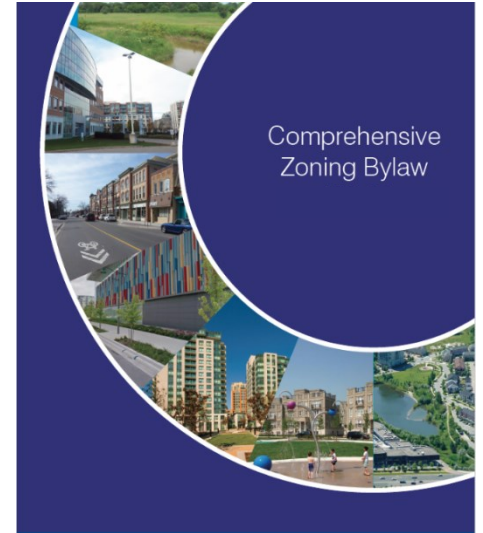


# Comprehensive Zoning By-law Project Draft By-law Publication

Phase 3B

June 7, 2021



# Background

## History

- 46 parent by-laws enacted between 1954 and 2004 that are outdated, fragmented and difficult to interpret
- Not consistent with Markham's OP, Region's OP, Provincial Plans and Policy Statements and the Planning Act
- Over 10,000 pages of zoning text, over 130 different zoning designations, over 750 defined terms and, over 3500 amending By-laws have been or, are being reviewed, amended, or consolidated

## Phase Approach to Project

Phase 1: Zoning Issues Analysis (**completed March 2016**)

Phase 2: Strategic Direction (**completed June 2016**)

Phase 3A: Review of OP, Zoning and licensing for Rooming Houses; Second Suites; and, Short-term Rental Accommodations (**completed May 2018**)

Phase 3B: Drafting of New Comprehensive Zoning By-law (**current phase**)

Phase 4: Potential LPAT Appeals (**placeholder**)

# Project Charter

1. Implement the policies of Markham's Official Plan, the Region of York's Official Plan, the Planning Act and the PPS;
2. Respond to emerging planning and development trends;
3. Establish development standards that produce predictable outcomes that are appropriate for each particular area of the City;
4. Reflect the diversity of Markham and allow neighbourhoods to maintain a distinct sense of place;
5. Protect the built form of existing, established residential neighbourhoods, particularly for communities in transition; and,
6. Develop a web-based GIS zoning system and zoning By-law webpage that is interactive, and user friendly


# Main Components of Draft By-law

1. **Part 1.0 – Interpretation and Enforcement** – sets out where by-law applies, identifies which previous by-laws are being repealed, includes a number of transitional provisions and contains rules on non-conforming uses and non complying buildings and structures
2. **Part 2.0 – Establishment of Zones** – 42 new zones are created, which have been distilled from the approximately 130 different zones that currently apply - this section also sets out where information on exception zones can be found in the by-law
3. **Part 3.0 – Definitions** – about 240 definitions that replace the 750 define terms that are currently uses – these definitions come from the OP, Provincial Policy, from existing by-laws and best practices
4. **Part 4.0 – General Provisions that apply to all zones** – this section contains provisions on barrier free access, sight triangles, public uses and where permitted, accessory buildings, decks and porches, height exceptions, shipping containers, encroachments, landscaping, home occupations, places of worship, accessory dwelling units, garden homes and garden suites

# Main Components of Draft By-law

5. **Part 5.0 – Parking and Loading Standards** – contains provisions on size and access to parking spaces, driveway widths, parking pads, minimum parking spaces required (with reductions in intensification areas), shared parking and accessible parking spaces
6. **Part 6.0 – Residential Zones** – 14 residential zones created – each with their own gateway page

