

TOWN OF MARKHAM

TOWN OF MARKHAM
OFFICIAL PLAN (REVISED 1987)
AS AMENDED,
SCHEDULE 'H'
COMMERCIAL / INDUSTRIAL CATEGORIES
PARTIALLY CONSOLIDATED DRAFT OCTOBER 2008

SCALE
1:20 000
5km 0km 2km

COMMERCIAL

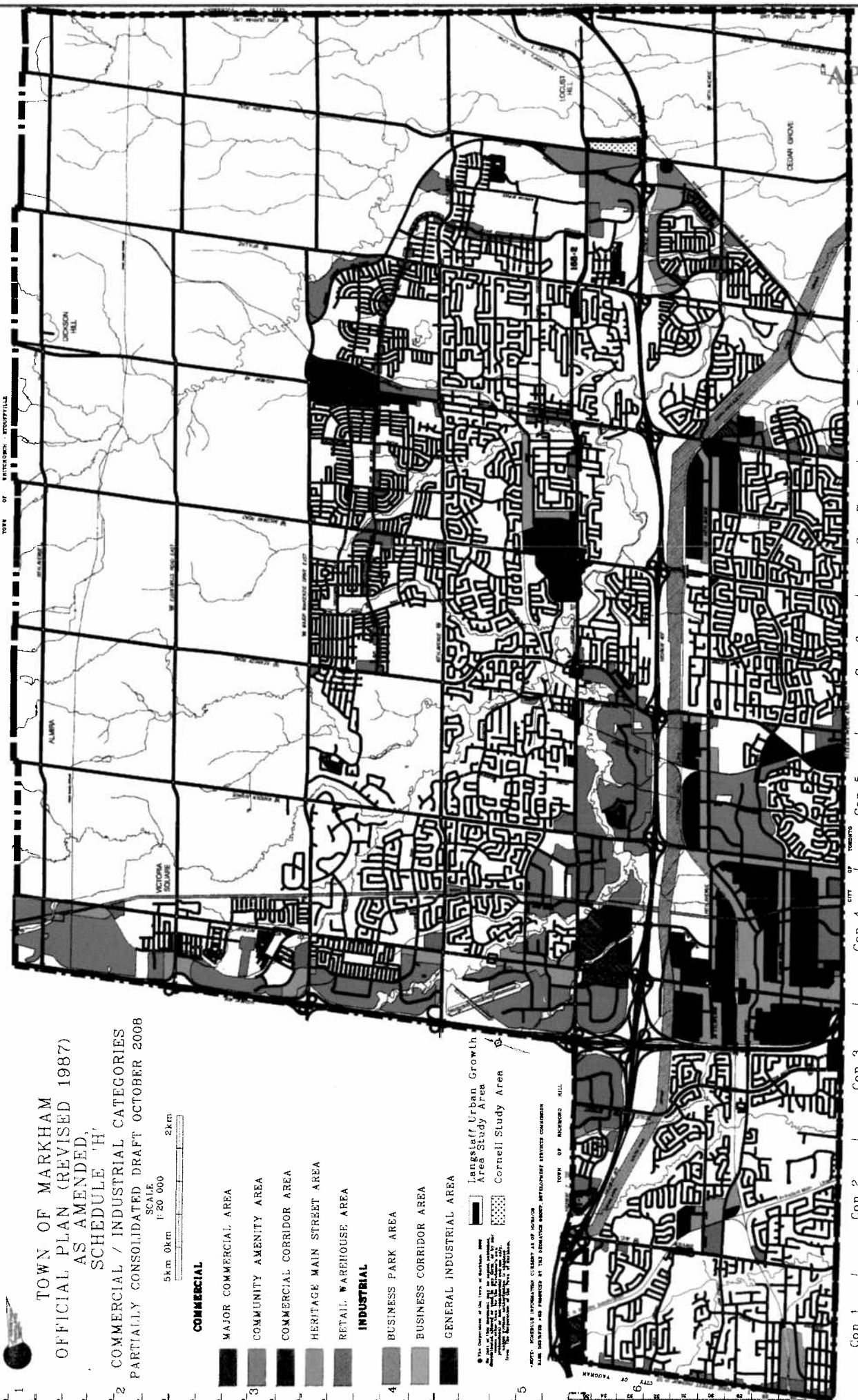
- MAJOR COMMERCIAL AREA
- COMMUNITY AMENITY AREA
- COMMERCIAL CORRIDOR AREA
- HERITAGE MAIN STREET AREA
- RETAIL WAREHOUSE AREA

INDUSTRIAL

- BUSINESS PARK AREA
- BUSINESS CORRIDOR AREA
- GENERAL INDUSTRIAL AREA

Langstaff Urban Growth
Area Study Area
Cornell Study Area

NOTE: HEREIN IS PROVIDED A SUMMARY OF THE
TOWN OF MARKHAM'S OFFICIAL PLAN, AS AMENDED,
SCHEDULE 'H', COMMERCIAL / INDUSTRIAL CATEGORIES
PARTIALLY CONSOLIDATED DRAFT OCTOBER 2008.



Con. 1 | Con. 2 | Con. 3 | Con. 4 | Con. 5 | Con. 6 | Con. 7 | Con. 8 | Con. 9 | Con. 10 | Con. 11

Q:\development\planning\teams\new ewst team\presentations & viewpoint

APPENDIX
A.

3.5.6.3 Business Corridor Area

a) Planned Function

This category identifies locations for a mix of high quality business activities primarily in corridors along major road frontages, adjacent to industrial areas. Business Corridor Areas are intended for industrial and office uses that require the exposure offered by such locations in order to accommodate the business and service needs of the nearby companies and employees they serve, and to accommodate, at appropriate locations, certain uses that also serve the general public. Retail uses are not intended to accommodate the needs of the general public as their primary function. A high level of urban design is required to maintain the positive business image of the industrial area.

b) Location

Generally, this category will be applied to locations along major roads within, or at the periphery of, industrial areas.

c) Land Uses

i) Lands designated INDUSTRIAL(Business Corridor Area) may be zoned to permit the following uses, subject to the provisions of this Plan and any implementing Secondary Plan:

- offices;
- light industrial uses;
- banks and financial institutions;
- hotels and motels;
- trade and convention centres;
- ancillary retail uses where internally integrated as a component of an office building or hotel;
- service uses consistent with the planned function and policies of the category of designation;
- accessory and incidental retail uses associated with permitted light industrial uses;
- sports, health and fitness recreational uses;
- day care centres;
- restaurants, where integrated with other uses as a component of a larger building;
- research and training centres;
- data processing and related facilities;
- commercial schools;
- other similar uses consistent with the planned function and policies of the category of designation.

ii) Lands designated INDUSTRIAL(Business Corridor Area) may be approved to also permit the following uses, if demonstrated to be consistent with the planned function, subject to the review of a specific development proposal and rezoning, pursuant to the provisions of this Plan and any implementing Secondary Plan:

- a mixed-use centre combining multiple unit retail development containing individual retail premises of less than 300 square metres gross floor area with other permitted uses, subject to all of the following:
 - the centre shall generally be a multi-storey building;

- the centre shall generally be located on a site adjoining an intersection with an arterial or collector road;
 - the total gross floor area devoted to retail uses shall generally not exceed the total gross floor area devoted to other permitted uses.
- retail uses, subject to section 3.5.6.3c)iii);
 - entertainment uses;
 - institutional uses including government services;
 - private schools;
 - nightclubs;
 - banquet halls;
 - automobile service stations;
 - car washes;
 - free standing restaurants;
 - funeral homes;
 - places of worship, subject to the provisions of Section 2.17.
- iii) Retail uses permitted within the INDUSTRIAL(Business Corridor Area) shall be limited to individual premises having generally not less than 300 square metres of gross floor area and having not more than 1,000 square metres of gross floor area with the exception of computer and office supply stores which may be up to a maximum of 3,000 square metres gross floor area.
- iv) The following uses shall be prohibited on lands designated INDUSTRIAL(Business Corridor Area):
- autobody paint and repair;
 - automobile repair uses;
 - commercial “self-storage” warehouses;
 - retail and industrial uses involving accessory outdoor storage and/or display of merchandise.

d) Development Requirements

- i) Siting, massing and scale of built form elements, and the complementary landscaping, shall contribute to the development of a streetscape that projects an image of a quality business environment.
- ii) Development and redevelopment on lands fronting onto or adjoining major arterial roads shall generally consist of multi-storey buildings located in close proximity to the property line adjoining the public street.
- iii) Pedestrian accessibility, convenience and safety shall be a primary consideration in development and redevelopment.
- iv) Large surface parking areas should not be highly visible from public streets.”

