

SUBJECT: Shining Hill Homes Inc., Official Plan & Zoning By-law
Amendment applications to permit a townhouse development
at 360 John Street
File Nos. OP 13 108797 & ZA 13 108797

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

REVIEWED BY: Ron Blake, MCIP, RPP, ext. 2600, Manager, West District

SUGGESTED RESOLUTION:

- 1) That the report titled “Shining Hill Homes Inc., Official Plan & Zoning By-law Amendment applications to permit a townhouse development at 360 John Street, File Nos. OP 13 108797 & ZA 13 108797,” dated June 17, 2014 be received;
- 2) That the applications submitted by Shining Hill Homes Inc., to amend the in force Official Plan (Revised 1987), as amended, the Council adopted Official Plan (2013) and Zoning By-law 177-96, as amended, to permit a townhouse development at 360 John Street be approved;
- 3) That the proposed amendment to the Official Plan (Revised 1987), as amended, attached as Appendix ‘A’ , and a corresponding amendment to the Council adopted Official Plan (2013) be finalized by Staff and forwarded to Council for adoption and to York Region for approval;
- 4) That the proposed amendment to Zoning By-law 177-96, as amended, attached as Appendix ‘B’, be enacted without further notice after either the proposed amendment to the Official Plan (Revised 1987), as amended, or the Council adopted Official Plan (2013) is approved by York Region and comes into effect; and,
- 5) 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 discusses official plan and zoning by-law amendment applications in the Thornhill Planning District to permit a condominium townhouse development on the subject lands, together with zoning provisions for mixed use street townhouses fronting on to John Street.

BACKGROUND:

The 3.13 ha. (7.70 ac.) site is located on the north side of John Street between the CN Rail Line and Aileen Road (see Figure 1 – Location Map). The north lot line of the property also has frontage on Green Lane. Residential detached dwellings are located to the east of the site and to the north across Green Lane. Employment uses are located to the west of the site, and south across John Street.

On March 19, 2013, pursuant to the ongoing Thornhill Revitalization Area Study (which includes the subject site), Council adopted a resolution that these lands may be considered for a land use designation other than 'Employment Lands' designation including 'Mixed Use Low Rise' and 'Residential Low Rise', which has been reflected in the site-specific policies of the City's new Official Plan. It is noted that Council resolution supporting residential uses on these lands differs from the staff's original recommendation for achieving transition between the core employment lands to the west and the existing residential neighbourhood to the east. Staff recommended that the site be redeveloped to accommodate high-order, low-impact employment uses (e.g. low rise office uses with ancillary service commercial uses) but no residential permissions.

REVISED PROPOSAL:

The owner has applied for an Official Plan and Zoning By-law Amendment to permit a townhouse development on the subject lands including possible at grade commercial units fronting on to John Street. Although the revised proposal does not presently include provisions for at grade commercial uses, the proposed amendments to the Official Plan and Zoning By-law will provide for such uses if the market warrants (see Figure 4 – Conceptual Site Plan). The revised proposal includes:

- 87 three-storey freehold townhouse units with a width of 5.5 m (18.0 ft.) fronting onto private roads internal to the site;
- 14 street townhouse units with a width of 5.5 m (18.0 ft.) fronting on to John Street;
- net residential density expressed as units per hectare (uph): 32 uph
- vehicular site access to be provided from John Street (2 locations) and from Green Lane (1 location);
- 2 parking spaces per unit and 0.25 visitor parking per townhouse unit (228 spaces total);
- a 0.30 ha. (0.76 ac.) public parkette fronting onto Green Lane with pedestrian access provided from Green Lane, Congress Court and a future private street;
- 5 blocks located on the east side of the property to be conveyed to abutting landowners to east on McKelvey Drive;
- Landscape buffer on west side of property adjacent to private internal road increased to 4.0 m (13.1 ft.)

OFFICIAL PLAN AND ZONING:

The subject lands are designated Industrial – Business Corridor in the Official Plan (Revised 1987, as amended) and Business Corridor Area – John Street/Green Lane by the Thornhill Secondary Plan (PD-No.3). These designations permit limited industrial and

commercial uses on the site. The subject lands are designated 'Mixed Use Low Rise' and 'Residential Low Rise' in the Council adopted Official Plan (2013) as approved by York Region on June 12, 2014. Official Plan and Secondary Plan Amendments are required to permit the proposed development, in both the in force and new Official Plans. The Draft document for the in force Official Plan (Revised 1987) is attached as Appendix 'A'.

The property is zoned Industrial Hold - [M(H)] by By-law 77-73. At grade retail commercial uses not associated with Industrial operations as well as townhouse dwellings are not permitted uses. An implementing Zoning By-law Amendment is required to permit the proposed development. A draft Zoning By-law is attached as Appendix 'B' consisting of a Community Amenity Three (CA3) Zone for street townhouse units fronting on to John Street, a Residential Two (R2) zone for all other townhouse units on the property, and an Open Space One (OS1) for the proposed public park fronting on to Green Lane.

COUNCIL DIRECTION:

This Official Plan Amendment application was one of a number of employment conversion applications considered by Development Services Committee in May 2013. At that time, staff was seeking Council direction on the applications for the purpose of finalizing land use designations in the new Official Plan. This application (referred to at the time as Condor Acquisition Ltd) was considered in staff's analysis of the cumulative impact of all of the employment conversion applications on the City's ability to accommodate 2031 employment targets. The staff recommendation was to deny all of the applications, with the exception of this application. The staff recommendation for this application was for Council to confirm their previous direction arising from the Thornlea Revitalization Study to consider residential or mixed use development on the site through a site specific amendment. A site specific policy to this effect was included in the Council adopted Markham Official Plan (2013), with Map 3 – Land Use showing an employment (Service Employment) designation with a deferral pending a Council decision on an Official Plan Amendment application.

Regional Council on June 12, 2014, in approving the Markham Official Plan, modified Map 3 – Land Use to replace the deferred Service Employment designation with a Residential Low Rise and Mixed Use Low Rise designation and deleted the site specific policy related to the deferral. An Official Plan Amendment to the new OP will contain site specific policies to the new Residential and Mixed Use designations to reflect the proposed development.

In addition, Markham Council, on June 11, 2014 approved a motion to initiate a land use study for the remaining employment lands in the area (Thornlea Industrial District) to determine the potential for mixed use development.

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 the City Departments, public agencies and at the March 4, 2014 Public Meeting. These issues are addressed as follows:

Revised Concept Plan compatible with adjacent residential development

The attached revised conceptual site plan illustrates that the lot pattern and orientation of the proposed townhouses are consistent with the lot pattern and building orientation of the adjacent residential to the east and north across Green Lane. To ensure compatibility with the low rise character of existing residential development, the proposed townhouse development will not exceed three storeys. In addition, the maximum building height for townhouse units adjacent to existing residential development on McKelvey will be limited to 11.0 m (36.0 ft.). A maximum building height of 12.0 m (41.0 ft.) is supported by staff for townhouse units on the remaining area of the site including the street townhouse units fronting onto John Street. Staff will require Architectural Design Guidelines through the Site Plan approval process to ensure building elevations for the proposed townhouses including the possible live work units fronting on to John Street are compatible with the existing communities to the north and east of the property.

