



Report to: Development Services Committee

Meeting Date: May 13, 2025

SUBJECT: RECOMMENDATION REPORT: Housing Accelerator Fund Initiative 3 (Major Transit Station Areas Policy Update) – City Initiated Official Plan and Zoning By-law Amendments
File: PR 24 196907

PREPARED BY: Jessie Huang
Senior Planner, Policy, Ext. 3286

Geoff Day, MCIP, RPP
Senior Planner, Zoning and Special Projects, Ext. 3071

REVIEWED BY: Duran Wedderburn, MCIP, RPP
Manager, Policy, Ext. 2109

Brad Roberts
Manager, Zoning and Special Projects, Ext. 2800

RECOMMENDATION:

1. THAT the staff report entitled “RECOMMENDATION REPORT: Housing Accelerator Fund Initiative 3 (Major Transit Station Areas Policy Update) – City Initiated Official Plan and Zoning By-law Amendments” be received;
2. THAT the City Initiated Official Plan and Zoning By-Law Amendments for the Housing Accelerator Fund Initiative 3 (Major Transit Station Areas Policy Update), attached as Appendix “1” and “2” be brought forward to a future Council meeting to be enacted without further notice; and
3. THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report recommends the adoption of the Official Plan Amendment and enactment of the Zoning By-law Amendment to implement Initiative 3, Major Transit Station Areas, of the City’s Housing Accelerator Fund Action Plan, which will permit buildings of up to four (4) storeys in height on lands that permit residential dwelling units within Major Transit Station Areas through the implementing zoning by-law, with some exceptions.

BACKGROUND:

Establishment of Major Transit Station Areas (MTSAs)

Major Transit Station Areas (MTSAs) are lands generally within a 500 to 800 metre radius of a transit station (i.e., GO Station, Subway and/or Bus Rapid Transit (BRT) station, etc.)

Under the Provincial Growth Plan, upper-tier municipalities, in consultation with local municipalities, are required to delineate boundaries and set minimum density targets for MTSAs located on Provincial Priority Transit Corridors. York Region undertook this work as part of the Regional Official Plan update with input and feedback from consultations with local municipal Councils and staff. The York Region Official Plan (YROP) was approved by the Province in 2022, with a total of 22 identified MTSAs for the City of Markham.

With the removal of planning responsibilities from York Region effective July 1, 2024, the YROP is deemed to be a part of Markham's Official Plan, absorbing the MTSA policy framework set by the Region. Any modifications to the MTSA boundaries would require Provincial approvals.

It is important to note that inclusionary zoning, which is a land use planning tool, authorized under the *Planning Act*, allows municipalities to require affordable housing units to be included in residential developments and can only be implemented in MTSAs.

Key Dates

The following outlines the chronology of the Housing Accelerator Fund ("HAF") program, as it relates to Initiative 3 (Major Transit Station Areas Policy Update):

- February 2022: The Federal Budget announced \$4 billion in funding for the Housing Accelerator fund with the goal of creating at least 100,000 more housing units.
- March 2022: The Canadian Mortgage and Housing Corporation (CMHC) launched the HAF program and application process.
- June 14, 2022: The City of Markham passed a [Council resolution](#) directing Staff to submit a HAF application.
- October 11, 2023: The City received a letter from Federal Minister requesting enhancements to the City's HAF submission, which requested the City to assess and propose amendments to the City of Markham's Official Plan and Zoning By-Laws for Council consideration. The amendments would permit residential building heights of up to four (4) storeys within the City's Major Transit Station Areas ("MTSAs"), excluding those zones that are solely comprised of employment areas and preclude residential development.

- December 13, 2023: [Council resolution](#) in response to the federal Minister's request, agreed to the implementation of the above noted policy along with 4 units, as of right, throughout the city.
- January 25, 2024: City's HAF application was approved including Council's December resolution to the Federal Minister's request. The City's HAF application approval was secured through the execution of a contribution agreement with CMHC for \$58.8 million in funding, with the goal of supporting the delivery of 1640 housing units, over the course of the program.
- June 18, 2024: The Development Services Committee received a staff report that provided an overview of the work plan to implement the City's HAF Program Action Plan Initiatives, including Initiative 3, which identifies milestones involving a statutory Public Meeting and bringing the recommended Official Plan and Zoning By-law Amendments for Council's consideration.
- December 3, 2024: [Statutory Public Meeting](#) held for HAF Initiative 3 (Major Transit Station Areas Policy Update). Staff to consider feedback from Public Meeting and modify Official Plan and Zoning By-Law Amendments, where appropriate.

