

**SUBJECT:** RECOMMENDATION REPORT  
Applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Condominium and Site Plan Control by 2496052 Ontario Inc. and One Piece Developments Inc., to permit townhouses on the lands located on the north side of Markland Street and west of Woodbine Avenue (Ward 2)  
File Nos. OP 13 114950, ZA/CU 16 124882, SC 17 107031

**PREPARED BY:** Rick Cefaratti, MCIP, RPP, Ext. 3675  
Planner II, West District

**REVIEWED BY:** David Miller, MCIP, RPP, Ext. 4960  
Manager, West District

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**RECOMMENDATION:**

- 1) THAT the Staff report titled "Recommendation Report, Applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Condominium and Site Plan Control by 2496052 Ontario Inc. and One Piece Developments Inc., to permit townhouses on the lands located on the north side of Markland Street and west of Woodbine Avenue File No.'s: OP 13 114950, ZA/CU 16 124882", be received;
- 2) THAT the proposed amendment to the 2014 Markham Official Plan, attached as Appendix 'A' be adopted and forwarded to York Region for approval;
- 3) THAT the proposed amendment to Zoning By-law 165-80, as amended, be approved and the draft implementing Zoning By-law, attached as Appendix 'B', be finalized and enacted without further notice, once the proposed Official Plan Amendment is approved by York Region;
- 4) That the Site Plan application by 2496052 Ontario Inc. and One Piece Developments Inc. be endorsed, in principle;
- 5) That site plan endorsement shall lapse after a period of three (3) years from the date of Staff endorsement in the event that the site plan agreement is not executed within that period; and,
- 6) 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 the zoning by-law attached as Appendix "B" to this report, before the second anniversary of the day on which the by-law was approved by Council.

- 7) THAT servicing allocation for seventy (70) townhouse units be assigned to the subject development;
- 8) THAT the City reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner;
- 9) AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

This report discusses Official Plan and Zoning By-law Amendment Applications together with Site Plan and Draft Plan of Condominium Applications to permit a 70 unit condominium townhouse development on the subject lands.

**BACKGROUND:****Property and Area Context**

The subject lands are approximately 1.62 ha. (4 ac.) in size, located on the north side of Markland Street and west of Woodbine Avenue (Figures 1 and 2). This site is presently undeveloped. To the north is an established low-rise residential subdivision. To the immediate east are Phases 1 and 2 of the proposed King Square development. Further to the east across Woodbine Avenue, is Ashton Meadows Park. To the south and west (across Markland Street) are vacant lands, 150 Markland Street (a two storey office building – Gunawan Investments Ltd) and 160 Markland Street (a two storey warehouse with ancillary office – The Orthotics Group). The former Markham Golf and Country Club (now vacant) was located in the valley lands to the southwest, across Markland Street.

**Proposal**

The applicant has applied to amend the 2014 Markham Official Plan (as partially approved on November 24, 2017 and further updated April 9, 2018) (“2014 Official Plan”), as well as Zoning By-law 165-80, as amended. Approval of both the Official Plan and Zoning By-law Amendments would permit a common element condominium townhouse development on the subject lands (Figure 3 – Site Plan and Figure 4 – Elevations). The proposal includes:

- Seventy (70), three (3) storey freehold townhouse units with an average width of 5.5 m (18.0 ft.) fronting onto Markland Street and private internal roads to the site;
- Vehicular site access from Markland Street (2 locations) and through private laneways;
- 2 parking spaces per unit and 0.25 visitor parking spaces per townhouse unit (158 spaces total);
- A 0.05 ha. (0.13 ac.) private open space area;
- A sidewalk at the north end of the property to provide a future pedestrian connection to Milton Fierheller Park located to the east adjacent to the ‘King Square’ property;

The associated Draft Plan of Condominium Application proposes to establish freehold townhouses fronting on a common element condominium road and a private open space area.

**Public Consultation**

A Statutory Public Meeting, to consider the proposed Official Plan and Zoning By-law Amendment applications, was held on April 5, 2017. No written submissions were received regarding this proposal.

**Official Plan**

The 2014 Official Plan designates the lands 'Business Park Employment' and 'Deferral Area'. This designation provides for prestige industrial and office development, manufacturing, processing and warehousing uses as well as ancillary retail and service uses.

The 2014 Official Plan also identifies the lands as the subject of site specific policy 9.4.14 and identifies the site, as noted above, as a "Deferral Area" on Map 3 – Land Use. This site was one of a number of employment land conversion applications considered by Markham Council prior to the adoption of the 2014 Official Plan. In accordance with Council direction, the 'Business Park Employment' designation for the subject property was deferred pending Council approval of an official plan amendment application.

Site specific policy 9.4.14 requires that a designation other than "Employment Lands" conform to the Growth Plan, and all other policies of the 2014 Official Plan, including specific prescribed criteria as follows:

- Compatibility to adjacent land use;
- Achieving an increase in the number of jobs that would otherwise be provided under the 'Employment Lands' designation on the site, or at the minimum, no net reduction in jobs on the site;
- Proximity to transit;
- Provision of lands for a VIVA terminal;
- Achieving better public amenities, including but not limited to public art, Section 37 community benefits, and publically accessible private amenity spaces; and,
- Where the location is appropriate, provide for affordable or seniors housing.

**Zoning**

The lands are zoned Select Industrial with Limited Commercial (M.C.) 50% by By-law 165-80, as amended.

**OPTIONS/ DISCUSSION:****Issues identified in Preliminary Report and Public Meeting**

Several matters relating to the proposal were raised during the circulation of the applications to City Departments, public agencies and at the April 5, 2017 Statutory Public Meeting. These issues are addressed as follows:

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Site Plan application submitted

Staff are currently processing a Site Plan application (file SC 17 107031) which was received on July 10, 2017. The application has been circulated to internal departments and external agencies for comments. Site Plan approval authority for new townhouse development is delegated to the Director of Planning and Urban Design.

Modern Building Design

Figure 4 illustrates that modern style urban townhouses are proposed on the subject property. The exterior building materials will be comprised of earth tone coloured brick, stucco, panels, and smooth stone that will be complementary to surrounding developments.

Transportation Impacts Minimal

Staff concur with a Traffic Impact Assessment, which was submitted in support of the proposal which finds, that the anticipated traffic volumes for the proposed townhouse development will not adversely impact the surrounding neighbourhood.

Southerly site access restriction

Based on the detailed design work for Markland Street conducted by York Region, as part of the future Highway 404 mid-block crossing north of 16<sup>th</sup> Avenue, the proposed southerly site access to Markland Street for the townhouse development will be restricted to right-in/right out movements. Prior to site plan approval, the Owner will be required to redesign the southerly site access to Markland Street to be restricted to a right-in/right-out configuration through the implementation of signage and raised channelization to the satisfaction of the Director of Engineering.

