

OFFICIAL PLAN
of the
CITY OF MARKHAM PLANNING AREA
AMENDMENT NO. 237

To amend the Official Plan (Revised 1987), as amended,
and to incorporate Amendment No. 5 to the Secondary Plan (PD 29-1)
for Cornell Planning District (Planning District No. 29).

Lindvest Properties (Cornell) Limited

(May 2016)

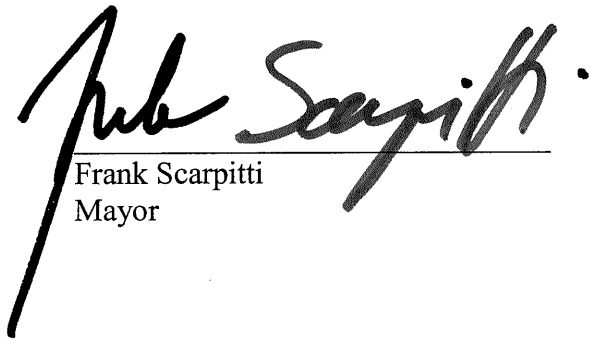
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To amend the Official Plan (Revised 1987), as amended, and to incorporate Amendment No. 5 into the Secondary Plan (PD 29-1) for the Cornell Planning District (Planning District No. 29).

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. 2016-50 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 3rd day of May, 2016.



Martha Pettit
Deputy City Clerk



Frank Scarpitti
Mayor



By-law 2016-50

Being a by-law to adopt Amendment No. 237
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. 237 to the City 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 on May 3, 2016.

Martha Pettit
Deputy City Clerk

Frank Scarpitti
Mayor

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 237)

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, constitute(s) Official Plan Amendment No. 237 to the Official Plan (Revised 1987), as amended and is required to enact Amendment No. 5 to the Secondary Plan (PD 29-1) for the Cornell Planning District (Planning District No. 29). Part II is an operative part of this Official Plan Amendment.
- 1.3** PART III - THE SECONDARY PLAN AMENDMENT, including Schedule(s) "A", "B" and "C" attached thereto, constitutes Amendment No. 5 to the Secondary Plan (PD 29-1) for the Cornell Planning District (Planning District No. 29). This Secondary Plan Amendment may be identified by the symbol PD 29-1-5. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

The lands subject to this Amendment to the Official Plan and to the Secondary Plan (PD 29-1) for the Cornell Planning District comprise the northerly 3.8 hectares (9.3 acres) of a larger 8.2 hectare (20.3 acre) block of land located south of Highway 7 east of the future Bur Oak Avenue. The subject lands are shown on Schedule "A". The larger 8.2 hectare block is identified as Block 4 on approved draft plan of subdivision 19TM-06012 and legally described as CON 9 PT LOTS 9 and 10 RP 65R25950 PT PART 1 and PARTS 2 to 6 (the "Block 4 lands").

3.0 PURPOSE

The purpose of this Official Plan Amendment is to provide for an extension of the Cornell Centre retail centre northward to the Highway 7 frontage. The amendment would allow for the first phase of development on the lands to comprise office, retail and service uses along the Highway 7 frontage in stand-alone, single-storey buildings rather than within high density residential mixed use buildings.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

In 2007, a mixed use retail centre was approved on the Block 4 lands, including the subject lands fronting Highway 7. The northerly portion of the Block 4 lands was zoned for high density residential mixed use buildings with ground floor retail and service uses, consistent with the 'Avenue Seven Corridor – Mixed Residential' designation.

The extension of the retail centre northward to the Highway 7 frontage, and the changes to minimum density and built form requirements for a first phase of development, are intended to encourage the provision of retail services for the Cornell Community without precluding the redevelopment of the centre in its ultimate form as a multi-storey, mixed-use centre which includes high density residential uses.

In approving the official plan amendment application, Council directed that the official plan amendment include policies to require a public east/west road within the property boundary of the Block 4 lands at the time the Block 4 lands are redeveloped in the long term.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. 237)

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 237 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 237 to the list of amendments listed in the second sentence of the bullet item dealing with the Secondary Plan (PD 29-1) for the Cornell Planning District (Planning District No. 29), to be placed in numerical order including any required grammatical and punctuation prior to the words “to this Plan”.
- 1.3 Section 9.2.13 of Part II of the Official Plan (Revised 1987) as amended, is hereby amended by the addition of the number 237 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 of the schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment. This Amendment is being made to incorporate changes to Schedules ‘AA’ and ‘CC’ and Appendix 3 and the text of the Secondary Plan (PD 29-1) for the Cornell Planning District (Planning District No. 29). These changes are outlined in Part III which comprises Amendment No. 5 to the Secondary Plan (PD 29-1) for the Cornell Planning District.

