

Corporate Services

Via e-mail and mail

File No.: OPA 24
Regional File No.: LOPA.17.M.0047

July 4, 2019

Ms. Kimberley Kitteringham
City Clerk
City of Markham
101 Town Centre Boulevard
Markham, ON L3R 9W3

Dear Ms. Kitteringham:

**Re: Notice of Decision
Amendment No. 24 to the Official Plan of the
City of Markham (2014), as amended
Berczy Glen Secondary Plan**

On June 27, 2019, York Region Council approved, with modifications, the above captioned Official Plan Amendment.

Please find attached York Region's Notice of Decision.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Ezer".

Jason Ezer, MCIP, RPP
Senior Planner

JE/

Attachment (1): Notice of Decision

Copy to: Stephen Lue, Development Manager, North District, City of Markham (e-mail)
Stephen Kitagawa, Senior Planner, City of Markham (e-mail)

YORK-#9727338-v1



Regional File No.: OPA 24 (LOPA.17.M.0047)
Applicant: City of Markham
Date of this notice: July 4, 2019
Last date of appeal: July 24, 2019

Notice of Decision **to Approve an Amendment to the** **Official Plan of the City of Markham**

The Regional Municipality of York is the approval authority for this Official Plan Amendment. This notice of decision is given in accordance with Section 17(35) of the *Planning Act*, R.S.O. 1990, c. P.13. The decision of The Regional Municipality of York is to **MODIFY and APPROVE** Amendment No. 24 to the Official Plan of the City of Markham.

Lands Subject to the Amendment:

Municipality: City of Markham (Berczy Glen Block)

Location: Refer to Key Map

Purpose and effect of the Amendment:

Official Plan Amendment No. 24, known as the Berczy Glen Secondary Plan, amends the City of Markham Official Plan as it pertains to the subject lands by adding detailed policies in order to guide future development of a new community.

Proposed modifications to the Amendment:

York Region proposes to approve OPA 24 with modifications as shown on Attachment 1.

Effect of Written Submissions on Decision:

The effect of written submissions was in-line with Regional Council's decision to approve the Amendment.

Other applications affecting the subject lands:

N/A

For additional information:

A copy of the proposed Official Plan Amendment and the decision will be available for inspection at York Region's Planning and Economic Development Branch, Corporate Services Department from 8:30 am to 4:30 pm on regular business days. For assistance, please contact Jason Ezer, Senior Planner, at 1-877-464-9675, extension 71533 or jason.ezer@york.ca.

Who may appeal:

If applicable, only individuals, corporations or public bodies may appeal a decision of the approval authority to the Local Planning Appeal Tribunal ("Tribunal"). A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

When and how you may appeal:

The last day for filing an appeal is no later than 4:30 pm on **July 24, 2019** and it must be received in writing. A notice of appeal may not be sent by email. A notice of appeal must:

1. Be filed with the approval authority, addressed to:
Ms. Karen Whitney, MCIP, RPP
Director, Community Planning and Development Services
Corporate Services Department
York Region Administrative Centre
17250 Yonge Street
Newmarket, Ontario L3Y 6Z1
2. Be accompanied by the completed Tribunal appeal form, setting out the reasons for the appeal and the specific part of the proposed Official Plan or Official Plan Amendment to which the appeal applies; and,
3. Be accompanied by the fee required by the Tribunal and a fee of \$500.00 payable to The Regional Municipality of York for preparing the record to be submitted to the Tribunal.



