

OFFICIAL PLAN
of the
TOWN OF MARKHAM PLANNING AREA
AMENDMENT NO. 160

VIC TOU DEVELOPMENTS INC.
(On the east side of Kennedy Road south of Highglen Avenue
7543 Kennedy Road)

April 2007

OFFICIAL PLAN
of the
MARKHAM PLANNING AREA
AMENDMENT NO. 160

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

This Official Plan Amendment was adopted by the Corporation of the Town of Markham, By-law No. 2007-68, in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 24th day of April, 2007.


SHEILA BIRRELL, TOWN CLERK


FRANK SCARPITTI, MAYOR




BY-LAW 2007-68

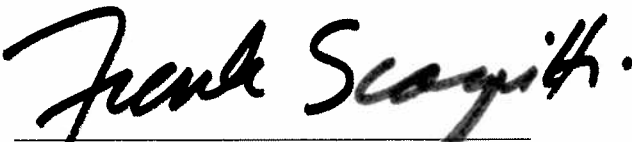
Being a by-law to adopt Amendment No. 160 to the
Town of Markham Official Plan (Revised 1987) as amended

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. 160 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
24TH DAY OF APRIL, 2007.


SHEILA BIRRELL, TOWN CLERK


FRANK SCARPITTI, MAYOR

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PART I – INTRODUCTION

(This is not an operative part of
Official Plan Amendment No. 160)

PART - 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 Figure 2.11 attached thereto, constitutes Amendment No. 160. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

The Official Plan Amendment applies to lands located on the east side of Kennedy Road, south of Highglen Avenue, municipally known as 7543 Kennedy Road.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to amend certain provisions of the Official Plan (Revised 1987) to permit a 2-storey Medical Office facility and associated retail uses on the lands, which are designated URBAN RESIDENTIAL.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The subject property is designated URBAN RESIDENTIAL in the Official Plan (Revised 1987), as amended, and “Urban Residential (Low Density)” in the non-statutory Secondary Plan for the Risebrough Planning District (PD 2-2). The intent of this Amendment is to permit, on a site specific basis a 2-storey medical clinic facility accommodating medical offices and a pharmacy.

Surrounding land uses include low density residential development to the north and the east. The property immediately to the south contains a two-storey commercial/office building and the three properties further south are used for commercial purposes. All these commercial uses are located on lands currently designated Urban Residential in the Official Plan. To the west, across Kennedy Road, is the Milliken Mills High School and Community Centre.

Although the lands are designated for residential use, the proposed medical clinic facility is considered appropriate development for the lands. This facility will provide additional medical services for surrounding residents. The proposed building is located on an arterial road with access to public transit. Further, the traffic generated can be adequately handled by the road system and the site can accommodate adequate setbacks, landscaping, vehicular movements and parking. In addition, the overall size, scale and massing of the proposed building will be compatible with the adjacent buildings. Possible commercial designation of the lands can be considered in future as part of a comprehensive review, which includes the properties to the south.

PART II - THE AMENDMENT

(This is an operative part of
Official Plan Amendment No. 160)

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 160 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 k and Figure 2.11 as follows:

- “k) 7543 Kennedy Road
(Official Plan Amendment No. 160)
Lands designated URBAN RESIDENTIAL, on the east side of Kennedy Road south of Highglen Avenue, municipally known as 7543 Kennedy Road, and shown on Figure 2.11 shall be subject to the following policies:
- i) Notwithstanding the provisions of Section 3.3 – Urban Residential the lands may also be zoned to permit a Medical Clinic Facility accommodating medical offices and a pharmacy not exceeding two storeys in height.
 - ii) The Medical Clinic Facility shall have a maximum gross floor area of 430 m² (4,629 ft²).
 - iii) The pharmacy shall have a maximum gross floor area 60 m² (646 ft²) and shall be located on the ground floor.
 - iv) The provisions of Section 4.3.2.2 k) shall supercede the provisions of the non-statutory Secondary Plan (PD 2-2) as they relate to these lands.
 - v) If required, the provisions of Section 4.3.2.2 k) will be incorporated into a Secondary Plan at such time as a statutory Secondary Plan incorporating the subject lands is prepared for 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.

The Amendment to the Official Plan (Revised 1987) is exempt from 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 schedules. 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.

