

SUBJECT: Recommendation Report
Box Grove Residential East Inc.
Applications to amend the Official Plan and Zoning By-law to permit townhouse development at the north-west corner of Donald Cousens Parkway and Copper Creek Drive (Part of Block 1, 65M4141); Ward 7

File Nos: OP/ZA 17 150349

PREPARED BY: Stacia Muradali, Ext. 2008
Senior Planner, East District

REVIEWED BY: Sally Campbell, Ext. 2645
Manager, East District

RECOMMENDATION:

- 1) That the report dated June 25, 2018 and titled "Recommendation Report, Box Grove Residential East Inc., Applications to amend the Official Plan and Zoning By-law to permit townhouse development at the north-west corner of Donald Cousens Parkway and Copper Creek Drive (Part of Block 1, 65M4141); Ward 7, File Nos: OP/ZA 17 150349", be received;
- 2) That the Official Plan Amendment application submitted by Box Grove Residential East Inc., (OP 17 150349) to amend the City's 2014 Official Plan (as partially approved by the Ontario Municipal Board on November 24, 2017 and further updated on April 9, 2018), be approved, and that the draft Official Plan Amendment attached as Appendix 'A' be finalized and adopted without further notice;
- 3) That the Zoning By-law Amendment application submitted by Box Grove Residential East Inc., (ZA 17 150349) to amend Zoning By-law 177-96, as amended, be approved, and that the draft by-law attached as Appendix 'B' be finalized and enacted without further notice;
- 4) That Council assign servicing allocation for up to 221 townhouses.
- 5) That in accordance with the provisions of subsection 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owner shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of Zoning By-law 2018- XXX, before the second anniversary of the day on which the by-law was approved by Council; and,
- 6) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report recommends approval of Official Plan and Zoning By-law Amendment applications submitted by Box Grove Residential East Inc. to permit residential development at the north-west corner of Donald Cousens Parkway (DCP) and Copper Creek Drive.

BACKGROUND:**Subject site and area context**

The subject site is part of a larger parcel of land which is located at the north-west corner of DCP and Copper Creek Drive extending northward to Highway 407 (Figure 1). There are currently three (3) buildings located on the larger parcel of land - a Walmart, a multi-unit commercial/retail building and a CIBC bank (Figure 3). The existing CIBC bank is approximately 570 m² (6135 ft²) with 29 parking spaces. The subject site is currently vacant except for the existing CIBC bank and is approximately 4.93 hectares (12.18 acres). To the west of the subject site is a tributary of the Rouge River, a recently constructed townhouse development with some live-work units on the north side of Copper Creek Drive, and low density residential development south of Copper Creek Drive. Further west along Copper Creek Drive at Ninth Line is a commercial development including a supermarket, restaurants, banks, retail shops, and a neighbouring medical building. Highway 407 is located to the north and large rural properties to the east.

Previous site plan approval for commercial and retail uses on the subject land

Site plan approval was issued in 2010 for twelve (12) stand-alone commercial buildings, including the existing Walmart, eight (8) of which were intended to be located on the subject site, which is the southerly portion of the larger development. Since that time, the landowner has struggled with attracting commercial or retail tenants.

Consequently, the landowner has decided to submit applications to change the land use permissions to facilitate residential development.

Proposed townhouse development*Previous proposal*

Box Grove Residential East Inc. originally proposed a common element condominium townhouse development comprised of 188 townhouses, 39 of which had live-work units. An 8-storey apartment building consisting of 114 residential units was also proposed fronting onto the corner of DCP and Copper Creek Drive (Figure 4). The previously proposed live-work units provided a mix of uses on the subject site including commercial uses. The mix of townhouses, live-work townhouses and the mid-rise building would have provided a variety of built form and unit types in addition to a range of uses.

Revised proposal

The subject proposal is for common element condominium townhouse development to be constructed in two (2) phases (Figure 4). The first phase is comprised of 203 townhouses on the majority of the subject site, approximately 4.59 hectares (11.34 acres). Two (2) separate private open space areas (approximately 1000 m² in total) and a mix of townhouses with frontages ranging from 4.5 to 6 metres (14.76 to 19.7 feet) are proposed. Approximately 37 of the proposed townhouses will have double-car garages with the remaining townhouses having single-car garages. Based on information provided by the landowner, there will be 12 visitors parking spaces in excess of the by-law requirement, 5 of which will be allocated for use by the townhouse visitors for Phase 2. The necessary easements for access and parking and any other required easement to facilitate the interaction between the Phase 1 and 2 parcels will be addressed at the site plan stage. There will be a north-south private road, which will align with Bernbridge Road on the south side of Copper Creek Drive and is signalized. The other private road serving the development is the existing east-west driveway leading to the Walmart, which intersects with Copper Creek Drive to the west and DCP to the east.

The second phase of development will include 0.34 hectares (0.84 acres) of the subject site where the existing CIBC bank is located at the north-west corner of the subject site. Interim commercial uses to serve the existing neighbourhood will continue to be provided for on the phase 2 parcel until the parcel eventually develops with 18 townhouses when the lease for the CIBC bank expires. Any commercial uses will occupy the existing building. Phases 1 and 2 will result in a total of 221 townhouses. Visitor parking for the Phase 2 townhouses will be provided on the Phase 1 parcel. Residents in this second phase should also have access to the private amenity areas proposed on the Phase 1 parcel. Easements to allow access and use of the visitors parking spaces and common private amenity areas will be secured at the site plan stage. A site plan application is required to be submitted for review and approval to implement the proposed development in the future.

Official Plan and Zoning

The subject site is designated "Commercial" in the City's 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018) (the "2014 Official Plan"). The "Commercial" designation recognizes existing large format retail developments and lands approved for large format retail development. This designation provides for the redevelopment of large-format retail sites to more intensive multi-use commercial areas that accommodate complementary retail, service and office employment uses. Residential uses are not allowed on lands designated "Commercial" in the 2014 Official Plan and the proposed development therefore requires an official plan amendment.

The subject site is zoned "Business Corridor *373 (BC*373)" in Zoning By-law 177-96, as amended (Figure 2). The current zoning permits banquet halls, convention centres, offices, restaurants, retail stores, and industrial uses. Residential uses are not permitted and therefore a Zoning By-law Amendment is required to permit the proposed development.

Public Input

A Community Information Meeting was held on September 13th, 2017 and the statutory Public Meeting was held on September 19th, 2017. More than 50 residents attended the Community Information Meeting, the majority of whom expressed concerns primarily with traffic congestion (existing and proposed), the location of the previously proposed mid-rise apartment building, and a preference for the permitted non-residential uses. Five (5) residents attended the statutory Public Meeting in support of the proposed development and two (2) residents attended and expressed concerns with traffic congestion, proposed density and proximity of the previously proposed mid-rise building, and the need for more open space and retail uses.

