

# AREA CONTEXT /ZONING

APPLICANT: VIC TOU DEVELOPMENT INC.  
7543 KENNEDY ROAD

FILE No: ZA. 05021522, OP. 05021516 & SC. 05021522(NS)



DEVELOPMENT SERVICES COMMISSION

DWN BY: RK

CHK BY: NS

SCALE 1:

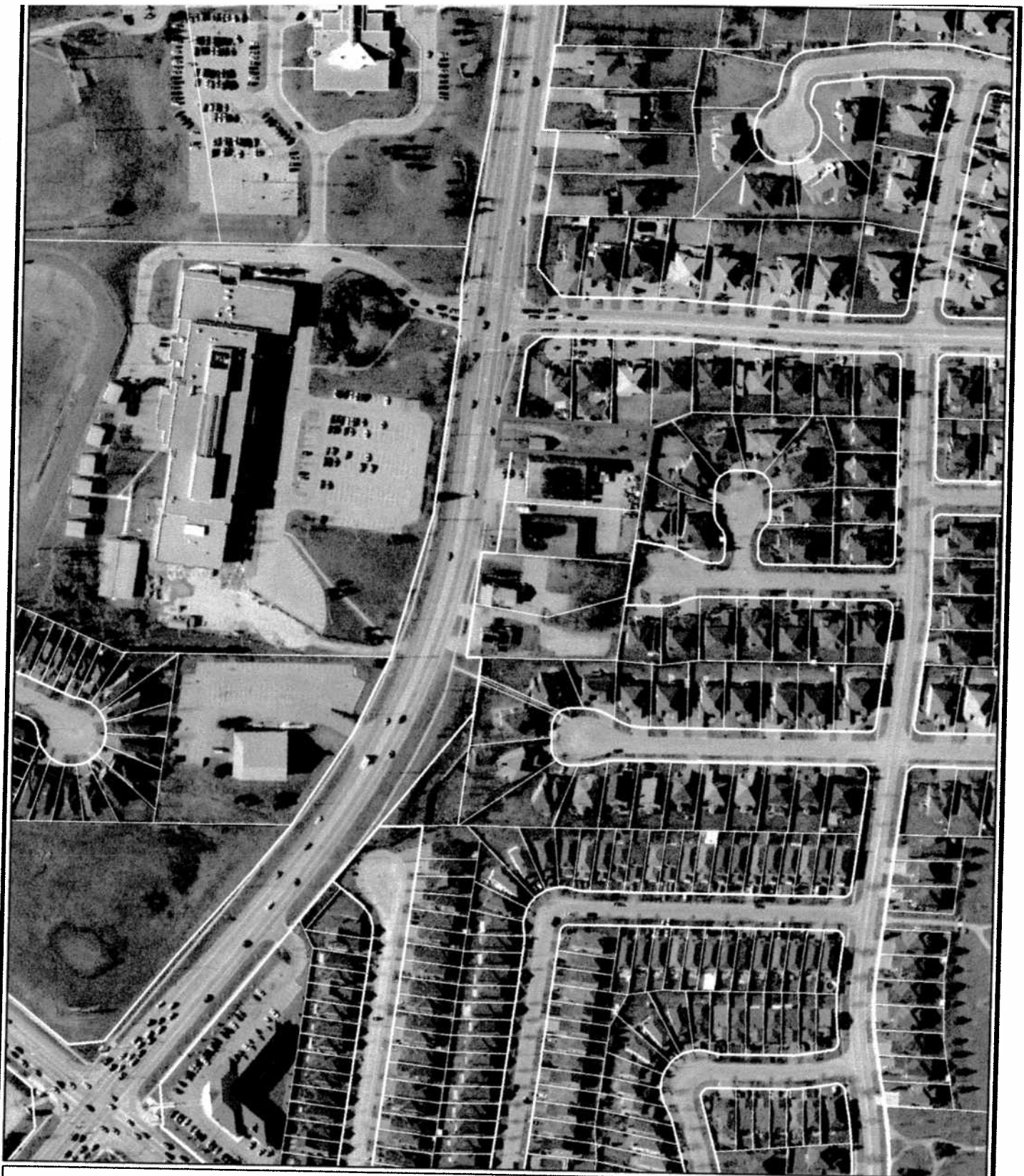


SUBJECT PROPERTY

DATE: 07/03/21

FIGURE No.2


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# AIR PHOTO

APPLICANT: VIC TOU DEVELOPMENT INC.  
7543 KENNEDY ROAD

FILE No: ZA. 05021522, OP. 05021516 & SC. 05021522(NS)

