

OFFICIAL PLAN  
of the  
TOWN OF MARKHAM PLANNING AREA  
AMENDMENT NO. 180

To amend the Official Plan (Revised 1987), as amended  
to incorporate Amendment No. 2 to the Box Grove Secondary Plan (PD No. 18-1)  
for the Box Grove Planning District (Planning District No. 18).


**(Box Grove Developments Inc.)**

**(June, 2009)**

OFFICIAL PLAN  
of the  
MARKHAM PLANNING AREA  
AMENDMENT NO. 180

To amend the Official Plan (Revised 1987), as amended to incorporate Amendment No. 2 to the Box Grove Secondary Plan (PD 18-1) for the Box Grove Planning District (Planning District 18).

This Official Plan Amendment was adopted by the Corporation of the Town of Markham, By-law No. 2009-112 in accordance with the Planning Act, R.S.O., 1990 c. P. 13, as amended, on the 23rd day of June, 2009.

  
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KIMBERLEY KITTINGHAM  
TOWN CLERK  
\_\_\_\_\_  
FRANK SCARPITTI  
MAYOR



## BY-LAW 2009-112



Being a by-law to adopt Amendment No. 180 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. 180 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  
23<sup>RD</sup> DAY OF JUNE, 2009.

  
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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. 180)

## **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 Official Plan Amendment No. 180 to the Official Plan (Revised 1987), as amended, and is required to enact Amendment No. 2 to the Box Grove Secondary Plan (PD 18-1) for the Box Grove Planning District (Planning District No. 18). Part II is an operative part of this Official Plan Amendment.

PART III – THE SECONDARY PLAN AMENDMENT, constitutes Amendment No. 2 to the Secondary Plan PD 18-1 for the Box Grove Planning District (Planning District No. 18). This Secondary Plan Amendment may be identified by the symbol PD 18-1-2. Part III is an operative part of this Official Plan Amendment.

### **2.0 LOCATION**

The amendment to the Official Plan and to the Box Grove Secondary Plan applies to Block 457 on draft approved plan of subdivision 19TM-030012 (Box Grove Developments Inc.). The 12.6 hectare (31.2 acre) block is bounded by Highway 407 to the north, the Town Arterial Road/Planned Link to the east, Copper Creek Drive to the south and lands designated 'Environmental Protection Area – Hazard' to the west.

### **3.0 PURPOSE**

The purpose of this Official Plan amendment is to delete the Interim Site Specific Policies of the Business Corridor Area designation from the Official Plan (Revised 1987) as amended, as they relate to the subject lands, and include provisions in the Business Corridor Area policies of the Box Grove Secondary Plan to permit a development consisting of employment uses including retail stores to a maximum of 4,500 m<sup>2</sup> with an exception for a single large format retail store in excess of 4,500 m<sup>2</sup> to a maximum of 18,000 m<sup>2</sup>; and additional retail uses with a minimum gross floor area of not less than 93 m<sup>2</sup> may be allowed, provided the total combined gross floor area of all retail premises with an individual gross floor area less than 300 m<sup>2</sup> does not exceed 2,500 m<sup>2</sup>.

This amendment will also provide for a single restricted access and egress from the Planned Link.

#### **4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT**

The subject lands are currently designated Business Corridor Area and are subject to the Interim Site Specific Policies outlined in Section 3.5.6.3.1 of the Official Plan (Revised 1987), as amended. These policies permit certain retail, office, service and restaurant uses, but includes restrictions on the size and location of individual retail premises.

The following amendments to the policies of the Business Corridor Area designation are proposed:

- Limit the maximum gross floor area of the combined first storeys of all buildings to 35,000 m<sup>2</sup> but exempt Multi-storey business office buildings, where business offices comprise 85% or more of the gross floor area of the building, from the combined first storey maximum gross floor area limitation;
- Limit the first storey gross floor area of individual buildings to 4,500 m<sup>2</sup> but allow the first storey of one building to exceed 4,500 m<sup>2</sup> up to a maximum of 18,000 m<sup>2</sup>;
- Limit the maximum gross floor area of a single retail premise to 4,500 m<sup>2</sup> but allow one retail premise to exceed 4,500 m<sup>2</sup> up to a maximum of 18,000 m<sup>2</sup>;
- Permit one retail premise exceeding 4,500m<sup>2</sup> gross floor area to have, as ancillary uses, a supermarket and/or garden centre for the outdoor storage, display and sale of merchandise;
- Permit retail premises with a minimum gross floor area of not less than 93 m<sup>2</sup> provided the total combined gross floor area of all retail premises with an individual gross floor area less than 300 m<sup>2</sup> does not exceed 2,500 m<sup>2</sup>; and
- Permit one direct vehicular access/egress to the Town Arterial Road / Planned Link.

Council considers the development to be appropriate for the subject lands.

