

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

To amend the Official Plan (Revised 1987), as amended,
and to incorporate Amendment No. 9 to the Markham Centre Secondary Plan (PD 33-1)
for the Central Area Planning District (Planning District No. 33).

[OnePiece (MS) Developments Inc.]

(May, 2020)

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AMENDMENT NO. XXX

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This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. _____ - ____ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the XX day of MONTH, 2020.

Mayor

City Clerk

THE CORPORATION OF THE TOWN OF MARKHAM

BY-LAW NO. _____

Being a by-law to adopt Amendment No. XXX to the City of Markham Official Plan (Revised 1987), as amended.

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

1. THAT Amendment No. XXX to the City of Markham Official Plan (Revised 1987), as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS XX DAY OF MONTH, 2020.

CITY CLERK

MAYOR

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PART I - INTRODUCTION

(This is not an operative part of 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 Official Plan (Revised 1987), as amended and is required to enact Amendment No. 9 to the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). Part II is an operative part of this Official Plan Amendment.
- 1.3** PART III - THE SECONDARY PLAN AMENDMENT, including Schedule “A”, attached thereto, constitute(s) Amendment No. 9 to the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). This Secondary Plan Amendment may be identified by the symbol PD 33-1-9. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan and to the Markham Centre Secondary Plan (PD 33-1) applies to a 2.06 ac (5.08 ac) parcel of land municipally known as 28 Main Street Unionville, located at the northwest corner of Main Street Unionville and Enterprise Boulevard, east of the GO Rail line (the “Subject Lands”). Bill Crothers Drive bisects the Subject Lands creating two distinct parcels; each represents a phase of development, being the west parcel (“Phase 1 lands”) and east parcel (“Phase 2 lands”). More specifically, this Amendment applies to the Phase 1 lands. A future amendment to the Phase 2 lands will be required.

3.0 PURPOSE

The purpose of this Amendment is to amend the Markham Centre Secondary Plan to:

- increase the maximum permitted building height from 33-storeys to 47-storeys for a residential mixed-use building; and,
- delete previous permissions to allow for below-grade parking beneath a portion of the Phase 1 lands designated “Open Space”.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

On June 24, 2014, the City of Markham Council adopted Official Plan Amendment No. 219 (“OPA 219”) to the Markham Centre Secondary Plan (the “MCSP”)

permitting a residential mixed-use development on the Subject Lands. OPA 219 was subsequently appealed to the Ontario Municipal Board [“OMB”, now the Local Planning Appeal Tribunal (“LPAT”)] by the adjacent landowner immediately to the north. In a decision issued on February 5, 2019, the LPAT approved a revised OPA 219 as a settlement. This permitted on the Subject Lands a phased residential mixed-use development consisting of two buildings with heights of 29 and 33-storeys, and maximum 673 residential units of which the Phase 1 lands would accommodate 362 units (the “original development”).

The approved OPA 219 designates the Subject Lands “Community Amenity Area-Major Urban Place”, “Open Space”, and “Open Space-Environmentally Significant” within the MCSP, and permits the original development. OPA 219 also exempts the development of the Subject Lands from the requirements to prepare a Precinct Plan and permits underground parking beneath a future park block (strata condition) within the “Open Space” designation located on the Phase 1 lands. City of Markham Council approved a site-specific Zoning By-law Amendment and endorsed, in principle, a concurrent application for site plan approval for the development in June 2018.

Through the technical review of the original development, the Owner’s engineers and contractors identified the potential for unacceptable impacts on the building foundations of the adjacent land uses due to the site limitations and the geotechnical and hydrogeological conditions of the Subject Lands. This resulted in revisions to the building design on the Phase 1 lands, which primarily involved the removal of the strata condition from the proposed public park and the relocation of the parking supply above grade and within the building podium.

A further amendment to the MCSP is required to increase the maximum building height from 33-storeys to 47-storeys, including the mechanical penthouse, to accommodate the revised built form and maintain the 362 units approved for Phase 1 lands. The maximum 637 residential units and the exemption for a Precinct Plan for the Subject Lands established in OPA 219 are not subject to further amendment.

The revised Phase 1 building design maintains a podium height of nine-storeys, similar to the original development, with an increased building height of 47-storeys from 33-storeys for the point tower built form that would minimize shadow impacts. Without proposed underground parking levels, the podium accommodates the parking supply for the Phase 1 lands.

The Subject Lands are located within close proximity to the Unionville GO Station, which is within an identified “Mobility Hub” by Metrolinx. Lands within a mobility hub and its immediate vicinity are intended to develop with higher densities and a greater variety of uses. The Subject Lands, which are approximately 450 m from the Unionville GO Station, are an appropriate location for the proposed high density residential mixed-use development.

For the reasons outlined above, it is appropriate to amend the MCSP in order to increase the height of the building on the Phase 1 lands from 33 storeys to 47-storeys

and to delete the permissions for below-grade parking beneath a portion of the Phase 1 lands designated “Open Space”. Removing this permission will allow for conveyance of the park to the City of Markham free of any encumbrances.

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** Section 1.1.2 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number XXX to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.
- 1.2** Section 1.1.3 c) of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number XXX to the list of amendments listed in the second sentence of the bullet item dealing with the Markham Centre Secondary Plan (PD 33-1), for the Central Area Planning District (Planning District No. 33), to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.3** Section 9.2.16 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number XXX to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.4** No additional changes to the text or schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment. This Amendment also incorporates changes to the text of the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). These changes are outlined in Part III which comprises Amendment No. 9 to the Markham Centre Secondary Plan (PD 33-1).