3.5.6.3.1 Interim Site Specific Policies

- a) Notwithstanding the provisions of Section 3.5.6.3, the following policies apply to the lands designated INDUSTRIAL (Business Corridor Area) and shown on Figures BCA1, BCA2 and BCA3:

i) Planned Function

This category identifies locations for a mix of high quality business activities in corridors along major road frontages, primarily adjacent to industrial areas. Business Corridor Areas are intended for industrial and commercial uses that require the exposure offered by such locations in order to accommodate the business and service needs of companies and employees, and to accommodate at appropriate locations certain businesses that may also serve the general public. A high level of urban design is required to maintain the positive business image of the industrial area.

ii) Location

Generally, this category will be applied to locations along major roads within, or at the periphery of, industrial areas.

iii) Land Uses

Lands designated INDUSTRIAL(Business Corridor Area) and shown on Figures BCA1, BCA2 and BCA3 may be zoned to permit the following uses, subject to the provisions of this Plan and any implementing Secondary Plan:

- offices;
- light industrial uses;
- banks and financial institutions;
- hotels and motels;
- trade and convention centres;
- retail uses, with individual premises having generally not less than 300 square metres of gross floor area;
- ancillary retail uses where internally integrated as a component of an office building or hotel;
- service uses consistent with the planned function and policies of the category of designation;
- accessory and incidental retail uses associated with permitted light industrial uses;
- sports, health and fitness recreational uses;
- entertainment uses consistent with the planned function and policies of the category of designation;
- day care centres;
- institutional uses including government services compatible with and complementary to the planned function and policies of the category of designation, but not including places of worship;
- restaurants, where integrated with other uses as a component of a larger building;
- research and training centres;
- data processing and related facilities;
- private and commercial schools;
- other similar uses consistent with the planned function and policies of the category of designation.

Lands designated INDUSTRIAL(Business Corridor Area) and shown on Figures BCA1, BCA2 and BCA3 may be approved to also permit the following uses, subject to the review of a specific development proposal and rezoning, pursuant to the provisions of this Plan and any implementing Secondary Plan:

- a mixed-use centre combining multiple unit retail development containing individual retail premises of less than 300 square metres gross floor area with other permitted uses, subject to all of the following:
 - the centre shall generally be a multi-storey building;
 - the centre shall generally be located on a site adjoining an intersection with an arterial or collector road;
 - the total gross floor area devoted to retail uses shall generally not exceed the total gross floor area devoted to other permitted uses.
- nightclubs;
- banquet halls;
- automobile service stations;
- car washes;
- free standing restaurants;
- funeral homes;
- places of worship, subject to the provisions of Section 2.17.

Retail uses permitted within the INDUSTRIAL (Business Corridor Area) and shown on Figures BCA1, BCA2 and BCA3 shall generally be limited to individual premises of not more than 6,000 square metres of gross floor area.

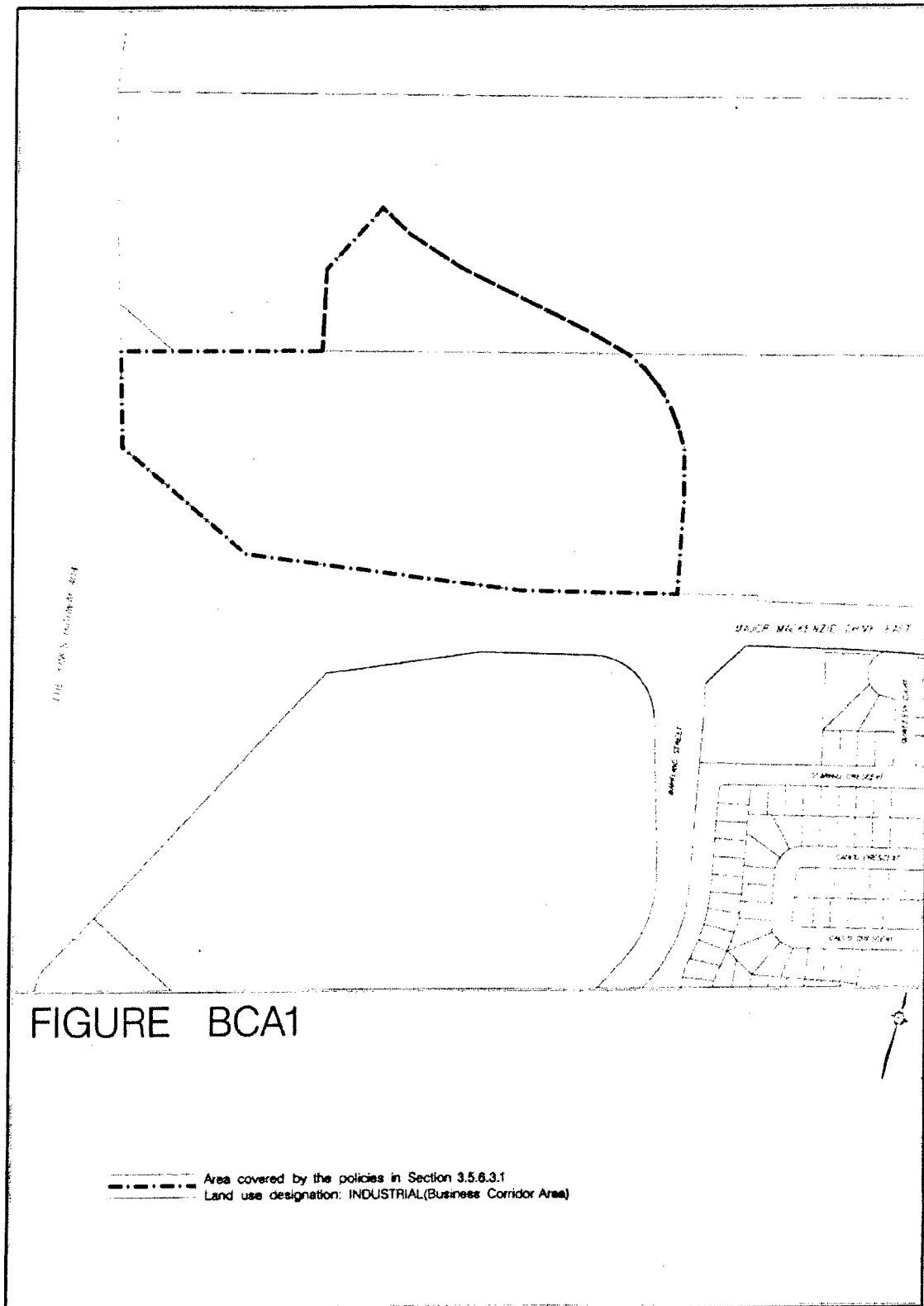
The following uses shall be prohibited on lands designated INDUSTRIAL (Business Corridor Area) and shown on Figures BCA1, BCA2 and BCA3:

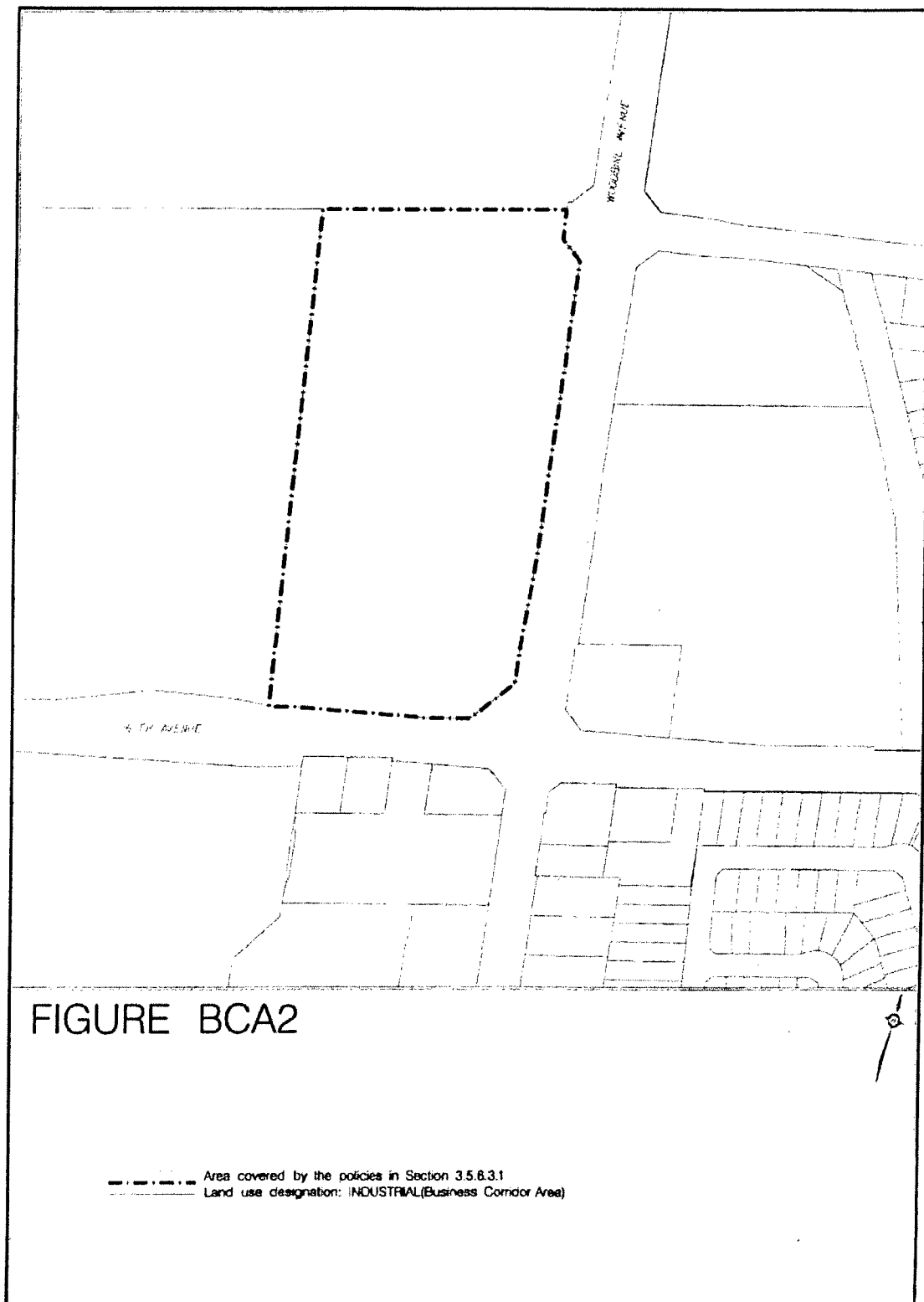
- autobody paint and repair;
- automobile repair uses;
- commercial “self-storage” warehouses;
- retail and industrial uses involving accessory outdoor storage and/or display of merchandise.