The applicant's transportation consultant responded to the concerns about traffic congestion by explaining that the proposed residential development will generate less traffic than the permitted commercial uses. The applicant has removed the previously proposed mid-rise building from their current proposal in response to some of the residents concerns about the proximity and density of the mid-rise building to existing residential development on the south side of Copper Creek Drive. There are sufficient open space areas and retail uses in the area which are described in more detail later in this report.

Process to date and next steps*Process to date*

- Preliminary Report to Development Services Committee – September 11th, 2017
- Community Information Meeting held – September 13th, 2017
- Statutory Public Meeting held - September 19th, 2017
- Recommendation Report for Official Plan and Zoning By-law Amendment applications to Development Services Committee – June 25th, 2018

Next steps

- Submission of a site plan application;
- Site Plan Recommendation Report to Development Services Committee;
- Submission of a common element condominium application.

OPTIONS/ DISCUSSION:**Proposed amendment to the Official Plan***The previously approved commercial land uses have not fully materialized*

The "Commercial" designation was applied to the subject land in the 2014 Official Plan to bring forward land use permissions for commercial and retail development, which were previously approved through a site-specific Official Plan Amendment (OPA) in June 2009 and a related Zoning By-law Amendment. This allowed the Walmart and other commercial and retail uses on the subject land and in 2010 site plan approval for 12 stand-alone commercial buildings was issued. Unfortunately, the landowner has advised that he has not had any viable commercial interest in the already approved plans for the subject site.

Despite the lack of commercial interest in the subject site, there are adequate existing commercial uses abutting the subject site to the north where vacant development blocks remain for future businesses if needed. Further west at Copper Creek Drive and Ninth Line is a supermarket and ten other commercial buildings, including a multi-storey medical building to serve the immediate neighbourhood.

Proposed "Residential Low Rise" designation

The Phase 1 land will be redesignated from "Commercial" to "Residential Low Rise" which allows detached and semi-detached dwellings and townhouses up to three (3) storeys in height (Appendix 'A'). The "Residential Low Rise" designation also allows for home occupations, secondary suites and day care centres (subject to specific criteria). The "Residential Low Rise" designation will allow land uses which are compatible with neighbouring development.

The Phase 2 land, where the existing CIBC building is located will also be designated "Residential Low Rise" with site-specific exceptions. The "Residential Low Rise" designation allows non-residential uses such as day care centres, home occupations and convenience retail and personal service shops to serve the neighbourhood. The proposed Official Plan Amendment (Appendix 'A') allows additional commercial uses such as commercial fitness centres, schools (private and commercial) and restaurants on an interim basis and only within the existing building. Townhouses will ultimately be developed on this parcel.

Planning justification in support of the proposed development

The Planning Opinion Report (the "Planning Opinion Report") prepared by Malone Given Parsons Ltd. dated June 2017 in support of the Official Plan and Zoning By-law Amendment applications provides the following rationale for the proposed development:

- The undeveloped land are unattractive and do not fulfill a commercial function nor provide any benefit to the community.
- The proposed development provides an appropriate transition between the large-format retail and commercial uses to the north (including the existing Walmart) and the existing low density residential to the south of Copper Creek Drive.
- The surrounding area is sufficiently serviced by existing commercial uses and will not be negatively impacted by the proposed development.
- The proposed development supports transit use.

Proposed amendment to the Zoning By-law will include permission for Secondary Suites

The Phase 1 land will be rezoned from "Business Corridor * 373 (BC*373)" to "Residential Two * 602 (R2*602)" permitting low-rise residential dwellings at a scale which is compatible with existing neighbouring development. Development standards including setbacks and height will be implemented by site-specific exception *602.

The Region of York's Official Plan requires local municipalities to adopt official plan policies and zoning by-law provisions that facilitate Secondary Suites. Section 4.1.2.6 of Markham's 2014 Official Plan states that "it is the policy of Council to support the diversification of housing tenure by providing for the establishment of Secondary Suites within existing and new permitted dwellings.

The Planning Act, as amended by The Strong Communities Through Affordable Housing Act (Bill 140), requires municipalities to pass zoning by-laws permitting Secondary Suites in detached, semi-detached and row houses [townhouses], as well as in ancillary structures. The effect of these legislative changes is to identify affordable housing as a matter of provincial interest with Secondary Suites playing a key role in the provision of affordable housing. Consequently, the draft zoning by-law amendment attached to this report proposes accessory dwelling units as a permitted use.

Staff will work with the applicant on providing homes which are purpose built for accessory dwellings. Additional residential parking spaces however, will not be available for many of the accessory dwellings. It will depend on whether the townhouse dwelling has a double or single car garage and driveway. This is considered to be a self-regulating feature as tenants who need a parking space will generally not rent a unit without one available.

The Phase 2 land will be rezoned from "Business Corridor *373 (BC*373)" to "Residential Two *604 (R2*604)" (Appendix 'B'). This residential zone category is proposed for the subject site because it will ultimately be redeveloped with townhouses. The landowner has advised that the Phase 2 parcel will not be redeveloped for non-residential uses. The "Residential Two *604 (R2*604)" zone however, will add certain commercial uses such as commercial fitness centre, restaurants, personal shops and retail stores, private and commercial schools, day care centres and financial institutions to be located within the existing building to allow the landowner some flexibility before the townhouses are developed. Any new commercial uses which are introduced on the Phase 2 parcel will have to comply with the City's parking requirement.

A Section 37 provision is included in the proposed by-law amendment which enables the City to collect a Section 37 contribution for public art based on the proposed development. The Section 37 contribution will be collected at the site plan agreement stage.

Transportation

A Traffic Impact and Parking Study prepared by Cole Engineering Group and dated May 2017, and revised in March 2018 (the "TIS") submitted in support of the Official Plan and Zoning By-law Amendment applications provides the following key findings with which the City's Transportation Engineers agree:

- Based on the existing traffic analysis, the intersections surrounding the subject site are operating with good to acceptable levels of service with some capacity to accommodate additional demand.

- The proposed residential land use would generate less traffic compared to the permitted commercial uses. Therefore, the proposed residential uses will have less impact from a transportation perspective.

Parking

Approximately 37 of the proposed townhouses will have double-car garages with the remaining 184 having single car garages. The City's parking standards by-law requires 56 visitors parking spaces and 68 parking spaces are proposed. 5 of these visitors parking spaces will be allocated for use by visitors of the future Phase 2 townhouses.

Parkland dedication requirements

The subject site is in close proximity to Rouge National Urban Park which is located east of Reesor Road and on both sides of Reesor Road south of 14th Avenue. Bernbridge Parkette is located across the street on the south side of Copper Creek Drive. There is also a park currently under construction in close proximity to the subject site at the north-east corner of Malborough Road and Rizal Avenue. The Box Grove Community Park located at the south-west corner of Rouge Bank Drive and the Box Grove By-Pass will be built in phases with the first phase starting construction this year. The landowner will be required to pay the required cash-in-lieu of parkland dedication requirement as part of any future site plan application.