Proposed site layout appropriate and compatible with adjacent development

The proposed height and location of the subject townhouses will be compatible with the existing residential low rise development to the north. A walkway and a private lane will provide an appropriate separation distance to buffer the existing residential development to the north from the proposed townhouse development. Townhouse Blocks 6, 7 and 8 will be oriented to face the adjacent property to the east (King Square Phase 2). A private walkway along the east side of the subject lands will provide access to the front doors of these units.

Lost employment potential to be offset by King Square Shopping Centre

The lost employment potential provided by the previous Employment Lands designation will, in part, be offset by the adjacent shopping centre to the east (King Square). King Square will provide 31,587 m<sup>2</sup> (340,000 ft<sup>2</sup>) of retail, service, office, a financial institution, and restaurant uses.

Proposed Parking in compliance

The applicant is proposing 2 parking spaces and 0.25 visitor spaces per dwelling (1 visitor space for every four townhouses). The townhouse development, as proposed, will meet the minimum parking requirements established in Parking Standards By-law 28-97, as amended.

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Snow Storage Identified

The site plan identifies snow storage areas adjacent to the north lot line.

Site is close to transit – VIVA terminal not required

The subject property will have access to transit service (VIVA) along Markland Street and is also in close proximity to transit service along Woodbine Avenue. In addition, York Region does not require a VIVA terminal at this location.

Sustainable measures for site proposed

Based on information provided by the applicant, sustainability measures for the proposed townhouse development will include:

- Upgraded building insulation
- Upgraded windows (Energy Star compliant)
- Large front façade windows will include integrated glazing bars to ensure the City's Bird - Friendly Guidelines are complied with
- Low flow water fixtures
- Low VOC paints, adhesives and varnish finishes
- Upgraded roof shingles (30 year lifespan)
- Energy Star compliant appliances
- Plant large canopy trees (native species) where possible to provide shade to pedestrians and buildings
- Permeable pavers along portions of internal walkways

These matters will be secured in the site plan agreement. Staff will continue to work with the applicant to determine, whether any additional sustainability features can be identified, and incorporated into the proposed development. The recommended conditions of site plan approval are provided in Appendix 'A'.

Sidewalk connection to stormwater management pond provided

At the Statutory Public Meeting held on April 5, 2017, the Development Services Committee requested clarification regarding the possibility of a pedestrian connection from the subject property to the adjacent stormwater management pond located in Milton Fierheller Park. The site plan shows a sidewalk adjacent to the north end of the subject property which will provide an opportunity for a future pedestrian connection to the above-noted stormwater management pond. The ultimate connection needs to be coordinated with the adjacent developments to the east, King Square Phases 1 and 2. The applicant will be required to provide a public easement in favour of the City and enter into an agreement with York Region as the proposed sidewalk location is situated above York Region's Sanitary Sewer System below-ground infrastructure.

Parkland Dedication

The site plan shows a private open space area. Due to its size and location, it is not eligible for parkland credit. The applicant will be required to fulfill their parkland dedication requirements through a cash-in-lieu of parkland contribution.

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Staff will continue to work with the applicant to refine the site plan, including the elements of the above-noted 0.05 ha. (0.14 ac) private open space area.

#### Public Art

The applicant has agreed to provide a Public Art contribution in accordance with the City public art policies and Section 37 of the Planning Act. The contribution amount will be obtained through the site plan approval process.

#### Site Specific Official Plan Policy for townhouse development

The proposed amendment to Maps 1 and 3 of the 2014 Official Plan will re-designate the site from 'Business Park Employment' to 'Residential Low Rise'. In addition, a site specific policy will provide for townhouses to be developed on the subject property without direct frontage on a public road (See Appendix 'B').

#### Site Specific Zone Permissions for accessory dwelling units

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.

#### Draft Plan of Condominium Comments

Staff recommends that the Draft Plan of Condominium be revised to include the front yard areas of the proposed townhouse dwellings fronting on to Markland Street as part of the common elements to ensure these lands are properly maintained. The authority to approve a Draft Plan of Condominium is delegated to the Director of Planning and Urban Design.

#### **CONCLUSION:**

Staff are of the opinion that the proposed Official Plan and Zoning By-law Amendments are acceptable and recommends their approval.

#### **FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable.

#### **HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

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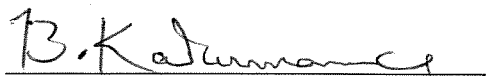
**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The applications are being evaluated to determine conformity with the City's strategic priorities including growth management.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various City departments and external agencies for their review and comment.

**RECOMMENDED BY:**



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



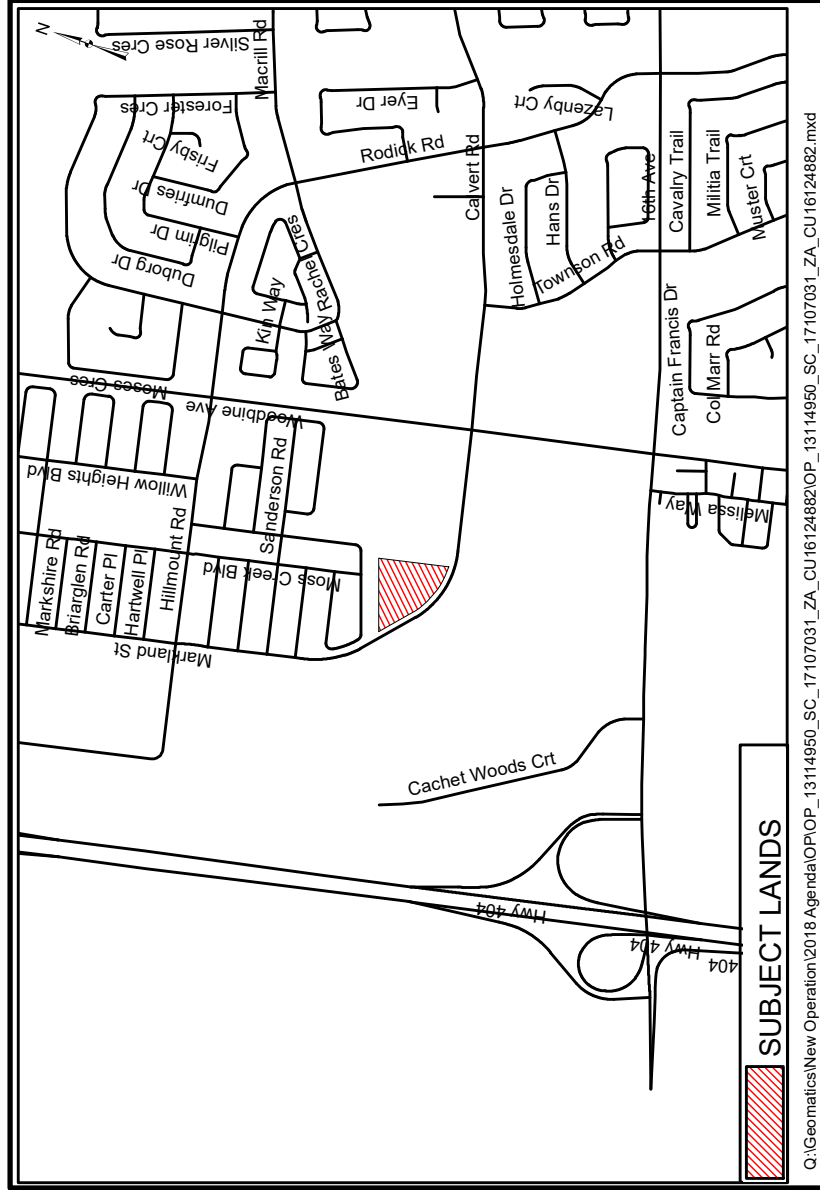
Arvin Prasad, M.C.I.P., R.P.P.  
Commissioner of Development Services