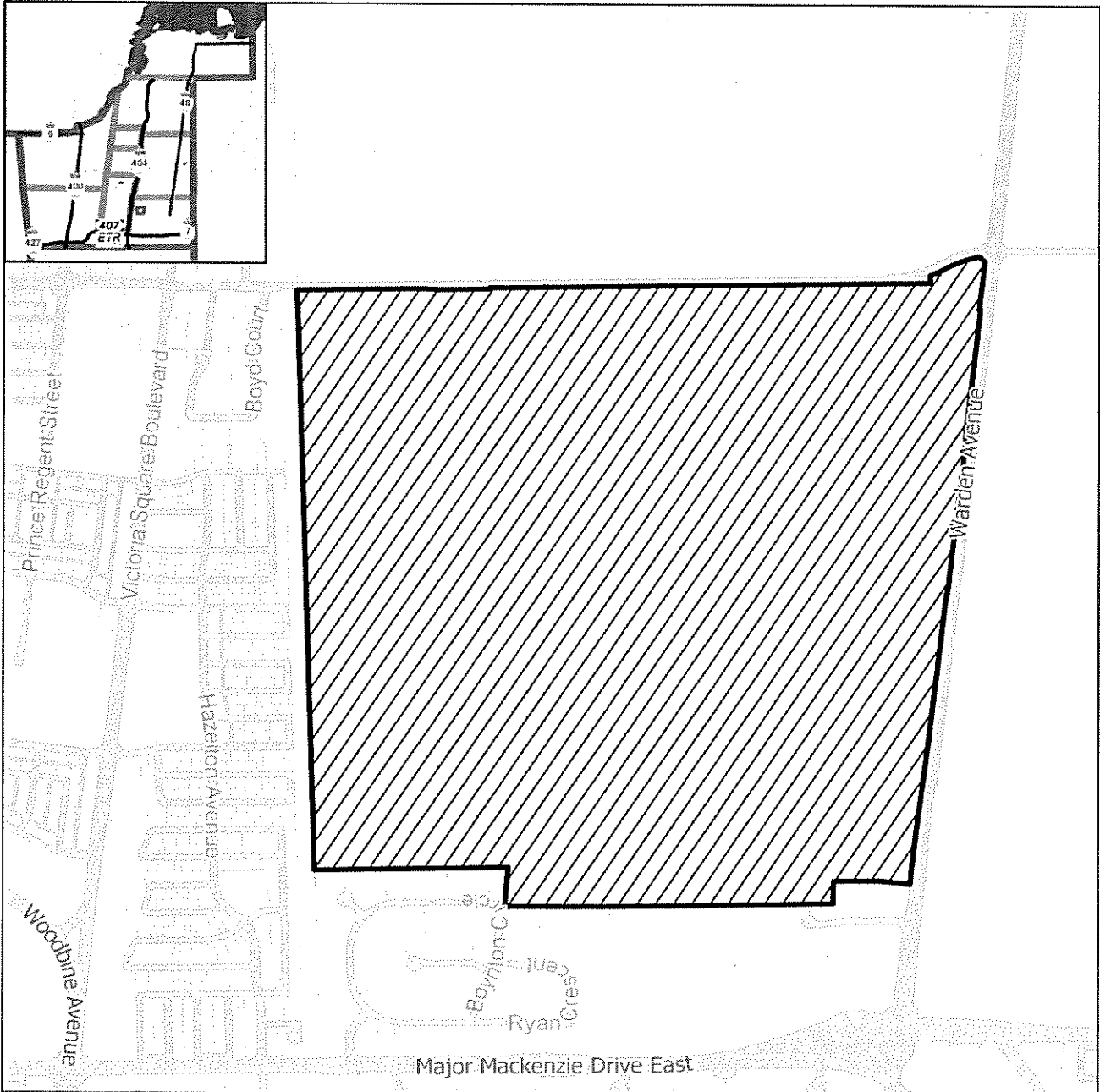
Dated: July 4, 2019

Karen Whitney, MCIP, RPP
Director, Community Planning and Development Services

YORK-#9727334-v1-OPA_24_-_Notice_of_Decision

KEY MAP

Berczy Glen Secondary Plan Area (OPA 24)



Key Map

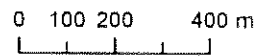
OPA 24



Subject Lands



Produced by
Community Planning Department
Planning and Economic Development Branch
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PROPOSED MODIFICATIONS TO BERCY GLEN SECONDARY PLAN

Note: Strikethrough denotes deleted text. Underlined text denotes added text.

AMENDMENT TO PART 1 OF THE OFFICIAL PLAN 2014 is modified as follows:

1. Schedules "C", "G", "J", "L", and "M" are modified to reflect a minor alignment change to the Major Collector Road as attached.

