



Report to: Development Services Committee

Report Date: October 5, 2015

SUBJECT: INFORMATION REPORT
Update on Markham's New Comprehensive Zoning By-law Project, PR 13 128340

PREPARED BY: Anna Henriques, MCIP, RPP, Senior Planner – Zoning & Special Projects, ext. 7922

REVIEWED BY: Tom Villella, MCIP, RPP, Manager – Zoning & Special Projects, ext. 2758

RECOMMENDATION:

That the report entitled, "INFORMATION REPORT: Update on Markham's New Comprehensive Zoning By-law Project" dated October 5, 2015, and attached appendices (Appendix A: Home Occupations Paper, Appendix B: Residential Infill & Interface Issues Between Residential and Non-Residential Uses Paper, Appendix C: Draft Affordable & Shared Housing Paper, Appendix D: Student Housing Paper and Appendix E: Presentation), be received.

PURPOSE:

The purpose of this report is to provide an update on the status of Markham's New Comprehensive Zoning By-law Project and to outline next steps moving forward, consistent with the draft work plan presented to Development Services Committee (DSC) on November 5, 2013. This is the fourth update information report to DSC for Phase 1 of the Project.

BACKGROUND:

Markham's New Comprehensive Zoning By-law Project

The purpose of Markham's New Comprehensive Zoning By-law Project is to review, consolidate and update, where appropriate, the City's parent zoning by-laws into one (1) comprehensive zoning by-law that conforms with and implements the City's New Official Plan. A key objective of the Project is to develop an innovative, web-based & user-friendly zoning by-law that responds to current and emerging sustainable planning and development trends, to guide future development in Markham. This is a phased, multi-year Project, as outlined below:

Phase 1: Zoning Issues Analysis

Phase 2: Strategic Direction

Phase 3: Drafting & Processing of New Comprehensive Zoning By-law

Phase 4: Potential OMB Appeals

In April 2014, Gladki Planning Associates (GPA) was retained by the City as the lead consultant, managing a team of sub-consultants, to complete the required work for Phase 1 (Zoning Issues Analysis) and Phase 2 (Strategic Direction). Phase 1 includes the preparation of discussion/technical papers which review specific zoning issues and outline options for addressing issues moving forward. Work on Phase 1 is almost complete and once complete, is intended to inform the overall strategy (Phase 2) to guide the actual drafting and processing of the new comprehensive zoning by-law (Phase 3).

Previous Updates on Phase 1 presented to DSC

On March 3, 2015, May 19, 2015 and September 22, 2015, staff and the consulting team provided reports and presentations to DSC, for information purposes, updating the Committee on the progress of the Project and the work completed at the time. The following is a list of the completed draft discussion/technical papers that have been presented to DSC thus far:

- Guiding Principles (Task 1)
- Official Plan Conformity (Task 2)
- Existing Zoning By-laws: format, structure, layout, etc. (Task 3)
- Zoning By-law Amendments: Site Specifics (Task 4a)
- Minor Variances (Task 4b)
- Zoning By-law Definitions (Task 5)
- Geographic Information Systems (GIS) (Task 6)
- Automotive Uses (Task 7)
- Drive Through Facilities (Task 8)
- Parking Standards (Task 9)
- Residential Accessory Structures & Amenity Space (Task 10)
- Places of Worship (Task 14)
- Greenway System, Hazard Lands & Special Policy Areas (Task 15)
- Medical Marihuana Production Facilities (Task 16a)
- Addiction & Recovery Centres (Task 16b)
- Adult Entertainment & Sex Industry Uses (Task 17)

The above mentioned staff reports, presentations and draft discussion/technical papers are available on the City web page for Markham's New Comprehensive Zoning By-law (www.markham.ca, click on "Learn About Major City Projects" and "New Zoning By-law Project").

OPTIONS/DISCUSSION:**All Phase 1 Draft Discussion/Technical Papers Completed**

In addition to the draft papers that were presented to DSC earlier, as outlined above, the following are the additional remaining draft papers that have been completed, in satisfactory draft format, for Phase 1:

1. Task 11 – Home Occupations (Appendix 'A')

A detailed review and assessment of the City's zoning by-law requirements relating to home occupations was undertaken by the consulting team to identify issues requiring consideration when drafting the new comprehensive zoning by-law. Zoning By-law requirements from other municipalities within the Greater Toronto Area (GTA) were also reviewed and used to identify potential options for addressing identified issues moving forward. The draft paper highlights the growing trend for people to work from home and notes that continuing improvements in technology will make home based work a more viable option for

many people. Specific issues reviewed include, but are not limited to, the use of accessory buildings for home occupations, gross floor area devoted to home occupations, non-resident employees and clients, etc.

2. Task 12 – Residential Infill & Interface Issues Between Residential & Non-Residential Uses (Appendix ‘B’)

The consulting team undertook a detailed review of City’s residential infill zoning by-laws and standards including, but not limited to, zoning standards pertaining to height, number of storeys, dwelling depth, floor area ratio, garage projections, etc. Infill zoning by-laws from other GTA municipalities were also reviewed to identify potential options for the City to consider for the new comprehensive zoning by-law, to ensure the protection of established neighbourhoods. In addition, the consulting team also examined how best to address compatibility and interface issues between residential and non-residential uses in the new comprehensive zoning by-law. The paper addresses the City’s 2014 Official Plan (not yet in force), which includes policies that provide for mixed use development and emphasize compatibility. Possible zoning by-law approaches to address compatibility between residential and non-residential uses are discussed in the paper including regulating built form (height restrictions, setbacks, angular planes, etc.), limiting permitted uses and landscaping/buffering.