**APPLICANT CONTACT INFORMATION:**

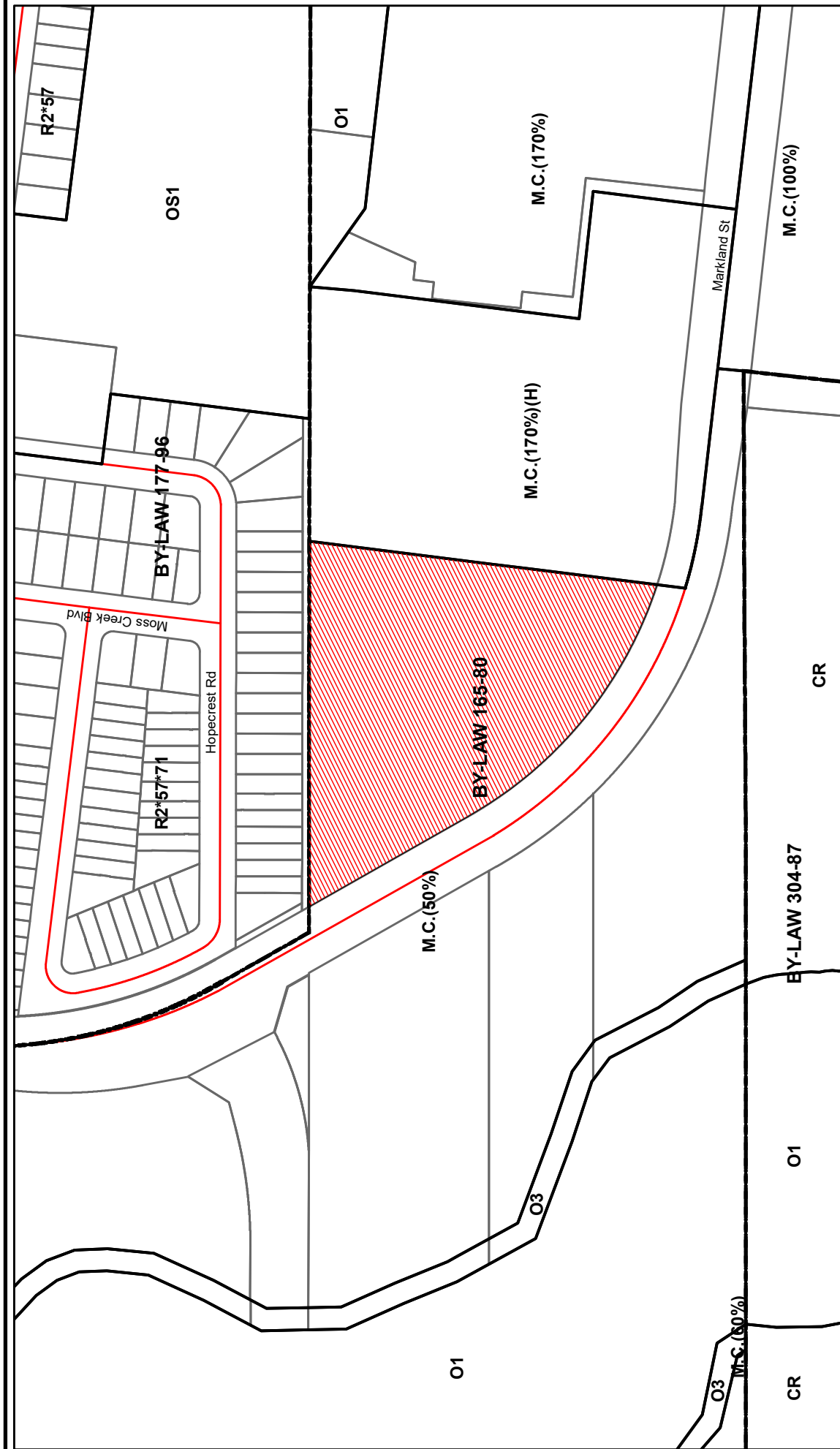
Adam Layton  
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8481 Keele Street, Unit 12  
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L4K 1Z7  
Tel: (905) 669-6992 ext. 104  
Email: [alayton@evansplanning.com](mailto:alayton@evansplanning.com)

Figure 1:	Location Map	Appendix 'A': Site Plan Conditions
Figure 2:	Area Context	Appendix 'B': Draft Official Plan
Figure 3:	Air Photo	Amendment
Figure 4:	Building Elevations	Appendix 'C': Draft Zoning By-law
		Amendment

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# AREA CONTEXT / ZONING

APPLICANT: 2496052 ONTARIO INC. / ONE PIECE DEVELOPMENTS INC.  
NORTH EAST SIDE OF MARKLAND ST. - BLOCK 3, 65-M-3925

FILE No. OP\_13114950\_SC\_17107031\_ZA\_CU16124882 (RC)