DISCUSSION:

Conformity with the Land Use Planning Framework

The following section provides an overview of how the proposed amendments conform and are consistent with provincial, regional and local policies and plans.

The Proposed Amendment is consistent with the Provincial Planning Statement, 2024 ("the PPS 2024")

The PPS 2024 provides direction on matters of Provincial interest related to land use planning and development. These matters include building strong communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and providing an appropriate range and mix of residential types. The PPS 2024 emphasizes directing growth and development towards settlement areas, including MTSAs. It specifically encourages promoting development and intensification to these areas. The Proposed Amendment would support the Province's vision for supporting a diverse range of housing options, efficient use of existing land, resources and infrastructure, while supporting transit-oriented communities.

The Proposed Amendment conforms to the 2022 York Region Official Plan (the "YROP 2022")

The YROP 2022 states that MTSAs are a key component of York Region's Intensification and Growth Management Strategy, with each MTSA being unique with its own growth potential to support and enhance the Regional intensification hierarchy. Regional policies dictate that MTSAs are required to achieve complete communities, support economic development, and direct development to strategic growth areas in order to make efficient use of land and optimize

infrastructure. Local municipalities have the discretion to determine appropriate land use densities, building heights and other planning considerations to achieve the overall minimum density target for each MTSA. The Amendments support residential development within MTSA's, accommodating a range and mix of housing types and promotes a scale of development that supports transit that is suitable under Markham's local context.

The Proposed Amendment aligns with the 2014 Markham Official Plan (the "MOP 2014")

The MOP 2014 identifies residential intensification within the built-up area and promotes policies which support transit-oriented development. The Amendment will reinforce the current policies and objectives of the MOP 2014, by supporting the development of complete communities and consistency with Markham's urban structure.

The proposed Amendments only applies to MTSA lands that permit residential dwelling units, or where existing legal residential dwelling units exist. The proposed Amendments establishes permissions for minimum heights of up to 4 storeys for lands that permit residential dwelling units within the MTSA through the implementing zoning by-law. This amendment does not apply to lands designated "Employment" or "Greenway" or apply to lands within the Special Policy Area of MTSA 12 Enterprise BRT Station and MTSA 15 McCowan BRT Station.

Although the proposed OPA would permit a change to the minimum permitted heights within residential land uses within the MTSA's, it would not:

- Apply to lands designated Employment or Greenway
- Change any permitted uses
- Change any permitted densities
- Change the delineated boundaries or the density targets within the MTSA's
- Apply to lands within the Special Policy Area of MTSA 12 Enterprise BRT Station and MTSA 15 McCowan BRT Station

December 3, 2024, Development Service Committee Statutory Public Meeting Feedback

No deputations were made at the statutory public meeting held on December 3, 2024.

The Development Services Committee provided general comments on the proposed Amendments. Comments received included:

- a) Recommended revisions to clarify mapping and to demonstrate the MTSA boundaries and permitted uses more clearly;
- b) Comments regarding land use permissions, if residential dwelling units would be permitted in lands designated as part of the "Greenway"; and
- c) Comments regarding the potential impacts on established neighbourhoods and introducing four-storey buildings on established residential streets.

In addition to the comments provided by Development Services Committee, eight (8) written submissions from prescribed bodies, stakeholders and the public with comments on the proposed

Official Plan and Zoning By-law Amendments have been received. Staff have completed their review of the comments and have revised the Amendments, where appropriate.

Responses to the stakeholder comments raised throughout the HAF Initiative 3 process are provided in the comment response matrix in Appendix “3” which outlines the comments received on the proposed Official Plan and Zoning By-law Amendments, and staff responses.

Staff Modifications to the Proposed Official Plan and Zoning By-law Amendments

Staff have completed their review of the feedback received to date and have revised the amendments, where appropriate:

Changes to Official Plan Policies

The proposed Official Plan Amendment Policy 8.1.5.2. has been updated to clarify that any development on MTSA lands shall only be permitted in accordance with Provincial regulations, guidelines, standards and procedures. Planning applicants would be required to complete any technical studies or meet requirements set by prescribed bodies and/or provincial agencies.

Changes to Zoning By-law Amendment and Mapping

The Zoning By-law was revised to clarify the applicability of existing caps on the maximum number of storeys over and above the proposed 4 storey permission. The by-law was further revised to include provisions on determining zone boundary lines and the applicability of the proposed by-law on hazard lands as identified by the Toronto and Region Conservation Authority (TRCA). A revision to the zoning schedule also removed lands within the MTSA areas that are designated greenway, which are also identified as hazard lands. In addition to the exempted Special Policy Area (SPA) in MTSA 15 McCowan BRT Station, a revision to the zoning schedule also demonstrates an exception to the SPA within MTSA 12 Enterprise BRT Station.

