

CITY OF MARKHAM
OFFICIAL PLAN AMENDMENT NO. 41

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

(Unionville Special Policy Area Boundary Update)

(June 14, 2023)

Please provide date of Council Resolution or Approval (mm/dd/year) - 5/31/2022

CITY OF MARKHAM
OFFICIAL PLAN AMENDMENT NO. 41

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. 2023-41 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 14th day of June, 2023.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2023-98

Being a by-law to adopt Amendment No. 41
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., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. 41 to the City of Markham Official Plan 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 14TH
DAY OF JUNE, 2023.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

CONTENTS

PART I - INTRODUCTION

1. GENERAL.....6

2. LOCATION.....6

3. PURPOSE.....6

4. BASIS6

PART II - THE OFFICIAL PLAN AMENDMENT

1. THE OFFICIAL PLAN AMENDMENT.....9

2. IMPLEMENTATION AND INTERPRETATION.....13

 SCHEDULE “A”14

 SCHEDULE “B”15

PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 41)

PART I - I NTRODUCTION

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. 41 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 Amendment applies to lands currently or previously within the flood plain of the Rouge River and its tributaries generally bounded by Birchmount Avenue to the west, Highway 407 to the south, Carlton Road to the north and McCowan Road to the east as shown in Schedule “B”.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to modify the Special Policy Area boundaries to reflect the latest flood plain modelling prepared by the Toronto and Region Conservation Authority (TRCA). The Official Plan Amendment also removes a portion of the property municipally known as 4812 Highway 7 East from the Greenway System.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The Province supports the use of Special Policy Areas in exceptional situations to support the continued viability of historic communities in flood prone areas. Section 3.1 of the Provincial Policy Statement, 2020, provides for the identification of Special Policy Areas which must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry. Special Policy Areas provide for limited redevelopment opportunities within the flood plain where the City and TRCA are satisfied that measures have been taken to appropriately minimize the risk to life and property.

The City of Markham has one Special Policy Area in Unionville to manage historic development within the flood plain of the Rouge River and its tributaries. Risk to life and property is carefully managed in a Special Policy Area. The City’s Official Plan provides a policy framework for considering development proposals in the Special Policy Area including minimum flood-proofing requirements, ensuring safe access and egress, and prohibition of certain sensitive and/or emergency service uses. No intensification above existing Official Plan or zoning permissions is permitted within

the Special Policy Area. All development and site alteration is regulated by the TRCA under the Conservation Authorities Act.

In 2019, the TRCA completed an update to the flood plain modelling for the Unionville area including the Special Policy Area. The new flood plain model identified changes to the flood plain boundaries and to the depths and velocities of flooding. The model used updated topographic information and has considered land use changes in upstream drainage areas. City staff, in consultation with TRCA staff, has used the Province's Procedures for Approval of New Special Policy Areas and Modifications to Existing SPAs under the Provincial Policy Statement, 2005 to determine appropriate boundary adjustments to the Special Policy Area as identified in this amendment.

This Official Plan Amendment also provides for the re-designation of a portion of the lands at 4812 Highway 7 East from Greenway to Mixed Use Mid Rise. The re-designation includes the existing structure at 4812 Highway 7 East and a Special Policy Area is appropriate to recognize this existing structure. The lands to be re-designated do not include any natural heritage features that meet the criteria for inclusion in the Greenway System. The southern half of this property is already designated Mixed Use Mid Rise and it is appropriate to provide a consistent land use designation across the entire developable portion of the property.

The changes to the Special Policy Area boundaries were endorsed by Markham Council on May 31, 2022, by the TRCA Board of Directors on June 24, 2022, and approved by the Provincial Ministers of Municipal Affairs and Housing and Natural Resources and Forestry on May 23, 2023.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No.41)

PART II - THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

1.1 The lands shown on Schedule “A” (consisting of a portion of the lands municipally known as 4812 Highway 7 East) are hereby amended by deleting them from the Greenway System on all Maps and Appendices of the Official Plan 2014 where the Greenway System boundary is shown and replaced with the appropriate designation, as follows:

a) On Map 1 – Markham Structure, the lands are deleted from the ‘Greenway System’ and added to the ‘Neighbourhood Area’.