 SUBJECT LANDS

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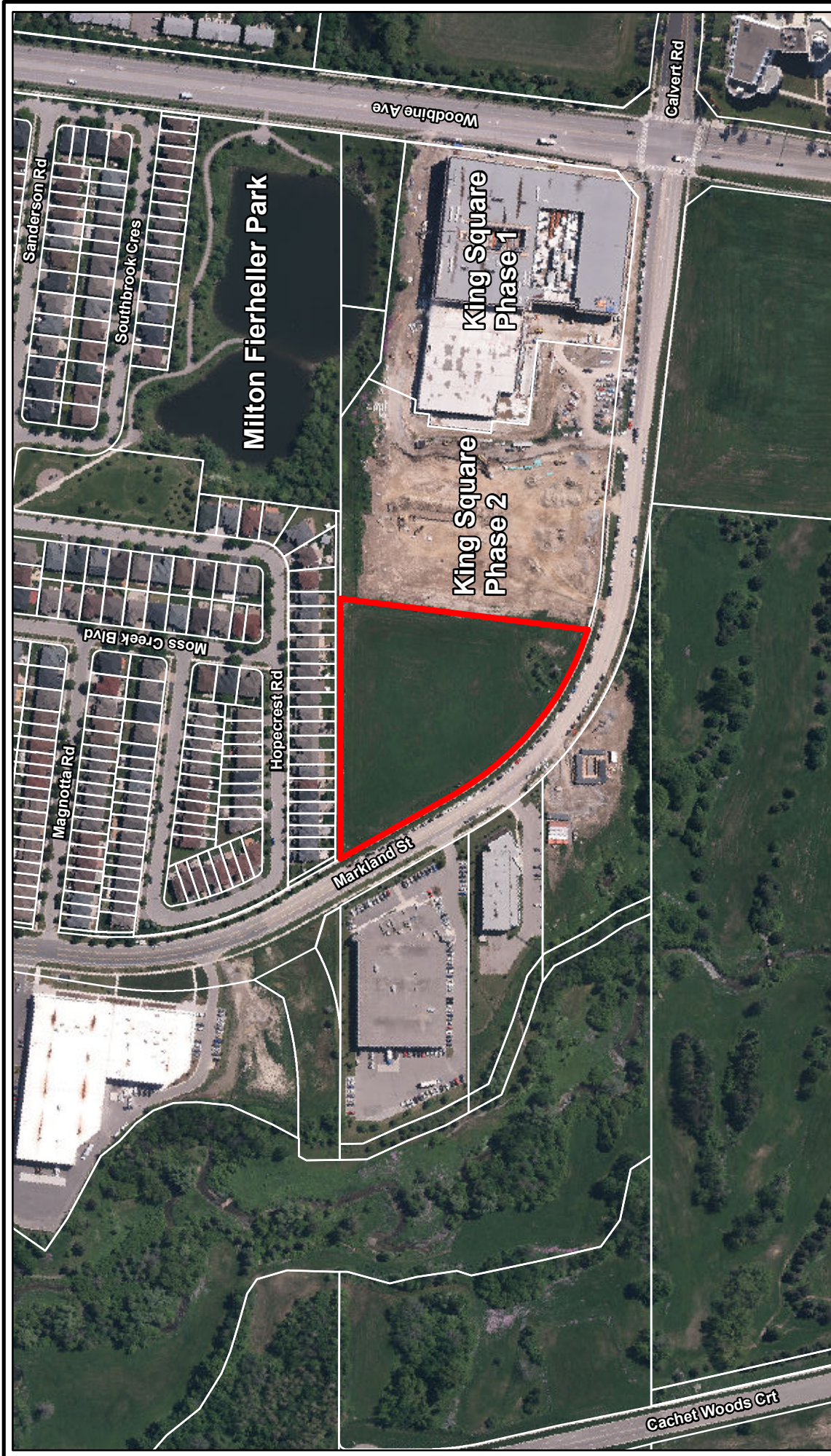
MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: LW

Checked By: RC


Date: 04/06/2018

FIGURE No. 2




# AIR PHOTO

APPLICANT: 2496052 ONTARIO INC. / ONE PIECE DEVELOPMENTS INC.  
 NORTH EAST SIDE OF MARKLAND ST. - BLOCK 3, 65-M-3925  
 FILE No. OP\_13114950\_SC\_17107031\_ZA\_CU16124882 (RC)

 SUBJECT LANDS

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 SUBJECT LANDS

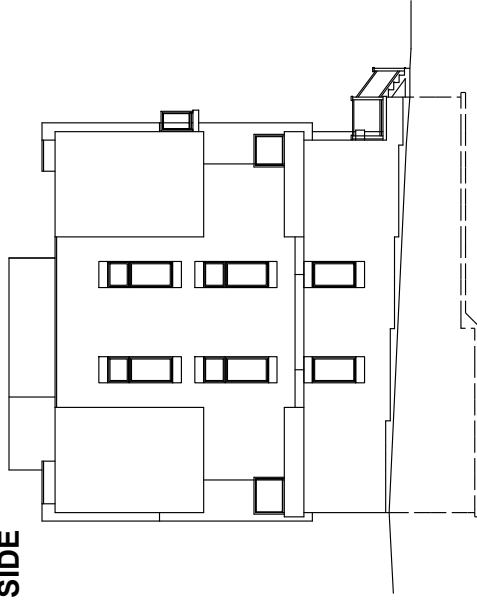
# DRAFT PLAN OF SUBDIVISION

APPLICANT: 2496052 ONTARIO INC. / ONE PIECE DEVELOPMENTS INC.  
NORTH EAST SIDE OF MARKLAND ST. - BLOCK 3, 65-M-3925

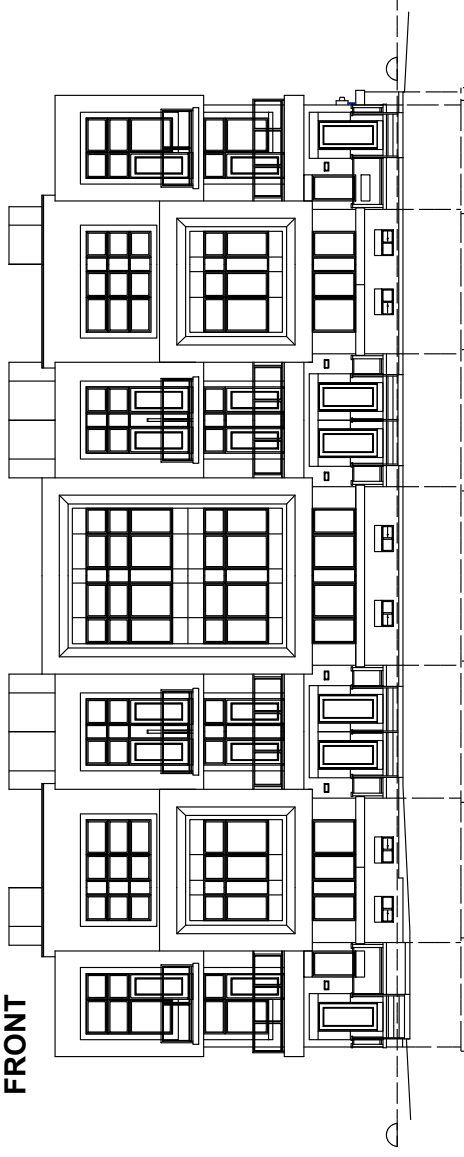
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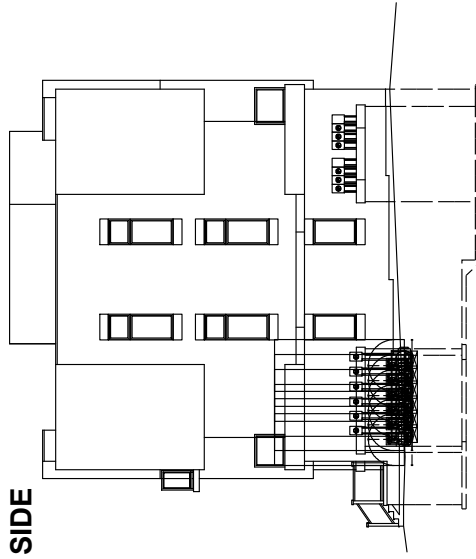
LEFT SIDE



