

**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario



**ISSUE DATE:** May 25, 2017

**CASE NO(S):** PL140743

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

**Appellant (jointly):** Angus Glen Holdings Inc., Angus Glen North West Inc. & North Markham Landowners Group

**Appellant (jointly):** Beechgrove Estates Inc., Minotar Holdings Inc., Cor-Lots Developments, Cherokee Holdings & Halvan 5.5 Investments Ltd.

**Appellant (jointly):** Brentwood Estates Inc., Colebay Investments Inc., Highcove Investments Inc., Firewood Holdings Inc., Major McCowan Developments Ltd. & Summerlane Realty Corp.

**Appellant:** And others (See Attachment "1")

**Subject:** Proposed New Official Plan – Part 1 (December 2013) - for the City of Markham

**Municipality:** City of Markham

**OMB Case No.:** PL140743

**OMB File No.:** PL140743

**OMB Case Name:** Angus Glen Holdings Inc. v. Markham (City)

**Heard:** April 21, 2017 in Markham, Ontario

**APPEARANCES:**

**Parties**

**Counsel\*/Representative**

See Attachment 2

**MEMORANDUM OF ORAL DECISION DELIVERED BY GERALD S. SWINKIN  
ON APRIL 17, 2017 AND ORDER OF THE BOARD**

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**INTRODUCTION**

[1] This was the sixth Pre-hearing Conference ("PHC") with respect to the appeals against the City of Markham New Official Plan – Part 1 ("the New OP").

[2] Counsel for the City of Markham ("the City") had prepared an agenda for the PHC, which had been circulated to all other counsel and representatives in advance of the session. The PHC followed the agenda.

[3] As at the prior, fifth, PHC, the City had served and filed a Notice of Motion seeking partial approval of various portions of the New OP based upon modifications agreed upon by various Appellants and endorsed by City Council and relating to appeals which have now been scoped to be site specific rather than City-wide.

[4] As the City Council meeting to endorse the proposed modifications occurred on the evening of April 11, 2017, counsel for the City was only able to serve the Notice of Motion on April 12, 2017, returnable for April 21, 2017. This service would fall one day short of the Board's *Rules of Practice and Procedure* regarding the minimum ten days for service of a motion. The Notice of Motion included a request for an abridgment of time, if necessary, regarding service of the Notice. Chris Barnett, counsel for the City, did advise that the motion material had been circulated to the parties and representatives in draft in advance of the Council meeting.

[5] On canvassing counsel and representatives present and hearing no objection, and not having received any Notice of Response from any party in advance of the hearing session with respect to the Notice of Motion, the Ontario Municipal Board ("the Board") exercised its authority under Rule 11 of the Board's *Rules of Practice and Procedure* and abridged the time for service of the Notice of Motion to nine days.

[6] In support of the Notice of Motion was filed the affidavit ("the Affidavit") of Murray Boyce, Senior Policy Coordinator in the Planning and Urban Design Department of the City.

[7] The Affidavit provided a status report on the City's ongoing dealings with the

Appellants, which have taken the form of independent discussions and Board-led mediation. The Affidavit advised of resultant modifications from these exercises, the reporting to City Council and the endorsement of numerous proposed modifications.

[8] The Affidavit detailed the ongoing processing and approval of a zoning amendment application initiated by Markham Woodmills Development Inc. and the resultant modification of text and figures concerning a possible road connection from the Highway 404 interchange at Elgin Mills Road.

[9] A number of modifications were being proposed to address various issues in the Group E – Residential and Mixed Use Land Use category of appeals as well as the Group G – Implementation category of appeals.

[10] Related to ongoing processing of development applications and the filing of expert environmental reports, the properties of two Appellants, Flato Developments Inc. and Romandale Farms Ltd, are susceptible of identifying with greater precision the boundary of the Greenway System relating to those properties.

[11] All of these proposed modifications were set out in a draft Order intended to be used by the Board in connection with this motion and was circulated to counsel in advance of the PHC. Counsel for the City advised that he had received no objection to the draft. Incorporating the matters identified in the Notice of Motion as allowed and approved by the Board from this PHC, the final form of Order is attached hereto as Attachment 3.

[12] The Affidavit also detailed the various specific appeals where Appellants had scoped their appeal or withdrew it or withdrew issues from the appeal. This will be reflected in the continuously updated In-Force chart and the Issues List which has been accompanying the Board's dispositions, as will be the case with this disposition.

[13] As at the previous PHC, counsel for the City delineated next steps regarding the various Groups of appeals. As in the last disposition of the Board, that update is simply

transcribed herein as follows:

- a. Group A - Appeals that require resolution of ROPA 3 - Remaining issues - likely to be subject of site specific hearings
- b. Group B - Mid Block Crossings/404 Ramp Extensions and Surrounding Land uses: EA underway for Cathedral mid-block crossing
- c. Group C - Environmental System: Hearings dates set: Jan. 29, 2018 - **Procedural Order** - draft circulated - to be discussed
- d. Group D - Housing/Community Infrastructure/Cultural Heritage: Places of Worship Hearing dates set - Oct. 11- Oct. 13, 2017 - **Procedural Order** draft circulated - to be discussed
- e. Group E - Intensification/Retail and specific land use designation policies: Hearings dates set: Jan. 29, 2018 - **Procedural Order** - draft circulated - to be discussed
- f. Group F - Urban Design/Sustainable Development: Mediation resulted in modifications and scoping of issues. No further steps proposed at this time.
- g. Group G - Implementation/Comprehensive Block Plan/Rights of Way: Mediation resulted in modifications and scoping of issues. No further steps proposed at this time
- h. Group H - Countryside - no steps proposed
- i. Group I - Parkland Dedication: await outcome of Richmond Hill court decision - leave to appeal granted, appeal to be heard in 2017
- j. Group J - Area and Site Specific: Meeting with affected parties to determine matters to be resolved or scoped. No hearings currently proposed for scheduling. Future hearings and scheduling to be addressed at future pre-hearings

[14] With respect to Groups C and E above, in the interest of consolidating the hearing of the issues, counsel for the City has included a request in a draft Procedural Order ("PO") which has been circulated and he asked that the Board reflect that request in this disposition. It is that the Appellants shall reframe and further scope their issues on or before September 15, 2017. In reframing and scoping their issues, the Appellants shall annotate their list with reference to the numbering of the Master Issues List which has been appended to the Board's order in this matter, dated April 21, 2017.

[15] It is intended that a formal PO for the Group C and E appeals will issue out of the

next PHC. This PHC will deal with procedural matters relating to the appeals/issues to be addressed in the hearing block reserved for January 29, 2018 through March 9, 2018, as well as any further partial approval requests which may be brought at that time. In accordance with the request of Mr. Barnett that the next PHC not be set down until after November 13, 2017, the Board has fixed a further PHC for **Friday, November 24, 2017, at 10 a.m. at:**

**Markham Civic Centre  
Canada Room  
One Town Centre Boulevard  
Markham, Ontario L3B 9W3**

[16] Based upon the disposition from the last PHC, the Group D appeals (Place of Worship issues – Berczy Glen Landowners Group appeal) were set down for hearing commencing on October 11, 2017 through October 13, 2017. A form of PO for that hearing session has been settled between the City and the Appellant. It is approved by the Board for issuance and it is attached hereto as Attachment 4.

[17] As directed out of the previous PHC, the Board requests counsel for the City to prepare and circulate to counsel and representatives of record in this matter, in advance of the PHC set for November 24, 2017, an agenda for that session and provide the case coordinator at the Board with a copy.

[18] No further notice is required with respect to the next PHC or the Group D hearing event.

[19] This Member is not seized.

*"Gerald S. Swinkin"*

GERALD S. SWINKIN  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Ontario Municipal Board**

A constituent tribunal of Environment and Land Tribunals Ontario

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## **ATTACHMENT "1"**

### **LIST OF APPELLANTS**

- Appellant (jointly):** Angus Glen Holdings Inc., Angus Glen North West Inc., & North Markham Landowners Group
- Appellant (jointly):** Beechgrove Estates Inc., Minotar Holdings Inc., Cor-Lots Developments, Cherokee Holdings & Halvan 5.5 Investments Ltd.
- Appellant (jointly):** Brentwood Estates Inc., Colebay Investments Inc., Highcove Investments Inc., Firewood Holdings Inc., Major McCowan Developments Ltd. & Summerlane Realty Corp.
- Appellant:** Corrado Gazzo Holding Ltd.
- Appellant:** Markham Woodmills Development Inc.
- Appellant:** Tribute (Unionville) Ltd.
- Appellant:** The Norfinch Group Inc.
- Appellant:** Box Grove Hill Developments Inc.
- Appellant:** Times Group Corporation
- Appellant:** Scardred 7 Company Ltd.
- Appellant (jointly):** York Region Condominium Corporation No. 890 & Pacific Mall Development Ltd.
- Appellant:** Honda Canada Inc.
- Appellant:** First Elgin Mills Developments Ltd.
- Appellant:** Enbridge Gas Distribution Inc.
- Appellant:** The Shouldice Hospital Ltd.
- Appellant (jointly):** 4716 Elgin Mills Markham Ltd., Kennedy MM Markham Ltd., Markham MMM North Development Corp., Markham MMM South Development Corp.
- Appellant:** CF/OT Buttonville Properties LP
- Appellant:** E. Manson Investments Ltd.
- Appellant:** Lindvest Properties (Cornell) Ltd.
- Appellant:** Loblaw Properties Ltd.
- Appellant (jointly):** North Markham 404 GP Ltd., 11160 Woodbine Avenue Ltd., & Rice Commercial Group Inc.
- Appellant:** IBM Canada Ltd.
- Appellant (jointly):** The Mandarin Golf and Country Club Inc. & AV Investments II Inc.
- Appellant:** Power Education Group
- Appellant:** HS Nouvel Developments Inc.

Appellant:	Raymond Tang
Appellant (jointly):	Neamsby Investments Inc., Rosina Mauro & Fulton Homes Ltd.
Appellant:	2283288 Ontario Ltd.
Appellant:	Berczy Glen Landowners Group Inc.
Appellant:	Terra Gold (McCowan) Properties Inc.
Appellant:	Mark Lichtblau
Appellant:	Arbor Memorial Inc.
Appellant:	Romandale Farms Ltd.
Appellant:	Maylar Construction Ltd.
Appellant:	775377 Ontario Ltd. (Belmont)
Appellant:	Dorsay (Residential) Developments Inc.
Appellant:	King David Inc.
Appellant:	Cathedral Town Ltd.



## ATTACHMENT 2

### Sign in Sheet

Appearances April 21, 2017 prehearing			
	Appellants	Counsel/Representatives	Present
1.	North Markham Landowners Group, Angus Glen Northwest Inc., and Angus Glen Holdings	Patricia Foran*, Andrea Skinner*	Patricia Foran
2	Berczy Glen Landowners Group Inc.	Jennifer Meader*	Jennifer Meader
3	First Elgin Mills Developments Ltd.	Ira Kagan* Chris Tyrrell	Alexandra DeGasperis
4	Romandale Farms Ltd.	Michael Melling*, Meaghan McDermid*	Susan Rosenthal
5	Minotar Holdings Inc., Cor-lots Developments, Cherokee Holdings, Halvan 5.5 Investments Ltd., and Beechgrove Estates Inc.	Catherine Lyons*	Joe Hoffman
6	<del>4716 Elgin Mills Markham Ltd., Kennedy MM Markham Ltd., Markham MMM North Development Corp. and Markham MMM South Development Corp.</del> (Note: Appeal resolved, party status maintained - now listed under "Parties")	<del>Jason Park*</del>	
7	Colebay Investments Inc., Highcove Investments Inc., Firwood Holdings Inc., Major McCowan Developments Limited , Summerlane Realty Corp., and Brentwood Estates Inc.	Stephen D'Agostino*, Denita Koev*	Stephen D'Agostino
8	<del>North Markham 404 GP Ltd., 11160 Woodbine Avenue Ltd., and Rice Commercial Group</del>	<del>Ira Kagan*</del>	
9	Enbridge Gas Distribution Inc.	Eileen Costello*, Sidonia Loiacono*	

10	Honda Canada Inc.	Mary Flynn-Guglietti*, Annik Forristal*	Annik Forristal
11	<del>775377 Ontario Ltd. (Belmont)</del>	<del>Susan Rosenthal*</del>	Susan Rosenthal
12	Markham Woodmills Development Inc.	Sharmini Mahadevan*	Sharmini Mahadevan
13	<del>Loblaw Properties Ltd.</del>	<del>Steven Zakem*</del>	
14	Cathedral Town Ltd.	Michael Melling*, Meaghan McDermid*	Susan Rosenthal
15	Times Group Corporation	Ira Kagan*	Alexandra DeGasperis
16	Box Grove Hill Developments Inc.	Ira Kagan*	Alexandra DeGasperis
17	Neamsby Investments Inc., Rosina Mauro and Fulton Homes Ltd.	Ira Kagan*	Alexandra DeGasperis
18	Linvest Properties (Cornell) Ltd.	Patricia Foran*	Patricia Foran
19	CF/OT Buttonville Properties LP and Armadale Co. Ltd.	Patrick Devine*, Adrian Frank*	Adrian Frank
20	IBM Canada Ltd.	Leo Longo*	
21	Dorsay (Residential) Developments Inc.	Susan Rosenthal*	Susan Rosenthal
22	Pacific Mall Development Ltd. and York Region Condominium Corporation No. 890	Mary Flynn-Guglietti*, Annik Forristal*	Annik Forristal
23	King David Inc.	Michael Melling*, Meaghan McDermid*	Susan Rosenthal
24	Atlas Shouldice Healthcare Ltd.	Mark Flowers*, Meaghan McDermid*	Susan Rosenthal
25	<del>McCowan Developments Limited</del>	<del>Neil Smiley*</del>	
26	Maylar Construction Ltd.	Susan Rosenthal*	Susan Rosenthal
27	<del>HS Nouvel Developments Inc.</del>	<del>Robert Jarvis*</del>	
28	E. Manson Investments Ltd.	Patricia Foran*	Patricia Foran
29	<del>Mark Lichtblau</del>		

30	<del>The Norfinch Group Inc.</del>		
31	<del>Scardred 7 Company Ltd.</del>		
32	Arbor Memorial Inc.	Thomas Barlow*	
33	<del>Tribute (Unionville) Ltd.</del>		
34	<del>2283288 Ontario Limited</del>		
35	<del>Corrado Gazze Holding Ltd</del>	Robert Jarvis*	
36	<del>Power Education Corporation</del>		
	<b>Parties</b>	<b>Counsel/Representatives</b>	
	The Region of York	Barbara Montgomery*	Caitlin Woodsford
	Toronto and Region Conservation Authority	Doris Cheng Quentin Hanchard*	
	Ontario Infrastructure and Lands Corporation	John Dawson*	Patricia Foran for John Dawson
	Ministry of Municipal Affairs and Housing	Ken Hare*	
	York Region District School Board	Gilbert Luk	
	Remington Steeles 9 Inc., Barry Glen Little and Robert Brownlee Little	Caterina Facciolo*	
	Holborn	Mary Flynn-Guglietti*, Annik Forristal	Annik Forristal
	Innvest Projects Ltd.	Marc Kemerer*	
	Angus Glen Golf Club and Angus Glen Developments Ltd.	Raivo Uukkivi* Christie Gibson*	
	4716 Elgin Mills Markham Ltd., Kennedy MM Markham Ltd., Markham MMM North Development Corp. and Markham MMM South Development Corp.	Jason Park*	Adrian Frank
	<b>Participants</b>	<b>Counsel/Representatives</b>	<b>Present</b>

	Wemat One Ltd. And Jolis Investment (Ontario) Ltd.	Michael Melling* and Kate Fairbrother* - Davies Howe Partners	
	Catholic Cemeteries - Archdiocese of Toronto	Mike Everard	Mike Everard
	President, Dickson Hill Hamlet and Neighbourhood Community Association	Dave McKennitt	Dave McKennitt
	Dave Jones	Dave Jones	
	<b>Other</b>	<b>Counsel/Representatives</b>	<b>Present</b>
	Sam Orrico	Sam Orrico	Sam Orrico
	David MacDonald		
	Mary Brawley	Mary Brawley	
	Scarborough Truck Centre, Krasic Investments Ltd., Capitanata Investments Ltd., Arquato Investments Ltd.		

## ATTACHMENT 3

PL140743

### Ontario Municipal Board Commission des affaires municipales de l'Ontario

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: The Norfinch Group Inc.  
Appellant: Scardred 7 Company Ltd.  
Appellant: Raymond Tang  
Appellant: Corrado Gazze Holding Ltd.  
Appellant: Markham Woodmills Development Inc.  
Appellant: Tribute (Unionville) Ltd.  
Appellant: North Markham Landowners Group, Angus Glen North West Inc., & Angus Glen Holdings Inc.  
Appellant: Box Grove Hill Developments Inc.  
Appellant: Times Group Corporation  
Appellant: Minotar Holdings Inc., Cor-Lots Developments, Cherokee Holdings, Halvan 5.5 Investments Ltd., & Beechgrove Estates Inc.  
Appellant: York Region Condominium Corporation No, 890 & Pacific Mall Development Ltd.  
Appellant: Honda Canada Inc.  
Appellant: First Elgin mills Developments Ltd.  
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Appellant: Colebay Investments Inc., Highcove Investments Inc., Firewood Holdings Inc., Major McCowan Developments Ltd., Summerlane Realty Corp & Brentwood Estates Inc.  
Appellant: Neamsby Investments Inc., Rosina Mauro & Fulton Homes Ltd.  
Appellant: 2283288 Ontario Ltd.  
Appellant: Berczy Glen Landowners Group Inc.  
Appellant: Terra Gold (McCowan) Properties Inc.  
Appellant: Mark Lichtblau

Appellant: Arbor Memorial Inc.  
 Appellant: Romandale Farms Ltd.  
 Appellant: Maylar Construction Ltd.  
 Appellant: 775377 Ontario Ltd. (Belmont)  
 Appellant: Dorsay (Residential) Developments Inc.  
 Appellant: King David Inc.  
 Appellant: Cathedral Town Ltd.  
 Subject: Proposed New Official Plan - Part 1 (December 2013) - for the City of Markham  
 Municipality: City of Markham  
 OMB Case No.: PL140743  
 OMB File No.: PL140743

**ORDER**

**B E F O R E:**

)  
 ) Friday, the 21<sup>st</sup> day of April, 2017  
 )

**THESE MATTERS** having come on for a public hearing,

**AND THE BOARD** having heard the submissions of counsel for the City of Markham (the "City") related to the approval of certain policies and schedules in the City of Markham Official Plan Part I (the "Plan");

**AND THE BOARD** having heard the submissions of counsel for certain other parties related to the approval of certain policies and schedules in the Plan;

**AND THE BOARD** having received the evidence of Murray Boyce pertaining to the approval of certain policies and schedules in the Plan;

**THE BOARD ORDERS** that in accordance with section 17(50) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, those policies, maps, and appendices within the Plan, listed in Schedule "B" to this Order, as adopted by the City on December 10, 2013, and as modified and approved by the Regional Municipality of York (the "Region") on June 12, 2014, further modifications having been endorsed by City Council on June 23, 2015, April 19, 2016, June 28, 2016, and April 11, 2017 and further modified by this Board, as shown on Schedule "A" to this Order are approved as of the dates set out in Schedule "A", except to the extent that those policies and land use schedules remain under appeal on a City-wide or site-specific or area-specific basis, as set out on Schedules "B" and "C".

**AND THE BOARD ORDERS** that the partial approval of the Plan shall be strictly without prejudice to, and shall not have the effect of limiting:

- (a) the rights of a party to seek to modify, delete or add to the unapproved policies, schedule, maps, figures, definitions, tables and associated text in the Plan; or
- (b) the jurisdiction of the Board to consider and approve modifications, deletions or additions to the unapproved policies, schedules, maps, figures, definitions, tables and associated text in the Plan on a general, area-specific or site-specific basis, as the case may be, provided that the parties shall be bound by the commitments made by them to scope their issues to a site-specific or area-specific basis.

**AND THE BOARD FURTHER ORDERS** that the scoping of appeals to a specific site or area is without prejudice to the positions taken by the parties to those appeals so that if those appeals proceed to a hearing, either on their own or as may be consolidated with other site-specific appeals, the City will not take the position that the Board ought not to approve site-specific or area-specific modifications to the affected policies, schedules, maps, figures, definitions, tables and associated text on the basis that they deviate from or are inconsistent with such policies, schedules, maps, figures, definitions, tables and associated text on a City-wide basis (or as approved in respect of other lands which are subject to the same policies, schedules, maps, figures, definitions, tables and associated text). However, this does not affect the City's right to assert that the approved policies, schedules, maps, figures, definitions, tables and associated text should be applied to the specific sites or areas without modification on the basis that they are consistent with the Provincial Policy Statement (2014), conform with provincial plans and that they constitute good planning.

**AND THE BOARD FURTHER ORDERS** that the appeals filed in respect of the Plan shall be determined through the hearing process or as otherwise consented to by the parties and approved by the Board.

**AND THE BOARD FURTHER ORDERS** that for any *Planning Act* application made after the date of this Order, to the extent that any policy brought into force by this Order conflicts with any policy in the 1987 Markham Official Plan, the policies brought into force by this Order shall prevail.

Notwithstanding the above, the Board hereby retains jurisdiction to consider and approve modifications to any policies, schedules, maps, figures, definitions, tables, associated text, etc., approved herein, as may be appropriate to dispose of any of the outstanding appeals before the Board.

This Order updates and therefore supersedes the Board's Order in this matter dated March 10, 2017.

**AND THE BOARD FURTHER ORDERS** that it may be spoken to in the event any matter or matters should arise in connection with the implementation of this Order.

**SECRETARY**



## Schedule "A" - Council-Endorsed/Board-Approved Modifications, Subject to Schedule "B"

### October 30, 2015 Approved Modifications

Note: Strikethrough denotes deleted text.

Underlined text denotes added text, except where "Planning Act", "Clean Water Act", chapters, appendices and map headings are shown.

(Blue font for Markham Modifications)

(Red font for York Region Modifications approved by Regional Council on June 12/14)

#### Chapter 1 – Planning for Markham's Future

1. **Modify Section 1.5 to correct a typographical error in the description of the Operative Parts of the Plan as follows:**

##### **Operative Parts of the Plan**

Chapters 2 through 11, and maps in Part I, as well as Part II, constitute the operative portions of the Official Plan. Chapter 1 of Part I, appendices, photos, illustrations, and graphics are provided for information purposes and are not operative parts of the Official Plan. Terms in italicized text are defined in the Definitions section of Chapter 11. (Markham Mod. 1)

#### Chapter 3 – Environmental Systems

2. **Modify Section 3.1.2.20 b) to correct a typographical error as follows:**

3.1.2.20 To protect *wetlands* and their functions where:

- b) shown on Map 6 – Hydrologic Features as unevaluated, where their importance and function are determined appropriate for protection by an environmental impact study; and (Markham Mod. 2)

3. **Modify Section 3.1.2.26 to correct a typographical error as follows:**

3.1.2.26 To consider a reduced *vegetation protection zone* within the Urban Area, as shown on Map 12 – Urban Area and Built-Up Area, only where: (Markham Mod. 3)

4. **Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1 to delete the reference to York Region Deferral 2 and modify the text as follows:**

##### **4.4.1 Natural Environmental Hazards**

~~(“Deferral 2” – YR approval of Section 3.4.1 withheld until the Special Policy Area policies are approved by the Province)~~

Natural environmental hazards such as flooding and erosion can present an inherent risk to life and property damage. Policies respecting restrictions on *hazardous lands* and *floodplain* management in *Special Policy Areas* and *flood vulnerable areas* can reduce this risk and enhance public health and safety. Appendix A – Toronto and Region Conservation Authority Regulatory Framework outlines the key components of the Toronto and Region Conservation Authority Regulatory Framework related to *floodplain* and *erosion* management and *flood vulnerable areas* including:

- the screening area for development, *redevelopment* or *site alteration* established

through Ontario Regulation 166-06;

- *flood vulnerable areas* that are shown symbolically and are potentially susceptible to flood events where the flood risk must be assessed and addressed prior to development, *redevelopment* or *site alteration*; and
- the *floodplain* and erosion hazards where development, *redevelopment* or *site alteration* is regulated. (YR Mod. 23)

Map 8 – Special Policy Areas identifies areas that have historically existed within the *floodplain* where site-specific policies approved by the Province are intended for the continued viability of existing uses.

For the purposes of this Section, the definition of development shall mean the creation of a new lot, a change of land uses, or the construction of buildings and structures requiring approval under the Planning Act, but does not include:

- a) activities that create or maintain infrastructure authorized under an environmental assessment process; and
- b) works subject to the Drainage Act. (Markham Mod. 4)

**5. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.1 as follows:**

3.4.1.1 To protect the safety of the public and reduce property damage by directing development, *redevelopment* or *site alteration* to locations outside of the *hazardous lands* and *hazardous sites* generally shown as ~~Floodplain~~ in Appendix A – Toronto and Region Conservation Authority Regulatory Framework with the exception of *Special Policy Areas*. (Markham Mod. 5)

**6. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.2 as follows:**

3.4.1.2 To prohibit the following uses on *hazardous lands*, *hazardous sites* and *Special Policy Areas*:

- a) ~~uses associated with an institutional use including hospitals, shared housing such as long-term care homes and retirement homes, nursing homes, pre-school, school nurseries, daycare daycare centres and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works or erosion;~~
- b) ~~uses associated with an essential emergency services such as that provided by fire, police and ambulance stations and electrical substations, that would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works or erosion; or~~
- c) uses associated with the disposal, manufacture, storage, ~~disposal or treatment or~~ storage of hazardous substances. (Markham Mod. 6)

**7. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.5 as follows:**

3.4.1.5 To prohibit development, *redevelopment* or *site alteration* and lot creation in *hazardous lands* and *hazardous sites* ~~contained within the 'Greenway' designation~~ in accordance with Provincial policies, Conservation Authority regulations and the

policies of this Plan. (Markham Mod. 7)

8. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1 to introduce a new Section 3.4.1.6 as follows:

3.4.1.6 To only consider development, redevelopment and site alteration in certain areas associated with hazardous lands and hazardous sites where:  
a) it is associated with required flood and/or erosion control works, minor additions and structures associated with passive recreational uses, or located within an approved Special Policy Area;  
b) it has been demonstrated that safe access can be provided to the satisfaction of the Toronto and Region Conservation Authority; and  
c) no habitable living space or overnight accommodation is located below the regulatory flood elevation. (Markham Mod. 8)

9. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.6 as follows:

3.4.1.67 To require conveyance of hazardous lands and hazardous sites within the 'Greenway' designation at no cost to a public authority as part of a development approval.  
(Markham Mod. 9)

10. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.7 as follows:

3.4.1.78 That the management of floodplain lands as generally shown in Appendix A - Toronto and Region Conservation Authority Regulatory Framework be based on the regulatory flood standard in accordance with Provincial standards and mapping produced by the Toronto and Region Conservation Authority. (Markham Mod. 10)

11. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.8 as follows:

3.4.1.89 That where development, redevelopment or site alteration is proposed in areas subject to erosion hazards and slope instability, a geotechnical report shall be prepared by the proponent to address the nature and extent of the erosion and identify appropriate setbacks and remediation measures to prevent long-term erosion hazards to the satisfaction of Markham and the Toronto and Region Conservation Authority.

#### **Special Policy Areas**

*Special Policy Areas* are areas within Markham that have historically existed within the *floodplain* where site-specific policies approved by the Province provide for the continued viability of existing uses, which are generally small scale. Specific policies are provided in this Section, Sections 8.1.5, 9.14.6, 9.19.2, 9.19.6, 9.19.6.7, 9.19.10 and certain secondary plans to address the management of these areas including criteria and procedures for development, *redevelopment* or *site alteration* as established by the Province. Special Policy Area policies shall prevail over all other policies in this Plan.

Markham's *Special Policy Areas* are shown as an overlay on Map 8 – Special Policy Areas with the underlying land use designation reflecting existing uses, existing zoning and statutory approvals shown on Map 3 – Land Use. It is the intent ~~that the~~ g

*Special Policy Area* provide for the continued viability of existing uses and manage development and *redevelopment* where provided for in this Plan. *A-Special Policy Areas is are* not intended to allow for *new or* intensified development *and site alteration* if a community has feasible opportunities for *intensification-development* outside of the *floodplain*. (Markham Mod. 11)

**12. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.9 as follows:**

**3.4.1.910** That no new development shall be permitted on any parcel of land within a *Special Policy Area* where:

- a) the development would be subjected to velocities and/or depths that would create an unacceptable risk to life or property;
- b) the development would be susceptible to major structural damage as a result of a flood less than or equal to the *regulatory flood standard*;
- c) the necessary flood protection measures would have a negative impact on adjacent properties; or
- d) adverse downstream and/or upstream impacts would be created/exacerbated and/or an increase in risk to life or property would occur as a result of flooding.

