

SUBJECT: RECOMMENDATION REPORT
Aurelio Filice
Proposed Draft Plan of Subdivision and implementing
Secondary Plan and Zoning By-law amendments to permit
single-detached and townhouse dwellings, south of Castan
Avenue, east of Harry Cook Drive, within South Unionville

File Nos: SU 10 128366, OP 10 128364 & ZA 10 128365

PREPARED BY: Sabrina Bordone, M.C.I. P., R.P.P., ext. 8230
Planner, Central District

REVIEWED BY: Richard Kendall, M.C.I.P., R.P.P., ext. 6588
Manager, Central District

RECOMMENDATION:

- 1) The report entitled "RECOMMENDATION REPORT, Castan Avenue (Aurelio Filice), Proposed Draft Plan of Subdivision and implementing Secondary Plan and Zoning By-law amendments to permit single-detached and townhouse dwellings, south of Castan Avenue, east of Harry Cook Drive, within South Unionville, File Nos: SU 10 128366, OP 10 128364 & ZA 10 128365," be received;
- 2) That the record of Public Meeting held on March 8, 2011, regarding the proposed Draft Plan of Subdivision and implementing Secondary Plan and Zoning By-law amendments be received;
- 3) That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft approval, subject to the conditions set out in Appendix 'A', as may be amended by the Director of Planning and Urban Design or his designate;
- 4) That the application submitted by Castan Avenue (Aurelio Filice) to amend the South Unionville Secondary Plan, as amended, be approved and the draft Secondary Plan Amendment attached as Appendix 'B' be finalized and adopted without further notice;
- 5) That the application submitted by Castan Avenue (Aurelio Filice) to amend Zoning By-laws 304-87 and 177-96, as amended, be approved and the draft by-laws attached as Appendices 'C' & 'D' be finalized and enacted without further notice;
- 6) That the Owner provide the Town with the required payment of 30% processing fees in accordance with the Town's applicable Fee By-law;

-
- 7) That Council authorize servicing allocation for 5.5 single-detached units (20.35 population) and 17 townhouse units (47.94 population) from the 2011 allocation assigned to South Unionville, and that the Owner provide a clearance letter from the Trustee of the South Unionville Landowners Group, confirming that there is adequate servicing allocation for 5.5 single-detached units (20.35 population) and 17 townhouse units (47.94 population) and that the Owner has met his obligations to the landowner's group;
 - 8) That the Town reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner;
 - 9) That the Region of York be advised of this servicing allocation for this development;
 - 10) That the draft plan approval for plan of subdivision 19TM-10005 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period;
 - 11) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to recommend approval of a proposed Secondary Plan Amendment, proposed plan of subdivision and implementing Zoning By-law Amendments all within the South Unionville Secondary Plan Area.

BACKGROUND:**Property and Area Context**

The subject lands consist of approximately 1.3 ha (3.2 ac) and are located on the south side of Castan Avenue, east of Harry Cook Drive, within the South Unionville Secondary Plan area (Figure 1). The subject lands are vacant and contain a variety of vegetation not considered significant.

Surrounding uses include:

- To the north, across Castan Avenue are single-detached and semi-detached dwellings;
- To the east is the South Unionville Village Green Park; and,
- To the south and west are vacant lands, which were recently approved for the development of single-detached and townhouse dwellings (Harry Cook Developments Inc) and which provide for the road connections required for the subject proposal to proceed.

Proposal

The applicant has applied for Official Plan Amendment and amendments to Zoning By-law 304-87 and 177-96, as amended, to accommodate a proposed draft plan of subdivision within the South Unionville Secondary Plan Area. The proposed plan of

subdivision consists of 5 single-detached dwellings fronting onto the south side of Castan Avenue, two townhouse blocks comprising a total of 9 units on the north side of the future extension of Ian Baron Avenue, and one townhouse block comprising 7 units on the south side of the future extension of Ian Baron Avenue (see Figure 4). The applicant is also proposing 3 part lots (1.5 units), to be combined with the neighbouring property to the west, for a total of 22.5 units. The Draft Plan of Subdivision application proposes the easterly extension of Ian Baron Avenue to Lane 'A' (Figure 4).

Official Plan

The subject lands are designated "Urban Residential" in the Town's Official Plan. The proposal is consistent with the Official Plan "Urban Residential" designation which provides for a variety of housing and related institutional and local commercial uses that are compatible with and serve local residential uses.

The subject lands are designated "Open Space/Neighbourhood Park" in the South Unionville Secondary Plan (OPA 22). This designation provides for parks, recreational uses and municipal services and utilities. However, these lands were previously deemed by the Town to be surplus to the parkland needs of South Unionville. An amendment to the Secondary Plan is required to accommodate the proposed Draft Plan of subdivision. The applicant is proposing to re-designate the lands to "Low Density Housing" and "Medium Density 1 Housing". The net site density for the proposed single-detached dwellings is 13.9 units per hectares, which conforms with the South Unionville Secondary Plan (OPA 22), which stipulates that the gross residential density of all units in the "Low Density Housing Category" shall not exceed 14.8 units.

Site specific exemption required to permit increase in density for Medium Density 1 Housing Category

The South Unionville Secondary Plan (OPA 22) stipulates that the net site density of all units in the Medium Density 1 Housing Category shall not exceed 35 units per hectare (14 units per acre). The net site density of the proposed development is 48.7 units per hectare (19.7 units per acre). Accordingly, a site specific amendment is required to reflect the requested density.

The Town's Official Plan contemplates a higher density (31.7 to 79.9 units per hectare) for the Medium Density Housing Category for the OPA 5 communities, which includes South Unionville, than what is provided for in the South Unionville Secondary Plan. It should be noted that other OPA 5 communities, including Wismer, Greensborough and Berczy, all reflect the higher densities contained in the Official Plan.

Staff are of the opinion that the requested density can be supported, as the proposed lane based townhouses have frontages ranging from 5.5 m – 11.6 m and the non lane based townhouses have frontages ranging from 6.0 m – 8.7 m, both of which are comparable with frontages of other townhouse developments in the surrounding area and the Town in general. A site specific exemption to permit this increase in density has been incorporated into the draft Official Plan Amendment (Appendix 'B').

Official Plan Amendment application exempt from Regional Approval

On December 14, 2010, staff received confirmation from the Region of York's Planning and Development Services Department that the proposed Official Plan Amendment is a routine matter of local significance and does not adversely impact Regional interest. Accordingly, the Official Plan Amendment is exempted from Regional approval allowing the amendment to come into effect following its adoption by the Town and the expiration of the required appeal period.

Draft Zoning By-law

The lands are zoned "Rural Residential One" (RR1) by By-law 304-87, as amended, and the draft zoning by-law re-zones the lands to "Residential Two, Special Exception 31" (R2*31), "Residential Two, Special Exception 31 (Hold)" [R2*31 (H)] and "Residential Two – Lane Access (Hold)" [R2-LA (H)] in By-law 177-96, as amended. The draft zoning by-law deletes the lands from By-law 304-87, as amended, so that they may be incorporated into appropriate residential zone categories in By-law 177-96, as amended, consistent with other the zoning of other properties in South Unionville (Appendices 'C' and 'D'). A holding provision has been incorporated into a portion of the amending By-law to ensure the completion of Ian Baron Avenue and Lane 'A' prior to the construction of the units which require access through these roads.

Public Meeting held on March 8, 2011

A statutory Public Meeting was held on March 8, 2011 based on the applicant's original proposal. The original proposal consisted of 6 single-detached dwellings and three townhouse blocks containing 15 units for a total of 21 units. A number of area residents attended the Public Meeting and raised concerns with respect to the programming of existing parks in the South Unionville community, parkland calculations and the potential increase in the number of children in an area that is already perceived to be "parkland deficient". Residents also raised concerns regarding potential traffic hazards associated with a proposed north-south connection to South Unionville Avenue proposed as part of the draft plan of subdivision to the south and west of the subject lands (Harry Cook Developments Inc). The concern related to the proximity of this north-south road to Unionville Meadows Public School.

OPTIONS/ DISCUSSION:**Parkland Delivery and Related Discussions Ongoing in South Unionville**

At the conclusion of the Public Meeting held on March 8, 2011, a resolution was passed by the Development Services Committee (DSC) that a Working Group be formed to address the parkland issue in South Unionville. At these Working Group meetings, a number of topics were discussed including the status of existing parks, the total anticipated parkland for South Unionville including sites that remain to be acquired, possible enhancements and programming for existing parks, outstanding parkland dedications and the efforts that are underway to acquire remaining parkland. In June 2011, staff reported back to DSC indicating that South Unionville will be able to meet Town parkland requirements and would have additional lands including usable Open Space and other parkland that are over and above the Town's parkland requirements.

Staff also provided an update on the efforts that are underway to acquire the remaining parkland and identified negotiation and expropriation as options available to the Town.

The Owner is not proposing to dedicate any parkland through the proposed draft plan of subdivision. Accordingly, the Owner will be required to pay cash-in-lieu of parkland dedication as part of the approval process. This money will be added to the funds currently available to acquire the outstanding parkland in South Unionville. Efforts related to the parkland acquisition are ongoing.