Transitional Areas/Established Neighbourhoods abutting or within MTSAs

As the majority of the low-rise residential development within the MTSAs are presently zoned Residential Established Neighbourhood Low Rise (RES-ENLR) under By-law 2024-19, only single detached built forms are permitted. Of the 22 MTSAs within the City, only 3 MTSAs (Clark Subway Station, McCowan BRT Station, and Montgomery BRT Station) have lands designated residential low-rise in the 2014 Markham Official Plan (Figure 2). In this zone, maximum building heights are determined by limiting the maximum wall height of the exterior of a building.

Lands that are zoned RES-ENLR outside of MTSA areas have a maximum outside wall height of 7.0 metres. The draft zoning by-law amendment proposes to increase this provision in MTSA areas to 11.0 metres to accommodate a fourth storey. In all other MTSA areas, the proposed increase in height is from 11.0 metres to 14.0 metres.

CONCLUSION:

The proposed Amendments are appropriate and supports Provincial, Regional and Local planning policy by providing a range and mix of housing types within MTSAs by allowing for an increase

to the minimum permitted heights for residential units within the identified areas. Staff are of the opinion that the Amendments are appropriate and represent good planning.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this Recommendation Report.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The City Initiated Official Plan and Zoning By-law Amendments will establish and implement the policy framework to permit up to four (4) storeys for lands that permit residential dwelling units within Major Transit Station Areas. The instruments support the achievement the following strategic priorities:

- Goal 3 – Safe, Sustainable and Complete Community in Building Markham’s Future Together, 2020 to 2026;
- Action 3 – Develop an Inclusionary Zoning By-Law for Major Transit Station Areas in Housing Choices: Markham’s Affordable and Rental Housing Strategy; and
- Housing Pledge with a Promise, the Housing Pledge approved by Markham Council in March 2023.

BUSINESS UNITS CONSULTED AND AFFECTED:

Staff from Development Planning, Urban Design, Parks Planning, Natural Heritage, Transportation, Engineering, Sustainability, System Engineering, Operations & Maintenance, Waste & Environmental Management, and Legal were consulted on the proposed draft Official Plan and Zoning By-Law Amendments. Comments were incorporated in the modifications to the draft amendments.

RECOMMENDED BY:

Giulio Cescato, MCIP, RPP
Director, Planning and Urban Design

Arvin Prasad, MCIP, RPP
Commissioner, Development Services

ATTACHMENTS AND APPENDICES:

Figure 1: MTSA Boundaries

Figure 2: MTSAs with Residential Low-Rise Designations

Appendix 1: Proposed Official Plan Amendment– HAF Initiative 3

Appendix 2: Proposed Zoning By-Law Amendment – HAF Initiative 3

Appendix 3: Comment/Response Matrix of Feedback on the Proposed OPA & ZBA-
HAF Initiative 3