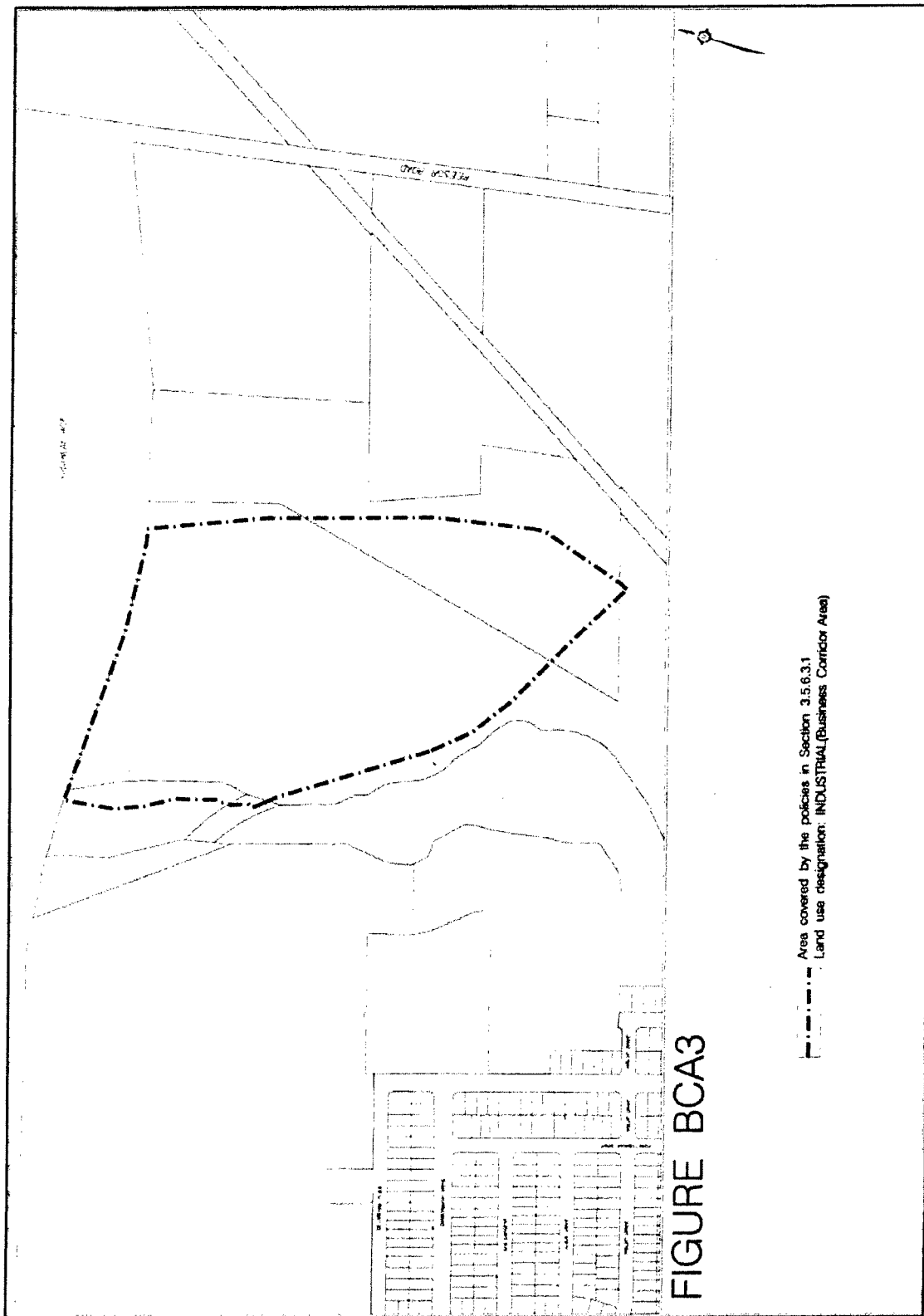
iv) Development Requirements

- Siting, massing and scale of built form elements, and the complementary landscaping, shall contribute to the development of a streetscape that projects an image of a quality business environment.
- Development and redevelopment on lands fronting onto or adjoining major arterial roads shall generally consist of multi-storey buildings located in close proximity to the property line adjoining the public street.
- Pedestrian accessibility, convenience and safety shall be a primary consideration in development and redevelopment.
- Large surface parking areas should not be highly visible from public streets.

- b) The sites identified on Figures BCA1, BCA2 and BCA3 are the subject of applications for planning approval and will be subject to the provisions of Section 3.5.6.3.1 until further amendment to this Plan.





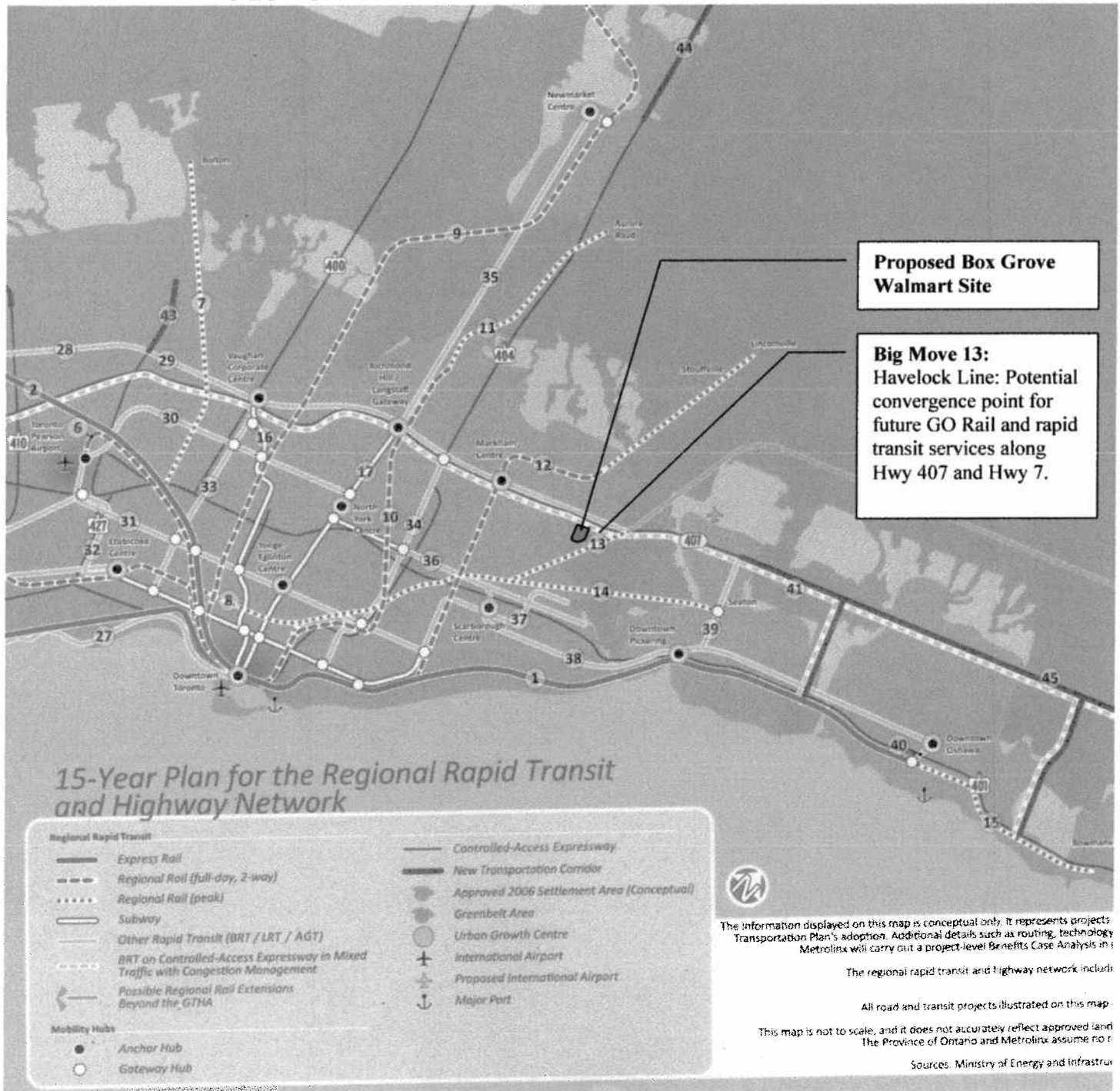


- - - - - Area covered by the policies in Section 3.5.6.3.1
 - - - - - Land use designation: INDUSTRIAL (Business Corridor Area)

FIGURE BCA3

**APPENDIX C:
SCHEDULE 1:**

**METROLINX – THE BIG MOVE
15-YEAR PLAN FOR THE REGIONAL RAPID TRANSIT AND HIGHWAY
NETWORK**





APPENDIX

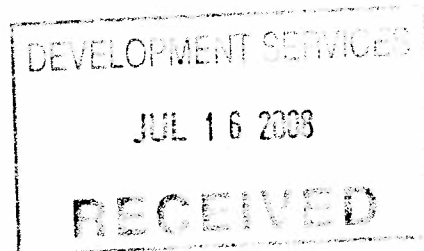
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**BOX GROVE DEVELOPMENTS INC.
PLANNING JUSTIFICATION REPORT
Part of Lots 7 & 8, Concession 9
Town of Markham**

June 9, 2008

KLM Planning Partners Inc.