Revised Draft Plan received in May 2012 eliminating the connection of Ian Baron Drive to South Unionville Avenue

In October 2011, similar applications for a draft plan of subdivision and implementing Secondary Plan and Zoning By-law Amendments were submitted by Harry Cook Development Inc. for the land immediately to the west and south of the subject lands. That draft plan, which was approved by Development Services Committee on April 24, 2012, consists of 10 single-detached dwellings, 6 townhouse blocks comprising 36 units, and 7 part lots (3.5 units) for a total of 49.5 residential units. A proposed connection from Ian Baron Avenue to South Unionville Avenue, which was a matter of concern for area residents due to its proximity to the elementary school, was removed in the Harry Cook Developments Inc. plan, as staff from the Engineering Department reviewed the proposed intersection, and overall road pattern for the area, and determined that the proposed connection could be eliminated. Accordingly, the applicant has revised this draft plan to reflect the elimination of the earlier proposed road connection.

Sustainability Measures

The applicant is in discussion with his consultants and staff to finalize a list of sustainability initiatives for the proposed development. The initiatives adopted for this subdivision are expected to be more or less consistent with the initiatives recently adopted by other developers in Markham. As part of these initiatives the applicant has agreed to provide a "garden ready plot" in the rear yard of non lane based units (approximately 14 of 22 units) as well as a "whole house electricity monitor".

The garden ready plot is consistent with the Greenprint's Objective to "significantly increase community food-producing opportunities". Typically a home owner wishing to have a vegetable garden faces the difficult task of removing the sod and then amending the soils to support food growth. A garden ready plot would be an area roughly 1 m (3 ft.) deep and about 3 m to 4.5 m (10 ft. to 15 ft.) wide or perhaps the width of the rear yard where the builder would provide a sod free area with about 0.2 m to 0.3 m (8 to 12 inches) of top soil for vegetable or other planting. The builder would provide this as a standard item with the purchase of a home but the home owner would be given the option of refusing the garden ready plot at the time of home purchase.

The whole house electricity monitor is consistent with the Greenprint's Objective to "plan, design & construct high performance new neighbourhoods". It will inform residents, in real time, how much electricity their home is using in dollars, cents, and in

kilowatts. This feedback helps homeowners become aware of their energy use and provides a signal to modify behaviour to conserve electricity and save money.

A condition of draft plan approval will require a list of sustainability measures to be provided to the Town to the satisfaction of the Director of Planning & Urban Design.

Servicing Allocation

The Trustee for the South Unionville area has verbally confirmed that there is sufficient servicing allocation available from Council's January 2011 assignment of 2013 allocation to South Unionville to accommodate the proposed development. There is a Landowners Agreement in place, which the Owner will be required to join. The Trustee for the Group will need to confirm through a clearance letter that sufficient allocation has been assigned to the proposed 5.5 single detached units and 17 townhouse units, and that the Owner has satisfied all his obligations within the Landowners Agreement.

Proposal is Consistent with Previously Approved Development in the Area

Although the Community Design Plan for South Unionville did not contemplate the development of these lands for residential purposes, the road pattern and lot layouts are an extension of and generally consistent with development to the west. Therefore, staff are of the opinion that the proposed development can be supported.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

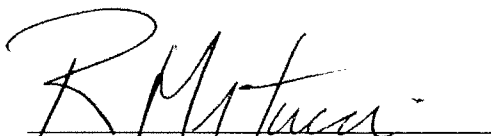
Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

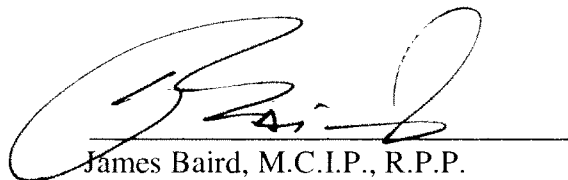
The proposed applications will align with the Town's strategic priority of "Growth Management and Municipal Services" by implementing the proposed development in coordination with available servicing allocation.

BUSINESS UNITS CONSULTED AND AFFECTED:

The requirements of other Town Departments and external agencies have been incorporated into the draft plan and recommended Conditions of Draft Approval, which are appended to this report.

RECOMMENDED BY:

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



James 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 – Proposed Plan of Subdivision

Appendix 'A' – Conditions of Draft Approval

Appendix 'B' – Draft Official Plan Amendment

Appendix 'C' and 'D' – Draft Zoning By-law Amendments

APPLICANT:

Mr. Aurelio Filice

8787 Woodbine Avenue, Unit 236

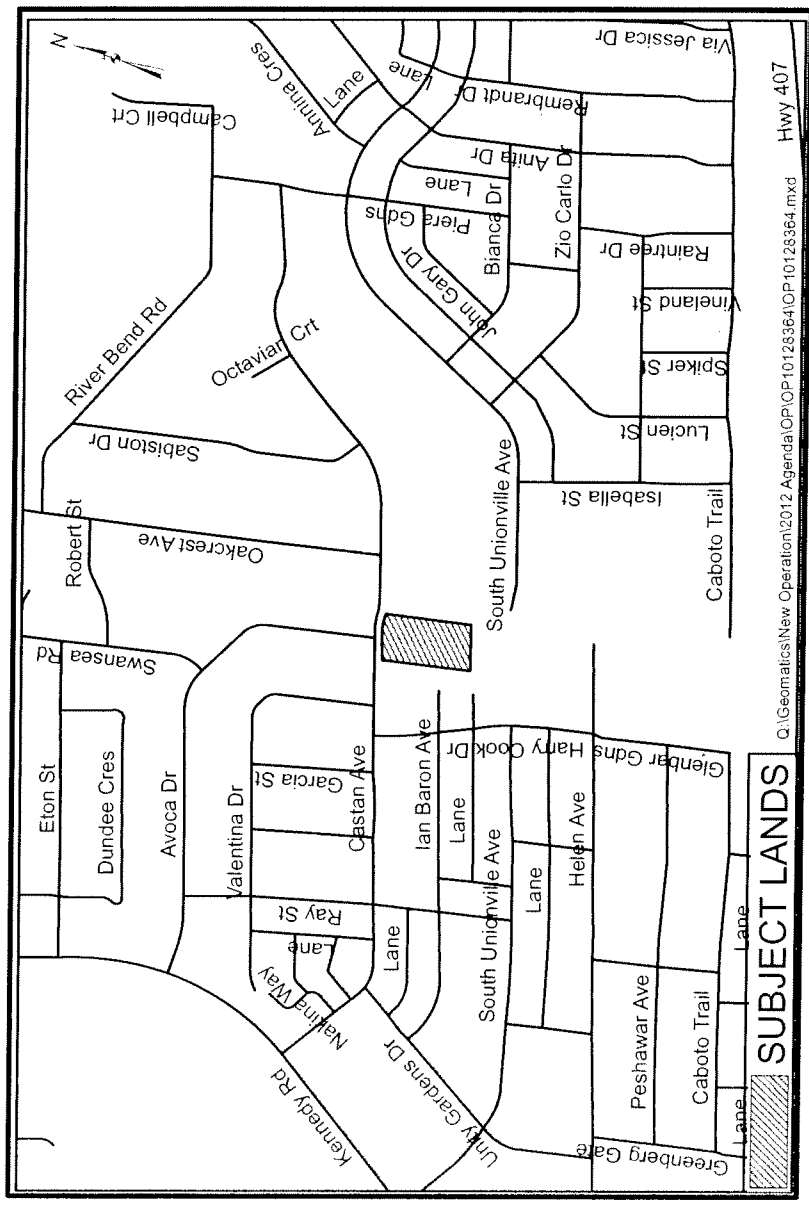
Markham, ON L3R 9S2

Tel: (905) 470-5158

Fax: (905) 470-5392

E-mail: aureliof@sympatico.ca

File path: Amanda\File SU 10 128366\Documents\Recommendation Report





AREA CONTEXT / ZONING

APPLICANT: AURELIO FILICE

PTS. OF LOT 6, CON.6, REG.PLAN 2196

FILE No. OP. 10128364 (SB)

 SUBJECT LANDS

Q:\Geomatics\New Operation\2012 Agenda\OP\OP10128364\OP10128364.mxd

DATE: 05/30/2012



DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW Checked By: SB

FIGURE No. 2



AIR PHOTO (2011)

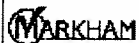
APPLICANT: AURELIO FILICE
PTS. OF LOT 6, CON.6, REG.PLAN 2196

FILE No. OP. 10128364 (SB)