~~To work with the Toronto and Region Conservation Authority to ensure that development, redevelopment or site alteration within a *Special Policy Area* shown on Map 8—*Special Policy Areas* will not result in an unacceptable hazard risk to life or property or where flood protection measures would have a negative impact on adjacent properties.~~ (Markham Mod. 12)

**13. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.10 as follows:**

**3.4.1.101** That development, *redevelopment* or *site alteration* within ~~the a~~ *Special Policy Area* is permitted subject to meeting technical floodproofing and safe access/*egress* criteria in accordance with the underlying land use designations and the policies of this Plan ~~and in accordance with Section 3.4.1.2~~. Development applications which would intensify the level of development beyond what is permitted by this Plan, must demonstrate that no alternatives exist outside of the *floodplain* and shall be assessed in a comprehensive manner and require the review and ~~endorsement approval~~ of the ~~Province~~ Ministers of Municipal Affairs and Housing and Natural Resources and Forestry. (Markham Mod. 13)

**14. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.11 as follows:**

**3.4.1.142** That *ingress access* and egress to all buildings and structures shall be safe. comply with all applicable provincial and Toronto and Region Conservation Authority safety standards and shall achieve Where safety to the provincial flooding hazard standard cannot be achieved, access and egress shall be provided to the maximum level of flood protection that is determined to be feasible and practical by the Toronto and Region Conservation Authority. Dry access and egress is preferred. Under no circumstances shall new residential units or an increase in overnight accommodation be permitted where safe access and egress cannot be achieved to the provincial flooding hazard standard. (Markham Mod. 14)

15. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.12 as follows:

- 3.4.1.123 To require that applications for development, *redevelopment* or *site alteration* on lands in a *Special Policy Area* shall include:
- a) technical engineering studies detailing information such as flood velocity and depth of storm flows, flood damage reduction measures and stormwater management techniques, or other information as determined appropriate by Markham and the Toronto and Region Conservation Authority. ~~b) scoped - The study requirements to the satisfaction of Markham and the Toronto and Region Conservation Authority may be scoped~~ where applications are considered minor such as additions or replacement structures;
  - ~~eb) an emergency response a flood evacuation plan for multi-unit developments prepared by a qualified professional where and which is determined appropriate by Markham and the Toronto and Region Conservation Authority; and~~
  - ~~dc) a comprehensive floodproofing and management review to identify any remediation strategies as may be required to support larger *redevelopment* parcels in Markham Centre; and~~
  - ~~d) plans that demonstrate primary building system controls, such as service units and panels, are above the regulatory flood elevation.~~
- ~~Technical studies shall only be approved where it is demonstrated that there are no adverse downstream or upstream impacts and no increase in risk to life or property as a result of flooding. (Markham Mod. 15)~~

16. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.13 as follows:

- 3.4.1.134 That the approval of buildings and structures, and parking, in ~~the a~~ *Special Policy Areas* shall be conditional upon the landowner incorporating flood protection measures to the *regulatory flood standard* on all new buildings and new additions to minimize flooding impacts to the satisfaction of Markham and the Toronto and Region Conservation Authority. Where floodproofing to the regulatory flood elevation is not possible, floodproofing must be to the greatest extent feasible level of flood protection, to a level not less than the 1:350 year storm event, may only be permitted where the regulatory flood standard is not technically feasible and where determined acceptable to Markham and to the satisfaction of the Toronto and Region Conservation Authority, however, under no circumstances may it be lower than the 1:350 year flood elevation. (Markham Mod. 16)

17. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.14 as follows:

- 3.4.1.145 That prior to the issuance of a building or *site alteration* permit, applications for development on lands wholly or partially within a *Special Policy Area* shall require approval and permits from the Toronto and Region Conservation Authority in accordance with applicable criteria, procedures, standards and regulations. (Markham Mod. 17)

18. Subject to Ministerial approval of the Special Policy Area policies, modify Section 3.4.1.15 as follows:

- 3.4.1.156 That *Special Policy Area* lands shall continue to be identified with a *Special Policy Area* zone overlay in all applicable zoning by-laws including with the necessary provisions to implement the relevant policies and shall be subject to site plan control approval. (Markham Mod. 18)
19. Subject to Ministerial approval of the *Special Policy Area* policies, modify Section 3.4.1 to introduce a new Section 3.4.1.17 as follows:
- 3.4.1.17 To prohibit new lot creation or additional dwelling unit creation on lands designated 'Residential Low Rise' in *Special Policy Areas*. (Markham Mod. 19)
20. Subject to Ministerial approval of the *Special Policy Area* policies, modify Section 3.4.1.16 as follows:
- 3.4.1.168 That modifications to the *a* *Special Policy Area* boundary, new *Special Policy Areas* or modifications to *Special Policy Area* policies and/or land use designations shall be approved by the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing prior to the adoption and approval by Markham and York Region, except where the zoning by-law is in keeping with the original intent of the use as of the date of the approval of the *Special Policy Area*, in which case York Region is the approval authority. (YR Mod. 25) (Markham Mod. 20)
21. Subject to Ministerial approval of the *Special Policy Area* policies, modify Section 3.4.1.17 as follows:
- 3.4.1.179 To work with the Toronto and Region Conservation Authority, other agencies and landowners to:
- a) explore opportunities to manage flood risk and develop comprehensive long-term solutions for *flood vulnerable areas* including opportunities to address existing development within *flood vulnerable areas* to ensure that the level of risk is maintained or decreased through specific actions and strategies for flood remediation, floodproofing, flood warning and emergency response matters; and
  - b) establish a process to address major development, for flood remediation, floodproofing, flood warning and emergency response redevelopment or site alteration within *flood vulnerable areas* to ensure that the level of risk is maintained or decreased through specific actions and strategies measures; and
  - c) allow minor development, redevelopment or site alteration within *flood vulnerable areas* subject to the one zone floodplain management policies of the Toronto and Region Conservation Authority. (Markham Mod. 21)
22. Subject to Ministerial approval of the *Special Policy Area* policies, modify Section 3.4.1.18 as follows:
- 3.4.1.1820 To work with the Toronto and Region Conservation Authority and upstream municipalities to ensure development, redevelopment or site alteration upstream of *flood vulnerable areas* provide for stormwater management controls that decrease or do not increase existing flooding levels on properties within Markham for storms up to and including the Regulatory Storm event. (YR Mod. 26) (Markham Mod. 22)
23. Modify Section 3.4.2.6 to correct a wording reference as follows:
- 3.4.2.6 To require that applications for development approval for sensitive land uses adjacent to a Provincial Highway, an airport, an arterial road, a rail line or an industrial use shall be

accompanied by a noise and ~~vibration study analysis~~ prepared in accordance with the Ministry of Environment Guidelines and York Region noise policies including required mitigation measures prepared to the satisfaction of Markham and York Region. (Markham Mod. 23)

#### **Chapter 4 – Healthy Neighbourhoods and Communities**

24. Modify Section 4.3.1.5 to correct a typographical error as follows:

~~4.3.1.5~~ To develop a parks and open space system plans for the parks and open space system in accordance with Section 6.1.6.8. (Markham Mod. 24)

25. Modify the second paragraph of Section 4.3.2 to correct typographical errors as follows:

#### **4.3.2 Parks and Open Space Classification**

The parks and open space classification system identifies the types of parks and open space in the existing and future parks and open space system and establishes criteria for per capita ratios, size, use, amenities and features, walking distance, location and programs, etc. for each classification category. (Markham Mod. 25)

26. Modify the third paragraph of Section 4.5 to correct the wording references as follows:

#### **4.5 CULTURAL HERITAGE RESOURCES**

Markham has a wealth of cultural heritage resources within its boundaries. ~~While Markham has~~ Markham is one of the oldest communities in Ontario, having been inhabited for over 11,000 years by Aboriginal peoples, ~~it has and having~~ over 200 years of colonial history, dating from the arrival in 1794 of William Moll Berczy and his group of 64 German families, ~~Markham is one of the oldest communities in Ontario.~~ The most tangible remnants of Markham's early development are ~~our~~ the heritage buildings: stately homes, worker's cottages and commercial stores in ~~our~~ the villages and the solitary farmhouses and outbuildings situated along once-rural concession roads. These resources provide ~~us with~~ a link to ~~our~~ the past as well as a sense of continuity in ~~our a~~ rapidly changing world. (YR Mod. 33) (Markham Mod. 26)

#### **Chapter 5 – A Strong and Diverse Economy**

27. Modify sidebar referencing forecast jobs and employment base to correct a typographical error as follows:

*Markham is forecast to add over 95,000 new jobs ~~in~~ by 2031, increasing the total employment base to 240,000 jobs. (Markham Mod. 27)*

#### **Chapter 6 – Urban Design and Sustainable Development**

28. Modify Section 6.1.6.3 to add bold font as follows:

6.1.6.3 **To provide** a full range of parks and open spaces as part of the overall design of new development and encourage the provision of publicly accessible private open spaces that are designed to be integrated within the public realm. (Markham Mod. 28)

#### **Chapter 8 – Land Use**

29. Subject to Ministerial approval of the Special Policy Area policies, modify Section 8.1.5 as follows:

### 8.1.5 Height and Density for all Land Use Designations

That where the maximum heights and densities are identified in a land use designation of this Plan, it is not intended that every building in a *development approval* will achieve the maximum height and density. The appropriate height shall be the key determinant on what density can be achieved on a site along with the provision of adequate transportation and water and waste water infrastructure, and community infrastructure such as public schools and parks and open spaces.

Secondary Plans may establish height and density provisions that exceed those identified in Chapter 8 of this Plan. Increases in height above the maximum height permitted in a designation may be considered for a development provided it is within the context of an approved secondary plan or site specific policy and the application for zoning by-law amendment to permit a height increase and a site plan and/or *comprehensive block plan* is consistent with the secondary plan or site specific policy.

Increases in height and density above the maximum permitted in a designation within a Special Policy Area shown on Map 8 – Special Policy Areas shall not be permitted unless approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry as part of a comprehensive secondary plan review.  
(Markham Mod. 29)

31. Modify Section 8.5.2.2 h) to correct a typographical error as follows:

8.5.2.2 To provide for the following uses, in addition to the uses listed in Section 8.1.1, on lands designated 'Business Park Employment':

- h) *ancillary use* such as retail, service, restaurant, *commercial fitness centre* or financial institution within a non-industrial building provided that:
- i. the combined gross floor area devoted to all *ancillary uses* is limited to a maximum of 15 percent of the total gross floor area of the building, or in the case of an office building ~~to the~~ total gross floor area of the ground floor, whichever is less; and
  - ii. access to the premises of all *ancillary uses* is integrated within the building.
- (Markham Mod. 31)

32. Modify Section 8.5.4.3 r) to correct a typographical error as follows:

8.5.4.3 To provide for the following *discretionary uses*, in addition to the uses provided for above, on lands designated 'Service Employment', subject to review of a site-specific development application for zoning approval, and in accordance with Sections 8.5.1.2 and 8.5.1.3 and any conditions outlined below:

- r) *place of worship* only in a multiple unit buildings limited to a maximum gross floor of 500 square metres in accordance with Section ~~48.13.7~~; (Markham Mod. 32)

33. Modify sidebar referencing 'General Employment' areas to correct a typographical error as follows:

*'General Employment' areas are characterized by large properties developed with single and multiple unit buildings accommodating industrial uses that are a primary to the designation. It is intended that these areas be protected from incompatible sensitive land uses.* (Markham Mod. 33)



**34. Modify Section 8.5.5.3 a) to correct typographical errors as follows:**

- 8.5.5.3 To provide for the following *discretionary uses*, in addition to the uses provided for above, on lands designated 'General Employment', subject to review of a site-specific development application for zoning approval, in accordance with Sections 8.5.1.2 and 8.5.1.3 and any conditions outlined below:
- a) *ancillary use* within an industrial building shall be limited to restaurant, service, commercial school and office uses other than medical offices, provided:
    - iv. the gross floor area of an *ancillary* restaurant or another *ancillary* service use does not exceed a maximum of 100 square metres per premise; and
    - vi. no outdoor seating shall be provided as part of an *ancillary* restaurant; (Markham Mod. 34)

**35. Modify Section 8.5.5.4 s) to correct a typographical error as follows:**

- 8.5.5.4 To not permit the following uses on lands designated 'General Employment':  
er) adult entertainment. (Markham Mod. 35)

**36. Modify Section 8.6.1.2 a) to correct a typographical error as follows:**

- 8.6.1.2 To provide for the following uses on lands designated 'Greenway':
- a) ~~agricultural use countryside uses, identified in Section 8.8.1.2 provided they are~~ outside of natural heritage and hydrologic features and their *vegetation protection zones*; (Markham Mod. 36)

**37. Modify Section 8.6.1.3 to correct a wording reference to be consistent with other policies as follows:**

- 8.6.1.3 To provide for the following uses, in addition to the uses permitted in sSection 8.6.1.2, on lands designated 'Greenway' in the Oak Ridges Moraine Natural Linkage Area, Oak Ridges Moraine Countryside and Greenbelt Protected Countryside as shown on Map 7 – Provincial and Federal Policy Areas provided they are outside of natural heritage and hydrologic features and their vegetation protection zones; (YR Mod. 48) (Markham Mod. 37)

**38. Modify Section 8.6.1.6 b) to correct a wording reference to be consistent with other policies as follows:**

- 8.6.1.6 In considering an application for *development approval* on lands designated 'Greenway', Council shall ensure that development adheres to the following development criteria:
- b) development, *redevelopment* or site *alteration* within ~~the Natural Heritage Network and the Rouge Watershed Protection Area shown on Map 4 – Greenway System~~ natural heritage and hydrologic features and their vegetation protection zones shall be prohibited with the exception of conservation, resource management, nature-based recreational infrastructure and public infrastructure; (Markham Mod. 38)

**39. Modify Section 8.7.1.3 a) to correct a typographical error as follows:**

- 8.7.1.3 To provide for the following uses, in addition to the uses identified in Sections 8.1.1 and 8.2.1.2, on lands designated 'Hamlets':

- a) accessory dwelling in association with a principal dwelling provided that adequate parking is provided and it is serviced by an individual private on-site wastewater system and private well; (Markham Mod. 39)

**40. Modify Section 8.9.1.4 to correct a typographical error as follows:**

- 8.9.1.4 That the establishment of a new cemetery, or expansion of an existing cemetery within the urban area shall require and amendment to this Plan, and that in considering such an amendment, Markham shall have regard for the following matters: (Markham Mod. 40)

**41. Modify Section 8.9.1.5 d) to correct a wording reference to be consistent with other policies as follows:**

- 8.9.1.5 That in addition to Section 8.9.1.4 above, in considering an application for *development approval* of a cemetery on lands designated 'Private Open Space' Council shall be satisfied the following additional criteria will be met:
  - d) a stormwater management report study, if requested by Markham, shall be undertaken by a qualified professional and shall be submitted for the approval of the by Markham, and the Toronto and Region Conservation Authority, and for the information of other authorized agencies prior to site plan control approval for any development; (Markham Mod. 41)

**42. Modify Section 8.12.1.4 g) iv. to correct a typographical error as follows:**

- 8.12.1.4 That the Conceptual Master Plan for the 'Future Urban Area' lands north of Major Mackenzie Drive as shown on Map 3 – Land Use include, but not be limited to, the following:
  - g) identification of the approximate locations within the 'Future Neighbourhood Area' lands that will be carefully planned as mixed-use Centres and/or Corridors. These mixed-use Centres and/or Corridors will develop as well connected, intensive, pedestrian-oriented neighbourhood gathering places in accordance with the preferred 'Mixed Use' designations and policies outlined in Section 8.12.1.4 f) i. The growth and development of mixed-use Centres and/or Corridors will be guided by the following principles:
    - iv. other complementary uses such as *places of worship*, public schools, live-work units and *shared housing* will be encouraged to locate within or in close proximity to these mixed-use Centres and Corridors; (Markham Mod. 42)

**43. Modify Section 8.13.4.1 d) to correct a wording reference to be consistent with other policies as follows:**

- 8.13.4.1 That in considering an application for *development approval* to permit the establishment of a *funeral home* where provided for in this Plan, Council shall be satisfied that the following requirements, where applicable, will be fulfilled:
  - d) a transportation impact assessment traffic study be submitted to demonstrate, to the satisfaction of Markham and/or the Region, that the *funeral home* use will not result in significant traffic impacts including parking and vehicle stacking on the adjacent development. The assessment study shall also include a traffic management plan demonstrating how major or special circumstance funerals are to be addressed; (Markham Mod. 43)

**44. Modify Section 8.13.7. 1 a) and b) to correct typographical errors as follows:**

- 8.13.7.1 That in considering an application for a plan of subdivision, or amendment to the zoning by-law to permit a new *place of worship* or an addition to an existing *place of*

worship where provided for in this Plan in accordance with Section 4.2.4, Council shall be satisfied that the following requirements, will be fulfilled:

- a) the site or premise meets the size and location criteria for each land use designation identified below:

b

Land Use Designation	Maximum Site Area (hectares) or Maximum Premise Size (square metres)	Location
Residential	2.0 ha or 2.5 ha if located on an arterial road or a maximum gross floor area of 500 sq. m. in a multiple unit building	At an intersection of: a) an arterial road with another public road; <u>or</u> b) a major collector road with a local road at a location that is in proximity to other institutional, commercial, mixed-use or higher density residential uses
Mixed Use except Mixed Use Heritage Main Street		

1  
transportation impact assessment and other requirements for a study as identified in Section 10.6.2 shall be submitted to demonstrate, to the satisfaction of Markham and/or the Region that the *place of worship* will not result in significant impacts; (YR Mod. 51) (Markham Mod. 44)

**Chapter 9 – Area and Site Specific Policies**

45. Modify Section 9.2.10 to delete the York Region Modification 55 and replace the existing section with a new Section 9.2.10 and a new Figure 9.2.10 as follows:

South of 14<sup>th</sup> Avenue between Middlefield Road and Markham Road

~~9.2.10 — A land-use designation other than an ‘Employment Lands’ designation may be considered for the lands south of 14<sup>th</sup> Avenue between Middlefield Road and Markham Road shown in Figure 9.2.10 by amendment to this Plan. Consideration of a designation other than an ‘Employment Lands’ designation must conform to the policies of the Growth Plan for the Greater Golden Horseshoe and all other policies of this Plan, and will also have regard for, among other things, the following criteria prescribed by Council, as applicable:~~

- ~~• Compatibility to adjacent land use;~~
- ~~• Achieving an increase in the number of jobs that would otherwise be provided under the ‘Employment Lands’ designation on the site, or at a minimum, no net reduction in jobs on the site;~~
- ~~• Proximity to transit;~~
- ~~• Provision of lands for a VIVA terminal;~~
- ~~• Achieving better public amenities, including but not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces; and~~
- ~~• Where the location is appropriate, provide for affordable or seniors housing.~~

~~Until a decision is made on the application for amendment to this Plan filed before adoption of this Plan, the ‘General Employment’ designation on the lands shown in~~

~~hatching as 'Deferral Area' on Map 3— Land Use is deferred and the provisions of the Official Plan (Revised 1987), as amended, shall apply to the lands.~~

~~This deferral cannot be released on its own but must be assessed in conjunction with all employment land use deferrals in this Plan, including Section 9.4.7 c), 9.4.14, 9.5.14, 9.6.6, 9.7.8.5, 9.7.8.6, 9.7.8.7, and 9.16.14. The collective consideration of these deferral requests requires further study by the Region. Determination of the removal of the deferral must await the Region's consideration of the potential collective impact of all employment land use deferrals through substantial completion of the forecasting and land budget component of the next Regional *municipal comprehensive review* by April 2015.~~

~~(YR Mod. 55 as further modified by YR approval on June 12/14)~~

~~Where the requested amendment to this Plan does not come into force the 'Deferral Area' hatching shall no longer apply and the 'General Employment' designation shown on Map 3— Land Use shall come into force without the requirement for further amendment to the Plan.~~

9.2.10 Only the following uses shall be permitted on the lands designated 'Service Employment' shown on Figure 9.2.10:

- a) office;
- b) medical clinic;
- c) financial institution;
- d) manufacturing, processing and warehousing use, with no outdoor accessory outdoor display or outdoor storage;
- e) motor vehicle repair facility with no accessory outdoor storage;
- f) retail use provided:
  - i. the retail use is not greater than 1000 square metres of gross floor area per premises, unless the retail use is an office supply or computer supply store which may have up to 3000 square metres of gross floor area per premises; or
  - ii. within a multiple unit building, the provisions of i) above are complied with, and the combined gross floor area devoted to all retail uses, including accessory retail uses, is limited to a maximum of 50 % of the total gross floor area of the building, or 3000 square metres, whichever is less; and
  - iii. the total gross floor area devoted to all retail uses on a property does not exceed 3000 square metres;
- g) retail and/or service use that is accessory to a primary manufacturing, processing or warehousing use, and located within the same premises as the primary use provided the provisions of a retail use provided in f) above are met;
- h) hotel that does not include dwelling units;
- i) restaurant provided it is located within a multiple unit building containing office and/or industrial uses, and the combined gross floor area devoted to all restaurants is limited to a maximum of 50% of the total gross floor area of the building.
- j) a free standing restaurant or personal shop may be permitted in the existing heritage building (the "Cowie House") located at 5933 14<sup>th</sup> Avenue provided that the gross floor area of any additions to facilitate a restaurant or personal service shop shall be limited to no more than the existing gross floor area of the heritage building;
- k) banquet hall;
- l) trade and convention centre;
- m) community college or university;
- n) motor vehicle retail sales, having a maximum gross floor area of up to 3000 square metres per premise, with limited accessory outdoor storage or display of motor vehicles; and
- o) motor vehicle rental with limited accessory outdoor storage or display of motor vehicles.



Figure 9.2.10 (Markham Mod. 45)

46. Modify Section 9.2.1 to replace the reference to Section 9.2.10 in Figure 9.2.1 as follows:

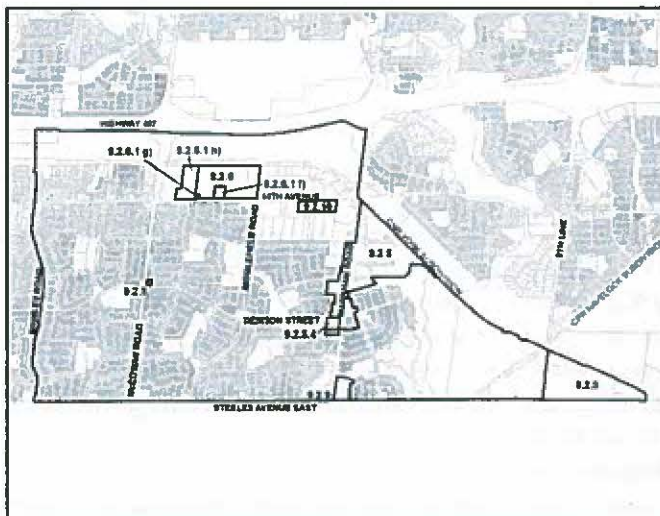


Figure 9.2.1 (Markham Mod. 46)

47. Modify Section 9.3.7.4 to correct a wording reference to be consistent with other policies as follows:

9.3.7.4 In considering an application for *development approval* within on the Markham Rd Local Corridor - Markham Road Mount Joy lands, ~~shall require the requirements of a comprehensive block plan~~ shall be addressed in accordance with Section 10.1.4 of this Plan. (YR Mod. 56) (Markham Mod. 47)

48. Modify Section 9.3.13 to correct a mapping error and replace Figure 9.3.13 as follows:

9.3.13 Townhouses without direct frontage on a public street shall also be permitted on the 'Residential Low Rise' lands shown in Figure 9.13.3. (YR Mod. 59)



Figure 9.3.13 (Markham Mod. 48)

49. **Modify Section 9.4.7 c) to delete the York Region Modification 63 deferral applying to the lands as follows:**

9390 Woodbine Avenue

9.4.7 The following use, height and density provisions shall apply to the 'Commercial' lands at 9390 Woodbine Avenue as shown in Figure 9.4.7:

- c) a land use designation other than a 'Commercial' designation may be considered for that part of 9390 Woodbine Avenue on the north side of Markland Street shown in hatching in Figure 9.4.7 by amendment to this Plan. Consideration of a designation other than an 'Commercial' designation must conform to the policies of the Growth Plan for the Greater Golden Horseshoe and all other policies of the Plan and will also have regard for, among other things, the following criteria prescribed by Council, as applicable:
- Compatibility to adjacent land use;
  - Achieving an increase in the number of jobs that would otherwise be provided under the 'Employment Lands' designation on the site, or at a minimum, no net reduction in jobs on the site;
  - Proximity to transit;
  - Provision of lands for a VIVA terminal;
  - Achieving better public amenities, including but not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces; and
  - Where the location is appropriate, provide for affordable or seniors housing.

Until a decision is made on the application for amendment to this Plan filed before adoption of this Plan, the 'Commercial' designation on the lands shown in hatching as 'Deferral Area' on Map 3 – Land Use is deferred and the provisions of the Official Plan (Revised 1987), as amended, shall apply to the lands.

[This deferral cannot be released on its own but must be assessed in conjunction with all employment land use deferrals in this Plan, including Sections 9.2.10, 9.4.14, 9.5.14, 9.6.6, 9.7.8.5, 9.7.8.6, 9.7.8.7, and 9.16.14. The collective consideration of these](#)

~~deferral requests requires further study by the Region. Determination of the removal of the deferral must await the Region's consideration of the potential collective impact of all employment land use deferrals through substantial completion of the forecasting and land budget component of the next Regional municipal comprehensive review by April 2015.~~

~~(YR Mod. 63 as further modified by YR approval on June 12/14)~~

Where the requested amendment to this Plan does not come into force the 'Deferral Area' hatching shall no longer apply and the 'Commercial' designation shown on Map 3 – Land Use shall come into force without the requirement for further amendment to the Plan. (Markham Mod. 49)

**50. Modify Section 9.4.14 to delete the York Region Modification 65 deferral applying to the lands as follows:**

**Northeast side of Markland Street**

9.4.14 A land use designation other than an 'Employment Lands' designation may be considered for the lands on the north east side of Markland Street as shown in Figure 9.4.14 by amendment to this Plan. Consideration of a designation other than an 'Employment Lands' designation must conform to the policies of the Growth Plan for the Greater Golden Horseshoe and all of the policies of this Plan and will also have regard for, among other things, the following criteria prescribed by Council, as applicable:

- Compatibility to adjacent land use;
- Achieving an increase in the number of jobs that would otherwise be provided under the 'Employment Lands' designation on the site, or at a minimum, no net reduction in jobs on the site;
- Proximity to transit;
- Provision of lands for a VIVA terminal;
- Achieving better public amenities, including but not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces; and
- Where the location is appropriate, provide for affordable or seniors housing.

Until a decision is made on the application for amendment to this Plan filed before adoption of this Plan, the 'Business Park Employment' designation on the lands shown in hatching as 'Deferral Area' on Map 3 – Land Use is deferred and the provisions of the Official Plan (Revised 1987), as amended, shall apply to the lands.

~~This deferral cannot be released on its own but must be assessed in conjunction with all employment land use deferrals in this Plan, including Sections 9.2.10, 9.4.7 e), 9.5.14, 9.6.6, 9.7.8.5, 9.7.8.6, 9.7.8.7, and 9.16.14. The collective consideration of these deferral requests requires further study by the Region. Determination of the removal of the deferral must await the Region's consideration of the potential collective impact of all employment land use deferrals through substantial completion of the forecasting and land budget component of the next Regional municipal comprehensive review by April 2015.~~

~~(YR Mod. 65 as further modified by YR approval on June 12/14)~~

Where the requested amendment to this Plan does not come into force the 'Deferral Area' hatching shall no longer apply and the 'Business Park Employment' designation shown on Map 3 – Land Use shall come into force without the requirement for further amendment to the Plan. (Markham Mod. 50)

**51. Modify Section 9.5.14 to delete the York Region Modification 67 deferral applying to the lands as follows:**

- 9.5.14**      Lord Melbourne Street west of the Woodbine By-Pass  
A land use designation other than an 'Employment Lands' designation may be considered for the lands on the north and south side of Lord Melbourne Street west of the Woodbine By-Pass shown in Figure 9.5.14 by amendment to this Plan. Consideration of a designation other than an 'Employment Lands' designation must conform to the policies of the Growth Plan for the Greater Golden Horseshoe and all other policies of this Plan and will also have regard for, among other things, the following criteria prescribed by Council, as applicable:
- Compatibility to adjacent land use;
  - Achieving an increase in the number of jobs that would otherwise be provided under the 'Employment Lands' designation on the site, or at a minimum, no net reduction in jobs on the site;
  - Proximity to transit;
  - Provision of lands for a VIVA terminal;
  - Achieving better public amenities, including but not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces; and
  - Where the location is appropriate, provide for affordable or seniors housing.

Until a decision is made on the application for amendment to this Plan filed before adoption of this Plan, the 'Business Park Employment' and 'Service Employment' designations on the lands shown in hatching as 'Deferral Area' on Map 3 – Land Use is deferred and the provisions of the Official Plan (Revised 1987), as amended, shall apply to the lands.

~~This deferral cannot be released on its own but must be assessed in conjunction with all employment land use deferrals in this Plan, including Sections 9.2.10, 9.4.7 c), 9.4.14, 9.6.6, 9.7.8.5, 9.7.8.6, 9.7.8.7, and 9.16.14. The collective consideration of these deferral requests requires further study by the Region. Determination of the removal of the deferral must await the Region's consideration of the potential collective impact of all employment land use deferrals through substantial completion of the forecasting and land budget component of the next Regional municipal comprehensive review by April 2015. (YR Mod. 67 as further modified by Regional approval on June 12/14)~~

Where the requested amendment to this Plan does not come into force the 'Deferral Area' hatching shall no longer apply and the 'Business Park Employment' and 'Service Employment' designations shown on Map 3 – Land Use shall come into force without the requirement for further amendment to the Plan. (Markham Mod. 51)

**52. Modify Section 9.6.6 to delete the York Region Modification 73 deferral applying to the lands as follows:**

- 9.6.6**      Southwest Corner of Highway 404 and Highway 7  
A land use designation other than an 'Employment Lands' designation, that does not include residential use permissions, may be considered for the lands on the southwest corner of Highway 404 and Highway 7 as shown in Figure 9.6.6 by amendment to this Plan. Consideration of a designation other than an 'Employment Lands' designation must conform to the policies of the Growth Plan for the Greater Golden Horseshoe and all other policies of this Plan and will also have regard for, among other things, the following criteria prescribed by Council, as applicable:
- Compatibility to adjacent land use;



- Achieving an increase in the number of jobs that would otherwise be provided under the 'Employment Lands' designation on the site, or at a minimum, no net reduction in jobs on the site;
- Proximity to transit;
- Provision of lands for a VIVA terminal;
- Achieving better public amenities, including but not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces; and
- Where the location is appropriate, provide for affordable or seniors housing.

Until a decision is made on the application for amendment to this Plan filed before adoption of this Plan, the 'Business Park Office Priority Employment' designation on the lands shown in hatching as 'Deferral Area' on Map 3 – Land Use is deferred and the provisions of the Official Plan (Revised 1987), as amended, shall apply to the lands.