Figure 1
MTSA Boundaries

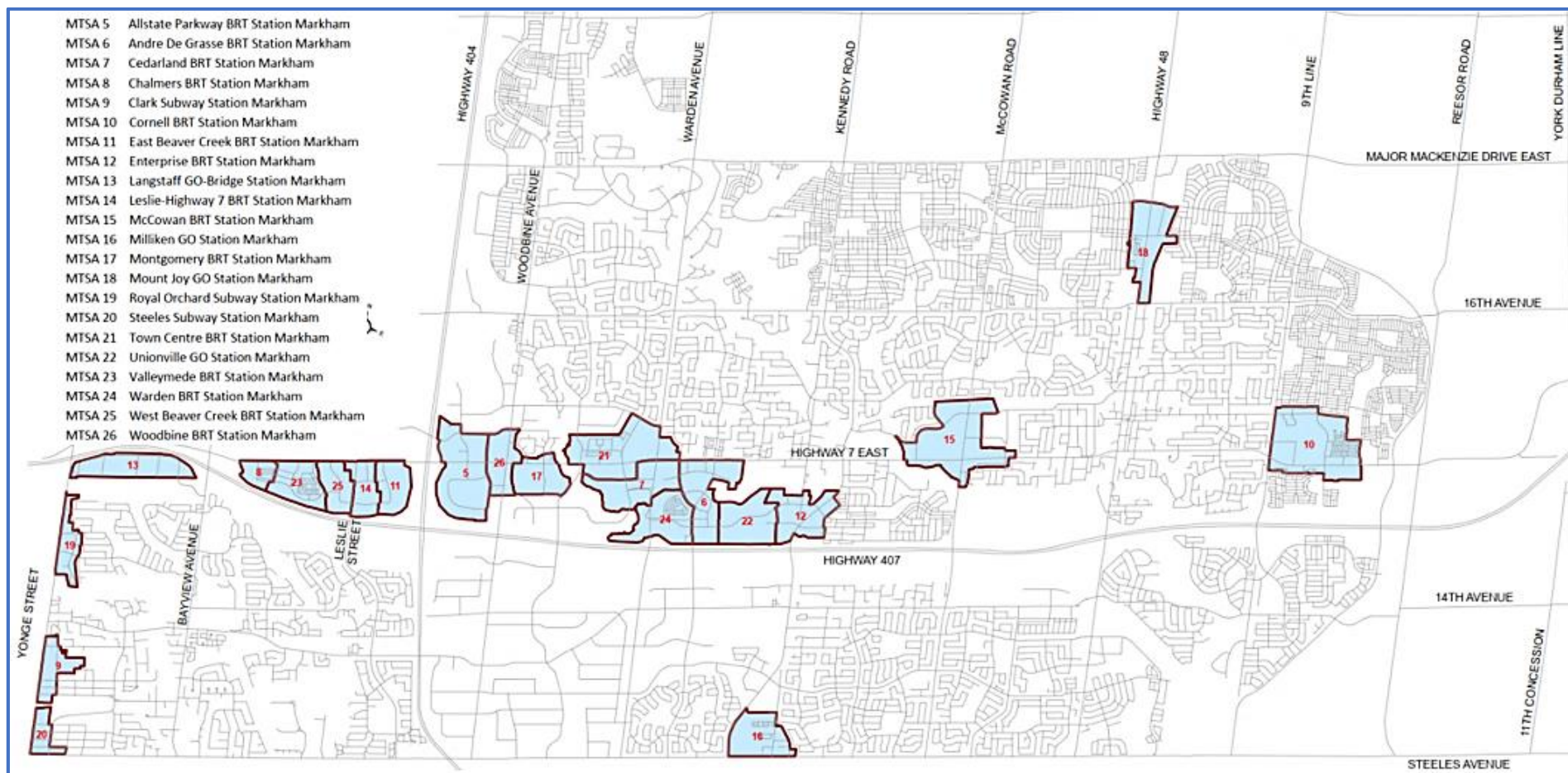
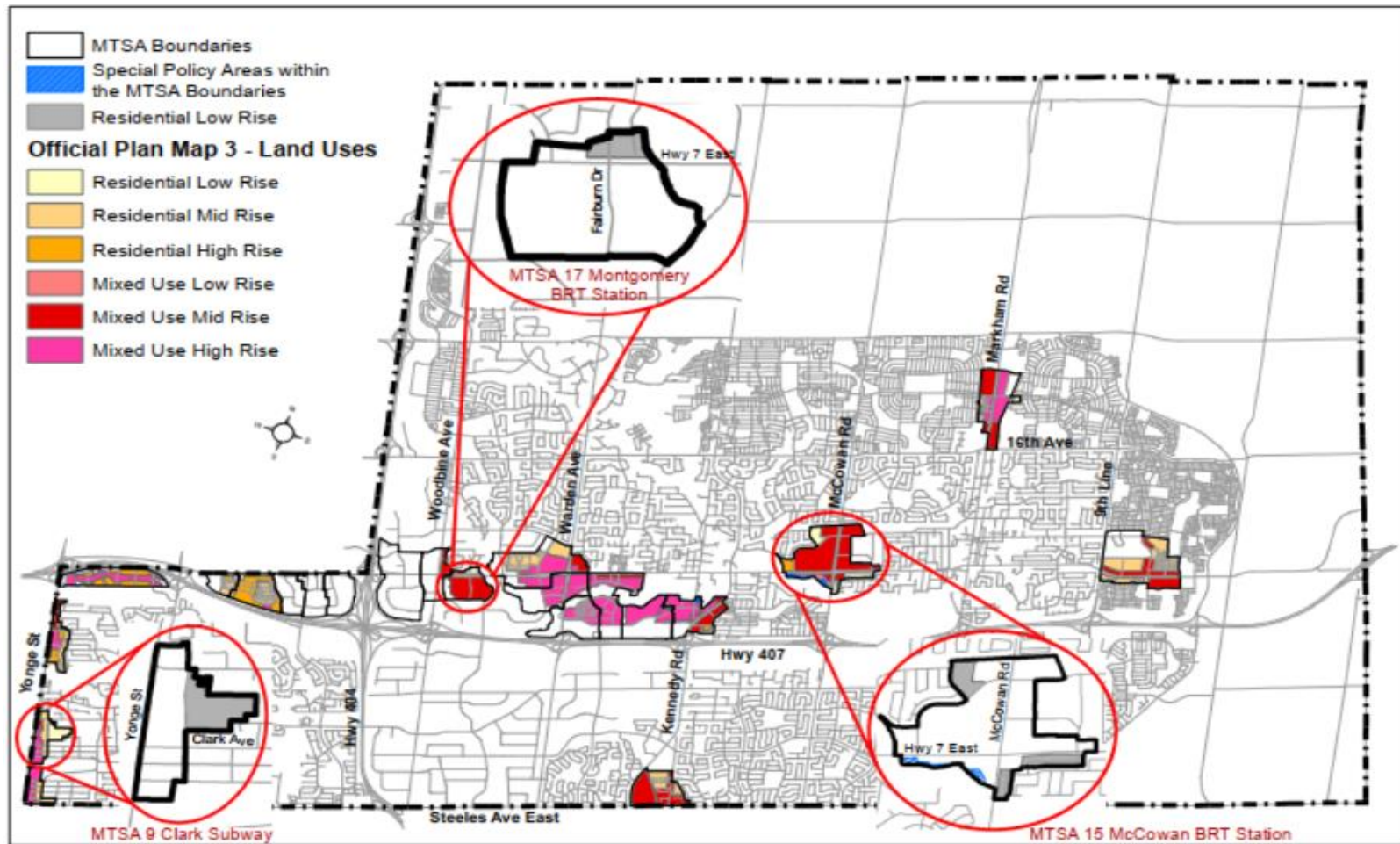