The integration of a publicly owned parkette within the development

The revised concept plan proposes a 0.30 ha. (0.76 ac.), publicly owned urban parkette that fronts onto Green Lane. An urban parkette is described as public open space with a minimum area of .20 ha. (0.50 ac.). The programming of facilities for this park will be dealt with through a separate public participation process. Pedestrian access to the future parkette will be provided from Green Lane, Congress Court and a future private roadway, to serve residents within the proposed development as well as residents from the existing residential low rise development to the east. The proposed urban parkette will provide approximately 98 percent of the parkland dedication requirement for this proposal. A cash-in-lieu of parkland dedication payment for the balance of the required parkland contribution will be collected through the site plan control approval process.

Downstream sanitary sewer capacity monitoring

The City commissioned Cole Engineering to undertake downstream capacity monitoring of the sanitary sewer system serving this area. The monitoring period commenced in March of 2014, and will end in August 2014. The applicant has been advised that this capacity monitoring will be extended to December 2014 in the event that a 10 year flow is not captured. A 10 year flow is an engineering benchmark for the most severe case scenario where a major storm event causes groundwater to infiltrate into the sanitary system. The proposed Zoning By-law for this site will include an (H) Holding provision to ensure that adequate sanitary sewer capacity is available prior to the re-development of this site for residential uses commences, as discussed in more detail below.

Alignment and configuration of the proposed main entrance into the site from the existing signalized intersection on John Street

A Traffic Management and Access study submitted with the applications indicates that the proposed development will operate at acceptable levels of service with sufficient parking supply, and with minimal impact on the existing road network. The study assesses the existing signalized intersection on John Street and determines that the intersection will operate with very good level of service at build out. Transportation Engineering staff is satisfied that the study addresses the City's comments and concerns with respect to traffic impacts and the proposed access configuration. Staff will continue to work with the applicant on the alignment and detailed configuration and design of this entrance through the site plan control approval process.

Provision and appropriate distribution of visitors parking

The revised concept plan provides a total of 26 visitor parking spaces or 1 space per 4 townhouse units. The proposed number of visitor spaces will comply with the Parking Standards By-law (28-97, as amended). Details for the distribution of visitors parking will be addressed through the site plan control approval process.

Buffer to be established between the residential and employment uses to the west

The revised concept plan illustrates a 4 m (13 ft.) wide landscape strip on the west side of the property adjacent to existing industrial uses, together with a 7.5 m (25 ft.) wide private roadway. The combined width of the landscape strip and private roadway will provide an 11.5 m (38 ft.) separation distance between the closest proposed townhouses and existing employment uses to the west.

Road easement for Congress Court not included in the parkland dedication calculations

An easement in favour of the City of Markham for an existing hammerhead at the end of Congress Court will not be included in calculating the parkland dedication requirements for the subject proposal. City staff will request that these lands be dedicated to the City as a condition of site plan control approval.

Official Plan Amendment and Implementing Zoning By-law

The requested Official Plan Amendment to the in force Official Plan and the Thornhill Secondary Plan proposes to re-designate the property from Industrial – Business Corridor Area in the Official Plan (Revised 1987, as amended) and Business Corridor Area – John Street/Green Lane by the Thornhill Secondary Plan (PD-No.3) to Commercial – Community Amenity Area (buildings fronting onto John Street), Urban Residential – Medium Density I (remaining portion of site excluding the urban parkette) and Open Space (urban parkette fronting onto Green Lane). In addition, the proposed Official Plan Amendment will amend the City of Markham Official Plan 2014 to provide a site specific policy to permit the condominium townhouses to front on to a private road in the 'Residential Low Rise' designation.

The proposed Zoning By-law amendment will permit ground-oriented townhouse dwellings together with an option to develop at grade commercial, retail and office uses within street townhouse units fronting onto John Street. However, the proposed street

townhouse development may be developed without requiring the establishment of non-residential uses noted above.

Site Specific Exceptions By-law 177-96

Site deemed one lot for zoning purposes

The proposed amending by-law will include a site specific provision that will deem the entire property to be one lot for the purposes of calculating development standards for this condominium townhouse development. This site specific provision will continue to apply following any further division or partition of the property to create the land parcels for individual street townhouses. Further, for zoning purposes, the front lot line will be interpreted as John Street, and the rear lot line as Green Lane. The specific site development details for individual townhouses will be determined through the site plan approval process. Exceptions to the development standards with respect to zoning are described in the tables below.

Community Amenity Three (CA3) Zone

The Community Amenity Three (CA3) Zone category under By-law 177-96, as amended, is proposed for the street townhouse buildings fronting onto John Street and will implement the Commercial – Community Amenity Area designation in the in force Official Plan (Revised 1987), as amended, and the 'Mixed Use Low Rise' land use designation in the Council adopted Official Plan (2013). Table 1 below describes the site specific exceptions to the Community Amenity Three (CA3) Zone development standards for street townhouse buildings under By-law 177-96, as amended, for the proposed units fronting on to John Street:

| Development Standard | Current Standard | Proposed Standard |
|----------------------------------|--|-------------------|
| Minimum width of a dwelling unit | none | 5.5 m (18.0 ft.) |
| Minimum lot frontage | 4.5 m for interior lot, 6.3m for corner lot | Not applicable |
| Minimum interior side yard | none | 7.5 m (24.6 ft.) |
| Minimum Rear Yard | 7.5 m (24.6 ft.) | 0.8 m (2.62 ft.) |

In addition to the site specific exceptions to the development standards noted above, the applicant is proposing the following additional permitted uses under the Community Amenity Three (CA3) Zone:

- Medical offices
- Financial institutions
- Repair shops (excluding automobile or truck repairs)
- Retail stores

Residential Two (R2) Zone

The Residential Two (R2) Zone category under By-law 177-96, as amended, is proposed for street townhouse buildings on the remaining portion of the site. This zone category will implement the Urban Residential – Medium Density I designation in the in force Official Plan and the 'Residential Low Rise' designation in the Markham Official Plan

The Official Plan and Zoning amendments will facilitate the ground-oriented residential development on this property that will be compatible with the existing residential character to the east and north across Green Lane, and will provide a transition to the existing employment lands to the northwest and west. These amendments implements Council's direction as it will provide an opportunity for a mixed use residential redevelopment to occur on the property that supports low intensity and pedestrian oriented commercial uses (e.g. at grade commercial, retail and office uses along John Street), and one that does not accommodate automobile oriented land uses such as gas stations, automobile service shops and drive-through uses.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

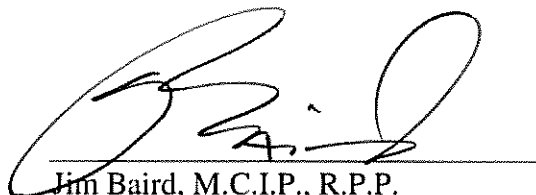
The proposed development aligns with the strategic priority of Growth Management and Municipal Services by implementing the proposed development in coordination with available servicing allocation.

