

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. 2

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

***(NEAMSBY INVESTMENTS INC., ROSINA MAURO
AND FULTON HOMES LIMITED)***

(JUNE 24TH, 2014)


CITY OF MARKHAM

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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. 2014-113 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on June 24, 2014.



Kimberley Katteringham
City Clerk

Frank Scarpitti
Mayor



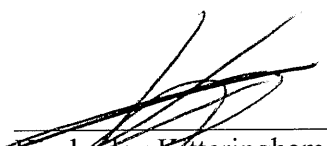
By-law 2014-113

Being a by-law to adopt Amendment No. 2
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. 2 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, after the "City of Markham Official Plan, Part
1" is in effect.

Read a first, second, and third time and passed on June 24, 2014.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 2)

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, including Schedules “A”, “B”, and “C” attached thereto, constitutes Official Plan Amendment No. 2. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

The Amendment applies to lands comprised of nine (9) individual properties located on the south side of 14th Avenue, between Middlefield Road and Markham Road, municipally known as 5659 to 5933 14th Avenue. The area of the subject lands is 26.6 hectares.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to redesignate employment lands to allow residential development and certain types of employment uses. A 22.2 hectare portion of the subject lands will be redesignated from ‘General Employment’ to ‘Residential Low Rise’ to allow residential development consisting of single family homes and townhouses. The remaining 4.4 hectares of the subject lands will be redesignated from ‘General Employment’ to ‘Service Employment’. The ‘Deferral Area’ symbol is also being removed from the subject lands. Section 9.2.10 will also be amended to replace a site-specific policy applicable to the subject lands.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

This application is one of a number of employment land conversion applications considered by Council in 2013 prior to adoption of the City’s new Official Plan. In considering this official plan amendment application , Council determined that a number of criteria be considered, including:

- Compatibility to adjacent land use;
- Achieving an increase in the number of jobs that would otherwise be provided under the employment designations on the subject lands, or at minimum, no net reduction in jobs on the site;
- Proximity to transit;

- Provision of lands for a VIVA terminal;
- Achieving public amenities, including, but not limited to, public art, Section 37 community benefits and publicly accessible private amenity spaces; and
- Where the location is appropriate, provide for affordable or seniors housing.

With respect to the lands subject to this amendment, Council has determined that ground-oriented residential uses are appropriate on the majority of the subject lands, with a minimum number of jobs to be generated from other employment uses along the 14th Avenue frontage. The VIVA terminal and seniors housing criteria are not expected to be achieved on the lands. The public amenities and benefits expected from the proposed development include, but are not limited to, public art and Low Impact Development (LID) through green roads, and LEED certified homes.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. 2)

PART II - THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

- 1.1** Map 1 - Markham Structure of the Official Plan 2014, as amended, is hereby amended by modifying the structural components on the subject lands as shown on Schedule “A” attached hereto.
- 1.2** Map 3 - Land Use of the Official Plan 2014, as amended, is hereby amended by redesignating the subject lands as shown on Schedule “B” attached hereto.
- 1.3** Section 9.2.10 of the Official Plan 2014, as amended, is hereby amended by replacing the existing section with the following new section and new Figure 9.2.10 as shown on Schedule “C” attached hereto, as follows:

“9.2.10 a) Only the following uses shall be permitted on the lands designated ‘Service Employment’ shown on Figure 9.2.10:

- office;
- medical clinic;
- financial institution;
- manufacturing, processing and warehousing use, with no outdoor accessory outdoor display or outdoor storage;
- motor vehicle repair facility with no accessory outdoor storage;
- retail use provided:
 - i) the retail use is not greater than 1000 square metres of gross floor area per premises, unless the retail use is an office supply or computer supply store which may have up to 3000 square metres of gross floor area per premises; or
 - ii) within a multiple unit building, the provisions of i) above are complied with, and the combined gross floor area devoted to all retail uses, including accessory retail uses, is limited to a maximum of 50 % of the total gross floor area of the building, or 3000 square metres, whichever is less; and
 - iii) the total gross floor area devoted to all retail uses on a property does not exceed 3000 square metres.
- retail and/or service use that is accessory to a primary manufacturing, processing or warehousing use, and located within the same premises as the primary use provided the provisions of a retail use (bullet item above) are met;

