

OFFICIAL PLAN
of the
MARKHAM PLANNING AREA
AMENDMENT NO. 211

To amend the Official Plan (Revised 1987), as amended, and to incorporate Amendment No. 5 to the Secondary Plan (PD 1-15) for a portion of the Markham and Unionville Planning District.
(Planning District No. 1)

Unionville Development Corporation (Lee Developments)
(3972 Highway 7 East)

August 2013

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MARKAM PLANNING AREA
AMENDMENT NO. 211

To amend the Official Plan (Revised 1987), as amended, to incorporate amendment No. 5 to Secondary Plan (PD 1-15) for a portion of the Markham and Unionville Planning District (Planning District No. 1).

This Official Plan Amendment was approved by the Ontario Municipal Board on August 28, 2013.

(By-law 2013-149)

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PART I – INTRODUCTION

(This is not an operative part of the Official Plan Amendment No. 211)

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 Amendment No. 211 to the Official Plan (Revised 1987), as amended, and is required to enact Amendment No. 5 to the Secondary Plan PD 1-15 for a portion of the Markham and Unionville Planning District. Part II is an operative part of this Official Plan Amendment.
- 1.3 PART III – THE SECONDARY PLAN AMENDMENT, including Schedule “A” attached thereto, constitutes Amendment No. 5 to Secondary Plan PD 1-15 for a portion of the Markham and Unionville Planning District (Planning District No 1). This amendment may be identified by the symbol PD 1-15-5. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment applies to approximately 3.25 ha of land in part of Lot 10, Concession 5, located at the north-west corner of Highway 7 and Village Parkway as shown on Schedule “A” of Part III of this Amendment. The lands are municipally known as 3972 Highway 7.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to amend the site specific policies of the Official Plan and amend Secondary Plan PD 1-15 (OPA 15) for the subject lands to permit a proposed development consisting of an 8-storey apartment building(s) and townhouses.

4.0 BASIS OF THIS AMENDMENT

The subject lands are located on Highway 7, a Regional Arterial Road, at the southern limit of the Markham and Unionville Planning District.

The lands are designated “Urban Residential” in the Markham Official Plan (Revised 1987), as amended, and “Urban Residential High Density 1 (Special Exception 6)” and “Urban Residential Medium Density 1 (Area 2), Special Exception 5” in Secondary Plan PD 1-15 for part of the Markham and Unionville Planning District (OPA15), as amended.

The lands are subject to the policies set out in Section 4.3.1.2 j) of the Markham Official Plan (Revised 1987), as amended, and to the policies set out in Official Plan Amendment No. 15. These policies, which date from 1994, permit the subject lands to be developed with 6-storey apartment building(s) fronting on Highway 7, transitioning down to townhouses and then to a school site or single detached dwellings on adjoining lands to the north, which are also owned by the applicant.

The Owner proposes to develop the lands with an 8-storey apartment building(s) fronting on Highway 7, transitioning down to townhouses and then to a school site on the adjoining lands also owned by the applicant.

The subject lands are well suited for residential intensification given their proximity to Markham Centre, ready access to transit, and separation from existing low density residential uses to the north.

The proposed built form program is appropriate at this location and is compatible with the existing low density residential community to the north.

This amendment conforms to approved Provincial and Regional policies and is consistent with the City's Growth Management Strategy and Draft Official Plan.

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PART II – THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. 211)

PART II – THE OFFICIAL PLAN AMENDMENT

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1.0 THE 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 211 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 is hereby amended by the addition of the number 211 to the list of amendments, including any required grammatical and punctuation changes in the bullet item dealing with Secondary Plan (PD 1-15) for a portion of the Markham and Unionville Planning District (Planning District No. 1).
- 1.3 Section 9.2.12 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number 211 to the list of amendments, to be placed in numerical order including any grammatical and punctuation changes prior to the words “to this Plan”.
- 1.4 Section 4.3.1.2(j) and accompanying Figure 1.10 are hereby deleted in their entirety.
- 1.5 No additional changes to the text or schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment. This Amendment is also being made to incorporate changes to Schedule “AA” – Detailed Land Use and text of the Secondary Plan (PD 1-15) for a portion of the Markham and Unionville Planning District (Planning District No. 1). These changes are outlined in Part III which comprises Amendment No. 5 to the Secondary Plan PD 1-15.