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan (Revised 1987), 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 a subsequent amendment to the Zoning By-law and site plan approval, in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Revised 1987), as amended, is exempt from the approval by the Region of York. Following adoption, notice of Council's decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical

amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987), as amended, shall not apply.

PART III - THE SECONDARY PLAN AMENDMENT (PD 33-1- 9)

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

PART III - THE SECONDARY PLAN AMENDMENT (PD 33-1- 9)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 9 to the Markham Centre Secondary Plan PD 33-1)

The Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District is hereby amended as follows:

- 1.1** By amending Section 4.3.2.3. q) ii) b. by replacing “33 storeys” with “47 storeys”.
- 1.2** By replacing Figure 33-1-7 with a new Figure 33-1-7 as shown on Schedule “A” attached hereto.
- 1.3** By deleting Section 4.5.5 f).

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan (Revised 1987), as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to the Zoning By-law and site plan approval in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Revised 1987), as amended, is exempt from the approval by the Region of York. Following adoption, notice of Council’s decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council’s decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987), as amended, shall not apply.

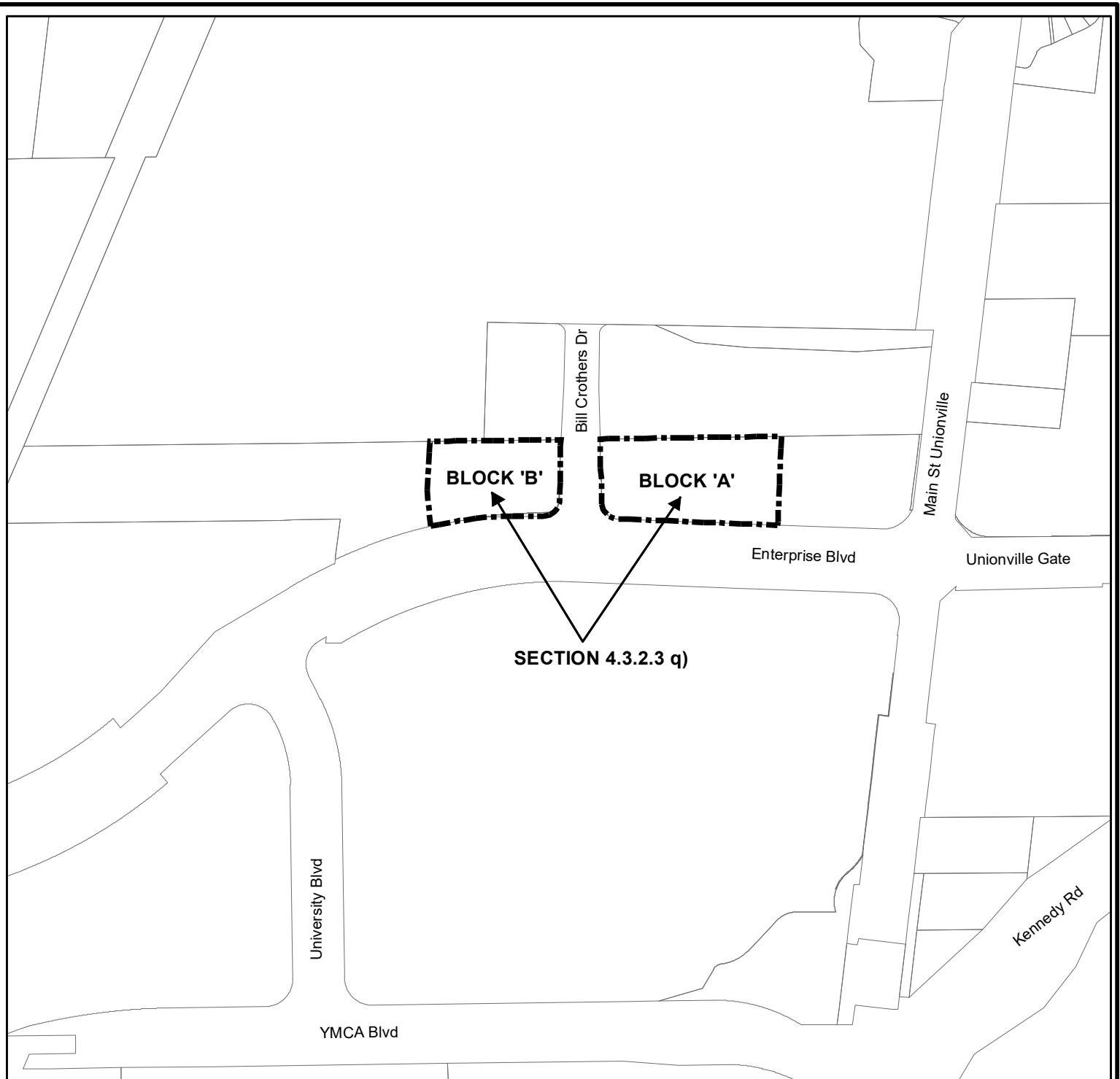


FIGURE 33-1-7 TO THE MARKHAM CENTRE SECONDARY PLAN (PD 33-1)

 Boundary of area covered by the policies in section 4.3.2.3 q)
Land Use Designation: COMMUNITY AMENITY AREA - MAJOR URBAN PLACE



Q:\Geomatics\New Operation\Official Plan\Site Specific OPA\FIGURE 33_1_7\FIGURE 33_1_7.mxd

SCHEDULE "A" TO OPA No. XXX