 SUBJECT PROPERTY  
DATE: 05/10/18



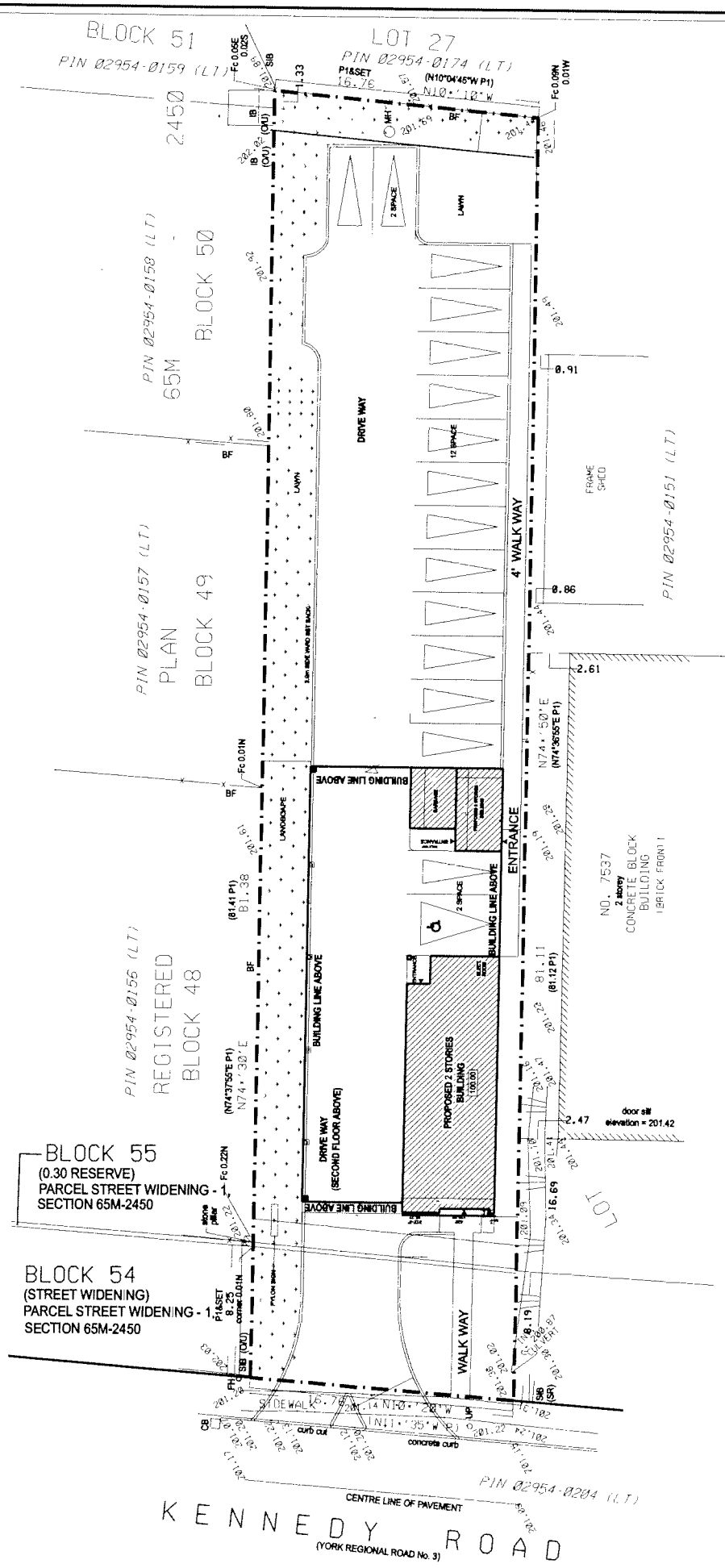
DEVELOPMENT SERVICES COMMISSION

DWN BY: REK

CHK BY: NS

SCALE 1:

FIGURE No.3



# SITE PLAN

APPLICANT: VIC TOU DEVELOPMENT INC.  
7543 KENNEDY ROAD