**Applications for Official Plan Amendment, and Rezoning to Permit an Increase in
the Maximum Permitted Floor Area For a Retail Premise**



Planning • Design • Development

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PLANNING JUSTIFICATION REPORT

1.0 INTRODUCTION

1.1 Location and Area Context:

The subject parcel, located in the community of Box Grove, is identified as Block 457 on 19TM-030012, and is approximately 12.62 ha (31.18 acres) in area. The parcel is located on the northwest corner of Copper Creek Drive and the future Don Cousens Parkway (see Figure 1).

The subject parcel is vacant and was recently in agricultural production.

To the north of the parcel is Highway No. 407.

To the south of the parcel, across Copper Creek Drive, are lands approved for future residential development.

To the east, across the future Don Cousens Parkway, are lands designated for future employment development.

To the west, across a minor tributary of the Rouge River, are lands approved for future employment development.

1.2 Proposal

Applications were submitted by Box Grove Developments Inc. for Official Amendment (OPA) and Zoning By-law Amendment (ZBA) to permit an increase in the maximum permitted floor area for a Retail premise from 6,000 square metres to 20,000 square metres. No change in land use designation is proposed. Approval of the applications will permit one retail premise to have a maximum floor area of 20,000 square metres in an integrated commercial development containing office uses, retail uses, and restaurants.

Approval of the subject applications will effectively permit a single retailer with a maximum floor area of 20,000 square metres, in addition to the existing permitted retail and commercial uses,. The present restrictions would permit any number of retailers in one building, each with a maximum floor area of 6,000 square metres, providing the same services as the single retailer with 20,000 square metres.

Accompanying the applications for OPA and ZBA is an application for Site Plan Approval (SPA) to permit the subject parcel to be developed for with an 18,592 square metre department store (Wal-Mart), 16,716 square metres of retail and service

commercial floor space and 2,773 square metres of second floor office and/or retail space.

The Wal-Mart store will be located in the north west corner of the site with separate commercial buildings strategically sited to the south and east of the Wal-Mart store.

This will allow for the implementation of superior urban design standards. Separate two storey retail/office buildings will flank the main entrance driveway to the site from Copper Creek Drive, creating a 'main street' form of commercial development, while the remaining one storey buildings will be located in proximity to the future Don Cousens Parkway and at the intersection of Copper Creek Drive and Don Cousens Parkway (see Figure 2).

The issues to be addressed are as follows:

Conformity with the Provincial Policy Statements and Places to Grow to Plan;

Conformity with the Region of York Official Plan

Conformity with the Town of Markham Official Plan, including OPA No.92,

Impact upon the planned function of Business Corridor designation and the neighbouring Business Park lands;

1.3 Technical Supporting Material

In addition to this Planning Justification Report, two technical reports are submitted in support of the subject applications. The reports are:

Market Assessment – dated June, 2008, prepared by Altus Clayton;

Traffic Impact Study/Site Plan Review – dated May, 2008, prepared by URS Engineering Consultants.

1.4 Summary of Applicable Official Plan Policies and Zoning Provisions

The subject parcel is within the urban area of the Region of York Official Plan. It is further subject to Official Plan Amendment No. 92 (OPA 92) of the Town of Markham. OPA 92 is, was adopted by Town of Markham Council on June 26, 2002, and subsequently approved by the Region of York. OPA 92 is a Secondary Plan for the entire Box Grove Community, providing land use designations and policies for existing residential development, future residential development, natural features, future industrial and commercial development and transportation corridors.

More specifically, Schedule 'A' – Land Use to OPA 92 - designates the subject lands as Industrial. Schedule 'F' – Commercial/Industrial Categories and Schedule 'AA' – Detailed Land Use Plan both provide a further defined designation as Business Corridor Area which allows the subject parcel to be developed for commercial/retail uses, among other uses.

The policies of the Official Plan will be discussed in further detail later in this report.

The subject land is known as (Block 457), and is located in draft plan 19TM-030012 which was draft plan approved and rezoned in phases by the Town of Markham.

Zoning By-law 2006-171 zones the subject lands to BC – Business Corridor, which permits among other things, retail stores with a maximum floor area of 6,000 square metres.

2.0 REVIEW AND ANALYSIS OF PLANNING POLICIES AND PROVINCIAL LEGISLATION

2.1 Provincial Policy Statement and Places to Grow Plan

The Provincial Policy Statement (PPS) and Places to Grow Plan provide direction from the Provincial Government of Ontario regarding matters of provincial interest relating to land use planning.

The subject applications pertain to employment lands and facilitates their development. The subject applications do not impact the type of or amount of employment land or the employment opportunities that are available under the present applicable Official Plan policies and Zoning By-law restrictions.

As such, the applications for Official Plan Amendment and By-law Amendment are consistent and in conformity with the PPS and Places to Grow Plan.

2.2 Region of York Official Plan (Approved October 1994)

The subject parcel is designated Towns and Villages on Map 5 'Regional Structure' to the Region of York Official Plan. Commercial uses are permitted under the Towns and Villages designation.

Sections 5.2.7 and 5.2.8 of the Region of York Official Plan both speak to the need for the preparation of comprehensive secondary plans through approval of local official plan amendments. OPA 92 to the Town of Markham Official Plan is an approved secondary plan for the Box Grove Planning District and satisfies Sections 5.2.7 and 5.2.8 of the Region of York Official Plan.

The subject applications to change the maximum permitted floor area restrictions for retail premises, will not change the development potential of the subject lands as provided for in the OPA 92 and Zoning By-law No. 2006-171.

The subject applications therefore conform to the policies of the Region of York Official Plan.

2.3 Town of Markham Official Plan

2.3.1 Applicable Land Use Policies

The subject parcel is designated INDUSTRIAL on Schedule 'A' – Land Use in the Town Markham Official Plan (see Figure 2). The policies of Section 3.5 Industrial are applicable. The lands are further designated as Business Corridor on Schedule 'F' to the OPA No. 92, amending Schedule 'H' to the Official Plan (see Figure 3).

With the exception of the proposed floor area restriction applicable to retail premises, the proposed development conforms with the policies of the Town of Markham Official Plan and OPA No. 92.

Section 5.3.3 Business Corridor Area of OPA No. 92 specifically provides that lands designated Business Corridor Area on Schedule 'AA' (see Figure 4) of OPA No. 92 shall be subject to the general provisions of Section 3.5 of the Official Plan and the specific policies of Section 3.5.6.3 of the Official Plan.

Section 3.5.6.3.1 of the Official Plan specifically applies to the subject parcel, as identified on Figure BC3A to the Official Plan (see Figure 5). Section 3.5.6.3.1 identifies the Planned Function, Land Uses and Development Requirements applicable to the subject parcel as follows:

Section 3.5.6.3.1 Interim Site Specific Policies

Notwithstanding the provisions of Section 3.5.6.3, the following policies apply to the lands designated INDUSTRIAL (Business Corridor Area) and shown on Figures BCA1, BCA2 and BCA3:

i) Planned Function

This category identifies locations for a mix of high quality business activities in corridors along major road frontages, primarily adjacent to industrial areas. Business corridor Areas are intended for industrial and commercial uses that require the exposure offered by such locations in order to accommodate the business and service needs of companies and employees, and to accommodate at appropriate locations certain businesses that may also serve the general public. A high level of urban design is required to maintain the positive business image of the industrial area.

ii) *Location*

Generally, this category will be applied to locations along major roads within, or at the periphery of, industrial areas.

iii) *Land Uses*

Lands designated INDUSTRIAL (Business Corridor Area) and shown on Figures BCA1, BCA2 and BCA3 may be zoned to permit the following uses, subject to the provisions of this Plan and any implementing Secondary Plan:

*offices;
light industrial uses;
banks and financial institutions;
hotels and motels;
trade and convention centres;
retail uses, with individual premises having generally not less than 300 square metres of gross floor area;
ancillary retail uses where internally integrated as a component of an office building or hotel;
service uses consistent with the planned function and policies of the category of designation;
accessory and incidental retail uses associated with permitted light industrial uses;
sports, health and fitness recreational uses;
entertainment uses consistent with the planned function and policies of the category of designation;
day care centres;
institutional uses including government services compatible with and complementary to the planned function and policies of the category of designation, but not including places of worship;
restaurants, where integrated with other uses as a component of a larger building;
research and training centres;
data processing and related facilities;
private and commercial schools;
other similar uses consistent with the planned function and policies of the category of designation.*

Lands designated INDUSTRIAL (Business Corridor Area) and shown on Figures BCA1, BCA2 and BCA3 may be approved to also permit the

following uses, subject to the review of a specific development proposal and rezoning, pursuant to the provisions of this Plan and any implementing Secondary Plan:

a mixed-use centre combining multiple unit retail development containing individual retail premises of less than 300 square metres gross floor area with other permitted uses, subject to all of the following:

the centre shall generally be a multi-storey building;

the centre shall generally be located on a site adjoining an intersection with an arterial road or collector road;

the total gross floor area devoted to retail uses shall generally not exceed the total gross floor area devoted to other permitted uses.

nightclubs;

banquet halls;

automobile service stations;

car washes;

free standing restaurants;

funeral homes;

places of worship, subject to the provisions of Section 2.17.