Minor variances within two years of by-law enactment are permitted

The applicants have requested that Council grant exemption from subsection 45 (1.4) of the Planning Act, which will permit applications for minor variances within two (2) years of the enactment of the amending by-law attached as Appendix 'A'. Staff have no objection to this request as the detailed site plan and building elevations are in the conceptual design stage and may be refined at the site plan application stage triggering a minor variance request. Staff will have the opportunity to review the appropriateness of any requested minor variances should such applications be made in the future. This provision is included in the Resolution of Council.

The site plan is conceptual and a future site plan is required

Whilst a conceptual site plan (Figure 4) has been provided to assist Staff with the drafting of the zoning by-law amendment, a full site plan application is required and will evaluate the site plan layout, building elevations, private open space areas, landscaping and tree planting, pedestrian connectivity, vehicular circulation, sustainable initiatives, parkland dedication or cash-in-lieu of parkland, interface with surrounding development, parking layout and location.

The proposed renderings are also in the conceptual stage. As part of the future site plan application review, staff will work with the applicant to introduce a variety of unit frontages and building elevations, especially for those townhouses fronting onto DCP and Copper Creek Drive. The Region of York, Toronto and Region Conservation Authority

and Ministry of Transportation (MTO) technical comments will also be addressed and incorporated in the future site plan.

CONCLUSION:

The proposed Official Plan and Zoning By-law Amendments will allow development which will be compatible with the existing neighbouring residential areas and the abutting commercial/retail area. Staff therefore recommend approval of the attached Official Plan Amendment (Appendix 'A') and Zoning By-law Amendment (Appendix 'B').

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

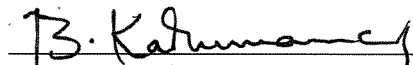
ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development aligns with the strategic priority for growth management.

BUSINESS UNITS CONSULTED AND AFFECTED:

These applications have been circulated to various City departments and external agencies and their requirements have been incorporated into the proposed amendments.

RECOMMENDED BY:



Biju Karumanchery, M.C.I.P., R.P.P.
Director of Planning & Urban Design



Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development Services

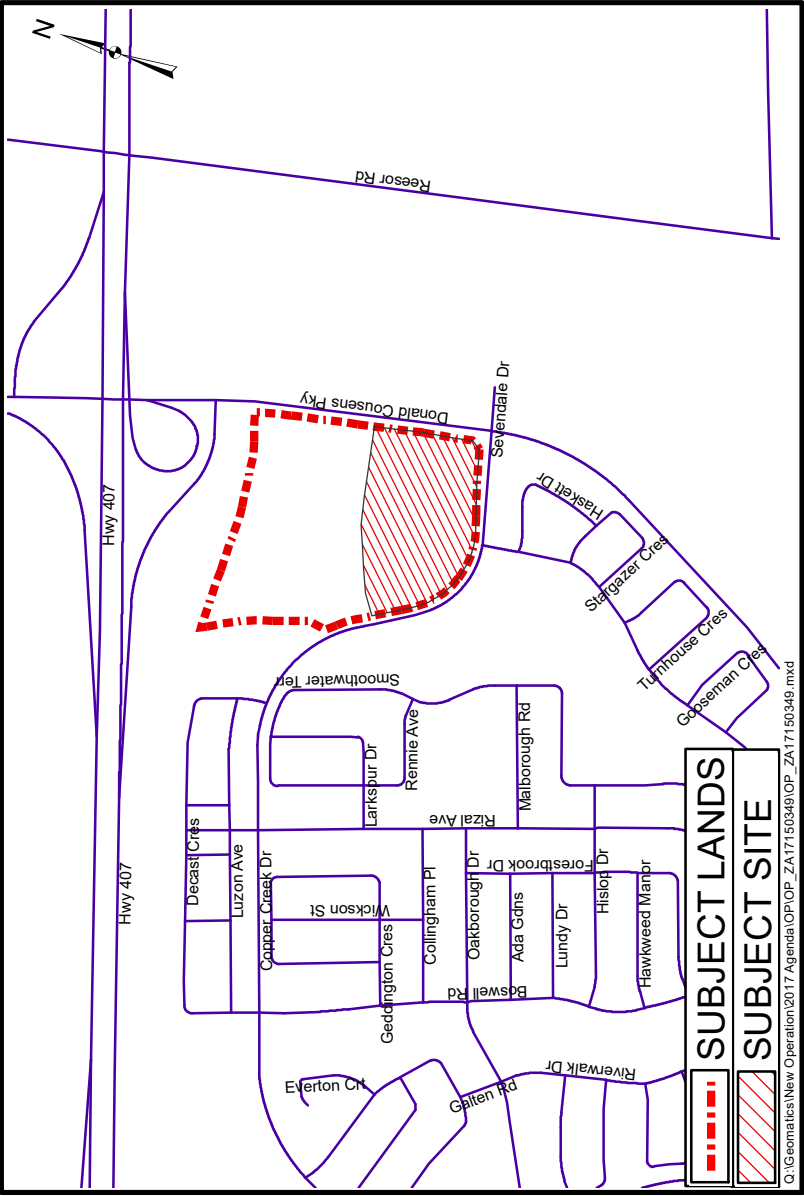
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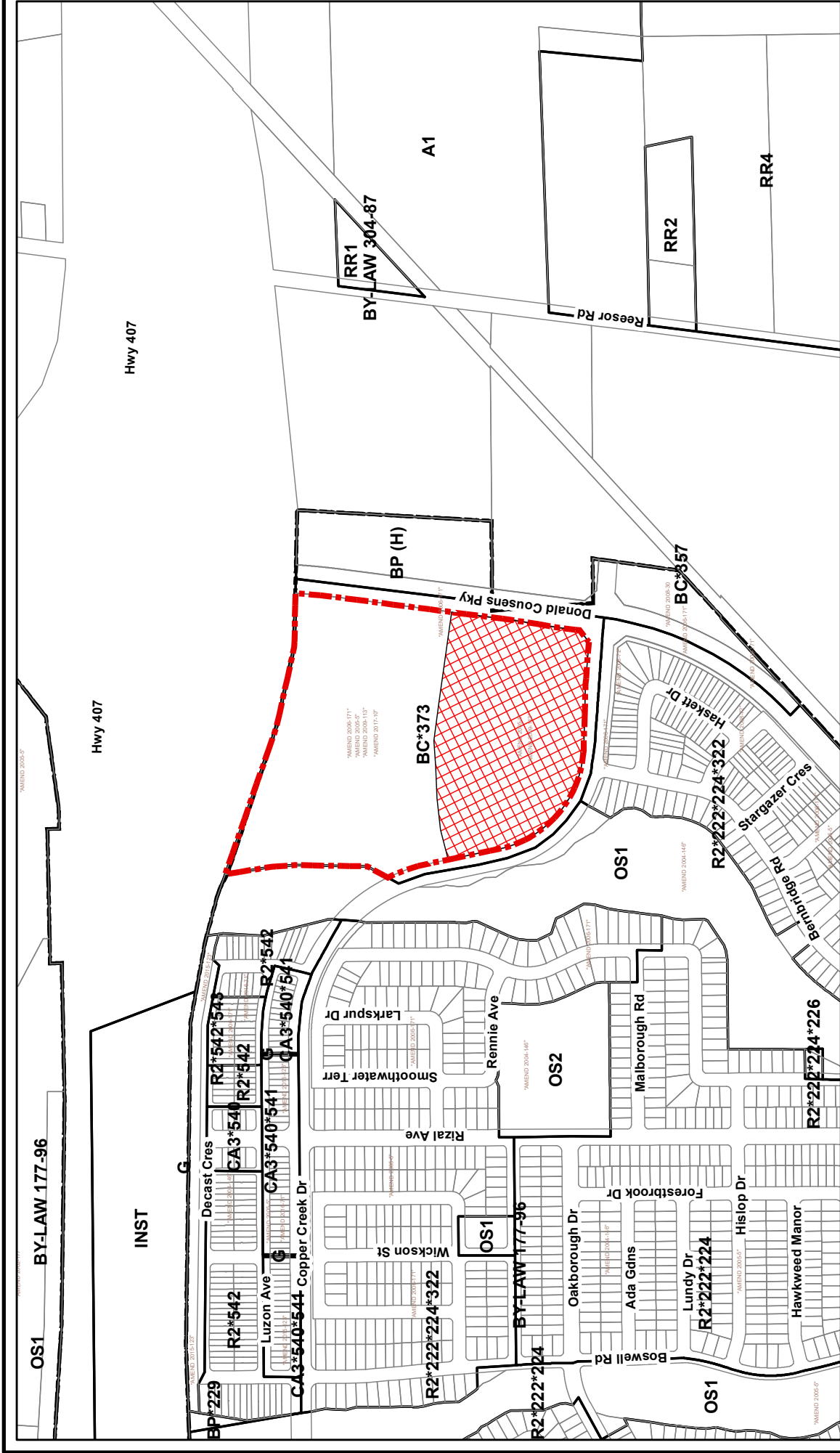
Figure 1:	Location Map
Figure 2:	Area Context/ Zoning
Figure 3:	Air Photo
Figure 4:	Conceptual Site Plan
Figure 5:	Conceptual Rendering (Donald Cousens Parkway and Copper Creek Drive)
Figure 6:	Conceptual Internal Rendering
Figure 7:	Conceptual Internal Rendering
Appendix 'A':	Draft Official Plan Amendment
Appendix 'B':	Draft Zoning By-law Amendment