FILE No: ZA. 05021522, OP. 05021516 & SC. 05021528 (NS)

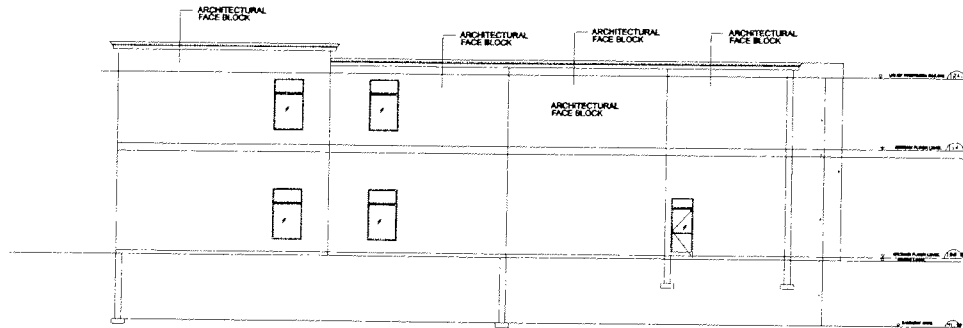


DEVELOPMENT SERVICES COMMISSION

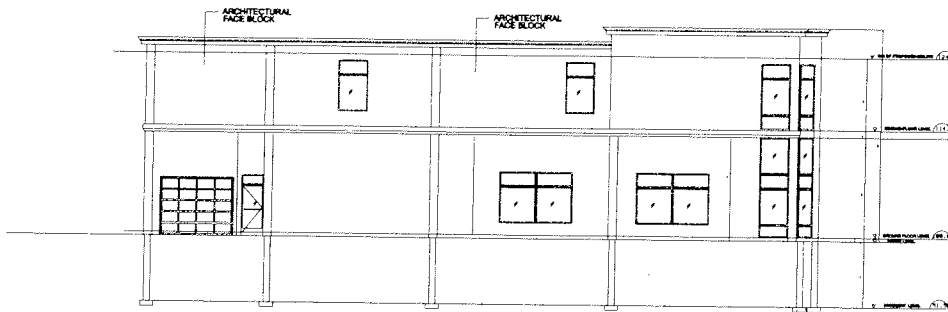
DATE: 07/03/21

FIGURE No.4

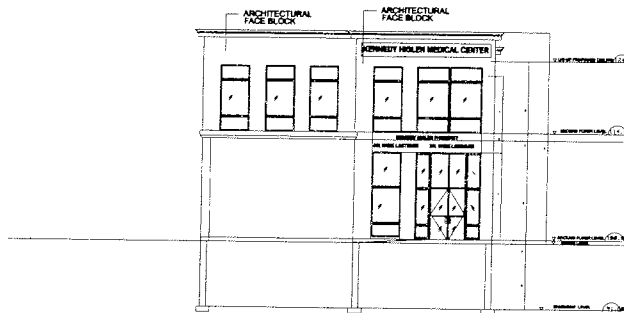
DRAWN BY: REK CHECKED BY: NS SCALE 1:



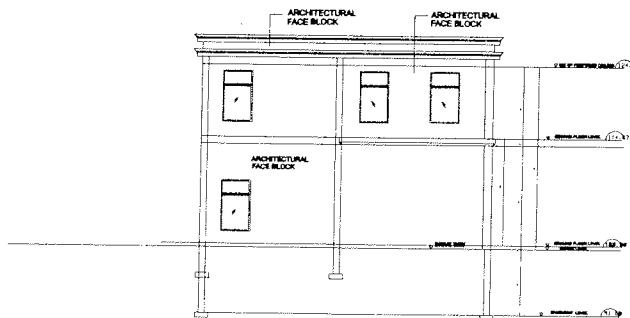
**South Side Elevation**



**North Side Elevation**



**West Side Elevation**



**East Side Elevation**

# ELEVATIONS

APPLICANT: VIC TOU DEVELOPMENT INC.  
7543 KENNEDY ROAD

FILE No: ZA. 05021522, OP. 05021516 & SC. 05021528(NS)

DATE: 07/03/21



DEVELOPMENT SERVICES COMMISSION

DWN BY: REK

CHK BY: NS

SCALE 1:

**FIGURE No.5**

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**APPENDIX 'A'**

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

***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. XXX**

To amend the Official Plan (Revised 1987), as amended, to incorporate an amendment to the polices 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 - \_\_\_\_, in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Town Clerk**

**THE CORPORATION OF THE TOWN OF MARKHAM**

**BY-LAW NO. \_\_\_\_\_**

Being a by-law to adopt Amendment No. XXX 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. XXX 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 \_\_\_\_\_, 2007.

\_\_\_\_\_  
**SHEILA BIRRELL, TOWN CLERK**

\_\_\_\_\_  
**DON COUSENS, MAYOR**



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## **PART I – INTRODUCTION**

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

## **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. XXX. 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. XXX)

## **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 XXX 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. XXX)  
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 m<sup>2</sup> (4,629 ft<sup>2</sup>).
  - iii) The pharmacy shall have a maximum gross floor area 60 m<sup>2</sup> (646 ft<sup>2</sup>) 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**

