



MEMORANDUM

TO: Mayor and Members of Council

FROM: Valerie Shuttleworth, Director of Planning and Urban Design

DATE: October 10, 2006

RE: Official Plan Amendment and Zoning By-law Amendment
1648438 Ontario Inc. (J. Addison School)
2 Valleywood Drive (Files OP 05-011949 and ZA 05-011972)

Handwritten initials 'VS' in black ink.

RECOMMENDATIONS:

That the attached Official Plan Amendment (Appendix A) be adopted and referred to the Region of York for approval;

And that the attached Zoning By-law (Appendix B) be enacted;

DISCUSSION:

1648438 Ontario Inc. (J. Addison School) submitted applications for Official Plan, Zoning By-law Amendment and Site Plan Control to allow a private school with an accessory student residence at 2 Valleywood Drive, north of Hwy 7 on the west side of Woodbine Avenue. Current Official Plan policies provide for private schools on the subject property and the applicant requested the addition of a student residence to the Business Corridor provisions for the site.

Staff brought forward the Preliminary Report to the May 17, 2005 Development Services Committee, at which time Committee requested that a public meeting be scheduled. The public meeting was held on June 21, 2005. No comments were received with respect to the application, and Committee recommended that the implementing documents be brought forward to Council once all outstanding issues had been addressed (extracts attached).

Staff have been working with the applicant to resolve all of the issues identified. Staff continues to work with the applicants with regard to urban design and landscaping issues, and anticipate bringing the final site plan to Committee for approval in the near future. Staff are satisfied the issues related to the Official Plan and Zoning By-law Amendment have been resolved, and the Official Plan Amendment and site specific Zoning By-law Amendment are attached as Appendix 'A' and Appendix 'B' for Council adoption and enactment.

**EXCERPT CONTAINING ITEM #0020 OF THE DEVELOPMENT SERVICES
COMMITTEE OF MEETING NO. 12 (Jun 21, 2005)**

**20. 1648438 ONTARIO INC. (J. ADDISON SCHOOL) 2 VALLEYWOOD DRIVE,
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS TO PERMIT A PRIVATE
SCHOOL AND RESIDENCES (OP 05 011949, ZA 05 011972) (10.3, 10.5)**

The Chair advised that the subject of the Public Meeting this date was to consider the proposed Official Plan and Zoning By-law amendments (Files OP 05 011949, ZA 05 011972) submitted by 1648438 Ontario Inc. (J. Addison School) to permit a private school with accessory residences at 2 Valleywood Drive.

Committee was advised that 26 notices were mailed on June 1, 2005, and a Public Meeting sign was posted on May 31, 2005. There were no written submissions received.

Staff advised of outstanding issues. Committee supported moving this application forward for Council approval, with the implementing documents being brought forward once concerns are addressed.

There were no comments from the audience with respect to this application, and the Committee had no concerns.

Moved by: Regional Councilor J. Jones

Seconded by: Deputy Mayor F. Scarpitti

That the report from the Development Services Commission dated May 17, 2005, entitled "Preliminary Report: J. Addison School: Application for Official Plan and Zoning By-law Amendments at 2 Valleywood Drive" be received;

And that the Record of the Public Meeting held on June 21, 2005, with respect to the proposed amendment to the Town of Markham's Official Plan and Zoning By-law 165-80, as amended, be received;

And that the application by 1648438 Ontario Inc. (J. Addison School) to amend the Town's By-law 165-80, as amended, be approved;

And that the application by 1648438 Ontario Inc. (J. Addison School) to amend the Town's Official Plan (1987), as amended, be approved;

And that the proposed amendment to the Town's Official Plan and Zoning By-law 165-80, as amended, be enacted when appropriate without further notice.

