

OFFICIAL PLAN
of the
CITY OF MARKHAM PLANNING AREA
AMENDMENT NO. **208**

To amend the Official Plan (Revised 1987) as amended.

(Frangian Holdings Ltd. 7089 Yonge Street and 11 and 15 Grandview Avenue)

April 2013

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APPROVED BY ONTARIO MUNICIPAL BOARD (OMB) ON APRIL 12, 2013.

BY-LAW 2013-55

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THE CORPORATION OF THE CITY OF MARKHAM

Being a by-law to adopt Amendment No. ~~208~~ to the City of Markham Official Plan (Revised 1987) 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. ~~208~~ to the City of Markham Official Plan (Revised 1987) attached hereto, is hereby adopted.
2. THAT this by-law will come into force and take effect on the date of the final passing thereof.

APPROVED BY ONTARIO MUNICIPAL BOARD (OMB) ON APRIL 12, 2013.

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(This is not an operative part of
Official Plan Amendment No. 208)

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.

PART II - THE AMENDMENT, including Figure No. 3.2, attached thereto, constitute Amendment No. 208 to the Official Plan (Revised 1987), as amended. Part II is the operative part of this Official Plan Amendment.

2.0 LOCATION

The Amendment applies to lands at the south east quadrant of Yonge Street and Grandview Avenue, and municipally known as 7089 Yonge Street and 11 and 15 Grandview Avenue. The subject lands are approximately 0.6 hectares in size and are shown in Figure No. 3.2 to this Amendment.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to amend certain provisions of the Official Plan (Revised 1987) to permit a mixed use development comprised of high density residential, and non-residential uses including office, retail and service on the subject lands.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The basis for this Amendment to the City of Markham Official Plan is to implement the intensification and transit-supportive policies of the Provincial Policy Statement, the Greater Golden Horseshoe Growth Plan, and the Region of York Official Plan, including those pertaining to Regional Corridors and Key Development Areas. The proposed development also implements the recommendations and objectives of the Yonge Steeles Corridor Study (YSCS) prepared by the City of Markham.

The proposed development implements the policies of the PPS, Provincial and Regional plans and the YSCS as follows:

- by providing for increased densities to support existing and planned rapid transit along the Yonge Street Corridor in a mixed use format consisting of high density residential, retail, office and service commercial uses;
- by proposing a maximum building height for a proposed point tower that is within the angular plane maximum height guideline set out in the YSCS, (measured from the east side of the Dudley Avenue right of way, and rising toward Yonge

Street at a slope determined by the following formula: maximum height = $\frac{1}{2}$ horizontal distance from the east side of the Dudley Avenue right of way);

- by providing for a mid-rise podium structure with at-grade commercial uses along the Yonge Street frontage and providing a public park to provide a transition to the existing residential properties to the east and public amenity;
- by locating a significant majority of parking in an underground structure, with limited surface parking that is screened from view from public streets.

The lands subject to this Amendment are currently underutilized and include a two-storey commercial plaza fronting Yonge Street and two single-detached dwellings to the east fronting Grandview Avenue. The lower intensity, automobile-oriented nature of these uses fails to implement the transit-supportive policies of the approved policy framework and do not capitalize on the location of the site in proximity to the breadth of transit services operating and planned for Yonge Street, as well as services currently existing along Steeles Avenue and connecting to the Toronto Transit Commission's Finch Subway Station.

The proposal will introduce high density residential, office, retail, and service uses along the Yonge Street frontage at the south east corner of the Yonge Street and Grandview Avenue intersection.

PART II - THE AMENDMENT

(This is an operative part of
Official Plan Amendment No. 208)

PART II - THE AMENDMENT

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 208 to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.
- 1.2 Section 4.3.3.2 is hereby amended by adding a new subsection b), as follows, and Figure No. 3.2 attached hereto:

b) 7089 Yonge Street and 11 and 15 Grandview Avenue
(Official Plan Amendment No. 208)

Notwithstanding any other provisions of this Plan to the contrary, certain lands designated COMMERCIAL (Community Amenity Area), municipally known as 7089 Yonge Street and 11 and 15 Grandview Avenue, and shown on Figure No. 3.2, will be subject to the following policies:

i) Vision

1. The properties known as 7089 Yonge Street and 11 and 15 Grandview Avenue are intended to accommodate vibrant, transit supportive and pedestrian friendly development within the Yonge Steeles Corridor which will include high density residential, office, retail and service uses in one or more buildings.
2. Densities that achieve the relevant Regional and Provincial intensification targets.
3. Building height, form, placement and architectural design will reinforce the attributes of the site as a key location within the Yonge Steeles Corridor Key Development Area.
4. The majority of vehicular parking will be provided below grade and accessed from private driveways internal to the site. Only limited surface parking will be provided, which will be located in the interior of the site, away from public road frontage to reinforce the urban character of the site.