As intended by the provisions of Official Plan Amendment No. 132, this amendment deletes the Interim Site Specific Policies of the Business Corridor Area designation as they relate to the subject lands from the Official Plan (Revised 1987), as amended, and incorporates site-specific Business Corridor Area policies into the Box Grove Secondary Plan to permit the proposed development.

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

(This is an operative part of  
Official Plan Amendment No. 180)



## **PART II – THE OFFICIAL PLAN 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 180 to the list of amendments, to be placed in numerical order including any required grammatical 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 180 to the list of amendments listed in the second sentence of the bullet item dealing with the Box Grove Secondary Plan PD 18-1, for the Box Grove Community Planning District, to be placed in numerical number order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.3 Section 3.5.6.3.1 Interim Site Specific Policies of Part II of the Official Plan (Revised 1987) as amended, is hereby amended by deleting all references to BCA3 and deleting Figure BCA3.
- 1.4 Section 9.2.26 of Part II of the Official Plan (Revised 1987) as amended, is hereby further amended by the addition of the number 180 to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.5 No additional changes to the text or schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment.

### **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, if applicable, 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 figures. 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.

**PART III – THE SECONDARY PLAN AMENDMENT (PD 18-1-2)**

(This is an operative part of Official Plan Amendment No. 180)

## **PART III – THE SECONDARY PLAN AMENDMENT (PD 18-1-2)**

### **1.0 THE SECONDARY PLAN AMENDMENT**

(Amendment No. 2 to the Box Grove Secondary Plan PD 18-1)

The Box Grove Secondary Plan (PD 18-1) for the Box Grove Community Planning District is hereby amended as follows:

1.1 Section 5.3.3 is hereby amended by adding the following new subsection relating to certain lands as described in Section 5.3.3 and shown on Map 1 attached hereto:

- “c) In addition to Section 5.3.3 a) and b), the following policies apply to the Business Corridor Area lands bounded by Highway 407 to the north, the Town Arterial Road/Planned Link to the east, Copper Creek Drive to the south and lands designated ‘Environmental Policy Area – Hazard Lands’ to the west, as shown on Schedule “AA” – Detailed Land Use Plan:
  - i) Notwithstanding Section 3.5.6.3 a) of the Official Plan (Revised 1987) as amended, retail and commercial uses may serve the needs of the general public as their primary function.
  - ii) Notwithstanding Section 3.5.3.6 c) iii) of the Official Plan (Revised 1987) as amended, the lands are also subject to the following policies:
    - The maximum gross floor area of the combined first storeys of all buildings shall be 35,000 m<sup>2</sup> except that multi-storey business office buildings, where business offices comprise 85% or more of the gross floor area of the building, shall be exempt from the combined first storey, maximum gross floor area limitation;
    - The first storey gross floor area of individual buildings shall not exceed 4,500 m<sup>2</sup> except that the first storey of one building may exceed 4,500 m<sup>2</sup> up to a maximum of 18,000 m<sup>2</sup>;
    - The gross floor area of a single retail premise shall not exceed 4,500 m<sup>2</sup> except that one retail premise may exceed 4,500 m<sup>2</sup> up to a maximum of 18,000 m<sup>2</sup>;
    - One retail premise exceeding 4,500m<sup>2</sup> gross floor area may have, as ancillary uses, a supermarket and/or garden centre for the outdoor storage, display and sale of merchandise; and
    - Retail premises with a minimum gross floor area of not less than 93 m<sup>2</sup> may be permitted, provided the total combined gross floor area of all retail premises with an individual gross floor area less than 300 m<sup>2</sup> does not exceed 2,500 m<sup>2</sup>.”

1.2 The first paragraph in sub-section 6.1.1.g) is hereby deleted and replaced with the following:

“Direct vehicular access from individual lots and blocks shall not be permitted to the Arterial Road which may serve as a portion of the Planned Link, with the exception of a single restricted access from the lands designated Business Corridor Area bounded by Highway 407 to the north, the Town Arterial Road/Planned Link to the east, Copper Creek Drive to the south and lands designated ‘Environmental Policy Area – Hazard Lands’ to the west.”

## **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, if applicable, 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 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), as amended, shall not apply.

Date: June, 2009

HIGHWAY 407

COPPER CREEK DRIVE

RIZAL AVENUE

LARKSPUR DRIVE

RENNIE AVENUE

MAL BARRIE ROAD

SHOOTING STAR TERRACE

HELP DRIVE

HELP DRIVE

RIZAL AVENUE

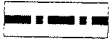
SHOOTING STAR TERRACE

PLANNED LINK / TOWN ARTERIAL ROAD

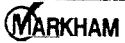
REESOR ROAD

14TH AVENUE

TOWN OF MARKHAM OFFICIAL PLAN (REVISED 1987) AS AMENDED



BOUNDARY OF AREA COVERED BY THIS AMENDMENT



DEVELOPMENT SERVICES COMMISSION

MAP 1

TO OPA. No. 180

DRAWN BY: CPW

SCALE: 6800

CHECKED BY: DC

DATE: 05/25/09

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