AGENT CONTACT INFORMATION:

Attention: John Genest
Malone Given Parsons Ltd.
140 Renfrew Drive, Suite 201
Markham, ON, L3R 6B3
Tel: 905-513-0170
Email: JGenest@mgp.ca

File path: Amanda\File 17 150349\Documents\Recommendation Report





AREA CONTEXT / ZONING

APPLICANT: BOXGROVE RESIDENTIAL EAST INC.
PART OF BLOCK 1, 65M-4141

FILE No. OP_ZA17150349 (SM)

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 SUBJECT LANDS
 SUBJECT SITE





AERIAL PHOTO (2017)

APPLICANT: BOXGROVE RESIDENTIAL EAST INC.
 PART OF BLOCK 1, 65M-4141

FILE No. OP_ZA17150349 (SM)

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WARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SM

DATE: 18/06/2018

FIGURE No.3

SUBJECT LANDS
 SUBJECT SITE



CONCEPTUAL RENDERING (Donald Cousens Parkway and Copper Creek Drive)



APPLICANT: BOXGROVE RESIDENTIAL EAST INC.
PART OF BLOCK 1, 65M- 4141

FILE No. OP_ZA17150349 (SM)

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DATE: 08/08/2017

FIGURE No.5



CONCEPTUAL INTERNAL RENDERING

APPLICANT: BOXGROVE RESIDENTIAL EAST INC.
PART OF BLOCK 1, 65M- 4141

FILE No. OP_ZA17150349 (SM)

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DATE: 18/06/2018

FIGURE No.6





CONCEPTUAL INTERNAL RENDERING

APPLICANT: BOXGROVE RESIDENTIAL EAST INC.
PART OF BLOCK 1, 65M- 4141

FILE No. OP_ZA17150349 (SM)

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Checked By: SM

DATE: 18/06/2018

FIGURE No.7



CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

(Box Grove Residential East Inc.)

(June 2018)

CITY OF MARKHAM
OFFICIAL PLAN AMENDMET NO. XXX

To amend the City of Markham Official Plan 2014, as amended.

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. ____ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the ____ day of ____ 2018

Kimberly Kitteringham
City Clerk

Frank Scarpitti
Mayor

THE CORPORATION OF THE CITY OF MARKHAM BY-LAW NO. _____

Being a by-law to adopt Amendment No. ____ to the City of Markham Official Plan 2014, 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. ____ to the City of Markham Official Plan (2014) is hereby adopted.
2. That this by-law shall come into force and effect on the date of the final passing thereof.

Read a first, second and third time and passed on _____ 2018.

Kimberly Kitteringham
City Clerk

Frank Scarpitti
Mayor

DRAFT

PART I – THE INTRODUCTION

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

1.0 GENERAL

1.1 PART I – THE INTRODUCTION, is included for information purposes and is not an operative part of the Official Plan Amendment.

1.2 PART II – THE OFFICIAL PLAN AMENDMENT, including Schedules ‘A’ and ‘B’, attached thereto, constitutes Amendment No. __ to the Official Plan 2014, as amended. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment applies to the southern portion of the lands described as Block 1, Plan 65M-4141 in the City of Markham. The 4.93 hectare subject lands are located at the north-west corner of Donald Cousens Parkway and Copper Creek Drive.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to re-designate the subject lands from ‘Commercial’ to ‘Residential Low Rise’ to provide for a residential development comprised of condominium townhouses. The Amendment also includes a site specific provision to allow for non-residential uses to be located within the existing small scale non-residential building located on the subject lands until it is eventually redeveloped with townhouses.

4.0 BASIS OF THIS AMENDMENT

The subject lands form part of a larger land area which were designated ‘Commercial’ in the Official Plan to accommodate an approved large-format retail development. The lands to the north were developed with a large single use retail complex, however, the subject lands with the exception of a stand alone financial institution have remained undeveloped. An extension of the large format retail complex on the subject lands is no longer market viable at this location.