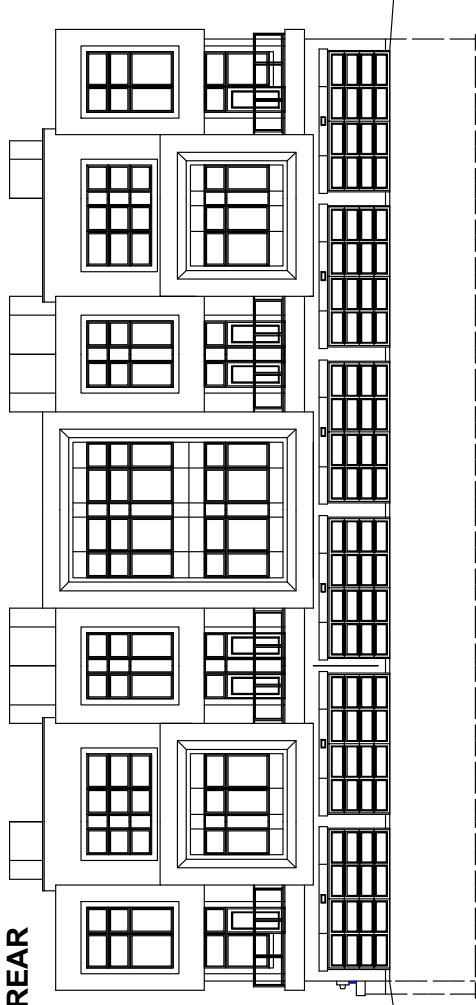
FRONT



RIGHT SIDE



REAR



## ELEVATION - BLOCK 3

APPLICANT: 2496052 ONTARIO INC. / ONE PIECE DEVELOPMENTS INC.  
NORTH EAST SIDE OF MARKLAND ST. - BLOCK 3, 65-M-3925

FILE No. OP\_13114950\_SC\_17107031\_ZA\_CU16124882 (RC)

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MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: LW

Checked By: RC

Date: 05/06/2018

FIGURE No. 5

## **Appendix 'A'**

**SITE PLAN CONDITIONS  
2496052 ONTARIO INC. & ONE PIECE DEVELOPMENTS INC.  
NORTHEAST SIDE OF MARKLAND STREET  
BLOCK 3, 65M-3635  
SC 17 107031**

### **Recommended Conditions of Site Plan Approval**

Prior to endorsement of the site plan and elevation drawings to commence preparation of the site plan agreement, the Owner shall submit:

1. An appraisal report of the land value of the subject properties for determining the required cash-in-lieu parkland contribution to the satisfaction of the City.

Prior to the execution of the site plan agreement, the Owner shall submit:

1. Site Plans, Elevation drawings (including building materials, colours and details), that comply with all requirements of the City, and authorized public agencies, to the satisfaction of the Director of Planning and Urban Design.
2. Final plans that incorporate appropriate design features to ensure bird-friendly buildings.
3. Landscape Plans, including streetscape details, prepared by a Landscape Architect having membership with the Ontario Association of Landscape Architects, to the satisfaction of the Director of Planning and Urban Design.

The Owner shall enter into a Site Plan Agreement with the City and the Region of York, containing all standard and special provisions and requirements of the City, the Region and other public agencies including, but not limited to, the following:

1. Provisions for the payment by the Owner of all applicable fees, recoveries, development charges, parkland dedications (including cash-in-lieu) and financial obligations related to applicable Developers Group Agreements.
2. That the Owner agrees to implement Bird Friendly Measures, to the satisfaction of the Director of Planning & Urban Design.
3. That the Owner pursue Sustainable Design Features continues to work with Staff to determine whether any additional sustainability features can be identified and incorporated into the proposed development to the satisfaction of the Director of Planning & Urban Design.
4. Provisions to ensure implementation of the recommendations of all approved technical reports.
5. Provisions for satisfying all requirements of City departments and public agencies.
6. That the Owner comply with all requirements of the City and authorized public agencies, to the satisfaction of the Commissioner of Development Services.
7. That the Owner agrees in the site plan agreement to provide a public easement for pedestrian access in favour of the City of Markham for a future sidewalk to the adjacent park to the north east of the property (Milton Fierheller Park).

## **Appendix 'A'**

8. That the Owner shall covenant and agree that the southerly site access to Markland Street will be redesigned to be restricted to a right-in/right-out configuration through the implementation of signage and raised channelization to the satisfaction of the Director of Engineering.

Appendix B

**CITY OF MARKHAM**  
**OFFICIAL PLAN AMENDMENT NO. XXX**

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

*(2496052 Ontario Inc. and One Piece Developments Inc.  
Northeast side of Markland Street)*

June, 2018

**CITY OF MARKHAM**  
**OFFICIAL PLAN AMENDMENT 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 June , 2018.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Clerk**

**THE CORPORATION OF THE CITY OF MARKHAM**

**BY-LAW NO. \_\_\_\_\_**

Being a by-law to adopt Amendment No. XXX 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. XXX to the City of Markham Official Plan 2014, as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect after the proposed Amendment is approved by York Region.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS \_\_ DAY OF JUNE, 2018.