~~This deferral cannot be released on its own but must be assessed in conjunction with all employment land use deferrals in this Plan, including Sections 9.2.10, 9.4.7 c), 9.4.14, 9.5.14, 9.7.8.5, 9.7.8.6, 9.7.8.7, and 9.16.14. The collective consideration of these deferral requests requires further study by the Region. Determination of the removal of the deferral must await the Region's consideration of the potential collective impact of all employment land use deferrals through substantial completion of the forecasting and land budget component of the next Regional municipal comprehensive review by April 2015. (YR Mod. 73 as further modified by Regional approval on June 12/14)~~

Where the requested amendment to this Plan does not come into force the 'Deferral Area' hatching shall no longer apply and the 'Business Park Office Priority Employment' designation shown on Map 3 – Land Use shall come into force without the requirement for further amendment to the Plan. (Markham Mod. 52)

**53. Modify Section 9.7.8.3 to remove the reference to 'Future Employment Area' as follows:**

- 9.7.8.3 The land use designations for the Cornell Centre *key development area* lands, shown outlined in purple on Map 3 – Land Use, and the related policies in this Plan, shall be used to inform the update of the Cornell Secondary Plan. The lands ~~designated 'Future Employment Area'~~ east of Donald Cousens Parkway are intended to be assigned employment designations and site specific policies consistent with the Cornell Secondary Plan, as amended, and Council's further direction of May 31, 2011. Until an updated secondary plan is approved for the Cornell Centre *key development area* lands, the provisions of the Official Plan (Revised 1987), as amended, and Secondary Plan PD 29-1, as amended, ~~and as further modified by York Region in accordance with Council's direction of May 31, 2011,~~ shall apply to the lands shown in Figure 9.7.8. (YR Mod.74) (Markham Mod. 53)

**54. Modify Section 9.7.8.5 to delete the York Region Modification 76 and replace the existing section with a new Section 9.7.8.5 and a new Figure 9.7.8.5 as follows:**

- 9.7.8.5 ~~A land use designation other than an 'Employment Lands' designation may be considered for the lands south of Highway 7 west of Donald Cousens Parkway as shown in Figure 9.7.8.5 by amendment to this Plan. Consideration of a designation other than an 'Employment Lands' designation must conform to the policies of the Growth Plan for the Greater Golden Horseshoe and all other policies of this Plan and will also have regard for, among other things, the following criteria prescribed by Council, as applicable:~~

- ~~Compatibility to adjacent land use;~~
- ~~Achieving an increase in the number of jobs that would otherwise be provided under the 'Employment Lands' designation on the site, or at a minimum, no net reduction in jobs on the site;~~
- ~~Proximity to transit;~~
- ~~Provision of lands for a VIVA terminal;~~
- ~~Achieving better public amenities, including but not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces; and~~
- ~~Where the location is appropriate, provide for affordable or seniors housing.~~

~~Until a decision is made on the application for amendment to this Plan filed before adoption of this Plan, the 'Business Park Employment' and 'Business Park Office Priority Employment' designations on the lands shown in hatching as 'Deferral Area' on Map 3—Land Use is deferred and the provisions of the Official Plan (Revised 1987), as amended, and Secondary Plan PD 29-1 shall apply to the lands.~~

~~This deferral cannot be released on its own but must be assessed in conjunction with all employment land use deferrals in this Plan, including Sections 9.2.10, 9.4.7 c), 9.4.14, 9.5.14, 9.6.6, 9.7.8.6, 9.7.8.7, and 9.16.14. The collective consideration of these deferral requests requires further study by the Region. Determination of the removal of the deferral must await the Region's consideration of the potential collective impact of all employment land use deferrals through substantial completion of the forecasting and land budget component of the next Regional *municipal comprehensive review* by April 2015. (YR Mod. 76 as further modified by Regional approval on June 12/14)~~

~~Where the requested amendment to this Plan does not come into force the 'Deferral Area' hatching shall no longer apply and the provisions of 9.7.8.3 of this Plan shall apply. The land use designations as shown on Map 3—Land Use shall be used to inform the update of the Cornell Secondary Plan for the lands south of Highway 7 west of Donald Cousens Parkway as shown in Figure 9.7.8.5. The update of the Cornell Secondary Plan shall conform with the designations and policies of Official Plan Amendment No. 224 to the Official Plan (Revised 1987), as amended, once in force, and development of the lands will be informed by the findings of the Master Environmental Servicing Plan as it relates to the lands shown in Figure 9.7.8.5.~~



Figure 9.7.8.5 (Markham Mod. 54)

55. Modify Section 9.7.1 to replace the reference to Section 9.7.8.5 in Figure 9.7.1 as follows:

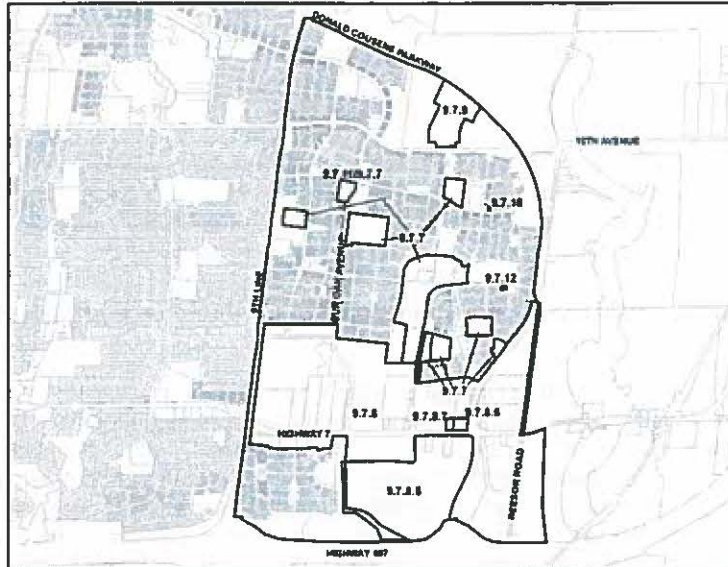


Figure 9.7.1 (Markham Mod. 55)

56. Modify Section 9.7.8.6 to clarify the York Region Modification 77 deferral applying to the as follows:

Northwest corner of Donald Cousens Parkway and Highway 7

9.7.8.6 A land use designation other than an 'Employment Lands' designation may be considered for the lands on the north west corner of Donald Cousens Parkway as shown in Figure 9.7.8.6 by amendment to this Plan. Consideration of a designation other than an 'Employment Lands' designation must conform to the policies of the Growth Plan for the Greater Golden Horseshoe and all other policies of this Plan and will also have regard for, among other things, the following criteria prescribed by Council, as applicable:

- Compatibility to adjacent land use;
- Achieving an increase in the number of jobs that would otherwise be provided under the 'Employment Lands' designation on the site, or at a minimum, no net reduction in jobs on the site;
- Proximity to transit;
- Provision of lands for a VIVA terminal;
- Achieving better public amenities, including but not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces; and
- Where the location is appropriate, provide for affordable or seniors housing.

Until a decision is made on the application for amendment to this Plan filed before adoption of this Plan, the 'Business Park Office Priority Employment' designation on the lands shown in hatching as 'Deferral Area' on Map 3 – Land Use is deferred and the provisions of the Official Plan (Revised 1987), as amended, and Secondary Plan PD 29-1 shall apply to the lands.

This deferral cannot be released on its own but must be assessed in conjunction with all employment land use deferrals in this Plan, including Sections 9.2.10, 9.4.7

c), 9.4.14, 9.5.14, 9.6.6, 9.7.8.5, 9.7.8.7, and 9.16.14 as set out in the June 12, 2014 decision of Regional Council. The collective consideration of these deferral requests requires further study by the Region. Determination of the removal of the deferral must await the Region's consideration of the potential collective impact of all employment land use deferrals through substantial completion of the forecasting and land budget component of the next Regional *municipal comprehensive review* by April 2015.

(YR Mod. 77 as further modified by Regional approval on June 12/14)

Where the requested amendment to this Plan does not come into force the 'Deferral Area' hatching shall no longer apply and the provisions of 9.7.8.3 of this Plan shall apply. (Markham Mod. 56)

**57. Modify Section 9.7.8.7 to clarify the York Region Modification 78 deferral applying to the lands as follows:**

North side of Highway 7 west of Donald Cousens Parkway

9.7.8.7 A land use designation other than an 'Employment Lands' designation may be considered for the lands on the north west corner of Donald Cousens Parkway as shown in Figure 9.7.8.7 by amendment to this Plan. Consideration of a designation other than an 'Employment Lands' designation must conform to the policies of the Growth Plan for the Greater Golden Horseshoe and all other policies of this Plan and will also have regard for, among other things, the following criteria prescribed by Council, as applicable:

- Compatibility to adjacent land use;
- Achieving an increase in the number of jobs that would otherwise be provided under the 'Employment Lands' designation on the site, or at a minimum, no net reduction in jobs on the site;
- Proximity to transit;
- Provision of lands for a VIVA terminal;
- Achieving better public amenities, including but not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces; and
- Where the location is appropriate, provide for affordable or seniors housing.

Until a decision is made on the application for amendment to this Plan filed before adoption of this Plan, the 'Business Park Office Priority Employment' designation on the lands shown in hatching as 'Deferral Area' on Map 3 – Land Use is deferred and the provisions of the Official Plan (Revised 1987), as amended, and Secondary Plan PD 29-1 shall apply to the lands.

This deferral cannot be released on its own but must be assessed in conjunction with all employment land use deferrals in this Plan, including Sections 9.2.10, 9.4.7 c), 9.4.14, 9.5.14, 9.6.6, 9.7.8.5, 9.7.8.6, and 9.16.14 as set out in the June 12, 2014 decision of Regional Council. The collective consideration of these deferral requests requires further study by the Region. Determination of the removal of the deferral must await the Region's consideration of the potential collective impact of all employment land use deferrals through substantial completion of the forecasting and land budget component of the next Regional *municipal comprehensive review* by April 2015.

(YR Mod. 78 as further modified by Regional approval on June 12/14)

Where the requested amendment to this Plan does not come into force the 'Deferral Area' hatching shall no longer apply and the provisions of 9.7.8.3 of this Plan shall apply. (Markham Mod. 57)

58. Modify Section 9.7.10 to correct a typographical error as follows:

Convenience Retail and Personal Service

- 9.7.10 A convenience retail and personal service use ~~shall be required~~ may be provided for in a detached dwelling, semi-detached dwelling, townhouse or small multiplex building containing 3 to 6 units, with a maximum building height of 4 storeys, on the 'Residential Low Rise' lands at 474 White's Hill Avenue and 498 Cornell Rouge Boulevard as shown ~~in~~ Figure 9.7.10. (YR Mod. 81) (Markham Mod. 58)

59. Modify Section 9.10.4 to correct a typographical error as follows:

- 9.10.4 The land use designations for the Highway 404 North (Employment) lands, shown outlined in purple on Map 3 – Land Use, and the related policies of this Plan shall be used to inform the update of the secondary plan for the Highway 404 North (Employment) lands. Until an revised updated secondary plan is approved for the Highway 404 North (Employment) lands, the provisions of the Official Plan (Revised 1987), as amended, and Secondary Plan PD 42-1, as amended, shall apply to the lands shown in ~~the~~ Figure 9.10.1 and outlined in purple on Map 3 – Land Use. (YR Mod. 86) (Markham Mod. 59)

60. Modify Section 9.14.4 to correct the wording reference to be consistent with other policies as follows:

- 9.14.4.4 An application for *development approval* ~~on~~ within the Markville key development area lands shall ~~require~~ address the requirements of a comprehensive block plan in accordance with Section 10.1.4 of this Plan. (YR Mod. 90) (Markham Mod. 60)

61. Subject to Ministerial approval of the Special Policy Area policies, modify Section 9.14.6 to delete the reference to York Region Deferral 2. (Markham Mod. 61)

62. Modify Section 9.16.14 to delete the York Region Modification 94 and replace the existing section with a new Section 9.16.14 and a new Figure 9.16.14 as follows:

~~9.16.14 A land use designation other than an 'Employment Lands' designation may be considered for the lands on the north side of Copper Creek Drive between the Box Grove By-Pass and Donald Cousens Parkway as shown in Figure 9.6.14 by amendment to this Plan. Consideration of a designation other than an 'Employment Lands' designation must conform to the policies of the Growth Plan for the Greater Golden Horseshoe and all other policies of this Plan, and will also have regard for, among other things, the following criteria prescribed by Council, as applicable:~~

- ~~• Compatibility to adjacent land use;~~
- ~~• Achieving an increase in the number of jobs that would otherwise be provided under the 'Employment Lands' designation on the site, or at a minimum, no net reduction in jobs on the site;~~
- ~~• Proximity to transit;~~
- ~~• Provision of lands for a VIVA terminal;~~
- ~~• Achieving better public amenities, including but not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces; and~~
- ~~• Where the location is appropriate, provide for affordable or seniors housing.~~

~~Until a decision is made on the application for amendment to this Plan filed before adoption of this Plan, the 'Service Business Park Employment' designation on the lands shown in hatching as 'Deferral Area' on Map 3 – Land Use is deferred and the~~

provisions of the Official Plan (Revised 1987), as amended, shall apply to the lands. (YR Mod. 94)

~~This deferral cannot be released on its own but must be assessed in conjunction with all employment land use deferrals in this Plan, including Sections 9.2.10, 9.4.7, 9.5.14, 9.6.6, 9.7.8.5, 9.7.8.6, and 9.7.8.7. The collective consideration of these deferral requests requires further study by the Region. Determination of the removal of the deferral must await the Region's consideration of the potential collective impact of all employment land use deferrals through substantial completion of the forecasting and land budget component of the next Regional municipal comprehensive review by April 2015.~~

(YR Mod. 94 as further modified by Regional approval on June 12/14)

Where the requested amendment to this Plan does not come into force the 'Deferral Area' hatching shall no longer apply and the 'Service Business Park Employment' designation shown on Map 3 — Land Use shall come into force without the requirement for further amendment to the Plan. (YR Mod. 94)

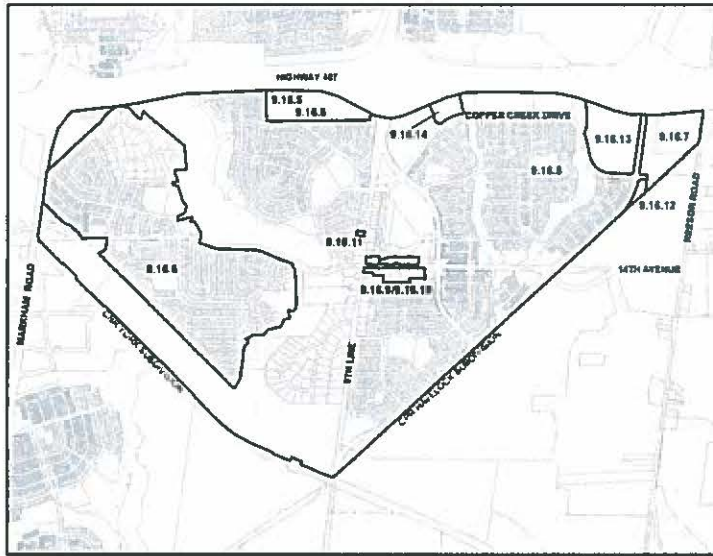
9.16.14 Only the following uses shall be permitted on the 'Mixed Use Mid Rise' lands shown in Figure 9.16.14:

- a) restaurant provided it is located within a building containing a trade and convention centre and/or banquet hall;
- b) trade and convention centre;
- c) banquet hall; and
- d) seniors residence.



Figure 9.16.14 (Markham Mod. 62)

63. Modify Section 9.16.1 to replace the reference to Section 9.16.14 in Figure 9.16.1 as follows:

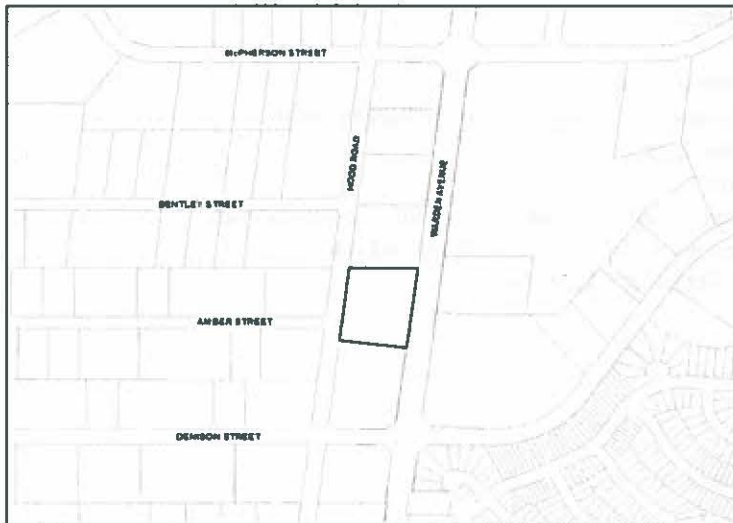


[Figure 9.16.14](#) (Markham Mod. 63)

64. Modify Section 9.17 to add a new Section 9.17.8 and Figure 9.17.8 as follows:

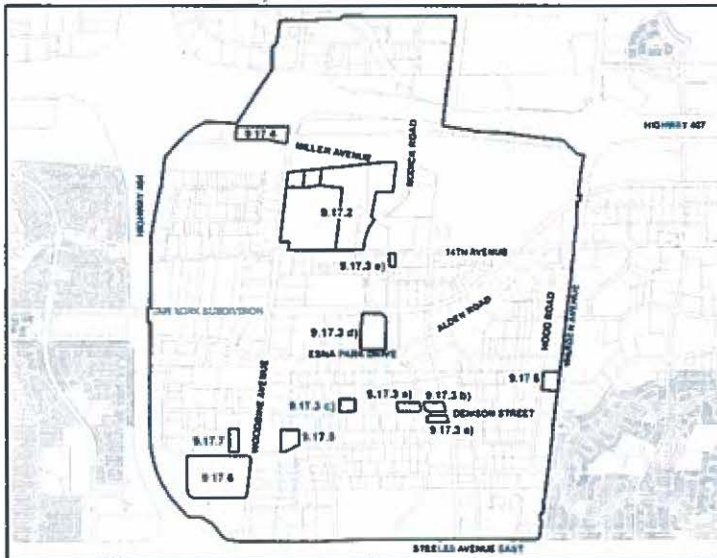
365 Hood Road

9.17.8 A private school with accessory dormitories shall also be permitted on the 'Business Park Employment' lands municipally known as 365 Hood Road, Lot 53 and Part Lot 52, Plan M-1792, being Parts 4 and 5, Plan 65R-30317 as shown in Figure 9.17.8.



[Figure 9.17.8](#) (Markham Mod. 64)

65. Modify Section 9.17.1 to add a reference to Section 9.17.8 in Figure 9.17.1 as follows:



[Figure 9.17.1 \(Markham Mod. 65\)](#)

66. Modify Section 9.18.13.7 to a wording reference as follows:

9.18.13.7 The following use, building type and height provisions shall apply to the 'Mixed Use Heritage Main Street' lands shown in black tone in Figure 9.18.13:

- a) only the following [building-types uses](#) shall be permitted:
  - i. retail;
  - ii. service;
  - iii. office;
  - iv. financial institution;
  - v. hotel;
  - vi. *bed and breakfast establishment*;
  - vii. institutional facilities including community facilities and government services;
  - viii. restaurant; and
  - ix. dwelling unit provided it is located above the ground floor and where appropriate to the rear of street-related retail and service uses; [\(Markham Mod. 66\)](#)
  - x.



67. Modify Section 9.19.1 to insert a missing reference to Section 9.19.9 in Figure 9.19.1 as follows:

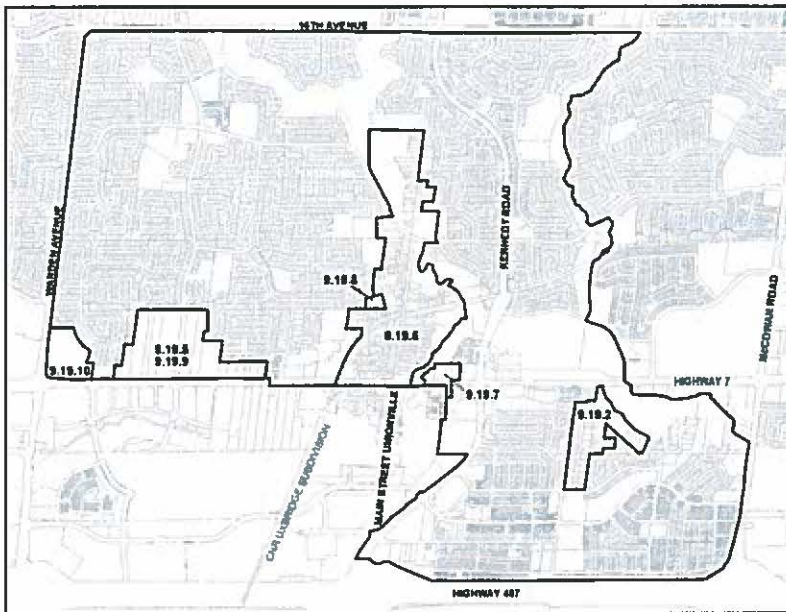


Figure 9.19.1 (Markham Mod. 67)

68. Subject to Ministerial approval of the Special Policy Area policies, modify Section 9.19.2 to delete the reference to York Region Deferral 2. (Markham Mod. 68)
69. Subject to Ministerial approval of the Special Policy Area policies, modify Section 9.19.7 to delete the reference to York Region Deferral 2. (Markham Mod. 69)
70. Subject to Ministerial approval of the Special Policy Area policies, modify Section 9.19.8 to delete the reference to York Region Deferral 2 and correct a typographical error as follows:
- 20 Fred Varley Drive
- 9.19.78 Improvements to or *redevelopment* of the existing shopping plaza at 20 Fred Varley Drive as shown in Figure 9.19.8 shall:  
(Markham Mod. 70)
71. Subject to Ministerial approval of the Special Policy Area policies, modify Section 9.19 to add a new Section 9.19.11 as follows:

New Lot Creation and Additional Dwelling Unit Creation – Special Policy Area

9.19.11 For the 'Residential Low Rise' lands shown in Figure 9.19.11, which fall within a *Special Policy Area* as shown on Map 8 – *Special Policy Areas*, Council may consider a zoning by-law amendment to permit a consent (*severance*) to create :

- 3 new lots on the lands fronting on Annina Crescent shown as Parcel 'A' to permit 3 additional dwelling units in detached dwellings; and
- new lots and/or additional dwelling units in detached dwellings, semi-detached dwellings or townhouses without direct frontage on a public street on the lands at 8202 and 8192 McCowan Road shown as

Parcel 'B'. The number of new lots and/or additional dwelling units shall be determined in consultation with the Toronto and Region Conservation Authority and have regard for a maximum site density of 35 units per hectare.

Approval of a zoning by-law amendment to permit a consent (severance) to create new lots and to permit additional dwelling units on the new lots shall be subject to the satisfaction of the Toronto and Region Conservation Authority.

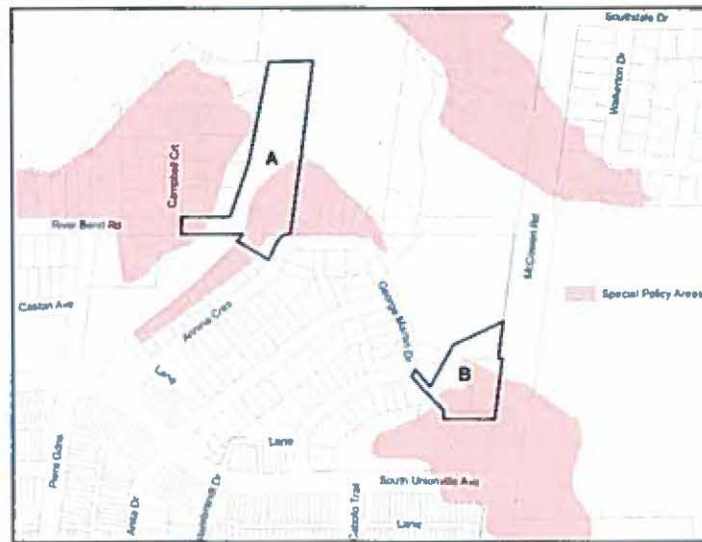


Figure No. 9.19.11 (Markham Mod. 71)

72. Subject to Ministerial approval of the Special Policy Area policies, modify Section 9.19 to add a reference to Section 9.19.11 in Figure 9.19.1 and revise Figure 9.19.1 as follows:

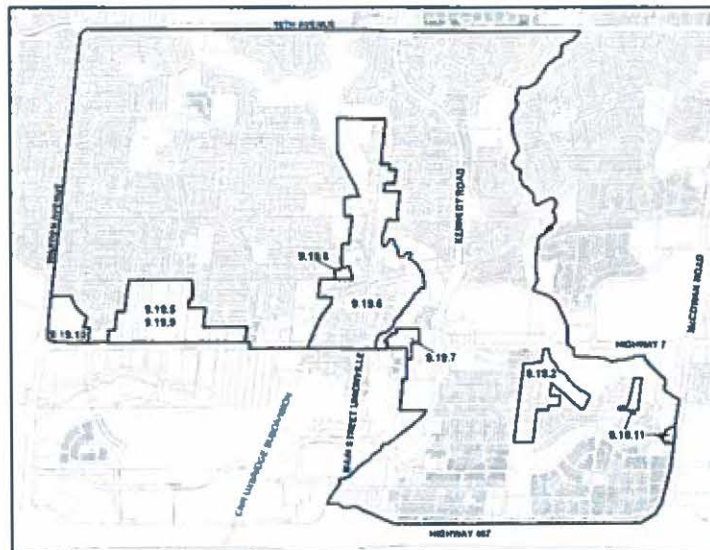


Figure 9.19.1 (Markham Mod. 72)

**Chapter 10 – Implementation**

**73. Modify Section 10.1.4.2 to correct a wording reference as follows:**

10.1.4.2 That a *comprehensive block plan* shall be prepared, in cooperation with landowners, to provide detailed guidance regarding the pattern, nature and phasing of development and to address, among other things, the following:  
(Markham Mod. 73)

**74. Modify Section 10.6.2.3 to correct wording references to be consistent with other policies as follows:**

10.6.2.3 To require **the development proponent** to submit the following information or materials to the satisfaction of City in order to constitute a “complete” application for an official plan amendment, zoning by-law amendment, plan of subdivision and consent (severance) applications:

- a) the minimum submission requirements in accordance with the Planning Act requirements incorporated into a standardized application form;
- b) any one or more of the following technical studies, plans and/or other items listed below or identified in Markham’s Submission Requirements for Development Applications:

**Cultural Requirements:**

- archaeological assessment
- heritage conservation plan
- heritage impact assessment

**Environmental Requirements:**

- air quality impact study
- **contaminant management plan**
- demarcation of the limits of natural heritage features
- environmental impact study
- environmental site assessment
- hydrological evaluation
- natural heritage evaluation
- record of site condition
- tree and vegetation study

**Planning and Urban Design Requirements:**

**Secondary Plan, Precinct Plan, Comprehensive Block Plan Requirements:**

- community and architectural design plan
- community infrastructure impact statement
- economic/fiscal impact assessment
- housing impact statement
- master streetscape plan

- parks and open space plan
- retail and service needs study
- streets and block plan

Site and Building Design Requirements:

- angular plane study
- computer generated building mass model
- retail impact study
- sensitive land use compatibility study
- sun and shadow analysis
- sustainable development assessment design practices and technologies checklist
- wind impact study

Services and Utilities Requirements:

- functional servicing report and brief
- geotechnical report
- master environmental servicing plan report
- noise and vibration study
- scoped master environmental master servicing plan report for intensification
- stormwater management report and/or design brief

Transportation Requirements:

- functional traffic design study
- transportation impact assessment
- transportation demand management strategy  
and/or any other technical studies, plans and/or other items required by this Plan or specified in an implementing secondary plan relevant to the proposal.

Prior to undertaking technical studies, or providing plans and/or other items, appropriate staff shall be consulted to establish the details, scope and terms of reference. (Refer to Markham's Submission Requirements for Development Applications.) (YR Mod. 105) (Markham Mod. 74)

Chapter 11 – Interpretation

75. Modify the text of the entire Official Plan to italicize the word *cemeteries*. (Markham Mod. 75)
76. Modify the definition of *comprehensive block plan* to correct wording as follows:

**Comprehensive block plan(s)** shall provide detailed guidance regarding the pattern, nature and phasing of development and shall be prepared, in cooperation with landowners, by proponents of development prior to and required in order to achieve *development approval* for development sites that meet the applicable criteria identified in Section 10.1.4.2. Matters to be

addressed include street and block layout, traffic and transportation issues, urban design, deployment of height and density, contextual issues, land use patterns, open space and local services. (Markham Mod. 76)

77. Modify the definition of *contaminant management plan* to correct wording as follows:

Contaminant management plan is a report that demonstrates how development proposals, involving the manufacturing, handling and storage of bulk fuels or **hazardous** chemicals ~~(activities prescribed under the Clean Water Act) as defined in O/Reg.347),~~ will implement that demonstrates safety measures ~~will be implemented in order~~ to help prevent contamination of groundwater or surface water supplies. The *contaminant management plan* must include a list of all chemicals used on the subject lands and within any structures and demonstrate how the risk of release to the environment will be mitigated and managed. (YR Mod. 108) (Markham Mod. 77)

78. Subject to Ministerial approval of the Special Policy Area policies, modify Section 11.2 to modify the text of the entire Official Plan to italicize *flooding hazard* and add a definition of *flooding hazard* as follows:

Flooding hazard means the inundation of areas adjacent to a river or stream and small inland lake systems, where the floods resulting from the rainfall actually experienced during the Hurricane Hazel storm (1954) occurred or could have occurred over watersheds in the general area. The *flooding hazard* also includes high points of land in the area of inundation not subject to flooding. (Markham Mod. 78)

#### Map Index

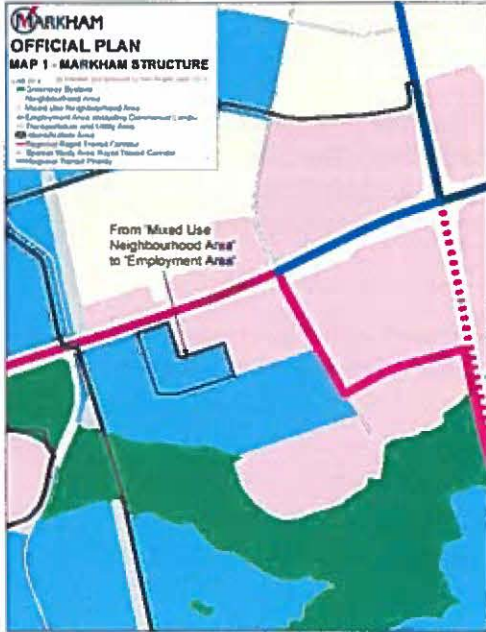
79. Modify the Map Contents page to correct a wording reference as follows:

### M13 HERITAGE CONSERVATION DISTRICTS **BOUNDARIES** (MARKHAM MOD. 79)

#### Map 1 – Markham Structure

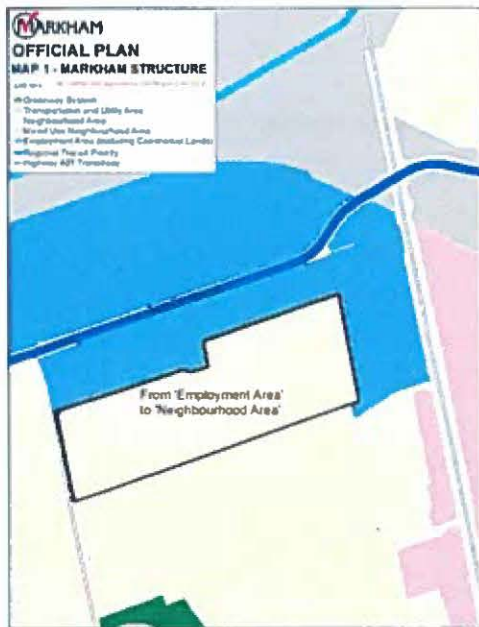
80. Modify Map 1 – Markham Structure to correct reference to Dickson Hill as follows:  
Dickson Hill (Markham Mod. 80)

81. **Modify Map 1 – Markham Structure to replace the ‘Mixed Use Neighbourhood Area’ structural element shown on the north side of Clegg Road east of Rodick Road with an ‘Employment Area’ structural element to be consistent with the ‘Business Park Employment’ and ‘Business Park Office Priority Employment’ designations shown on Map 3 – Land Use as follows:**



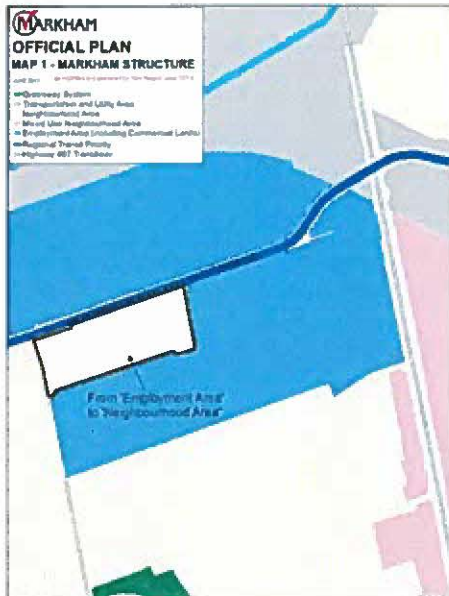
(Markham Mod. 81)

