

OFFICIAL PLAN
of the
MARKHAM PLANNING AREA
AMENDMENT NO. 207

To amend the Official Plan (Revised 1987), as amended, to incorporate a site specific amendment to the policies for the South Don Mills Industrial Planning District (Planning District No.11).

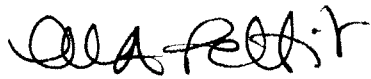
(2145312 Ontario Inc.)

(April 2013)

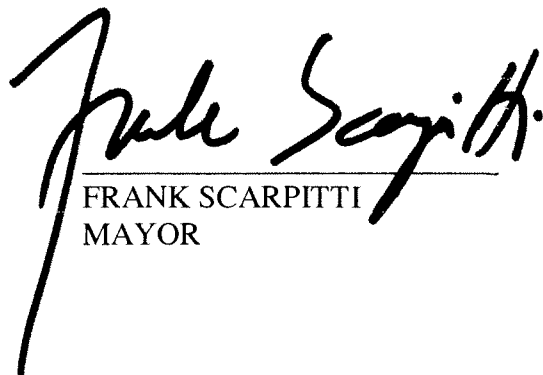
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To amend the Official Plan (Revised 1987), as amended, to incorporate a site specific amendment to the policies for the South Don Mills Industrial Planning District (Planning District No.11).

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. 2013-44 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 16th day of April, 2013.



MARTHA PETTIT
ACTING CITY CLERK



FRANK SCARPITTI
MAYOR



BY-LAW 2013-44

Being a by-law to adopt Amendment No. 207
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. 207 to the City of Markham Official Plan (Revised 1987), 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
16TH DAY OF APRIL, 2013.

A handwritten signature in black ink, appearing to read 'M. Pettit'.

MARTHA PETTIT
ACTING CITY CLERK

A handwritten signature in black ink, appearing to read 'Frank Scarpitti'.

FRANK SCARPITTI
MAYOR

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PART I - INTRODUCTION

(This is not an operative part of
Official Plan Amendment No. 207)

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, including Schedule “A” and Schedule “B” attached thereto, constitute Official Plan Amendment No. 207 to the Official Plan (Revised 1987) as amended. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan applies to Part of Lots 1 and 2, Concession 3, located at the southwest corner of Woodbine Avenue and Steelcase Road West, municipally known as 1 Steelcase Road West.

3.0 PURPOSE

The purpose of this Amendment is to redesignate the western portion of the property from General Industrial Area to Business Corridor Area on Schedule ‘H’ of the Official Plan, so that the entire property will be designated Business Corridor Area. This Amendment also incorporates text revisions to the Official Plan (Revised 1987), as amended, related to the maximum gross floor area permitted for individual retail premises, and maximum gross floor area devoted to retail use and minimum gross floor devoted to office use.

This Amendment provides for the development of a mixed-use commercial/office complex of approximately 182,080 square metres of gross floor area consisting of office, hotel, restaurant and retail uses with a total overall density of 1.5 FSI at full build out. The implementing zoning by-law shall not exceed a maximum density of 1.05 FSI consistent with Phases 1A, 1B and 2 of development for the property. Any proposed increase to 1.5 FSI will require a zoning by-law amendment and review of further technical studies, including, but not limited to transportation impacts and servicing constraints to the satisfaction of the City of Markham in consultation with the Region of York and City of Toronto.

A three level parking structure, underground parking and surface parking are proposed. Surface parking areas shall be located away from public streets and at the rear of buildings where possible.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The development will achieve many of the objectives set out by the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe and the in-force Official Plans of the Region of York and the City of Markham including:

- a) provides for an appropriate mix and range of employment uses that is compatible with the existing mix of employment uses on Woodbine Avenue
- b) provides opportunities for a diversified economic base
- c) is maintaining the lands for employment uses (a mix of office, hotel and retail uses)
- d) holding provisions in the associated zoning by-law amendment will ensure that the necessary improvements to servicing infrastructure will be funded and provided
- e) employment intensification is being provided within proximity of transit corridors

The proposed change in employment category is supportable within the context of the proposed land use designation and policies of the current Official Plan, and will allow for intensified employment opportunities on the property. The proposal does not include a residential component, nor is it a retail only proposal. The retail component will be secondary to the other employment uses in terms of gross floor area at full build out. Re-use of an existing large, predominately vacant industrial building located on an arterial road is a unique feature of the proposal.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan
Amendment No. 207)