It is proposed that the lands be developed with ‘Residential Low Rise’ uses in two phases. The first phase will be comprised of townhouses developed on common element condominium roads, and small scale retail and service uses within the existing non-residential building. The second phase will involve the removal of the existing non-residential building to allow for an extension of the townhouse development on common element condominium roads. Non-residential uses will be allowed in the existing building until the second phase is redeveloped with townhouses.

The proposed ‘Residential Low Rise’ development is compatible with the existing residential development on the south side of Copper Creek Drive and the commercial and retail development to the north.

DRAFT

PART II – THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Amendment No. XXX)

1.0 THE AMENDMENT

- 1.1 The following Maps of the Markham Official Plan 2014, as amended, are hereby amended:
- a) Map 1 – Markham Structure is amended by replacing the ‘Employment Area’ component with a ‘Neighbourhood Area’ component, as shown on Schedule “A” attached hereto.
 - b) Map 3- Land Use is amended by replacing the ‘Commercial’ designation with a ‘Residential Low Rise’ designation as shown on Schedule “B” attached hereto.
- 1.2 Section 9.16 of the Markham Official Plan 2014, as amended is hereby amended by:
- a) Amending Section 9.16.1 to revise the reference to Section 9.16.13 and add a new reference to a new Section 9.16.16 in Figure 9.16.1 as follows:

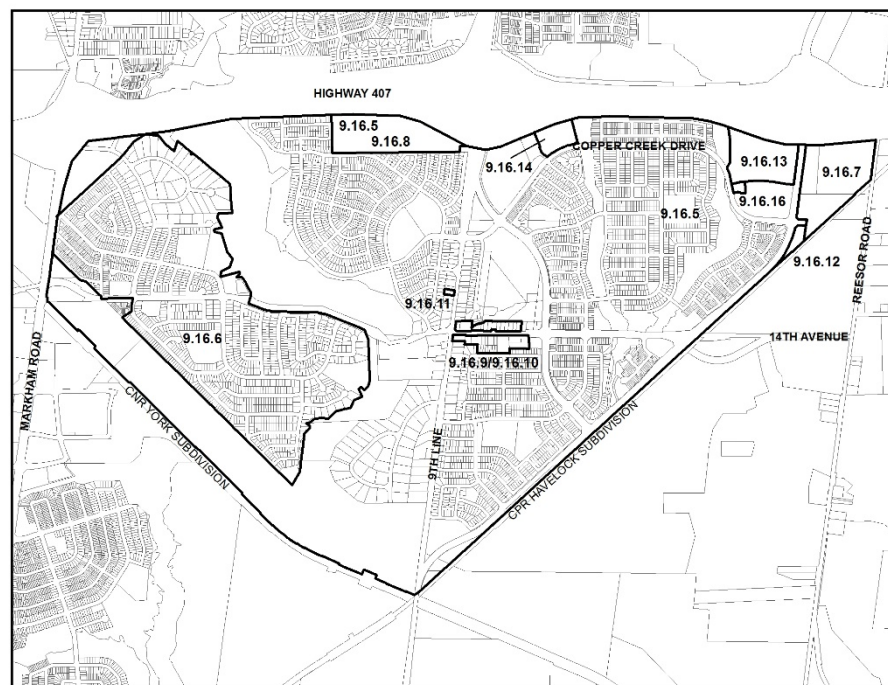


Figure 9.16.1

b) Amending Section 9.16.13 to replace Figure 9.16.13 as follows:

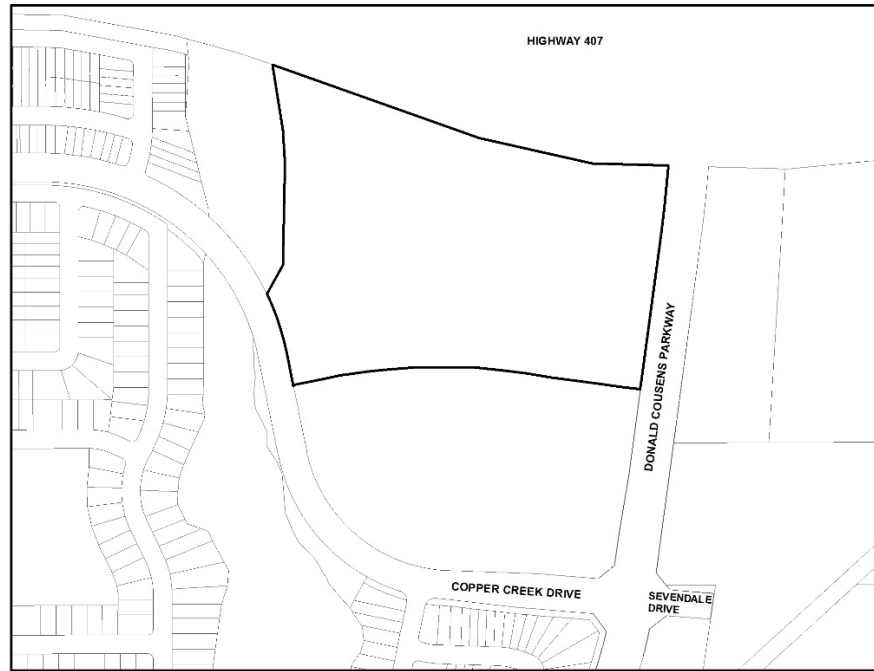


Figure 9.16.13

c) Adding a new Section 9.16.16 as follows:

“9.16.16 The following uses shall also be permitted within the existing non-residential building located on the ‘Residential Low Rise’ lands shown in Figure 9.16.16:

- a) commercial school;
- b) financial institution;
- c) office;
- d) *private school*;
- e) restaurant;
- f) retail;
- g) service; and
- h) sports and fitness recreation.