AMENDMENT TO PART II OF THE OFFICIAL PLAN 2014 is modified as follows:

2. Section 3.1.6 a) is modified to include reference to connections to specific streets as follows:

Transportation System

- 3.1.6. a) A Transportation System consisting of arterial, collector and local roads, will accommodate the majority of cycling, vehicular, and transit service traffic within the community as well as serve as links to the neighbouring areas including connections to Rinas Avenue, Stony Hill Boulevard and Vine Cliff Boulevard.

3. Section 4.1.14 a) is modified by italicizing the term "features" as follows:

- 4.1.14 That where nature-based trails are provided for in the Greenway System, the following shall apply:
 - a) trails shall avoid or minimize impacts to *natural heritage and hydrologic features* by generally being located outside of the Natural Heritage Network and at the outer edge of the Greenway System, and along both sides of the Berczy Creek, where feasible;

4. Section 4.3.6 is modified by replacing the reference to Section 4.3.6 with 4.3.5.

5. Section 4.4.1 is modified by replacing reference to Section 7.2.1 with correct reference to 7.2.1.1.

6. Section 7.1.1.4 is modified by adding additional requirements for right-of-way conveyances as follows:

7.1.1.4 To require through the *development approval* process, where appropriate and at no public cost, and in accordance with the Planning Act, the conveyance of lands within the Berczy Glen Secondary Plan Area needed to achieve the road network shown on Map SP5 – Road Network and the active transportation network shown on Map SP6 – Transit and Active Transportation Network in accordance with Section 7.1.3.4 of the Official Plan. Determination of final right-of-way requirements shall be made through the completion of the Functional Traffic Design Study, Transportation Impact Assessment and/or any applicable environmental assessment as initiated through the *development approval* process. Notwithstanding the planned rights-of-way for minor collector roads, should it be determined through the *development approval* process that greater right-of-way widths are required, the additional lands shall be conveyed to the City and/or the Region at no public cost, without an amendment to this Secondary Plan.

7. Section 7.1.2.2 is modified by adding additional policies f) and g) regarding vehicle access restrictions and continuous collector streets as follows:

- f) to restrict vehicle access from developments adjacent to Regional Roads to maximize the efficiency of the Regional street system through techniques such as suitable local street access, shared driveways and interconnected properties; and
- g) to plan and implement, including land takings necessary for, continuous collector streets in both east-west and north-south directions, in all new urban developments.

8. Section 7.1.2.4 is modified by clarifying the location of public utilities within laneways as follows:

7.1.2.4 That public laneways within the road network of the Berczy Glen Secondary Plan Area, be planned to achieve the following:

- a) a secondary road network at the rear of development lots and blocks providing access to the required on-site parking and service areas; and
- b) design requirements, in a manner consistent with the comprehensive urban design guidelines for the Future Urban Area Planning District and the Community Design Plan, to be determined through the functional traffic design studies and transportation impact assessments.

~~Public utilities may be located within lanes subject to functional and design standards established by the City.~~

City owned public utilities may be located within the paved portion of laneways subject to functional and design standards established by the City. Privately owned utilities may be located within boulevard/grass portion of the laneway subject to functional and design standards established by the City.

9. Section 8.2.1.3 is modified by deleting “excluding back to back townhouse” and by adding Section d) as follows:

Building Types

8.2.1.3 To provide for only the following building types on lands designated ‘Residential Low Rise’:

- a) detached dwelling, semi-detached dwelling, townhouse ~~excluding back to back townhouse~~, duplex, small multi-plex building containing 3 to 6 units, all with direct frontage on a public street. A zoning by-law amendment to permit the above building types without direct frontage on a public street may also be considered, at appropriate locations, where a development block has frontage on an arterial or a major collector road, or where an individual lot has frontage on a public park which fronts a public street;
- b) coach house located above a garage on a laneway; ~~and~~
- c) buildings associated with day care centres, places of worship and public schools; and
- d) back to back townhouses, subject to review of an application for development approval. In considering an application for back to back townhouses on lands designated ‘Residential Low Rise’, Council shall ensure that development adheres to the criteria outlined below:
 - i. appropriate site location in terms of proximity to transit;
 - ii. appropriate lot widths to ensure the provision of on-street parking, street trees, and private amenity space;
 - iii. the proposed built form fronts on to a public road;
 - iv. the density of the proposal is consistent with the density range established in Section 8.2.1.4 of this Secondary Plan; and,

v. the proposed back-to-back townhouses are located in close proximity to public parks, where feasible.