This Official Plan Amendment shall be implemented by an amendment to Zoning By-law 90-81, as amended and site plan control approval, in conformity with the provisions of this Amendment.

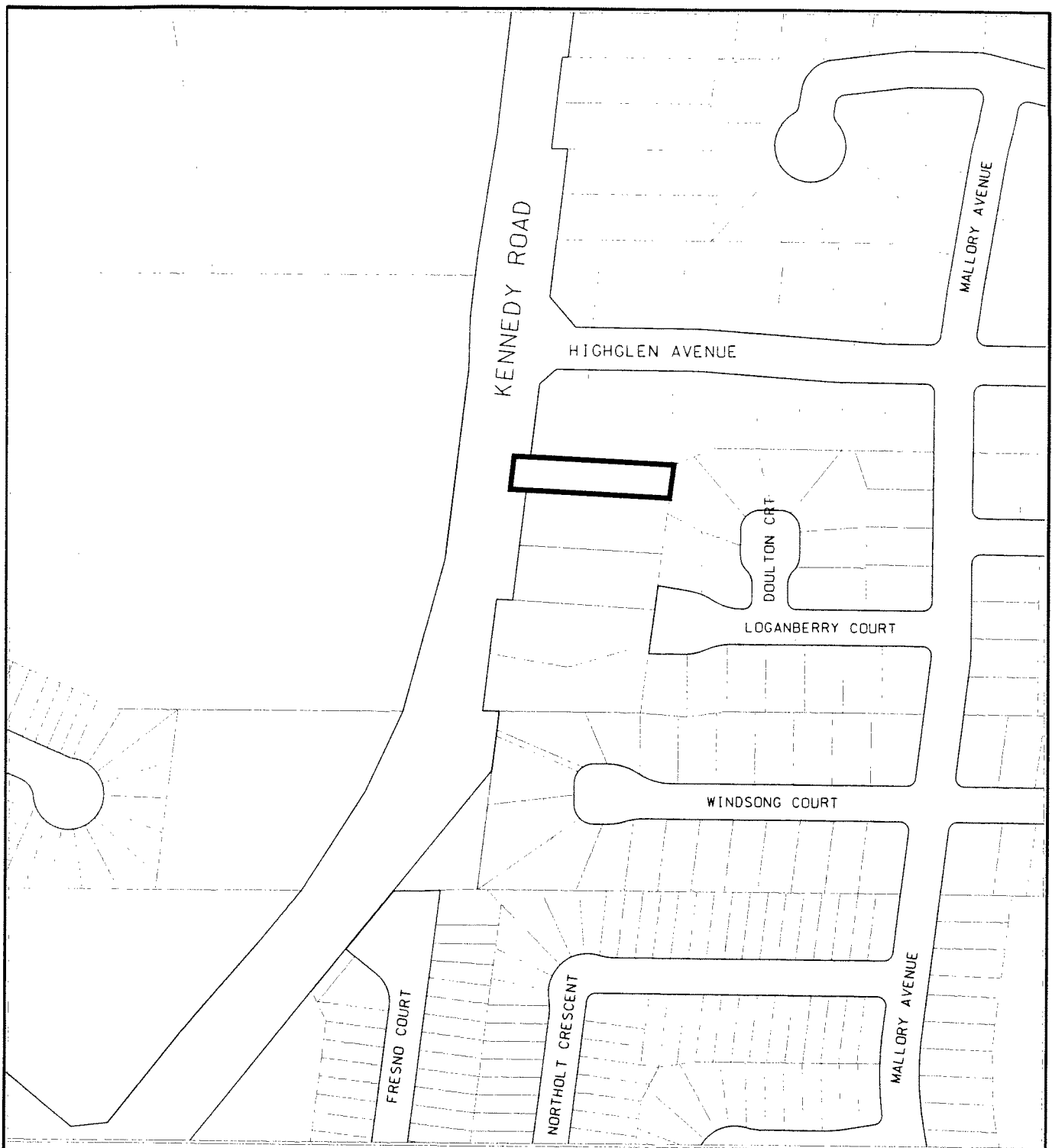


FIGURE No. 2.11
SPECIFIC SITE AND AREA POLICIES
TOWN OF MARKHAM OFFICIAL PLAN (Revised 1987) AS AMENDED

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