Q:\Geomatics\New Operation\2012 Agenda\OP\OP10128364\OP10128364.mxd

 SUBJECT LANDS

DATE: 05/30/2012

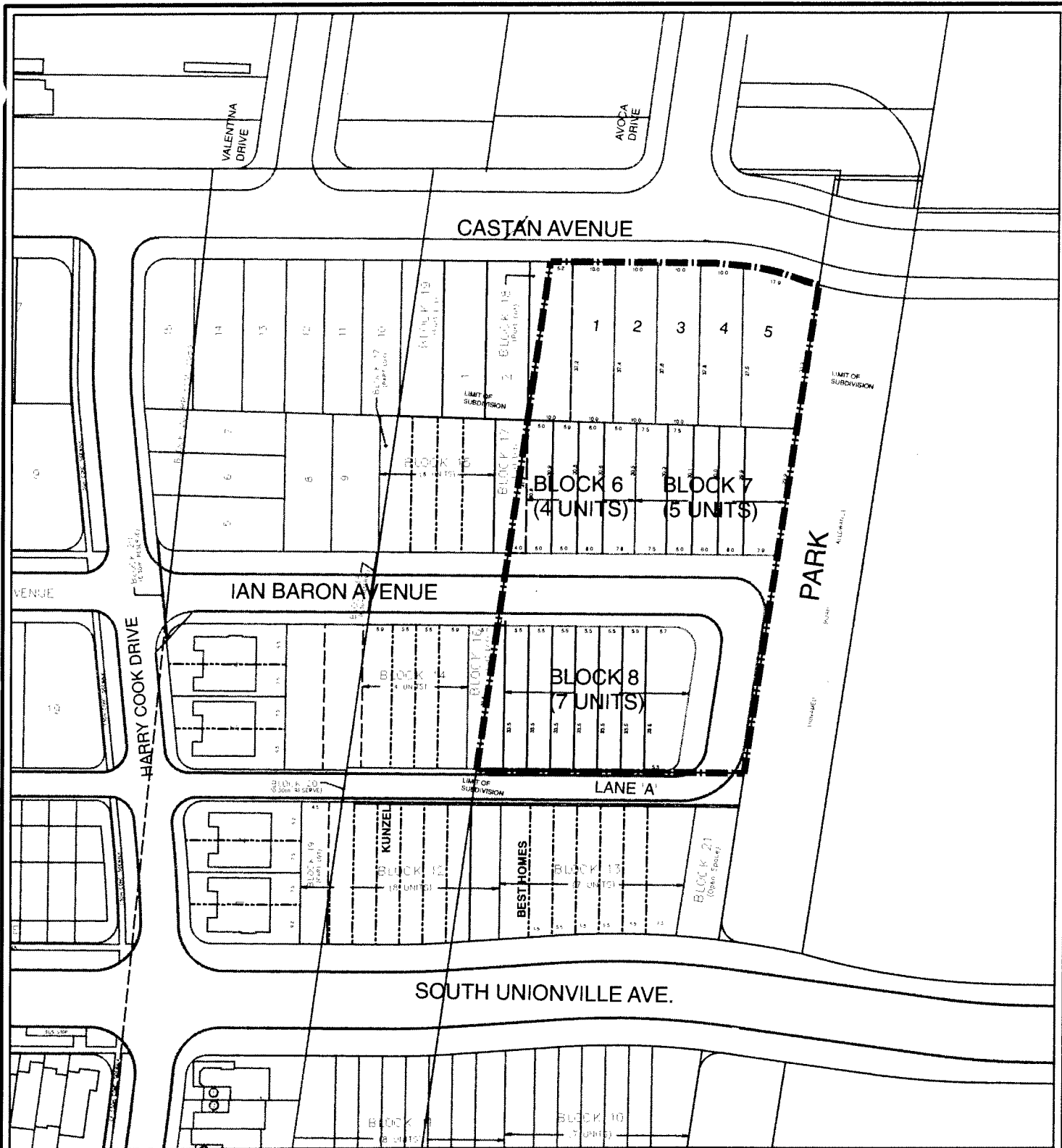


DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW Checked By: SB

FIGURE No. 3





DRAFT PLAN OF SUBDIVISION

APPLICANT: AURELIO FILICE
PTS. OF LOT 6, CON.6, REG.PLAN 2196

 SUBJECT LANDS

FILE No. OP. 10128364 (SB)

DATE: 05/30/2012



DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW Checked By: SB

FIGURE No. 4

APPENDIX 'A'
RECOMMENDED CONDITIONS OF DRAFT APPROVAL
PLAN OF SUBDIVISION 19TM-10005
AURELIO FILICE

1. General

- 1.1 Approval shall relate to a draft plan of subdivision prepared by Politis engineering Ltd., identified as Project Number 10780, Drawing Number 10380-DRT, dated September 4, 2010 (revised May 31, 2012), incorporating the following redline revisions:
 - Show ROW rounding radius for Ian Baron Avenue and Lane A, based on a minimum curb radii of 7.5 m (inside) and 15.0 m (outside) with pavement width of 9.0 m at the bend. Adjustments may be required based on turning templates for fire trucks/snow plough.
- 1.2 This draft approval shall apply for a maximum period of three (3) years from date of issuance by the Town, and shall accordingly lapse on XXXX unless extended by the Town upon application by the Owner.
- 1.3 The Owner shall enter into a subdivision agreement with the Town agreeing to satisfy all conditions of the Town and Agencies, financial and otherwise, prior to final approval.
- 1.4 The Owner acknowledges and understands that prior to final approval of this draft plan of subdivision, amendments to the South Unionville Secondary Plan and Zoning By-laws 304-87 and 177-96 to implement the plan shall have come into effect in accordance with the provisions of the Planning Act.
- 1.5 The Owner acknowledges and agrees that the draft plan of subdivision and associated conditions of draft approval may require revisions, to the satisfaction of the Town, to implement or integrate any recommendations from studies required as a condition of draft approval, including, but not limited to, Traffic Impact Study / Internal Functional Traffic Design Study, Stormwater Management Study (Environmental Master Drainage Plan), Internal Servicing Study, Noise Impact Study, confirmation of alignment of roads with the locations shown in the draft approved plans, as well as any comments and conditions received from municipal departments and external agencies after draft approval is granted.
- 1.6 Adjustments to driveways for the two easterly end units on Block 7 shall be required to the satisfaction of the Town (Commissioner of Development Services).

2. Roads

- 2.1 The road allowances and laneways within the draft plan shall be named to the satisfaction of the Town and the Region of York.
- 2.2 The road allowances within the draft plan shall be dedicated as public highway, free of all costs and encumbrances.
- 2.3 The Owner shall covenant and agree in the subdivision agreement that the public highways shall be designed and constructed in accordance with established municipal standards to the satisfaction of the Town (Commissioner of Development Services).
- 2.4 The Owner shall covenant and agree in the subdivision agreement to provide temporary turning circles where required at their cost and remove them and restore the streets to their normal condition at their cost when required by the Town, to the satisfaction of the Town (Commissioner of Development Services). The design of the temporary turning circles, and any implications on surrounding land use, shall be addressed in the subdivision agreement to the satisfaction of the Town.
- 2.5 Prior to final approval of the draft plan, the portion of Ian Baron Avenue which is outside the plan of subdivision must be completed (by others). If the portion of the road is not completed (by others), the Owner agrees to acquire the required lands and complete the road, or convey to the Town an easement over these lands and complete the road, to the satisfaction of the Director of Engineering. Alternatively, the Owner agrees to provide temporary turning circles or temporary roads/lanes to accommodate the proposed development or parts thereof to the satisfaction of the Director of Engineering.

Further, the Owner agrees to cooperate and coordinate with the adjoining landowner to the west and south for the purpose of providing access to the Owner's lands when the adjoining landowner starts construction on their lands.
- 2.6 The Owner shall covenant and agree in the subdivision agreement that construction access shall be restricted to Ian Baron Avenue and Castan Avenue. No construction access shall be provided from South Unionville.
- 2.7 The Owner shall covenant and agree in the subdivision agreement to implement the traffic calming measures identified in the Internal Functional Traffic Study. The Owner shall further covenant and agree to implement additional traffic calming measures, prior to assumption of the plan of subdivision, if it is determined by the Town that additional traffic calming measures are required

3. Community Design

- 3.1 The Owner shall implement and incorporate all requirements of the approved South Unionville – Design Book into all landscape plans, architectural control guidelines, engineering plans and any other required design documents.
- 3.2 The Owner shall retain a design consultant acceptable to implement the Generic Architectural Control Guidelines for all residential buildings.
- 3.3 The Owner shall implement Significant Character Area Guidelines contained in Chapter 6.2 of South Unionville Design Book for buildings fronting on public parks and located on Lot 5 and the easterly end units of Blocks 7 and 8.
- 3.4 Plans submitted for model home permits for any building within the plan of subdivision shall bear an approval stamp identifying the architectural company retained for architectural control and the signature of the control architect. The approval stamp shall certify that the floor plans, building elevations and site plans are designed in accordance with the approved architectural control guidelines.
- 3.5 The Owner shall ensure that the design architect for any buildings within the plan of subdivision shall not also assume the role of control architect for the plan of subdivision.
- 3.6 The Owner shall prepare and implement pedestrian connections to existing public sidewalks and walkways to satisfaction of the Commissioner of Development Services.
- 3.7 The Owner shall agree that vehicular access to residential units in Block 8 will be from Lane “A”.

4. Parks and Open Space

- 4.1 The Owner shall provide a minimum of 200 mm depth of topsoil in the entire municipal boulevard to appropriately plant boulevard trees according to the guidelines contained in the Streetscape Manual 2009, as amended, and to the satisfaction of the Commissioner of Development Services.