BUSINESS UNITS CONSULTED AND AFFECTED:

All comments provided by internal departments and external agencies have been incorporated into this report.

RECOMMENDED BY:

Rino Mostacci, M.C.I.P., R.P.P.
Director, Planning & Urban Design



Jim Baird, M.C.I.P., R.P.P.
Commissioner, Development Services

ATTACHMENTS:

Figure 1: Location Map

Figure 2 – Area Context/Zoning

Figure 3 – Air Photo

Figure 4 – Revised Conceptual Site Plan

Appendix 'A' – Draft Official Plan Amendment for the in force Official Plan
(Revised 1987, as amended) and Thornhill Secondary Plan

Appendix 'B' – Draft Amendment to Zoning By-law 177-96, as amended

2014. Table 2 below describes the site specific exceptions to the Residential Two (R2) Zone development standards for street townhouse buildings under By-law 177-96, as amended:

| Development Standard | Current Standard | Proposed Standard |
|----------------------------------|--|---|
| Minimum width of a dwelling unit | none | 5.5 m (18.0 ft.) |
| Minimum lot frontage | 4.5 m for interior lot, 6.3m for corner lot | Not applicable |
| Maximum Building Height | 11.0 m (36.0 ft.) | 12.0 m (39.3 ft.) – for a dwelling unit that does not abut east interior side yard only |
| Minimum interior side yard | none | 7.5 m (24.6 ft.) |
| Minimum Rear Yard | 7.5 m (24.6 ft.) | 0.8 m (2.62 ft.) |

Holding Provision

The (H) Holding provision has been incorporated into the draft zoning by-law for the proposed development. Prior to removing the (H) Holding provision, the following matters must be addressed to the satisfaction of the City of Markham:

- Confirmation of servicing allocation for the proposed development;
- Execution of a Site Plan Agreement applying to the proposed townhouse development;
- Completion of the required Sanitary Sewer Capacity Analysis including flow monitoring

Open Space Zone

A 0.30 ha. (0.76 ac.) portion of the property fronting onto Green Lane and Congress Court together with flankage on a private street internal to the site, will be zoned Open Space One (OS1) to permit a public park. These lands will be dedicated as parkland and provide public amenity space for the proposed townhouse development and surrounding neighbourhood.

Future Planning Applications Required

As previously noted, the owner will be required to enter into and execute a Site Plan Control Agreement with the City prior to removal of the (H) Holding provision. Building permits will not be issued until final site plan control approval has been granted by the Director of Planning and Urban Design or his designate. In addition a Draft Plan of Condominium to establish the common elements (i.e. private roads and visitor parking areas) will be required. These applications will determine the final layout of the proposed development.

CONCLUSIONS

Proposed Official Plan and Zoning By-law Amendments recommended for approval

Owner/Applicant Contact Information:

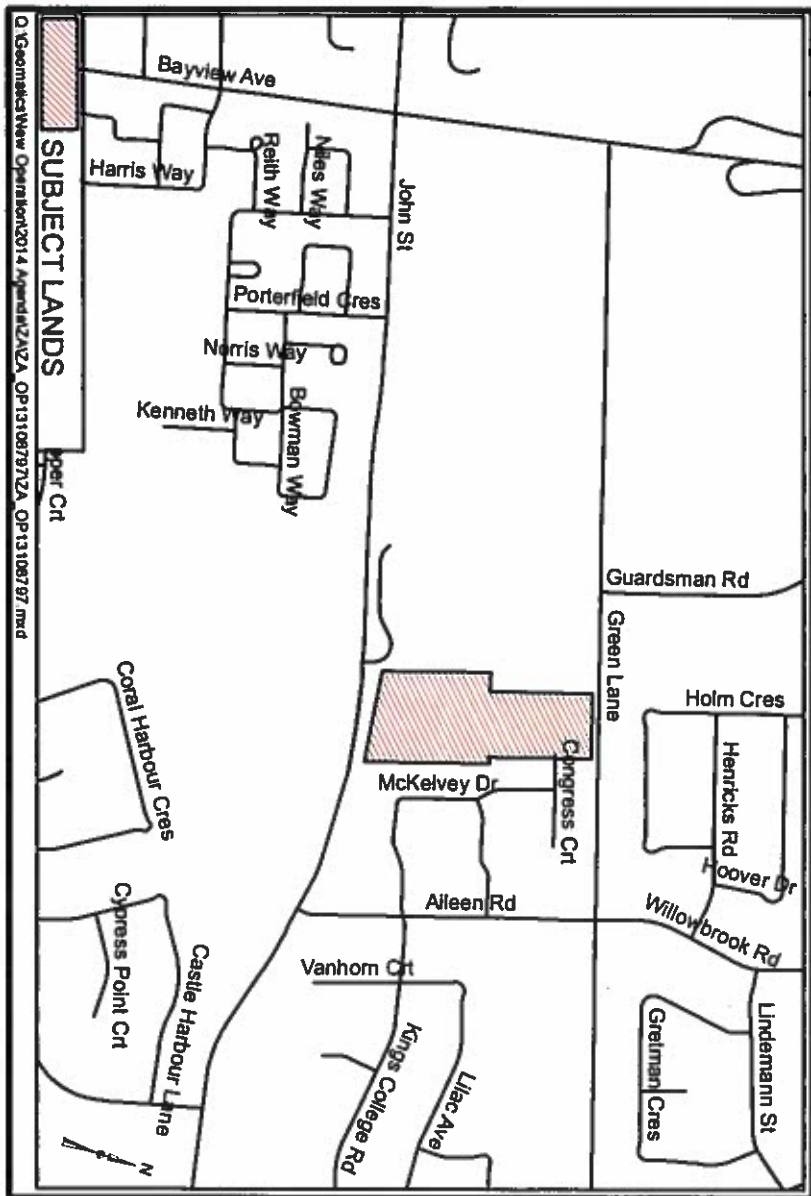
Owner (By Agreement of Purchase and Sale)