82. **Modify Map 1 – Markham Structure to replace the ‘Employment Area’ structural element on the lands located south of 14<sup>th</sup> Avenue between Middlefield Road and Markham Road with a ‘Neighbourhood Area’ structural element as follows:**



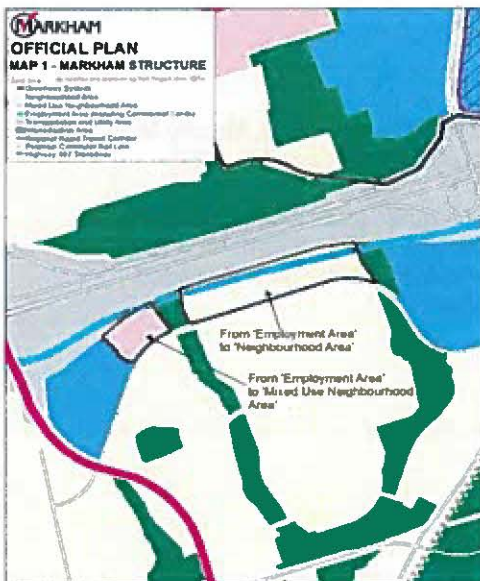
(Markham Mod. 82)

83. Modify Map 1 – Markham Structure to replace the 'Employment Area' structural element on the City-owned Community Centre lands located at the southeast corner of 14<sup>th</sup> Avenue and Middlefield Road with a 'Neighbourhood Area' structural element as follows:



(Markham Mod. 83)

84. Modify Map 1 – Markham Structure to replace the 'Employment Area' structural element on the lands located on the north side of Copper Creek Drive between 9<sup>th</sup> Line and the Donald Cousens Parkway with a 'Mixed Use Neighbourhood Area' and 'Neighbourhood Area' structural element as follows:



(Markham Mod. 84)

85. **Modify Map 1 – Markham Structure to replace the ‘Employment Area’, ‘Mixed Use Neighbourhood Area’, ‘Neighbourhood Area’ structural elements on the lands located on the south side of Highway 7 west of Donald Cousens Parkway with ‘Mixed Use Neighbourhood Area’, ‘Neighbourhood Area’ and ‘Greenway System’ structural elements as follows:**



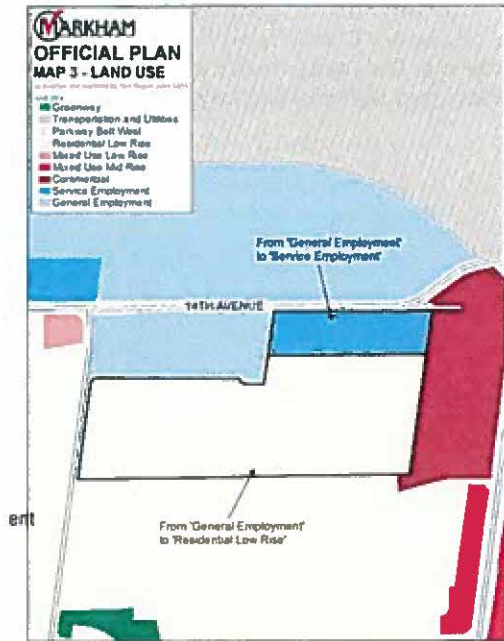
(Markham Mod. 85)

86. **Modify Map 1 – Markham Structure to remove the ‘Future Urban Area’ overlay on the Cornell Centre lands located east of Donald Cousens Parkway north and south of Highway 7. (Markham Mod. 86)**

**Map 3 – Land Use**

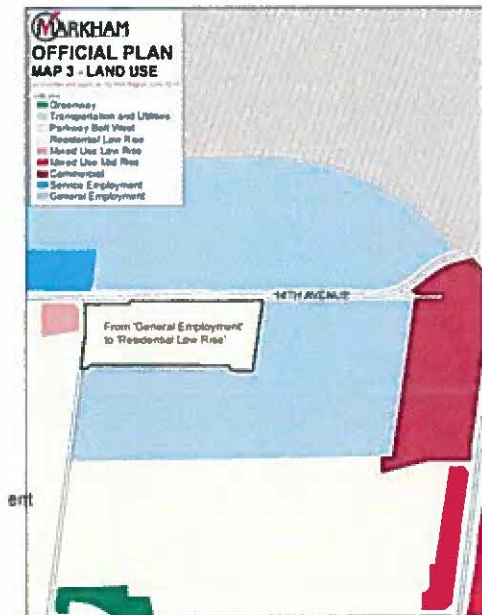
87. **Subject to Ministerial approval of the Special Policy Area policies, Modify Map 3 – Land Use to delete the reference to York Region Deferral 2. (Markham Mod. 87)**
88. **Modify Map 3 – Land Use to remove the deferral hatching and the Section 9.2.10 reference on the lands located south of 14<sup>th</sup> Avenue between Middlefield Road and Markham Road and redesignate the ‘General Employment’ lands to ‘Service Employment’ and ‘Residential Low Rise’ as follows:**





(Markham Mod. 88)

89. Modify Map 3 – Land Use to redesignate the City-owned Community Centre lands at the southeast corner of 14<sup>th</sup> Avenue and Middlefield Road from 'General Employment' to 'Residential Low Rise' as follows:



(Markham Mod. 89)

90. Modify Map 3 – Land Use to remove the deferral hatching and the Section 9.18.20 reference on the lands located at 360 John Street.  
(Markham Mod. 90)

91. **Modify Map 3 – Land Use to remove the deferral hatching and the Section 9.16.14 reference on the lands located on the north side of Copper Creek Drive between 9<sup>th</sup> Line and the Donald Cousens Parkway and redesignate the ‘Business Park Employment’ lands to ‘Mixed Use Mid Rise’, ‘Mixed Use Low Rise’ and ‘Residential Low Rise’ as follows:**



(Markham Mod. 91)

92. **Modify Map 3 – Land Use to remove the Future Urban Area overlay on the Cornell Centre lands located east of Donald Cousens Parkway north and south of Highway 7 and to redesignate the lands from 'Future Employment Area' lands to 'Business Park Employment' and 'Service Employment' as follows:**



(Markham Mod. 92)

93. **Modify Map 3 – Land Use to remove the deferral hatching and the Section 9.7.8.5 reference on the lands located on the south side of Highway 7 west of Donald Cousens Parkway and redesignate the 'Business Park Employment', 'Business Park Office Priority Employment', and 'Residential High Rise' lands to 'Mixed Use High Rise', 'Residential High Rise', 'Residential Mid Rise' and 'Greenway' as follows:**



(Markham Mod. 93)

**Map 7 – Provincial Policy Areas**

94. **Modify Map 7 – Provincial Policy Areas to condense wording related to the Parkway Belt West Plan boundary and the Minister's Zoning Order Parkway Belt West as follows:**

**Parkway Belt West Plan Boundary** (This boundary is illustrative of the Parkway Belt West Plan boundary. ~~The exact boundary of the Parkway Belt West Plan and should be confirmed with the Province Ministry of Municipal Affairs and Housing.~~)(YR Mod. 144)(Markham Mod. 94)

95. **Modify Map 7 – Provincial Policy Areas to condense wording related to the Minister's Zoning Order Parkway Belt West as follows:**

**Minister's Zoning Order - Parkway Belt West** (This boundary is illustrative of the Minister's Zoning Order – Parkway Belt West boundary. ~~The exact boundary of the Minister's Zoning Order Parkway Belt West and should be confirmed with the Province Ministry of Municipal Affairs and Housing.~~)(YR Mod. 145)(Markham Mod. 95)

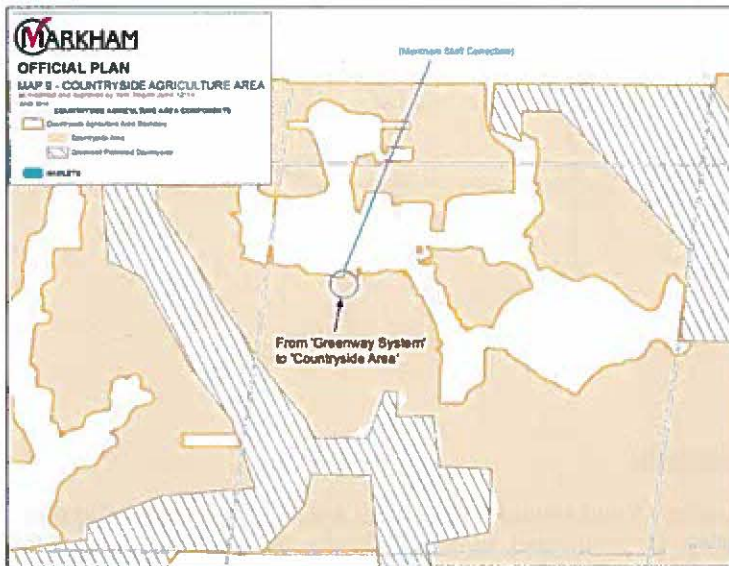
96. **Subject to Ministerial approval of the Special Policy Area policies, Modify Map 7 – Provincial Policy Areas to remove the yellow highlight shown on the Special Policy Area lands and delete the reference to York Region Deferral 2. (Markham Mod. 96)**

**Map 8 – Special Policy Areas**

97. Subject to Ministerial approval of the Special Policy Area policies, Modify Map 8 – Special Policy Areas to remove the yellow highlight shown on the Special Policy Area lands and delete the reference to York region Deferral 2. (Markham Mod. 97)

**Map 9 – Countryside Agriculture**

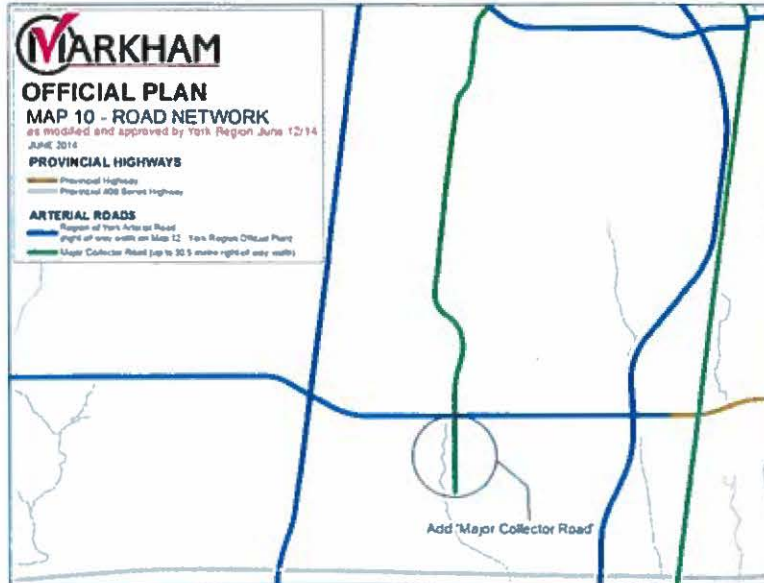
98. Modify Map 9 – Countryside Agriculture to correct a mapping error in the 'Countryside Area' designation as it applies to the lands located at 11207 Kennedy Road to be consistent with York Region Modifications 130, 135, 137, 139 and 167 that apply to the lands as follows:



(Markham Mod. 98)

**Map 10 – Road Network**

99. **Modify Map 10 – Road Network to correct a mapping error to add Bur Oak Avenue south of Highway 7 as a ‘Major Collector Road’ as follows:**



(Markham Mod. 99)

**Map 11 – Minor Collector Road Network**

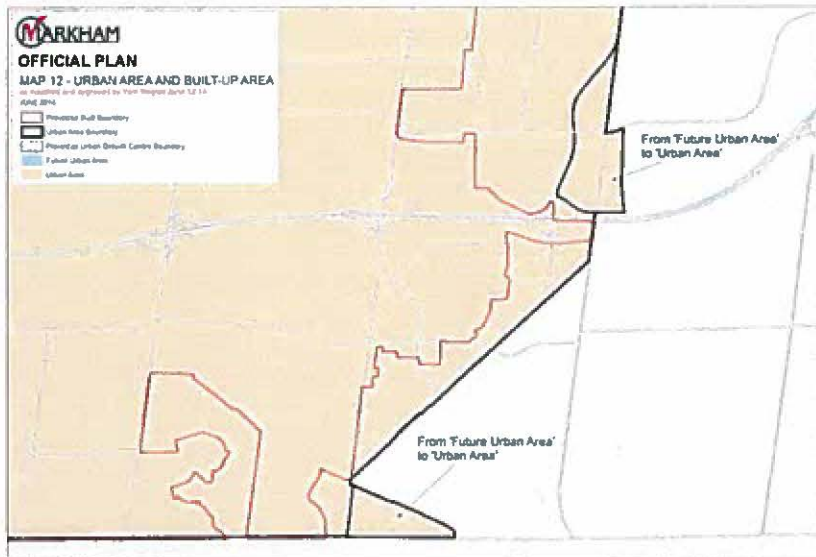
100. **Modify Map 11 – Minor Collector Road Network to correct a mapping error to add four Minor Collector Roads: Stony Hill Boulevard, Vine Cliff Boulevard, Cathedral High Street and Pope John Paul II Square as follows:**



(Markham Mod. 100)

**Map 12 – Urban Area and Built-Up Area**

101. Modify Map 12 – Urban Area and Built-Up Area to replace the Future Urban Area tone with Urban Area tone on the Cornell Centre lands east of Donald Cousens Parkway and Little Farm lands north of Steeles Avenue East and east of 9<sup>th</sup> Line as follows:



(Markham Mod. 101)

**Appendices Index**

102. Modify the Appendices Contents page to correct a wording reference to be consistent with other policies as follows:

**J** ~~TORONTO AND REGION SOURCE PROTECTION AREA~~ CLEAN WATER ACT  
HIGHLY VULNERABLE AREAS-AQUIFERS  
(YR MOD. 172)

(Markham Mod. 102)

**Appendix B – Headwater Drainage Features**

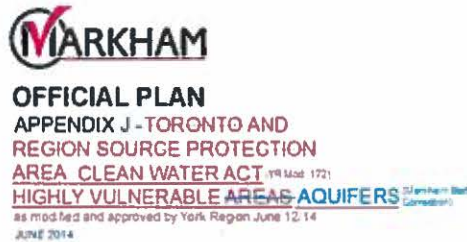
103. Modify Appendix B – Headwater Drainage Features to delete ‘Headwater’ from the ‘Headwater Drainage Features’ legend subtitle as follows:



(Markham Mod. 103)

**Appendix J – Clean Water Act Highly Vulnerable Aquifers**

104. Modify Appendix J – Clean Water Act Highly Vulnerable Aquifers to replace ‘Areas’ with ‘Aquifers’ in Map title and legend to be consistent with York Region Mod. 19 as follows:



(Markham Mod. 104)



**October 30, 2015 - Additional Approved Area and Site Specific Modifications**

**Modify Section 9.20 to add a new Section 9.20.7 and a new Figure 9.20.7 as follows:**

**8510 Woodbine Avenue**

9.20.7 The following use, building type and height provisions shall apply to the 'Business Park Office Priority Employment' lands shown in Figure 9.20.7:

a) only the following uses shall be permitted:

- i. financial institution;
- ii. office;
- iii. restaurant;
- iv. retail use provided:

aa. - the retail use is not greater than 1,000 square metres of gross floor area per premises, unless the retail use is an office supply or computer supply store which may have up to 3,000 square metres of gross floor area per premises; ~~or~~

~~— within a multiple-unit building, the provisions of the first item in aa. above are complied with, and the combined gross floor area devoted to all retail uses, including accessory retail uses, is limited to a maximum of either 50 percent of the total gross floor area of the building, or 3,000 square metres, whichever is less; and~~

bb. the total gross floor area devoted to all retail uses on a property does not exceed 3,000 square metres; and

v. service.

b) single or multiple unit non-residential buildings, with one or more storeys, with a maximum building height specified in the implementing zoning by-law may also be permitted .



Figure 9.20.7

Modify Section 9.20.1 to add a new reference to Section 9.20.7 in Figure 9.20.1 as follows:

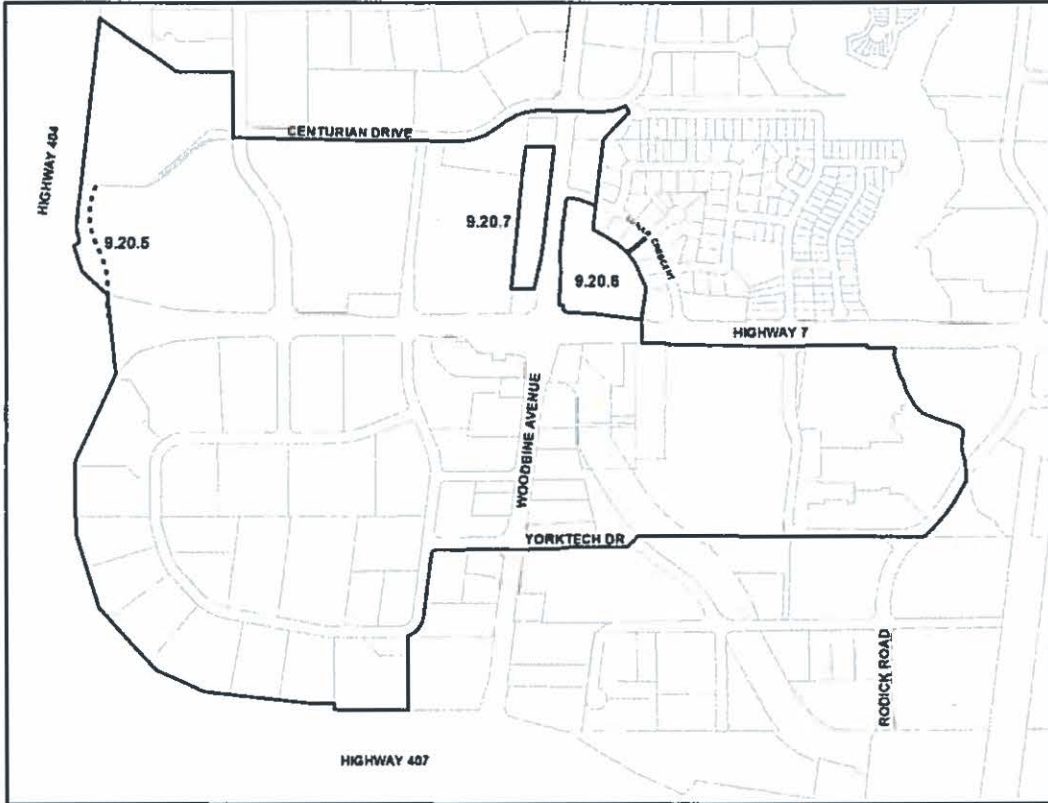


Figure 9.20.1

### **May 26, 2016, Approved Modifications**

Note: The numbering of the Proposed Modifications is consecutive to the 104 Markham Modifications previously endorsed by Council on June 23, 2015.

Strikethrough denotes deleted text.

Underlined text denotes added text, except where "Planning Act", "Clean Water Act", etc. and Chapters, Appendices and Map headings are shown.

(Green font for Markham Modifications endorsed by Council on April 11, 2016)

(Blue font for Markham Modifications endorsed by Council on June 23, 2015)

(Red font for York Region Modifications approved by Regional Council on June 12, 2014)

30. **Modify Section 8.2.3.3 a) to provide an additional provision that is consistent with the 1987 Official Plan policy and recent Council decisions to allow certain 'Residential Low Rise' building types to be permitted within a development block with frontage on an arterial or major collector road as follows:**

8.2.3.3 To provide for the following building types on lands designated 'Residential Low Rise':

- a) detached dwelling, semi-detached dwelling, townhouse excluding back to back townhouse, small multiplex building containing 3 to 6 units, all with direct frontage on a public street. A zoning by-law amendment to permit the above building types without direct frontage on a public street may also be considered, at appropriate locations, where a development block has frontage on an arterial road or a major collector road; (Markham Mod. 30)

#### **Ontario Municipal Board Decision on ROPA 3 Lands**

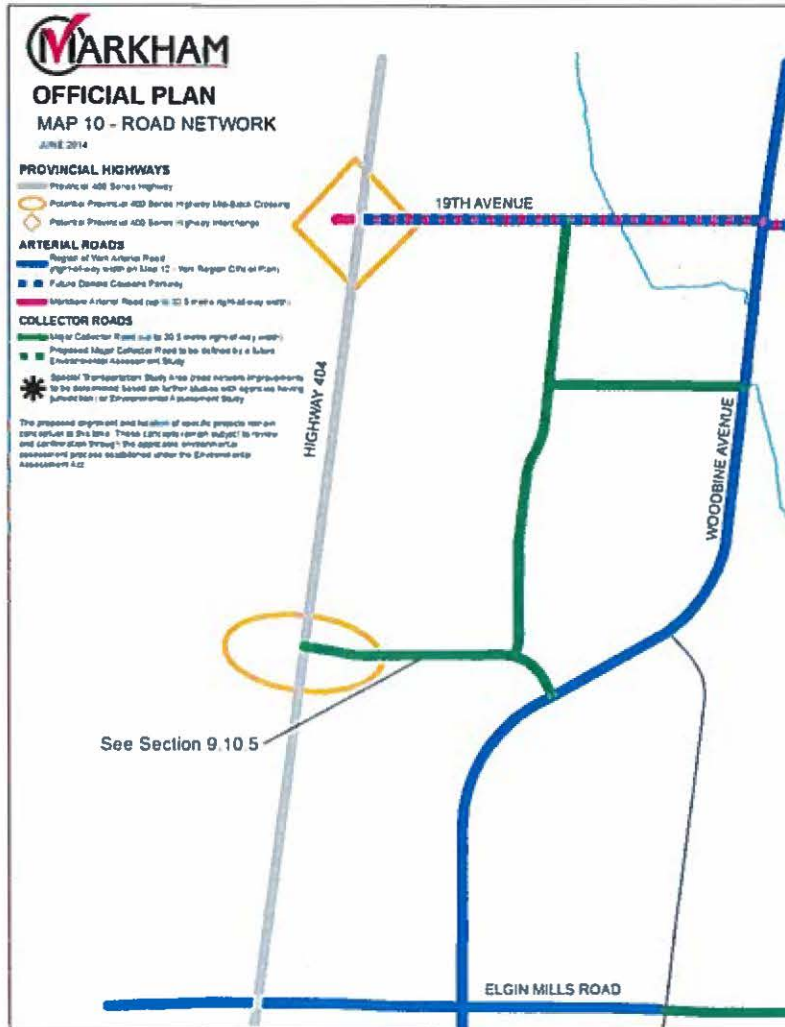
105. **Modify Map 1- Markham Structure and Map 12 – Urban Area and Built Boundary to delete the asterisk and note accompanying 'Future Urban Area' in the legend.**

#### **Ontario Regulation 247/15 – Minister's Zoning Order – Airport**

106. **Modify Map 7 – Provincial Policy Areas to amend the boundary of the Minister's Zoning Order – Airport in accordance with the boundary shown in Ontario Regulation 247/15 to be provided by the Province.**

#### **Group B – Mid Block Crossing and Major Collector Road Issues**

107. **Modify Map 10 – Road Network to:**
- a) **relocate the Potential Provincial 400 Series Highway Mid-Block Crossing and the related Major Collector Road extending east from Highway 404 to Woodbine Avenue further south, delete the asterisk, and add a reference to "See Section 9.10.5"; and**
  - b) **relocate the Major Collector Road extending east from Honda Blvd. to Woodbine Avenue further north and remove the asterisk as follows:**



108. **Modify Section 9.10 to add a new Section 9.10.5 and a new Figure 9.10.5 as follows:**

**Mid-Block Crossing and related Major Collector Road**

9.10.5 The Provincial 400 Series Highway Mid-Block Crossing and the related Major Collector Road, located in the Highway 404 North (Employment) district and extending east from Highway 404 to Woodbine Avenue, generally as shown with a broken line in Figure 9.10.5, shall be subject to the requirements of the York Region approved environmental assessment study.

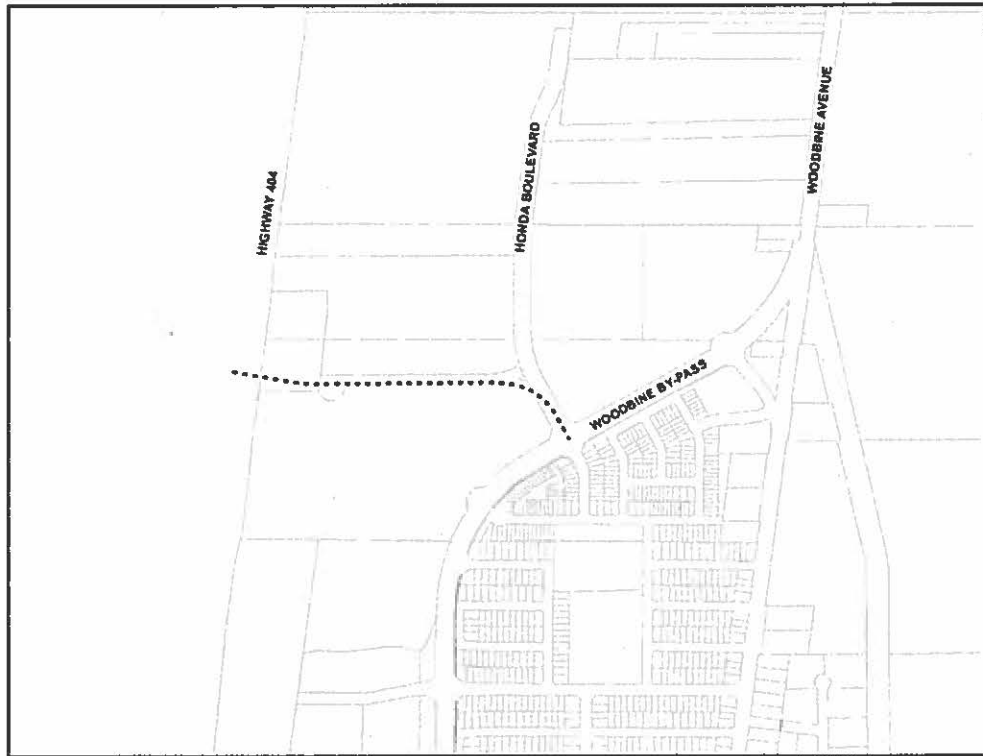


Figure 9.10.5

109. **Modify Section 9.10.1 to add a new Figure 9.10.1 referencing Section 9.10.5 as follows:**

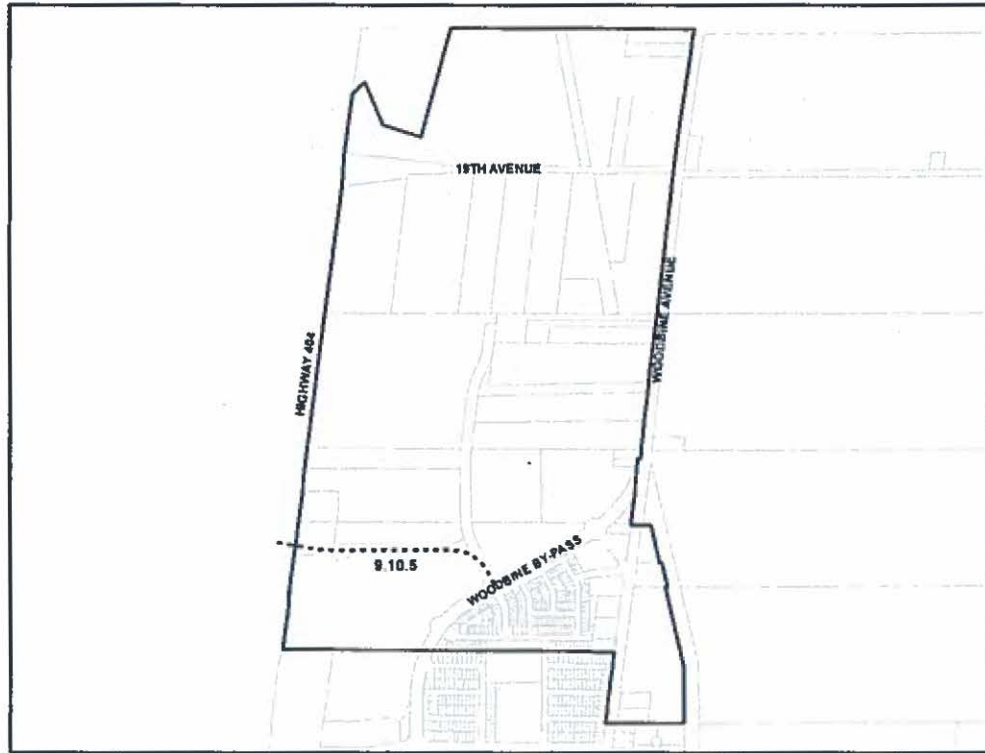
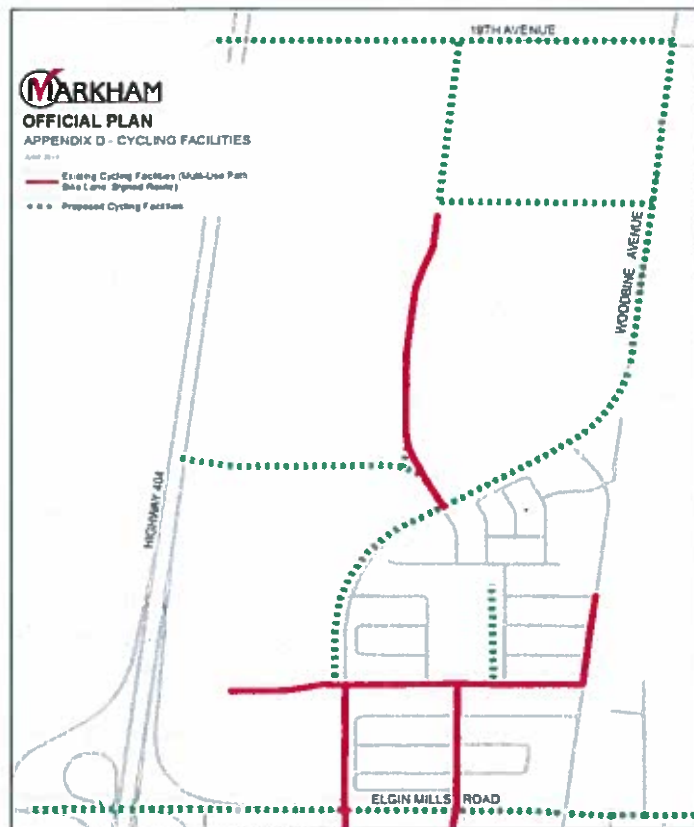


Figure 9.10.1

110. **Modify Appendix D – Cycling Facilities to relocate:**
- a) **The Proposed Cycling Facilities extending east from Highway 404 to Woodbine Avenue further south; and**
  - b) **the Proposed Cycling Facilities extending east from Honda Blvd. to the Woodbine Avenue further north;**
- as follows:**



**Group C – Environmental Systems Issues**

111. **Modify Section 9.9.3 to add a reference that woodlands forming part of the 'Greenway' lands, east of Warden Avenue between Major Mackenzie Drive East and Elgin Mills Road East, as shown in Figure 9.9.3 may contain 'nursery stock' as follows:**

9.9.3 The woodlands forming part of the 'Greenway' lands ~~within the parcels~~ shown in Figure 9.8.9.3 and more specifically on Map 5 – Natural Heritage Features and Landforms may contain ornamental plantings, nursery stock, and plantation growth and shall be further delineated upon completion of an Environmental Impact Study, Natural Heritage Evaluation or equivalent, to confirm woodland composition in accordance with the policies and definitions of this Plan.