Figure 2
MTSAs with Residential Low-Rise OP Designations



Appendix 1:
Proposed Official Plan Amendment– HAF Initiative 3

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan, 2014, as amended.

(Major Transit Station Area's within the Municipality)

CITY OF MARKHAM
OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan, 2014, as amended.

This Official Plan Amendment was adopted by the Corporation of the City of Markham By-law No. 2025-XX in accordance with the *Planning Act*, R.S.O., 1990 c. P.13, as amended, on the XX day of XX 2025.

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor
(Signed)



By-law 2025-XX

Being a by-law to adopt Amendment No. XXX
to the City of Markham Official Plan, 2014, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM, IN
ACCORDANCE WITH THE PROVISIONS OF THE *PLANNING ACT*, R.S.O., c. P.13,
1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX to the City of Markham Official Plan, 2014, 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 XX DAY OF XX
2025.

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor

CONTENTS

PART I – INTRODUCTION	16
1.0 GENERAL	16
2.0 LOCATION	16
3.0 PURPOSE	16
4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT	16
PART II – THE OFFICIAL PLAN AMENDMENT	19
1.0 THE OFFICIAL PLAN AMENDMENT	19
2.0 IMPLEMENTATION AND INTERPRETATION.....	20

PART I – INTRODUCTION

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

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.

1.2. PART II – THE OFFICIAL PLAN AMENDMENT constitutes Official Plan Amendment No. XXX to the City of Markham Official Plan, 2014, as amended. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Official Plan Amendment (“Amendment”) applies to lands use designations in the 2014 Markham Official Plan that permit residential units within the Major Transit Station Areas, as identified in the 2022 York Region Official Plan Appendix 2, within the geographic boundary of the City of Markham.

3.0 PURPOSE

To amend certain existing policies in the City of Markham Official Plan, 2014 to establish permissions for a minimum height of up to four storeys for lands that permit residential dwelling units within Major Transit Stations Areas, with the exception of lands identified as Special Policy Area within Major Transit Station Area 15 McCowan BRT Station.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The Official Plan Amendment is consistent with the Provincial Policy Statement, 2024 and conforms to the 2022 York Region Official Plan.

The Provincial Policy Statement, 2024, issued under the Planning Act, provides principles and policy direction on matters of provincial interest relating to land use planning and development. These matters include building strong communities with an emphasis on efficient development and land use patterns, wise use and management of resources and protecting public health and safety. The Provincial Policy Statement, 2024, directs the focus of growth and development to settlement areas, which include Major Transit Station Area (“MTSA”), and specifically encourages the promotion of development and intensification within these areas. The Amendment is consistent with the policies of the Provincial Policy Statement, 2024 as it promotes the efficient use of existing land, resources and infrastructure, while supporting active transportation and transit.