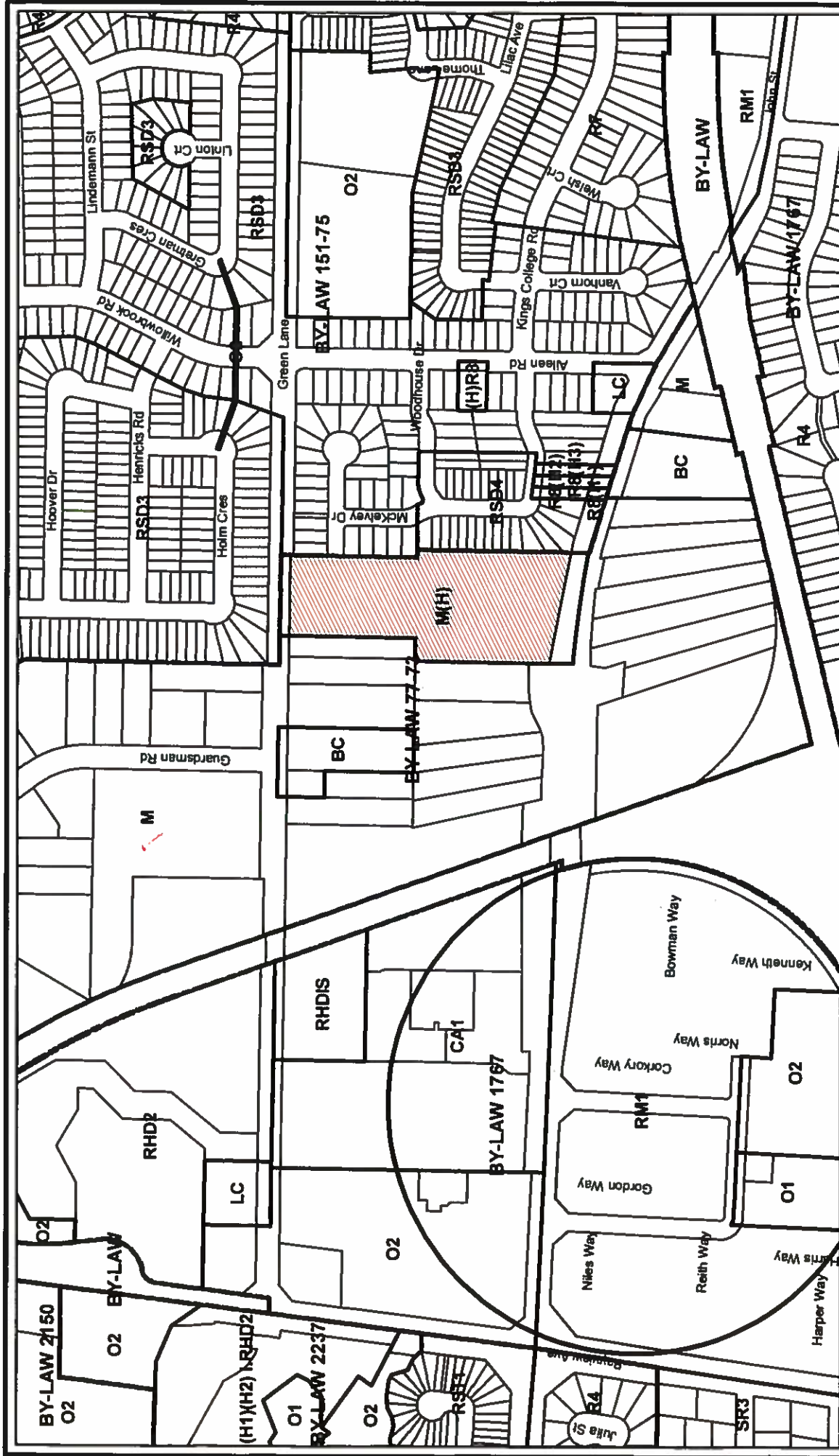
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Applicant

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File path: Amanda\File 13 108797\Documents\Recommendation Report





AREA CONTEXT / ZONING

APPLICANT: SHINING HILL HOMES INC.
360 JOHN STREET

FILE No. ZA_OP13108797

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 SUBJECT LANDS



AIR PHOTO

APPLICANT: SHINING HILL HOMES INC.
360 JOHN STREET

FILE No. ZA_OP13108797

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 SUBJECT LANDS

Appendix 'A'

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan (Revised 1987), as amended.

Shining Hill Homes Inc.

June, 2014

Appendix 'A'

CITY OF MARKHAM

OFFICIAL PLAN AMENDMENT NO. XXX

To amend the City of Markham Official Plan (Revised 1987), 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 24th day of June , 2014.

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 (Revised 1987), as amended.

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF THE PLANNING ACT, R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. 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 on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 24th DAY OF June, 2014.

CITY CLERK

MAYOR

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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' and 'B', attached thereto, constitutes Amendment No. XXX to the Official Plan (Revised 1987), as amended, and is required to enact amendment No. XX to the Thornhill Secondary Plan (PD3-1) 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, including SCHEDULE 'C', attached thereto, constitutes Amendment No. XX to the Thornhill Secondary Plan (PD3-1) for the Thornhill Planning District (Planning District No.3). Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

The Amendment applies Part of Lot 6 and Lot 13, Registered Plan 2382, municipally known as 360 John Street. The 3.13 ha. (7.75 ac.) site is located on the north side of John Street, between Aileen Road to the east and the CN Rail Line to the west.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to amend the land use designations contained in the Official Plan (Revised 1987), as amended from Industrial to Commercial, from Business Corridor to Community Amenity Area and to amend the Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District to re-designate the lands from Business Corridor Area- John Street/Green Lane to Community Amenity Area – John Street/Green Lane. Policies have been included that allow medium density residential in the form of townhouses together with mixed use buildings along the John Street frontage. Policies also permit medium density residential in the form of street townhouses with policies requiring comprehensive development plans and studies to be prepared including urban design amongst others to ensure compatibility with the existing residential and employment uses adjacent to the site.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The property is referred to as the former Canac Kitchen site, which is currently vacant. This property forms part of a broader land use area study, being the Thornhill Revitalization Area Study. The Study determined that a gradual transition from heavy industrial uses to high-order service employment uses could be accommodated throwto was to determine revitalize the area in part through the creation

On March 19, 2013 Council provided the following direction to staff as part of their consideration of the Information Report Thornhill Revitalization Area Land Use Study: Summary and Discussion of the Recommendations of the Working Group and City Staff/Consultant:

- a) In the Thornlea Revitalization Area, excluding the former Canac site, prohibit manufacturing, assembly and warehousing, other than where no Certificate of Approval is required from the Ministry of Environment, and prohibiting auto-body repair shops in the new Official Plan;
- b) On the former Canac Kitchens property, provide for mixed use residential redevelopment (e.g. ground oriented residential with at grade commercial, retail and office use along John Street and Green Lane):
 - a. That automobile-oriented land uses, such as gas stations, non-accessory parking lots, and other drive-through uses not be accommodated;
 - b. That to protect the residential characteristics of the area, commercial development be limited to the following:
 - i) Low intensity and pedestrian oriented commercial uses such as professional offices and small retail or commercial businesses.
 - ii) Any new residential development in this area must be pedestrian oriented and provide for a small-scale central area where residents could find benches, shading, and perhaps a visual attraction all could be proud of;"