**Group D – Housing, Community Infrastructure and Cultural Heritage Issues**

112. **Modify the preamble for Section 4.1 Housing by adding the following paragraph at the end of the preamble to clarify the role of housing impact statements as follows:**

**4.1 HOUSING**

Housing impact statements will be used to monitor and encourage the implementation of a diverse and affordable housing stock, but will not be used to evaluate whether a development application is approved or not. They will only be required for mid-rise and high-rise development proposals exceeding 500 dwelling units or two apartment buildings.

113. **Modify Section 4.1.2.8 to clarify the role of housing impact statements in monitoring the diversity of the housing stock as follows:**

4.1.2.8 **To require monitor the diversity of the housing stock by requiring housing impact statements as referred to in Section 4.1, for mid-rise and high-rise development proposals exceeding 500 dwelling units or two apartment buildings, to identify the number of proposed new residential units by type, size and tenure.**

114. **Modify the preamble for Section 4.1.3 Affordable and Shared Housing Strategy by adding the following paragraph at the end of the preamble to clarify the role of Markham's affordable and shared housing strategy as follows:**

**4.1.3 Affordable and Shared Housing Strategy**

Markham's affordable and shared housing strategy will establish targets for new housing units type, tenure and affordability.

115. **Modify Section 4.1.3.6 to clarify the role of an affordable housing implementation framework and housing impact statements as follows:**

4.1.3.6 **To work**, in collaboration with the Region, the non-profit sector, the development industry, community partners, and senior levels of government to develop an *affordable housing* implementation framework ~~to implement~~ for achieving the actions outlined in the strategy for *affordable and shared housing* ~~to by~~:

- a) identifying opportunities and optimal locations for *affordable and shared housing* early in the development process;
- b) increase identifying opportunities for family housing types in Markham Centre, the Langstaff Gateway and *key development areas*;
- c) requireing housing policies within all new secondary plans, and *comprehensive block plans*, where appropriate, to demonstrate identify how the *affordable and shared housing strategy and the* targets referenced in Section 4.1.3.2 will be addressed met;
- d) encouraging implementation of the affordable and shared housing targets referenced in Section 4.1.3.2 and monitoring the progress towards achieving the targets by requireing housing impact statements referred to in Section 4.1, for mid-rise and high-rise development proposals exceeding 500 dwelling units or two apartment buildings, to identify:
  - ii. the estimated rents and/or initial sales prices of the proposed new housing affordable and shared housing units by type; and
  - ii. the relationship of the number of proposed new housing *affordable and shared housing* units to the Region's annual maximum affordable housing thresholds for Markham; and
  - iii. where construction of the units is expected to occur in phases, information required in Sections 4.1.3.6 d) i, and ii. shall be provided for regarding the number of affordable and shared housing the proposed new housing units to be provided per in each phase;
- e) facilitateing the timely processing of development applications for *affordable and shared housing* projects;
- f) developing new approaches to the delivery of *affordable and shared housing* to achieve the targets outlined in the strategy;
- g) encourageing the development of intrinsically more *affordable housing*, which may include consideration of modest amenities, standard materials, minimal details and



- flexibility within units;
- h) supporting affordable and shared housing projects that receive funding under senior government programs; and
  - i) considering financial incentives for qualifying affordable and shared housing projects.

116. **Modify Section 11.2 Definitions to add a new definition for public community infrastructure as follows:**

### **11.2 DEFINITIONS**

**Public community infrastructure as it applies to the Community Infrastructure Strategy policies referenced in Section 4.2.2 of this Plan means community services and facilities provided by the City and the Region for its residents including libraries, community centres, parks, arts and culture, and fire and emergency services as well as public schools, affordable and shared housing, social services, health services, police and other emergency services. For the purposes of this definition, it does not include community services and facilities provided by the private sector including day care centres, places of worship and affordable and shared housing.**

117. **Modify the preamble to Section 4.2.2 to add a sentence to the third paragraph to clarify the role of community infrastructure impact statements as follows:**

#### **4.2.2 Community Infrastructure Strategy**

Conveniently located and accessible community services and facilities are critical to the success of Markham's programs and service delivery. The availability of community services will be assessed as part of the development planning for new mixed-use neighbourhoods and *intensification areas* to identify the range of community services and facilities to be provided in these areas. Where certain public community infrastructure is to be provided, a community infrastructure impact statement may be required from the development proponent to identify how these components of the community infrastructure plan will be achieved.

118. **Modify Section 4.2.2.2 to clarify the requirement for a community infrastructure impact statement and the provision to secure public community infrastructure as follows:**

4.2.2.2 **To work in collaboration with the Region, the non-profit sector, the development industry, and other senior levels of government, and community infrastructure service providers, to implement the actions outlined in the community infrastructure strategy and to:**

- a) require a community infrastructure plan for all new secondary plans and/or *comprehensive block plans, where appropriate*, for a major development or *redevelopment* project to identify policies, opportunities and optimal locations for community services and facilities early in the development process;
- b) develop a financial strategy for the community infrastructure plan that identifies infrastructure delivery, maintenance, rehabilitation and replacement investment requirements;
- c) require a community infrastructure impact statement, for all new precinct plans and/or *comprehensive block plans, where appropriate*, for a major development or *redevelopment* project to identify how those public community infrastructure components of the community infrastructure plan appropriate and adequate community services and facilities will be achieved at each phase of development in

- ~~accordance with the community infrastructure plan;~~
- d) ~~require an agreement to secure the provision of public community infrastructure community services and facilities in accordance with the community infrastructure plan to the satisfaction of Markham, and the Region and other community service providers through an agreement with the development proponent, where appropriate, prior to the enactment of implementing zoning by laws for development; and~~
- e) establish monitoring protocols to assess the ability of Markham's community infrastructure to meet the changing needs of a diverse and growing community.

119. **Modify Section 4.2.3.2 to clarify that if Council has an interest acquiring a surplus school site at fair market value, it shall consider certain alternate uses in order of priority, and that Markham shall request first right of refusal to acquire all or part of a public school site in accordance with Ontario Regulation 444/98 as follows:**

- 4.2.3.2 **That in the event that all or part of a *public school* site and/or building or a *public school* site referred to in Section 4.2.3.1 d) is not required by a School Board or other educational institutions, if Council has an interest in acquiring such sites at fair market value, Council shall consider one or more of the following alternate uses ~~shall be considered~~ in order of priority prior to any consideration of development or *redevelopment* of the site:**
- a) publicly owned parkland and/or community facilities; or
  - b) compatible community infrastructure provided by York Region or other government and non-profit community infrastructure providers and *affordable and shared housing* where permitted by this Plan.

In considering the reuse or *redevelopment* of a *public school* site with an existing building, preference will be given to those uses that would provide opportunities for continued public access to established community services and programs.

Markham shall request first right of refusal to acquire all or part of ~~the a~~ *public school* site in accordance with Ontario Regulation 444/98 and that government agencies and community groups with identified needs shall have the second right of refusal. (YR Mod. 31)

120. **Modify the fourth paragraph of the Section 4.5 preamble, Section 4.5.2.4 and the definition of *significant cultural heritage resources* to provide a consistent reference to Markham's Heritage Resources Evaluation System as follows:**

#### 4.5 CULTURAL HERITAGE RESOURCES

Markham has an ongoing commitment to the protection and conservation of these heritage resources. It was one of the first municipalities in Ontario to have a municipal heritage committee, creating Heritage Markham in 1975 to advise and assist Council on heritage matters. From its first heritage inventory in 1976 to the current Markham *Register of Property of Cultural Heritage Value or Interest*, the municipality has documented its local heritage to ensure it is appropriately addressed in the development approval process. A comprehensive and consistent Heritage Building Resources Evaluation System has been in use since the early 1990s to assist in determining heritage value to the community.

- 4.5.2.4 **To ensure consistency in the identification and evaluation of *cultural heritage resources* for inclusion in the *Register of Property of Cultural Heritage Value or Interest* and/or for**

individual property designation, by utilizing the criteria for determining *cultural heritage* value or interest established by provincial regulation under the Ontario Heritage Act and criteria included in Markham's Heritage Resources Evaluation System standardized evaluation system.

## 11.2 DEFINITIONS

Significant cultural heritage resources means *cultural heritage resources* that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people. Criteria for assessing significance are provided by the Province in the form of regulations for determining cultural heritage value and interest and by Markham's standardized 'Evaluating Heritage Resources Evaluation System.

121. Modify the second last paragraph of the Section 4.5 preamble, the first paragraph of Section 4.5.2 and the definition of *cultural heritage resources* to remove direct reference to intangible heritage as follows:

### 4.5 CULTURAL HERITAGE RESOURCES

Markham's *cultural heritage resources* contribute to an identifiable sense of place that belongs to the entire community. It is recognized that these resources may include tangible features, structures, sites or landscapes that either individually or as part of a whole, are of historical, architectural, archaeological, or scenic value and may represent intangible heritage such as customs, ways of life, values and activities. These resources may represent local, regional, provincial or national heritage interests and values.

#### 4.5.2 Identification and Recognition

The identification and understanding of Markham's *cultural heritage resources* is an important component of Markham's conservation strategy. *Cultural heritage resources* can be: buildings and structures; ~~cemeteries; natural heritage; cultural heritage landscapes; and~~ archaeological sites; ~~and spiritual sites; and intangible heritage such as traditions, beliefs, stories, and family histories.~~ These resources do not necessarily have to be old. There are newer buildings and structures that have cultural heritage value because of their design, cultural association or contribution to a broader context.

## 11.2 DEFINITIONS

Cultural heritage resources means built heritage resources, archaeological resources or cultural heritage landscapes and intangible heritage such as traditions, ceremonies, attitudes, beliefs, stories, games and language that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people. ~~Criteria for determining significance are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.~~

122. Modify Sections 4.5.1.1 c), 4.5.3.3, 4.5.3.4, 4.5.3.5, 4.5.3.10 and the definition of *adjacent lands* to clarify how policies will apply on adjacent lands within 60 metres of, and inclusive of, a *cultural heritage resource* as follows:

#### 4.5.1.1 To promote conservation of Markham's *cultural heritage resources* by:

- c) adopting and implementing policies and programs for the protection of these resources including:
  - i. requirements for heritage impact assessments and conservation plans, heritage conservation easements and heritage permits;

- ii. reviewing any application for *development approval*, building permit or demolition permit that directly affects a cultural heritage resources itself and adjacent lands to ensure new development, *site alteration* and additions are contextually appropriate and maintain the integrity of any ~~all on-site and adjacent cultural heritage resources~~; and
  - iii. facilitating the rehabilitation, renovation and/or restoration of *cultural heritage resources* so that they remain in active use;
- 4.5.3.3 To use secondary plans, zoning by-laws, subdivision and site plan control agreements, signage by-laws, and other municipal controls, to ensure that development, ~~within or adjacent to~~ that directly affects a cultural heritage resources itself and on adjacent lands, is designed, sited or regulated so as to protect and mitigate any negative visual and physical impact on the heritage attributes of the resource, including considerations such as scale, massing, height, building orientation and location relative to the resource.
- 4.5.3.4 To impose conditions of approval ~~where on development containing a cultural heritage resources are to be affected~~ on development containing a cultural heritage resources to ensure the continued protection of the cultural heritage resources resource.

#### Heritage Impact Assessments and Heritage Conservation Plans

- 4.5.3.5 To require, where considered appropriate, the preparation of a *heritage impact assessment* or a *heritage conservation plan*, prepared by a qualified heritage conservation professional, for any proposed alteration, construction or development, ~~on that directly affects a cultural heritage resources itself and adjacent lands, involving, adjacent to or in the immediate vicinity of a property on the Register of Property of Culture Heritage Value or Interest~~ to ensure that there will be no adverse impacts caused to the resource or its *heritage attributes*.
- 4.5.3.10 To evaluate each land severance and variance proposal ~~affecting~~ that directly affects a cultural heritage resources itself and adjacent lands on its own merits and its compatibility with the heritage policies of this Plan and the objectives and policies of any applicable *heritage conservation district* plan. This shall include the preservation of the existing lot fabric or historical pattern of lot development on the specific street or in the immediate neighbourhood where it contributes to the uniqueness, and forms part of, the historical character of the area.

#### 11.2 DEFINITIONS

**Adjacent lands** means those lands contiguous to a *key natural heritage feature* or *key hydrologic feature* where it is likely that development or *site alteration* can reasonably be expected to have a negative impact on the feature. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches that achieve the same objective. Generally, *adjacent lands* are considered to be within 120m from any part of the feature or as defined in the Official Plan. *Adjacent lands* also means those lands ~~contiguous with a protected heritage property~~ or within 60 metres of ~~protected heritage property~~ a cultural heritage resource.

123. Modify the preamble of Section 4.5.3 Protection to clarify protection options Include retention of *built heritage resources* as follows:

#### 4.5.3 Protection

*Cultural heritage resources* are often a fragile gift from past generations. They are not a

renewable resource. Once lost, they are gone forever. Markham understands the importance of safeguarding its *cultural heritage resources* and uses a number of mechanisms to protect them. One of the basic means to ensure protection is through a careful review of proposed alterations to all *cultural heritage resources* and to take action if protection is required.

Protection options include:

- designation under the Ontario Heritage Act;
- heritage easement agreements;
- enforcement of the policies in heritage conservation district plans; and
- retention of built heritage resources ~~resources~~ on original sites and incorporation into new development opportunities.

**124. Modify 4.5.3.6 c) to clarify development of the property affecting the *heritage attributes* as follows:**

- 4.5.3.6 To require, where considered appropriate, the provision of a heritage conservation easement, pursuant to the Ontario Heritage Act, as a condition of certain *development approvals* or as a condition of financial assistance for the purpose of:
- a) the conservation, restoration and maintenance of the *heritage attributes* of the property in perpetuity;
  - b) the prevention of demolition, construction, alteration, addition or any other action which would adversely affect the *heritage attributes* of the property; and
  - c) the establishment of criteria for the approval of any development affecting of the property affecting the *heritage attributes*.

**125. Modify 4.5.3.15 to replace the word 'prevent' with 'avoid' as follows:**

- 4.5.3.15 To prevent avoid the demolition of properties of *significant cultural heritage resources* as listed in the *Register of Property of Cultural Heritage Value or Interest* by:
- a) encouraging the *conservation*, and where appropriate, the restoration of these properties; and
  - b) developing minimum standards for the maintenance of *heritage attributes* in a heritage property standards by-law.

**126. Modify 4.5.3.17 to delete the reference to 'unavoidably lost' as follows:**

- 4.5.3.17 To require, where a *significant cultural heritage resource* is to be ~~unavoidably lost or~~ demolished, the proponent to undertake, where appropriate, one or more of the following mitigation measures, at the expense of the proponent prior to demolition:
- a) documentation of the features that will be lost in the form of a photographic record and/or measured drawings;
  - b) advertising the availability of the resource for salvage or relocation;
  - c) preservation and display of components or fragments of the former resource's features or landscaping;
  - d) marking the traces of former locations, shapes and circulation lines; and
  - e) displaying graphic and textual descriptions of the site's history and former use, buildings and structures.

**Group F – Urban Design and Sustainable Development Issues**

127. **Modify Section 2.4.11 to replace 'incorporate' with 'achieve' and add 'where appropriate' as follows:**
- 2.4.11 That development in *intensification areas* ~~incorporate~~ achieve high-quality urban and sustainable development practices, and promote innovative solutions and pilot projects, where appropriate, in such areas as green energy, green buildings and green infrastructure technologies and practices.
128. **Modify Sections 6.1.1.4, 6.1.4.6, 6.1.5.1, 6.2.1.3 to add reference to 'plans of subdivision' and 'site plans' as follows:**
- 6.1.1.4 **To promote** design excellence in the development of Markham's buildings, streets, urban places and parks through the implementation of a broad framework of regulations, guidelines and incentives including secondary plans, precinct plans, and/or plans of subdivision, *comprehensive block plans*, zoning by-laws, site plans, urban design guidelines, design review panels and design excellence awards.
- 6.1.4.6 **To require** design guidance for streetscape elements, as a component of a required secondary plan, precinct plan and/or plan of subdivision, *comprehensive block plan*, or site plan where considered appropriate, to demonstrate how the design and layout of the streetscape will be in accordance with all the policies of Section 6.1.4 of this Plan.
- 6.1.5.1 **To identify** existing landmarks or locations for new landmarks in Markham's neighbourhoods, *heritage conservation districts* and employment areas, and require measures in secondary plans, precinct plans, and/or plans of subdivision, *comprehensive block plans* or site plans for their protection, retention and creation where practical.
- 6.2.1.3 **To promote** sustainable design and development of Markham's buildings, streets, urban places and parks through the implementation of a broad framework of regulations, guidelines and incentives including, but not limited to, secondary plans, precinct plans, and/or plans of subdivision, *comprehensive block plans*, zoning by-laws, site plans, sustainable development assessment checklists, design review panels and design excellence awards.
129. **Modify Section 6.1.1.5 a) to delete reference to 'consistency', g) to replace 'possible' with 'appropriate' and k) to italicize 'cultural heritage resources' and the addition of a new l) as follows:**
- 6.1.1.5 **To develop** comprehensive urban design guidelines including, but not limited to, streetscape design guidelines, built form, height and massing guidelines, and parks and open space guidelines, and design guidelines for specific uses and types of development, to guide new development and *redevelopment* to achieve, among other things:
- a) ~~consistency and~~ excellence in urban design;
  - b) best practices in sustainable development in accordance with Section 6.2;
  - c) a public realm consisting of streets and boulevards, open spaces and parks providing places for shared use and community interaction;
  - d) a better balance of mobility and safety needs of all street users;
  - e) attractive, well-designed streetscapes;
  - f) landmarks, vistas and public art, view corridors and focal points that enhance a sense of place;
  - g) an interconnected parks and open space system with public access to private open spaces, where appropriate possible;
  - h) landscaping, and *urban forest* enhancements in accordance with Section 3.2;

- i) site development that respects and reinforces the existing and planned context in which it is situated;
- j) building height and massing that corresponds to specific site characteristics and the overall context of the development;
- k) building design that is compatible with adjacent development and land uses, including cultural heritage resources;
- l) building and site design that addresses *cultural heritage resources and adjacent lands* in accordance with Section 4.5;
- lm) building and site design that provides for long term adaptability;
- ln) connectivity and integration of surrounding uses;
- lo) accessibility for all users regardless of age and physical ability;
- op) public safety; and
- oq) bird friendly design.

130. **Modify Sections 6.1.2.4 and 6.1.3.4 b) to add reference to 'where appropriate' and italicize 'natural heritage and hydrologic features' and 'cultural heritage resources' as follows:**

6.1.2.4 **To incorporate, where appropriate, *natural and cultural heritage and hydrologic features and cultural heritage resources*, landmark buildings and open spaces comprehensive urban design guidelines including, but not limited to, streetscapes and view corridors, and public art that contribute to the overall sense of identity of Markham's neighbourhoods, heritage districts and business parks.**

6.1.3.4 b) contributes to placemaking by giving emphasis to *natural heritage and hydrologic features and cultural heritage resources*, where appropriate, architecturally significant buildings, landscapes, parks and open spaces and public art.

131. **Modify Section 6.1.2.5 f) to delete the reference to 'public art' as follows:**

6.1.2.5 **To require the design of high-quality, attractive and sustainable developments that contribute to a successful public realm and include the following elements:**

- a) linkages to the street network that are accessible to people of all ages and abilities;
- b) *streetscapes* that are safe and attractive;
- c) enhanced views and vistas of identified landmarks;
- d) well-designed public and private open spaces;
- e) enhanced landscaping and tree planting; and
- ~~f) public art that promotes a sense of place; and~~
- g)f) sustainable development practices.

132. **Modify Sections 6.1.3.2 and 6.1.5.3 b) and c) to add reference and to italicize 'natural heritage and hydrologic features' and 'cultural heritage resources' as follows:**

6.1.3.2 **To design and arrange streets and blocks to create a sense of identity through the treatment of *natural heritage and hydrologic features, cultural heritage resources*, and architectural features, built form, massing, scale, site layout and orientation, and by incorporating diverse streetscape elements.**

6.1.5.3 **To recognize the importance of the following buildings and features and enhance their status as significant landmarks for the community:**

- a) public and institutional buildings that serve the community such as places of worship, colleges and hospitals;
- b) *natural heritage and hydrologic features*; and

c) cultural heritage resources.

133. **Modify Sections 6.1.3.5, 6.1.4.6, 6.1.6.7 (former 6.1.6.8), 6.1.8.10 to replace 'in accordance with' with 'address' as follows:**
- 6.1.3.5 **To require** a streets and blocks plan, as a component of a required secondary plan, precinct plan, *comprehensive block plan*, or mobility plan ~~or~~ where considered appropriate, to demonstrate how the planning and layout of streets, lanes and blocks will ~~be in accordance with all~~ address the policies of Section 6.1.3 of this Plan.
- 6.1.4.6 **To require** design guidance for streetscape elements, as a component of a required secondary plan, precinct plan and/or plan of subdivision, *comprehensive block plan*, or site plan where considered appropriate, to demonstrate how the design and layout of the streetscape will address ~~be in accordance with all~~ the policies of Section 6.1.4 of this Plan.
- 6.1.6.8-7 **To develop** a parks and open space plan, as a component of a required secondary plan, precinct plan and/or *comprehensive block plan*, or where considered appropriate, to demonstrate how the design and layout of parks and open spaces will address ~~be in accordance with~~ Markham's parks and open space guidelines and ~~all~~ the policies of Section 6.1.6 of this Plan.
- 6.1.8.10 **To require** a *comprehensive block plan*, where considered appropriate, in accordance with Section 10.1.4, to demonstrate how the comprehensive design of a development site and the coordinated location of buildings in relation to other development sites on a block, or adjacent blocks will address ~~be in accordance with~~ Markham's built form, height and massing guidelines and ~~all applicable~~ the policies of Section 6.1.8 of this Plan.
135. **Modify Section 6.1.6 to delete Section 6.1.6.5 policies which are addressed elsewhere in the Plan and renumber the remaining Sections in Section 6.1.6 accordingly as follows:**
- 6.1.6.5 ~~To ensure that development adjacent to parks and open spaces be designed to:~~
- ~~a) support and enhance natural areas;~~
  - ~~b) reduce the potential impact of development on the open space;~~
  - ~~c) complement the design of the open space and enhance its use;~~
  - ~~d) enhance park user safety and comfort by providing appropriate microclimatic conditions and adequate sunlight;~~
  - ~~e) maintain adequate sunlight and sky views;~~
  - ~~f) provide safe and accessible pedestrian connections; and~~
  - ~~g) create appropriate visual and functional relationships.~~
136. **Modify Section 6.1.6.5 (former 6.1.6.6) to add 'where appropriate' in the first sentence and delete Section c) reference to outdoor amenity space as follows:**
- 6.1.6.65 **To ensure** that development be designed to incorporate private open spaces that contribute to the open space network of the immediate community, where appropriate, by:
- a) including connections and through routes and features such as widened sidewalks, courtyards, plazas and places for informal community uses, ~~where appropriate~~;
  - b) reinforcing the existing open space character or initiating a strong open space concept that can be built upon in the future;



~~e) providing outdoor amenity spaces for the use of occupants of the development;~~

138. **Modify Section 6.1.8.5 to add reference in c) for 'protection' of defined term 'natural heritage and hydrologic features', to delete reference in d) to 'amenity areas', and add reference in e) to 'minimizing the impacts' on the urban forest as follows:**

6.1.8.5 **To design and place buildings on a site to achieve:**

- a) adequate private open space and amenity areas;
- b) common landscaped amenity areas that are suitable for the intended users;
- c) ~~preservation~~ protection and enhancement of ~~significant vegetation~~ natural heritage and hydrologic features in accordance with Section 3.1;
- d) public access to and routes through private open space ~~and amenity areas, where appropriate feasible;~~ and
- e) opportunities ~~for enhancement of~~ to minimize impacts on the urban forest in accordance with Section 3.2.1 c).

139. **Modify Section 6.1.8.7 b) to replace 'economic viability' with 'street related retail and service uses' as follows:**

6.1.8.7 **To organize and locate on-site parking facilities, service and loading areas underground, internal to the building or at the rear of the building, including:**

- b) accommodating a minimal amount of on-site parking in a front or side yard as appropriate and necessary to support street related retail and service uses, only where it can be justified to support economic viability ~~and~~ where there is a minimal negative impact on the streetscape, and pedestrian and bicycle circulation; and

140. **Modify the preamble for Section 6.2 to provide greater clarity and recognition that the Plan as a whole is designed to ensure that future development in Markham is sustainable as follows:**

## 6.2 SUSTAINABLE DEVELOPMENT

Sustainable development is a fundamental premise of this Plan based on a shared understanding that the essence of sustainability is balance. Chapter 2 sets out broad policy objectives for sustainability across the Official Plan. Other Chapters of this Plan address various environmental and social dimensions of sustainable development including such as the protection and enhancement of the Greenway System in Section 3.1, natural heritage areas and features, the provision of housing choices affordable housing and community infrastructure in Section 4.1 and 4.2, and the promotion of transportation demand management and active transportation in Section 7.1.4. This Section focuses on achieving greater sustainability through community design and site design and building practices in existing established and new communities, sites and buildings. It contains policies to guide the development of sustainable communities, and the application of sustainable development practices in building and site design. Sustainable development in this context must be understood in tandem with the policies in this Plan intended to protect Markham's natural heritage, thus channelling new development increasingly into smaller land areas, in a concentrated and clustered form. The challenge addressed here is how to minimize the carbon footprint of development on the environment through community design and site design and building practices in new and existing communities.

Markham's Greenprint Community Sustainability Plan sets out key sustainability priorities and recommendations for both community development as well as operational and servicing approaches. In this regard, some of the sustainability recommendations of the Greenprint will be reflected in Markham's corporate procedures and practices while others require consideration as part of the community development process and conditions of *development approval*.

~~Chapter 2 sets out broad policy objectives for sustainability across the Official Plan whereas this Section contains policies to guide the development of sustainable communities, and the application of sustainable development practices in building and site design.~~

**141. Modify Section 6.2.1.1 to replace reference to 'by requiring' with 'by achieving' as follows:**

**6.2.1.1 To provide leadership and excellence in achieving sustainable design of Markham's communities by:**

- a) ~~requiring~~ achieving community design based on principles of sustainable development; and
- b) ~~requiring or encouraging~~ achieving sustainable development practices in building and site design.

**142. Modify Section 6.2.1.2 to add reference to 'other agencies or groups' as follows:**

**6.2.1.2 To work, in cooperation with the Region and the Toronto and Region Conservation Authority and other agencies or groups, to develop incentive programs to encourage the development of sustainable communities, and the application of sustainable development practices in building and site design.**

**143. Modify the preamble to Section 6.2.2 to clarify that the Section applies to all Markham communities, new and established, and to delete the third paragraph which is redundant as follows:**

#### **6.2.2 Sustainable Communities**

All of Markham's communities, new and established, will be planned to achieve sustainable development by providing policy direction that can result in the maximization of environmental resource conservation, energy efficiency and the reduction of green house gas production, as well as improving air, soil and water quality.

~~The planning and design of new complete communities provides an~~ In particular, consideration will be give to opportunities to:

- provide an appropriate mix of jobs and range of housing and community infrastructure in close proximity;
- improve pedestrian, cycling and transit access and reduce automobile use;
- support biodiversity and ecological function including integrating natural heritage features into parks and open spaces; and
- introduce new green infrastructure technologies and best practices in sustainable community and open space design with an emphasis on air and water quality, water and energy efficiency and conservation, and efficient waste management practices.

~~As infrastructure is improved and redevelopment takes place within established communities, opportunities will be created to improve open space, community services,~~

~~pedestrian and cycling systems, improve transit connections and reduce energy and water use.~~

144. **Modify Section 6.2.2.1 d) and e) to clarify protection and enhancement of natural heritage features and the urban forest as outlined in Sections 3.1 and 3.2 and to delete duplicate reference to energy conservation practices which are already referred to in Sections 6.2.2.2 and 6.2.2.3 as follows:**
- 6.2.2.1 **To support the sustainable development of Markham's communities through the integration of land use, transportation and infrastructure planning, and building and site design to:**
- a) create compact, *complete communities* that incorporate a mix of uses and improve accessibility for all users regardless of age and physical ability;
  - b) increase mobility options for all users, with particular emphasis on pedestrians, cyclists and transit riders;
  - c) ensure that natural heritage features are protected and enhanced
  - ~~ed)~~ maximize energy conservation and reduce the production of greenhouse gases and local air pollutants; ~~through the use of:~~
    - ~~i. energy efficient street patterns, site orientation, and building layout;~~
    - ~~ii. district heating and cooling systems;~~
    - ~~iii. on-site renewable energy generation through solar, wind or geothermal heating and cooling; and~~
    - ~~iv. measures to increase shading, reduce heat absorption, and heat island effects;~~
  - ~~fe)~~ require apply best practice approaches to water conservation and storm water management practices; and
  - ~~gf)~~ encourage efficient waste and resource management practices.
145. **Modify Section 6.2.2.2 to add reference 'where feasible' in first sentence and clarify wording in subsections c) and f) as follows:**
- 6.2.2.2 **To achieve sustainable design and development or *redevelopment* of Markham's communities by addressing, where feasible:**
- a) the scale, layout, proximity to a mix of uses, quality of place, and availability of infrastructure, site context and conditions that make sites walkable, bicycle-friendly, and easily served by transit, be a primary consideration to reduce dependence on automobiles;
  - b) the orientation and alignment of streets, sites and buildings create optimum conditions for the use of passive and active solar energy;
  - c) the use of materials and plantings (eg. green or white roofs, the use of light-coloured paving materials, and plantings to provide shade) with a high level of solar reflectance be encouraged to reduce local heat-island effects;
  - d) natural heritage and hydrologic features be protected and enhanced, including the improvement of the *urban forest*, to increase biodiversity and ecological function;
  - e) community gardens be encouraged to increase opportunities for local food production;
  - f) bioswales, rain gardens, green roofs, permeable paving and rainwater harvesting be encouraged to minimize stormwater runoff and increase infiltration and potable/municipal water conservation as outlined in Section 3.3 through such approaches as bioswales, rain gardens and rain harvesting;
  - g) community-wide approaches to waste management to reduce, reuse and recycle; and

- h) topsoil stripping and soil compaction be minimized to support infiltration and improved growing conditions for street trees and vegetation.