Sample Gateway Page ►

| RES-LR1 (RESIDENTIAL LOW RISE ONE)                                                                                                |                                             |                                                                                                                                                                                                                                                                                                        |                |
|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Permitted Uses                                                                                                                    |                                             | The Residential - Low Rise One (RES-LR1) Zone applies to those lands within the 'Residential Low Rise' designation shown on Map 3 of the Official Plan that were generally developed after 1996. <b>Detached dwellings</b> on larger lots that are not accessed by a lane, are permitted in this zone. |                |
| a) Detached dwelling<br>b) Accessory dwelling unit<br>c) Shared Housing - Small Scale<br>d) Home child care<br>e) Home occupation |                                             |                                                                                                                                                                                                                     |                |
| Standards                                                                                                                         |                                             |                                                                                                                                                                                                                                                                                                        |                |
| Minimum lot frontage                                                                                                              | 18.0 m                                      | Barrier-free access                                                                                                                                                                                                                                                                                    | Section 4.1    |
| Minimum lot depth                                                                                                                 | 30.0 m                                      | Frontage on a street                                                                                                                                                                                                                                                                                   | Section 4.2    |
| Minimum front yard (main building)                                                                                                | 3.0 m (i)                                   | Measurement of setbacks and yards                                                                                                                                                                                                                                                                      | Section 4.4    |
| Minimum rear yard                                                                                                                 | 7.5 m                                       | Sight Triangles                                                                                                                                                                                                                                                                                        | Section 4.5    |
| Minimum exterior side yard                                                                                                        | 2.4 m (i)                                   | Public Uses, Activities, or Infrastructure permitted in all zones                                                                                                                                                                                                                                      | Section 4.6    |
| Minimum interior side yard                                                                                                        | 1.5 m                                       | Uses prohibited in all zones                                                                                                                                                                                                                                                                           | Section 4.7    |
| Height                                                                                                                            | The lesser of 3 storeys or 11.0 metres (ii) | Accessory buildings or structures                                                                                                                                                                                                                                                                      | Section 4.8.1  |
| Maximum garage door width                                                                                                         | 50% of building facade                      | Detached private garages on lots not accessed by a lane                                                                                                                                                                                                                                                | Section 4.8.2  |
| Maximum garage projection beyond front wall of main building                                                                      | 1.8 m                                       | Decks                                                                                                                                                                                                                                                                                                  | Section 4.8.3  |
| Special Standards                                                                                                                 |                                             | Exceptions to height requirements all zones                                                                                                                                                                                                                                                            | Section 4.8.4  |
| (i) The minimum setback of a garage door from a lot line is 5.8 metres                                                            |                                             | Shipping containers                                                                                                                                                                                                                                                                                    | Section 4.8.5  |
| (ii) Any portion of a building with a floor to ceiling height greater than 4.5 metres shall be considered an additional storey    |                                             | Encroachments into required yards                                                                                                                                                                                                                                                                      | Section 4.8.8  |
|                                                                                                                                   |                                             | Hard and soft landscaping                                                                                                                                                                                                                                                                              | Section 4.8.9  |
|                                                                                                                                   |                                             | Porches                                                                                                                                                                                                                                                                                                | Section 4.8.10 |
|                                                                                                                                   |                                             | Home Occupations                                                                                                                                                                                                                                                                                       | Section 4.9.1  |
|                                                                                                                                   |                                             | Temporary Tents                                                                                                                                                                                                                                                                                        | Section 4.9.3  |
|                                                                                                                                   |                                             | Accessory dwelling units                                                                                                                                                                                                                                                                               | Section 4.9.9  |
|                                                                                                                                   |                                             | General parking provisions                                                                                                                                                                                                                                                                             | Section 5.2    |
|                                                                                                                                   |                                             | Additional residential parking requirements                                                                                                                                                                                                                                                            | Section 5.3    |
|                                                                                                                                   |                                             | Special Motor Vehicles                                                                                                                                                                                                                                                                                 | Section 5.11   |

# Main Components of Draft By-law

7. **Part 7.0 – Mixed Use Zones** – 7 mixed uses zones created (Future Development, Low, Mid and High Rise and Heritage Main Street)
8. **Part 8.0 – Commercial Zone** – 1 zone created to area in vicinity of Woodbine and Highway 7 where only commercial uses are permitted according to the OP
9. **Part 9.0 – Employment Zones** – 4 employment zones created (General, Service and 2 Business Park Zones)
10. **Part 10 – Greenway, Countryside and Hamlet Zones** – 3 Greenway Zones created plus 1 Countryside and 1 Hamlet Residential Zone
11. **Part 11 – Open Space and Community Facility Zones** – 4 unique zones created to permit public open space uses, private open space uses such as golf courses, cemeteries and places of worship
12. **Part 12 – Other Zones** – apply to future development areas, transportation and utilities and Parkway Belt West
13. **Part 13 – Overlay Zones** – applies to floodplain special policy area and Oak Ridges Moraine

# Project Timelines

1. **Information Report and core of Draft By-law** (June 7, 2021)
2. **Release of Draft Mapping** (June, 2021)
3. **Non Statutory Open Houses**
  1. **Residential Areas** (Tentative - July 20, 2021)
  2. **Non-Residential, Mixed Use, and Employment**, (Tentative - July 22, 2021)
  3. **General Interest and Re-cap** (Tentative - July 27, 2021)
4. **DSC Workshop** (Tentative – August 12, 2021)
5. **Statutory Public Meeting** (Target – Third Quarter 2021)
6. **Recommendation Report to the DSC** (Target - Fourth Quarter 2021)
7. **Recommendation Report to Council** (Target - Fourth Quarter 2021)
8. **On-line Platform**
9. **Appeals** (Phase 4)