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PART II - THE OFFICIAL PLAN AMENDMENT

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

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PART II - THE OFFICIAL PLAN AMENDMENT

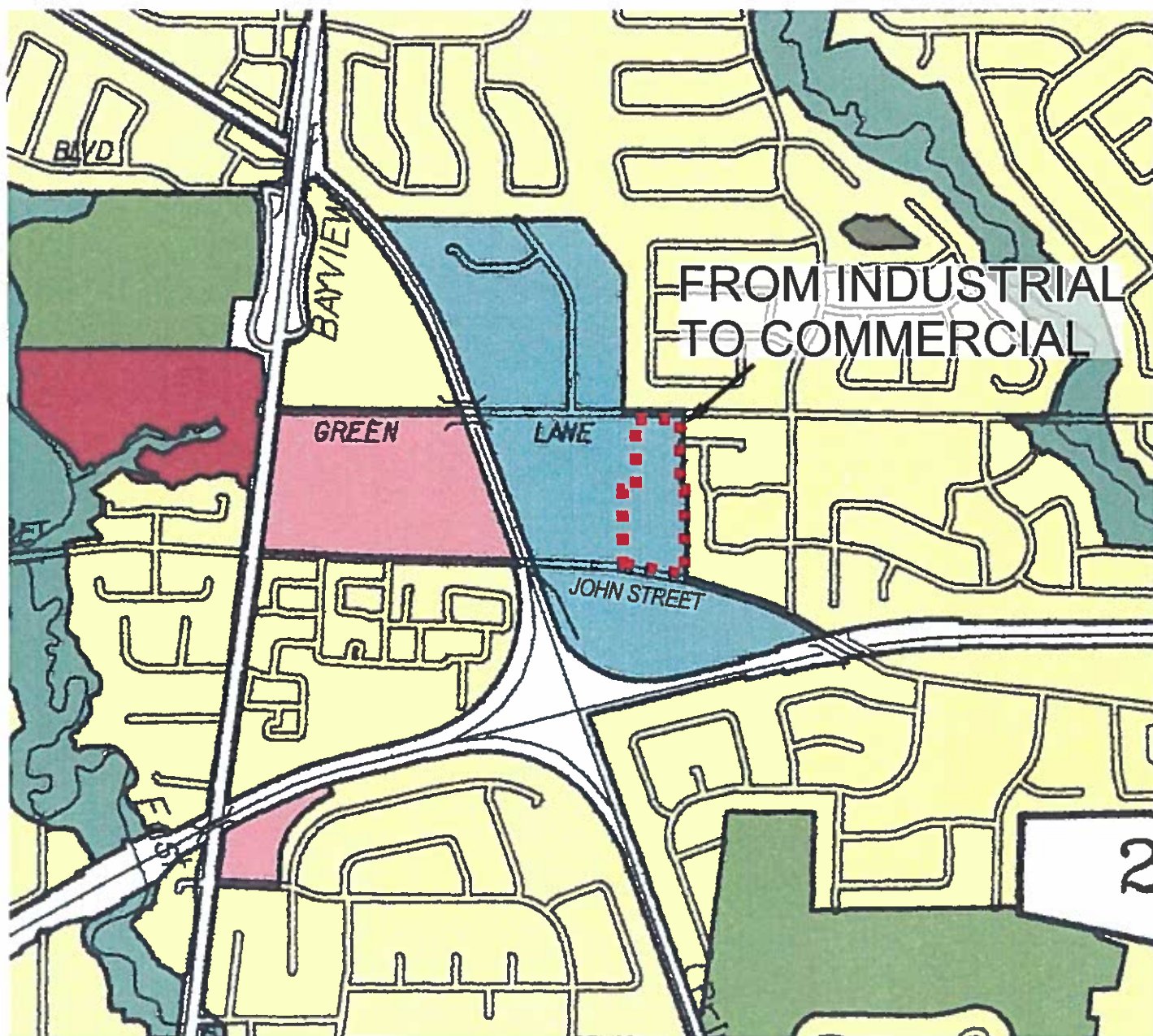
1.0 THE OFFICIAL PLAN AMENDMENT

- 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 XXX 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 XXX to the list of amendments listed in the second sentence of the bullet item dealing with the Thornhill Secondary Plan PD3-1, 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 XXX 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 Schedule ‘AA’ and the text of the Thornhill Secondary Plan (PD 3-1) for Thornhill Planning District (Planning District No. 3). These changes are outlined in Part III which comprises Amendment No.XX to the Thornhill Secondary Plan (PD 3-1).