b) On Map 3 – Land Use, the lands are deleted from the ‘Greenway’ designation and added to ‘Mixed Use Mid Rise’.

c) On Map 4 – Greenway System, the lands are deleted from the ‘Greenway System’ and the ‘Natural Heritage Network’.

d) On Map 5 – Natural Heritage Features and Landforms, the lands are deleted from the ‘Greenway System’ and the ‘Other Greenway System Lands including certain naturalized stormwater management facilities’.

d) On Map 6 – Hydrologic Features, the lands are deleted from the ‘Greenway System’, ‘Valleylands’ and ‘Other Greenway System Lands including certain naturalized stormwater management facilities’.

e) On Appendix B – Headwater Drainage Features and Appendix C – Community Facilities, the lands are deleted from the ‘Greenway System’.

1.2 Map 7 – Provincial Policy Areas of Part I of the Official Plan 2014, as amended, is hereby amended by:

a) Deleting the lands identified as ‘Special Policy Areas’ and replacing them with the ‘Special Policy Areas’ lands as shown on Schedule “B” attached hereto.

1.3 Map 8 – Special Policy Areas of Part I of the Official Plan 2014, as amended, is hereby amended by:

a) Deleting the lands identified as ‘Special Policy Areas’ and replacing them with the ‘Special Policy Areas’ lands as shown on Schedule “B” attached hereto.

1.4 Section 3.4.1 of Part I of the Official Plan 2014, as amended, is hereby amended by:

- a) Amending the Special Policy Areas preamble before section 3.4.1.10 by deleting references to “9.14.6”, “9.19.2” and “9.19.7”, adding reference to “9.12.7” and amending “9.19.11” to “9.19.10” in the second sentence to read as follows: “Specific policies in this Section, Sections 8.1.5, 9.12.7, 9.19.6, 9.19.10 and certain secondary plans are provided to address the management of these areas including criteria and procedures for development, *redevelopment* or *site alteration* as established by the Province.”

1.5 Chapter 9 of Part I of the Official Plan 2014, as amended, is hereby amended by:

- a) Amending section 9.12.1 by replacing Figure 9.12.1 with a new Figure 9.12.1 as follows:
“

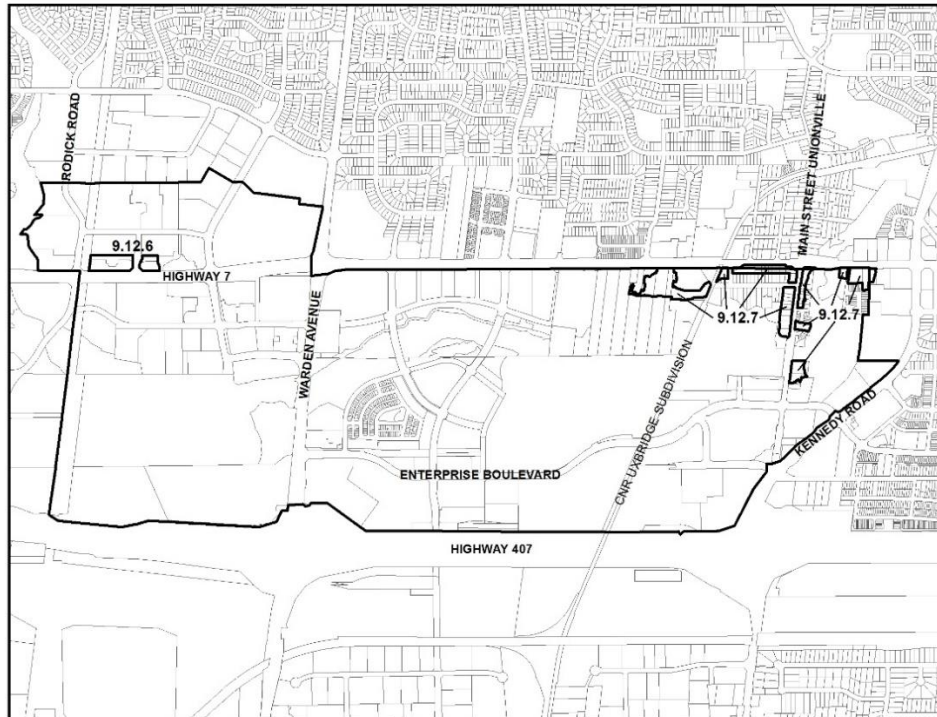


Figure 9.12.1”

