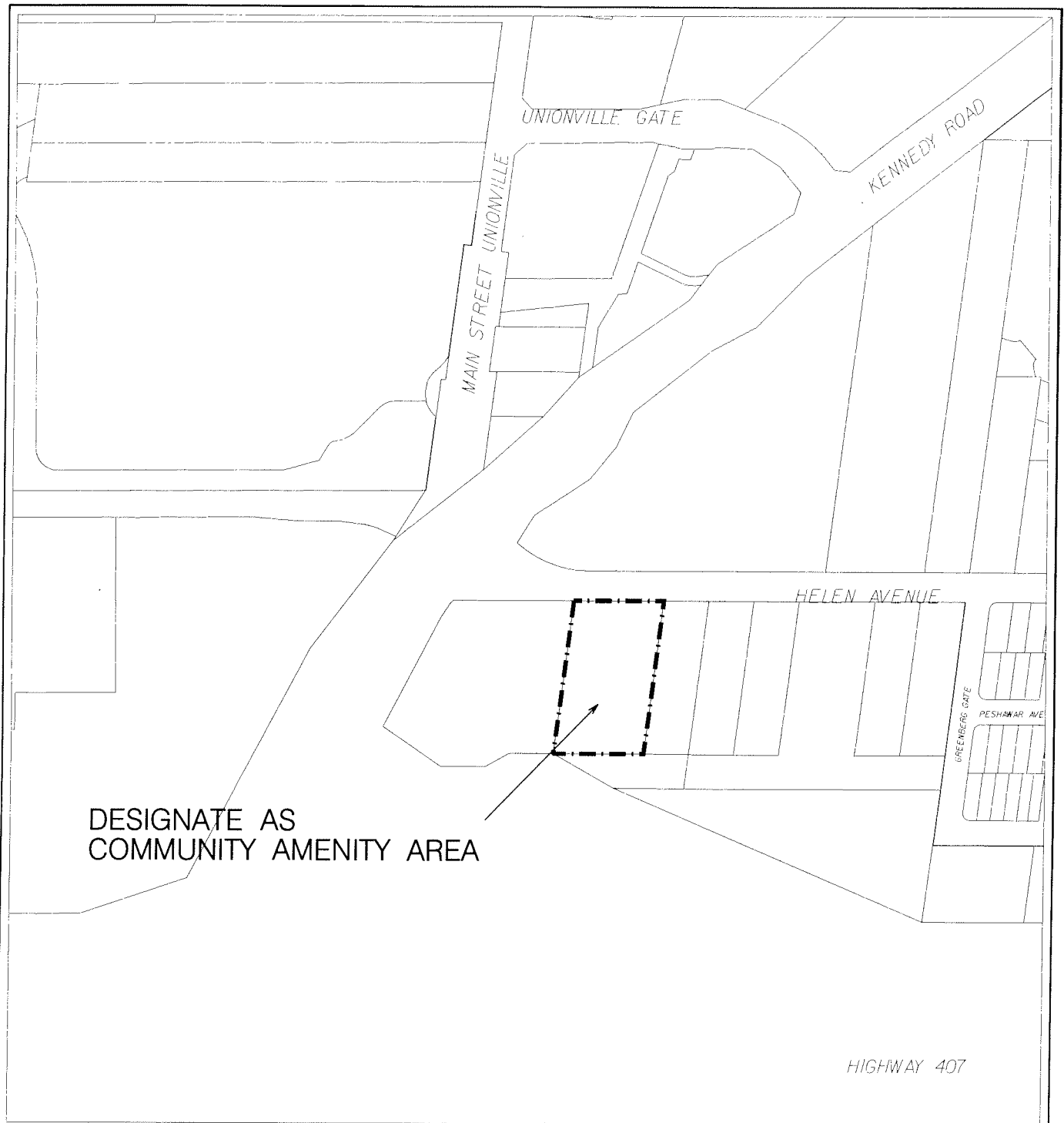
The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

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.

(Attached Schedules ...)