CARRIED

**EXCERPT FROM THE MINUTES OF THE COUNCIL MEETING HELD ON Jun 28,
2005 - REPORT NO. 23 - DEVELOPMENT SERVICES COMMITTEE**

**(20) 1648438 ONTARIO INC. (J. ADDISON SCHOOL) 2 VALLEYWOOD DRIVE,
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS TO PERMIT A PRIVATE
SCHOOL AND RESIDENCES (OP 05 011949, ZA 05 011972) (10.3, 10.5)**

That the report from the Development Services Commission dated May 17, 2005, entitled
“Preliminary Report: J. Addison School: Application for Official Plan and Zoning By-law
Amendments at 2 Valleywood Drive” be received;

And that the Record of the Public Meeting held on June 21, 2005, with respect to the proposed
amendment to the Town of Markham’s Official Plan and Zoning By-law 165-80, as amended, be
received;

And that the application by 1648438 Ontario Inc. (J. Addison School) to amend the Town’s By-
law 165-80, as amended, be approved;

And that the application by 1648438 Ontario Inc. (J. Addison School) to amend the Town’s
Official Plan (1987), as amended, be approved;

And that the proposed amendment to the Town’s Official Plan and Zoning By-law 165-80, as
amended, be enacted when appropriate without further notice.

APPENDIX

A

OFFICIAL PLAN

of the

TOWN OF MARKHAM PLANNING AREA

AMENDMENT NO. XXX

To amend the Official Plan (Revised 1987) as amended, to incorporate an amendment to the policies for the Brown's Corners Planning District (Planning District No. 13).

J. Addison School

(North west corner of Woodbine Avenue and Valleywood Drive - Part of Lots 12 and 13,
Concession 3, Town of Markham, Regional Municipality of York)

(September 2006)

OFFICIAL PLAN
of the
MARKHAM PLANNING AREA
AMENDMENT NO. XXX

J. Addison School
Part of Lots 12 and 13, Concession 3

To amend the Official Plan (Revised 1987) as amended, to incorporate an amendment to the policies for the Brown's Corners Planning District (Planning District No. 13).

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 _____ day of _____, 2006.

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 _____ DAY OF _____, 2006

TOWN 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 AMENDMENT attached hereto, constitutes Official Plan Amendment No. XXX. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

The land subject to this Secondary Plan Amendment includes a parcel of land of approximately 1.13 ha (2.79 acres), located at the north-west corner of Valleywood Drive / Applecreek Drive and Woodbine Avenue. The amendment applies to lands legally known as Part of Lots 12 and 13, Concession 3. The site currently supports a heritage building that is leased to the York Region School Board for a school use.

3.0 PURPOSE

The purpose of this site specific amendment is to add a private school and an associated student residence as permitted uses on the subject lands.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

Private schools are considered a permitted use under Section 3.5.6.3 c) (ii) of the Official Plan if it can be demonstrated that the proposed use is consistent with the planned function of the Business Corridor Area designation, subject to a specific development proposal and zoning amendment. An associated student residence is not a permitted use within the Business Corridor Area designation. Based on a review of the site specific development proposal for the J. Addison School, Council concluded that the school and associated residence should be permitted on the subject lands.

Council has determined that the proposed uses are appropriate in context, based on a comprehensive development plan incorporating land use controls, high quality urban design to be consistent with the image of the business corridor area, and orienting the building to address, integrate, and preserve the existing heritage school house.

On this basis staff was directed to prepare an Official Plan Amendment to permit the site specific exception to the policies of the Official Plan.

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 4.3.13.2 of Part II of the Official Plan (Revised 1987) as amended, is hereby amended by adding the following specific site and area policy, including Figure No. 13.7 attached hereto:

- “f) Part of Lots 12 and 13, Concession 3
(Official Plan Amendment No. XXX)
- i) Notwithstanding any other provision of this Plan to the contrary, where certain lands have been designated INDUSTRIAL (Business Corridor Area), the following uses shall also be permitted on the lands described as Part of Lots 12 and 13, Concession 3, and shown on Figure 13.7:
 - a private school
 - a student residence associated with the private school
 - ii) Notwithstanding any provision to the contrary, the associated student residence shall not exceed a maximum of 2,100 square metres of gross floor area.
 - iii) Notwithstanding any provision to the contrary, the heritage building shall be included in the calculation of maximum permitted gross floor area of all uses of the site and used for educational purposes.
 - iv) The provisions of Section 4.3.13.2 f) shall supercede the provisions of the non-statutory Secondary Plan (PD 13-1) as they relate to these lands; and
 - v) If required, the provisions of Section 4.3.13.2 f) will be incorporated into a statutory Secondary Plan at such time as a statutory Secondary Plan incorporating the subject lands is prepared.”