146. **Modify Section 6.2.2.3 to require the preparation of a Community Energy Plan in support of secondary plan areas, where appropriate, as follows:**

- 6.2.2.3 **To encourage a culture of energy conservation and promote energy-efficient practices within Markham communities by:**
  - a) requiring the preparation of a Community Energy Plan in support of **all** secondary plan areas, where appropriate, which will identify development and infrastructure to:

147. **Modify Sections 6.2.2.4 and 6.2.2.5 to add reference to most recent Ontario Building Code O. Reg amendment as follows:**

- 6.2.2.4 **To promote water conservation measures in all sectors in an effort to reduce water consumption through such programs as water reuse systems, water meters and rain barrel programs and encourage that all new buildings achieve 20 percent greater water conservation than the Ontario Building Code (as amended to O. Reg. 315/11, Jan 1, 2012).**

- 6.2.2.5 **To work with York Region and the development industry to achieve 10 percent greater water conservation than the Ontario Building Code (as amended to O. Reg. 315/11, Jan 1, 2012) for all new buildings.**

148. **Modify Sections 6.2.3.1 and 6.2.3.2 to incorporate the requirements of Section 6.2.3.2 into the preamble of Section 6.2.3.1 and delete Section 6.2.3.2 as follows:**

6.2.3.1 **To apply consider the application of innovative sustainable design practices and technologies in site planning and building design through the *development approval* process and in particular, through the application of a sustainable development checklist as part of the site plan control application process to :**

- a) encourage walking, cycling, and transit use through:
  - i. integrated on-site pedestrian, cycling and transit connections;
  - ii. site design that ensures bicycle parking and storage and facilitates car pooling;
  - iii. appropriate location and design of sidewalks, appropriately scaled building setbacks, vehicular and pedestrian access, building design and landscaping to enhance the pedestrian experience;
  - iv. measures to reduce speed and improve air quality;
- b) promote energy conservation, maximize solar gains, and include or facilitate future on-site *renewable energy systems*;
- c) reduce the urban heat-island effect of development sites and the cooling requirements of buildings by:
  - i. encouraging the use of vegetated areas and light-coloured surfaces including the provision of permeable driveways and parking areas and green or white roofs;
  - ii. encouraging tree planting and other landscaping to increase evapotranspiration and create shade;
  - iii. using architectural devices to create shade;
- d) conserve of natural features such as *tree canopy, wetlands, native vegetation, and*

- provide habitat for both plant and animal species by:
- i. rehabilitating natural areas to promote *biodiversity*; and
  - ii the use of adaptive or native vegetation for restoration and protection measures and where appropriate, to reduce the risk of bird window collisions;
- e) limit or eliminate the use of potable water, natural surface waters or subsurface water resources for landscape irrigation through recommendations for native, adaptive, or drought-tolerant plant species and the use of innovative irrigation methods;
  - f) promote community-based food production by providing for growing areas and required resources such as water and storage on multiple residential sites;
  - g) reduce pollution from construction activities by controlling soil erosion, waterway sedimentation, and airborne dust generation by setting standards for limiting disturbance areas during the construction period and the implementation of state of the art storm water management methods;
  - h) ~~require that~~ promote efforts be made on development sites to maintain natural soil health and reduce the need for cut or fill grading to preserve the integrity of native soil for growing plants and retaining water;
  - i) encourage the use of environmentally preferable building materials, high-renewable and recycled content building products, and certified sustainably harvested lumber;
  - j) require that construction site waste management plans be prepared to encourage the reduction, recycling of construction waste and diversion of construction waste from landfill;
  - k) minimize off-site storm water runoff and soil erosion;
  - l) ~~require~~ promote window applications, use of shades, and visual markers to reduce the risk of bird window collisions with building facades; and
  - m) minimize the impact of lighting from development on the nocturnal environment and night sky.

~~6.2.3.2 To consider the sustainable design practices and technologies referred to in Section 6.2.3.1 through the application of a sustainable development assessment checklist as part of the site plan control application process. (YR Mod. 39)~~

149. **Modify the preamble of Section 6.3 to provide consistency of terminology and references with other Sections and delete the second last paragraph which is redundant as follows:**

### **6.3 DESIGNING SUSTAINABLE NEW COMMUNITIES**

Markham's new communities, in particular new neighbourhoods and mixed-use neighbourhoods including those located in *intensification areas*, will often be located adjacent to the Greenway System and established neighbourhoods and employment areas. The design of these new communities should address, among other things, compatibility with the Greenway System, and the provision of an appropriate transition to existing-established neighbourhoods and employment areas to minimize the potential adverse impact of one on the other.

*Key natural heritage features and key hydrologic features* will require protection and enhancement as part of the Greenway System.

Innovative approaches to building construction, densities and layout of communities, dealing with infrastructure, circulation throughout and between communities, transit and

active transportation, alternative energy sources, and recycling all provide opportunities to minimize the impact on the environment of future and existing development.

Accommodating new, more intense development will require transitions in scale and form that are both sensitive to established residential areas and compatible in use with existing employment areas.

Most of the new neighbourhoods and mixed-use neighbourhoods will be developed on greenfield lands or lands that have non-residential uses, which will require development of a mix and range of housing types, sizes and affordability and adequate community infrastructure such as parks and open spaces.

~~More immediate~~ Transportation demand measures, and parking strategies, and other measures will be required to direct land use planning in support of transit use and reduced single-occupancy vehicle use and to create more attractive environments for active forms of transportation such as walking and cycling.

These challenges can be addressed if these new communities, in particular new neighbourhoods, mixed-use neighbourhoods and *intensification areas*, are created through a comprehensive secondary plan or local area study process that deals with urban design and sustainable development practices within the context of other land use and transportation matters.

~~It is the intent of this Plan that the design of new communities will occur within the context of more focused secondary plan or local area studies, with an urban design and sustainable development component referencing comprehensive urban design and sustainable development guidelines in accordance with Section 6.1.1.5, 6.2.2.2 and 6.2.3.1.~~

These studies will lead to new secondary plans, precinct plans and/or *comprehensive block plans* as determined appropriate and in accordance with Section 10.1, a zoning by-law, and comprehensive guidelines for urban design and sustainable development to guide community and/or site design and development.

150. **Modify Section 6.3.1 a) to clarify the reference to the Greenway System and Urban Forest System policies in Sections 3.1 and 3.2 as follows:**
- 6.3.1 **To plan and design** Markham's new communities, in particular new neighbourhoods, mixed-use neighbourhoods and *intensification areas*, within the context of more detailed secondary plan or local area studies identified in Section 10.1, which incorporate urban design and sustainable development policies specific to each community that include, but are not be limited to:
- a) the protection and enhancement of the Greenway System and Urban Forest System ~~key natural heritage features and key hydrologic features~~ in accordance with Sections ~~3.1.2.12 and 3.2~~;
151. **Modify Section 7.1.2.4 to reference related transit facilities that may be required in accordance with the Regional Official Plan as follows:**
- 7.1.2.4 **To work** with York Region to secure lands required for the public transit right-of-ways shown on Map 2 – Centres and Corridors and Transit Network, and for ~~other transit-related purposes~~ facilities that may be required through the *development approvals* process at no public cost in accordance with the Regional Official Plan.

152. **Modify Section 7.1.3.4 to add reference to qualify conveyance of land 'where appropriate and at no public cost' and to ensure the necessary features listed in c) are consistent with the Regional Official Plan as follows:**

- 7.1.3.4 **To require ~~conveyance~~ through the *development approvals* process, where appropriate and at no public cost, the conveyance of additional lands needed to achieve:**
- a) the designated right-of-way widths on Map 12 – Street Network of the Regional Official Plan and Map 10 – Road Network and Map 11 – Minor Collector Road Network of this Plan;
  - b) the right-of-way widths as required to support the road networks identified in secondary plans or area specific policies of this Plan; and where appropriate, related precinct plans and comprehensive block plans; and
  - c) lands beyond the right-of-way widths for necessary features, such as sight triangles, cuts, fills, extra turn lanes, and intersection widenings, grading, grade separations where there is an existing at-grade crossing of a road and a railway line, and roundabouts, embankments, bicycle facilities, transit shelters, streetscape improvements and improved sightlines at no expense.

153. **Modify Section 7.1.3.8 to replace the word 'possible' with 'appropriate' as follows:**

- 7.1.3.8 **To discourage and limit, where ~~possible~~ appropriate, direct vehicular access from new developments abutting arterial roads and heavily used major collector roads by implementing access management principles such as the use of minor streets; lanes; shared driveways, and on-site interconnections between adjacent properties.**

154. **Modify Section 7.2.2.3 to replace the words 'conform to' with 'address' as follows:**

- 7.2.2.3 **To require that applications for *development approval* shall address ~~conform to~~ Markham's Waste Management Guidelines including matters such as loading space provision, waste storage room design, collection and storage of recycling materials, odour control and restriction on outdoor storage.**

155. **Modify Section 10.3.3.1 to clarify lot of record reference in a) and c) as follows:**

- 10.3.3.1 **That building permits will not be issued unless the following criteria are met:**
- a) the lot of record shall front on an existing improved public road;
  - b) when applicable, prior approval shall have been obtained from the Medical Officer of Health for the installation of a private well and individual private on-site wastewater system.
  - c) the lot of record conforms to the provisions of the zoning by-law; and
  - d) the proposed development conforms with the *minimum distance separation formulae* of the Agricultural Code of Practice.

156. **Modify the preamble to Section 10.4 to clarify site plans are to comply with applicable by-laws and address Markham's standards and guidelines as follows:**

#### **10.4 SITE PLAN CONTROL**

As authorized by the Planning Act, Council has established Markham as an area subject to site plan control. Through the site plan control application process, Markham will review the design and layout of buildings and development including building location, landscaping, parking, drainage, pedestrian and vehicular access, public realm, etc. to ensure compliance with that Markham standards, by-laws and guidelines are addressed.

and compliance with applicable by-laws. Markham's requirements in regard to site plan control approval are secured through agreements.

157. **Modify Section 10.4.3 to address precinct plan and comprehensive plan requirements where appropriate as follows:**

10.4.3 That site plan control shall be used to achieve conformity with the policies of this Plan, secondary plans, ~~precinct plans, comprehensive block plans, heritage conservation district plans,~~ the Oak Ridge Moraine Conservation Plan, and the Greenbelt Plan and address precinct plan and comprehensive block plan requirements, where appropriate, and established guidelines for a specific parcel or parcels of land.

158. **Modify Section 10.8.1.7 to ensure the required elements are consistent with the Regional Official Plan as follows:**

10.8.1.7 That additional lands beyond the right-of-way widths may be required for elements necessary features such as sight triangles, cuts, fills, ~~streetscaping,~~ extra turn lanes, at ~~intersections, and enhanced pedestrian and/or cycling facilities and/or other improvements~~ grade separations where there is an existing at-grade crossing of a road and a railway line, and roundabouts at no public cost expense to Markham or the appropriate authority.

159. **Modify Section 10.8.4.2 a) to replace 'physically possible' with 'reasonably practical at the City's discretion' as follows:**

10.8.4.2 To require that a development proponent demonstrate the following in order to qualify for cash-in-lieu of parking:  
a) the provision of on-site parking is not ~~physically possible~~ reasonably practical at the City's discretion;

161. **Modify the definition of 'municipal comprehensive review' to add reference to approval authority and the Provincial Policy Statement as follows:**

## 11.2 DEFINITIONS

**Municipal comprehensive review** means an official plan review or an official plan amendment, ~~initiated undertaken~~ by Markham or the Region and approved by the approval authority, in consultation with, and approved by, York the Region, that comprehensively applies the policies ~~and schedules of this Plan,~~ the York Region Official Plan, the Provincial Policy Statement, and the provincial Growth Plan for the Greater Golden Horseshoe, and may include a land budget analysis as determined by the City and the Region. (YR Mod. 111)

162. **Modify Section 9.5.7 to replace Figure 9.5.7 as shown below to include lands designated 'Residential Mid Rise' and 'Residential Low Rise' and to replace the 'comprehensive block plan' requirement with a 'precinct plan' requirement for the lands designated 'Mixed Use Mid Rise' and 'Residential Mid Rise', to not permit a funeral home on certain lands in accordance with the OMB order dated March 23, 2015, and to reorganize the policies as follows:**

Local Centre - Cathedraltown



9.5.7 Cathedraltown comprises the 'Mixed Use' lands west of Woodbine Avenue surrounding the Cathedral of the Transfiguration of Our Lord as shown in Figure 9.5.7.

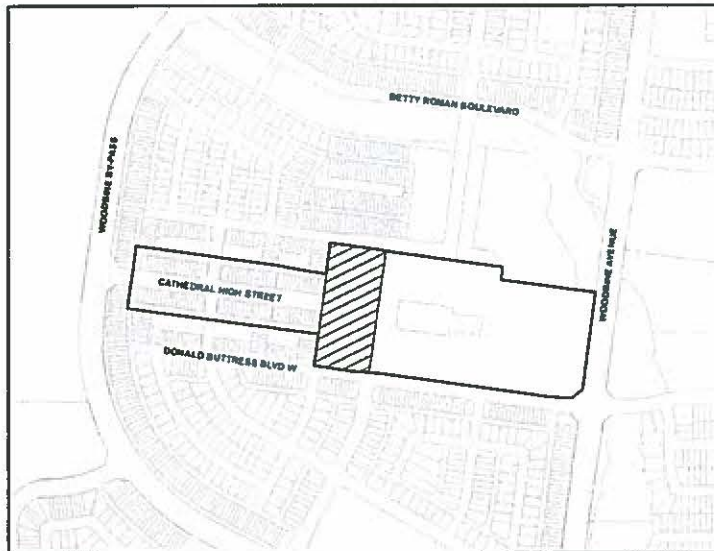


Figure 9.5.7

Land Use Objective

9.5.7.1 The Local Centre of Cathedraltown is intended to serve as an important focal point and 'main street' for the surrounding community providing a range of housing, employment, shopping and recreational opportunities, as well as personal and human services.

9.5.7.2-5 The Cathedral of the Transfiguration of Our Lord shall be recognized as a significant landmark for the Cathedraltown community and all new development shall maintain the prominence and visibility of the Cathedral.

9.5.7.3-2 In considering an application for *development approval* on the Local Centre – Cathedraltown lands designated 'Mixed Use Mid Rise' and 'Residential Mid Rise', a ~~comprehensive-block-plan~~ precinct plan shall be required in accordance with Section 10.1.4 3 of this Plan.

9.5.7.4-3 The following use, height and density provisions shall apply to the lands designated 'Mixed Use Mid Rise' :

- a) a banquet hall and a *funeral home* shall also be permitted, except a funeral home shall be not be permitted on the lands shown in hatching on Figure 9.5.7; and
- b) a motor vehicle service station (including car wash) and a motor vehicle sales facility are not permitted;

~~9.5.7.2 The following height and density provisions shall apply to the lands:~~

- ~~c) a) building heights shall generally range from 4 to 6 storeys;~~
- ~~d) b) single use residential or non-residential buildings shall generally not exceed a floor space index of 1.75; and~~
- ~~e) d) mixed-use buildings which provide street related, ground floor area for retail, service, community or institutional uses shall be permitted to have a maximum floor space index of 2.0.~~

163. Modify Section 9.5.1 to replace Figure 9.5.7 reference in Figure 9.5.1 as follows:

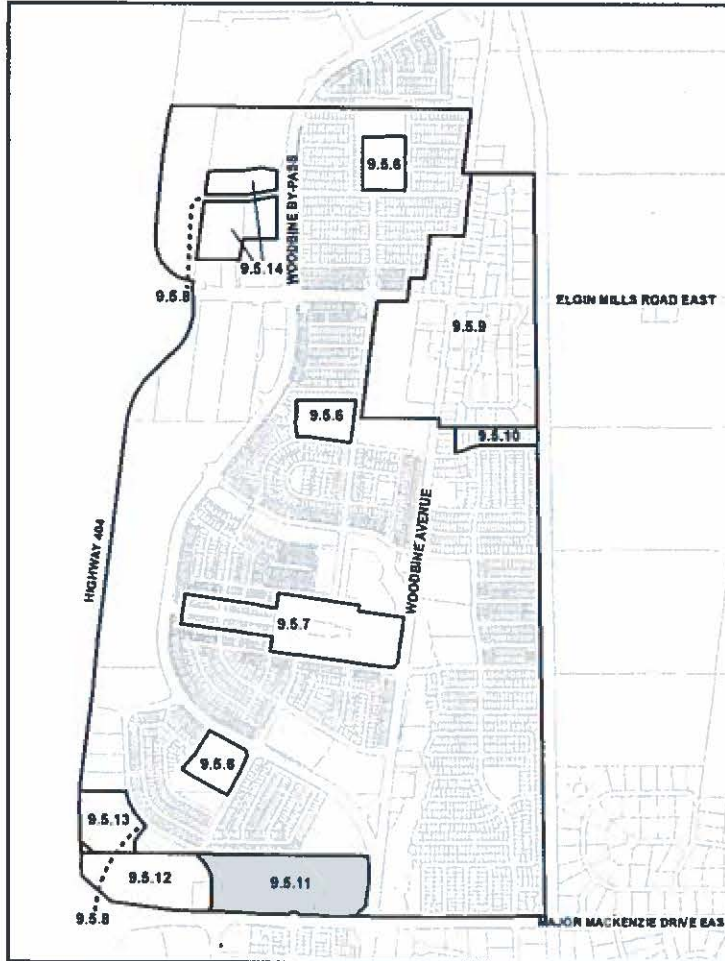
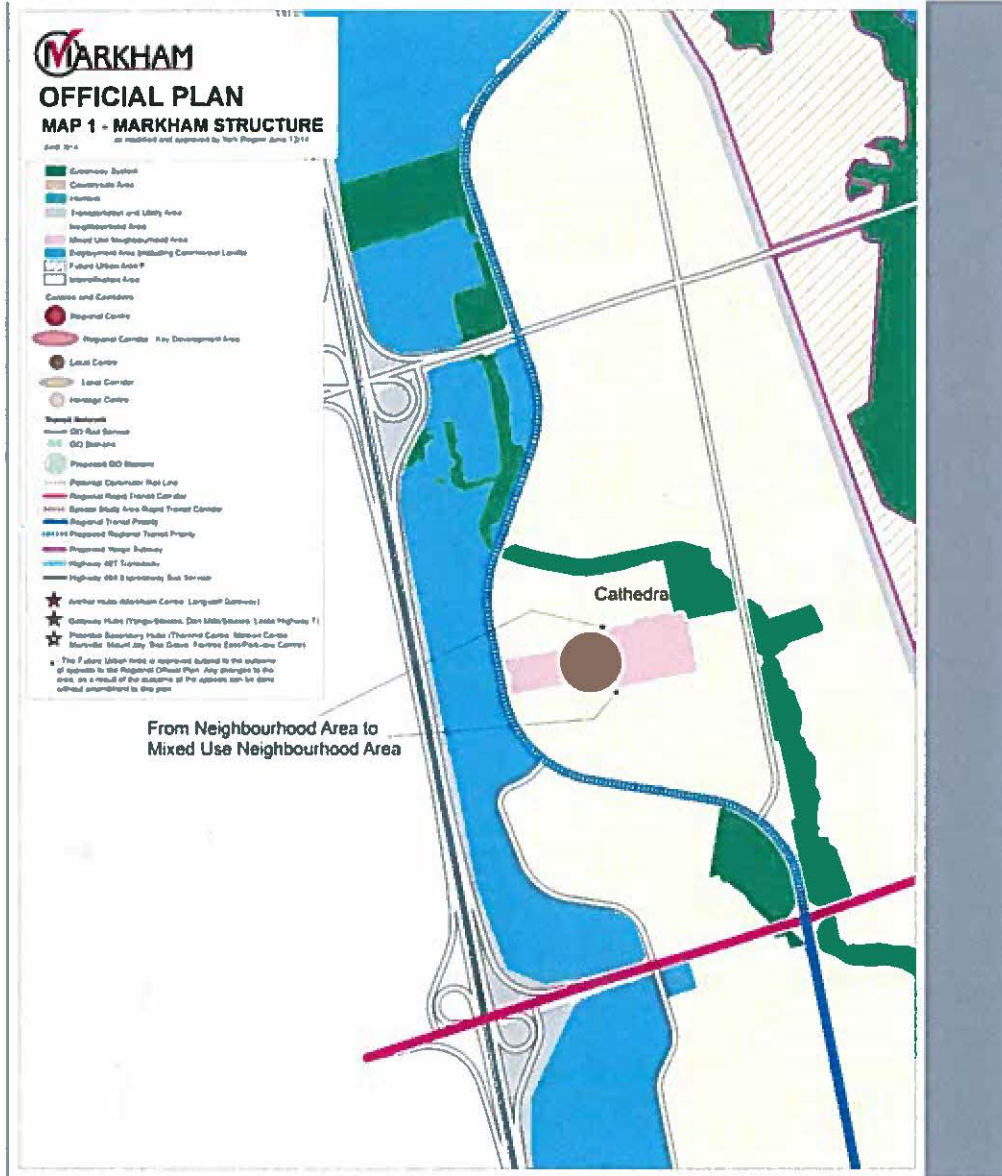


Figure 9.5.1

164. Modify Map 1 – Markham Structure to replace the 'Neighbourhood Area' structural element with a 'Mixed Use Neighbourhood Area' structural element in accordance with the OMB Order dated March 23, 2015 as follows:

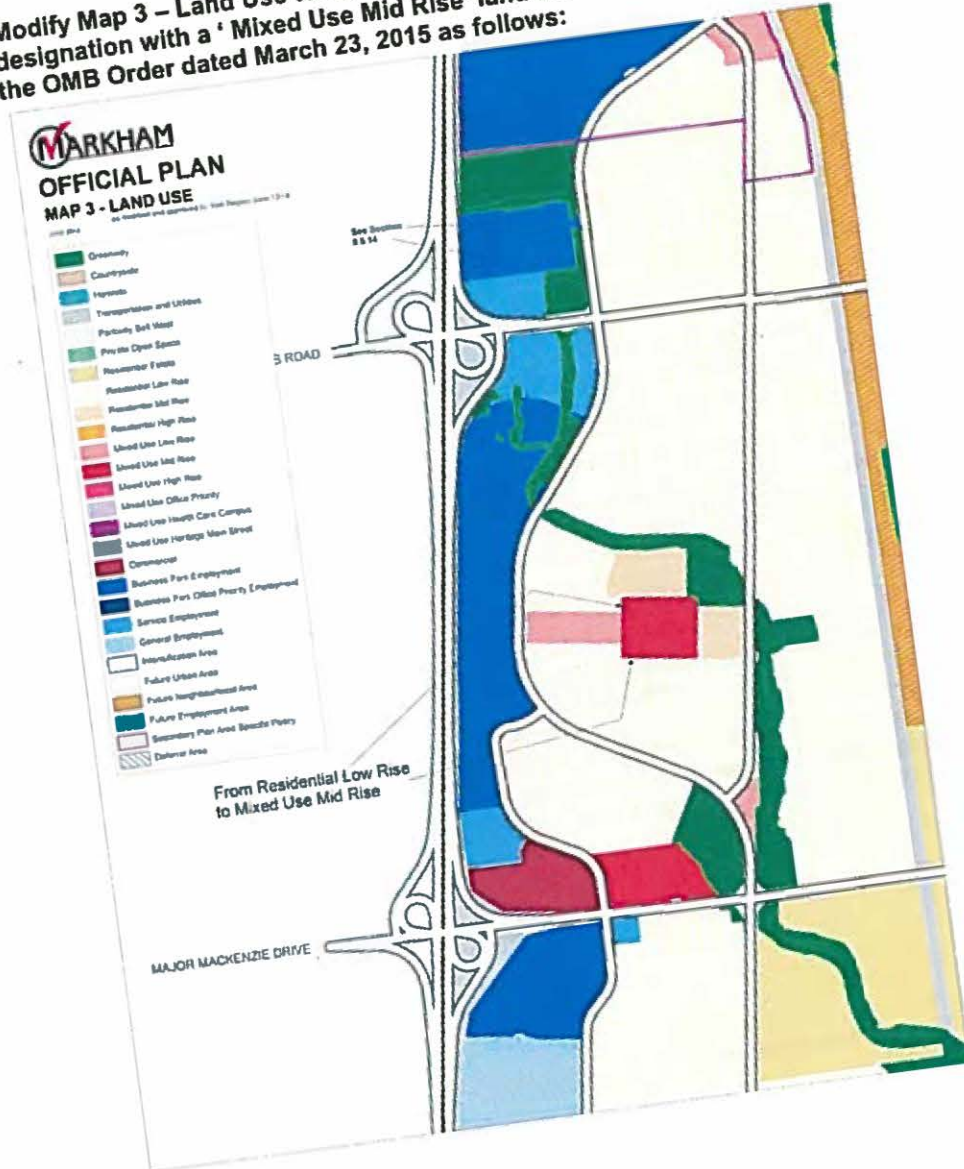


165. Modify Map 2 – Centres and Corridors and Transit Network to revise the boundary of the Local Centre - Cathedraltown and replace the 'Neighbourhood Area' structural element with a 'Mixed Use Neighbourhood Area' structural element in accordance with the OMB Order dated March 23, 2015 as follows:



166.

Modify Map 3 – Land Use to replace the 'Residential Low Rise' land use designation with a 'Mixed Use Mid Rise' land use designation in accordance with the OMB Order dated March 23, 2015 as follows:



**May 26, 2016 - Additional Approved Area and Site Specific Modifications**

Note: Strikethrough text denotes deleted text. Underlined text denotes added text. **Red** text represents York Region modified wording approved by Regional Council on June 12, 2014. **Purple** text represents proposed modified wording in response to Provincial comments. **Blue** text represents minor corrections proposed by Markham staff.

**Chapter 9 – Area and Site Specific Policies**

**Infill Development**

- 9.19.2 For the 'Residential Low Rise' lands shown in Figure 9.19.2, Council may consider a zoning by-law amendment to permit a consent (severance) to create one additional lot generally equal to one half of the area and frontage of lots from the original plans of subdivision for the lands. Where such consents (severances) are permitted, the lot frontage(s) and lot area(s) of the proposed new lot(s) shall be deemed consistent with the emerging lot sizes on the street where the property is located.

For the lands which fall within a *Special Policy Area* as shown on Map 8 – *Special Policy Areas*, the approval of the consent (severance) to create one new lot shall also be subject to the satisfaction of the Toronto and Region Conservation Authority. Council may consider a zoning by-law amendment to permit one additional dwelling unit for the new lot created within a *Special Policy Area*. (Province Mod. 17)

The intent of this Official Plan is to support infill development within this area, but ensure the massing of new dwellings or additions to existing dwellings respects and reflects the pattern and character of adjacent development, where appropriate. Site specific development standards established through individual zoning by-law amendments may address lot coverage, building depth, *floor area ratios*, height, number of storeys, garage projections and garage widths.

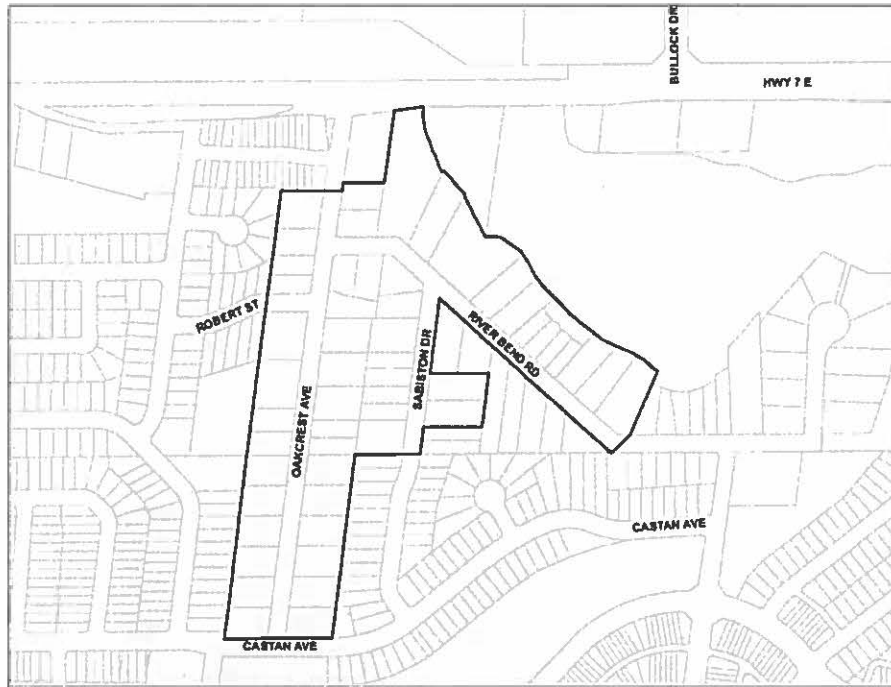
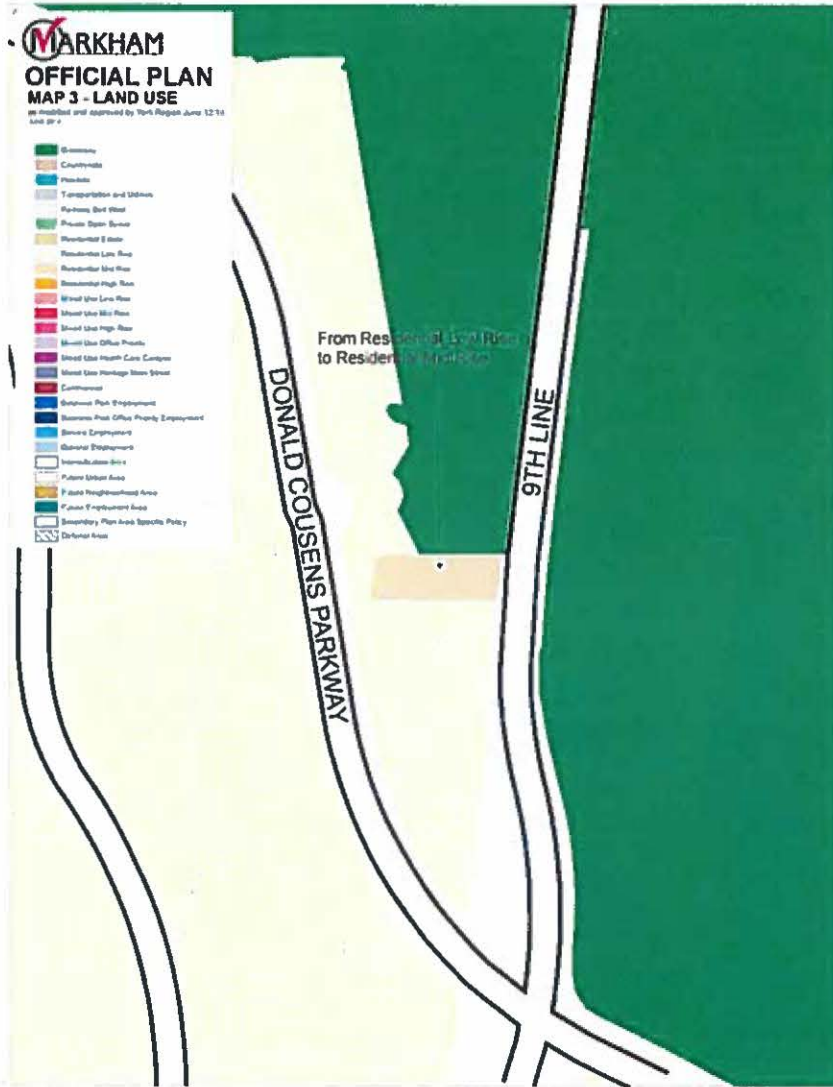