The Amendment conforms to the York Region Official Plan, 2022 by incorporating policies in local official plans to facilitate a range of housing options, unit sizes, tenure and affordability. The York Region Official Plan, 2022 identifies that MTSA are planned

and designed to support existing and planned transit infrastructure and to accommodate a range and mix of land uses, housing types, employment, active transportation amenities and activities. The Amendment supports residential development within MTSAs which helps to promote a scale of development that supports transit.

The Markham Official Plan 2014 builds on the urban structure and growth hierarchy as identified in the York Region Official Plan. The 2014 Markham Official Plan also identifies residential intensification within the built-up area and promotes policies which support transit-oriented development. The Amendment is consistent with the urban structure of Markham's Official Plan and will support the development of complete communities.

Overall, the Official Plan Amendment represents good planning as it makes efficient use of land within MTSAs that the Province, Region and City have identified for intensification and redevelopment. The recommended Amendment is appropriate and supports Provincial, Regional, and Local planning policy by contributing a range and mix of housing types and promoting the use of active transportation and transit with MTSAs by allowing for an increase to the minimum permitted heights for residential units within these identified delineated areas.

The Amendment establishes the enabling policy framework in the Markham Official Plan, 2014, which with corresponding amendments to the implementing zoning bylaws that will fulfill HAF Initiative 3 of the City's HAF Action Plan.

PART II – THE OFFICIAL PLAN AMENDMENT
(This is an operative part of Official Plan Amendment No. XXX)

PART II – THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

1.1 The following sections of Part I of the City of Markham Official Plan, 2014, as amended, are hereby amended as follows:

- a) Amending Section 8.1.5, by maintaining the existing subtitle as Section 8.1.5 and renumbering the remainder of the existing Section 8.1.5 to be the new Subsection 8.1.5.1, as follows:

“8.1.5 Height and Density for all Land Use Designations

8.1.5.1 That where the maximum heights and densities are identified in a land use designation of this Plan, it is not intended that every building in a *development approval* will achieve the maximum height and density. The appropriate height shall be the key determinant on what density can be achieved on a site along with the provision of adequate transportation and water and waste water infrastructure, and community infrastructure such as public schools and parks and open spaces.

Secondary Plans may establish height and density provisions that exceed those identified in Chapter 8 of this Plan. Increases in height above the maximum height permitted in a designation may be considered for a development provided it is within the context of an approved secondary plan or site specific policy and the application for zoning by-law amendment to permit a height increase and a site plan and/or *comprehensive block plan* is consistent with the secondary plan or site specific policy.

Increases in height and density above the maximum permitted in a designation within a *Special Policy Area* shown on Map 8 – Special Policy Areas shall not be permitted unless approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry as part of a comprehensive secondary plan review.”

- b) Adding a new Section 8.1.5.2 as follows:

“8.1.5.2 That notwithstanding any other provisions of this Plan to the contrary, for lands within Major Transit Stations Areas, as shown on Appendix 2 of the York Region Official Plan, a minimum height, of up to four storeys, shall be established for land use designations which permit residential dwelling units through the implementing zoning by-laws, with the exception of lands identified as Special Policy Area within Major Transit Station Area 12 Enterprise BRT Station and Major Transit Station Area 15 McCowan BRT Station.

Development within these MTSA lands shall be permitted, in accordance with Provincial policy, regulations, guidelines, standards and procedures.”

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the City of Markham Official Plan, 2014, 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 other Planning Act approvals, in conformity with the provisions of this Amendment.

This Amendment is exempt from approval by the Ministry of Municipal Affairs and Housing and the decision of Council is final if a notice of appeal is not received before or on the last day for filing such notice.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and associated figure(s) and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. The notice provisions of Section 10.7.5 of the City of Markham Official Plan, 2014, as amended, shall apply.

BY-LAW 2025-XXX

A By-law to amend By-laws 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87, 177-96, 2004-196 and, 2024-19, as amended

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

1.0 The following amendments apply to the lands as shown on Schedule 'A' attached hereto.

2.0 By-law's 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85 and, 304-87, as amended, are hereby further amended as follows:

2.1 "Notwithstanding any other provision in this by-law:

- i) Where the maximum number of storeys of a building is equal to or less than 4, the maximum number of storeys shall be 4.
- ii) Where the maximum height of a building is equal to or less than 14 metres, the maximum height shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply."

3.0 By-law 177-96, as amended, is hereby further amended as follows:

3.1 By adding a new Section 6.29 as follows:

"6.29 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

6.29.1 Notwithstanding any other provision in this by-law:

- i) Where the maximum number of *storeys* of a *building* is equal to or less than 4, the maximum number of *storeys* shall be 4.
- ii) Where the maximum *height* of a *building* is equal to or less than 14 metres, the maximum *height* shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply.”