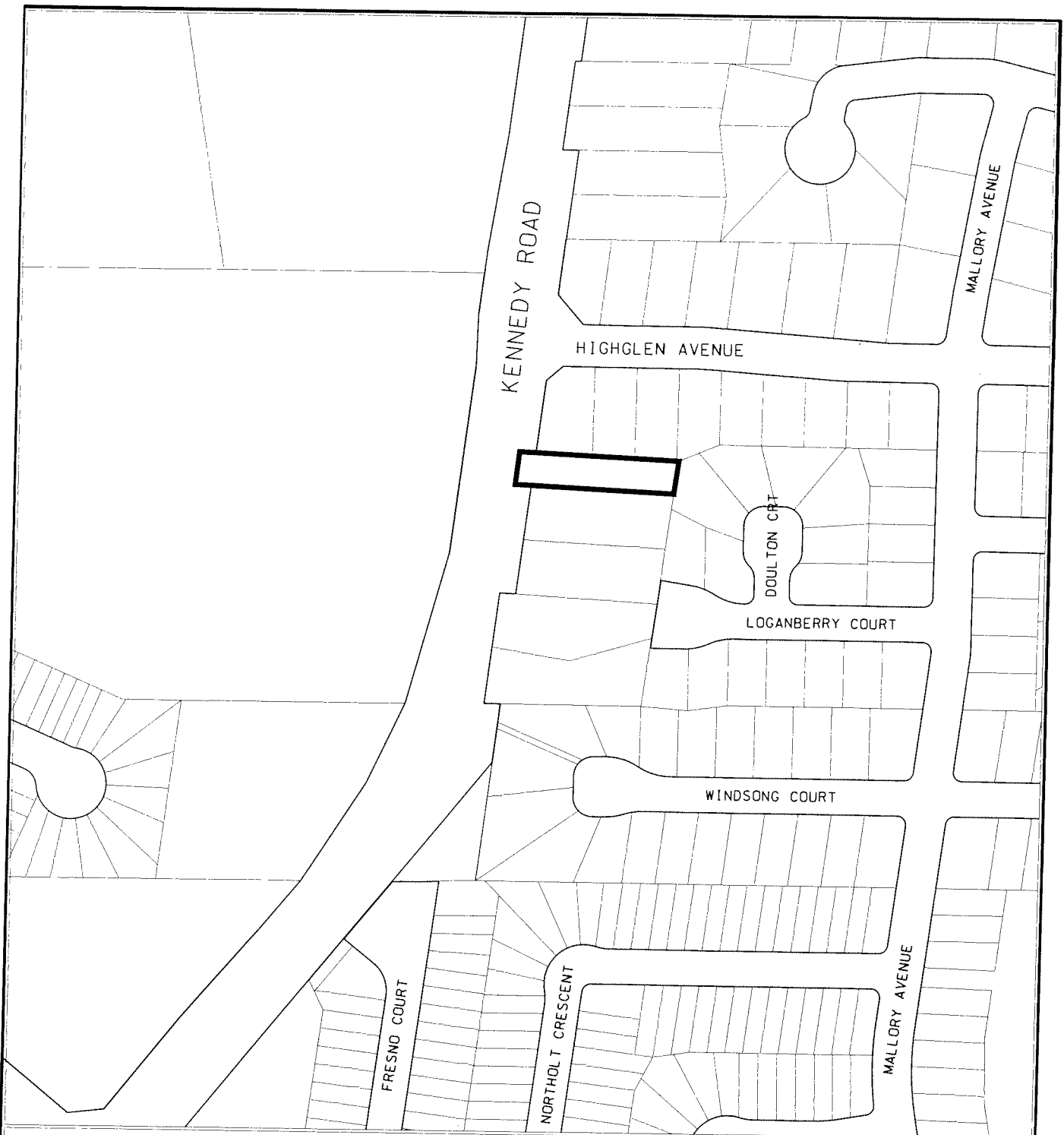
The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

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


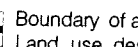
accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

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

## **APPENDIX 'B'**

### **EXPLANATORY NOTE**

#### **BY-LAW NO. 2007 – XXX**

A By-law to amend By-law 90-81, as amended.  
Vic Tou Developments Inc.  
7543 Kennedy Road

#### **LANDS AFFECTED**

This By-law applies to the 0.13 ha (0.32 acre) parcel of land located on the east side of Kennedy Road south of Highglen Avenue, municipally known as 7543 Kennedy Road.

#### **EXISTING ZONING**

The lands are presently zoned Residential Three (R3) in By-law 90-81, as amended.

#### **PURPOSE AND EFFECT**

The purpose this By-law amendment is to rezone the subject property from Residential Three (R3).

The effect of this By-law Amendment is to permit the construction of a 2-storey medical clinic facility, including a pharmacy. This By-law also establishes a number of site specific development standards.





## BY-LAW 2007 - XXX

A By-law to Zoning By-law 90-81, as amended

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THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM  
HEREBY ENACTS AS FOLLOWS:

1. THAT By-law 90-81, as amended, is hereby further amended, as follows:

1.1 By adding to Section 7 – EXCEPTIONS the following:

“7.50 Notwithstanding any other provision of this By-law, the provision in this section shall apply to the lands located on the east side of Kennedy Road south of Highglen Avenue, municipally known as 7543 Kennedy Road, as shown on Schedule ‘A’ attached to By-law 2007-XXX. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section:

1. Additional Permitted Uses

The following additional uses are permitted:

- a) MEDICAL CLINIC
- b) Pharmacy

2. Zoning Standards

The following specific zone standards apply:

- a) Minimum LOT FRONTAGE 16 m
- b) Minimum FRONT YARD 2.6 m
- c) Minimum REAR YARD 40 m
- d) Minimum SIDE YARD
  - (i) North 3 m
  - (ii) South 1.4 m
- e) Maximum GROSS FLOOR AREA 430 m<sup>2</sup>

3. Special Site Provisions

The following additional provisions apply:

a) Landscaping Requirements:

- (i) The area between the front lot line and the BUILDING shall only be used for LANDSCAPED OPEN SPACE.
- (ii) Minimum LANDSCAPE strip along the north LOT LINE – 3 m.