10. Maps SP1, SP5, SP6 and Appendix 2 are modified to reflect a minor alignment change to Street 'D' as attached.

Elgin Mills Rd E






Hydro Corridor

Warden Ave

FROM 'FUTURE NEIGHBOURHOOD AREA'
TO DESIGNATIONS AS SHOWN

Major Mackenzie Dr E

AMENDMENT TO MAP 3 - LAND USE
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX

-  BOUNDARY OF AMENDMENT AREA
-  Greenway System as modified by Schedule "D"
-  Residential Low Rise
-  Residential Mid Rise
-  Mixed Use Mid Rise

Elgin Mills Rd E


Hydro Corridor


ADD 'MAJOR COLLECTOR ROAD'

Warden Ave

Major Mackenzie Dr E

AMENDMENT TO MAP 10 - ROAD NETWORK
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA

 Major Collector Road

 Permanent Streams and Intermittent Streams as modified by Schedule "F"



Elgin Mills Rd E

Hydro Corridor




Warden Ave

ADD 'PUBLIC SCHOOL SITE'
'PLACE OF WORSHIP SITE'
AND 'PARK SITE' AS SHOWN

Major Mackenzie Dr E

AMENDMENT TO MAP 14 - PUBLIC SCHOOL, PLACE OF WORSHIP AND PARK SITES
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA

-  Public School Site
-  Place of Worship Site
-  Park Site

Elgin Mills Rd E


Hydro Corridor

Warden Ave

Major Mackenzie Dr E

AMENDMENT TO APPENDIX C - COMMUNITY FACILITIES
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX

 BOUNDARY OF AMENDMENT AREA

 Greenway System as modified by Schedule "D"



Elgin Mills Rd E

Hydro Corridor


Warden Ave

ADD 'PROPOSED CYCLING FACILITIES' AS SHOWN


Major Mackenzie Dr E

AMENDMENT TO APPENDIX D - CYCLING FACILITIES
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX





 BOUNDARY OF AMENDMENT AREA

 Proposed Cycling Facilities



MAP SP1
DETAILED LAND USE
BERCZY GLEN SECONDARY PLAN
 (Official Plan Amendment XXX)

 Boundary of Secondary Plan Area


RESIDENTIAL

-  Residential Low Rise
-  See Section 6.2.1.6
-  Residential Mid Rise I
-  Residential Mid Rise II