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 or variance 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 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 29-1-5)

(This is an operative part of Official Plan Amendment No. 237)

PART III - THE SECONDARY PLAN AMENDMENT

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 5 to the Cornell Secondary Plan (PD 29-1))

The Secondary Plan (PD 29-1) for the Cornell Planning District (Planning District No. 29) is hereby amended as follows:

1.1 Schedule 'AA' – Detailed Land Use is hereby amended as follows:

- by replacing the symbols "*" on lands designated 'Avenue Seven Corridor – Mixed Residential' on the south side of Avenue Seven, east of Bur Oak Avenue, with the symbol "***", as shown on Schedule "A" attached hereto, and adding an associated reference to Section 6.2.5.2 in the legend.

1.2 Schedule 'CC' – Development Blocks is hereby amended as follows:

- by replacing the symbols "*" on lands designated 'Avenue Seven Corridor – Mixed Residential' on the south side of Avenue Seven, east of Bur Oak Avenue, with the symbol "***", as shown on Schedule "B" attached hereto, and adding an associated reference to Section 6.2.5.2 in the legend.

1.3 Appendix 3 Development Blocks – Cornell Centre and North Cornell Centre is hereby amended as follows:

- by replacing the symbols "*" on lands designated 'Avenue Seven Corridor – Mixed Residential' on the south side of Avenue Seven, east of Bur Oak Avenue, with the symbol "***", as shown on Schedule "C" attached hereto, and adding an associated reference to Section 6.2.5.2 in the legend.

1.4 Section 6.2.5.2 is hereby amended by adding the following subsection d):

"d) Notwithstanding Section 6.2.5.1 and Figure 6.2.5, it is intended that lands within the 'Avenue Seven Corridor – Mixed Residential' designation identified with a triple asterisk (***) be developed in phases. The 'first phase of development' shall be defined by the first site plan approval granted to any or all lands within these lands designated 'Avenue Seven Corridor – Mixed Residential'. The 'first phase of development' shall also include subsequent site plan approvals on the lands identified for 'future development' in the first site plan approval.

In the 'first phase of development', the following provisions shall apply:

- The following non-residential uses permitted in Section 6.2.5.1 c) may be provided for in single-storey, single use buildings:
 - a. Retail uses
 - b. Personal services uses
 - c. Offices
 - d. Banks and financial institutions
 - e. Health and fitness recreational uses
 - f. Institutional uses, including community facilities and government services compatible and complimentary to the planned function and policies of the designation
 - g. Day care centres, subject to the provisions of Section 6.7.6
 - h. Commercial schools
 - i. Restaurants

Section 6.2.5.1 e), f) and j) shall not apply to permitted non-residential uses.

- Retail and service uses shall be limited to a maximum of 8,400 square meters, with individual retail premises generally not exceeding 2,000 metres of gross floor area. The implementing zoning by-law may further restrict the number of retail premises that may have the maximum permitted gross floor area or the proportion of gross floor area that may be devoted to retail premises of the maximum size.
- Limited surface parking is permitted on lands within 40 metres of Avenue Seven.
- Residential buildings shall be subject to Section 6.2.5.2, including Figure 6.2.5, and shall include non-residential uses on the ground floor in accordance with the following:
 - a. Permitted uses on the ground floor shall be as provided for in Section 6.2.5.1.c.
 - b. The provisions of Section 6.2.5.2 a) i) and ii) shall apply.
- Single storey office buildings shall be permitted, but multi-storey office buildings shall have a minimum height of five (5) storeys and a maximum height of 12 storeys.
- Development proposals to add or reduce the gross floor area approved within the 'first phase' of development, other than by a minor amount shall be subject to the policies of Section 6.2.5.1."

1.5 Section 6.3.4.2 a) is hereby amended by deleting subsection i) and renumbering subsections ii) and iii) accordingly.

1.6 Section 6.3.4.2 b) is hereby deleted and replaced with the following:

“b) It is intended that the lands within the ‘Community Amenity Area – Cornell Centre’ designation be developed in phases. The ‘first phase of development’ shall permit the development of those uses listed in 6.3.4.1(c) and shall be defined by the first site plan approval granted to any or all lands within the ‘Community Amenity Area – Cornell Centre’ designation. The ‘first phase of development’ shall also include subsequent site plan approvals on the lands identified for ‘future development’ in the first site plan approval.

Sections 6.3.4.1 f), g) and h) and Figure 6.3.4 shall not apply to development within the ‘first phase of development’. Development proposals to add or reduce the gross floor area approved within the ‘first phase of development’, other than by a minor amount, shall be subject to Sections 6.3.4.1 f), g) and h).”