5. Landscape Works

- 5.1 Prior to execution of the subdivision agreement, the Owner shall submit landscape plans prepared by a qualified person based on the approved Community Design Plan and Architectural Control Guidelines, to the satisfaction of the Director of Planning and Urban Design, which shall include but not be limited to:
 - a) streetscape planting for Ian Baron Avenue and Lane A;

- b) street tree planting and tree planting in private yards in accordance with the Town of Markham Streetscape Manual dated June 2009.
 - c) 1.8 m high wood screen corner lot fencing.
 - d) 1.5 m high black vinyl chain link fence, or as specified by the Town, on the property line where residential lots abut parks and open space.
 - e) any other landscaping as determined by the Community Design Plan and to implement tree compensation planting to the satisfaction of the Town.
 - f) any walkway and sidewalk connections as determined by the Town.
- 5.2 The Owner shall construct all landscaping in accordance with the approved plans at no cost to the Town.
- 5.3 The Owner shall not permit their builders to charge home purchasers for the items listed in Condition 5.1.
- 5.4 The Owner shall include in all agreements of purchase and sale the following clause:

“PURCHASERS ARE ADVISED THAT AS A CONDITION OF APPROVAL OF THE SUBDIVISION WITHIN WHICH THIS LOT IS LOCATED, THE TOWN OF MARKHAM HAS REQUIRED THE DEVELOPER TO UNDERTAKE AND BEAR THE COST OF THE FOLLOWING ITEMS:

- STREET TREES (TREES PLANTED IN THE TOWN BOULEVARD OR IN ADJACENT PUBLIC LANDS OR PRIVATE LOTS TO MEET 5.1 a) AND 5.1b)
- CORNER LOT FENCING
- REAR LOT LINE FENCING AT LANES (IF SPECIFICALLY REQUIRED BY THE TOWN)
- TREE PLANTING IN REAR YARDS ADJOINING THE LANES (IF SPECIFICALLY REQUIRED BY THE TOWN)
- NOISE ATTENUATION FENCING AS IDENTIFIED IN THE NOISE IMPACT STUDY
- FENCING OF SCHOOL, PARK, WALKWAY AND STORMWATER MANAGEMENT POND BLOCKS
- BUFFER PLANTING FOR OPEN SPACE, WALKWAY AND STORMWATER MANAGEMENT POND BLOCKS AND SINGLE LOADED STREET ALLOWANCES

THE DEVELOPER HAS BORNE THE COST OF THESE ITEMS AND THE HOME PURCHASER IS NOT REQUIRED TO REIMBURSE THIS EXPENSE.”

6. Tree and Woodlot Preservation

- 6.1 The Owner shall submit for approval a tree inventory and tree preservation plan to the satisfaction of the Director of Planning and Urban Design in accordance with the Town of Markham Streetscape Manual dated 2009, as amended from time to time.
- 6.2 The Owner shall submit a site grading plan showing the trees to be preserved based on the approved Tree Preservation Plan prior to the issuance of a Top Soil Stripping Permit to the satisfaction of the Director of Planning and Urban Design.
- 6.3 The Owner shall obtain written approval from the Director of Planning and Urban Design prior to the removal of any trees or destruction or injury to any part of a tree within the area of the draft plan.
- 6.4 The Owner shall submit for approval, as part of the tree inventory and tree preservation plan, in accordance with the Town of Markham Streetscape Manual a tree compensation schedule detailing replacement and enhancement planting or the replacement value based on the following:
 - a) Trees between 20cm and 40cm diameter at breast height (DBH) shall be replaced at a ratio of 2:1
 - b) All trees over 40cm DBH shall have an individual valuation submitted to the Town by an ISA certified Arborist in accordance with the Council of Tree and Landscape Appraisers (CTLA) Guide for Plant Appraisal (2000)
 - c) Where a site does not allow for the 2:1 replacement, the Town will negotiate a credit for tree planting on alternate sites
 - d) The requirement for the replacement or equivalent economic value following unauthorized tree removal or damage shall be determined by the Town.

7. Financial

- 7.1 Prior to execution of the subdivision agreement the Owner shall provide a letter of credit, in an amount to be determined by the Director of Planning and Urban Design, to ensure compliance with applicable tree preservation, fencing, streetscape, buffer, landscaping and other landscaping requirements.

8. Noise Impact Study

- 8.1 Prior to final approval of the draft plan, the Owner shall submit a Noise Impact Study, prepared by a qualified noise consultant, with recommended mitigation

measures for noise generated by road traffic on South Unionville Avenue, Harry Cook Drive, Castan Avenue, and Highway 407 and by any other identified noise sources, to the satisfaction of the Town, in consultation with the Region of York. The Owner further agreed to make any revisions to the draft plan that may be required to achieve the recommendations of the Noise Impact Study.

- 8.2 The Owner shall covenant and agree in the subdivision agreement to implement noise control measures and warning clauses as recommended by the approved Noise Impact Study, to the satisfaction of the Town (Commissioner of Development Services).

9. Stormwater Management

- 9.1 Prior to final approval of the draft plan, the Owner shall submit a stormwater management study, prepared by a qualified engineer, detailing the provision of water quality and quantity management facilities, hydraulic gradelines, overland flow routes, and erosion and siltation controls for the draft plan for approval by the Town. The Owner acknowledges and agrees that they will be required to construct the proposed stormwater management facilities and overland routes, provide any easements or lands for stormwater and overland flow purposes, and to revise the draft plan accordingly, as may ultimately be required.
- 9.2 The Owner shall covenant and agree in the subdivision agreement to undertake the monitoring of watercourse temperatures which may be affected by storm drainage from its development, subject to consultation with, and to the satisfaction of the Town.
- 9.3 The Owner shall covenant and agree in the subdivision agreement to obtain approval of Site Alteration Plans in accordance with the Town's Standards prior to proceeding with any on-site works and more particularly topsoil stripping.

10. Municipal Services

- 10.1 Prior to final approval of the draft plan, the Owner shall prepare, to the satisfaction of the Town (Commissioner of Development Services), a Functional Servicing Report to determine the infrastructure required for all municipal services internal to the subdivision. Any requirements resulting from this Report shall be incorporated into the draft plan and provided for in the subdivision agreement.
- 10.2 The Owner shall covenant and agree in the subdivision agreement that they shall be required to construct, or pay for the construction of, roads, bicycle lanes, curbs, gutters, sidewalks (in accordance with the applicable Council policy), underground and above ground services, street lights, street signs, utilities, stormwater management facilities, etc., to the satisfaction of the Town (Commissioner of Development Services).

- 10.3 Prior to final approval of the draft plan, detailed engineering drawings shall be provided by the Owner which will include, but not be limited to grading control plans, plan and profile drawings of all underground and aboveground services, general plans, drainage plans, composite utility plans, stormwater management detail plans, etc. to the satisfaction of the Town (Commissioner of Development Services).
- 10.4 The Owner shall acknowledge and agree in the subdivision agreement that building permits will not be issued for lands in any stage of development within the draft plan of subdivision until the Director of Building Services has been advised by the Fire Chief that there is an adequate water supply for firefighting operations and acceptable access for firefighting equipment is available.

11. Easements

- 11.1 The Owner shall grant required easements to the appropriate authority for public utilities, drainage purposes or turning circles, upon registration of the plan of subdivision. Any off-site easements and works necessary to connect watermain, storm and sanitary sewers to outfall trunks and stormwater management facilities shall be satisfactory to, and dedicated to, the Town.

12. Utilities

- 12.1 The Owner shall covenant and agree in the subdivision agreement that hydro electric, telephone, gas and television cable services, and any other form of telecommunication services shall be constructed at no cost to the Town as underground facilities within the public road allowances or within other appropriate easements, as approved on the Composite Utility Plan, to the satisfaction of the Town (Commissioner of Development Services) and authorized agencies.
- 12.2 The Owner shall covenant and agree in the subdivision agreement to enter into any agreement or agreements required by any applicable utility companies, including PowerStream, Enbridge, telecommunications companies, etc.
- 12.3 The Owner shall covenant and agree in the subdivision agreement to facilitate the construction of Canada Post facilities at locations and in manners agreeable to the Town of Markham in consultation with Canada Post, and that where such facilities are to be located within public rights-of-way they shall be approved on the Composite Utility Plan and be in accordance with the Community Design Plan.
- 12.4 The Owner shall covenant and agree in the subdivision agreement to include on all offers of purchase and sale a statement that advises prospective purchasers that mail delivery will be from a designated Community Mailbox. The Owners will

further be responsible for notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sale.

- 12.5 The Owner shall covenant and agree in the subdivision agreement to provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residents as soon as homes are occupied.
- 12.6 Standard Community Mailbox installations are to be done by Canada Post at locations approved by the municipality and shown on the Composite Utility Plan. Should the developer propose an enhanced Community Mailbox installation, any costs over and above the standard installation must be borne by the developer, and be subject to approval by the Town in consultation with Canada Post.
- 12.7 The Owner covenants and agrees that it will permit any telephone or telecommunication service provider to locate its plant in a common trench within the proposed subdivision prior to registration provided the telephone or telecommunications services provider has executed a Municipal Access Agreement with the Town. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.