3. Task 13a – Affordable & Shared Housing (Appendix ‘C’)

A review of the Provincial and Regional policy framework, as well as the City’s policy and zoning framework was undertaken with respect to affordable and shared housing. Previous extensive work completed by the City on affordable and shared housing in 2008 and 2009 was also reviewed, as well as approaches taken by other GTA municipalities to promote affordable and shared housing. The paper highlights key Provincial legislation and the importance of a comprehensive approach to promote affordable and shared housing with the zoning by-law being only one of many tools available to municipalities. Key considerations for the new comprehensive zoning by-law include differentiating between various types of shared housing (ex., based on scale, with or without supports, etc.), parking standards for affordable and shared housing, and options for secondary suites.

4. Task 13b – Student Housing (Appendix ‘D’)

The consulting team completed a review of applicable Provincial legislation pertaining to student accommodation, as well as, a review of zoning approaches to student housing taken by other Ontario municipalities. The paper highlights the importance of balancing the needs and interests of students with those of existing residents and outlines key considerations for the new comprehensive zoning by-law such as defining purpose-built student housing, applying specific zoning standards for purpose-built student housing and creating specific “university” zone(s) for university related uses. The paper also discusses the need for a comprehensive approach to student housing and outlines other regulatory tools and approaches to address potential issues such as licensing requirements,

property standards requirements and the establishment of an advisory committee for stakeholders.

Next Steps**Stakeholder Consultation**

Once all discussion papers have been completed in draft form, a stakeholder consultation process will begin. Consultation may take the form of workshops and/or open houses involving various stakeholder groups and the public. This consultation process is intended to introduce the project to the community, outline the preliminary background work completed (draft discussion/technical papers) and obtain input. Key stakeholders, such as BILD, community groups and those on the City Clerk's project notification list, will be notified of the consultation process for Phase 1 and meetings with the public and stakeholders may be held to discuss the Project and obtain input.

DSC workshop to be scheduled to discuss public input

Following the public consultation phase, staff will organize a workshop with members of DSC and the consulting team to outline and review public input obtained. This is consistent with the DSC resolution dated May 19, 2015.

Finalization of discussion papers & Zoning Issues Analysis

Input obtained on the various discussion/technical papers prepared for Phase 1 will be taken into consideration and incorporated, where appropriate, into the Zoning Issues Analysis document, which will summarize the work completed for each discussion/technical paper. It is anticipated that the Zoning Issues Analysis document will be presented to DSC for endorsement likely in late 2015 or early 2016 and this will complete Phase 1 of the Project. Further opportunities for public and stakeholder input will occur during Phase 2, Strategic Direction, and most importantly during Phase 3 of the Project, which is the actual drafting of the new comprehensive zoning by-law (commencing in early 2016).

Phase 2 – Strategic Direction

Following completion of Phase 1, the consulting team will develop a comprehensive strategy to guide the drafting and processing of the new comprehensive zoning by-law. The strategy will be presented to the public and stakeholders for input prior to staff presenting it to DSC for endorsement, likely in early 2016.

FINANCIAL CONSIDERATIONS:

N/A

HUMAN RESOURCES CONSIDERATIONS:

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

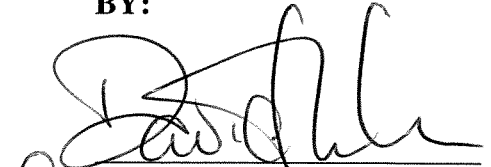
This Project will align with the City's strategic priority of Growth Management by implementing the New Official Plan.

BUSINESS UNITS CONSULTED AND AFFECTED:

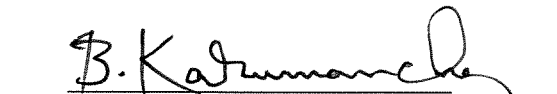
This City-wide Project affects many City Departments. All relevant City departments have and will continue to be consulted throughout Phase 1 and 2 of this Project, as appropriate. In addition, it is anticipated that extensive consultation will take place in Phase 3 (Drafting & Processing of New Comprehensive Zoning By-law) to obtain feedback on drafts of the new comprehensive zoning by-law.

RECOMMENDED

BY:



Ron Blake, MCIP, RPP
Senior Development Manager,
Planning & Urban Design



Jim Baird, MCIP, RPP
Commissioner, Development Services

ATTACHMENTS:

- Appendix 'A' – DRAFT Home Occupations Paper (Task 11)
- Appendix 'B' – DRAFT Residential Infill & Interface Issues Between Residential & non-Residential Uses Paper (Task 12)
- Appendix 'C' – DRAFT Affordable & Shared Housing Paper (Task 13a)
- Appendix 'D' – DRAFT Student Housing Paper (Task 13b)
- Appendix 'E' – Presentation by GPA