

OFFICIAL PLAN
of the
TOWN OF MARKHAM PLANNING AREA
AMENDMENT NO. 195

To amend the Official Plan (Revised 1987), as amended, and
to incorporate Amendment No. 16 to the Thornhill Secondary Plan_Secondary Plan (PD 3-1)
for the Thornhill Planning District (Planning District No. 3).

(SHOPS ON STEELES)

APPROVED BY ONTARIO MUNICIPAL BOARD ON AUGUST 16, 2011

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 195)

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 Official Plan Amendment No. 195 to the Official Plan (Revised 1987), as amended and is required to enact Amendment No.16 to the Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District (Planning District No. 3). Part II is an operative part of this Official Plan Amendment.
- 1.3** PART III - THE SECONDARY PLAN AMENDMENT, attached thereto, constitutes Amendment No 16 to the Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District (Planning District No. 3). This Secondary Plan Amendment may be identified by the symbol PD 3-1-16. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan and to the Thornhill Secondary Plan (PD 3-1) applies to the Shops on Steeles property at 2900 Steeles Avenue East, located on the northeast corner of Don Mills Road and Steeles Avenue East.

3.0 PURPOSE

The purpose of this Secondary Plan Amendment is to amend certain technical provisions of the Official Plan (Revised 1987) and to expand the list of permitted uses in the 'Major Commercial Area' designation of the Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District (Planning District No. 3) as it applies to the subject property, in order to permit redevelopment of the existing retail mall into a mixed-use development consisting of office, retail and high density residential uses.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

This Amendment serves to specifically add provisions for high density residential uses on the subject property in addition to the currently permitted uses in the 'Major Commercial Area' designation of the Thornhill Secondary Plan. The location of the subject property represents an appropriate location for residential intensification in the form of high density residential housing, in conjunction with the redevelopment of the property for a new, updated and enhanced retail, office and commercial centre which will continue to serve as a large and highly specialized retail shopping facility in the Thornhill Planning District.

The lands subject to this Amendment currently contain an indoor mall, a two-storey department store, a grocery store, several pad restaurant and retail stores, a gas station and a large paved surface parking area. The existing development does not take full advantage of the property's location at the intersection of a provincial highway and two Regional arterial roads that are proposed to serve as higher order transit corridors in the future. Redevelopment of the property for mixed use commercial and high density residential will provide for a form of development that will be transit-supportive, enhance the diversity of housing types and sizes in the community, and provide opportunities for affordable housing.

Intensified mixed use commercial and residential development on the subject property is consistent with the provisions of the Provincial Policy Statement, and conforms with the Growth Plan for the Greater Golden Horseshoe, the Region of York Official Plan, and Growth Alternative B endorsed by Markham Council.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. 195)

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 195 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 (Revised 1987), as amended, is hereby amended by the addition of the number 195 to the list of amendments listed in the second sentence of the bullet item dealing with the Thornhill Secondary Plan PD 3-1, for the Thornhill Planning District, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.

- 1.3** Section 9.2.25 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number 195 to the list of amendments, to be placed in numerical order including any required 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 also being made to incorporate changes to the text of the Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District (Planning District No. 3). These changes are outlined in Part III which comprises Amendment No. 16 to the Thornhill Secondary Plan (PD 3-1).

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 the Zoning By-law in conformity with the provisions of this Amendment.

PART III - THE SECONDARY PLAN AMENDMENT (PD 3-1-16)

(This is an operative part of Official Plan Amendment No. 195)

PART III - THE SECONDARY PLAN AMENDMENT (PD 3-1-16)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 16 to the Thornhill Secondary Plan PD 3-1)

The Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District is hereby amended as follows:

- 1.1** Figure 6.3.2 attached hereto is hereby inserted into Section 6.3 MAJOR COMMERCIAL AREA at the end of Subsection 6.3.2 and Subsection 6.3.2 is hereby deleted and replaced with the following:

“6.3.2 The MAJOR COMMERCIAL AREA designation recognizes the location of a multi-use, multi-purpose centre offering a range of retail, service, commercial, office, community, institutional and residential uses on the property on the north side of Steeles Avenue between Highway 404 and Don Mills Road. The non-residential component of the property is to serve as a destination for major shopping and service commercial needs of the Thornhill Planning District.