13. Traffic Impact Study

- 13.1 Prior to final approval of the draft plan, the Owner shall prepare, in consultation with the Owners of other lands within the Secondary Plan area, a Traffic Impact Study to the satisfaction of the Town and the Region of York. The Owner shall incorporate the requirements and criteria of the Traffic Impact Study into the draft approved plan and subdivision agreement.

14. Development Charges

- 14.1 The Owner covenants and agrees to provide written notice of all development charges related to the subdivision development, including payments made and any amounts owing, to all first purchasers of lands within the plan of subdivision at the time the lands are transferred to the first purchasers.
- 14.2 The Owner shall pay all fees and development charges as set out in the subdivision agreement.

15. Phase 1 Environmental Site Assessment (ESA)

15.1 Prior to the release for registration of the draft plan, the Owner shall:

- i) Submit environmental site assessment reports prepared by a Qualified Person in accordance with the Record of Site Condition Regulation (O.Reg. 153/04) describing the current conditions of the land to be conveyed to the Town and any proposed remedial action plan, for peer review and concurrence;
- ii) At the completion of any necessary site remediation process, submit certification from the Qualified Person that the necessary clean up has been carried out and that the land to be conveyed to the Town meets the Site Condition Standards of the intended land use;
- iii) File a Record of Site Condition on the Provincial Environmental Site Registry for the land to be conveyed to the Town; and
- iv) Pay all costs associated with the Town retaining a third-party reviewer for the peer review service.

15.2 The Owner shall covenant and agree in the subdivision agreement that if during construction of any infrastructure or building within the subdivision contaminated soils are discovered, the Owner shall submit a further remedial action plan to the Town for peer review and concurrence prior to carrying out the clean up, to the satisfaction of the Director of Engineering.

16. Heritage

16.1 Prior to final approval of the draft plan of subdivision or any phase thereof, the Owners shall carry out a cultural heritage resource assessment for the lands within the draft plan to ensure the assessment and identification of appropriate treatment of built heritage and archaeological resources, and further to mitigate any identified adverse impacts to significant heritage resources to the satisfaction of the Town (Commissioner of Development Services) and the Ministry of Culture (Heritage Branch). No demolition, grading, filling or any form of soil disturbances shall take place on the lands within the draft plan prior to the issuance of a letter from the Ministry of Culture (Heritage Branch) to the Town indicating that all matters relating to heritage resources have been addressed in accordance with licensing and resource conservation requirements.

16.2 The Owner shall covenant and agree in the subdivision agreement to implement any measures recommended by the heritage resource assessment, to the satisfaction of the Town and the Ministry of Culture (Heritage Branch).

- 16.3 Prior to any removal or alteration of any existing buildings, trees or other site features, the Owner shall permit Town staff an opportunity to carry out photographic documentation of the property and its features for archival purposes.

17. Well Monitoring Program and Mitigation Plan

- 17.1 Prior to any site alteration activities, the Owner shall check if there are any active wells within 500 metres of the Zone of Influence (ZOI). If any active wells are found within the ZOI, the Owner shall prepare and implement a Well Monitoring Program and Mitigation Plan, in accordance with the Town's requirements to the satisfaction of the Director of Engineering.

18. Other Town Requirements

- 18.1 The Owner shall covenant and agree in the subdivision agreement to pay recoveries for their proportionate share of previously constructed servicing/infrastructures for this area to the satisfaction of the Town (Commissioner of Development Services).
- 18.2 Prior to final approval of the draft plan or any phase thereof, the Owner shall enter into a Developers Group Agreement(s) to ensure the provision of community and common facilities such as school sites, municipal services, parks and public roads in the South Unionville Secondary Plan area, to the satisfaction of the Town (Commissioner of Development Services and Town Solicitor). A certificate confirming completion of such agreement(s) shall be provided to the Town by the Developers Group Trustee to the satisfaction of the Director of Planning & Urban Design.
- 18.3 Prior to final approval, the Trustee of the South Unionville Developers' Group agreement shall deliver a release letter to the Town confirming the assignment of servicing allocation and indicating that the Owner has satisfied all conditions of the Group agreement and the Trustee has no objection to the registration of this draft plan of subdivision.
- 18.4 The Owner acknowledges and agrees that firebreak lots within the draft plan shall be designated in the subdivision agreement, to the satisfaction of the Fire Chief. The Owner shall provide a letter of credit in an amount to be determined by the Fire Chief at the subdivision agreement stage to ensure compliance with this condition.
- 18.5 The Owner shall covenant and agree in the subdivision agreement to include warning clauses in agreements of purchase and sale for all units with single car garages advising purchasers of the following:

- the Town's parking by-law requires a minimum of two parking spaces, one in the driveway and one in the garage
- the Town's zoning by-law restricts the width of the driveway, this width does not allow two cars to park side by side
- overnight street parking will not be permitted unless an overnight street parking permit system is implemented by the Town

18.6 The Owner shall covenant and agree in the subdivision agreement that part lots (including Blocks 9 to 11 inclusive) may be developed only in conjunction with abutting lands and that no building permits will be issued for said blocks until combined with abutting lands to create building lots in conformity with the zoning by-law and until all applicable fees have been paid.

18.7 The Owner shall agree in the subdivision agreement to implement sustainability measures within the subdivision to the satisfaction of the Town, and shall further agree to provide securities with respect to the required sustainability measures.

18.8 The Owner shall provide and post display plans in all sales offices which clearly indicate the location of the following facilities in relation to the lot being purchased, prior to any Agreements of Purchase and Sale being executed by the Owner, a builder or their real estate agents:

Park, by type, including Park and Open Space Concept Plans and Streetscape Plans; stormwater management ponds and related facilities; schools by type; place of worship sites; other institutional site by type; commercial site by type; other surrounding land uses and facilities as specified by the Town; existing or future: rail facilities, provincial highways, arterial and collector roads, transit routes and stops; Town approved sidewalk, walkway and bike route locations; Town approved postal box and utility furniture locations or possible locations if prior to approval; Town lot grading standards.

All display plans shall be reviewed and approved at the sales office by Town staff, prior to the opening of the sales office.

19 Region of York

19.1 The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the area municipality and the Regional Planning and Development Services Department.

19.2 Prior to final approval York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the Town of Markham for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.

19.3 The Owner shall agree in the Subdivision Agreement that the Owner shall save harmless the Town of Markham and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.

19.4 Prior to the final approval the following shall occur:

- a) the Town of Markham approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
- b) York Region has advised in writing that it is no earlier than six (6) months prior to the expected completion of the Southeast Collector Sewer; or,
- c) The Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Town of Markham allocates the capacity to this development.

19.5 The Owner shall agree in the subdivision agreement, in words satisfactory to the Transportation and Community Planning Department, to be responsible to decommission any existing wells on the Owner's lands in accordance with all applicable provincial legislation and guidelines to the satisfaction of the area municipality.

19.6 Prior to final approval, the Owner shall provide a copy of the subdivision agreement to the Transportation and Community Planning Department, outlining all requirements of the Transportation and Community Planning Department.

19.7 The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law # 2010-49.

19.8 The Regional Planning and Development Services Department shall advise that Conditions 19.1 to 19.7 inclusive, have been satisfied.

20. MNR

20.1 The Owner shall agree in the subdivision agreement to satisfy all requirements of the Ministry of Natural Resources with respect to a Redside Dace (endangered species) potential impact on the draft plan of subdivision.

21. External Clearances

21.1 Prior to final approval of the draft plan of subdivision, clearance letters, containing a brief statement detailing how conditions have been met, will be required from authorized agencies as follows:

- a) The Regional Municipality of York Planning Department shall advise that Conditions 2.1 and 19 have been satisfied.
- b) The Ministry of Culture (Heritage Branch) shall advise that Conditions 16.1 and 16.2 have been satisfied.
- c) The Ministry of Natural Resources shall advise that Condition 20 has been satisfied.

Dated:

Biju Karumanchery, Senior Development Manager

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

To amend the Official Plan (Revised 1987), as amended,
and to incorporate Amendment No. 12 to the South Unionville Secondary Plan (PD 34-1)
for the South Unionville Planning District (**Planning** District No. 34).

(AURELIO FILICE)

(JUNE 2012)

OFFICIAL PLAN
of the
MARKHAM PLANNING AREA
AMENDMENT NO. XXX

To amend the Official Plan (Revised 1987), as amended and to incorporate Amendment No. 12 to the South Unionville Secondary Plan (PD 34-1) for the South Unionville Planning District (Planning District No. 34).

This Official Plan Amendment was adopted by the Corporation of the Town of Markham, By-law No. _____ - ____ in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the X day of JUNE, 2012.

Mayor

Town Clerk

THE CORPORATION OF THE TOWN OF MARKHAM

BY-LAW NO. _____

Being a by-law to adopt Amendment No. XXX to the Town of Markham Official Plan (Revised 1987), as amended.

THE COUNCIL OF THE CORPORATION OF THE TOWN 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 Town of Markham Official Plan (Revised 1987), 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 X DAY OF JUNE, 2012.