Figure 9.19.2

**Area and Site Specific Modifications Approved on March 10, 2017**

**Modify Map 3 – Land Use to replace the ‘Residential Low Rise’ land use designation with a ‘Residential Mid Rise’ land use designation for the 9700 9<sup>th</sup> Line lands as follows:**





Modify Section 9.3.13 to delete the 9700 9<sup>th</sup> Line lands from Figure 9.3.13 as follows:

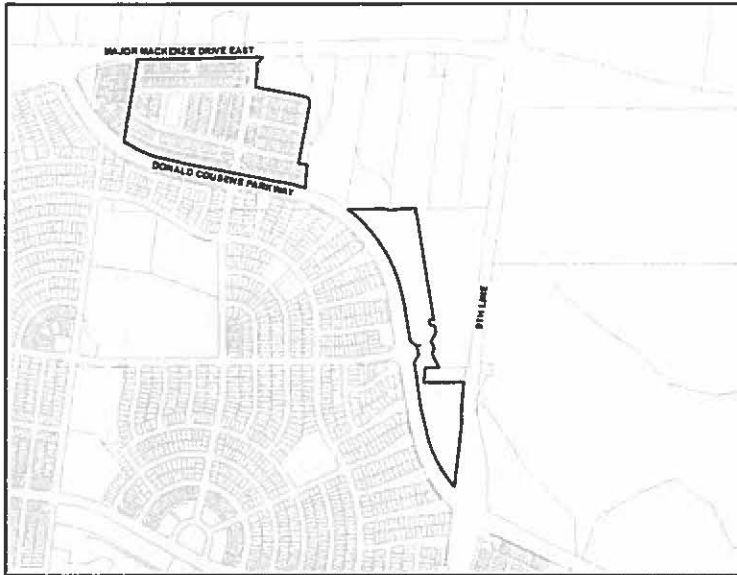


Figure 9.3.13

Modify Section 9.3 to add a new Section 9.3.14 and a new Figure 9.3.14 as follows:

9700 9<sup>th</sup> Line

9.3.14 The maximum *floor space index* for the 'Residential Mid Rise' lands shown in Figure 9.3.14 is 2.47 FSI.



Figure 9.3.14

Modify Section 9.3.1 to delete the 9700 9<sup>th</sup> Line lands from the reference to Section 9.3.13, and add a new reference to Section 9.3.14, in Figure 9.3.1 as follows:

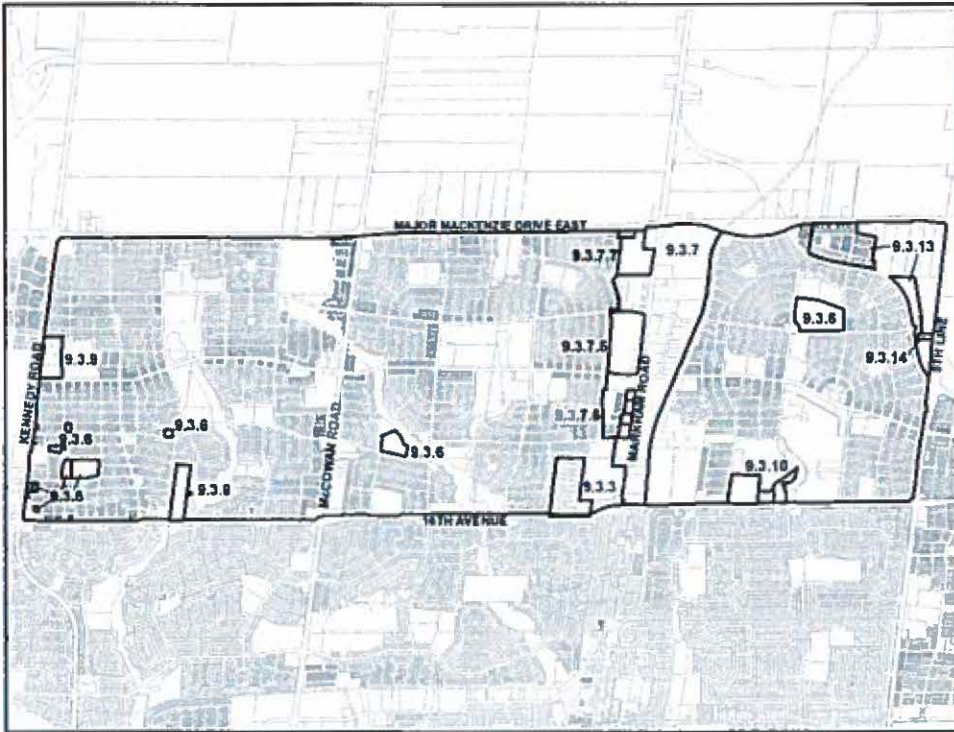


Figure 9.3.1

Modify Section 9.17 to add a new Section 9.17.9 and a new Figure 9.17.9 as follows:

235 and 265 Hood Road

9.17.9 The following use provisions and development criteria shall apply to the 'Business Park Employment' lands shown in Figure 9.17.9:

- a) the following uses shall also be permitted:
  - i. banquet hall;
  - ii. commercial school;
  - iii. *commercial fitness centre*;
  - iv. financial institution;
  - v. restaurant;
  - vi. retail provided:
    - aa. the retail use is not greater than 1,000 square metres of gross floor area per premises, unless the retail use is an office supply or computer supply store which may have up to 3,000 square metres of gross floor area per premises; and
    - bb. the total gross floor area devoted to all retail uses on a property does not exceed 3,000 square metres; and
  - vii. service; and
- b) the total gross floor area of all buildings shall not exceed 18,500 square metres;

- and
- c) the combined total gross floor area devoted to all restaurant, retail and service uses shall not exceed 25 percent of the total gross floor area of all buildings; and
  - d) the total gross floor area devoted to all office uses shall not be less than 25 percent of the total gross floor area of all buildings.



Figure 9.17.9

Modify Section 9.17.1 to add a new reference to Section 9.17.9 in Figure 9.17.1 as follows:

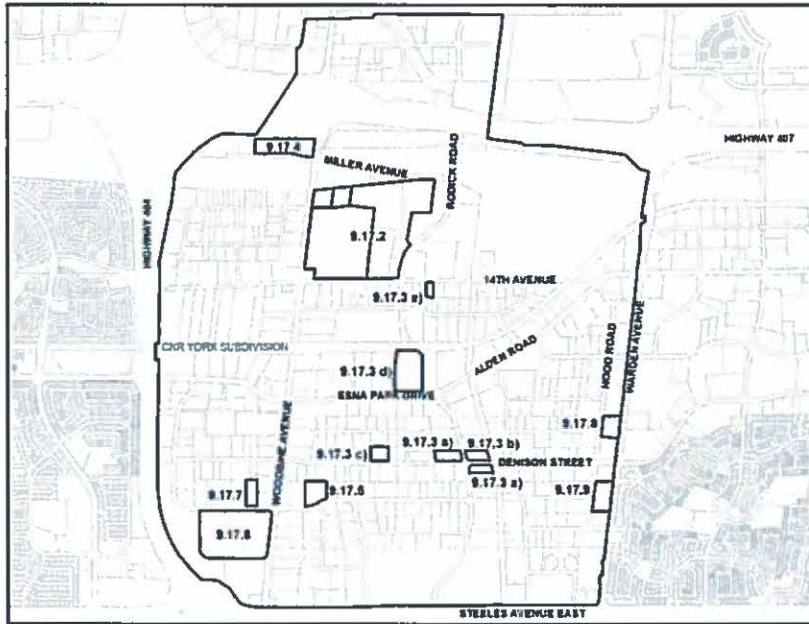


Figure 9.17.1

### **Modifications Approved on April 21, 2017**

Note: The numbering of the Proposed Modifications is consecutive to the 166 Markham Modifications previously endorsed by Council on April 19, 2016.

Strikethrough denotes deleted text.

Underlined text denotes added text, except where "Planning Act", "Clean Water Act", etc. and Chapters, Appendices and Map headings are shown.

(Green font for Proposed Markham Modifications)

(Blue font for Markham Modifications endorsed by Council on June 23/2015)

(Red font for York Region Modifications approved by Regional Council on June 12/14)

137. **Modify Section 6.1.8.4 to add 'where appropriate' in the first sentence, italicize 'cultural heritage resources' in a), delete references to 'enhance' in first sentence and d), and replace f) with 'adequacy of sky views' as follows:**

6.1.8.4 **To design and place buildings on a site to be compatible with, ~~or enhance~~, adjacent or abutting development, a cultural heritage resource itself and adjacent lands, streetscapes and parks and open spaces by addressing, where appropriate:**

- a) ~~appropriate~~-transitions in height and massing, including the relationship to the width of the public right-of-way, and adequate setbacks between buildings, the public realm and adjacent or abutting development;
- b) safe connections to pedestrian and cycling routes and convenient access to public transit;
- c) continuity in building placement;
- d) ~~enhanced~~-views and vistas of identified landmarks;
- e) comfortable microclimatic conditions including sunlight access, ~~sky views~~ and wind conditions, public safety, and adequate privacy conditions for residential buildings and their outdoor amenity areas; and
- f) adequacy of sky views.
- ~~f) open spaces and on-site landscaping that contribute to the enhancement of the urban forest;~~

160. **Modify the definition of 'floor space index' in Section 11.2 to clarify that public parkland or lands designated 'Greenway' shall not be included in the calculation of FSI as follows:**

#### **11.2 DEFINITIONS**

**Floor space index (FSI)** means the ratio of gross floor area of all buildings on a lot divided by the area of the lot on which the buildings are being developed. Where additional public roads are proposed within a lot, the area of any additional roads shall be included in the calculation of the *floor space index*. Where a lot includes lands to be used for a *public school, place of worship, public parkland and open space*, or lands designated 'Greenway' ~~includes natural heritage features and their associated vegetation protection zones~~, *these lands shall not be included in the calculation of the floor space index.*

**Group E – Residential and Mixed Use Land Use Issues**

167. **Modify Section 5.1.7 Retail preamble to delete the reference to height in the second, third and fourth paragraphs as follows:**

**5.1.7 Retail**

The policies contained in Chapter 8 provide opportunities for locating *convenience retail and personal service* uses in 'Residential' areas, provided development criteria are met to ensure compatibility with adjacent buildings and uses. 'Mixed Use Low Rise' areas are scattered throughout Markham near 'Residential' areas and are envisioned as small-scale, ~~up to three-storey~~ developments with ground-related retail and service uses, functioning as neighbourhood amenity centres. 'Mixed Use Heritage Main Street' areas serve a similar function in a main street environment for *heritage conservation districts*.

'Mixed Use Mid Rise' areas are located along arterial and major collector roads, providing services such as supermarkets, specialty grocery, hardware, clothing and electronics stores, in ~~3 to 8-storey~~ mixed-use ~~developments buildings~~ for residents, workers and businesses over a wider area than is served by 'Mixed Use Low Rise' areas.

'Mixed Use High Rise' areas are intended as locations for major *intensification* along Highway 7, Yonge Street, the Langstaff Gateway and Markham Centre. The intent in these areas is to take advantage of excellent future planned rapid transit services to foster large-scale, mixed-use developments ~~in buildings with 3 to 15 storeys~~ incorporating a broad range of retail and service uses including large-scale stores in multi-storey buildings.

168. **Modify Sections 8.2.2, 8.2.3, 8.2.4, 8.2.5, 8.3.1, 8.3.3, 8.3.4, 8.3.5, 8.4, 8.5.2, 8.5.3, 8.5.4, and 8.5.5 to delete the specific Development Criteria reference to "other criteria as identified in plans approved by Council" in Sections 8.2.2.4, 8.2.3.5, 8.2.3.6, 8.2.4.5, 8.2.5.5, 8.3.1.4, 8.3.3.5, 8.3.4.5, 8.3.5.5, 8.4.1.7, 8.5.2.6, 8.5.3.6, 8.5.4.6, and 8.5.5.6.**

169. **Modify Section 8.3.1.4 f) General Development Criteria that apply to all Mixed Use Designations to add the words "where possible" after the word "consolidated".**

170. **Modify Section 8.3.2 Mixed Use Low Rise preamble to clarify that lands designated 'Mixed Use Low Rise' will be characterized by "localized" multi use, multi-purpose areas with street-related retail and service uses in mixed-use buildings of up to 3 storeys as follows:**

**8.3.2 Mixed Use Low Rise**

Lands designated 'Mixed Use Low Rise' are located along arterial or major collector roads and will function as significant and identifiable focal points for neighbourhoods. These mixed-use areas serve an important function for nearby residents by providing access to goods and services. They will be characterized by localized multi-use, multi-purpose areas that offer a diverse range of relatively small-scale retail, service, professional office, community, institutional and recreational uses serving nearby residents and businesses. These lands are intended to accommodate street-related retail and services in mixed-use buildings of 2-up to 3 storeys. Dwelling units may only be located above the ground floor, or to the rear, of street related retail and services uses.

171. **Modify Sections 8.3.2.1 b) and c) of the Mixed Use Low Rise General Policies to encourage rather than require mixed-use buildings with street related retail and service uses combined with residential and /or small-scale office uses as follows:**

8.3.2.1 On lands designated 'Mixed Use Low Rise' to:

- b) ~~require~~ encourage mixed-use buildings with street-related retail and service uses combined with residential and/or small-scale office uses;
- c) provide opportunities for dwelling units to be integrated with ~~located above the ground floor and where appropriate to the rear of~~ street-related retail and service uses;

172. **Modify Section 8.3.2.3 Mixed Use Low Rise Building Types to provide for small scale non-residential buildings as follows:**

8.3.2.3 To only provide for small scale non-residential or multi-storey mixed-use buildings on lands designated 'Mixed Use Low Rise'.

173. **Modify Section 8.3.2.4 Mixed Use Low Rise Heights to delete the reference to a minimum building height as follows:**

8.3.2.4 To provide for ~~a minimum building height of 2 storeys and~~ a maximum building height of 3 storeys on lands designated 'Mixed Use Low Rise' or as otherwise specified in a secondary plan or a *heritage conservation district* plan.

174. **Modify Sections 8.2.4.4, 8.2.5.4, 8.3.3.4, 8.3.4.4 and 8.3.5.4 to provide for a minimum building height of 3 storeys, except for lower podium heights attached to the main building as follows:**

#### **Residential Mid Rise Heights and Densities**

8.2.4.4 To provide for a minimum building height of 3 storeys, except for lower podium heights attached to the main building, and a maximum building height of 6 storeys, with a maximum overall density of up to 2.0 FSI on lands designated 'Residential Mid Rise', ~~unless or~~ heights and densities as otherwise specified in a secondary plan or an area or site-specific policy.

#### **Residential High Rise Heights and Densities**

8.2.5.4 To provide for a minimum building height of 3 storeys, except for lower podium heights attached to the main building, and a maximum building height of 15 storeys, with a maximum overall density of up to 2.5 FSI on lands designated 'Residential High Rise', ~~unless or~~ heights and densities as otherwise specified in a secondary plan or an area or site-specific policy.

#### **Mixed Use Mid Rise Heights and Densities**

8.3.3.4 To provide for a minimum building height of 3 storeys, except for lower podium heights attached to the main building, or a motor vehicle service station, and a maximum building height of 8 storeys, with a maximum overall density of up to 2.0 FSI on lands designated 'Mixed Use Mid Rise', or heights and densities as otherwise specified in a secondary plan or an area or site-specific policy.

#### **Mixed Use High Rise Heights and Densities**

8.3.4.4 To provide for a minimum building height of 3 storeys, except for lower podium heights attached to the main building, or a motor vehicle service station, and a maximum building height of 15 storeys, with a maximum overall density of up to 3.0 FSI on lands designated 'Mixed Use High Rise', or heights and densities as otherwise specified in a secondary plan or an area or site-specific policy.

### Mixed Use Office Priority Heights and Densities

- 8.3.5.4 To provide for a minimum building height of 3 storeys, except for lower podium heights attached to the main building, and a maximum building height of 15 storeys, with a maximum overall density of up to 3.0 FSI on lands designated 'Mixed Use Office Priority', or heights and densities as unless otherwise specified in a secondary plan or an area or site-specific policy.
175. **Modify Section 8.3.5.1 to replace the defined term “*mobility hubs*” with “rapid transit services” as follows:**
- 8.3.5.1 On lands designated 'Mixed Use Office Priority' to:
- a) promote a vibrant mix of transit-oriented employment and mixed-use development in proximity to existing or planned ~~*mobility hubs*~~ rapid transit services along arterial and major collector roads;
176. **Modify Sections 9.7.8.2, 9.7.8.3 and 9.7.8.5 to clarify the update of the Cornell Secondary Plan shall conform with the designations and policies of Official Plan Amendments Nos. 224 and 237 to the Official Plan (Revised 1987), as amended, as they apply to the lands south of Highway 7 west of Donald Cousens Parkway in Cornell Centre as follows:**
- 9.7.8.2 The land use designations and policies in the Cornell Secondary Plan applicable to the Cornell Centre *key development area* lands shall be updated to conform generally with the land use designations and policies identified in this Plan, including any area or site specific policy of this Plan.
- 9.7.8.3 The land use designations for the Cornell Centre *key development area* lands, shown outlined in purple on Map 3 – Land Use, and the related policies in this Plan, shall be used to inform the update of the Cornell Secondary Plan. The lands east of Donald Cousens Parkway are intended to be assigned employment designations and site specific policies consistent with the Cornell Secondary Plan, as amended, and Council's further direction of May 31, 2011.
- Until an updated secondary plan is approved for the Cornell Centre *key development area* lands, the provisions of the Official Plan (Revised 1987), as amended, and Secondary Plan PD 29-1, as amended, and as further modified by York Region in accordance with Council's direction of May 31, 2011, and amended by Official Plan Amendment No. 224 (Amendment No. 3 to the Cornell Secondary Plan PD 29-1) and Official Plan Amendment No. 237 (Amendment No. 5 to the Cornell Secondary Plan PD 29-1), shall apply to the lands shown in Figure 9.7.8.
- 9.7.8.5 The land use designations as shown on Map 3 –Land Use shall be used to inform the update of the Cornell Secondary Plan for the lands south of Highway 7 west of Donald Cousens Parkway as shown in Figure 9.7.8.5. The update of the Cornell Secondary Plan shall:
- a) conform with the designations and policies of Official Plan Amendment No. 224 to the Official Plan (Revised 1987), as amended, and Amendment No. 3 to the Cornell Secondary Plan PD 29-1, for the lands shown as Parcel 'A', particularly as the apply to the lands shown as 'Residential Mid Rise', 'Mixed Use – High Rise', 'Business Park Employment' and 'Business Park Office Priority Employment' on Map 3 – Land Use;



- b) conform with the designations and policies of Official Plan Amendment No. 237 to the Official Plan (Revised 1987), as amended, and amendment No. 5 to the Cornell Secondary Plan PD 29-1, for the lands shown as Parcel 'B', particularly as they apply to the lands shown as 'Mixed Use Mid Rise' on Map 3 – Land Use. And

Development of the lands will be informed by the findings of the Master Environmental Servicing Plan and other technical studies as they relate to the lands shown in Figure 9.7.8.5.

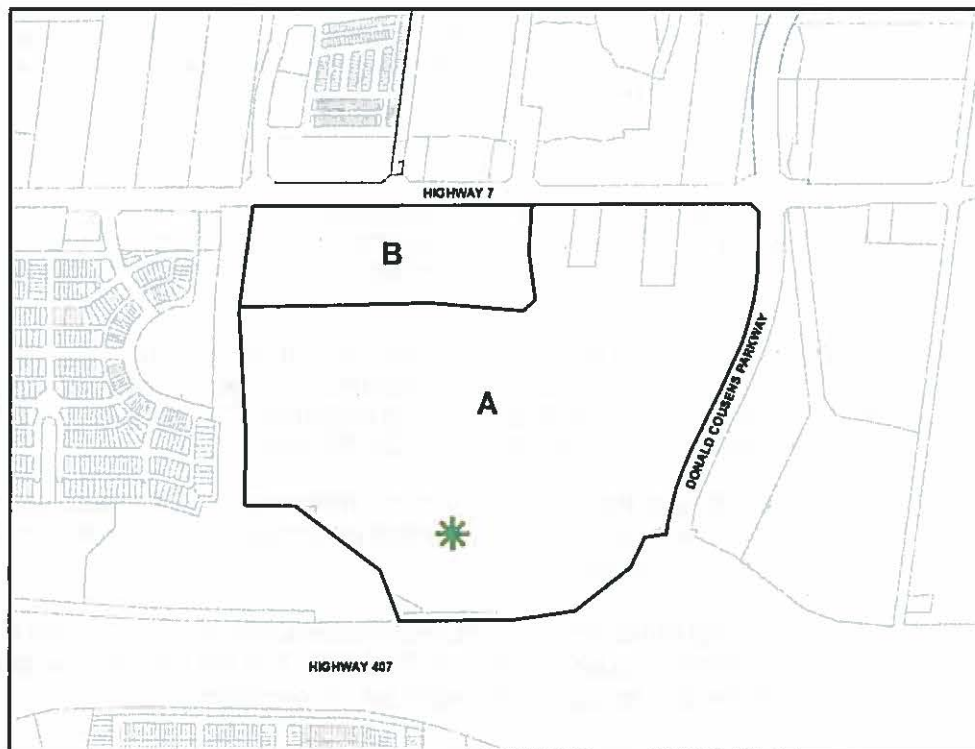


Figure 9.7.8.5

177. Modify Sections 18.12.1.3 d) and 9.9.2 to clarify that the planning for the Future Urban Area shall be in accordance with the provisions of the Section 8.12 Future Urban Area land use policies and that the determination of specific land use designations through the approval of new secondary plans as follows:

#### 8.12 FUTURE URBAN AREA

- 8.12.1.3 That for the lands designated 'Future Neighbourhood Area' and 'Future Employment Area' north of Major Mackenzie Drive and east of Woodbine Avenue as shown on Map 3 – Land Use, prior to any *development approvals* for urban uses, the following matters will be addressed:

- d) a secondary plan or concurrent secondary plans determining specific land use designations and related policies will be approved in accordance with Section 10.1.2 and the submission requirement of Section 10.1.2.4 c) of this Plan and Sections 4.3 and 5.6 of the Regional Official Plan.

9.9.2 Planning for Markham's new development areas comprising the 'Future Neighbourhood Area' and 'Future Employment Area' lands shown in the figure above shall be in accordance with the provisions of Section 8.12 of this Plan. Specific land use designations and related policies will be determined through approval of new secondary plans.

178. **Modify Section 9.9 to introduce a new Section 9.9.3 and renumber the existing Sections accordingly. The new Section 9.9.3 would allow for interim development of 'Mixed Use' lands in the 'Future Neighbourhood Area' lands through the approval of secondary plans for the 'Future Urban Area', subject to the preparation of a comprehensive block plan for the orderly, phased mixed use development or redevelopment of the lands over time and certain criteria as follows:**

Interim Development of Mixed Use Lands

9.9.3 For the 'Future Neighbourhood Area' lands, large sites may be approved, through a secondary plan(s), for development or redevelopment exclusively with interim non-residential buildings, or residential buildings on lands designated 'Mixed Use Mid Rise' and 'Mixed Use High Rise'.

Where interim development of 'Mixed Use' lands has been approved in a secondary plan(s), it shall be subject to the preparation of a comprehensive block plan for the orderly, phased mixed use development or redevelopment of the lands over time, in accordance with Section 10.1.4 of this Plan, that specifically addresses the following:

- a) the interim phase of site development or redevelopment shall be planned on the basis that additional development will occur, either in future phases, or by intensification or redevelopment of the site, or both;
- b) interim non-residential buildings, and residential buildings shall be designed and placed on the site generally in accordance with Section 6.1.8 of this Plan, and planned so future phases of development or redevelopment are not constrained;
- c) interim single storey non-residential buildings may also be provided;
- d) interim non-residential buildings may be one or two storeys in height and in the 'Mixed Use Mid Rise' designation the gross floor area of any individual retail premise shall not exceed 7,000 square metres and in the 'Mixed Use High Rise' designation the ground floor area of any individual retail premise shall not exceed 7,000 square metres; and
- e) in the interim phase of site development or redevelopment, buildings containing exclusively non-residential or residential uses shall not exceed 50 percent of the development site area in order to achieve a mix of uses over time in accordance with Sections 8.3.3.1 d) or 8.3.4.1. d) of this Plan.

**Group F – Urban Design and Sustainable Development Issues**

179. **Modify the preamble of Section 6.1.6.4 to introduce the word "public" in front of the words "parks and open spaces" as follows:**

- 6.1.6.4 To plan and design new **public** parks and open spaces within the public realm to:
- a) ~~highlight integrate~~ natural ~~and cultural~~ heritage features ~~and facilities without impacting Natural Heritage Network lands~~ and their associated *vegetation protection zones* as part of the design of open spaces, while the design of new parks should complement natural heritage features ;
  - b) integrate cultural heritage resources, where appropriate;
  - bc) create extensions and connections to existing parks and open spaces;
  - ed) promote high visibility with prominent frontage on a public street, where appropriate and avoid back-letting;
  - de) improve pedestrian and cycling access within the community;
  - ef) accommodate active and passive recreation opportunities;
  - fg) enhance the *urban forest*; and
  - gh) create safe and comfortable settings for community events and individual use.
- (Markham Mod. 134)

### Group G – Secondary Plan, Precinct Plan, Comprehensive Block Plan, Right-Of-Way Issues

180. Modify the preamble of Section 10.1.2 Secondary Plans, Section 10.1.2.1 and the preamble of Section 10.1.2.2 to delete and replace certain text as follows:
- 10.1.2 **Secondary Plans**  
Secondary plans are ~~prepared, in cooperation with landowners, and~~ adopted by the City ~~and used~~ to guide development or *redevelopment* of a specific geographic area in Markham. These plans provide more specific land use policies for areas where greater detailed direction for land use, infrastructure, transportation, community services, environment, etc. are required beyond the general policies provided for in the Official Plan. Secondary plans, which form Part II of this Plan, are adopted as amendments to this Plan ~~and are approved by York Region.~~
- 10.1.2.1 ~~To prepare and~~ adopt secondary plans as amendments to this Plan for the lands generally as shown in Appendix F – Secondary Plan Areas and the lands designated as 'Future Urban Area' on Map 3 – Land Use with the exception of the lands located at the northeast corner of 9<sup>th</sup> Line and Steeles Avenue East.
- 10.1.2.2 That secondary plans shall be prepared, ~~in cooperation with York Region and landowners,~~ by multi-disciplinary teams, and include innovative comprehensive approaches to address, among other things:
- j) area specific urban design and sustainable development practices for community, building and site design that further elaborate the policies of Chapter 6, including the provision of:
    - a streets and block plan, in accordance with Section 6.1.3.5;
    - streetscape guidance in accordance with Section 6.1.4.6;
    - a parks and open space plan in accordance with Section 6.1.6.78;
  - l) guidance on ~~the development~~ the need for and content of any precinct and/or comprehensive block plans as required that may be prepared in support of future development approvals; and

181. **Modify Sections 10.1.2, 10.6.2.3 and 10.13.8 to:**
- a) **delete Section 10.1.2.3 and incorporate certain wording into Section 10.13.8, and renumber the subsequent subsections accordingly;**
  - b) **replace the reference to "economic/fiscal impact assessment" with "financial impact assessment" in Section 10.6.2.3 as a technical study that a development proponent may be required to submit in order to constitute a "complete" application; and**
  - c) **clarify in Section 10.13.8 that fiscal impact assessments will be completed by the City for secondary plan areas and areas proposed for significant development, and will be coordinated with the Region, the Province and other agencies, as follows:**

~~10.1.2.3 To require that an economic/fiscal impact assessment be completed for secondary plans and other significant development proposals as determined by Council or York Region, to be coordinated with the Region, local boards and agencies and include:~~

- ~~a) the costs associated with the provision of services including community services required by the plan;~~
- ~~b) the budgetary impacts on Markham's capital and operating budgets; and~~
- ~~c) projected municipal revenues associated with the development and ability of these funds to cover the infrastructure costs associated with the development so that there is no unacceptable financial burden to Markham.~~

**10.6.2.3 To require the development proponent to submit the following information or materials to the satisfaction of City in order to constitute a "complete" application for an official plan amendment, zoning by-law amendment, plan of subdivision and consent (severance) applications:**

- a) the minimum submission requirements in accordance with the Planning Act requirements incorporated into a standardized application form;
- b) any one or more of the following technical studies, plans and/or other items listed below or identified in Markham's Submission Requirements for Development Applications:

**Planning and Urban Design Requirements:**

**Secondary Plan, Precinct Plan, Comprehensive Block Plan Requirements:**

- community and architectural design plan
- community infrastructure impact statement
- economic/fiscal financial impact assessment

~~10.13.8 To require the completion of That an economic/fiscal impact assessments be completed for secondary plans areas and other areas proposed for significant development proposals in the City accordance with 10.1.2.3, as determined by Council or York Region, to be undertaken by the City and coordinated with the Region, Province and local boards and agencies as required and include:~~

- ~~a) the costs associated with the provision of services including community services required by the plan;~~
- ~~b) the budgetary impacts on Markham's capital and operating budgets; and~~

c) projected municipal revenues associated with the development and ability of these funds to cover the infrastructure costs associated with the development so that there is no unacceptable financial burden to Markham.

182. **Modify Section 10.1.2.5 to renumber and delete the word “all” in front of “secondary plans” as follows:**

~~10.1.2.45~~ That ~~all~~ secondary plans shall be based on the policy framework outlined in this Plan, as amended.

183. **Modify Section 10.1.2 to delete Section 10.1.2.9 and renumber Section 10.1.2.10 as follows:**

~~10.1.2.9~~ ~~That where a secondary plan is required, it be approved prior to any development approvals which are inconsistent with this Plan being granted.~~

~~10.1.2.840~~ That servicing allocation policies may be developed and approved to implement phasing plans contained within secondary plans.

184. **Modify the preamble of Section 10.1 Area Planning to clarify that a precinct plan and a *comprehensive block plan* are intended to be considered by Council in the context of a development approval or approval of a secondary plan or an area and site specific amendment as follows:**

## 10.1 AREA PLANNING

The policies of this Plan serve as a general guide for future land use in Markham and may be further refined and implemented through a more detailed policy framework that may include:

- secondary plans
- precinct plans
- *comprehensive block plans*

Using a multi-disciplinary approach, these policy documents will be developed to ensure that Plan objectives, such as *intensification* of the urban area, are achieved in a manner that is sensitive to the existing community and that new communities are designed comprehensively as *complete communities* that address environmental, economic and social needs.

This may include a review of the local context, the formulation of goals and objectives, and the identification and evaluation of policy options for a particular area through:

- a secondary plan study addressing the applicable requirements of Section 10.1.2.2 leading to an updated or new secondary plan to be adopted by Council as an amendment to this Plan;
- a precinct plan study addressing the applicable requirements of Section 10.1.3 leading to a precinct plan considered by Council in the context of a *development approval or approval of a secondary plan or an area or site specific* amendment to this Plan; and
- a local area study addressing the applicable requirements of Section 10.1.4 leading to

a *comprehensive block plan* considered by Council in the context of a *development approval* or approval of a secondary plan or an area or site specific amendment to this Plan.