The planned function of the property is to serve as a vibrant, sustainable, transit-supportive, mixed use residential and commercial centre which will provide a balanced range of retail, service commercial and high density residential uses. High density residential uses shall only be permitted in conjunction with the provision of a range of commercial uses comprising a major shopping destination.

The property is subject to the following policies:

i) Land Use

1. Land use will consist of a broad range of uses including retail, commercial, service commercial, office, community uses, institutional uses and high density residential uses.

2. In addition to the permitted land uses as found in Section 3.4.6.1 Major Commercial Area, subsection c) Land Uses, clause i), of the Official Plan (Revised 1987), as amended, the following uses are permitted:
 - apartment dwellings
 - multiple dwellings
 - open space over underground parking garage structures.

ii) Maximum Density and Residential Units

1. A maximum total floor space index (FSI) of 1.85 shall be permitted on the property for all uses, of which a maximum of 1.5 FSI shall apply to residential uses.
2. A maximum of 1,235 residential units shall be permitted.

iii) Maximum Number of Storeys

The maximum number of storeys shall be as set out in Figure 6.3.2. However, subject to conformity with all other provisions of this Plan, including provisions for maximum density and residential units, minor changes to the number of storeys of commercial buildings may be permitted without an amendment to this Plan, but in no circumstances shall the heights of residential or mixed residential commercial buildings be increased.

iv) Urban Design Principles

1. A publicly accessible private street system, designed to resemble public roads, shall be developed on the property to facilitate vehicular and pedestrian circulation, generally as illustrated on Figure 6.3.2. Precise location of the streets will be determined through Site Plan Control and minor variations will not require an amendment to this plan. The Private Street System will be owned privately and may be built upon any underground parking and building structures located on the property;
2. Built form will provide an appropriate transition in scale and heights between the proposed development and the surrounding low-rise community character to the north and west and medium-rise development to the south.
3. High-rise buildings above podium height shall be predominantly in the form of small-floorplate point towers, while the base of these buildings shall be in the form of podium buildings that form continuous street walls;
4. Separation distances between high-rise towers shall be sufficient to provide for appropriate light and space between buildings;
5. Transition and design of built form shall minimize impacts on neighbouring streets and properties including shadowing and uncomfortable wind conditions.
6. The development shall provide for an enhanced pedestrian realm. The pedestrian environment and street-level animation shall be enhanced by means of the following:
 - i. Street-related retail and commercial uses in the westerly portion of the area shown on Figure 6.3.2 should be emphasized along public and private streets traversing and bordering the development;

- ii. Weather and wind protection, such as canopies and awnings shall be provided along street frontages;
 - iii. The ground floor elevations of buildings bordering public and private streets in the westerly portion of the area shown on Figure 6.3.2 traversing and bordering the development shall be set at a level that will allow for barrier free access from the sidewalk to the building entry; and,
 - iv. A linked pedestrian walkway system shall be provided between internal and external streets that is designed to minimize walking distances to existing and anticipated transit stops;
7. Surface parking areas shall generally be minimized, although on-street parking for retail customers will be encouraged;
8. Environmental sustainability should be enhanced by the use of sustainable materials, innovative energy and material conservation strategies and stormwater conservation techniques;
9. The development should expand the range and affordability of housing types in the surrounding neighbourhood; and,
10. The development should provide for a balanced mix of commercial, residential and employment uses.
11. The review of the first phase of the commercial redevelopment will address the principle of interior, privately-owned, publicly accessible mall space for community gathering, which will provide similar opportunities to the type of community gathering space in existence within the mall at the time of approval of this Official Plan Amendment. The specific size, location and configuration of this space shall be determined through the site plan approval process, to the satisfaction of the Town of Markham.

v) Transportation Policies

- i) To support future mixed use intensification on the site, the first phase of site plan approval, in accordance with the approved master site plan, shall include the dedication of land abutting Don Mills Road at no cost to the Regional Municipality of York to achieve a 22.5 m right of way from the existing centre line of construction of Don Mills Road along the entire frontage to facilitate future light rail transit (LRT). Should the gas station at the immediate northeast corner of Don Mills Road and Steeles Avenue East also redevelop, a similar land dedication will be required at the time of site plan approval of that block.
- ii) To ensure that future development is transit supportive, prior to development the applicant shall provide, for approval of the Town and Region, at the site plan stage:
 - a comprehensive Transportation Demand Management program and implementation plan;
 - a demonstration of how transit buses/vehicles can be accommodated on site; and,
 - a demonstration of how a full moves intersection at the north end of the property can be implemented with respect to signal phasing and functional design with a future LRT service on Don Mills Road.