TOWN 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	9
2.	IMPLEMENTATION AND INTERPRETATION	10

PART III - THE SECONDARY PLAN AMENDMENT

1.	THE SECONDARY PLAN AMENDMENT	12
2.	IMPLEMENTATION AND INTERPRETATION	12
3.	SCHEDULE 'A'	13
4.	SCHEDULE 'B'	14
5.	SCHEDULE 'C'	15

DRAFT

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, constitutes Amendment No. XXX to the Official Plan (Revised 1987), as amended and is required to enact Amendment No. 12 to the South Unionville Secondary Plan (PD 34-1) for part of the South Unionville Planning District (Planning District No. 34). Part II is an operative part of this Official Plan Amendment.
- 1.3 PART III - THE SECONDARY PLAN AMENDMENT, including Schedules 'A', 'B' and 'C' attached hereto, constitutes Amendment No. 12 to the South Unionville Secondary Plan (PD 34-1) for part of the South Unionville Planning District (Planning District No. 34). This Secondary Plan Amendment may be identified by the symbol PD 34-1-12. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan and to the South Unionville Secondary Plan (PD 34-1) applies to lands comprising approximately 1.3 ha (3.2 ac), located on the south side of Castan Avenue, east of Harry Cook Drive (Plan 2196 Parts of Lot 6).

3.0 PURPOSE

The purpose of this Amendment is to re-designate the subject lands from "Open Space/Neighbourhood Park" to "Low Density Housing" and "Medium Density 1 Housing", with a site specific exception, to facilitate a development comprised of single-detached and townhouse dwellings.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The subject lands are designated "Urban Residential" in the Official Plan. The "Urban Residential" designation contemplates a variety of housing and related institutional and local commercial uses, which are compatible with and serve the residential uses. The proposed residential development is consistent with the general pattern of development in the area and will assist in the completion of the South Unionville neighborhood.

The subject lands are designated "Open Space/Neighbourhood Park" in the South Unionville Secondary Plan (PD 34-1). The "Open Space/Neighbourhood Park" designation provides for parks, recreational uses and municipal services and utilities. The York Catholic School Board had previously expressed interest in developing a

portion of the subject lands as a school site. However, after further consideration of School Board needs, the School Board advised that they no longer require the subject lands for a school site. The York Region District School Board has developed the school site as identified by the elementary school symbol.

A parkland analysis of the South Unionville Secondary Plan Area (PD 34-1) has been completed by the Town indicating that there is, and will be, adequate parkland to serve low and medium density residential developments within South Unionville, in accordance with Secondary Plan and the Community Design Plan. The proposed re-designation of the subject lands from "Open Space/Neighbourhood Park" to "Low Density Housing" and "Medium Density 1 Housing" will not negatively impact required parkland for the South Unionville Community, as additional lands for parkland/open space purposes has been identified within the community. Furthermore, the Official Plan states that where lands are designated "Open Space" and under private ownership, then an application for re-designation of such lands for other purposes will be given due consideration.

The South Unionville Secondary Plan stipulates that the net site density of all units in the Medium Density 1 Housing Category shall not exceed 35 units per hectare (14 units per acre). The net density of the portion of the proposed development re-designated to "Medium Density 1 Housing" is 48.7 units per hectare (19.7 units per acre). Accordingly, a site specific provision is required to permit an increase in density from 35 units per hectare (14 units per acre) to 48.7 units per hectare (19.7 units per acre).

The Town's Official Plan contemplates a higher density (31.7 to 79.9 units per hectare) for the Medium Density Housing Category for the OPA 5 communities, which includes South Unionville, than what is provided for in the South Unionville Secondary Plan. It should be noted that other OPA 5 communities, including Wismer, Greensborough and Berczy, all reflect the higher densities contained in the Official Plan.

Staff are of the opinion that the requested density can be supported, as the proposed lane based townhouses have frontages ranging from 5.5 m – 11.6 m and the non lane based townhouses have frontages ranging from 6.0 m – 8.7 m, both of which are comparable with frontages of other townhouse developments in the Town.

DRAFT

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** 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 South Unionville Secondary Plan PD 34-1, for the South Unionville 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 9.2.17 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 Schedules ‘AA’ - Detailed Land Use and ‘CC’ - Open Space System and the text of the South Unionville Secondary Plan (PD 34-1). These changes are outlined in Part III which comprises Amendment No. 12 to the South Unionville Secondary Plan (PD 34-1).

2.0 IMPLEMENTATION AND INTERPRETATION

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

This Amendment shall be implemented by an amendment to the Zoning By-law in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Revised 1987), as amended, is exempt from the approval by the Region of York. Following adoption, notice of Council’s decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987), as amended, shall not apply.

DRAFT

DRAFT

PART III - THE SECONDARY PLAN AMENDMENT (PD 34-1-12)
(This is an operative part of Official Plan Amendment No. XXX)

PART III - THE SECONDARY PLAN AMENDMENT (PD 34-1-12)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 12 to the South Unionville Secondary Plan PD 34-1)

The South Unionville Secondary Plan (PD 34-1) for part of the South Unionville Planning District is hereby amended as follows:

- 1.1** Schedule 'AA' – DETAILED LAND USE of the South Unionville Secondary Plan (PD 34-1) is hereby amended by re-designating the subject lands from "Open Space/Neighbourhood Park" to "Low Density Housing" and "Medium Density 1 Housing", as shown on Schedule 'A' attached hereto.
- 1.2** Schedule 'CC' – OPEN SPACE SYSTEM of the South Unionville Secondary Plan (PD 34-1) is hereby amended by deleting the subject lands as lands designated as "Open Space/Neighbourhood Park", as shown on Schedule 'B', attached hereto.
- 1.3** Section 6.2.4 is hereby amended by adding subsection vi) as follows:

"vi) Notwithstanding Section 6.2.4 a) ii) of this Plan, lands designated "Medium Density 1 Housing" as shown on Figure 34-1-12 attached hereto, shall have a maximum net site density of 48.7 units per hectare (19.7 units per acre)."

and by adding Figure 34-1-12 as shown on Schedule 'C' attached hereto, to be appropriately identified, on the first page following section 6.2.4 vi).

2.0 IMPLEMENTATION AND INTERPRETATION

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

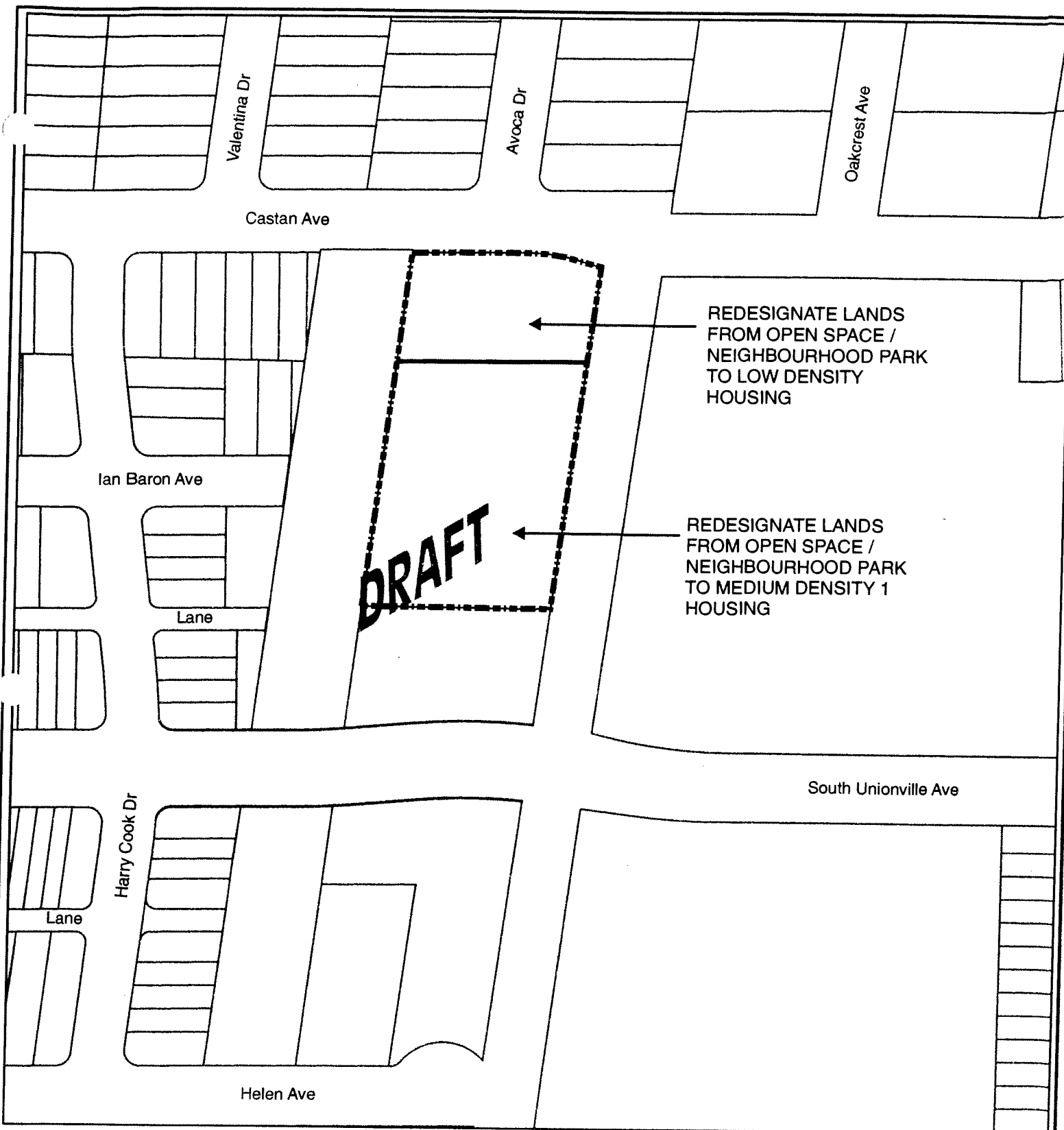
This Amendment shall be implemented by an amendment to the Zoning By-law in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Revised 1987), as amended, is exempt from the approval by the Region of York. Following adoption, notice of Council's decision will be given in accordance with the Planning Act, and the decision of Council is final, if a notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council's decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical

amendments are those minor changes that do not affect the policy or intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13(c) of Part II of the Official Plan (Revised 1987), as amended, shall not apply.