2.0 IMPLEMENTATION AND INTERPRETATION

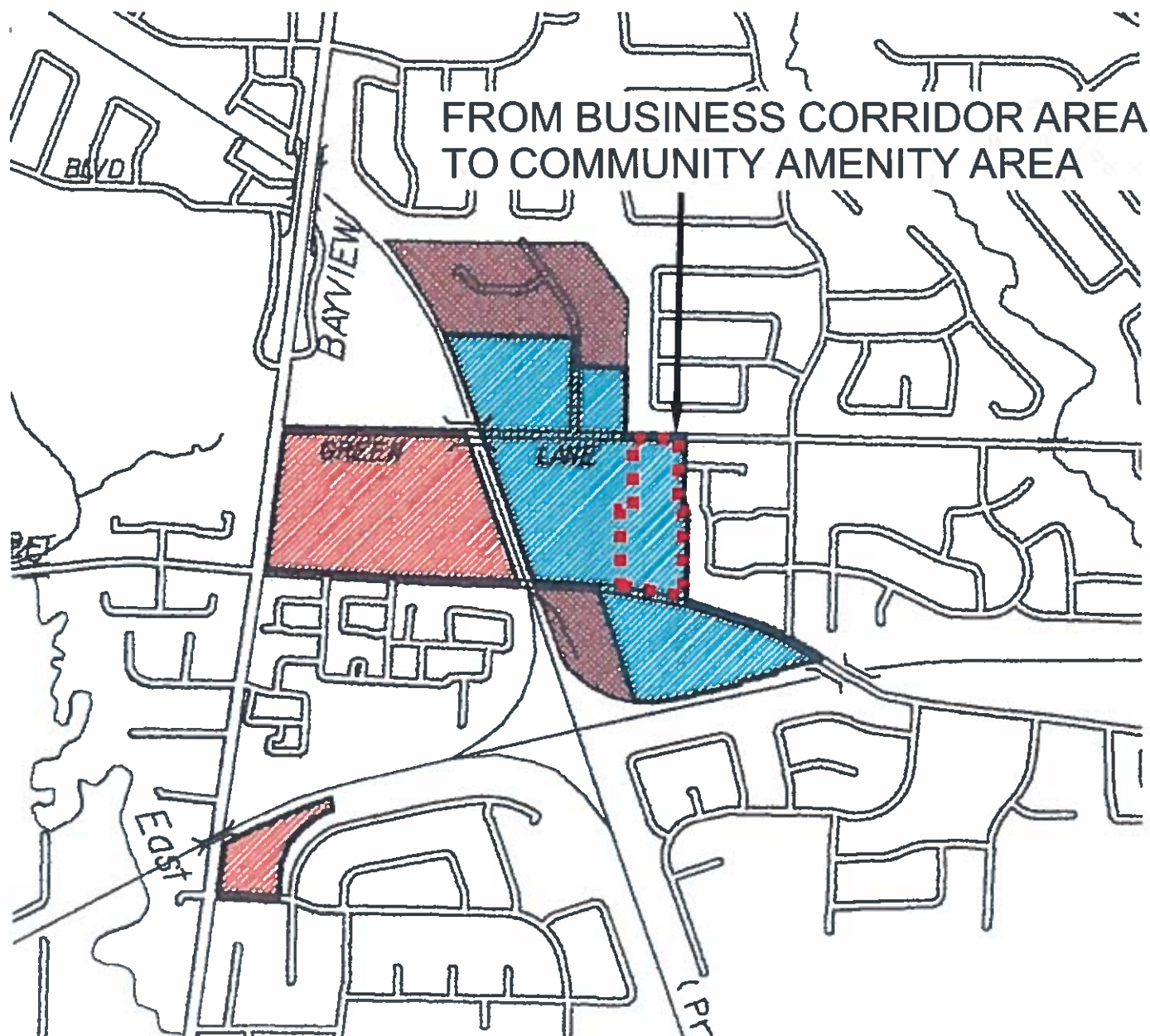
The provisions of the City of Markham Official Plan (Revised 1987), as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

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.



**OFFICIAL PLAN AMENDMENT
TO SCHEDULE 'A' - LAND USE
CITY OF MARKHAM OFFICIAL PLAN (REVISED 1987) AS AMENDED**

■■■ BOUNDARY OF AREA COVERED BY THIS AMENDMENT



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

■■■ BOUNDARY OF AREA COVERED BY THIS AMENDMENT

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

1.0 THE SECONDARY PLAN AMENDMENT

The following text and map, identified as Schedule 'C' Land Use Plan, attached hereto, constitute Amendment No. __ to the Thornhill Secondary Plan (PD 3-1) – Official Plan Amendment No. 1 to the Official Plan of the City of Markham (Revised 1987), as amended.

- Item 1: The designation shown on Schedule 'C' to this Amendment hereby replace the designations of the Thornhill Secondary Plan (PD 3-1) Schedule 'AA'-Land Use Plan.
- Item 2: The Thornhill Secondary Plan (PD 3-1) is hereby amended by adding the following bullet to section 6.4.1:
- Community Amenity Area – John Street/Green lane

- Item 3: The Thornhill Secondary Plan (PD 3-1) is hereby amended by the addition of a new section 6.4.7 Community Amenity Area – John Street/Green Lane, which shall read as follows:

"6.4.7 COMMUNITY AMENITY AREA – JOHN STREET/GREEN LANE

6.4.7.1 COMMUNITY AMENITY AREA – JOHN STREET/GREEN LANE designation applies to certain lands along John Street and Green Lane as shown on Schedule 'AA'. Within this designation, new low rise, mixed use development and medium density residential uses as a transitional use between the existing LOW DENSITY HOUSING and BUSINESS CORRIDOR AREA-JOHN STREET/GREEN LANE designations are encouraged.

6.4.7.2 Notwithstanding the provisions of Section 3.4.6.2 of the Official Plan (Revised 1987) as amended, and pursuant to the provisions of Sections 6.4.2 of this Secondary Plan, the following general policies shall apply to the COMMUNITY AMENITY AREA – JOHN STREET/GREEN LANE designation:

6.4.7.2.1 Lands may be zoned to permit the following uses subject to the policies of section 6.4.7:

- a) Townhouses to a maximum height of 3 storeys which may also front onto a private road;
- b) Mixed Use along the John Street frontage in the form of either Live/Work units as part of a mixed use building with uses including Retail uses, Service uses, Offices and small scale Restaurants limited to 150 sq. metres per premise to a maximum height of 3 storeys. These forms of live/work or mixed use shall have residential on the upper floors or Residential units at the rear of related retail uses, service use office or small scale restaurants, may also be permitted in a mixed use format.
- c) Parks