Retail uses permitted within INDUSTRIAL (Business Corridor) and shown on Figures BCA1, BCA2 and BCA3 shall generally be limited to individual premises of not more than 6,000 square metres of gross floor area.

iv) *Development Requirements*

Siting, massing and scale of built form elements, and the complementary landscaping, shall contribute to the development of a streetscape that projects an image of a quality business environment.

Development and redevelopment on lands fronting onto or adjoining major arterial roads shall generally consist of multi-storey buildings located in close proximity to the property line adjoining the public street.

Pedestrian accessibility, convenience and safety shall be a primary consideration in development and redevelopment.

Large surface parking areas should not be highly visible from public streets.

The sites identified on Figures BCA1, BCA2 and BCA3 are the subject of applications for planning approval and will be subject to the provisions of Section 3.5.6.3.1 until further amendment to this Plan.

It should be noted that Zoning By-law 2006-171 zones the subject parcel Business Corridor (BC), implementing the policies of Section 3.5.6.3.1 of the Official Plan, including the floor area restrictions for retail floor area.

The site plan application for a commercial/retail development on the Subject Parcel is in conformity with the provisions of the Official Plan, with the exception of the present policy restricting the maximum permitted gross floor area of 6,000 square metres floor area to individual retail premises. No matter the size of the individual retail premises, the proposed development will continue to be a mixture of complimentary commercial, retail and office uses as envisaged under the current Official Plan policies.

In addition to the Official Plan provisions of Section 3.5.4.5, Urban Design, Section 3.5.6.3.1a)iv) "Development Requirements" establishes criteria to be incorporated into the development design of the subject parcel. The site plan (Figure 1) and building elevation drawings were designed to provide for a quality development that will provide architectural and landscaping elements conducive to the image of a quality business environment.

The main Wal-Mart building is tucked into the north east corner of the site bounded by the tributary to the west and Highway no. 407 to the north.

A 'main street' flanked by one and two story buildings of various facades and designs lead to the Wal-Mart building from Copper Creek Boulevard to the south. These buildings will accommodate a variety of uses such as retail, personal services, restaurants and office uses. It is intended that a traditional 'main street' atmosphere be created in this area, through the use of architectural and landscaping features.

Similarly, one storey buildings with varying facades will strategically flank Don Cousens Parkway and Copper Creek Boulevard to create an attractive entrance to the business park area to the west.

The mixture of building facades and heights throughout the site will create interest and ambiance.

Convenient and safe pedestrian walkways will be provided for the local residents and employees from the neighbouring business parks in the form of sidewalks leading from the streets to the on-site buildings. Landscaping areas will be provided in addition to the landscaped boulevards of the adjoining streets in an effort to provide a pedestrian friendly experience. In addition, the vehicle parking areas will be screened from the adjoining streets through the integration of landscaped areas into the overall site design.

Approval of the subject applications will provide a high quality of built form that will enhance the neighbourhood. Regardless of the size of individual retail premises within the buildings, the built form and massing can remain as envisioned by the Official Plan.

As such the development will implement the Urban Design Development Requirements of the Official Plan.

2.3.2 Policies to Consider When Reviewing Applications for Official Plan Amendment

In considering the subject applications, Official Plan policies 3.5.3f) Industrial Land Use Categories and 3.5.4.6, identify matters that need be addressed.

3.5.3f) Consideration of applications to amend this plan to delete, change or extend an assigned industrial land use category shall, as appropriate, have regard for the following:

the availability of other designated lands to accommodate the uses proposed, and the effect of a change in designation on the supply of land in the categories affected;

the policies and urban design guidelines applicable to the uses and category proposed including:

locational attributes;

compatibility and complementarity of uses;

development impacts on adjacent uses, particularly residential development;

traffic impacts; and,

the character of existing and planned development in the immediate area;

limiting the extension or introduction of strip retail development in favour of infilling and mixing of uses in comprehensively designed and developed projects;

consistency with the goals and objectives for industrial and commercial development and related policies of this Plan.

Applications will be assessed on a comprehensive basis for the relevant surrounding area having regard for the above matters. Council may require the applicant to submit planning or related studies to address any of the above matters.

In order to assist in the planning of new urban areas, Council may undertake or require submission of studies to determine the type, location, and extent of intended industrial land, and commercial uses in industrial areas, are adequately served.

Section 3.5.4.6 Large Scale Retail Development

In addition to all requirements regarding retail development established through this Plan, Council, in consideration of a development proposal, may at its discretion require the preparation of a study to assess the impact of the proposal on the capability of the Town's planned commercial structure to provide a full range of retailing activity at convenient locations to serve the Town's residents, employees and businesses in instances where:

- i) *the proposal involves amendment to this Plan, or a Zoning By-law, to permit one or more retail premises each in excess of 10,000 square metres of gross leasable area; or,*
- ii) *the proposal involves amendment to this Plan, or a Zoning By-law, to permit a retail development, or a group of concurrently proposed retail developments in the same vicinity, where the total gross leasable area of retail is in excess of 30,000 square metres; or,*
the proposal is of such a significant scale in the context of the planned function of the affected category of industrial use that Council deems a study to be appropriate.

Impact on existing retail development is to be considered only to the extent that it affects the capability of the Town's commercial structure to adequately and conveniently fulfill consumer needs, and not as relates to the market share of individual businesses.

In order to fully address Section 3.5.3f) and Section 3.5.4.6, a Market Assessment report was prepared by Altus Clayton and a Traffic Impact Study/Site Plan Review was prepared by URS Engineering Consultants.

From a strictly planning land use perspective the applications can be considered to be minor in nature. Given the fact that the developer can, under the present policies, construct a retail building(s) in excess of 20,000 square metres provided that the individual premises within the building do not exceed 6,000 square metres the only difference in the final development, under the existing policy regime versus that proposed, is that the subject applications will allow one user to have 20,000 square metres rather than multiple users totaling 20,000 square metres or greater. There would be no difference in built form or in planning impact with the proposed changes..

However, as part of the planning evaluation it is also necessary to address the planned function of the subject parcel and its impact upon the planned function of neighbouring lands within and outside the Box Grove Community. This was done through the preparation of the Market Assessment report.

The Market Assessment report indicates that the applications will allow for a broader range of retail type services to serve the neighbouring employment and residential area without adversely impacting the Town's planned commercial structure as provided for in Section 3.5.4.6. The proposed development will provide the neighbouring residents and employees from the neighbouring Business Park area with day to day shopping services and office space services such as medical, legal and accounting services, in a convenient location within an attractively designed and pedestrian friendly centre. It is important to note that the proposed development in this location will reduce the number of shopping trips outside of community. This is evidenced in Section 3 'Assessment of the Proposed Development' of the Market Assessment Report.

The Market Assessment report advises that the one existing and three proposed Wal-Mart stores in the Town of Markham and the one existing Wal-Mart store in Stouffville to the north, "significantly reduces the potential for Wal-Mart on the subject site to be considered as a destination for anywhere outside the Box Grove and Cornell areas."

The Market Assessment report also assessed other commercial sites within the Box Grove and Cornell Community Plan Areas and concluded, among other things, that the subject parcel is the only one in the two communities that is large enough to accommodate a Wal-Mart store. In addition, the report indicates that development of the proposed Wal-Mart store will not impact the planned function of designated commercial lands within the study area and that "the development of Wal-Mart as opposed to a contingent of stores that are around 6,000 square metres in size will differentiate the offering on the subject site from nearby centres, and would result in a more complementary retail hierarchy."

The proposal to increase the maximum permitted gross floor area per premise for retail use will not result in land use compatibility issues (referenced in Section 3.5.3f and Section 3.5.4.1) with adjacent lands as the permitted uses remain unchanged. Furthermore, the approval of the applications will not result in an increase in the overall gross floor for retail uses on the site. Approval of the applications will simply allow for a reconfiguration of the overall gross floor area that is already permitted on the site.