MIXED USE

-  Mixed Use Mid Rise
-  See Section 6.3.1.6




GREENWAY SYSTEM

-  Greenway

PARKS AND OPEN SPACE

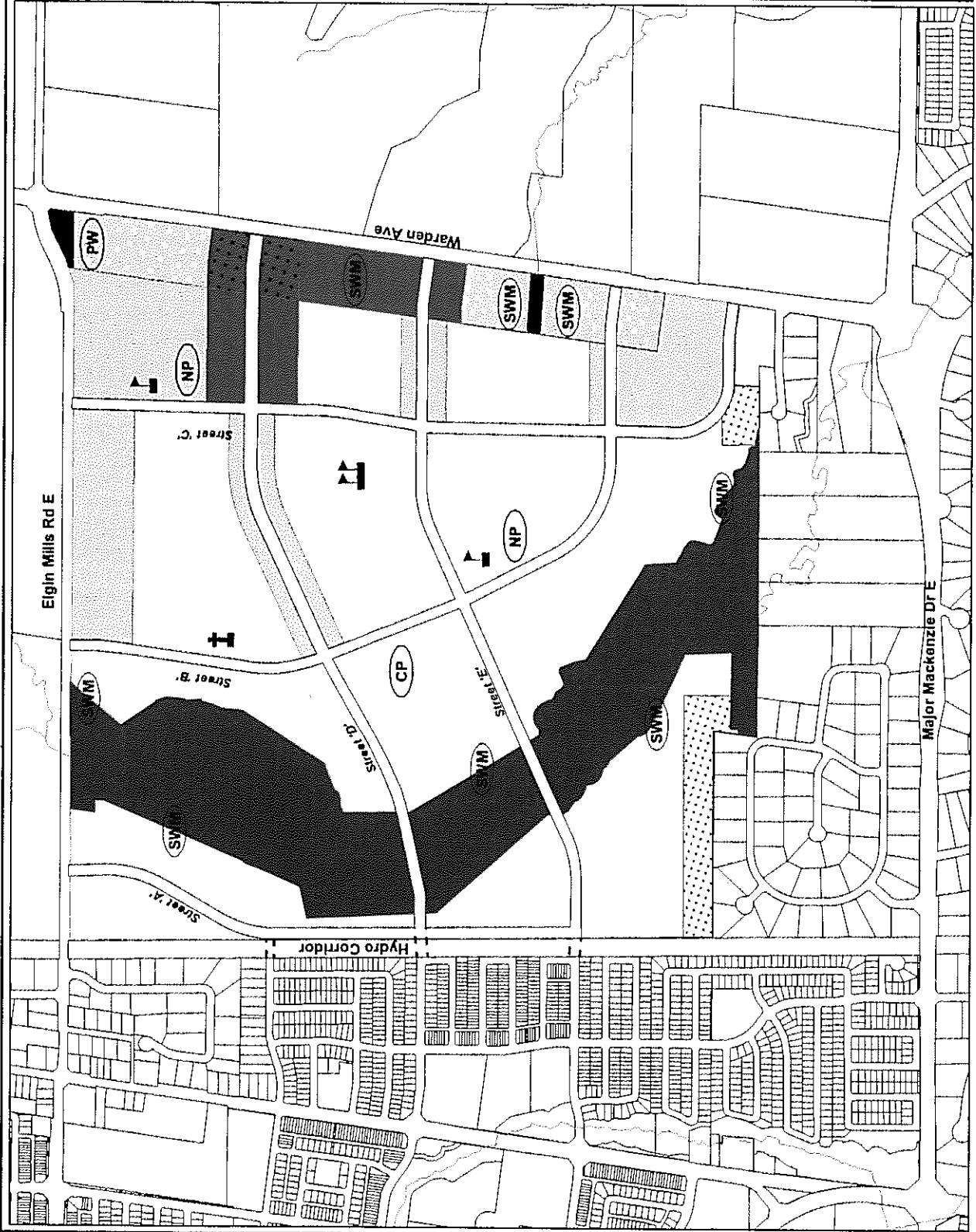
-  Community Park / Neighbourhood Park
-  Stormwater Management Facility

COMMUNITY INFRASTRUCTURE, SERVICE FACILITIES

-  Public Elementary School
-  Public Secondary School
-  Catholic Elementary School

OTHER

-  Place of Worship



MAP SP5 ROAD NETWORK

BERCZY GLEN SECONDARY PLAN
(Official Plan Amendment XXX)