1.7 Section 6.3.4.2 is hereby amended by adding a new subsection d) as follows:

“d) Prior to approval of a specific proposal for the redevelopment in the long term of the lands within the ‘Community Amenity Area – Cornell Centre’ designation and the adjacent ‘Avenue Seven Corridor – Mixed Residential’ designation (the “Block 4 lands”), a comprehensive block plan shall be prepared to establish a framework for the re-development of the lands in an intensified, mixed use built form.

The comprehensive block plan shall provide detailed guidance regarding the pattern, nature and phasing of development in accordance with Section 6.3.4.1 and Section 11.10 of this Plan, including the provision of a public east/west road within the Block 4 lands to provide connectivity to the major and minor road system.”

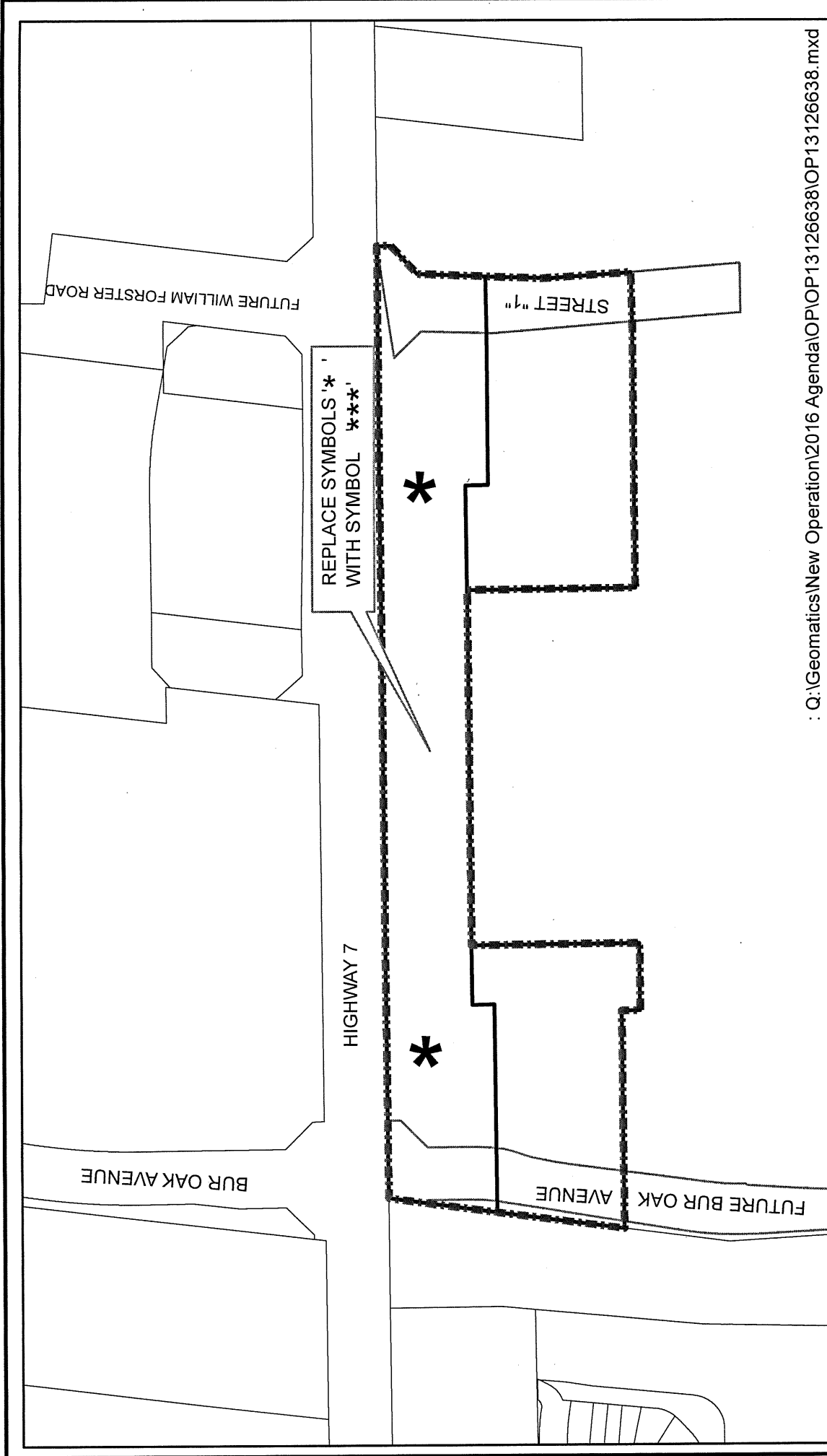
2.0 IMPLEMENTATION AND INTERPRETATION

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.