- b) Adding a new section 9.12.7 and accompanying Figure 9.12.7 as follows:
“Notwithstanding section 9.12.4, the lands shown on Figure 9.12.7 are located within a *Special Policy Area* as shown on Map 8 – Special Policy Areas and the policies of Section 3.4.1.10 to 3.4.1.18 shall apply.

“

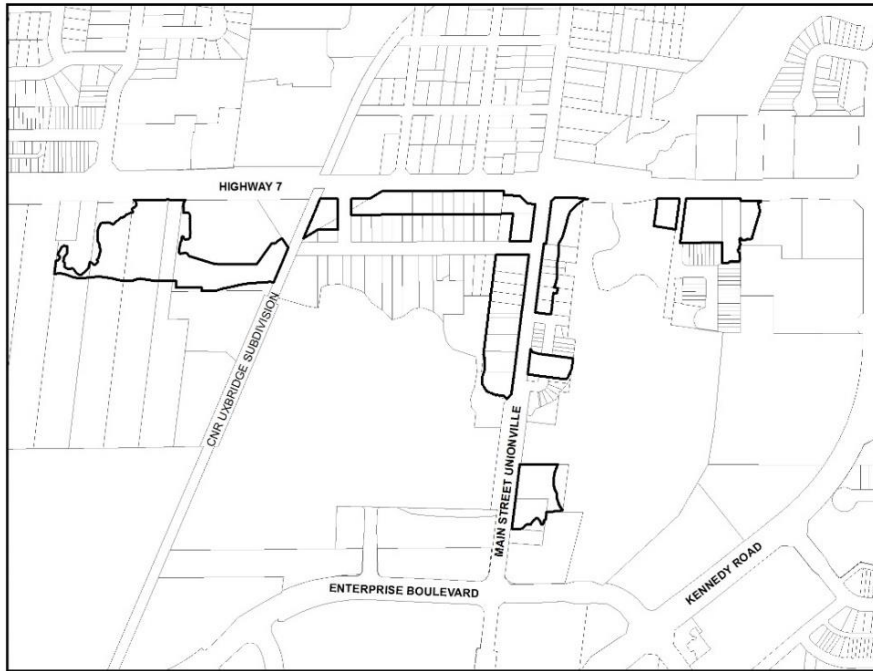


Figure 9.12.7”

- c) Amending section 9.14.1 by replacing Figure 9.14.1 with a new Figure 9.14.1 as follows:

“

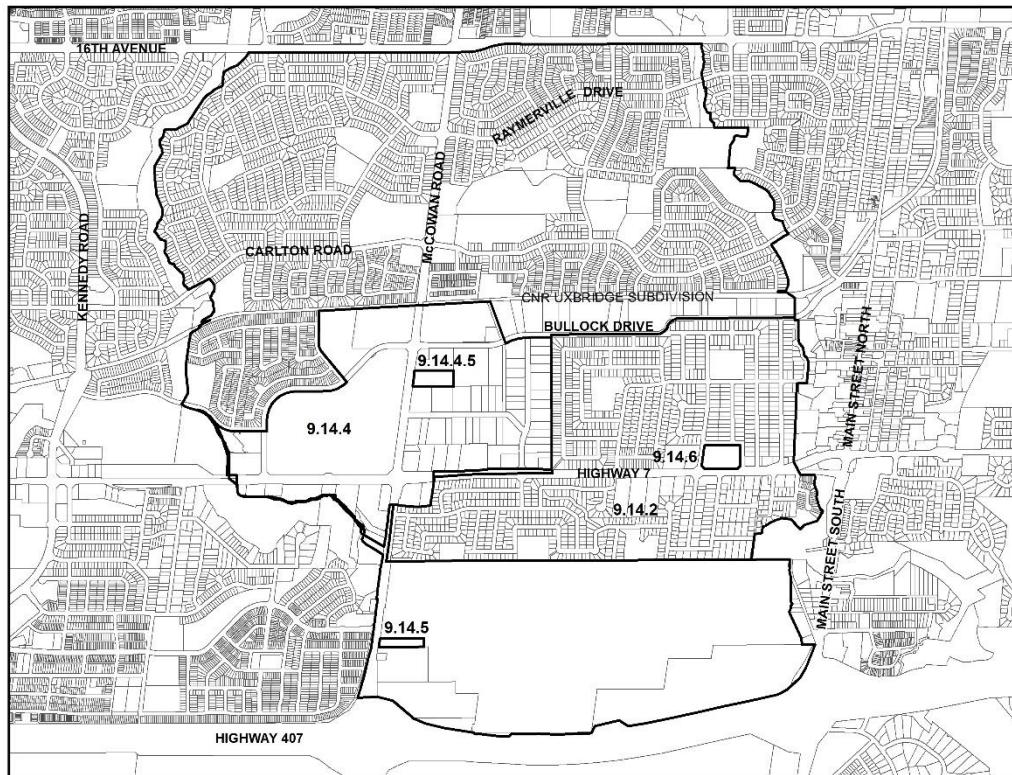


Figure 9.14.1”

- d) Deleting section 9.14.6 Special Policy Areas and Figure 9.14.6 and renumbering section 9.14.7 and Figure 9.14.7 accordingly.
- e) Amending section 9.19.1 by replacing Figure 9.19.1 with a new Figure 9.19.1 as follows:

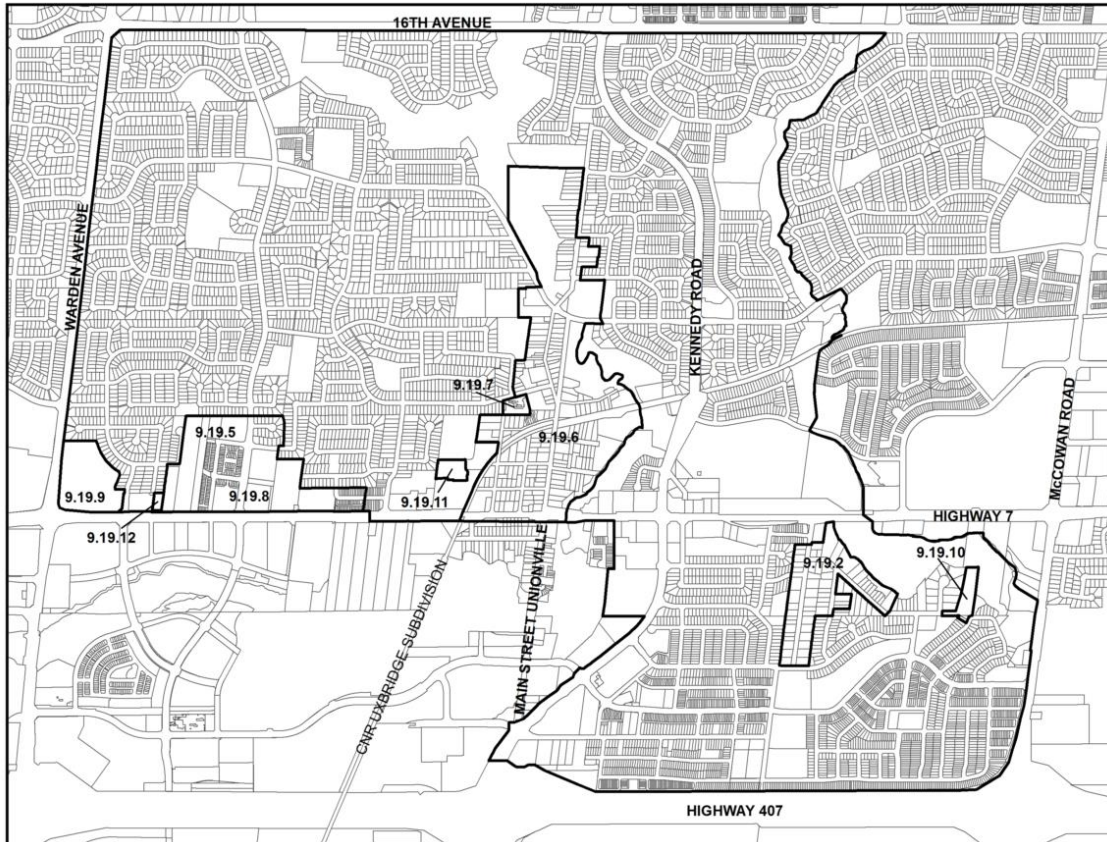


Figure 9.19.1”

- f) Amending section 9.19.2 by deleting “For the lands which fall within a *Special Policy Area* as shown on Map 8 – Special Policy Areas, the approval of the consent (severance) to create one new lot shall also be subject to the satisfaction of the Toronto and Region Conservation Authority. Council may consider a zoning by-law amendment to permit one additional dwelling unit for the new lot created within a *Special Policy Area*.”
- g) Deleting section 9.19.7 Highway 7 and Kennedy Road – Special Policy Area and Figure 9.19.7, and renumbering sections 9.19.8 through 9.19.13 accordingly.
- h) Amending section 9.19.11 (renumbered as 9.19.10) by deleting the reference to “Parcel A” in subsection a) to read as follows: “3 new lots on the lands fronting on Annina Crescent to permit 3 additional dwelling units in detached dwellings”, and by deleting subsection b) regarding lands at 8202 and 8192 McCowan Road.

- i) Amending section 9.19.10 (renumbered from 9.19.11) by replacing Figure 9.19.10 (renumbered from Figure 9.19.11) with a new Figure 9.19.10 to illustrate the new Special Policy Area boundaries and to remove 'Parcel B' as follows:

“

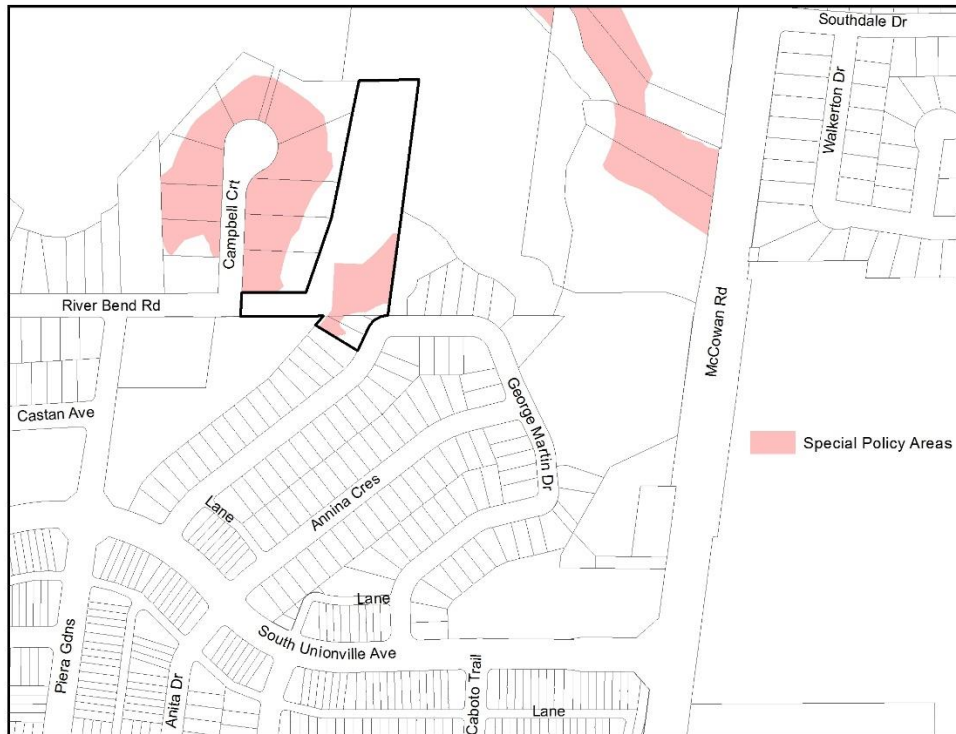


Figure 9.19.10”