PART II – THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN 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 207 to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.
- 1.2 Schedule ‘H’ Commercial/Industrial Categories of the Official Plan (Revised 1987), as amended, is hereby amended by redesignating the lands, as shown on Schedule “A” attached hereto, from General Industrial Area to Business Corridor Area.
- 1.3 Section 4.3.11.2 (Specific Site and Area Policies) of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the following text and by the addition of Figure 11.6 attached hereto as Schedule ‘B’ to be placed in proximity to policy 4.3.11.2f):
 - f) Part of Lots 1 and 2, Concession 3 – 1 Steelcase Road West
(Official Plan Amendment No.207)
Notwithstanding any other provisions of this Plan to the contrary, certain lands designated INDUSTRIAL (Business Corridor Area), and described as Part of Lots 1 and 2, Concession 3, municipally known as 1 Steelcase Road West, and shown on Figure 11.6, shall be subject to the following policies:
 - i) Notwithstanding Section 3.5.6.3 of the Official Plan (Revised 1987), as amended, the subject lands may be used for a mixed-use centre containing individual retail premises to a maximum individual unit size of 6,000 square metres gross floor area. The mixed-use centre will contain retail uses and other employment uses including office, hotel and restaurant uses to a maximum total overall density of 1.5 FSI. At full build out, the total gross floor area devoted to retail uses on the subject lands shall not exceed 60,820m² and the total gross floor area devoted to retail uses shall not exceed the total gross floor area devoted to other permitted uses.

The implementing zoning by-law permits a maximum density of 1.05 FSI based on the current development proposal for the property. Any proposed increase to 1.5 FSI will require a zoning by-law amendment and review of further technical studies, including, but not limited to transportation impacts and servicing constraints to the satisfaction of the City of Markham in consultation with the Region of York and City of Toronto.

- ii) Notwithstanding Section 3.5.6.3 ii) of the Official Plan (Revised 1987), as amended, the total gross floor area devoted to retail uses may exceed the total gross floor area devoted to office uses in Phases 1A and 1B only, as follows:

Phase 1A

- maximum gross floor area devoted to retail use shall be 20,000m²
- minimum gross floor area devoted to office use shall be 7,500m²

Phases 1A and 1B

- maximum gross floor area devoted to retail use shall be 60,820m²
- minimum gross floor area devoted to office use shall be 22,497m²

- iii) Hold provisions

The implementing Zoning By-law shall include a Holding provision that prevents any phase of development from occurring prior to the following conditions being met to the satisfaction of the City of Markham and York Region as, applicable:

a) Conditions for Development of Phase 1A:

- preparation of a Traffic Demand Management Plan by the developer, to the satisfaction of the City of Markham in consultation with the Region of York;
- preparation of a Water Analysis by the developer, to the satisfaction of the City of Markham;
- provision of documentation by the developer, that sanitary flows generated from the Phase 1A development do not exceed the pre-development flow rates, to the satisfaction of the City of Markham;

- approval of the Traffic Impact Study, to the satisfaction of the Director of Engineering in consultation with the Region of York and the City of Toronto;
- site plan approval, including a comprehensive block plan;
- execution of a site plan agreement between the City and the developer requiring, among other things, the following:

Provision of a minimum of 7,500m² of gross floor area for business offices and/or medical offices in Phase 1A, with such site plan agreement requiring the issuance of a building permit for a minimum of 7,500m² of gross floor area for business offices and/or medical offices prior to, or concurrent with, the issuance of any building permit or other suitable evidence of occupancy, for retail gross floor area in Phase 1A.

Upon the lifting of the Holding provision for Phase 1A:

a maximum of 20,000m² of gross floor area devoted to all permitted uses, excluding offices, shall be permitted and a minimum of 7,500m² of gross floor area devoted to office uses shall be required.

b) Conditions for Development of Phase 1B:

- removal of the Holding provision for Phase 1A on the property;
- preparation of an updated Traffic Demand Management Plan by the developer, if required, to the satisfaction of the City of Markham in consultation with the Region of York;
- preparation of a Water Analysis by the developer, to the satisfaction of the City of Markham;
- provision of documentation by the developer, that sanitary flows generated from the Phase 1B development do not exceed the pre-development flow rates, to the satisfaction of the City of Markham;
- approval of the Traffic Impact Study, to the satisfaction of the Director of Engineering in consultation with the Region of York and the City of Toronto;
- site plan approval, including revisions to the comprehensive block plan, if required;
- execution of a site plan agreement between the City and the developer requiring, among other things, the following:

Provision of a minimum of 14,997m² of gross floor area for business offices and/or medical offices in Phase 1B, with such Site Plan Agreement requiring the issuance of a building permit for a minimum of 14,997m² of gross floor area for business offices and/or medical offices prior to, or concurrent with, the issuance of any building permit for retail gross floor area in Phase 1B.