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.

PART III – THE SECONDARY PLAN AMENDMENT (PD 1-15-5)

(This is an operative part of Official Plan Amendment No. 211)

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1.0 THE AMENDMENT

(Amendment No. 5 to the Secondary Plan PD1-15 for a portion of the Markham and Unionville Planning District)

Secondary Plan PD 1-15 for a portion of the Markham and Unionville Planning District is amended for the subject lands as follows:

- 1.1 Schedule “AA” - DETAILED LAND USE is amended by replacing the site specific exception numbers on the designations for the subject lands with those shown on Schedule “A” attached hereto.
- 1.2 Section 5.2 is hereby amended by the addition of subsection 5.2.11 as follows:

“5.2.11 3952 and 3972 Highway 7 East

The following provisions apply to the lands municipally known as 3952 and 3972 Highway 7 East. Should there be a conflict between these provisions and any other provisions of this Secondary Plan, the provisions of this section shall prevail for the subject lands:

- (a) That the portion of the subject lands that is designated “Urban Residential High Density 1 (Special Exception *6)” on Schedule “AA” – DETAILED LAND USE may be used for a maximum of 12 townhouse dwelling units, and a maximum of 379 apartment dwelling in building(s) having a maximum height of eight storeys and a maximum floor space index of 3.5 (excluding any floor space for up to 12 townhouse dwelling units).
- (b) That the portion of the subject lands that is designated “Urban Residential Medium Density 1 (Special Exception *5)” may be used for a maximum of 60 townhouse dwelling units.
- (c) Apartment development shall be subject to the following specific design guidelines:
 - Building setbacks should be minimized to create an urban relationship to streets that is conducive to pedestrian activity.
 - Prominent at-grade pedestrian entrances should be provided from the buildings to the adjoining streets.
 - The majority of street frontages of buildings should contain fenestration/openings providing views into and out of the building. Blank building walls facing public streets should be

minimized and where unavoidable should be mitigated by landscaping, building detailing and public art.

- All major loading and waste management facilities should be enclosed and screened from public view.
- Underground parking structures, if not incorporated as part of the main building massing, should not project above the finished grade adjoining streets. Entrances to underground parking garage(s) from public streets should be avoided.
- The development should incorporate sustainable design features to, among other things, reduce energy consumption, minimize the heat island effect, minimize stormwater runoff, harvest rainwater for irrigation, reduce water consumption, and maximize the use of sustainable materials and resources.
- Useable landscape outdoor amenity space should be provided for residents.
- The first two storeys of building massing should be articulated in a manner that is of high visual and architectural quality and responds to human scale.