6.4.7.3

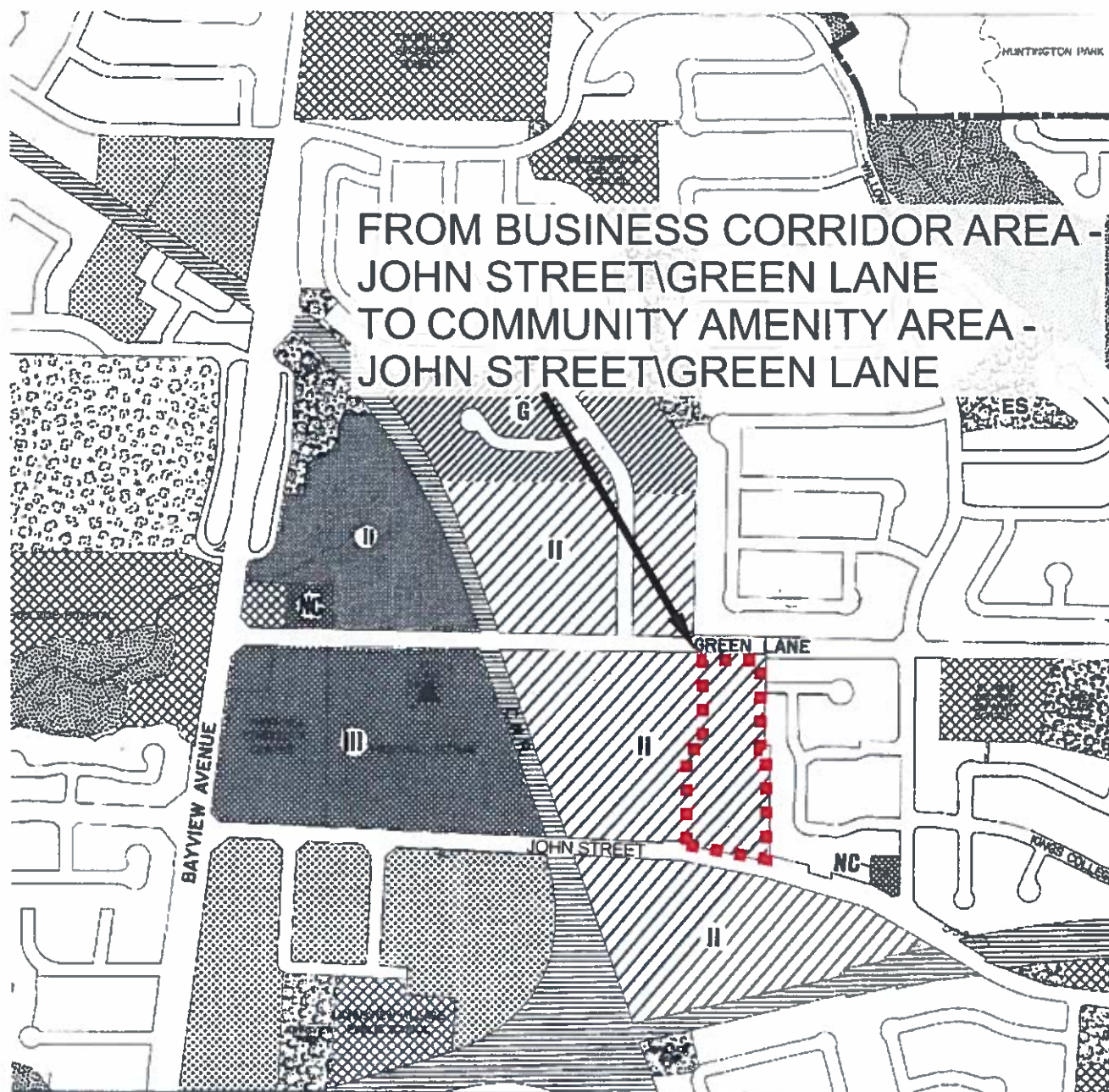
Development shall be only permitted on the basis of comprehensive development plans and studies to address matters including urban design, access and traffic, parking, servicing, the provision of pedestrian connections and parks suitable for the anticipated use and population.

The required urban design will address the detailed land use arrangements on the site and will address the requirement for setbacks or buffers to existing residential and employment use, building height, massing and landscape design to ensure compatibility with all adjoining use. The urban design will also address the streetscape along all public roads and the provision of safe and adequate pedestrian linkages that promote existing transit.

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan, as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by an amendment to Zoning By-law, site plan approval and other Planning Act approvals, in conformity with the provisions of this Amendment.



AMENDMENT TO SCHEDULE 'AA' - DETAILED LAND USE SECONDARY PLAN FOR THE THORNHILL PLANNING DISTRICT (PD3-1) AS AMENDED

■■■ BOUNDARY OF AREA COVERED BY THIS AMENDMENT



BY-LAW 2014-XX

A By-law to amend By-law 77-73, as amended,
(to delete lands from the designated area of By-law 77-73),
to amend By-law 177-96, as amended
(to incorporate lands into the designated area of By-law 177-96)
and amend By-law 151-75, as amended
(to incorporate lands into the designated area of By-law 151-75)

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

- 1.0 THAT By-law 77-73, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated area of By-law 77-73, as amended.
- 2.0 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 land shown on Schedule 'A' attached hereto.
 - 2.2 By rezoning the lands:
 - (i) from Industrial Hold Zone [M(H)] under By-law 77-73 to Residential Two (Holding) [R2*513(H)] under By-law 177-96
 - (ii) from Industrial Hold Zone [M(H)] under By-law 77-73 to Community Amenity Three (Holding) [CA3*523(H)] under By-law 177-96
 - (iii) from Industrial Hold Zone [M(H)] under By-law 77-73 to Open Space One [OS1(H)] under By-law 177-96as shown on Schedule 'A' attached hereto.
 - 2.3 By adding the following subsection to Section 7 – EXCEPTIONS:

**“7.513 Shining Hill Homes Inc.
 360 John Street – Part of Lots 6 and Lot 13
 Registered Plan 2382**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol R2*513(H) as shown on 'Schedule A' to this By-law. All other provisions of By-law 177-96, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.513.1 Zone Standards

The following specific Zone Standards apply:

- a) Minimum required *rear yard* – 2.4 metres;
- b) Minimum required *interior side yard* - 7.5 metres;
- c) Maximum *height* – 12.0 metres; and
- f) Minimum required *lot frontage* - not applicable.
- g) Minimum width of a *dwelling unit* – 5.5 metres

7.513.2 Special Site Provisions

The following additional provisions apply:

- a) Notwithstanding any further division or partition of lands subject to this Section, all lands zoned R2*513(H), CA3*523(H) and OS1(H) shall be deemed to be one lot for the purposes of this By-law.
- b) The John Street *streetline* is deemed to be the *front lot line*.
- c) The Green Lane *streetline* is deemed to be the *rear lot line*.
- d) The maximum *height* of a *dwelling unit* within 40 metres of the east *interior side lot line* shall not exceed 11.0 metres.
- e) The minimum width of a *dwelling unit* shall be 5.5 metres.
- f) A *Lot* may front or abut a *Private Street*.

7.523 Shining Hill Homes Inc. 360 John Street – Part of Lots 6 and Lot 13 Registered Plan 2382

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol CA3*(H) as shown on 'Schedule A' to this By-law. All other provisions of By-law 177-96, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.523.1 Zone Standards

The following specific Zone Standards apply:

- a) Minimum required *rear yard* – 2.4 metres;
- b) Minimum required *interior side yard* – 7.5 metres;
- c) Maximum *height* – 12.0 metres; and
- d) Minimum required *lot frontage* – not applicable.
- e) Minimum width of a *dwelling unit* – 5.5 metres

7.523.2 Additional Permitted Uses

The following additional uses are permitted:

- a) *Medical offices*
- b) *Financial Institutions*
- c) *Repair Shops*
- d) *Retail Stores*

7.523.3 Special Site Provisions

The following additional provisions apply:

- a) Notwithstanding any further division or partition of lands subject to this Section, all lands zoned R2*513(H), CA3*523(H) and OS1(H) shall be deemed to be one lot for the purposes of this By-law.
- b) The John Street *streetline* is deemed to be the *front lot line*.
- c) The Green Lane *streetline* is deemed to be the *rear lot line*.
- d) The minimum width of a *dwelling unit* shall be 5.5 metres.

- e) A Lot may front or abut a *Private Street*.
- f) Commercial uses are only permitted in the first storey of a building.

2.3 HOLDING PROVISIONS:

For the purpose of this By-law, the Holding Provision (H) is hereby established and are identified on Schedule 'A' attached hereto by the letter (H) in parenthesis following the zoning symbol.