Upon the lifting of the Holding for Phase 1B:

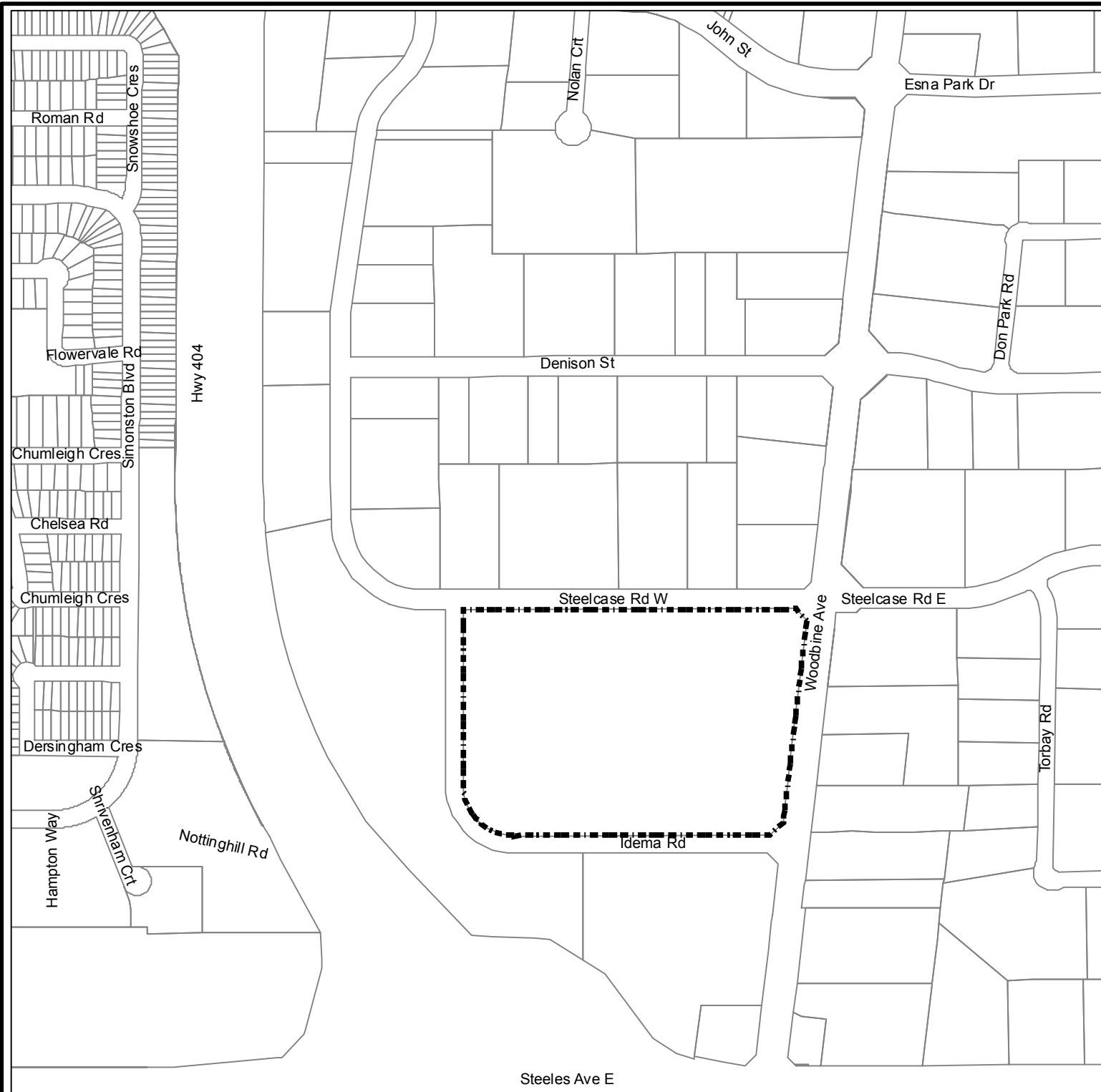
a maximum of 60,820m² of gross floor area devoted to all permitted uses, excluding offices, shall be permitted and a minimum of 22,497m² of gross floor area devoted to office uses shall be required.

c) Conditions for Development of Phase 2:

- removal of the Holding provisions for Phases 1A and 1B on the property;
- preparation of an updated Transportation Impact Study by the developer documenting traffic impacts and associated infrastructure improvement requirements, to the satisfaction of the City of Markham in consultation with the Region of York and City of Toronto;
- preparation of a traffic study by the developer examining the potential of a partial interchange from Highway 404 to the satisfaction of the City of Markham in consultation with the Region of York and City of Toronto;
- completion of required downstream sanitary sewer improvements, to the satisfaction of the City of Markham;
- the developer's payment of its proportionate share of all downstream infrastructure improvements;
- site plan approval and execution of a site plan agreement amendment

Upon the lifting of the Holding provision for Phase 2, full build out of the property shall be permitted.

