

OFFICIAL PLAN
of the
MARKHAM PLANNING AREA
AMENDMENT NO. 212

To amend the Official Plan (Revised 1987), as amended, and to incorporate Amendment No. 6 to the Secondary Plan (PD 1-15) for a portion of the Markham and Unionville Planning District.
(Planning District No. 1)

2124123 Ontario Ltd. (Peak Garden Development)

(3940 Highway 7 East)

August 2013

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MARKAM PLANNING AREA
AMENDMENT NO. 212

To amend the Official Plan (Revised 1987), as amended, to incorporate amendment No. 6 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 2013-151)

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PART I – INTRODUCTION

(This is not an operative part of the Official Plan Amendment No. 212)

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. 212 to the Official Plan (Revised 1987), as amended, and is required to enact Amendment No. 6 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. 6 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 1-15-6. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment applies to approximately 1.5 ha of land on the north side of Highway 7 west of Village Parkway, known municipally as 3940 Highway 7, as shown on Schedule “A” of Part III of this Amendment.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to revise the land use designations and policies of Secondary Plan PD 1-15 (OPA 15) to permit a proposed development consisting of an 8-storey apartment building and townhouses.

4.0 BASIS OF THIS AMENDMENT

The subject lands are designated “Urban Residential” in the City of Markham Official Plan (Revised 1987), as amended, and “Urban Residential High Density 1” and “Urban Residential Medium Density 1” and “Open Space – Neighbourhood Park” in the Secondary Plan for part of the Markham and Unionville Planning District (OPA15), as amended.

The owner proposes to develop the lands with an 8-storey apartment building fronting on Highway 7, transitioning down to townhouses.

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

PART II – THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. 212)

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(This is an operative part of Official Plan Amendment No. 212)

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 212 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 212 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 212 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 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 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. 6 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 1-15-6)

(This is an operative part of Official Plan Amendment No. 212)

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1.0 THE AMENDMENT

(Amendment No. 6 to the Secondary Plan PD 1-15 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 redesignating certain lands from "Open Space – Neighbourhood Park" to "Urban Residential Medium Density I" as shown on Schedule 'A' attached hereto.
- 1.2 Section 5.2 is hereby amended by the addition of subsection 5.2.12 as follows:

"5.2.12 3940 Highway 7 East

The following provisions apply to the lands municipally known as 3940 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:

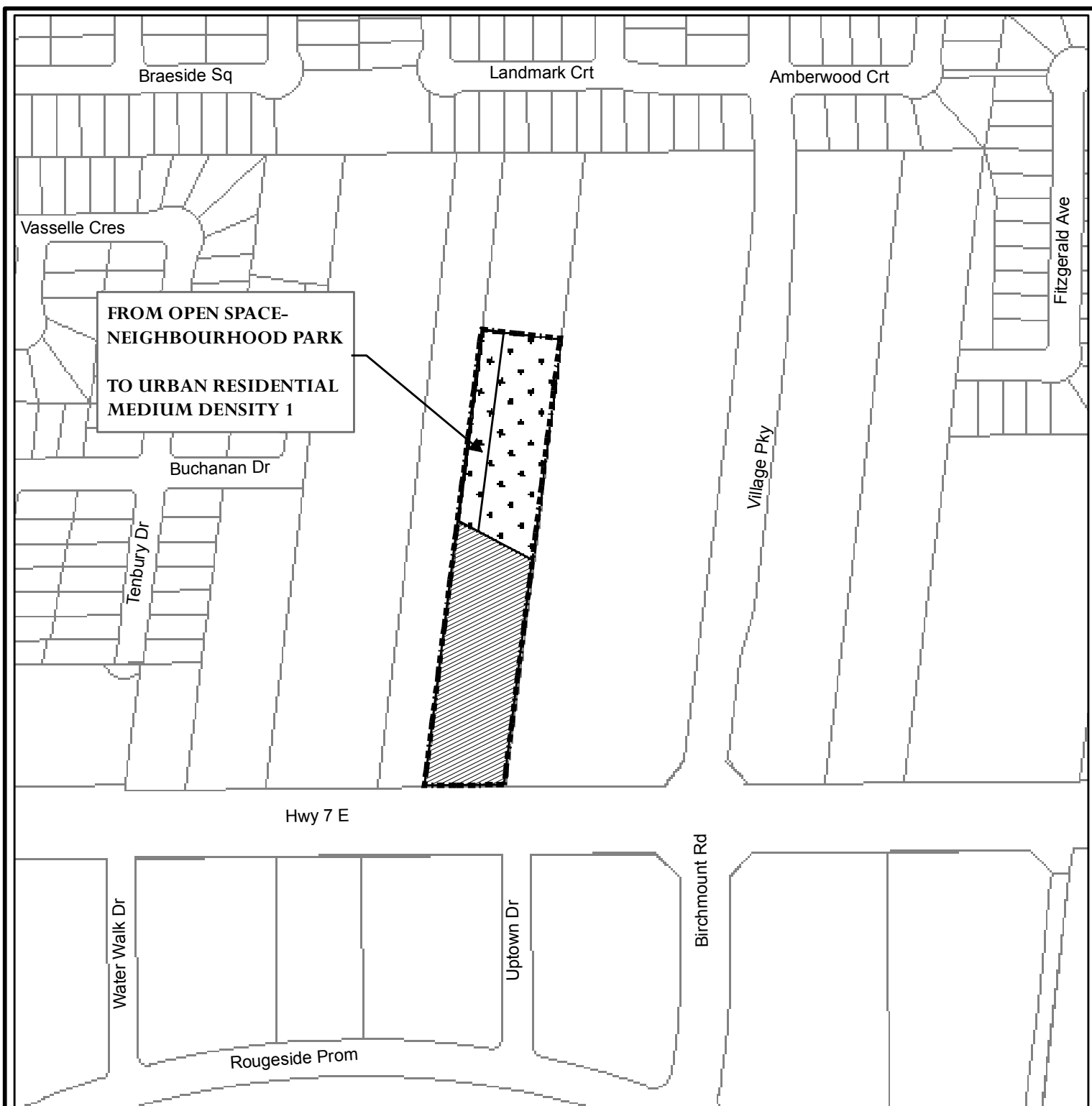
- (a) That the portion of the subject lands designated "Urban Residential Medium Density 1" on Schedule 'AA' – DETAILED LAND USE may be used for up to 36 townhouse units.
- (b) That the portion of the subject lands designated "Urban Residential High Density 1" on Schedule 'AA' – DETAILED LAND USE may be used for up to 228 dwelling units. Up to 19 of the dwelling units may be townhouse units. All other dwelling units shall be apartment units in one apartment building having a maximum height of 8 storeys and a maximum floor space index of 3.5 excluding the floor space of any townhouse units. Commercial uses are permitted in the first storey of the apartment building.
- (c) That the total number of dwelling units on the subject lands shall not exceed 262.
- (d) That apartment development shall be subject to the following specific design guidelines:
 - Buildings 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.
- (e) That townhouse development shall be subject to the following specific design 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, 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

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