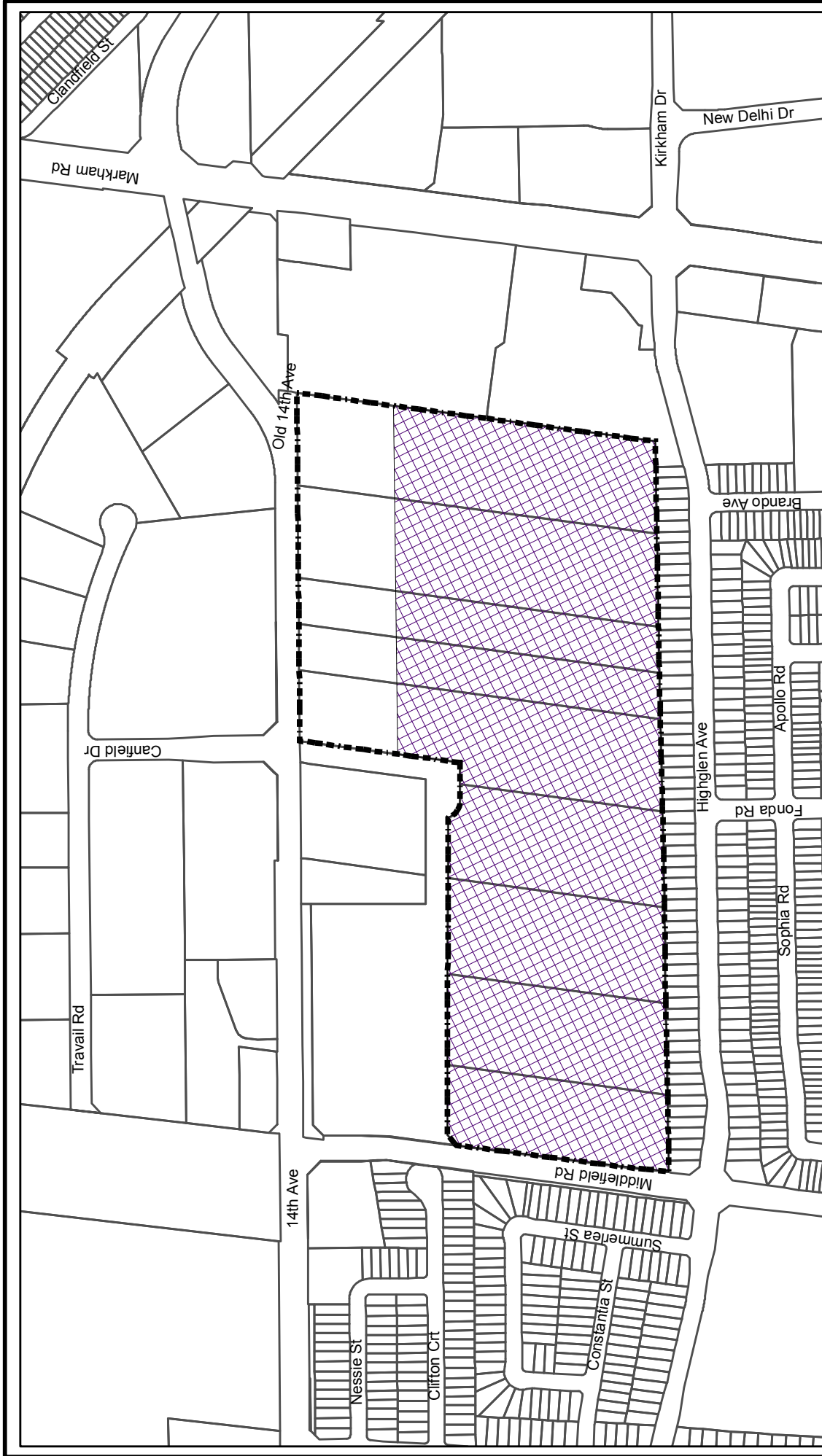
- hotel that does not include dwelling units;
- restaurant provided it is located within a multiple unit building containing office and/or industrial uses, and the combined gross floor area devoted to all restaurants is limited to a maximum of 50% of the total gross floor area of the building.
- a free standing restaurant or personal shop may be permitted in the existing heritage building (the “Cowie House”) located at 5933 14th Avenue provided that the gross floor area of any additions to facilitate a restaurant or personal service shop shall be limited to no more than the existing gross floor area of the heritage building;
- banquet hall;
- trade and convention centre;
- community college or university;
- motor vehicle retail sales, having a maximum gross floor area of up to 3000 square metres per premise, with limited accessory outdoor storage or display of motor vehicles; and
- motor vehicle rental with limited accessory outdoor storage or display of motor vehicles.”