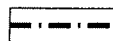
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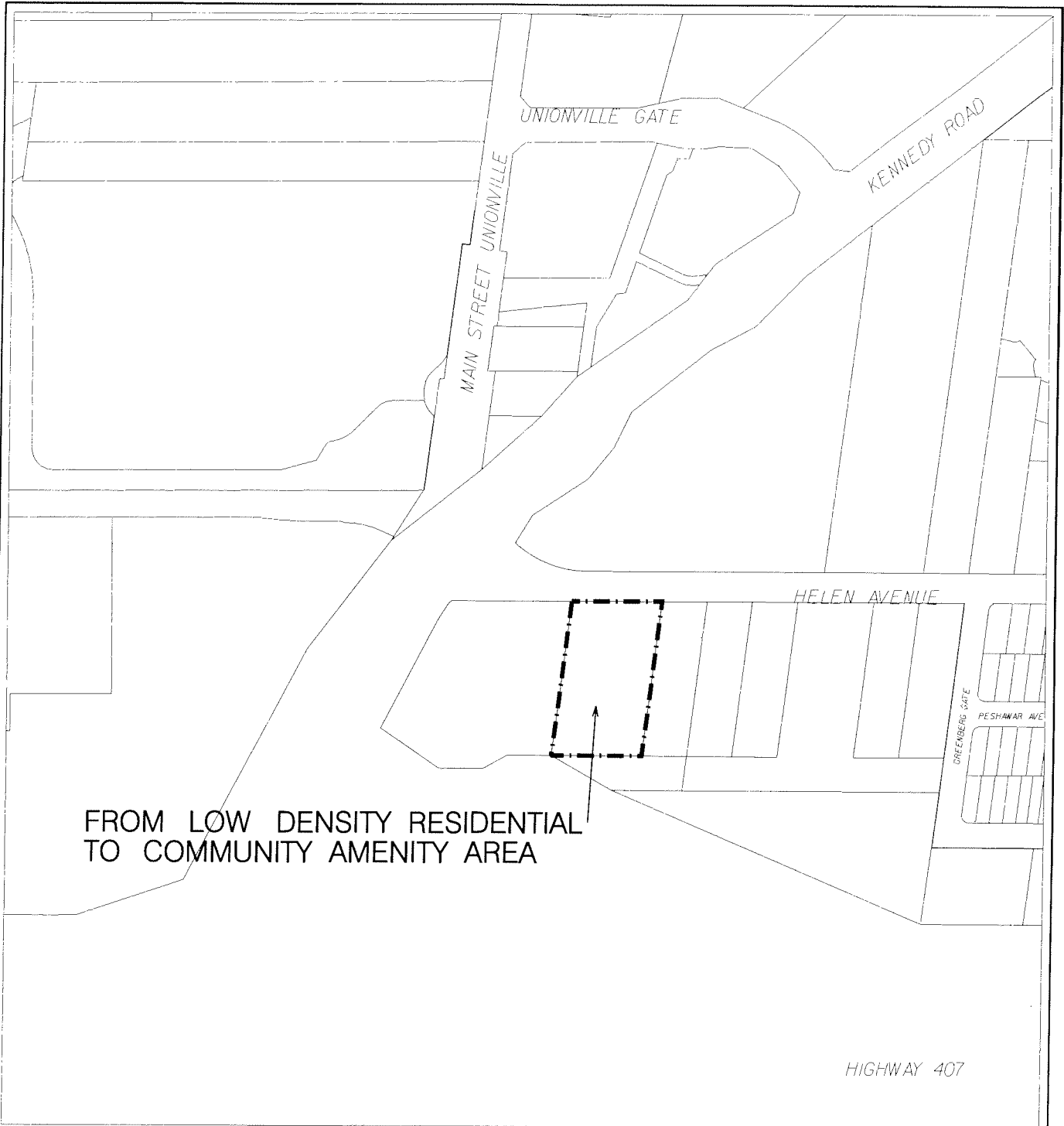


DESIGNATE AS
COMMUNITY AMENITY AREA

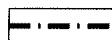
AMENDMENT TO SCHEDULE 'H' – COMMERCIAL /INDUSTRIAL CATEGORIES
TOWN OF MARKHAM OFFICIAL PLAN (REVISED 1987) AS AMENDED



BOUNDARY OF AREA COVERED BY THIS AMENDMENT



AMENDMENT TO SCHEDULE "AA"-DETAILED LAND USE
OF SECONDARY PLAN PD34-1
FOR THE SOUTH UNIONVILLE PLANNING DISTRICT No. _____