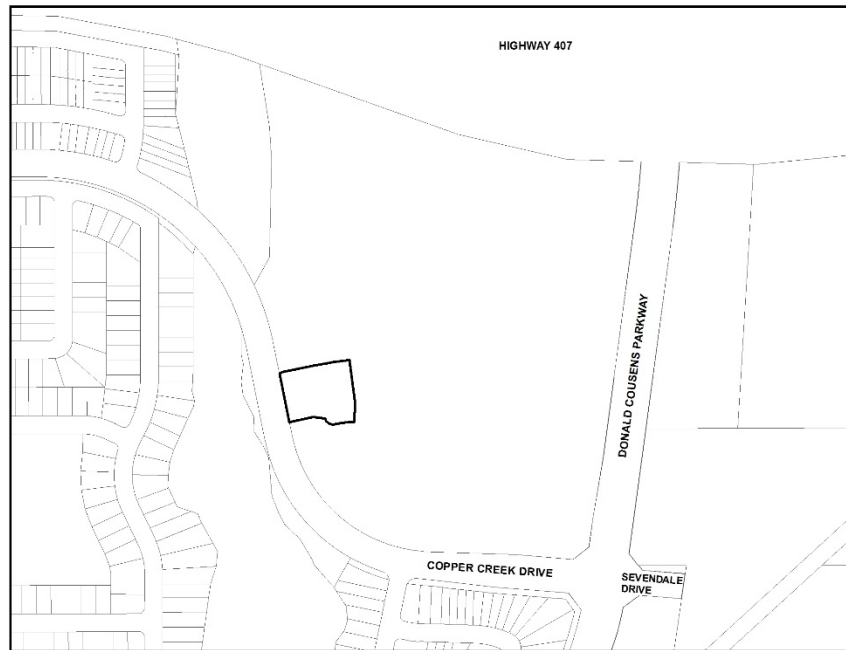


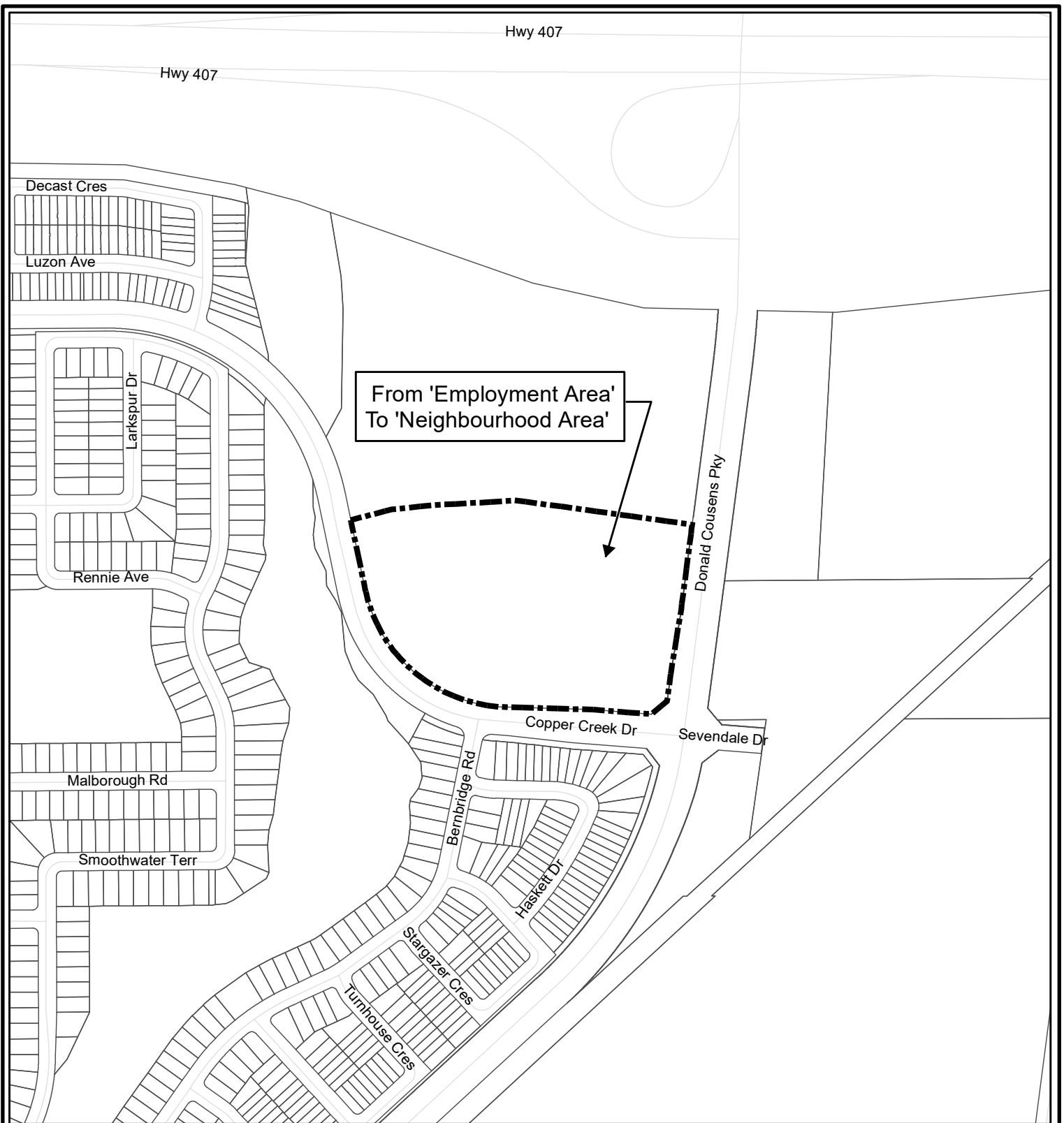
Figure 9.16.16”

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the City of Markham Official Plan 2014, 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 to the Zoning By-law and Site Plan Approval and other Planning Act approvals, in conformity with the provisions of this Amendment.

DRAFT



**AMENDMENT TO MAP 1 - MARKHAM STRUCTURE
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX**

 BOUNDARY OF AMENDMENT AREA

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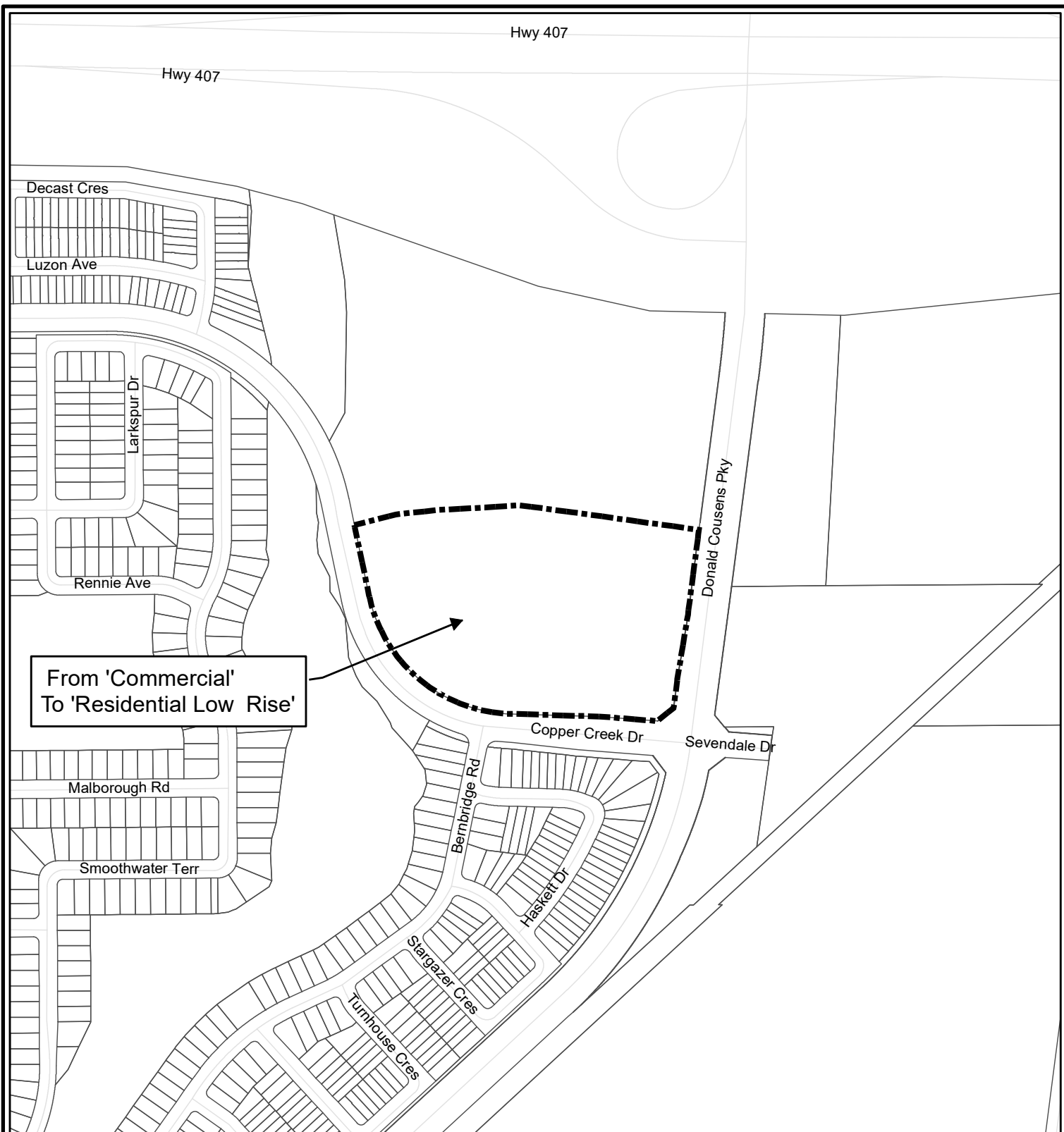