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 in conformity with the provisions of this Amendment.

(June, 2014)

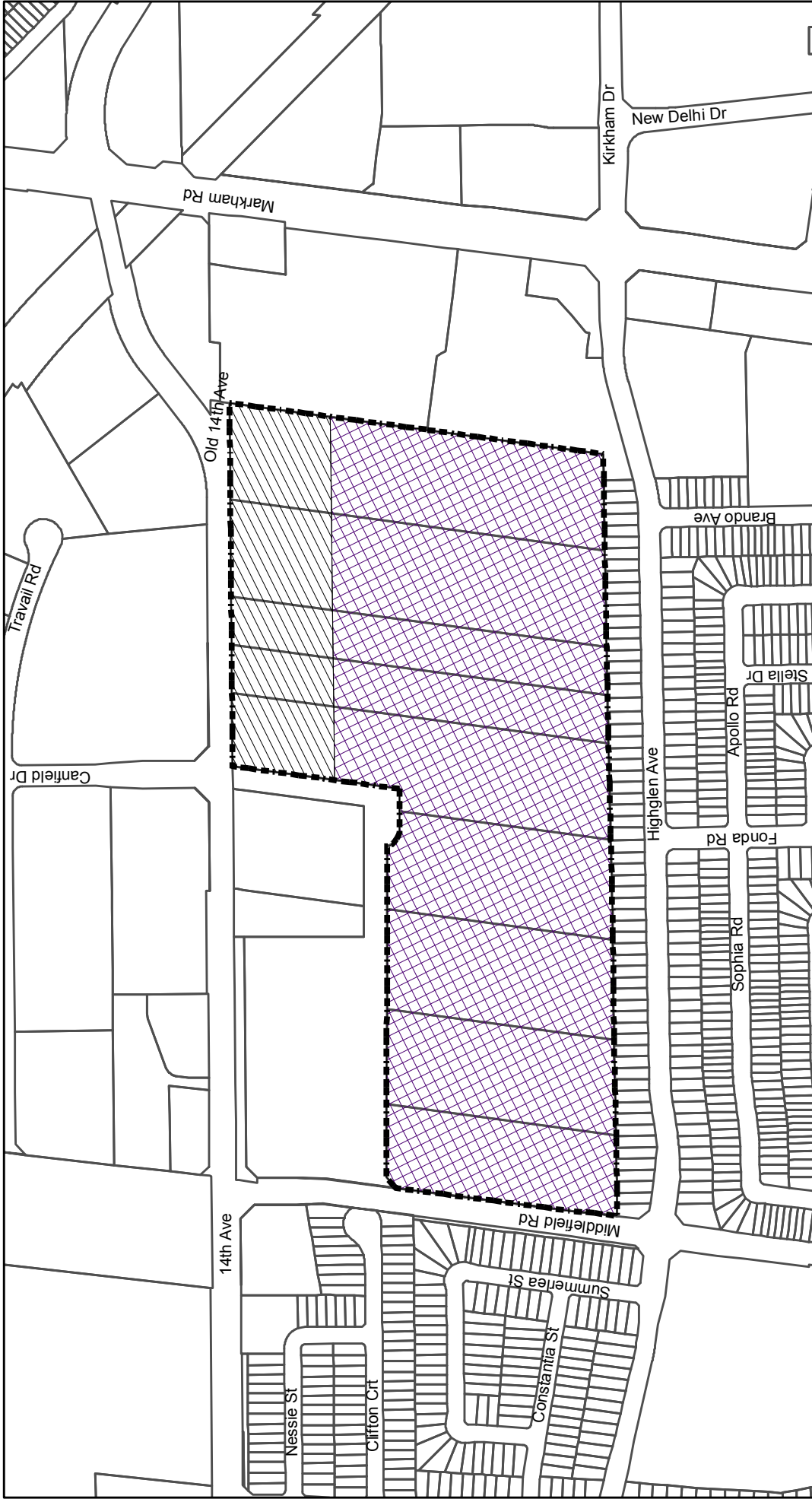


AMENDMENT TO MAP 1 - MARKHAM STRUCTURE CITY OF MARKHAM OFFICIAL PLAN (2014), as amended

--- BOUNDARY OF AREA COVERED BY THIS AMENDMENT

FROM EMPLOYMENT AREA
TO NEIGHBOURHOOD AREA

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AMENDMENT TO MAP 3 - LAND USE CITY OF MARKHAM OFFICIAL PLAN (2014), as amended