BOUNDARY OF AREA COVERED BY THIS AMENDMENT



MARKHAM DEVELOPMENT SERVICES COMMISSION

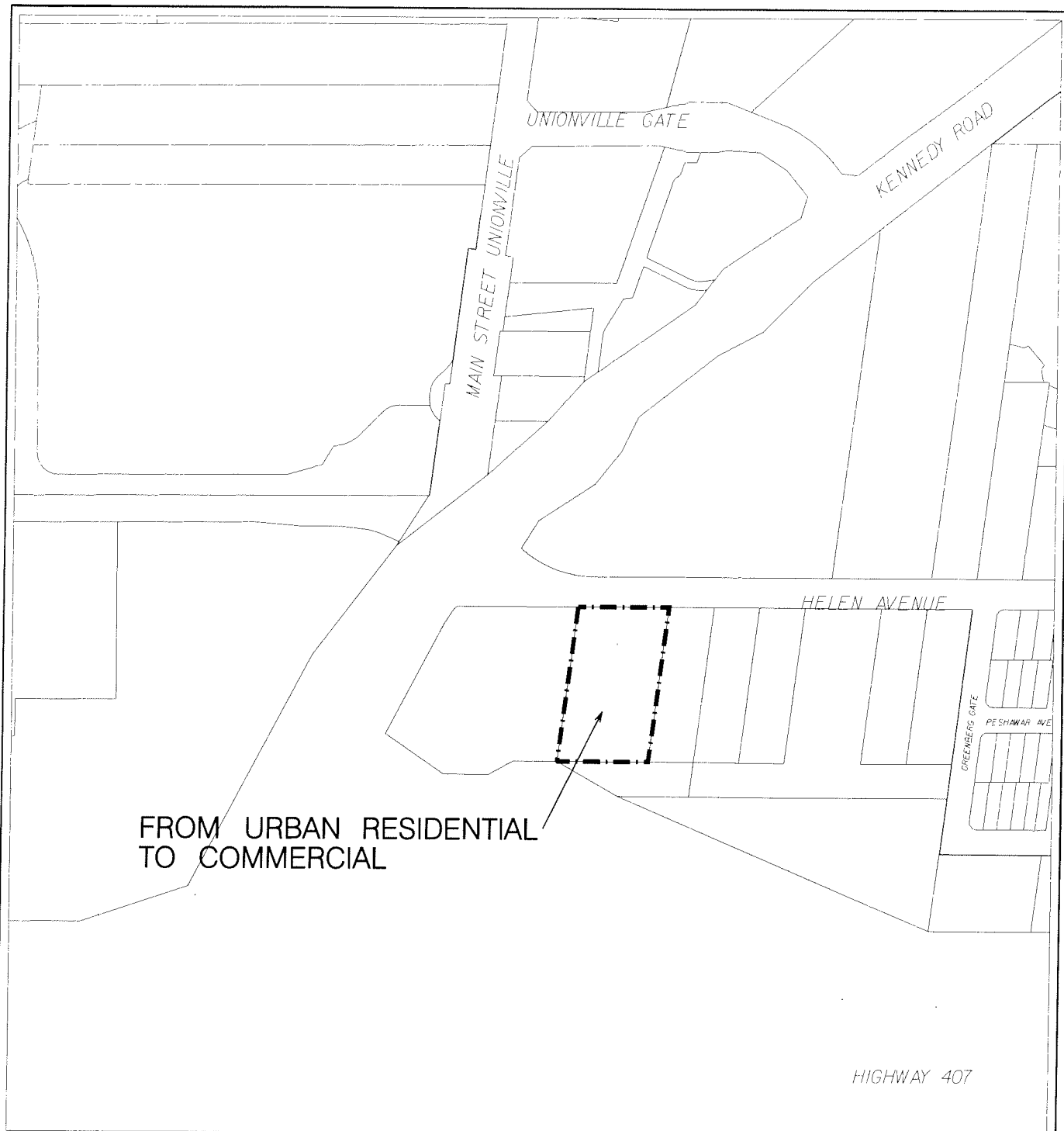
SCHEDULE 'C' TO OPA No. XXX

PD --

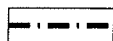
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AMENDMENT TO SCHEDULE 'A' – LAND USE
TOWN OF MARKHAM OFFICIAL PLAN (REVISED 1987) AS AMENDED



BOUNDARY OF AREA COVERED BY THIS AMENDMENT



DEVELOPMENT SERVICES COMMISSION

SCHEDULE

TO OPA No. XXX

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