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 and site plan approval in conformity with the provisions of this Amendment.

This Amendment will require approval from the Regional Municipality of York.

(September 2006)

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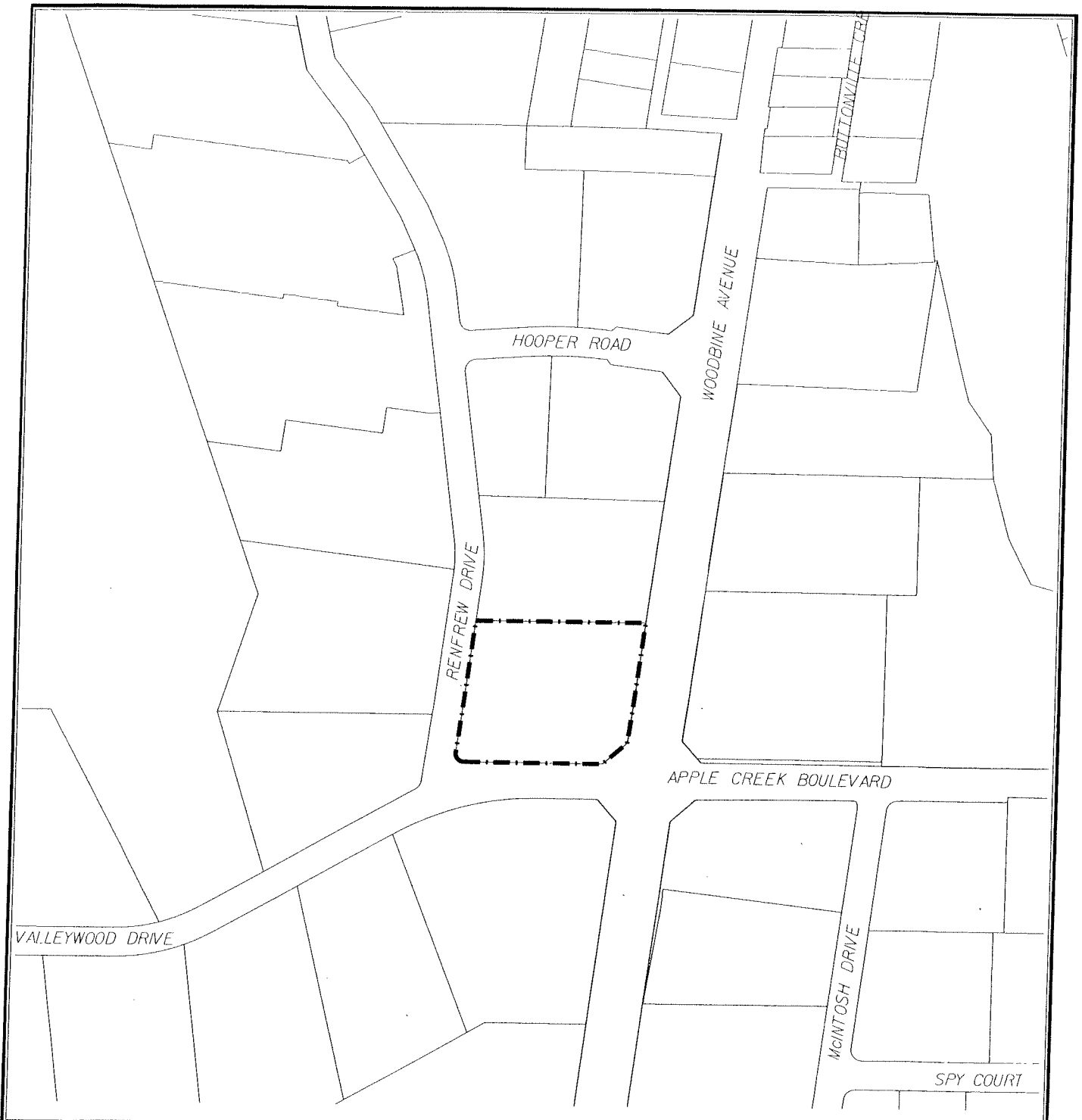