4.0 By-law 2004-196, as amended, is hereby further amended as follows:

By adding a new Section 4.23 as follows:

“4.23 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

4.23.1 Notwithstanding any other provision in this by-law:

- i) Where the maximum number of *storeys* of a *building* is equal to or less than 4, the maximum number of *storeys* shall be 4.
- ii) Where the maximum *height* of a *building* is equal to or less than 14 metres, the maximum *height* shall be 14 metres.

In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply.”

5.0 By-law 2024-19, as amended, is hereby further amended as follows:

“4.8.13 Major Transit Station Areas

The following provisions apply to lands shown on the schedules to this by-law as being within a Major Transit Station Area:

4.8.13.1 Notwithstanding any other provision in this by-law, where a **building** contains a residential **dwelling unit**:

- a) Within the Residential Established Neighbourhood Low Rise (RES-ENLR) zone:
 - i) Maximum number of **storeys** – 4
 - ii) Maximum **outside wall height** - 11 metres
- b) For all other zones:
 - i) Where the maximum number of **storeys** of a **building** is equal to or less than 4, the maximum number of **storeys** shall be 4.
 - ii) Where the maximum **height** of a **building** is equal to or less than 14 metres, the maximum **height** shall be 14 metres.

6.0 All other provisions of By-laws 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87, 177-96, 2004-196 and, 2024-19, as amended, unless specifically modified/amended by this By-law continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS XXRD DAY OF XXXXXXXX, 2025.

KIMBERLEY KITTINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR



SCHEDULE 'A' TO BY-LAW

AMENDING BY-LAWS 1229, 2150, 2237, 2551, 122-72, 88-76 127-76, 184-78, 118-79, 165-80, 47-85, 304-87, 177-96, 2004-196, 2024-19 DATED

 BOUNDARY OF AFFECTED PARENT ZONING BY-LAWS

THIS IS NOT A PLAN OF SURVEY. Zoning Information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

 DEVELOPMENT SERVICES COMMISSION

1,000 0 1,000 Meters

Drawn By: RT

Checked By: GD

DATE: 24/10/2024

NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office

Q:\Development\Planning\Teams\ZSP TEAM21 - Housing\MTSA-IZ\Rob's Work\Schedule A MTSA.mxd

Appendix 3:
Comment/ Response Matrix of Feedback on the Proposed OPA & ZBA

Appendix 3: Comment/ Response Matrix of Feedback on the Proposed OPA & ZBA – HAF Initiative 3					
#	Date Received	Stakeholder Type	Address	Summary of Comments	City Staff Response
1	2-Dec-24	Landowner	5221 Highway 7, 8310-8312 McCowan Road, and Valley/ Open Space parcel to the south of 8310-8312 McCowan Road	No concern with the overall direction of the proposed OPA & ZBA. Requested that the proposed City initiated amendments be applied to the Special Policy Area governing the southwest quadrant of Highway 7 and McCowan Road, which permits a 3-storey limit.	The purpose of the OPA is to establish permissions for a minimum height of up to four storeys for lands that permit residential dwellings within Major Transit Station Areas, with the exception of lands identified as Special Policy Area within Major Transit Station Area (MTSA) 15 McCowan BRT Station, through the zoning by-laws. Per policy 9.14.6, the maximum building height for lands designated Mixed Use Low Rise is three storeys due to its location within a Special Policy Area (SPA) and flood plain. Future development within Mixed Use Low Rise lands will have to demonstrate that flood impacts are appropriately mitigated. No intensification of lands in the SPA is permitted. The subject lands fall within the Special Policy Area and floodplain

					within MTSA 15 McCowan BRT Station.
2	3-Dec-24	Landowner/Developer	5221 Highway 7 8310-8312 McCowan Road	Requested to be added to notification list.	Noted and applicant has been added to notification list.
3	13-Dec-24	Prescribed Body, Rogers Communications	Sitewide	No comments.	Noted.
4	13-Dec-24	Prescribed Body, Enbridge	Sitewide	No comments.	Noted.