The Market Assessment report advises that many employment uses, such as those planned for the neighbouring Business Park lands to the west, often prefer to locate in proximity to retailers such as a Wal-Mart due to the goods and services that are readily available to the businesses and their employees. Land use compatibility with the neighbouring Business Park is therefore enhanced.

In summary, the Market Assessment report analyses the market impacts of the proposed development on lands within Box Grove community and on neighbouring lands within the Town of Markham and provides the following conclusions:

"The proposed development is consistent with the planned function of the Business Corridor Area designation";

"The subject site is suitable for the proposed uses, including Wal-Mart";

"Permitting the proposed development, including Wal-Mart would not impact development of nearby commercial sites";

"Development of adjacent Business Park lands would not be impacted by the proposed development, including Wal-Mart".

The policies of Section 3.5.3 f) Land Use Categories, Section 3.5.4.1 Land Use Compatibility, and Section 3.5.4.6 Large Scale Retail Development have been therefore been satisfied. in respect to these development applications.

In preparing these applications, traffic impact was also considered. A traffic impact report was also prepared (Traffic Impact Study/Site Plan Review – by URS Canada Inc. – May 2008). That report clearly states that the traffic impact is based upon the total floor area of the entire development and is not dependent on the size of the individual retail premises. As such, the subject applications dealing with the change in maximum permitted floor area per premise will not impact upon the overall traffic generated by the site. The report concludes that the proposed development will not adversely affect the planned transportation function of the neighbouring road network.

3.0 CONCLUSIONS

The subject parcel is designated Business Corridor in the Official Plan and zoned Business Corridor in Zoning By-law No. 2006-171.

The applications submitted by Box Grove Developments Inc. for an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) to permit an increase in the maximum permitted floor area for a Retail premise from 6,000 square metres to 20,000 square metres will not result in any additional floor area on the subject lands. No change in land use designation is proposed. The present Official Plan policies and Zoning restrictions permit any number of retailers in one building, each with a maximum floor area of 6,000 square metres. The policies allow for a single building with several retailers who may provide the same services as the proposed single retailer with 20,000 square metres. There is, therefore, no change in built form, planning function or planning impact. Notwithstanding the increase in the maximum permitted floor area for a retail premise, the proposed development will continue to be a mixture of complimentary commercial, retail and office uses as envisaged under the current Town of Markham Official Plan policies.

Approval of the proposal will ensure that a broad range of retail opportunities are readily available to serve the local residents, and the neighbouring businesses and their employees in the adjoining business park area, in accordance with the provisions of the Official Plan. The proposal will also reduce the number of vehicular trips to areas outside of the Box Grove Community to obtain goods and services which are not conveniently available within the Box Grove Community.

The Marketing Analysis report, prepared by Altus Clayton, concludes that the broad range of commercial goods and services offered by this development within the Business Corridor designation is beneficial to the neighbouring industrial businesses in the Business Park designation. The development will thereby enhance the attractiveness of this Business Park for future business investment.

The Marketing Analysis report prepared by Altus Clayton draws the following conclusions:

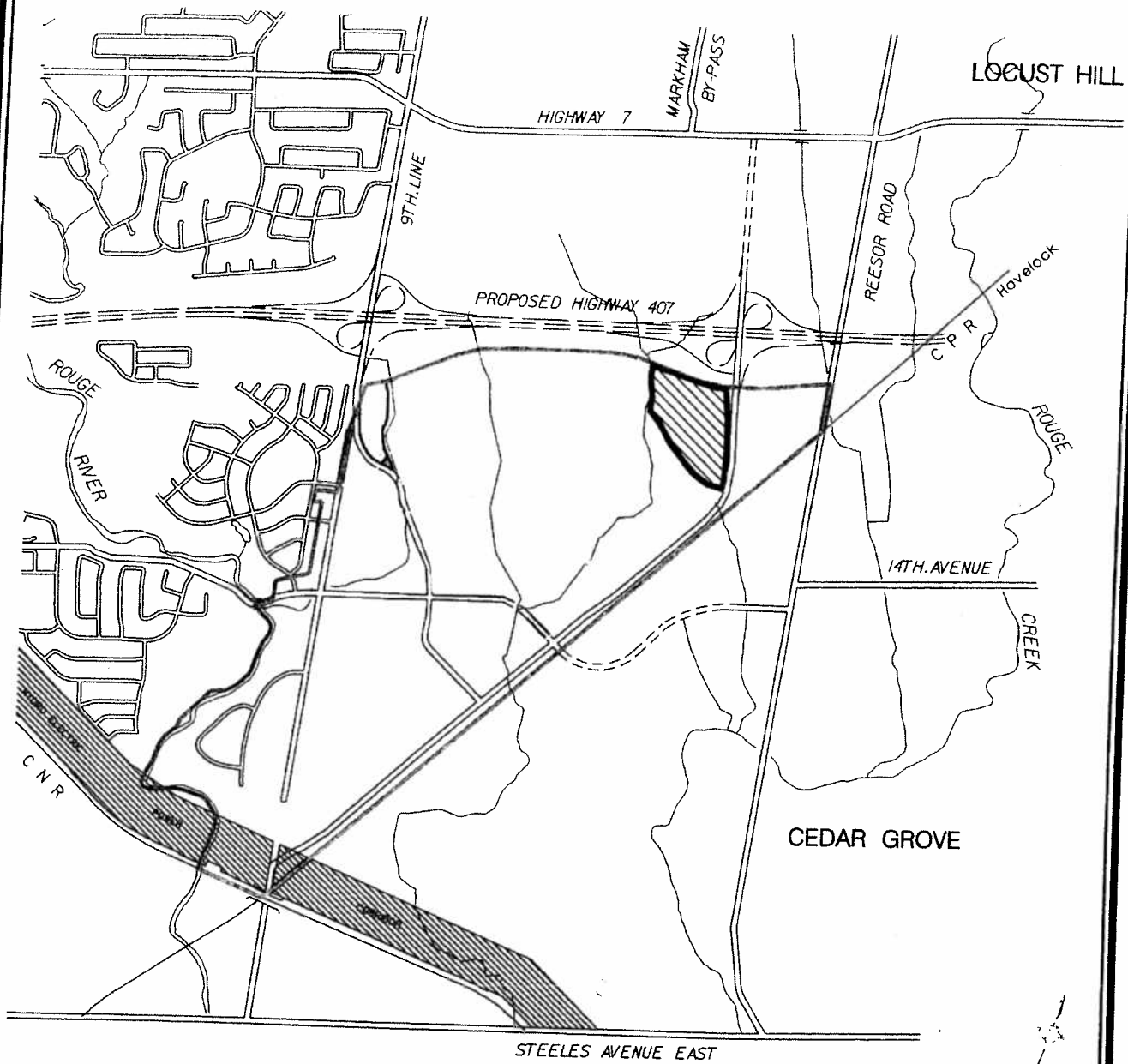
- "The proposed development is consistent with the planned function of the Business Corridor Area designation";
- "The subject site is suitable for the proposed uses, including Wal-Mart";
- "Permitting the proposed development, including Wal-Mart would not impact development of nearby commercial sites";
- "Development of adjacent Business Park lands would not be impacted by the proposed development, including Wal-Mart".

The Traffic Impact Study/Site Plan Review prepared by URS Engineering Consultants concludes that the proposed development will not adversely affect the planned transportation function of the neighbouring road network.

Approval of the subject applications to increase the maximum gross floor area for retail premises will not change the high quality of built form that can be achieved on the subject parcel. The Official Plan policies encouraging good urban design will be implemented with the approval of the subject applications. The use of varied building heights, massing, strategic location of buildings, pedestrian linkages and good landscape design all combine to make this project compatible with the approved neighbouring residential development to the south and the approved neighbouring industrial development to the east and west.

In conclusion it is clear that the applications will result in no negative impacts on the planned function of the planning designations for the subject parcel and that the development will result in an insignificant and imperceptible change in the ultimate form of development on this site. The Marketing Analysis report demonstrates that approval of the subject applications is advantageous for the neighbouring residents and businesses and will in fact enhance the ability of the Business Park lands in the area to attract business investment. The Traffic Report clearly shows that the subject applications do not adversely impact traffic patterns in the area. Finally, a high quality of urban design will be achieved in the implementation of the subject applications.

The subject applications for Official Plan Amendment and Rezoning to permit an increase in the maximum permitted floor area for a Retail premise from 6,000 square metres to 20,000 square metres will implement and support the policies of the Official Plan, represent good planning and therefore, merit approval.