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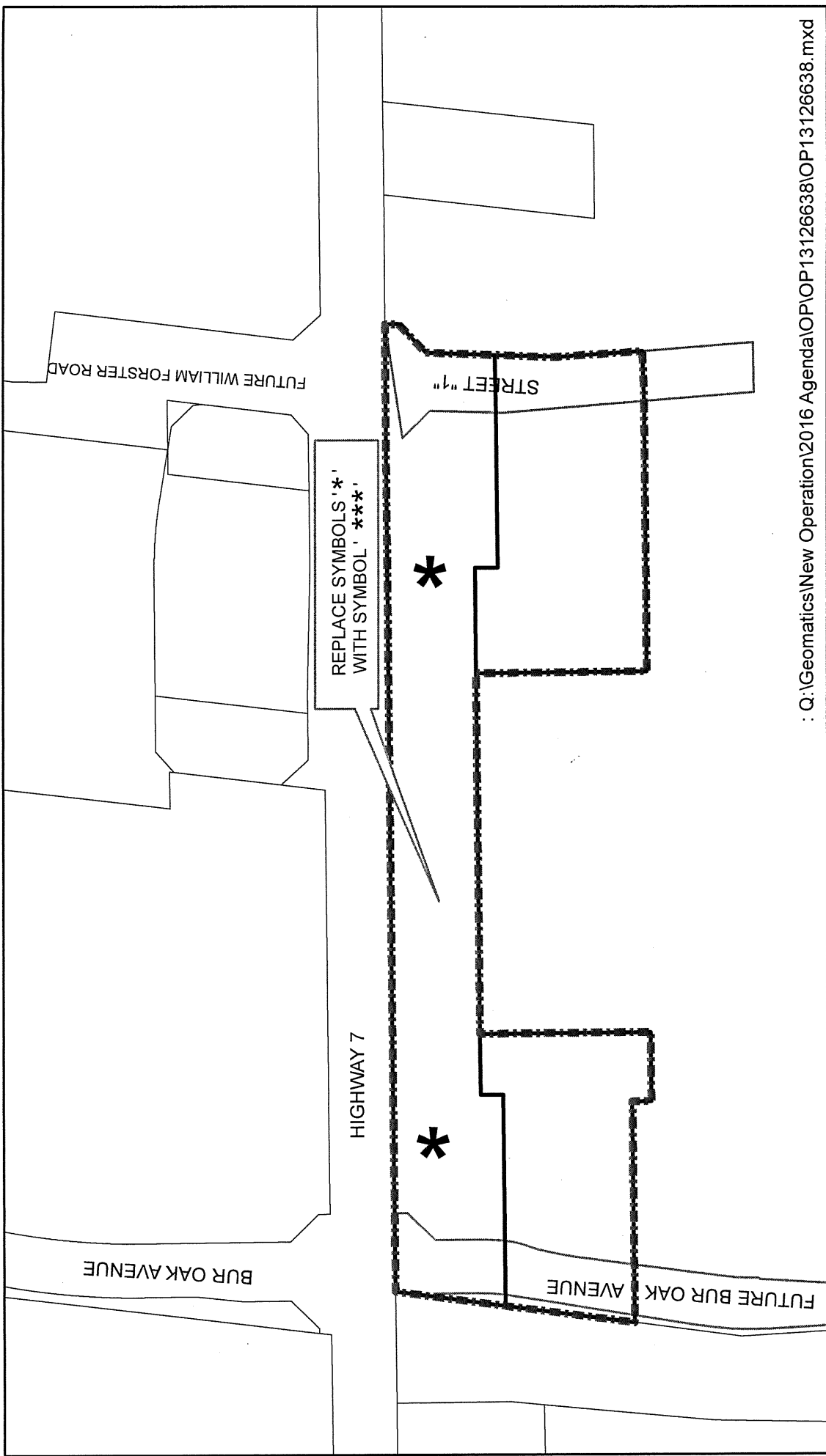


AMENDMENT TO SCHEDULE 'AA' - DETAILED LAND USE SECONDARY PLAN FOR THE CORNELL PLANNING DISTRICT (PD 29-1)