(iii) Minimum LANDSCAPE strip along east LOT LINE – 2.5 m.

(iv) Minimum LANDSCAPE strip along the south LOT LINE 1.4 m.

b) MEDICAL CLINICS

(i) Maximum number of MEDICAL CLINICS is One (1).

(ii) The maximum NET FLOOR AREA of the MEDICAL CLINIC is 270 m<sup>2</sup>.

c) Pharmacies

(i) Maximum number of Pharmacies is One (1).

(ii) The maximum NET FLOOR AREA of the Pharmacy is 60 m<sup>2</sup>.

d) The following provisions shall not apply

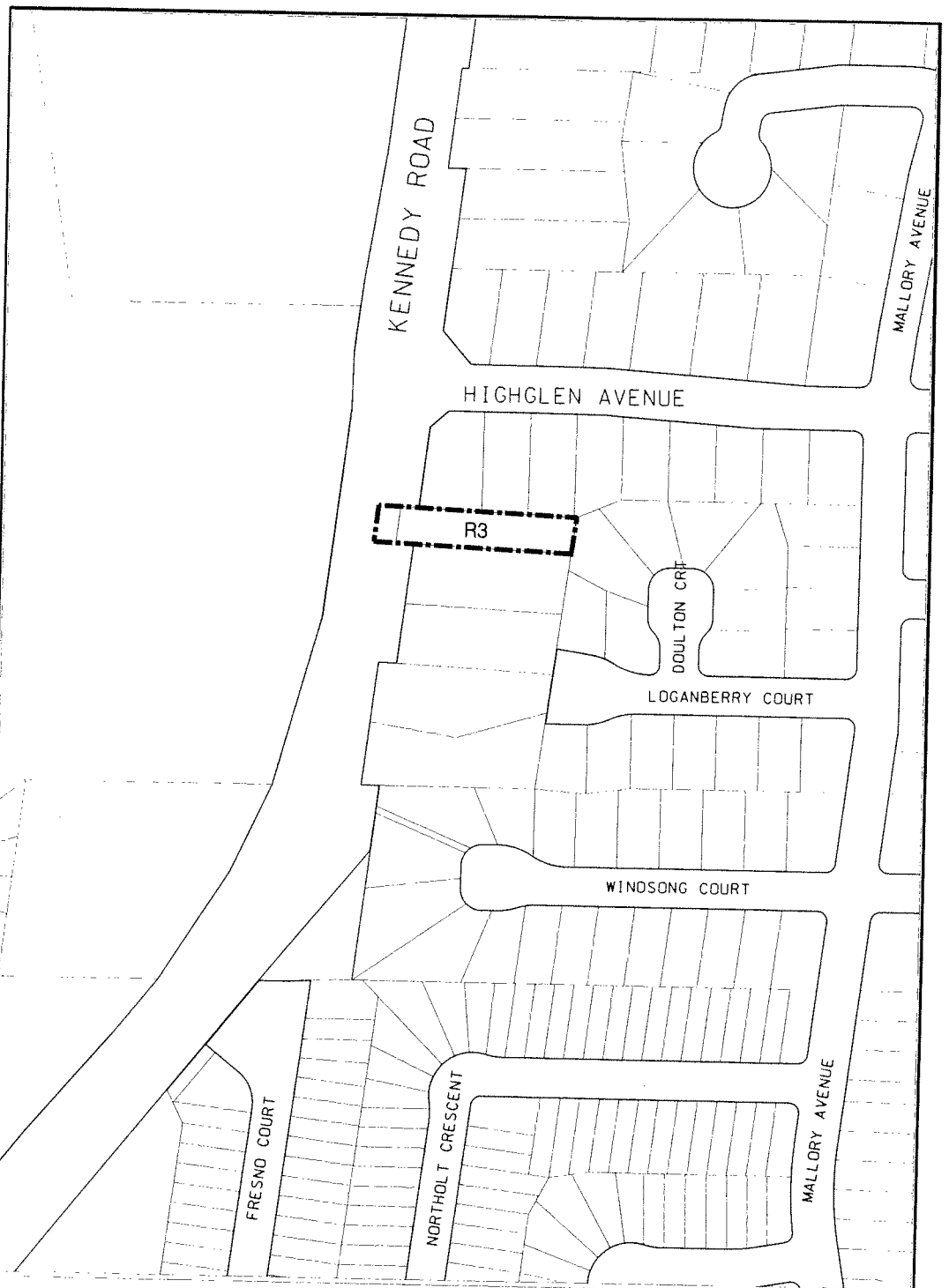
(i) SETBACKS to the centerline of any arterial road or PROVISIONAL HIGHWAY.