DEVELOPMENT SERVICES COMMISSION

SCHEDULE "A" TO OPA XXX

Drawn By: CPW
Checked By: SM

SCALE: NTS
DATE: 01/06/2018



**AMENDMENT TO MAP 3 - LAND USE
OF THE MARKHAM OFFICIAL PLAN 2014, AS AMENDED
OFFICIAL PLAN AMENDMENT XXX**



BOUNDARY OF AMENDMENT AREA



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DEVELOPMENT SERVICES COMMISSION

SCHEDULE "B" TO OPA XXX

Drawn By: CPW
Checked By: SM

SCALE: NTS
DATE: 01/06/2018



BY-LAW 2018-_____

A By-law to amend By-law 177-96, as amended

The Council of the Corporation of the City of Markham hereby enacts as follows:

1. By-law 177-96, as amended, is hereby further amended as follows:
- 1.1

By rezoning the lands outlined on Schedule ‘A’ attached hereto as follows:

from:

Business Corridor (BC)*373

to:

Residential Two * 602 (R2*602) and Residential Two * 604 (R2*604)
- 1.2

By adding the following subsection to Section 7- EXCEPTIONS

Exception 7.602	Boxgrove Residential East Inc. North-west corner of Donald Cousens Parkway and Copper Creek Drive	Parent Zone R2
File ZA 17 150349		Amending By-law 2018-XX
Notwithstanding any other provisions of this By-law, the provisions of this Section shall apply to those lands denoted by the symbol *602 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.		
7.602.1 Only Permitted Uses		
The following are the only permitted uses:		
a)	Townhouse dwellings	
b)	One (1) accessory dwelling unit is permitted within any townhouse dwelling.	
c)	Home Child Care	
d)	Home Occupations	
7.602.2 Special Zone Standards		
The following specific Zone Standards shall apply:		
a)	Minimum width of a townhouse dwelling i) Interior unit – 4.5 metres ii) End unit – 4.5 metres	
b)	Minimum combined private park area – 1000 m2	
c)	Maximum number of townhouse dwelling units - 203	
d)	Minimum required yard i) Donald Cousens Parkway – 3 metres ii) Copper Creek drive – 2 metres iii) All other lot lines – 2 metres	
e)	Notwithstanding the provisions of d) above, architectural features such as sills, belt courses, cornices, eaves, chimney breasts, pilasters, roof overhangs, balconies, porches, and cold cellars located entirely under the porches, may encroach a maximum 2 metres into the required yard abutting a public street, but may be located no closer than 0.3 metres from the lot line.	
f)	Notwithstanding 7.602.2 (g) below, eaves and roof overhands are permitted to encroach a maximum of 0.3m between buildings.	
g)	Minimum distance between buildings – 3m	
h)	The provisions of section 6.6.1 c) and d) apply to the yards abutting Donald Cousens Parkway and Copper Creek Drive.	
i)	Maximum building height – 15.0m	

j)	Notwithstanding any further division or partition of any of the lands subject to this Section, all lands zoned R2*602 shall be deemed to be one <i>lot</i> for the purposes of this By-law
k)	A minimum of 5 additional visitor <i>parking spaces</i> shall be provided for <i>townhouse dwelling units</i> on the lands zoned *604

Exception 7.604	Boxgrove Residential East Inc. North-west corner of Donald Cousens Parkway and Copper Creek Drive	Parent Zone R2
File ZA 17 150349		Amending By-law 2018-XX
Notwithstanding any other provisions of this By-law, the provisions of this Section shall apply to those lands denoted by the symbol *604 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.		
7.604.1 Only Permitted Uses		
The following are the only permitted uses:		
Residential Uses:		
a)	<i>Townhouse dwellings</i>	
b)	One (1) accessory <i>dwelling unit</i> is permitted within any <i>townhouse dwelling</i> .	
c)	<i>Home Child Care</i>	
d)	<i>Home Occupations</i>	
Non-Residential Uses:		
a)	<i>Commercial Fitness Centre</i>	
b)	<i>Day Nurseries</i>	
c)	<i>Financial Institutions</i>	
d)	<i>Medical Offices</i>	
e)	<i>Business Offices</i>	
f)	<i>Restaurants</i>	
g)	<i>Retail Stores</i>	
h)	<i>Commercial Schools</i>	
i)	<i>Private Schools</i>	
j)	<i>Personal Service Shops</i>	
7.604.2 Special Zone Standards		
The following specific Zone Standards shall apply to <i>townhouse dwellings</i> :		
a)	Minimum width of a <i>townhouse dwelling</i> i) Interior unit – 4.5 metres ii) End unit – 4.5 metres	
b)	Maximum number of <i>townhouse dwelling units</i> - 18	
c)	Minimum required <i>yard</i> i) Copper Creek drive – 2 metres ii) Northerly <i>lot line</i> – 2 metres	
d)	Notwithstanding any further division or partition of any of the lands subject to this Section, all lands zoned R2*604 shall be deemed to be one <i>lot</i> for the purposes of this By-law	
e)	Maximum <i>building height</i> – 15.0m	
f)	Notwithstanding the provisions of c) above, architectural features such as sills, belt courses, cornices, eaves, chimney breasts, pilasters, roof overhangs, balconies, <i>porches</i> , and cold cellars located entirely under the <i>porches</i> , may encroach a maximum 2 metres into the required yard abutting a public street, but may be located no closer than 0.3 metres from the <i>lot line</i> .	
g)	Notwithstanding 7.604.2(h) below, eaves and roof overhangs are permitted to encroach a maximum of 0.3m between buildings.	
h)	Minimum distance between buildings – 3m	
i)	The provisions of section 6.6.1 c) and d) apply to the <i>yards</i> abutting Copper Creek Drive.	
j)	Visitor parking required under Section 3, Table A of by-law 28-97 may be provided on the lands zoned with *602	
k)	Non-Residential uses may only be located within <i>buildings</i> existing on the date of the passing of this by-law	
l)	Section 6.9.1 shall not apply	