vi) Section 37 Agreement

The residential density permitted will be subject to provision of a cash payment for provision of additional community facilities and services by the Town with possible adjustment for provision of community space by the owner on the lands subject to this Subsection. This requirement will be implemented through an agreement between the Owner and the Town, pursuant to Section 37 (1) of the Planning Act R.S.O.

vii) Hold Provisions

Redevelopment of the site will occur in phases subject to a master conceptual site plan process and the phased provision of municipal infrastructure to the site including water and wastewater capacity. Accordingly, holding zone provisions shall be applied to the site and lifted by the Town of Markham upon confirmation by the Town of Markham that adequate servicing and transportation capacity is available.

In addition to any other applicable provisions of Section 7.3 c) iii), a zoning by-law amendment to remove the Hold 1 (H1) and Hold 2 (H2) symbols from the zoning designations shall not be passed until the following conditions have been met to the satisfaction of the Town of Markham and York Region as applicable:

i) Conditions for removing the Hold 1 (H1) Provision:

- Payment of a Section 37 financial contribution and/or satisfactory arrangements being in place for provision of in kind facilities, all to the satisfaction of the Commissioner of Development Services;
- The Town, in consultation with York Region, is satisfied that sufficient servicing capacity is available and has adopted a resolution granting additional servicing allocation to provide for the number of dwelling units permitted;
- Submission of a municipal servicing study to the satisfaction of the Director of Engineering in consultation with York Region;
- Execution of one or more Development Agreement(s) as may be required between the Town, the Owner, and where applicable, York Region and the City of Toronto, relating to the construction, financing, and implementation of off-site servicing infrastructure improvements, if required by the Town;

- Submission of the following:
 - a transportation monitoring study of the travel characteristics associated with the uses developed on the subject lands prior to the lifting of the H1 provision, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto; and
 - an updated transportation impact study using the findings of the transportation monitoring study, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto.

ii) Conditions for removing the Hold 2 (H2) provision:

- Removal of the Hold 1 (H1) provision;
- Payment of a Section 37 financial contribution and/or satisfactory arrangements being in place for provision of in kind facilities, all to the satisfaction of the Commissioner of Development Services;
- The Town, in consultation with York Region, is satisfied that sufficient servicing capacity is available and has adopted a resolution granting additional servicing allocation to provide for the number of dwelling units permitted;
- Submission of a municipal servicing study to the satisfaction of the Director of Engineering in consultation with York Region;
- Execution of one or more Development Agreement(s) as may be required between the Town, the Owner, and where applicable, York Region and the City of Toronto, relating to the construction, financing, and implementation of off-site servicing infrastructure improvements, if required by the Town;

- Submission of the following:
 - a transportation monitoring study of the travel characteristics associated with the uses developed on the subject lands prior to the lifting of the H2 provision, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto; and
 - an updated transportation impact study using the findings of the transportation monitoring study, to the satisfaction of the Director of Engineering in consultation with York Region and the Director of Transportation Services, North District, City of Toronto.

iii) Effect of lifting the Hold 1 (H1) and Hold 2 (H2):

The effect of lifting the Hold 1 (H1) and Hold 2 (H2) provisions shall be in accordance with the phasing plan approved by the Town and as set out in the implementing zoning by-law.”

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 amendment/s to the Zoning By-law and site plan approval/s, as applicable, in conformity with the provisions of this Amendment.

PRIVATE ROAD

SECONDARY PLAN AMENDMENT No. 16 TO THE
THORNHILL SECONDARY PLAN (PD No. 3-1) (PART III OF O.P.A. No. 195)

BOUNDARY OF AREA SUBJECT TO POLICIES IN SECTION 6.3.2

FIGURE No. 6.3.2

DRAWN BY: DD CHECKED BY: RB

SCALE 1:

DATE: 032511