design

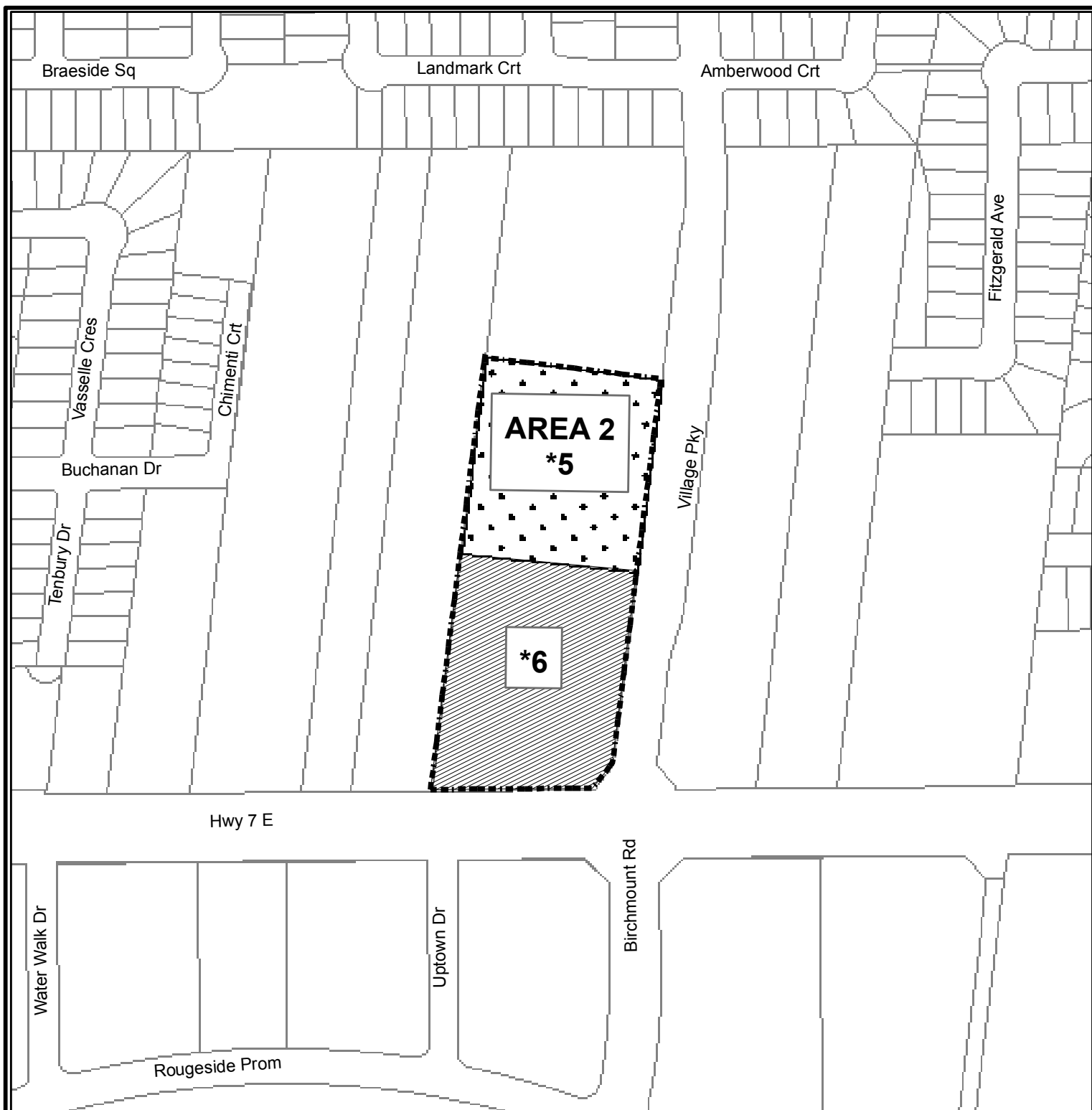
(d) Townhouse development shall be subject to the following specific guidelines:

- High quality urban landscape courts should buffer the transition from public streetscape to private unit access.
- Prominent at grade pedestrian access should be provided to each unit.
- The street frontage of townhouses should contain fenestration/openings providing views into and out of the building. Blank building walls facing public streets should be minimized and where unavoidable should be mitigated by landscaping, building detailing and public art.
- The architecture and landscape of the townhouses should contribute to the character of the pedestrian and public realm.”





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 Zoning By-law 118-79, as amended, and Site Plan Approval in conformity with the provisions of this Amendment.



AMENDMENT TO SCHEDULE 'AA' - DETAILED LAND USE OF SECONDARY PLAN (PD 1-15) FOR PART OF THE MARKHAM AND UNIONVILLE PLANNING DISTRICT (No.1)

-  BOUNDARY OF AREA COVERED BY THIS SECONDARY PLAN AMENDMENT
-  URBAN RESIDENTIAL HIGH DENSITY I
-  URBAN RESIDENTIAL MEDIUM DENSITY I
-  SPECIAL EXCEPTIONS

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