BOUNDARY OF AREA COVERED BY THIS AMENDMENT

- FROM 'GENERAL EMPLOYMENT'
TO 'SERVICE EMPLOYMENT'
- FROM 'GENERAL EMPLOYMENT'
TO 'RESIDENTIAL LOW RISE'
- REMOVE 'DEFERRAL AREA'
- REMOVE 'DEFERRAL AREA'

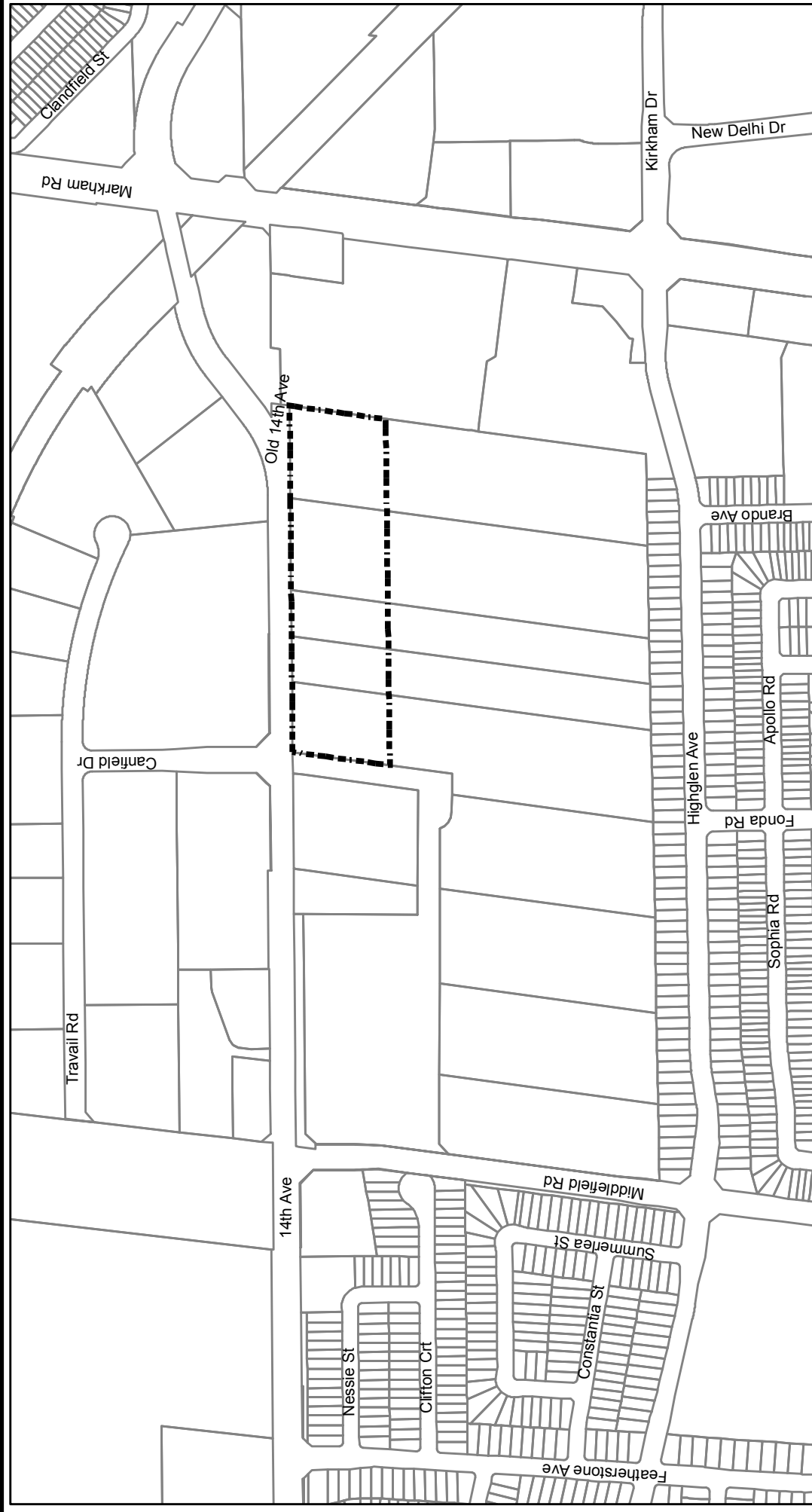


FIGURE 9.2.10
CITY OF MARKHAM OFFICIAL PLAN (2014), AS AMENDED

 Boundary of area covered by the policies in section 9.2.10)