5. Sustainable and environmentally responsible building design, as contemplated by the principles of LEED Silver and FLAP, will be encouraged.
6. Grade-related, pedestrian-oriented retail and service uses will be located along the Yonge Street frontage;
7. Building heights will transition down from the Yonge Street frontage towards the established residential neighbourhood east of the site. In this regard, buildings will be governed by maximum height angular plane measured from the east side of the Dudley Avenue right of way, and rising toward Yonge Street at a slope determined by the following formula: maximum height = $\frac{1}{2}$ horizontal distance.

ii) **General Land Use Structure**

1. The general land use structure for the site will consist of a broad mix of uses including high density residential, retail, service, and office uses.
2. High density residential, office and retail and service uses will be generally located along Yonge Street.
3. Retail and service uses will be generally located within the lower storeys of buildings along Yonge Street.
4. A public park will be located along the Grandview Avenue frontage of the site, east of the high-density development fronting Yonge Street.
5. Access to surface and underground parking will be provided through a publicly-accessible private lane accessing Grandview Avenue. Direct vehicular access from Yonge Street will not be permitted.

iii) **Land Use**

1. The lands identified as "COMMERCIAL (Community Amenity Area) on Figure No. 3.2 may be zoned to permit only the following uses:

i) **Residential:**

- Apartment Dwellings;
- Live/Work Units;

ii) **Non-Residential:**

- Art galleries;
- Banquet halls;
- Business offices;
- Clubs, private;
- Commercial fitness centres;
- Community centres;
- Day nurseries;
- Financial institutions;

- Home Occupations;
 - Libraries;
 - Medical offices;
 - Museums;
 - Personal service shops;
 - Places of amusement;
 - Places of worship;
 - Public parks;
 - Recreational establishments;
 - Repair shops;
 - Restaurants
 - Restaurants, take-out;
 - Retail stores;
 - Schools, commercial;
 - Schools, private;
 - Schools, public; and
 - Supermarkets.
2. Underground parking garage structures will be permitted anywhere on the lands identified on Figure No. 3.2.
 3. A maximum total Floor Space Index (FSI) of 3.5 will be permitted on the site for all uses, of which a maximum FSI of 2.95 will apply to residential uses.
 4. Built form generally will be comprised of mid-rise podium buildings up to a height of 35 metres above established grade along the Yonge Street frontage.
 5. High-rise residential towers above mid-rise podiums will be permitted in accordance with the following:
 - a) Building height will be governed by the angular plane formula set out in subsection 4.3.3.2 b) i) 7.;
 - b) The maximum floor area for any portion of a building located more than 35 metres above established grade along the Yonge Street frontage will be 880 square metres;
 - c) The minimum horizontal separation distance between any portions of buildings located more than 35 metres above established grade along the Yonge Street frontage will be 25 metres.
 6. Apartment dwellings shall not be permitted on the first four floors of buildings fronting Yonge Street.

iv) Urban Design Principles

In order to achieve the vision for the Yonge Steeles Corridor as a vibrant, transit supportive and pedestrian friendly regional corridor, the following general urban design principles will be adhered to:

General

1. Providing for building heights that will reinforce the locational attributes of the site within the Yonge Steeles Corridor;
2. Providing for densities that will allow for a critical mass of activity on the site, and within the Yonge Steeles Corridor, that will support a vibrant street life, mix of uses and higher-order transit;
3. Providing for a transition of building heights and massing from the Yonge Street frontage, the location for the highest building heights and mass, to the established residential neighbourhood located east of Dudley Avenue;
4. Allowing for creative flexibility to realize a diversity of architectural expressions including sustainable elements on the site;
5. Creating a dynamic pedestrian experience at street level;
7. Encouraging a well integrated urban form incorporating a mix of building forms.

v) Loading, Servicing and Parking Policies

1. Loading and servicing areas will be located within the interior of the site, away from public road frontages, and will be screened from public street view.
2. The majority of parking will be provided in an underground parking structure accessed from the Private Street System. A limited amount of surface parking may be provided within the interior of the site, away from public road frontages, and will be screened from public street view.

vii) Hold provisions

In addition to any other applicable provisions of Section 7.3 c) iii), a zoning-by-law amendment to remove the Hold (H) symbols from the zoning designations on 7089 Yonge Street and 11 and 15 Grandview Avenue will not be passed until the following conditions have been met to the satisfaction of the City of Markham:

- That regional servicing capacity has been allocated to the residential component of the proposed development;
- Execution of a Section 37 Agreement between the City and the Owner and payment of a Section 37 financial contribution and/or provision of in kind facilities, all to the satisfaction of the City;
- Execution of a site plan agreement between the Owner and the City providing for, among other matters:

- construction of the proposed development;
- dedication of land for potential road widening along Yonge Street to the satisfaction of the Region of York;
- requirements related to Toronto Transit Commission's technical review of the application and requirements for TTC Interferences Warning Clauses;
- implementation, if required, of traffic infiltration and mitigation measures within the Yonge Steeles Corridor and surrounding established residential neighbourhoods;
- implementation of Traffic Demand Management (TDM) initiatives; and,
- financial contributions, if required, to off-site infrastructure including a proportional share of the Dudley Avenue Sewer.

4. Effect of Lifting the Hold (H) Provisions:

The effect of lifting the Hold (H) Provision will be in accordance with the implementing zoning by-law."

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of Section 4.3.3.2 b) will supercede the provisions of the deferred Community Amenity Area Steeles/Yonge area policies of the Thornhill Secondary Plan (PD 3-1) as they relate to these lands.

The provisions of Section 4.3.3.2 b) will be incorporated into the Thornhill Secondary Plan at such time as a statutory Secondary Plan Amendment incorporating the subject lands is prepared.

The provisions of the Official Plan, as amended, regarding the Implementation and Interpretation of the Plan will apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment will be implemented by an amendment to the Zoning By-law and Site Plan Approval in conformity with the provisions of this Amendment.