- iv) The provisions of Section 4.3.11.2 f) as they relate to Part of Lots 1 and 2, Concession 3, shall supersede the provisions of non-statutory Secondary Plan (PD11-1) as they relate to these lands.
- v) If required, the provisions of Section 4.3.11.2f) will be incorporated into a Secondary Plan at such a time as a statutory Secondary Plan incorporating the subject lands is prepared.




SPECIFIC SITE AND AREA POLICIES **CITY OF MARKHAM OFFICIAL PLAN (REVISED 1987), AS AMENDED**

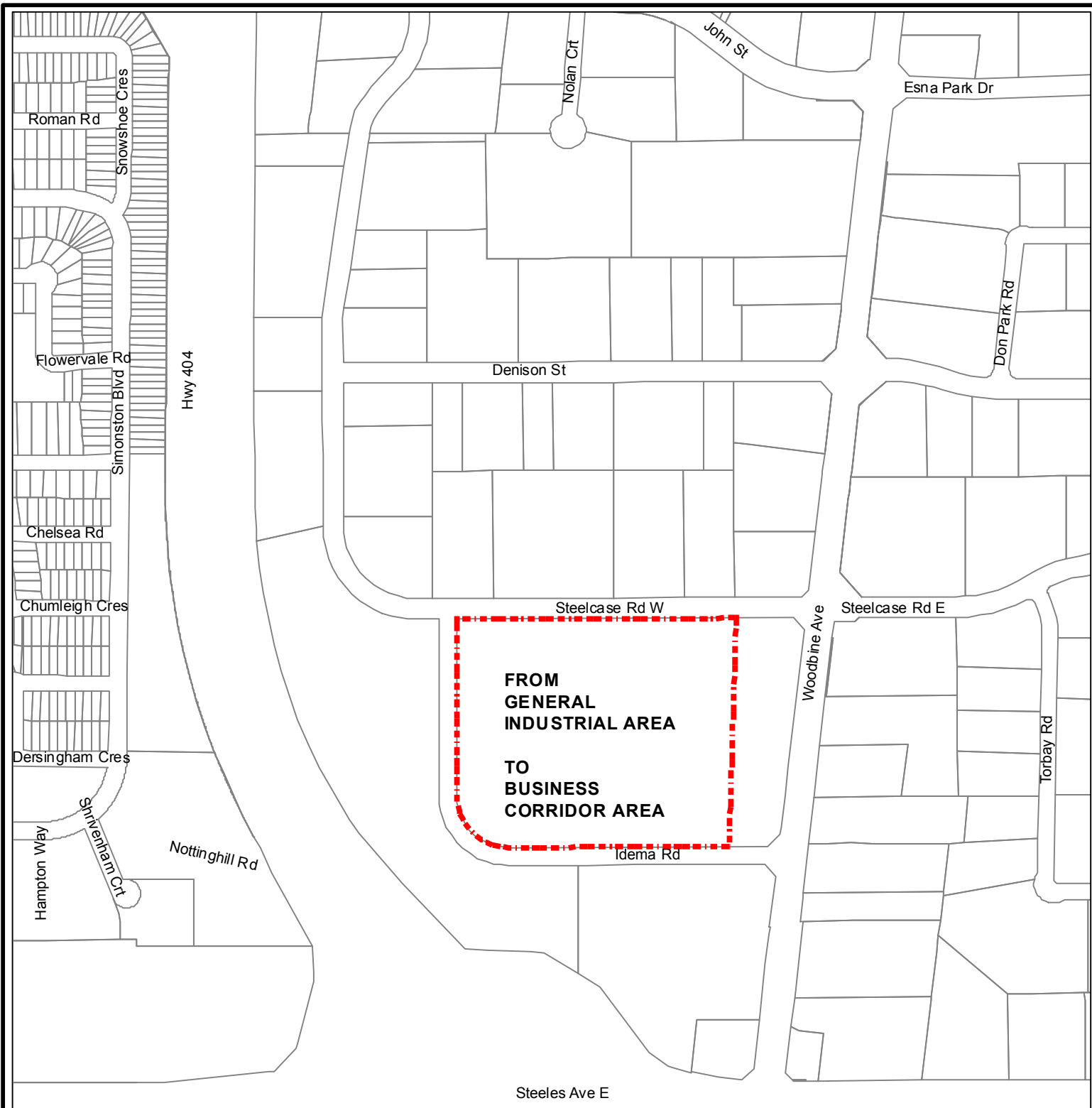


FIGURE No.11.6

PLANNING DISTRICT No.11

 Boundary of area subject to the policies in Section 4.3.11.2 f)

Land use designation: INDUSTRIAL (Business Corridor Area)



AMENDMENT TO SCHEDULE 'H' - COMMERCIAL / INDUSTRIAL CATEGORIES CITY OF MARKHAM OFFICIAL PLAN (REVISED 1987), AS AMENDED

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT



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 108-81, as amended and site plan approval in conformity with the provisions of this Amendment.