5	19-Dec-24	Prescribed Body, Bell Canada	Sitewide	No comments.	Noted.
6	20-Dec-24	Prescribed Body, York Region	Sitewide	No comments.	Noted.
7	10-Jan-25	Prescribed Body, Toronto and Region Conservation Authority	Sitewide	TRCA does not oppose establishing a minimum number of storeys and height, where appropriate, however do not support new or intensified development within hazardous lands where it poses an increase in risk to public health and safety or property- further clarity on the proposed amendments is needed. 1) All MTSA's containing regulatory flood plan as determined by TRCA, or through studies to TRCA's satisfaction, that development of certain lands is restricted due to their vulnerability to flooding and erosion hazards and that new development or additions to existing buildings may only be permitted if written approval is obtained from TRCA.	1. Policy 8.1.5.2. was revised to specify that development within MTSA lands shall be permitted in accordance with Provincial policy, regulations, guidelines, standards and procedures. The intent of this modification is to make it explicitly clear that new development or additions to existing buildings must comply with provincial standards, including meeting the requirements set by prescribed bodies, such as the TRCA.
				2) Where lands are within the Unionville Special Policy Area (SPA), the provincially approved SPA OP land use designations and policies prevail. In addition to the exception for SPA in MTSA 15, also include an exception for SPA in the MTSA 12 Enterprise BRT station some of which is within the Unionville SPA	2. Schedule 'A' has been revised to include an exception for SPA in the MTSA 12 Enterprise BRT station.

				3) For all MTSAs containing regulatory flood plains as determined by TRCA, add zoning provisions that the zone boundaries may be refined in accordance with any approved change in the regulatory flood line as determined by TRCA. The intent is to recognize any changes to the flood line due to new technical information or the outcome of any flood remediation.	3. Schedule 'A' has been revised to remove the lands zoned "Greenway" lands out of the MTSAs.
				4) Reference the following from Section 2.4 c) of the current Zoning By-law: "Where the flooding hazard limit established by the Toronto and Region Conservation Authority extends outside the Greenway One or Greenway Two zones, the applicable Greenway zone applies, except where located in a Special Policy Area as outlined in Part 13"	4. Proposed ZBA has been modified to include the following <i>"In determining the applicable zone boundary line of this by-law, where the flooding hazard limit established by the Toronto and Region Conservation Authority extends into the area identified on Schedule A, the provisions of this by-law shall not apply."</i>
8	10-Jan-25	Prescribed Body, Metrolinx	Sitewide	No comments regarding the proposed OPA and ZBA, however provided the following provisions for consideration. 1) That any development within 300m of the Metrolinx Rail Corridor shall conform to the "Metrolinx Adjacent Development Guidelines- GO Transit Heavy Rail Corridors" 2) That any development within 300m of the Metrolinx Rail	1. Noted 2. Noted 3. Noted 4. Noted 5. Noted 6. Noted 7. Noted 8. Noted 9. Noted 10. Noted 11. Noted

				Corridor shall require an Acoustical Study, which shall include the current rail traffic data and the Standard Metrolinx Noise Warning Clause, to the satisfaction of Metrolinx and the City of Markham. 3) That any development within 75m of the Metrolinx Rail Corridor shall require a Vibration Study to the satisfaction of Metrolinx and the City of Markham. 4) That any development adjacent to the Metrolinx Rail Corridor shall not alter any drainage patterns, flows and/or volumes, absent review and approval by Metrolinx and its Technical Advisor, with all costs to be borne by the applicant/owner. 5) That any development adjacent to the Metrolinx Rail Corridor shall require execution of agreements with Metrolinx as deemed applicable, including but not limited to, Adjacent Development Agreement, Crane Swing Agreement, Shoring System and Permission to Enter Agreement, and Non-Disclosure Agreements. 6) That any development within 300m of the Metrolinx Rail Corridor shall require registration of an Environmental/Operational	
--	--	--	--	---	--

				Easement in favour of Metrolinx, over the subject lands. 7) That any development adjacent to the Metrolinx Rail Corridor shall provide the required setback and standard safety barrier (berm) or receive approval of an alternative barrier per a Rail Safety Report, to be reviewed by Metrolinx and its Technical Advisor, with all costs to be borne by the owner / applicant. 8) In addition, sufficient setback for future building maintenance and other related works in proximity to the property line should also be considered. 9) That any work within, or in close proximity to, the Metrolinx Rail corridor shall require a Metrolinx Work Permit in combination with other associated requirements as determined applicable by Metrolinx, with all costs to be borne by the owner / applicant. 10) That any vegetation within 3.5m of the mutual property line with Metrolinx shall be restricted to low lying vegetation only. 11) That any development adjacent to the Metrolinx Rail Corridor shall install the Metrolinx Standard Security Fence along the property line, save and except for where substitutes are	
--	--	--	--	--	--

				deemed satisfactory by Metrolinx.	
--	--	--	--	--------------------------------------	--