FIGURE No. 13.7 SPECIFIC SITE AND AREA POLICIES TOWN OF MARKHAM OFFICIAL PLAN (Revised 1987) AS AMENDED

 Boundary of area subject to the policies in Section 4.3.13.2 f)
 Land use designation: INDUSTRIAL (Business Corridor Area)



BY-LAW 2006-XXX

A By-law to amend Zoning By-law 165-80, as amended

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

1. By-law 165-80, as amended, is hereby further amended as follows:

- 1.1 By rezoning the lands comprising Part of Lot 12 and 13, Concession 3, Registered Plan RS 65R11383 Part 1 as outlined on Schedule 'A' attached hereto from:

Select Industrial and Limited Commercial [M.C. (60%)]

to

Select Industrial and Limited Commercial [M.C. (79%)] as shown on Schedule 'A' attached hereto.

- 1.2 By adding to Section 7 – Exceptions the following new subsection:

“7.107 Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands as shown on Schedule 'A' attached to By-law 2006-XX. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.107.1 – Additional Permitted Uses

The following additional uses are permitted:

- a) PRIVATE SCHOOL
- b) DWELLINGS accessory to a PRIVATE SCHOOL for student residents

7.107.2 – Zone Standards

The following specific zone standards apply:

- a) MINIMUM FRONT YARD (Woodbine Avenue) – 7.0 metres
- b) MINIMUM REAR YARD (Renfrew Drive) – 12.0 metres
- c) MINIMUM SIDE YARD – 5.0 metres
- d) Minimum FLANKAGE YARD (Valleywood Drive) – 0.3 metres
- e) The MINIMUM arterial road centre line setback not applicable.
- f) Minimum distance between buildings – 7.0 metres
- g) Minimum LANDSCAPED OPENSACE adjoining:
 - i. Woodbine Avenue – 6.0 metres
 - ii Valleywood Drive – 0.3 metres
 - iii Renfrew Drive – 4.0 metres

7.107.3 – Special Parking Provisions

The following parking provisions apply:

- a) Minimum number of parking spaces for a PRIVATE SCHOOL, DWELLINGS for student residents and heritage school house museum – 92

7.107.4 – Special Site Provisions

- a) Maximum GROSS FLOOR AREA of the PRIVATE SCHOOL – 6,600 m²;
- b) Maximum GROSS FLOOR AREA of the DWELLINGS for student residents – 2,100 m²;
- c) The PRIVATE SCHOOL and accessory DWELLINGS for student residents shall be located within the same BUILDING;
- d) Maximum number of beds – 100
- e) Minimum SIDE YARD SETBACK for the existing ACCESSORY BUILDING (shed) associated with the Heritage School House - 0.4 metres;
- f) LOADING SPACES required – 0.

- 2. All other provisions of By-law 165-80, as amended, not inconsistent with the provisions of this By-law shall continue to apply.

SHEILA BIRRELL, TOWN CLERK

DON COUSENS, MAYOR

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS DAY OF
, 2006.

EXPLANATORY NOTE

BY-LAW NO. 2006-XX

A by-law to amend By-law 165-80, as amended

J. Addison School

Part of Lot 12 and 13, Concession 3, Registered Plan RS 65R11383 Part 1

LANDS AFFECTED

The proposed by-law amendment applies to a 1.13 hectare (2.79 acre) property, located at the northwest corner of Valleywood Drive and Woodbine Avenue, legally described as Part of Lot 12 and 13, Concession 3, Registered Plan RS 65R11383 Part 1.

EXISTING ZONING

The lands are presently zoned Select Industrial and Limited Commercial [M.C. (60%)] by By-law 165-80, as amended.