LOCATION MAP

FIGURE 1



SUBJECT LANDS



DEVELOPMENT SERVICES COMMISSION

DRAWN BY: DD CHECKED BY: LWSH

SCALE 1:
DATE: June 25, 2002

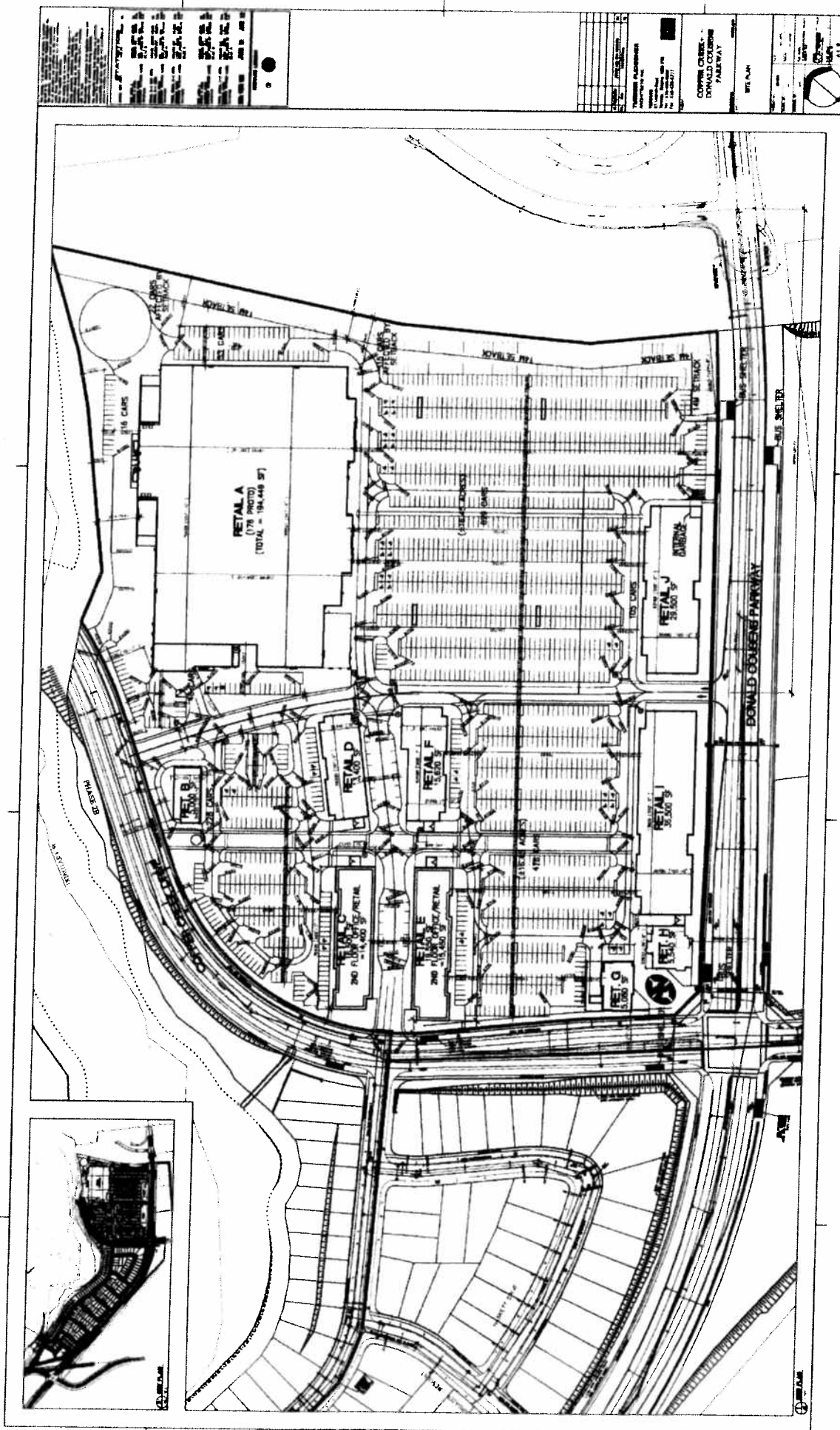
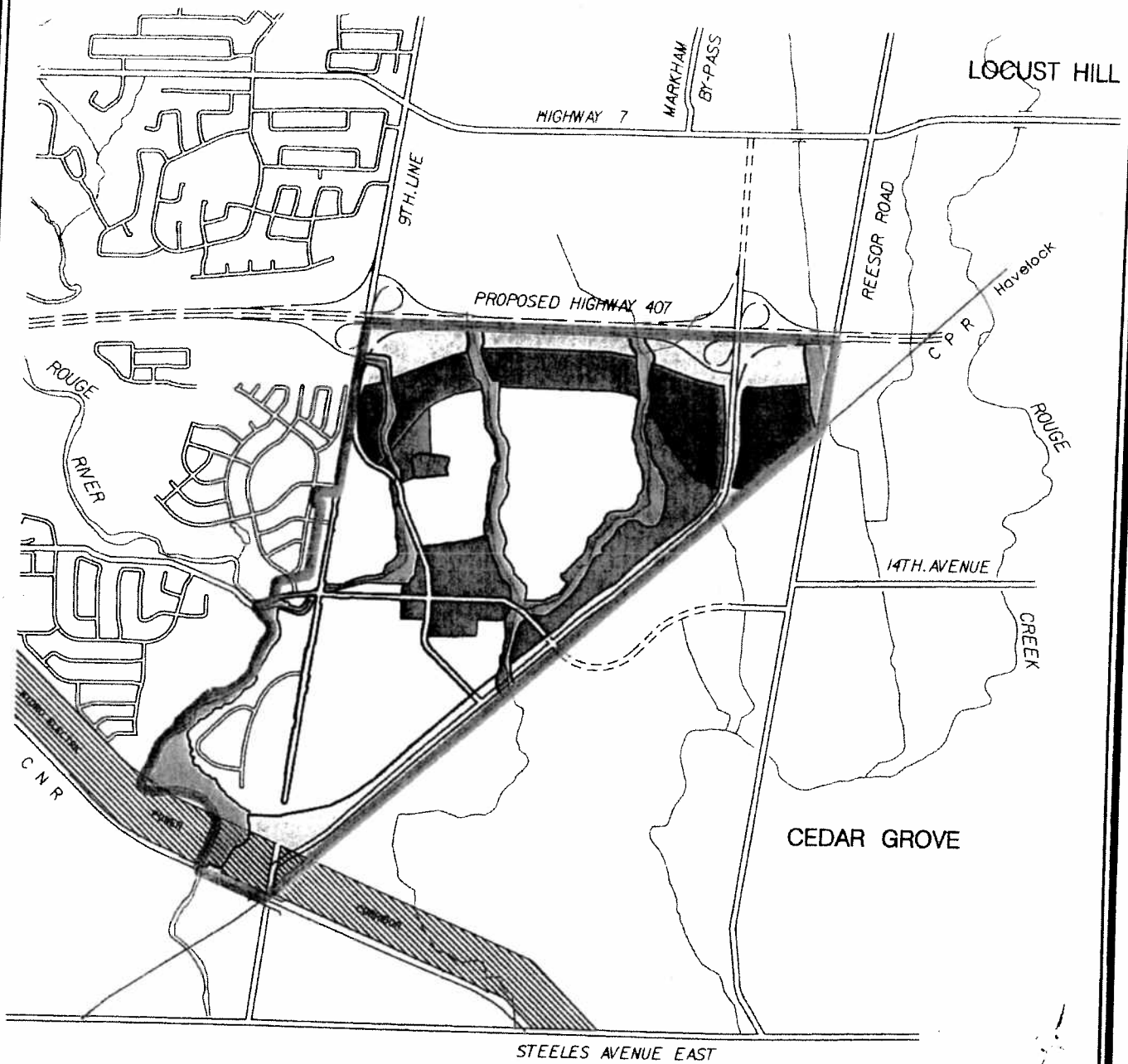


FIGURE 2







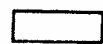

OFFICIAL PLAN AMENDMENT No.92

SCHEDULE 'A' - LAND USE

FIGURE 3

To Amend Schedule 'A' - Land Use
to The Town of Markham Official Plan (Revised 1987) as amended

-  REDESIGNATE FROM AGRICULTURE 3 AND INSTITUTIONAL - CEMETERY TO INDUSTRIAL
-  REDESIGNATE FROM AGRICULTURE 3, HAZARD LANDS, INSTITUTIONAL - CEMETERY AND HAMLET TO COMMERCIAL
-  REDESIGNATE FROM AGRICULTURE 3, AND INSTITUTIONAL - CEMETERY TO ENVIRONMENTAL PROTECTION AREA
-  REDESIGNATE FROM AGRICULTURE 3, AND HAZARD LANDS TO HAZARD LANDS

-  REDESIGNATE FROM AGRICULTURE 3, INSTITUTIONAL - CEMETERY AND HAZARD LANDS TO TRANSPORTATION AND UTILITIES
-  REDESIGNATE FROM HAMLET, AGRICULTURE 3 AND INSTITUTIONAL - CEMETERY TO URBAN RESIDENTIAL