DRAFT



AMENDMENT TO SCHEDULE 'AA' - DETAILED LAND USE OF THE SOUTH UNIONVILLE SECONDARY PLAN (PD 34-1)

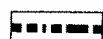
--- BOUNDARY OF AREA COVERED BY THIS AMENDMENT



SPECIFIC SITE AND AREA POLICIES TOWN OF MARKHAM OFFICIAL PLAN

SECONDARY PLAN 34-1

FIGURE No. 34-1-12



BOUNDARY OF AREA COVERED BY POLICIES IN SECTION 6.2.4vi)

Land Use designation: MEDIUM DENSITY 1 HOUSING

Q:\Geomatics\New Operation\2012 Agenda\OP\OP10128364\OP10128364.mxd

**SCHEDULE 'C' TO PART III OF OFFICIAL PLAN AMENDMENT No. XXX
INCORPORATION AMENDMENT No.12 TO SECONDARY PLAN 34-1**

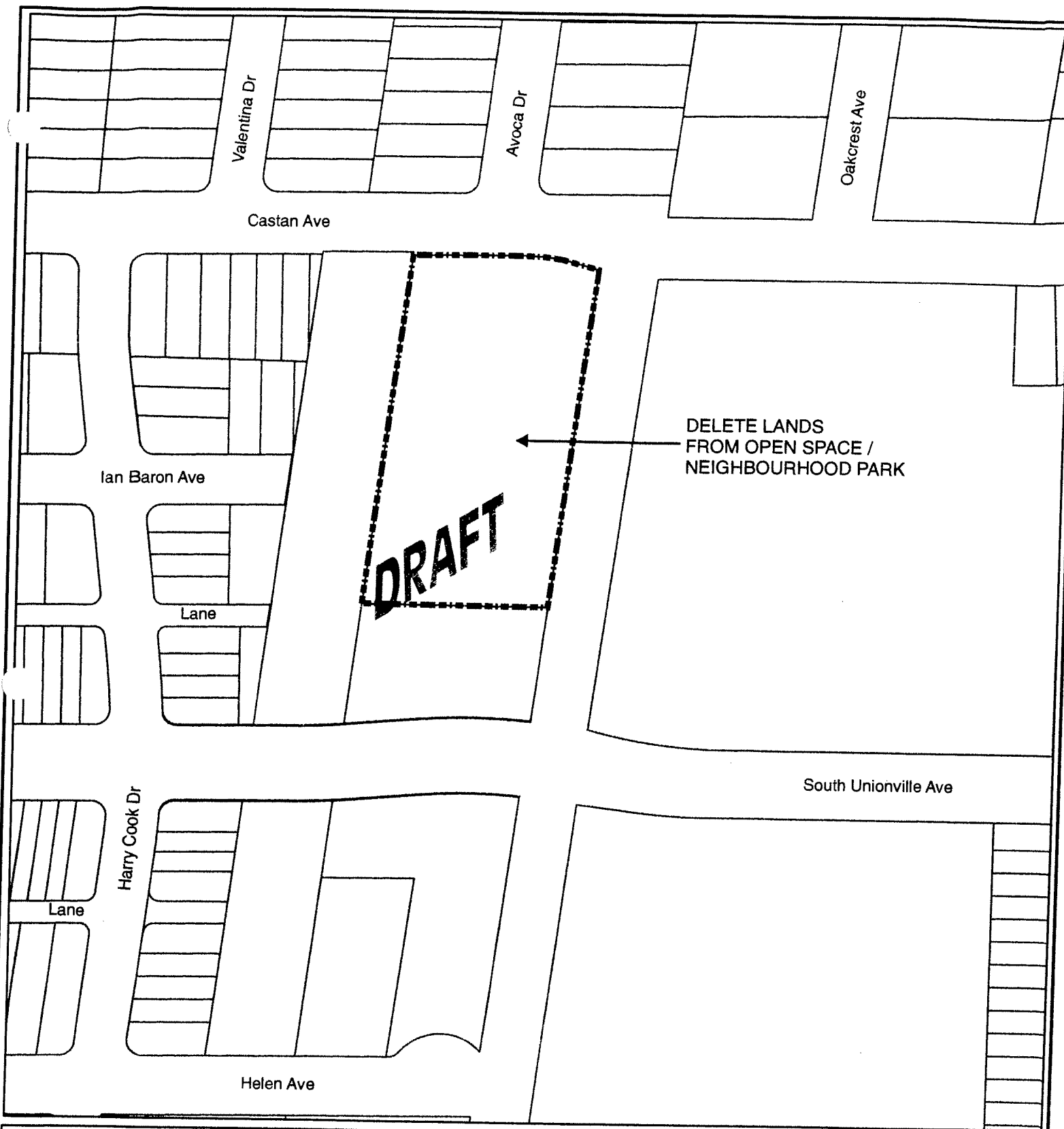
MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SB

DATE: 06/04/2012

SCALE: NTS



AMENDMENT TO SCHEDULE 'CC' - OPEN SPACE SYSTEM OF THE SOUTH UNIONVILLE SECONDARY PLAN (PD 34-1)

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT





EXPLANATORY NOTE

BY-LAW 2012-XX

A By-law to amend By-law 304-87, as amended

**Castan Avenue (Aurelio Filice)
Part of Lots 6, Registered Plan 2196
South Unionville Planning District
19TM-10005**

Lands Affected

The proposed By-law amendment applies to a 1.3 ha (3.2 ac) parcel of land situated on the south side of Castan Avenue, east of Harry Cook Drive, within the South Unionville Planning District.

Existing Zoning

The lands are zoned Rural Residential One (RR1) by By-law 304-87, as amended.

Purpose and Effect

The purpose and effect of this By-law amendment is to delete the lands from By-law 304-87, as amended, so that they may be incorporated into By-law 177-96, as amended.



BY-LAW 2012-XX

A By-law to amend By-law 304-87, as amended

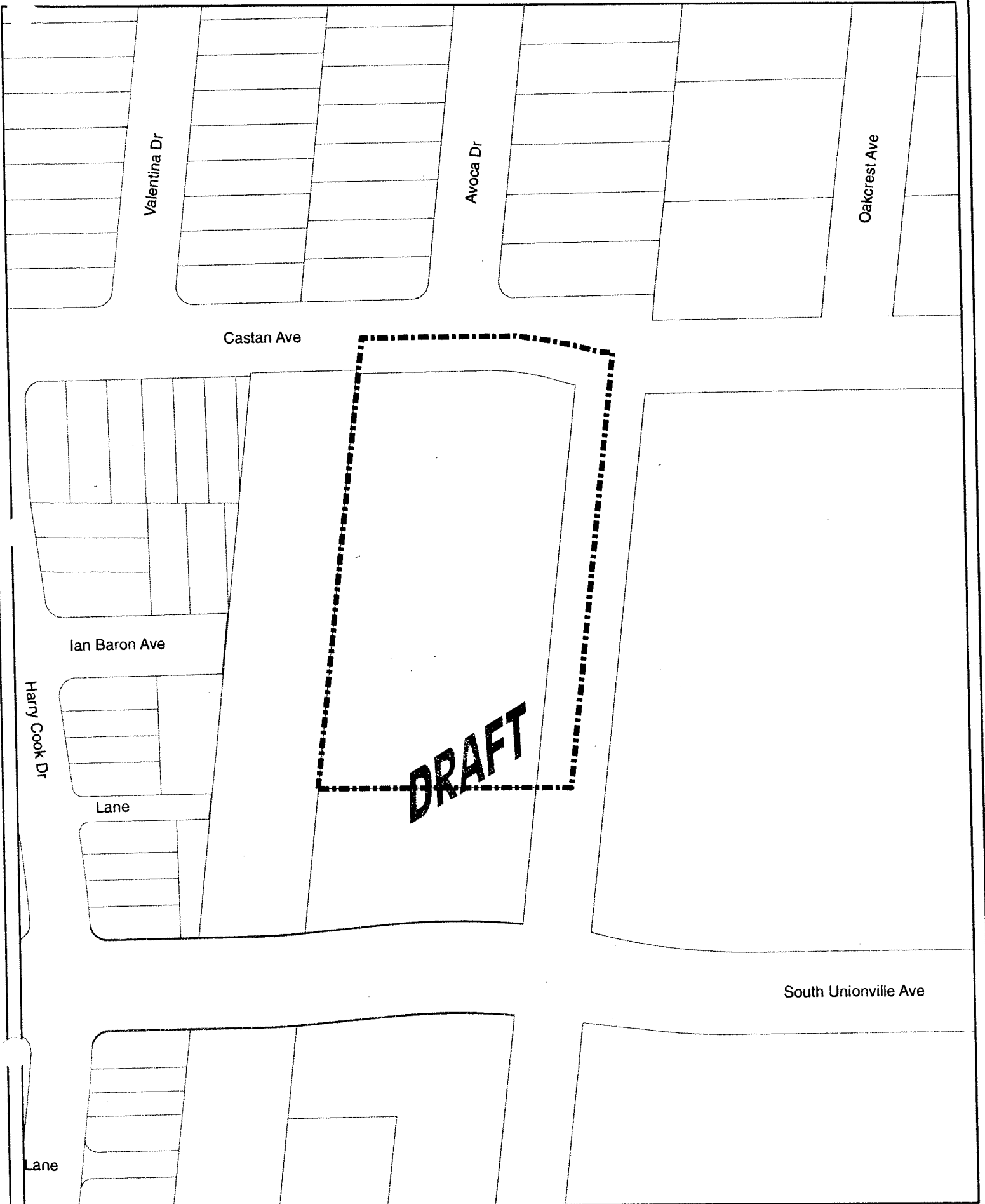
THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