\_\_\_\_\_  
**CITY CLERK**

\_\_\_\_\_  
**MAYOR**

## CONTENTS

### PART I - INTRODUCTION

1.	GENERAL .....	6
2.	LOCATION .....	6
3.	PURPOSE .....	6
4.	BASIS .....	6

### PART II - THE OFFICIAL PLAN AMENDMENT

1.	THE OFFICIAL PLAN AMENDMENT .....	8
2.	IMPLEMENTATION AND INTERPRETATION .....	9
3.	SCHEDULE "A"	
4.	SCHEDULE "B"	

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## **PART I - INTRODUCTION**

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

## **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", attached thereto, constitutes Amendment No. XXX to the City of Markham Official Plan 2014, as amended. Part II is an operative part of this Official Plan Amendment.

### **2.0 LOCATION**

The Amendment applies to Block 3, Registered Plan 65M-3925, Markland Street. The 1.62 ha. (4 ac.) site is located on the north side of Markland Street, west of Woodbine Avenue.

### **3.0 PURPOSE**

The purpose of this Official Plan Amendment is to amend Map 3 and Section 9.4.14 of the Official Plan. Policies have been included that permit townhouse dwellings on private roads on the subject lands.

### **4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT**

The property located on the Northeast side of Markland Street is currently vacant. It is proposed to be developed for a residential use comprised of seventy (70), three (3) storey townhouses.

The 2014 Official Plan designates the lands 'Business Park Employment'. This designation provides for prestige industrial and office development, manufacturing, processing and warehousing uses as well as ancillary retail and service uses.

In addition, the 2014 Official Plan identifies the lands as the subject of site specific policy 9.4.14 and designates the site as a 'Deferral Area' on Map 3 – Land Use. This site was one of a number of employment land conversion applications considered by Markham Council prior to the adoption of the 2014 Official Plan. In accordance with Council direction, the 'Business Park Employment' designation for the subject property was deferred pending Council approval of an official plan amendment application.

Site specific policy 9.4.14 requires that a designation other than "Employment Lands" conform with the Growth Plan, and all other policies of the 2014 Official Plan provided that the new designation compatible to adjacent land uses, does not reduce the number of existing jobs on the site, is located close to transit, and provides publically accessible amenity space.

This Official Plan Amendment also sets out a site-specific policy to provide for townhouses fronting on a private road to reflect the specific requirements of the proposed redevelopment of this site.

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## **PART II - THE OFFICIAL PLAN AMENDMENT**

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

## PART II - THE OFFICIAL PLAN AMENDMENT

### 1.0 THE OFFICIAL PLAN AMENDMENT

- 1.1 Map 1 – Markham Structure of the 2014 Official Plan, as amended, is hereby amended by re-designating the lands subject to this amendment from ‘Employment Area’ to ‘Neighbourhood Area’, as Shown on Schedule “A” attached hereto.
- 1.2 Map 3 – Land Use of the 2014 Official Plan, as amended, is hereby amended by re-designating the site at Northeast side of Markland Street from ‘Business Park Employment Area’ to ‘Residential Low Rise’, as shown on Schedule “B” attached hereto.
- 1.3 Section 9.4.14 of the 2014 Official Plan, as amended, is hereby amended by replacing the existing section with the following:

“9.4.14 Northeast side of Markland Street

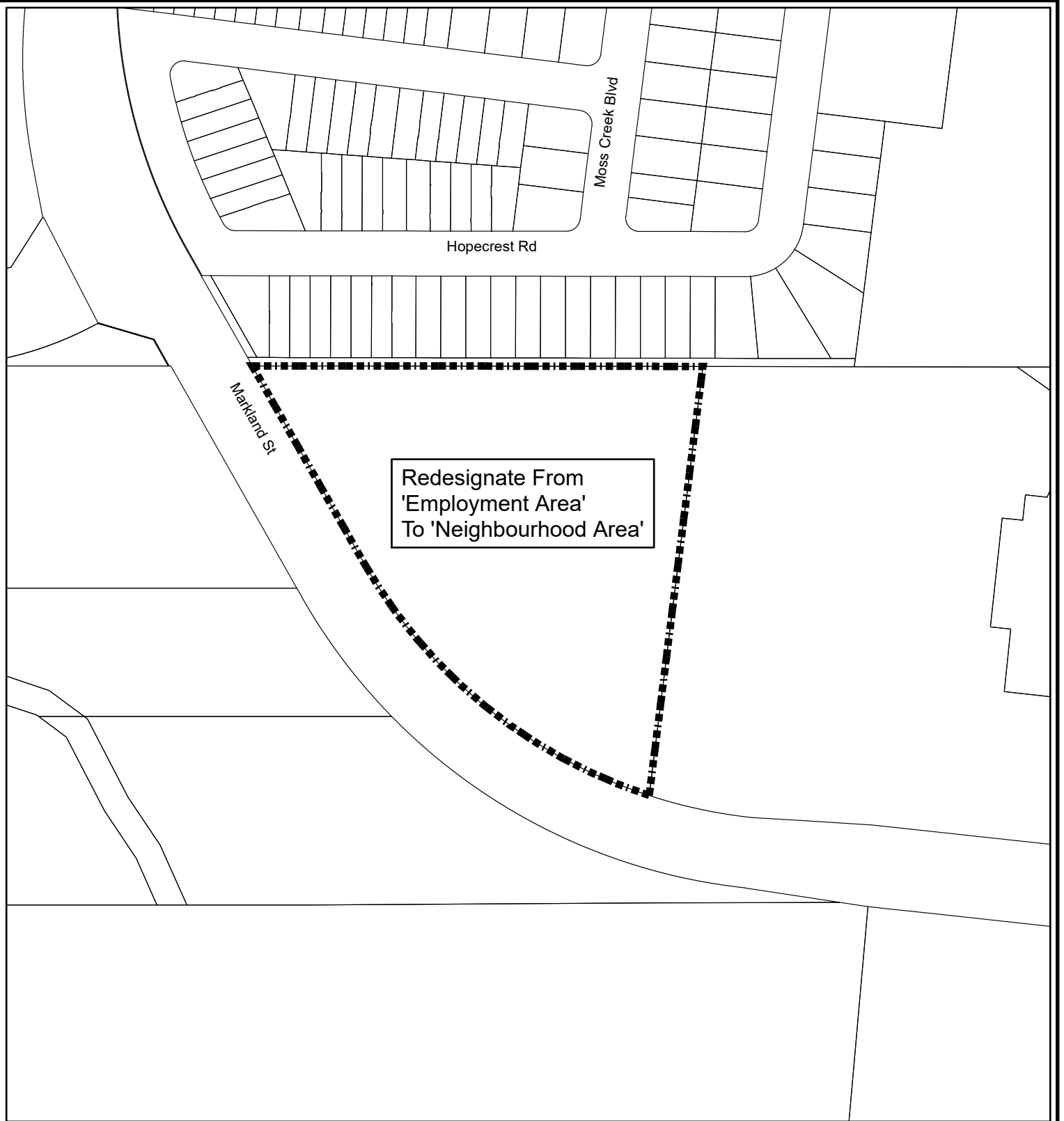
The following provisions shall apply to the ‘Residential Low Rise’ lands at Northeast side of Markland Street as shown on Figure 9.4.14:

- a) Townhouses without direct frontage on a public street may be permitted.

