

OFFICIAL PLAN
of the
MARKHAM PLANNING AREA
AMENDMENT NO. 239

To amend the Official Plan (Revised 1987), as amended,
and to incorporate Amendment No. 15 to the Armadale West Secondary Plan (PD 24-1)
for part of the Armadale Planning District (Planning District No. 24).

(Akilan Kanagasbapathy)

(June, 2016)

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To amend the Official Plan (Revised 1987), as amended and to incorporate Amendment No. 15 to the Armadale West Secondary Plan (PD 24-1) for part of the Armadale Planning District (Planning District No. 24).

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. 2016-72 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 28th day of June, 2016.



Kimberley Kitteringham
City Clerk



Frank Scarpitti
Mayor



By-law 2016-72

Being a by-law to adopt Amendment No. 239
to the 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. 239 to the 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 on June 28, 2016.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 239)

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 Official Plan Amendment No. 239 to the Official Plan (Revised 1987), as amended, and is required to enact Amendment No. 15 to the Armadale West Secondary Plan (PD 24-1) for part of the Armadale Planning District (Planning District No. 24). Part II is an operative part of this Official Plan Amendment.
- 1.3** PART III - THE SECONDARY PLAN AMENDMENT, including Schedule "A", attached thereto, constitutes Amendment No. 15 to the Armadale West Secondary Plan (PD 24-1) for part of the Armadale Planning District (Planning District No. 24). This Secondary Plan Amendment may be identified by the symbol PD 24-1-15. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan and to the Armadale West Secondary Plan (PD 24-1) applies to a 0.21 ha (0.5 ac) parcel of land located on the south side of 14th Avenue, west of McCowan Road that is municipally known as 5077 14th Avenue as shown on Schedule "A".

3.0 PURPOSE

The purpose of this Amendment is to permit a minor increase in the permitted residential density and to allow one (1) of the proposed lots on the subject lands to front onto 14th Avenue. A Zoning By-law Amendment accompanies this requested Secondary Plan Amendment in order to permit the development of three (3) single-detached dwellings on the subject lands (one lot fronting on 14th Avenue and two lots fronting onto Deib Crescent). A future severance application will be required to divide the subject lands into three (3) single-detached residential lots.

4.0 BASIS

The subject lands are designated 'URBAN RESIDENTIAL' in the in-force Official Plan (Revised 1987), as amended, and 'Residential Low Rise' in the 2014 Official Plan (as partially approved on October 30, 2015 and May 26, 2016). Both designations provide for a variety of grade related, low density housing types, including single-detached dwellings, as proposed.

The lands are designated 'Urban Residential (Low Density)' in the Armadale West Secondary Plan (PD 24-1), which forms part of the in-force Official Plan. This designation provides for single detached dwellings, semi-detached dwellings and single attached dwellings such as street townhouses.

Sections 6.2.3 (c) and (d) of the Secondary Plan establish a maximum density of 13.6 units per hectare of gross residential area. On this basis, a total of 2.5 units are permitted on the subject lands. The proposed development of 3 units exceeds the density permission by 0.5 units (this is equivalent to a density of 16.6 uph). The proposed lots are consistent with surrounding lots in the area in terms of both lot frontage and lot depth and with the proposed zoning.

Section 6.2.3 (i) of the Armadale West Secondary Plan states "Residential lots adjacent to McCowan Road, 14th Avenue, Middlefield Road extension, Brimley Road extension and Denison Street shall be required to develop with reversed lot frontages". As the Applicant is proposing one single-detached dwelling that fronts onto 14th Avenue, a site specific amendment is required to address this requirement. Allowing one of the proposed dwellings to front onto 14th Avenue is appropriate and in line with current urban design practices that encourage buildings to be oriented towards the public street frontages.

It should be noted that final approval of the 2014 Official Plan (as partially approved on October 30, 2015 and May 26, 2016) would result in the Armadale Secondary Plan being repealed and therefore, the above noted sections would no longer be applicable. It is also noted that the existing dwelling on the property fronts onto 14th Avenue.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. 239)

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 239 to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.
- 1.2** Section 1.1.3 (a) of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number 239 to the list of amendments listed in the second sentence of the bullet item dealing with the Armadale West Secondary Plan (PD 24-1), part of the Armadale Planning District (Planning District No. 24), to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.3** Section 9.2.2 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number 239 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 the text of the Armadale West Secondary Plan (PD 24-1) for part of the Armadale Planning District (Planning District No. 24). These changes are outlined in Part III which comprises Amendment No. 15 to the Armadale West Secondary Plan (PD 24-1).

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.

PART III - THE SECONDARY PLAN AMENDMENT (PD 24-1-15)

(This is an operative part of Official Plan Amendment No. 239)

PART III - THE SECONDARY PLAN AMENDMENT (PD 24-1- 15)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 15 to the Armadale West Secondary Plan PD 24-1)

The Armadale West Secondary Plan (PD 24-1) for part of the Armadale Planning District is hereby amended as follows:

1.1 Section 6.2.3 is hereby amended by adding subsection (n) as follows:

“(n) Notwithstanding the provisions of Section 6.2.3 the following provisions apply to the lands shown on Schedule 24-4-15:

i) Three (3) residential units shall be permitted; and

ii) Section 6.2.3 (i) shall not apply.

and by adding Figure 24-1-15 as shown on Schedule “A” attached hereto, to be appropriately identified, on the first page following section 6.2.3 (n).

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.



FIGURE 24-1-15
TO THE ARMADALE WEST SECONDARY PLAN (PD 24-1)

Boundary of area covered by the policies in Section 6.2.3. (n)
 Land Use Designation: Urban Residential (Low Density)

Path: Q:\Geomatics\New Operation\Official Plan\Site Specific OPA\FIGURE 24-1-15\OP_ZA_15107711_FIGURE 24-1-15.mxd

INCORPORATING AMENDMENT No. 15 TO SECONDARY PLAN (PD 24-1)

MARKHAM DEVELOPMENT SERVICES COMMISSION

SCHEDULE "A" TO OPA No. 239

Drawn By: LW
 Checked By: SB

SCALE:
 DATE: 03/06/2016