2. SECTION 37 CONTRIBUTION

- 2.1 A contribution by the Owner to the City of \$1100.00 per townhouse dwelling unit, based on the total number of units, shall be required. Payments shall be collected in accordance with the terms of an agreement to secure for the Section 37 contribution. Nothing in this section shall prevent the issuance of a building permit as set out in Section 8 of the Building Code Act or its successors

Read a first, second and third time and passed on _____,
2018.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

DRAFT



EXPLANATORY NOTE

BY-LAW 2018-_____

A By-law to amend By-law 177-96, as amended.

Part of Block 1, 65M4141

North-west corner of Donald Cousens Parkway and Copper Creek Drive

Lands Affected

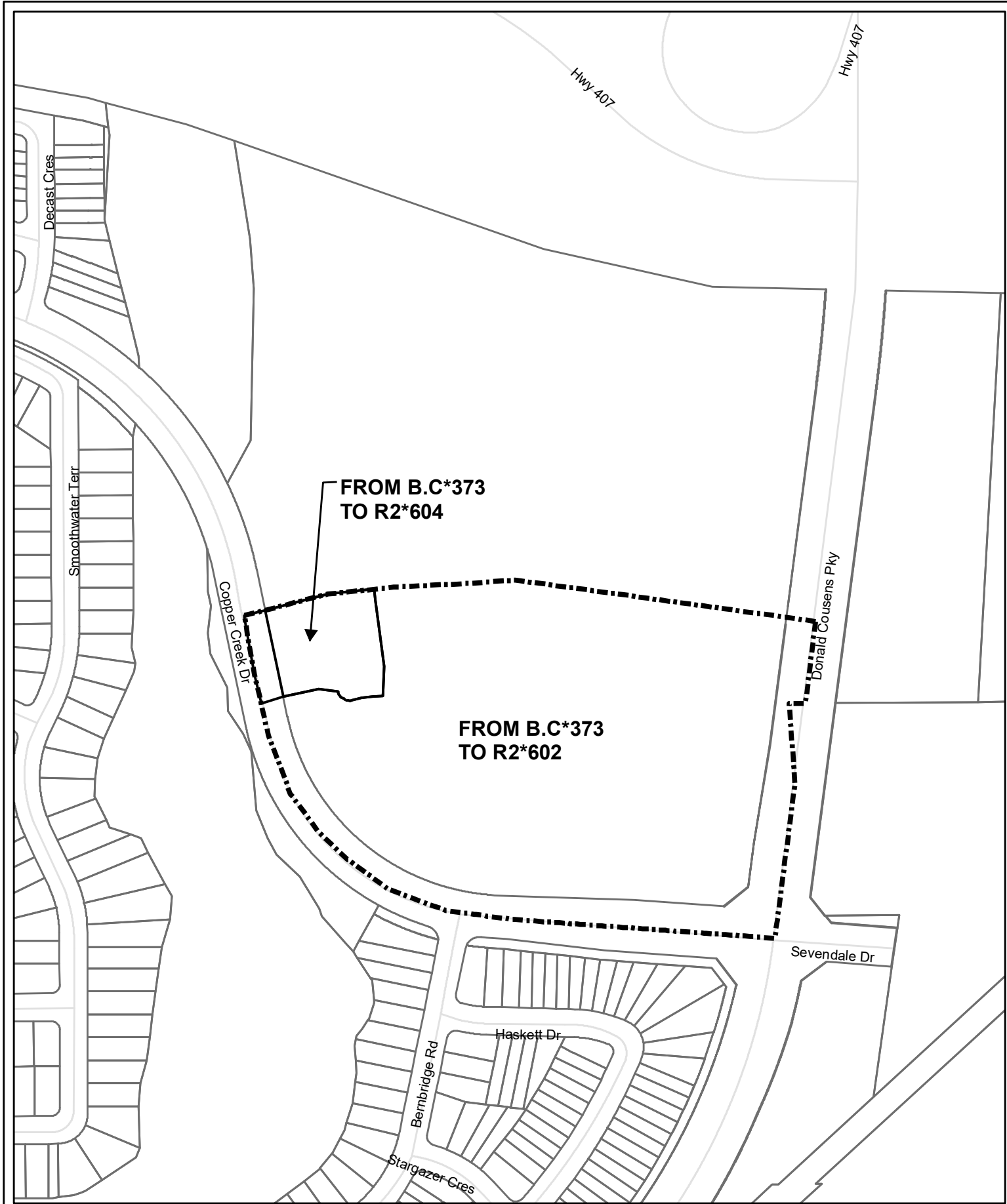
The proposed by-law amendment applies to 4.93 hectares (12.18 acres) of land located at the north-west corner of Donald Cousens Parkway and Copper Creek Drive.

Existing Zoning

By-law 177-96, as amended, currently zones the subject land "Business Corridor *373 (BC*373)".

Purpose and Effect

The purpose and effect of this By-law is to amend By-law 177-96, as amended, to rezone the subject property to "Residential Two *602 (R2*602)" and "Residential Two *604 (R2*604)" to permit development comprised of a total of 221 townhouses. The By-law also recognizes the existing CIBC bank on the Phase 2 parcel and permits commercial uses only within the existing building.



SCHEDULE "A" TO BY-LAW AMENDING BY-LAW 177-96 DATED

--- BOUNDARY OF AREA COVERED BY THIS SCHEDULE

== ZONE DESIGNATION

BC BUSINESS CORRIDOR

R2 RESIDENTIAL TWO

*No. EXCEPTION SECTION NUMBER

THIS IS NOT A PLAN OF SURVEY. Zoning information presented in this Schedule is a representation sourced from Geographic Information Systems. In the event of a discrepancy between the zoning information contained on this Schedule and the text of zoning by-law, the information contained in the text of the zoning by-law of the municipality shall be deemed accurate.

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NOTE: This Schedule should be read in conjunction with the signed original By-Law filed with the City of Markham Clerk's Office