1. By-law 304-87, as amended, be and the same is hereby further amended by deleting the lands identified as Part of Lots 6, Registered Plan 2196, as shown on Schedule 'A' hereto from the designated area of By-law 304-87, as amended.
2. This By-law shall not come into effect until By-law 2012-XXX, amending By-law 177-96, as amended, comes into effect and the lands, as shown on Schedule 'A' attached hereto, are incorporated into the designated area of By-law 177-96, as amended.
3. All other provisions of By-law 304-87, as amended, not inconsistent with the provisions of this by-law shall continue to apply.

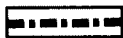
READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS X DAY OF
JUNE, 2012.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



BY-LAW SCHEDULE 'A' TO AMEND BY-LAW 304-87



BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE



Q:\Geomatics\New Operation\By-Laws\OP\OP10128364\OP10128364.mxd

BY-LAW AMENDMENT No. PASSED
..... (MAYOR) (CLERK)



EXPLANATORY NOTE

BY-LAW 2012-XX

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

**Castan Avenue (Aurelio Filice)
Part of Lots 6, Registered Plan 2196
South Unionville Planning District
19TM-10005**

Lands Affected

The proposed By-law amendment applies to a 1.3 ha (3.2 ac) parcel of land situated on the south side of Castan Avenue, east of Harry Cook Drive, within the South Unionville Planning District.

Existing Zoning

The lands are zoned Rural Residential One (RR1) by By-law 304-87, as amended.

Purpose and Effect

The purpose and effect of this By-law amendment is to incorporate the lands into appropriate zone categories within By-law 177-96, as amended. The proposed zone categories are:

Residential Two*31	R2*31
Residential Two*31 (Hold)	R2*31 (H)
Residential Two- <i>Lane Access</i> (Hold)	R2-LA (H)

This amendment will facilitate the development of single-detached and townhouse dwellings on the subject lands once the Holding provision is removed.



BY-LAW 2012-XX

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

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

1.0 By-law 177-96, as amended, be and the same is hereby further amended as follows:

1.1 By expanding the designated area of By-law 177-96, as amended, to include the lands comprising Parts of Lot 6, Registered Plan 2196, as outlined on Schedule 'A' attached hereto.

1.2 By zoning the lands:

Residential Two*31 (R2*31)

Residential Two*31 (Hold) [R2*31 (H)]

Residential Two – *Lane Access* (Hold) [R2-LA (H)]

1.3 HOLDING PROVISIONS

For the purpose of this By-law, a Holding (H) provision is hereby established and is 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 '(H)' provision for the purpose permitted under this By-law until an amendment to this By-law to remove the letter '(H)' has come into effect pursuant to the provisions of Section 36 of the Planning Act.

Prior to removing the (H) Holding provision, the following condition must be met to the satisfaction of the Town of Markham:

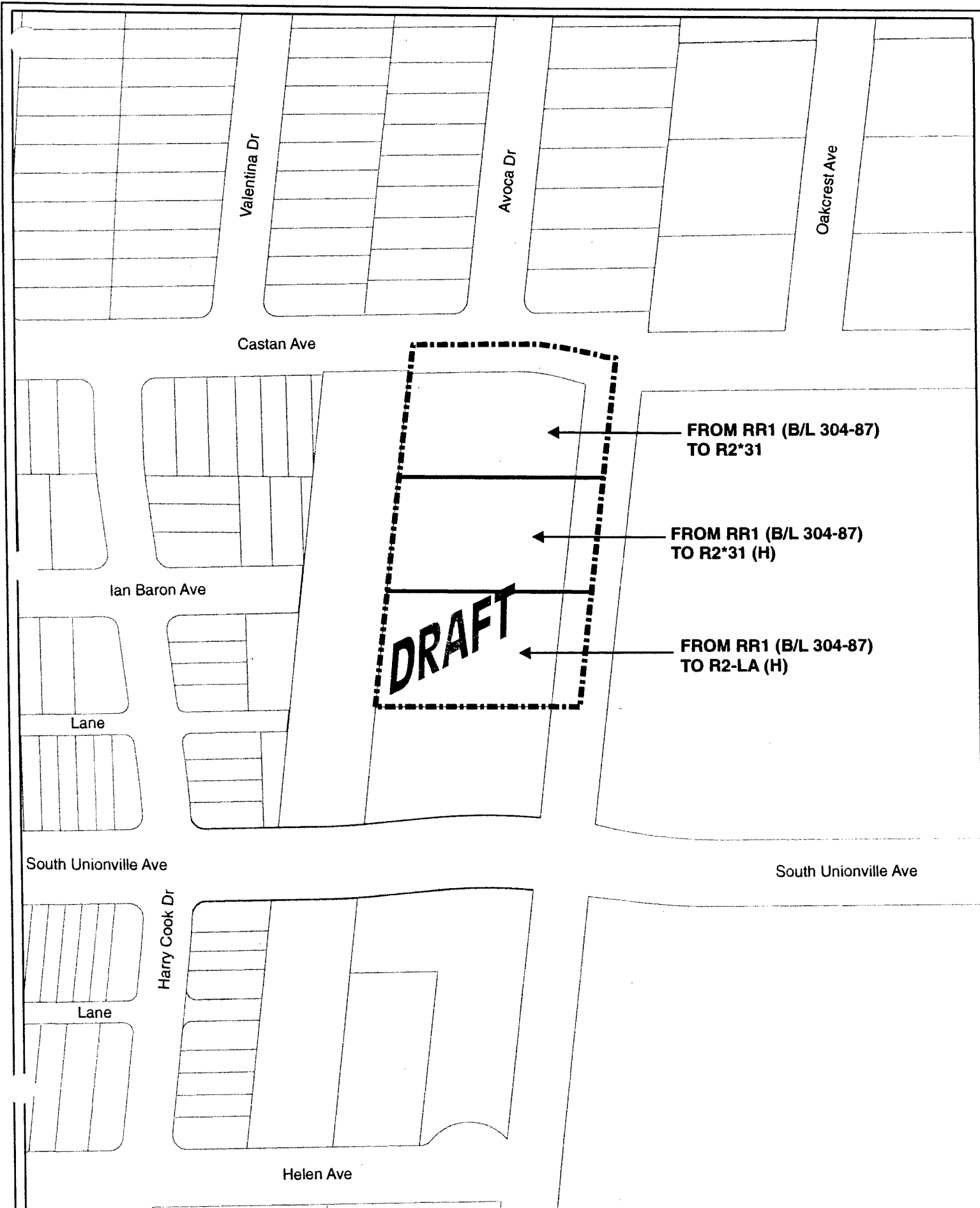
- a. Arrangements for the completion of Ian Baron Avenue and Lane 'A' by the Owner.

2.0 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 THIS X DAY OF
JUNE, 2012.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR



BY-LAW SCHEDULE 'A' TO AMEND BY-LAW 177-96



BOUNDARY OF AREA COVERED BY THIS BY-LAW SCHEDULE
BOUNDARY OF ZONE DESIGNATION(S)

RR1 RURAL RESIDENTIAL ONE
R2 RESIDENTIAL TWO

R2-LA RESIDENTIAL TWO WITH LANE ACCESS
(H) HOLDING PROVISION

*No. EXCEPTION SECTION NUMBER

Q:\Geomatics\New Operation\By-Laws\OP\OP10128364\OP10128364.mxd

BY-LAW AMENDMENT No. PASSED

.....(MAYOR).....(CLERK)

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW

Checked By: SB

DATE: 06/05/2012

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