No person shall hereafter erect or alter any building or structure on lands subject to the Holding Provision (H) for the purpose permitted under this By-law until amendment (s) to this By-law to remove the letter (H) have come into effect pursuant to the provisions of Section 36 of the Planning Act.

Prior to removing the Holding Provision (H), the following conditions must be met to the satisfaction of the City of Markham:

- a) The City of Markham shall approve a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,

The Council of the City of Markham has allocated adequate available water supply and sewage servicing capacity to the subject development; or,

The Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the City of Markham allocates the capacity to this development; and,

- b) Execution of A Site Plan Control Agreement applying to the proposed townhouse development; and,
- c) The Sanitary Sewer Capacity Analysis including flow monitoring and sewer upgrades (if required) are completed to the Satisfaction of the Director of Engineering.

3.0 By-law 151-75, as amended, is hereby further amended as follows:

- 3.1 By expanding the designated area of By-law 151-75, as amended, to include the lands shown on Schedule 'A' attached hereto.

3.2 By rezoning the lands:

- (i) from Industrial Hold Zone [M(H)] under By-law 77-73 to Residential Semi-Detached Dwelling Three (RSD3) under By-law 151-75

- 4.0 All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED
, 2014.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
** DAY OF ***, 2014.

KIMBERLEY KITTINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR



EXPLANATORY NOTE

BY-LAW 2014-XXX

A By-law to amend By-laws 77-73, 177-96 and 151-75 as amended

**Shining Hill Homes Inc.
360 John St
PLAN 2382 PT LOT 6 & LOT 13**

Lands Affected

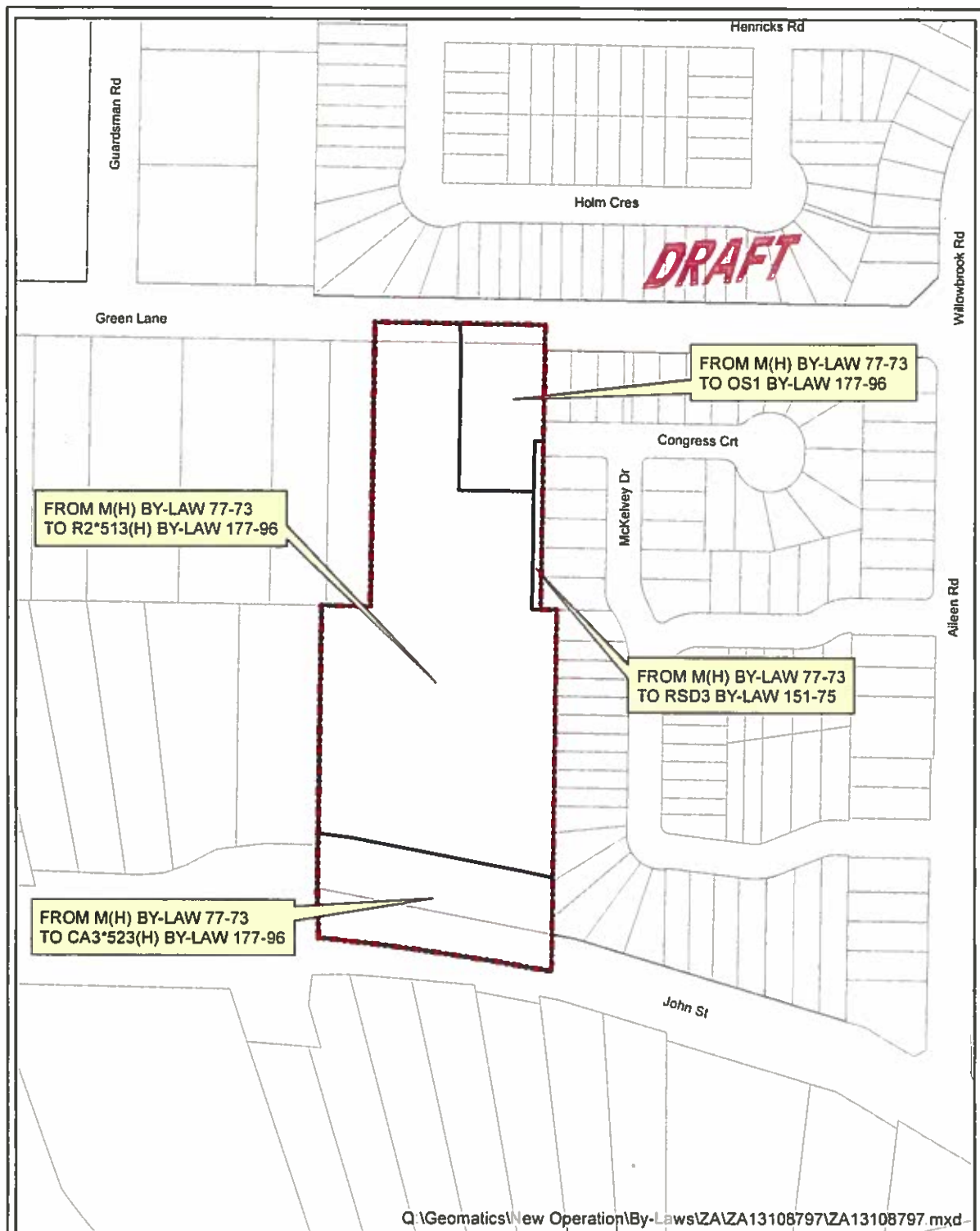
The proposed by-law amendment applies to approximately 3.13 hectares (7.70 acres) of land on the north side of John Street between the CN Rail Line and Aileen Road in Thornhill.

Existing Zoning

The property is zoned Industrial Hold Zone [M(H)] under By-law 77-73, as amended.

Purpose and Effect

The purpose of this By-law is to amend By-law 77-73, as amended, by deleting the subject property from the designated area of By-law 77-73, as amended. This By-law will also amend By-law 177-96, as amended, to include a large portion of the subject property into the designated area of By-law 177-96, as amended, to permit street townhouse development on these lands and at grade commercial uses within buildings facing John Street. Finally, this By-law will also amend 151-75, as amended, to rezone 5 parcels on the east side of the property to match the zoning of the abutting residential properties.



BY-LAW SCHEDULE "A" TO BY-LAW AMENDING BY-LAWS 77-73, 151-75 AND 177-96 DATED

BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
TO BE DELETED FROM 77-73 AND ADDED TO 177-96 AND 151-75

BOUNDARY OF ZONE DESIGNATION(S)

| | |
|------------------------------------|-------------------------|
| INDUSTRIAL | COMMUNITY AMENITY THREE |
| RESIDENTIAL SEMI -- DETACHED THREE | EXCEPTION NUMBER |
| RESIDENTIAL TWO | HOLDING PROVISION |



DEVELOPMENT SERVICES COMMISSION

40 20 0 40
Meters

Drawn By DD

Checked By RC

DATE 06/11/14

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