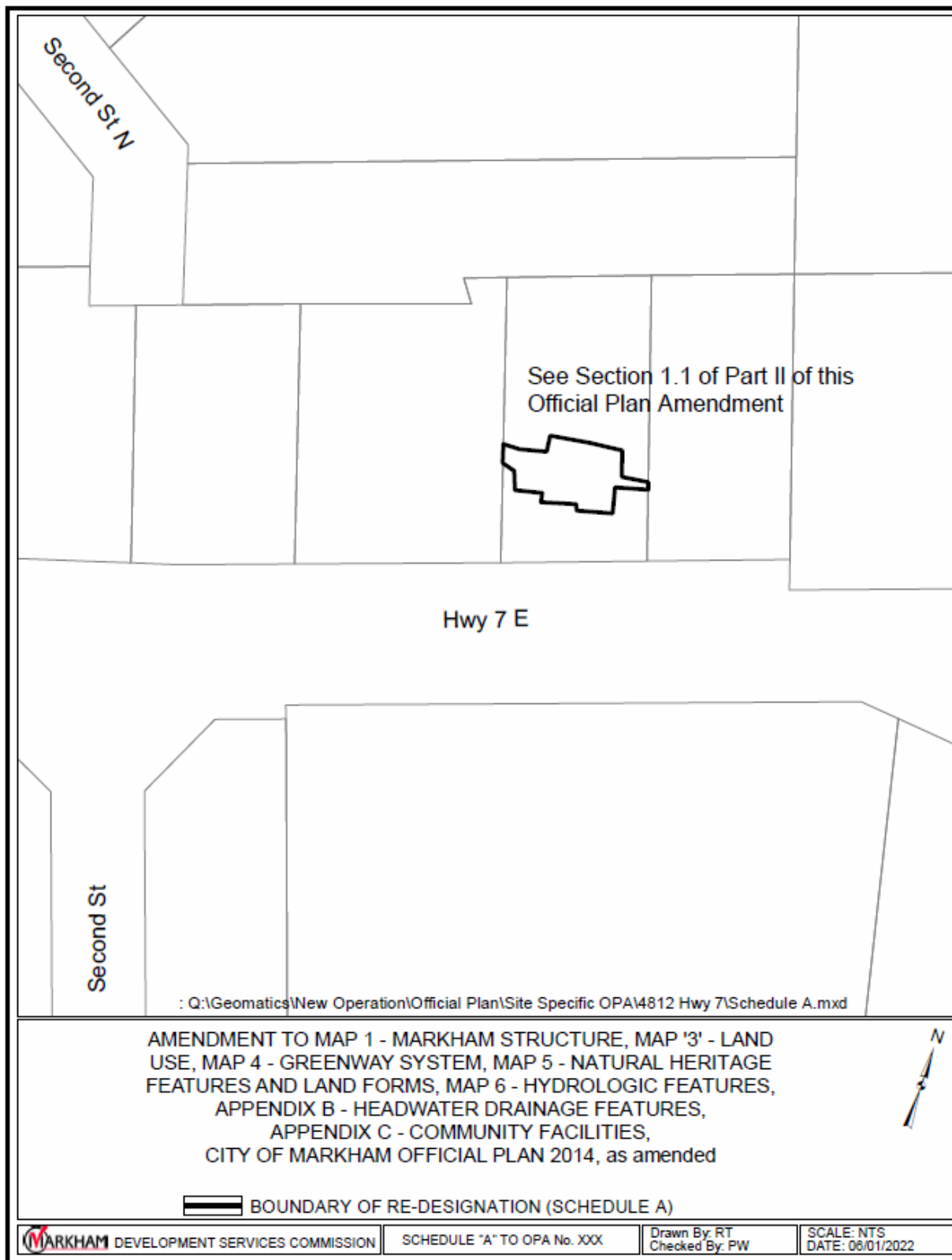
2.0 IMPLEMENTATION AND INTERPRETATION

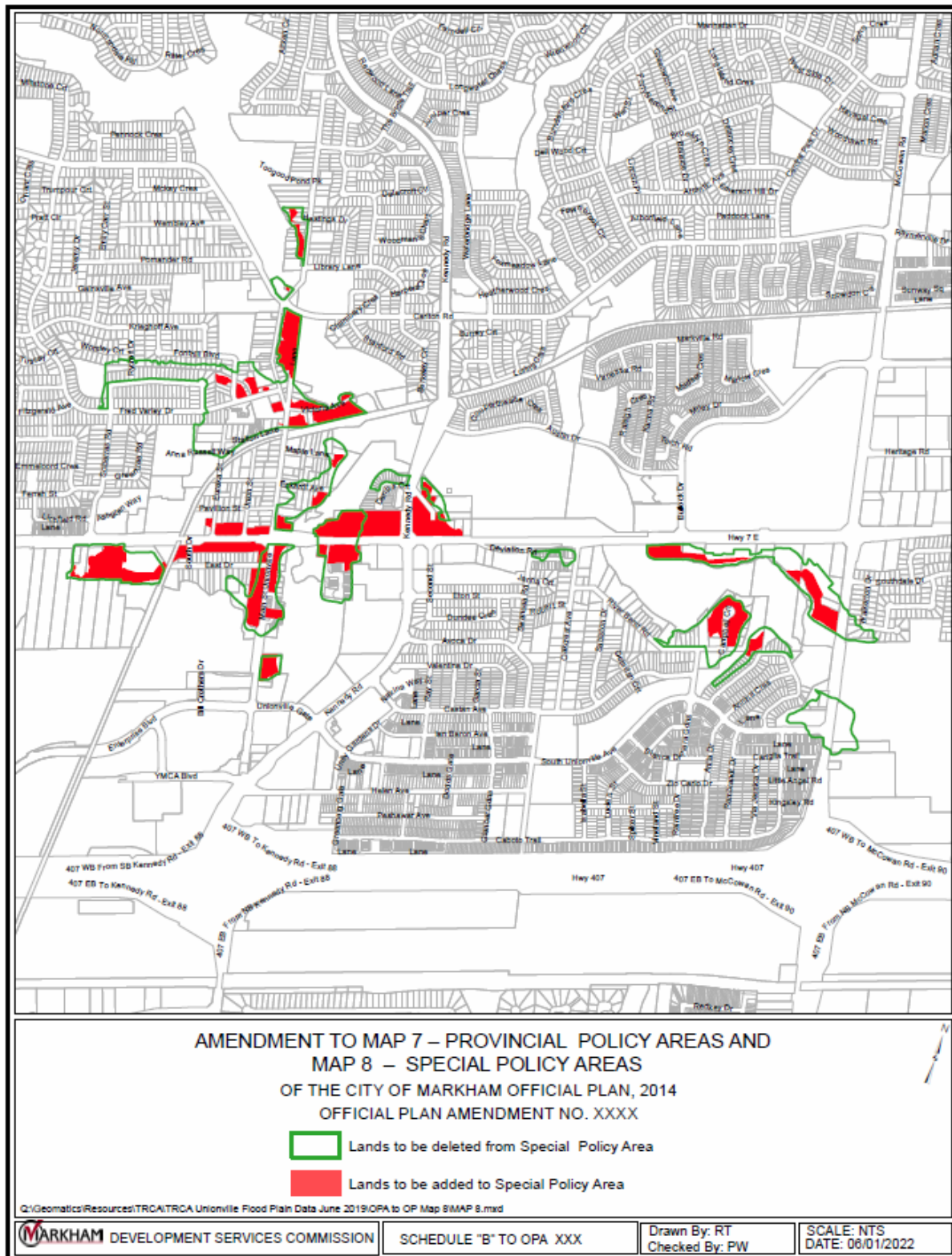
The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to several Zoning By-laws in conformity with the provisions of this Amendment.

This Amendment to the City of Markham Official Plan 2014, as amended, is subject to approval by York Region and the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry.

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 2014 Markham Official Plan, as amended, shall apply.





(June 14, 2023)