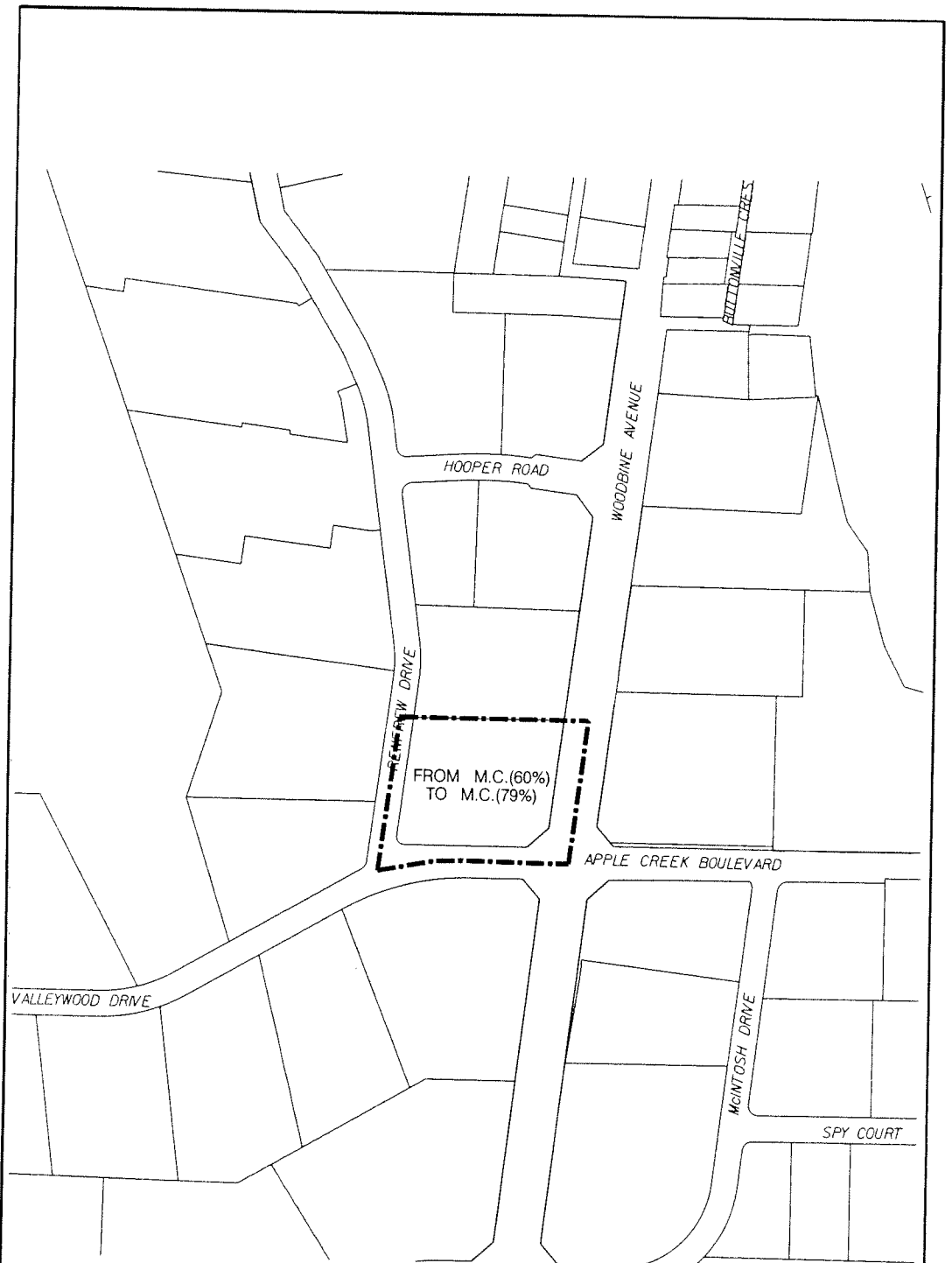
PURPOSE OF BY-LAW

The purpose of the By-law amendment is to add dwellings accessory to a private school for student residents to the list of uses permitted by the zoning and to provide site specific development standards to accommodate the proposed building and uses.

EFFECT OF THE BY-LAW AMENDMENT

The effect of the By-law amendment will be to permit a Private School with associated student dwelling to locate on the lands and amend the development standards to accommodate the proposed building and preserve the existing heritage schoolhouse.

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DEVELOPMENT SERVICES COMMISSION

A BY-LAW TO AMEND BY-LAW 165-80

----- BOUNDARY OF AREA COVERED BY THIS BY-LAW

THIS IS SCHEDULE 'A' TO BY-LAW
 PASSED THIS DAY

.....MAYOR

.....CLERK

NOTE: 1) DIMENSIONS ARE IN METRES
 2) REFERENCE SHOULD BE MADE TO
 THE ORIGINAL BY-LAW LODGED IN
 THE OFFICE OF THE CLERK

SCALE 1: 4000