### 2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the 2014 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 and Site Plan approval and other Planning Act approvals, in conformity with the provisions of this Amendment.



# AMENDMENT TO MAP 1 - MARKHAM STRUCTURE CITY OF MARKHAM OFFICIAL PLAN 2014, as amended

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT



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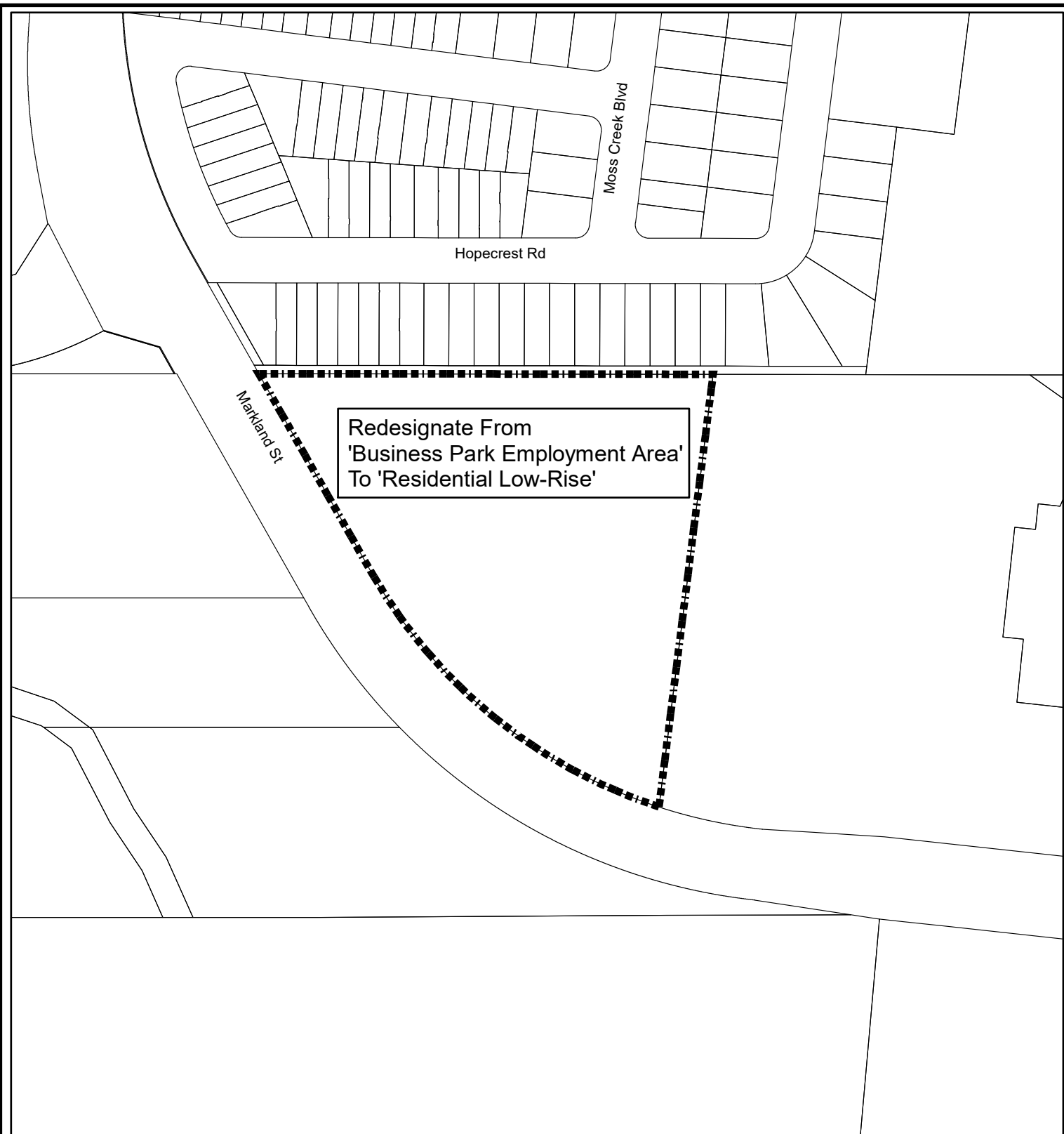


DEVELOPMENT SERVICES COMMISSION

SCHEDULE "A" TO OPA No.

Drawn By: LW  
Checked By: RC

SCALE: NTS  
Date: 05/06/2018



# AMENDMENT TO MAP 3 - LANDUSE CITY OF MARKHAM OFFICIAL PLAN 2014, as amended



BOUNDARY OF AREA COVERED BY THIS AMENDMENT

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DEVELOPMENT SERVICES COMMISSION

SCHEDULE " B " TO OPA No.

Drawn By: LW  
Checked By: RC

SCALE: NTS  
Date: 05/06/2018



## BY-LAW 2018-\_\_\_\_\_

**A By-law to amend By-law 165-80, as amended**  
*(to delete lands from the designated area of By-law 165-80)*  
**and to amend By-law 177-96, as amended**  
*(to incorporate lands into the designated area of By-law 177-96)*

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

1. That By-law 165-80, as amended, is hereby further amended by deleting the lands shown on Schedule "A" attached hereto from the designated area of By-law 165-80, as amended.
2. By-law 177-96, as amended, is hereby further amended as follows:
  - 2.1 By expanding the designated area of By-law 177-96, as amended, to include the lands as shown on Schedule "A" attached hereto.
  - 2.2 By rezoning the lands outlined on Schedule "A" attached hereto from:  
**Select Industrial with Limited Commercial (M.C) 50% under By-law 165-80**  
to:  
**Residential Two \*603 (R2) Zone under By-law 177-96;**
  - 2.3 By adding the following subsection to Section 7- EXCEPTIONS:

Exception 7.603	2496052 Ontario Inc. and One Piece Developments Inc.	Parent Zone R2
File ZA 16 124882	Northeast side of Markland Street and west of Woodbine Avenue Block 3, Plan 65M-3925	Amending By-law 0000-000
Notwithstanding any other provisions of By-law 177-96, the following provisions shall apply to the land shown on Schedule “A” attached to this By-law _____. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.		
7.603.1 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 Occupation	
d)	Home Child Care	
e)	Private Park	
7.603.2 Special Zone Standards		
a)	Notwithstanding any further division or partition of the land subject to this Section, all lands zoned with Exception *603 shall be deemed to be one lot for the purposes of this By-law.	
b)	For the purposes of this By-law, the lot line abutting Markland Street shall be deemed to be the front lot line.	
c)	Minimum width of a townhouse dwelling unit - 5.5 metres	
e)	Minimum required yard – i) Front yard – 3.0 metres ii) All other yards – 4.6 metres	
f)	Maximum number of townhouse dwelling units: 70	
g)	Minimum private park area – 560 m2	
h)	Maximum building height: 14 metres	
i)	The provisions of Table B2, shall not apply	

- 3.0 A contribution by the Owner to the City of \$ 1, 425.00 per residential unit in 2018 dollars, based on the total number of units, to be indexed to the Ontario rate of inflation as per the consumer price index (CPI), in accordance with Section 37 of the Planning Act, as amended, 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



## **EXPLANATORY NOTE**

**BY-LAW 2018 - \_\_\_\_\_**

**A By-law to amend By-laws 165-80 and 177-96, as amended**

**Northeast side of Markland Street  
Block 3, Plan 65M-3625  
(Proposed Townhouse Development)**

### **Lands Affected**

The proposed by-law amendment applies to 1.62 hectares (4 acres) of land located on the northeast side of Markland Street, west of Woodbine Avenue.

### **Existing Zoning**

By-law 165-80, as amended, currently zones the subject lands as a Select Industrial with Limited Commercial (M.C.) 50% Zone.

### **Purpose and Effect**

The purpose and effect of this By-law is to delete the property from the designated area of By-law 165-80, amend By-law 177-96 to incorporate lands into the designated area of By-law 177-96, and to rezone the subject property as follows:

from:

**Select Industrial with Limited Commercial (M.C.) 50%**

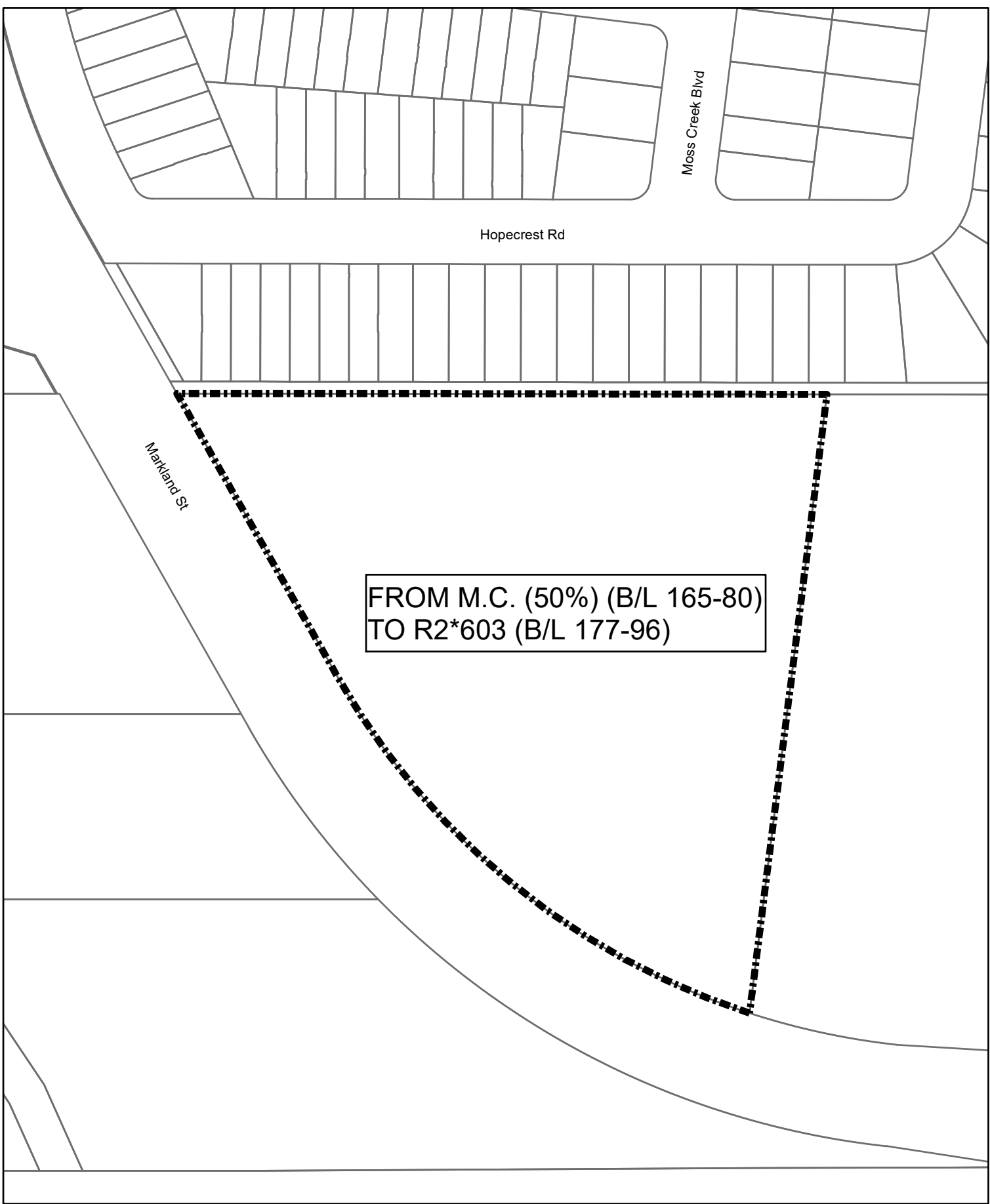
to:

**Residential Two\*603 (R2)**

In order to permit the development of seventy (70) three (3) storey townhouses on the subject lands.

### **Note Regarding Further Planning Applications on this Property**

The *Planning Act* provides that no person shall apply for a minor variance from the provisions of this by-law before the second anniversary of the day on which the by-law was amended, unless the Council has declared by resolution that such an application is permitted.



# SCHEDULE " A " TO BY-LAW

## AMENDING BY-LAWS 165-80 AND 177-96 DATED

BOUNDARY OF AREA COVERED BY THIS SCHEDULE

R2 SINGLE AND MULTIPLE DETACHED DWELLING

M.C.(50%) SELECTED INDUSTRIAL WITH LIMITED COMMERCIAL

\*No EXCEPTION 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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Meters

Drawn By: LW

Checked By: RC

Date: 05/06/2018

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