Delete Future Urban Area Identification in Box Grove



DEVELOPMENT SERVICES COMMISSION

DRAWN BY: DD CHECKED BY: LWSH

SCALE 1 :
DATE: June 26, 2002

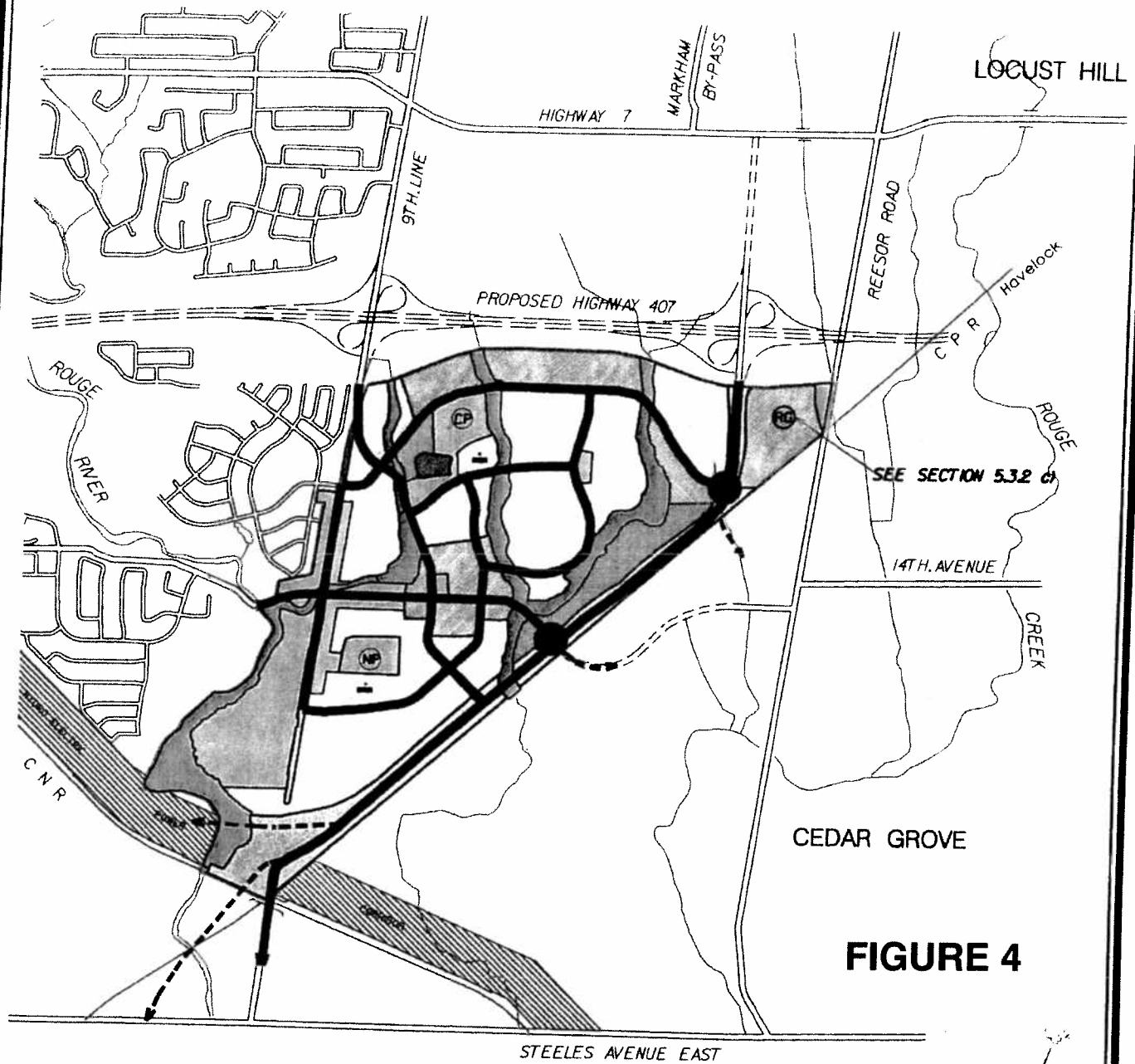


FIGURE 4

SCHEDULE "AA" – DETAILED LAND USE PLAN

Secondary Plan for the Box Grove Planning District (P.D. 18-1)

BOUNDARY OF PLANNING DISTRICT			
URBAN RESIDENTIAL - LOW DENSITY HOUSING I	COMMUNITY AMENITY AREA II	PARKLAND	ENVIRONMENTAL PROTECTION AREA - HAZARD LANDS
URBAN RESIDENTIAL - LOW DENSITY HOUSING II	BUSINESS PARK AREA	COMMUNITY PARK	ENVIRONMENTAL PROTECTION AREA - MINOR TRIBUTARY
COMMUNITY AMENITY AREA - VILLAGE CENTRE	BUSINESS CORRIDOR AREA	NEIGHBOURHOOD PARK	ELEMENTARY SCHOOL YARDS / YARDS
COMMUNITY AMENITY AREA I	TRANSPORTATION AND UTILITIES	ENVIRONMENTAL PROTECTION AREA - WOODLOT	INTERSECTION IMPROVEMENT AREA



DEVELOPMENT SERVICES COMMISSION

DRAWN BY: DD CHECKED BY: LWSH

SCALE 1 :
DATE: June 25, 2002

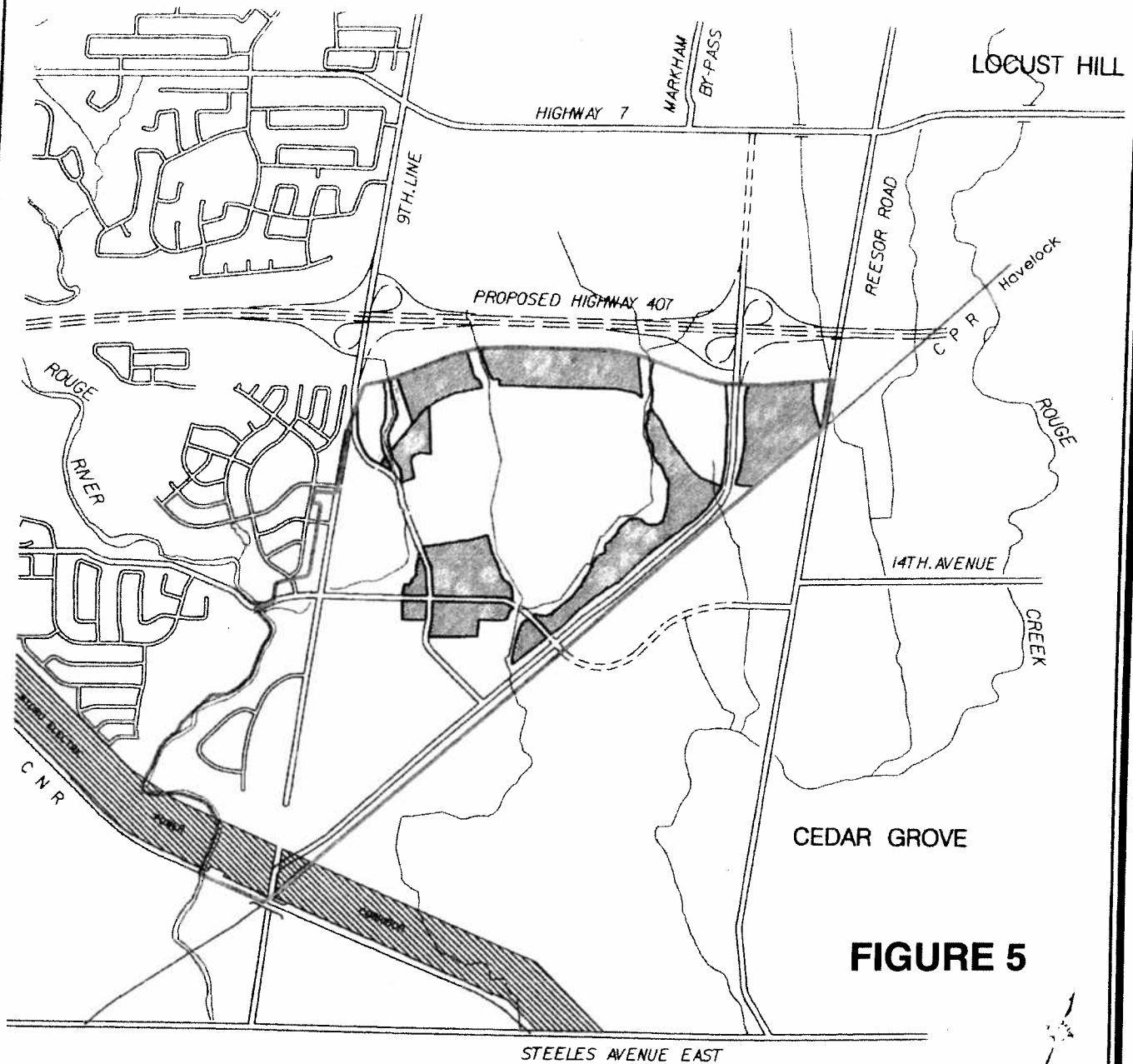





FIGURE 5

OFFICIAL PLAN AMENDMENT No. 92 SCHEDULE 'F' – COMMERCIAL / INDUSTRIAL CATEGORIES

To Amend Schedule 'H' – Commercial/Industrial Categories
to The Town of Markham Official Plan (Revised 1987) as amended

-  ADD COMMUNITY AMENITY AREA
-  ADD BUSINESS PARK AREA
-  ADD BUSINESS CORRIDOR AREA



DEVELOPMENT SERVICES COMMISSION

DRAWN BY: DD CHECKED BY: LWSH

SCALE 1:
DATE: June 25, 2002