Boundary of Secondary Plan Area

ARTERIAL ROADS

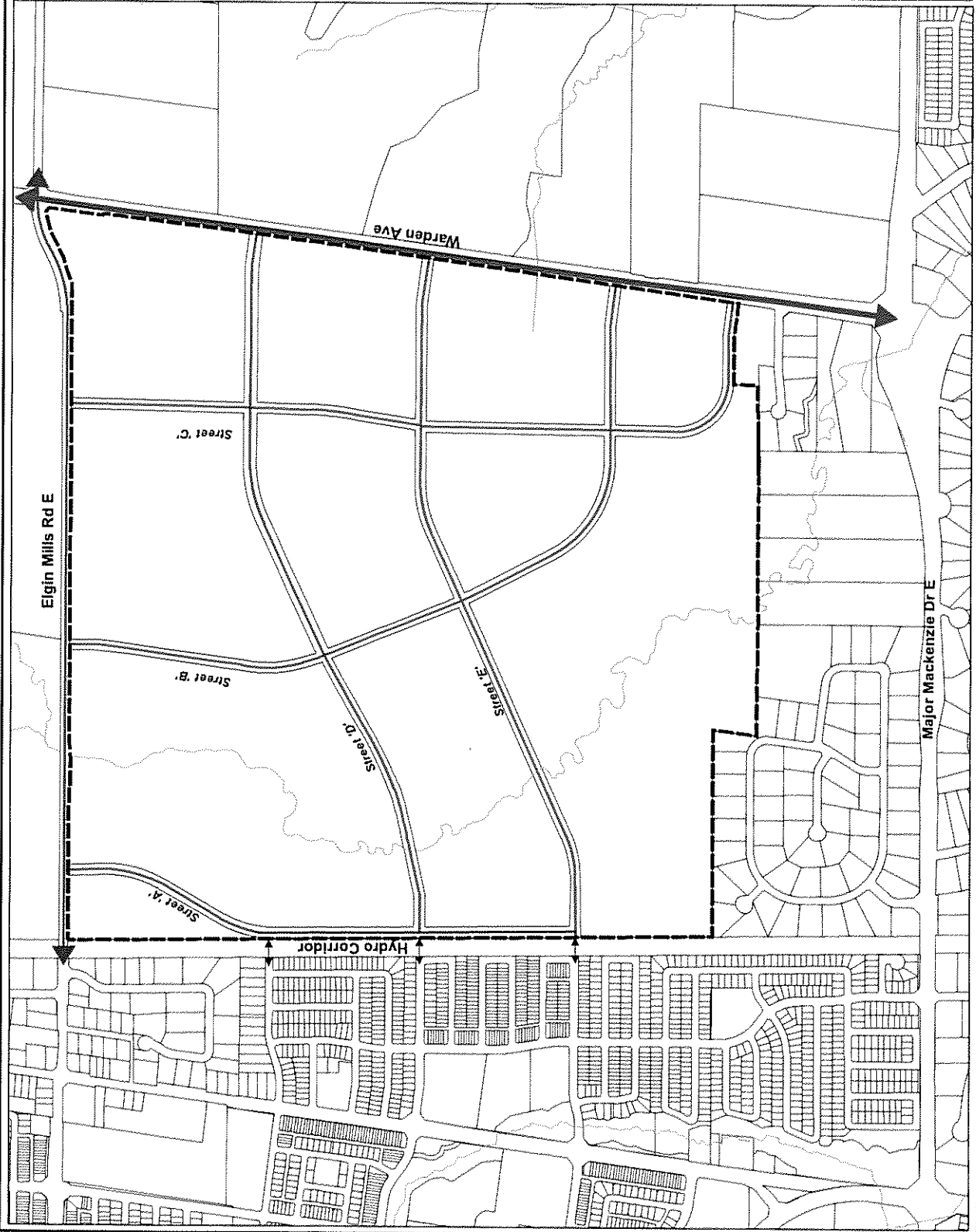
Region of York Arterial Road

COLLECTOR ROADS

Major Collector Road
(Up to 30.5 metre right-of-way)

Minor Collector Road
(Up to 24.5 metre right-of-way)

Minor Collector Road or Local
Road Connection



SCALE: 1:5,500

Date: 11/27/2018

APPENDIX 2 CULTURAL HERITAGE RESOURCES

BERCZY GLEN SECONDARY PLAN
(Official Plan Amendment XXX)



Boundary of Secondary Plan Area

● Cultural Heritage Resource

- A. Thomas Frisby Jr. House, c. 1915
3151 Elgin Mills Road East
- B. Lyon-Schell-Frisby House, c. 1850
3575 Elgin Mills Road East
- C. John Doner Jr./The Tot House, c. 1843
3693 Elgin Mills Road East
- D. Sanderson House, c. 1920 (formerly
Tuckey House)
10585 Warden Avenue

SCALE: 1:8,500 Date: 11/27/2018