BOUNDARY OF AREA COVERED BY THIS AMENDMENT

BOUNDARY OF DESIGNATION

SEE SECTION 6.2.5.2

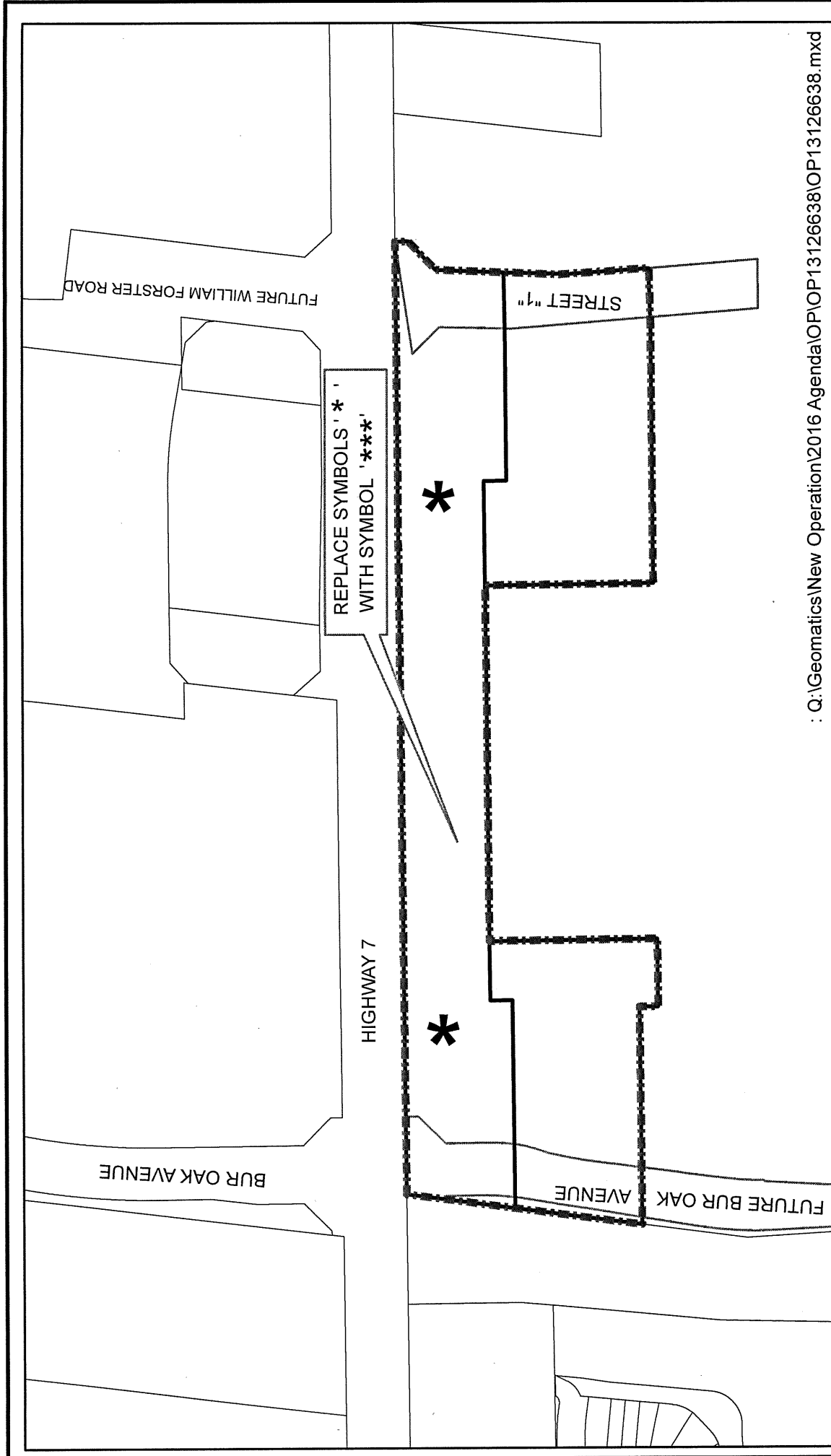


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AMENDMENT TO SCHEDULE 'CC' - DEVELOPMENT BLOCKS SECONDARY PLAN FOR THE CORNELL PLANNING DISTRICT (PD 29-1)

- BOUNDARY OF AREA COVERED BY THIS AMENDMENT
- BOUNDARY OF DESIGNATION
- *** SEE SECTION 6.2.5.2



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AMENDMENT TO APPENDIX 3 DEVELOPMENT BLOCKS - CORNELL CENTRE AND NORTH CENTRE

- BOUNDARY OF AREA COVERED BY THIS AMENDMENT
- BOUNDARY OF DESIGNATION
- *** SEE SECTION 6.2.5.2

SCALE: 1:3000
DATE: 01/28/16

Drawn By: DD
Checked By: SC

SCHEDULE "C" TO OPA No. 237