2. All other provisions of By-law 90-81, as amended, not consistent with the provisions of this By-law shall continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
DAY OF \_\_\_\_\_, 2007.

\_\_\_\_\_  
SHEILA BIRRELL, TOWN CLERK

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



DEVELOPMENT SERVICES COMMISSION

# A BY-LAW TO AMEND BY-LAW 90-81



BOUNDARY OF AREA COVERED BY THIS BY-LAW



Third Density Single Family Residential

THIS IS SCHEDULE 'A' TO BY-LAW .....  
PASSED THIS ..... DAY .....

.....MAYOR

.....CLERK

NOTE: 1) DIMENSIONS ARE IN METRES  
2) REFERENCE SHOULD BE MADE TO  
THE ORIGINAL BY-LAW LODGED IN  
THE OFFICE OF THE CLERK

SCALE 1: 00

## **APPENDIX "C"**

### **SITE PLAN CONDITIONS**

1. That the Owner enter into a site plan agreement with the Town of Markham containing all standard provisions and requirements of the Town and public agencies including:
  - a. Provision for payment by the Owner of all applicable fees, recoveries, and development charges,
  - b. Provisions for satisfying all requirements of the Town Departments and external agencies including the Region of York (Transportation and Works Department);
  - c. Provisions to ensure all lights on the property are appropriately shielded and do not shine on the residential properties to the north fronting onto Highglen Avenue and to the east fronting onto Doulton Court; and
  - d. Provisions to ensure that the Owner submits final elevation drawings for review and acceptance by the Director of Planning and Urban Design, prior to the submission of a building permit application for any individual buildings;
2. That a landscape plan, prepared by a landscape architect having O.A.L.A. membership, be submitted to the satisfaction of the Director of Planning and Urban Design.
3. That the Owner submit an Illumination Plan, prepared by a qualified electrical consultant, to the satisfaction of the Director of Planning and Urban Design and such Illumination Plan, which may be subject to peer review at no cost to the Town;
4. That prior to final site plan approval the Owner shall meet with the Fire Department to finalize the location of the Fire Department connection, private hydrant, fire access route signage and rapid entry key box, to the satisfaction of the Fire Chief;
5. That the location, size and construction of all internal refuse storage areas be approved to the satisfaction of the Town of Markham Waste Management Department;
6. That the Owner submit to the Engineering Department for approval, site serving and grading drawings, municipal service connections details, and a storm water management report, prior to the Director of Planning and Urban Design signing the site plan "endorsed in principle". Drawings are to be prepared and stamped by a Professional Engineer with a Certificate of Authorization from Professional Engineers of Ontario.

THAT this endorsement shall lapse and site plan approval will not be issued, after a period of three years commencing April 17, 2007 in the event a site plan agreement is not executed within that period.