185. **Modify the preambles of Section 10.1.3 Precinct Plans and Section 10.1.3.1 to clarify that precinct plans are intended to be considered by Council in the context of a development approval or approval of a secondary plan or an area and site specific amendment as follows:**

**10.1.3 Precinct Plans**

A secondary plan may represent a large geographic area. To enable detailed planning and realize specific objectives for the area (e.g., housing, employment, community infrastructure, growth management, etc.) the secondary plan may be divided into precinct plan areas. It is intended that these plans will help coordinate and integrate land use development, urban design requirements, infrastructure and transportation improvements.

A precinct plan is a non-statutory policy document considered by Council in the context of a *development approval* that further articulates the policies of this Plan and a secondary plan. It outlines specific development principles and guidelines at a level of detail that may or may not be appropriate within the broader Official Plan and secondary plans creating a link between Plan policies and *comprehensive block plans*, zoning by-law provisions and standards. They may also assist in delineating phasing requirements for the secondary plan area.

- 10.1.3.1 That a precinct plan may be prepared within the context of a secondary plan or policies of this Plan, including area and site specific policies, and in support of a *development approval* to:

186. **Modify Section 10.1.3 Precinct Plans to add a new Section 10.1.3.2 to clarify that the need for precinct plans in support of *development approvals* in Future Urban Area secondary plan areas will be confirmed through the preparation and approval of the secondary plans as follows:**

- 10.1.3.2 That the need for precinct plans in support of *development approvals* in Future Urban Area secondary plan areas be confirmed in the secondary plans, in accordance with Section 10.1.2.2 I).

187. **Modify the definition of *comprehensive block plan* in Section 11.2 to clarify that *comprehensive block plans* are intended to provide detailed guidance in support of a development approval as follows:**

*Comprehensive block plan(s)* shall provide detailed guidance regarding the pattern, nature and phasing of development ~~and shall be prepared, in cooperation with landowners, by proponents of development prior to and required in order to achieve in support of a *development approval*~~ for development sites that meet the applicable criteria identified in Section 10.1.4.12 and 10.1.4.4. Matters to be addressed include street and block layout, traffic and transportation issues, urban design, deployment of height and density, contextual issues, land use patterns, open space and local services. (Markham Mod-76)

188. **Modify the preamble to Section 10.1.4 Comprehensive Block Plans and Sections 10.1.4.1, 10.1.4.3, 10.1.4.4, 10.1.4.5 to clarify that a *comprehensive block plan* is prepared within the context of a secondary plan or policies of the Official Plan including area and site specific policies in support of a *development approval* as follows:**

10.1.4 **Comprehensive Block Plans**

*A comprehensive block plan is a non-statutory document considered by Council in the context of a development approval or approval of a secondary plan or area and site specific policy of this Plan. It further articulates the policies of this Plan and a secondary plan or area and site specific policy of this Plan by outlining specific development principles and guidelines at a level of detail that may not be appropriate at the broader Official Plan and secondary plan level, and creating a link between Plan policies and zoning by-law provisions and standards. A comprehensive block plan may also assist in delineating phasing requirements for the secondary plan area or an area and site specific policy.*

*It is intended that ~~C~~omprehensive block plans will be prepared, in support of a development approval for sites generally within secondary plan areas, intensification areas or redevelopment areas or sites that are generally larger than one hectare, where appropriate. In some instances where there is a large planning area and/or multiple landowners, the City may initiate the preparation of a comprehensive block plan as part of a secondary plan study, precinct plan study or local area study. In other instances, the development proponent may initiate the preparation of a comprehensive block plan in response to a secondary plan or area and site specific policy requirement of this Plan as part of an area and site specific Official Plan amendment application.*

The *comprehensive block plan* will demonstrate how the pattern of development and built form will implement the requirements and provisions of this Plan. *In the context of a secondary plan or the policies of this Plan, including area and site specific policies, comprehensive block plans provide a framework for the distribution of development potential and establish guidelines to direct such things as building heights, setbacks, public realm, servicing and parking access, landscape, streetscape and open space treatments and pedestrian connections. Where such a framework has been provided through other planning approvals including, but not limited to, a secondary plan, an area and site specific policy of this Plan or a plan of subdivision, a comprehensive block plan may not be applicable. (YR Mod. 103) (Markham Mod. 73)*

- 10.1.4.1 *That a comprehensive block plan(s) may be prepared within the context of a secondary plan or policies of this Plan, including area and site specific policies, and in support of a development approval for sites within intensification areas, redevelopment areas or for sites where one or more of the following apply:*

- a) that are generally larger than one hectare;
- b) that contain multiple buildings, parcels and/or landowners involved in the development proposal;
- c) that contain more than one land use designation, applying to the development parcel(s);
- d) that are bounded by major streets or open space features;
- e) where gradations in building height and density are required within the development parcels; and
- f) where density transfers are proposed within the development parcels. (YR Mod. 103)

10.1.4.3 That a comprehensive block plan(s) may be prepared in support of a development approval for certain sites that do not meet the criteria outlined in Section 10.1.4.1, but where the development of the site may impact the future orderly development of adjacent development sites. In these instances the scope of the *comprehensive block plan* as outlined in Section 10.1.4.2 may be focused on addressing compatibility, integration, and the impact on development rights on adjacent lands. (YR Mod. 103)

10.1.4.4 That where a comprehensive block plan is prepared, a development proponent shall address the applicable requirements of a *comprehensive block plan* contained in Section 10.1.4.2 in support of a development approval for a specific development proposal, including:

- a) the relationship of the development proposal to the following:
  - i. future building footprints, surface parking areas, and public and private open space areas;
  - ii. pedestrian and vehicular access driveways, including mid-block connectors and potential surface parking areas;
  - iii. locations for underground parking and access ramps;
  - iv. public and private open space areas; and
  - v. a phasing plan for future block development;
- b) a housing impact statement addressing the composition and distribution of the housing stock in accordance with Section 4.1.2.8 and the *affordable* and *shared housing* targets in Section 4.1.3.6;
- c) a community infrastructure impact statement in accordance with Section 4.2.2.2;
- d) sustainable development practices identified in Section 6.2; and
- e) a transportation impact assessment as considered appropriate.

10.1.4.5 That where a *comprehensive block plan* has previously been submitted to Markham's satisfaction, development proponents may be required to update the comprehensive block plan in support of any development approval. (YR Mod. 103)

189. **Modify Section 10.1.4.2 b) and c) to clarify that a *comprehensive block plan* may be prepared to provide detailed guidance on the protection of the Greenway System and Natural Heritage Network and *cultural heritage resources* as follows:**

10.1.4.2 That a *comprehensive block plan(s)* may be prepared to provide detailed guidance regarding the pattern, nature and phasing of development and to address, among other things, the following:

- a) the density targets identified in Sections 2.5 and 2.6;
- b) the protection of the Greenway System and the Natural Heritage Network in accordance with Section 3.1;
- c) protection of *cultural heritage resources* in accordance with Section 4.5;

190. **Modify Section 10.1.4 Comprehensive Block Plans to add a new Section 10.1.4.6 to clarify that the need for *comprehensive block plans* in support of *development approvals* in Future Urban Area secondary plan areas will be confirmed through the preparation and approval of the secondary plans as follows:**



10.1.4.6 That the need for *comprehensive block plans* in support of *development approvals* in *Future Urban Area secondary plan areas* be confirmed in the *secondary plans*, in accordance with *Section 10.1.2.2 l).*

191. **Modify the preamble of Section 8.1, and the development criteria of Sections 8.2.4.5 a), 8.2.5.5 a), 8.3.1.4 a), 8.4.1.7 a), 8.5.2.6 a) and 8.5.3.6 a) to clarify that a *comprehensive block plan* may be prepared in accordance with Section 10.1.4 for a site generally larger than one hectare as follows:**

**8.1 GENERAL LAND USE**

A *comprehensive block plan* shall may be prepared for a site generally larger than one hectare, or where otherwise considered appropriate, in accordance with Section 10.1.4 of this Plan.

8.2.4.5 **In considering an application for *development approval* on lands designated 'Residential Mid Rise', Council shall ensure that development adheres to the development criteria outlined below, in addition to the criteria in Section 8.2.1.3:**

a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* shall may be prepared in accordance with Section 10.1.4 of this Plan;

8.2.5.5 **In considering an application for *development approval* on lands designated 'Residential High Rise', Council shall ensure that development adheres to the development criteria outlined below, in addition to the criteria contained in Section 8.2.1.3:**

a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* shall ~~may~~ may be prepared in accordance with Section 10.1.4 of this Plan;

8.3.1.4 **In considering an application for *development approval* on lands designated 'Mixed Use', Council shall ensure that development has adequate transportation and water and wastewater infrastructure, and community infrastructure such as public schools and parks and open spaces, and has regard for the Urban Design and Sustainable Development policies outlined in Chapter 6 of this Plan and adheres to the following development criteria:**

a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* shall may be prepared in accordance with Section 10.1.4 of this Plan;

8.4.1.7 **In considering an application for *development approval* on lands designated 'Commercial', Council shall ensure that development has regard for the Urban Design and Sustainable Development policies outlined in Chapter 6 of this Plan and adheres to the following development criteria:**

a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* shall may be prepared in accordance with Section 10.1.4 of this Plan;

8.5.2.6 In considering an application for *development approval* on lands designated 'Business Park Employment', Council shall ensure that development adheres to the development criteria outlined below, in addition to the criteria contained in Section 8.5.1.6:

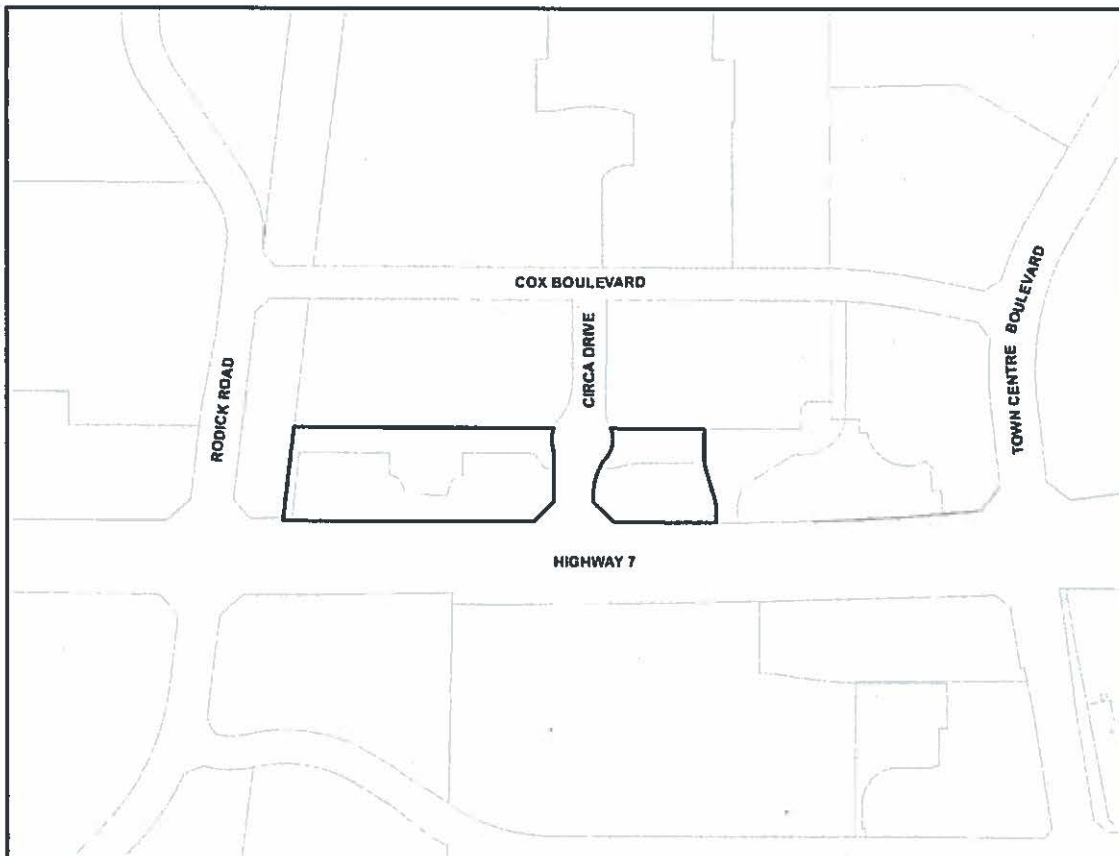
- a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* shall may be prepared in accordance with Section 10.1.4 of this Plan;

8.5.3.6 In considering an application for *development approval* on lands designated 'Business Park Office Priority Employment', Council shall ensure that development adheres to the development criteria outlined below, in addition to the criteria contained in Section 8.5.1.6:

- a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* shall may be prepared in accordance with Section 10.1.4 of this Plan;

192. **Modify Section 9.12 to add a new Section 9.12.6 as follows:**

9.12.6 The lands on north side of Highway 7 east and west of Circa Drive, as shown in Figure 9.12.6, shall be excluded from the requirements of a *comprehensive block plan* in accordance with this Plan.



**Figure 9.12.6**



*[The following text is extremely faint and illegible, appearing to be a list of items or a detailed description. It contains several lines of text that are difficult to decipher.]*

193. **Modify Section 9.12.1 to add a Figure 9.12.6 reference in Figure 9.12.1 as follows:**

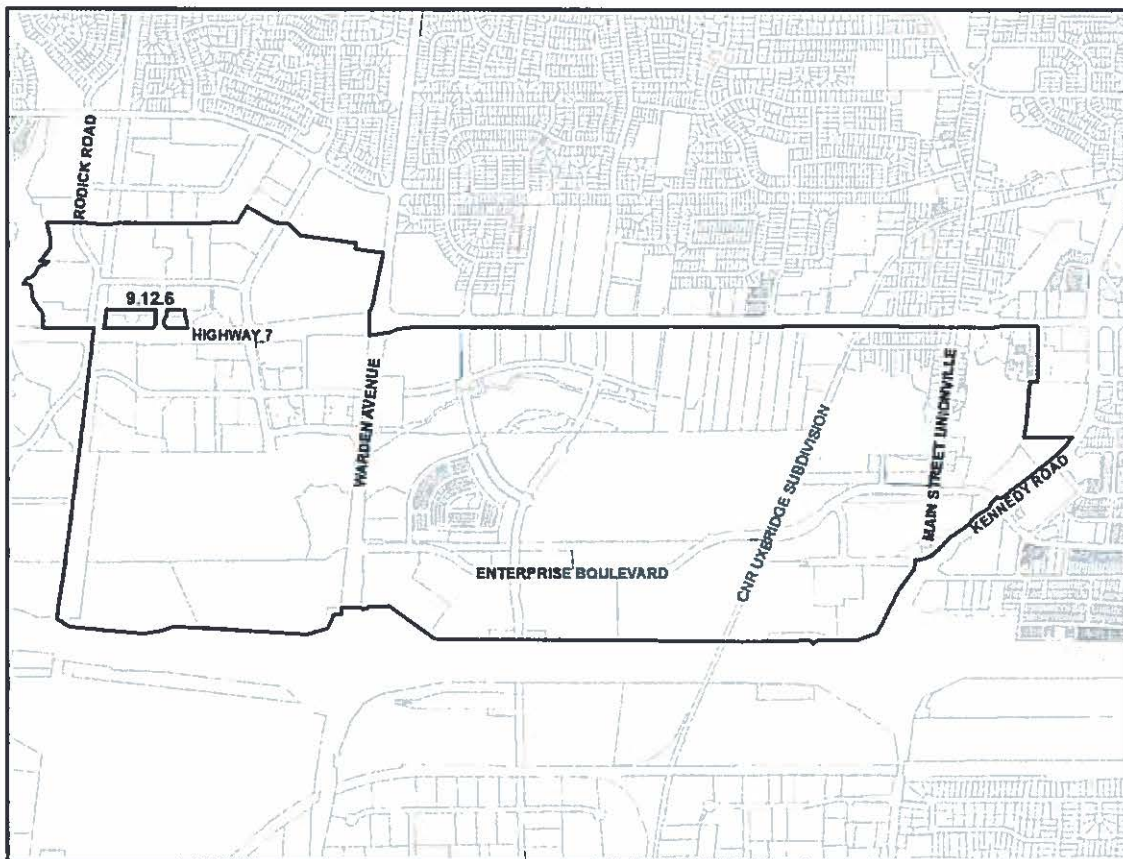


Figure 9.12.1

194. **Modify Sections 10.8.1.5, 10.8.1.7 and 7.1.3.4 c) to clarify that dedication of lands for transportation improvements shall be as applicable and in accordance with the Planning Act as follows:**

- 10.8.1.5 That as a condition of *development approval*, as applicable, the owner may be required to dedicate lands in accordance with the Planning Act for:
- a) mid-block crossings and interchanges for 400 series highways;
  - b) new roads including pedestrian and cycling facilities;
  - c) widening of existing road allowance to its planned width including pedestrian and cycling facilities; and
  - d) public transit right-of-ways and lands for related facilities and enhancements such as transit stations, pick-up/drop-off areas, operations/maintenance, pedestrian/cycling facilities, travel information systems;
  - e) grade separation of a street and a rail line as warranted to implement the provisions of Map 10 – Road Network and Section 7.1.3.4 respecting the minor collector roads depicted in Map 11 – Minor Collector Road Network, to the satisfaction and at no cost to Markham or the appropriate authority.
- 10.8.1.7 That additional lands beyond the right-of-way widths may be required for necessary

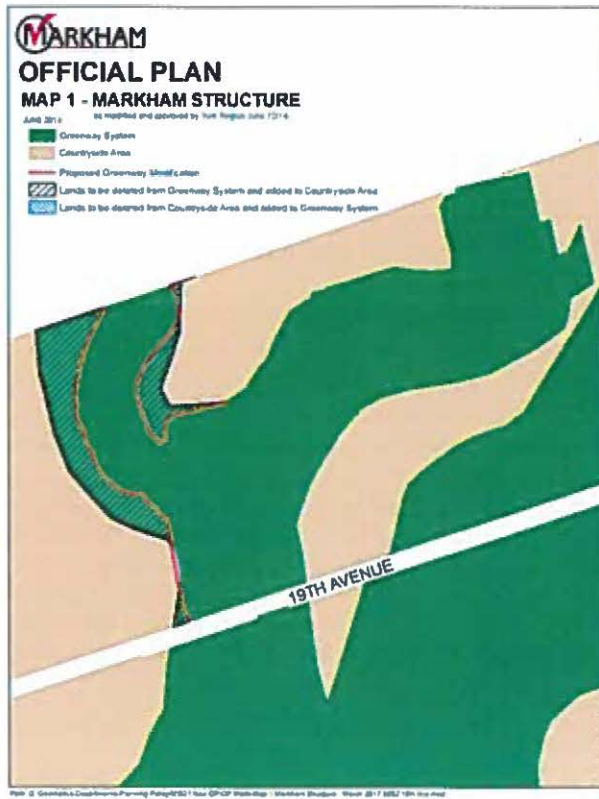
features such as sight triangles, cuts, fills, extra turn lanes, enhanced grade separations where there is an existing at-grade crossing of a road and a railway line, and roundabouts at no public cost to Markham or the appropriate authority, as applicable, in accordance with the Planning Act.

7.1.3.4 To require through the *development approvals* process, where appropriate and at no public cost, and in accordance with the Planning Act, the conveyance of additional lands needed to achieve:

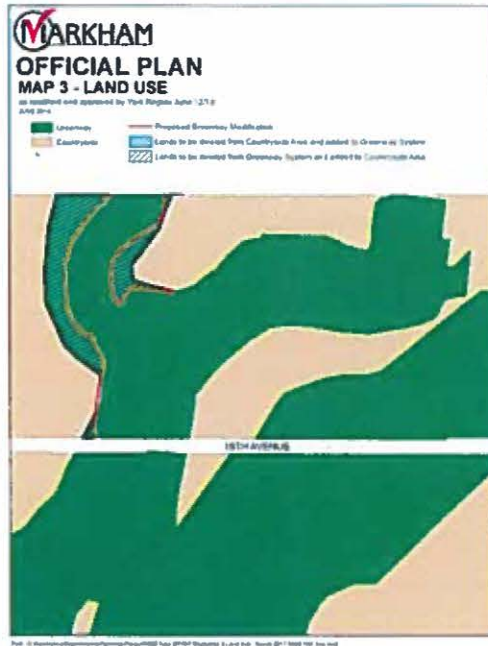
- a) the designated right-of-way widths on Map 12 – Street Network of the Regional Official Plan and Map 10 – Road Network and Map 11 – Minor Collector Road Network of this Plan;
- b) the right-of-way widths as required to support the road networks identified in secondary plans or area and site specific policies of this Plan; and
- c) lands beyond the right-of-way widths for necessary features, such as sight triangles, cuts, fills, extra turn lanes, and-grade separations where there is an existing at-grade crossing of a road and a railway line, and roundabouts. (Markham Mod. 152)

195. **Modify the boundary of the Greenway System on Map 1 – Markham Structure, Map 4 – Greenway System, Map 5 – Natural Heritage Features and Landforms, Map 6 – Hydrologic Features and Appendix B – Headwater Drainage Features and Appendix C – Community Facilities, the boundary of the ‘Greenway’ designation on Map 3 – Land Use, and the boundary of the Countryside Agricultural Area and the Countryside Area on Map 9 – Countryside Agriculture Area, as it applies to the lands at 5690 19<sup>th</sup> Avenue as follows:**

Map 1 -- Markham Structure



Map 3 -- Land Use



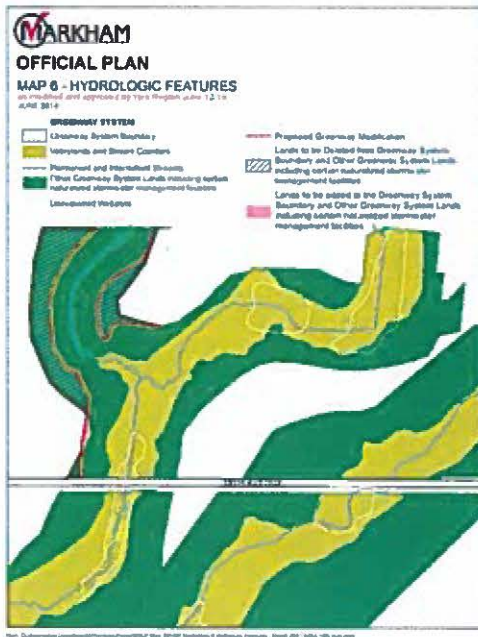
Map 4 -- Greenway System



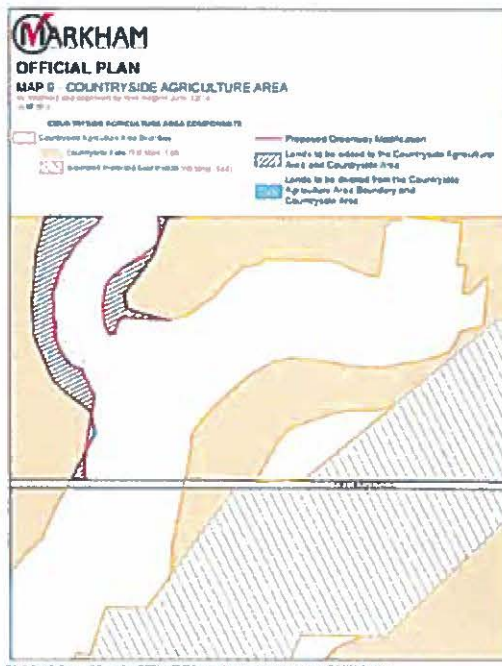
Map 5 -- Natural Heritage Features and Landforms



**Map 6 – Hydrologic Features**

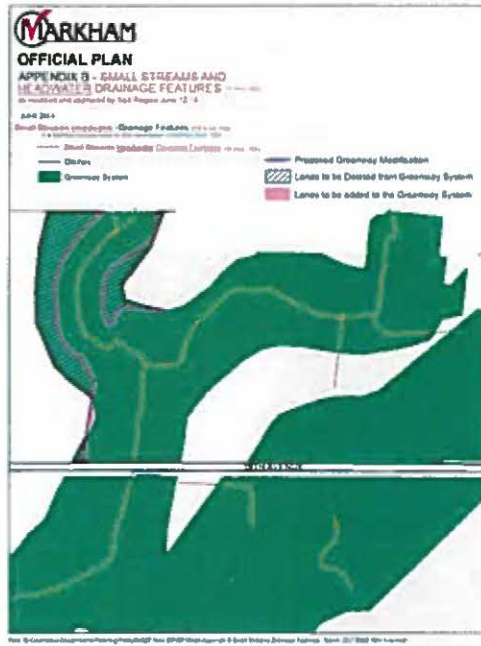


**Map 9 – Countryside Agriculture Area**

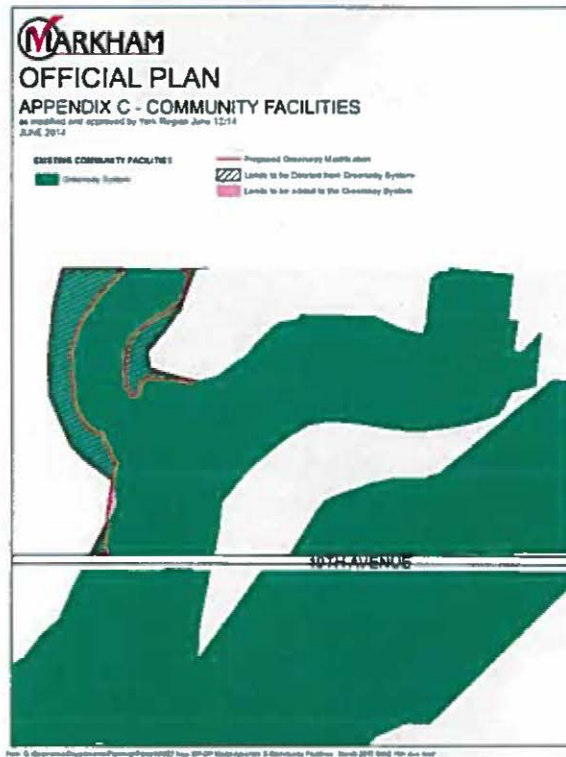




### Appendix B – Headwater Drainage Features

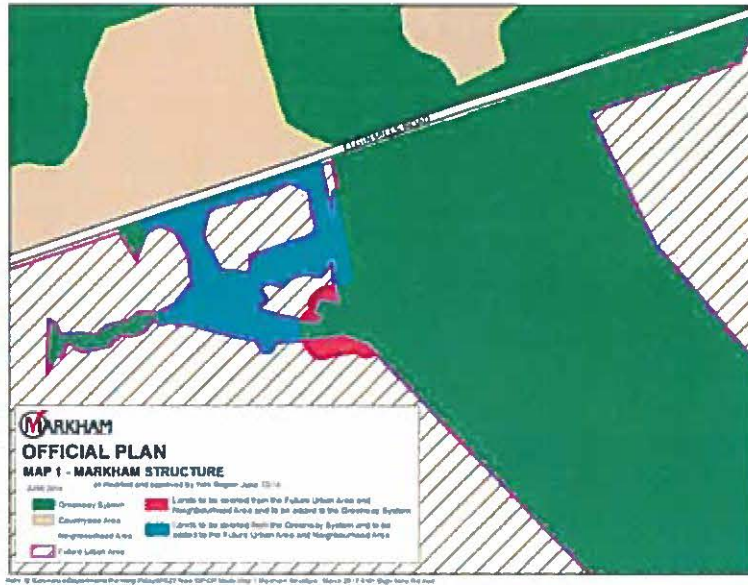


### Appendix C – Community Facilities

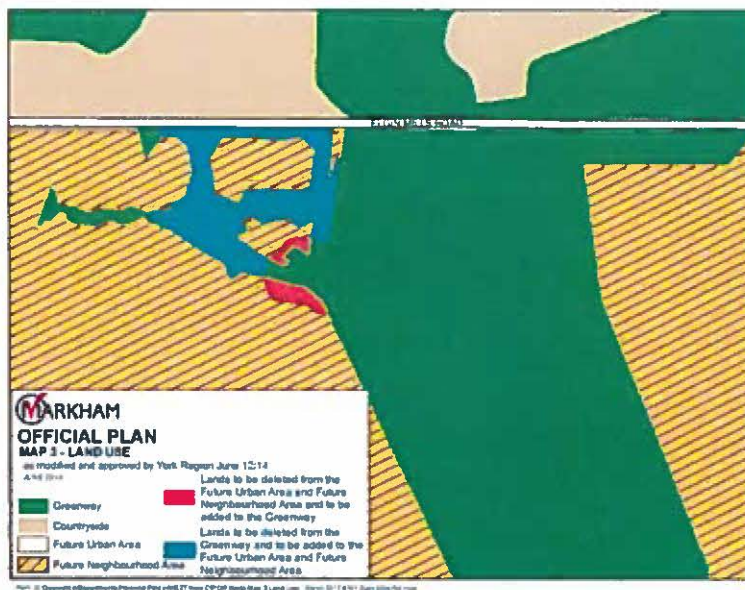


196. **Modify the boundary of the Greenway System on Map 1 – Markham Structure, Map 4 – Greenway System, Map 5 – Natural Heritage Features and Landforms, Map 6 – Hydrologic Features and Appendix B – Headwater Drainage Features and Appendix C – Community Facilities; the boundary of the 'Greenway' designation on Map 3 – Land Use; the boundary of the Rouge Watershed Protection Area on Map 4 – Greenway System and the boundary of the Woodlands shown on Map 5 – Natural Heritage Features and Landforms as it applies to the lands at 3975 Elgin Mills Road as follows:**

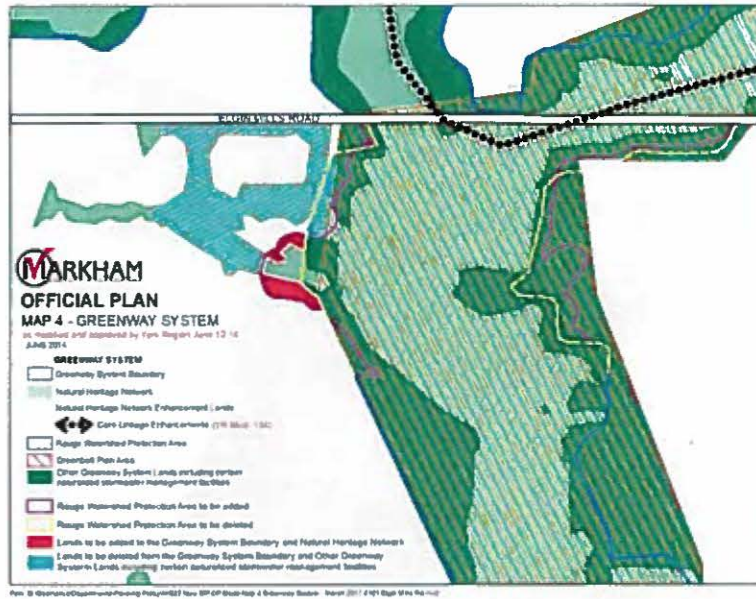
**Map 1 – Markham Structure**



**Map 3 – Land Use**



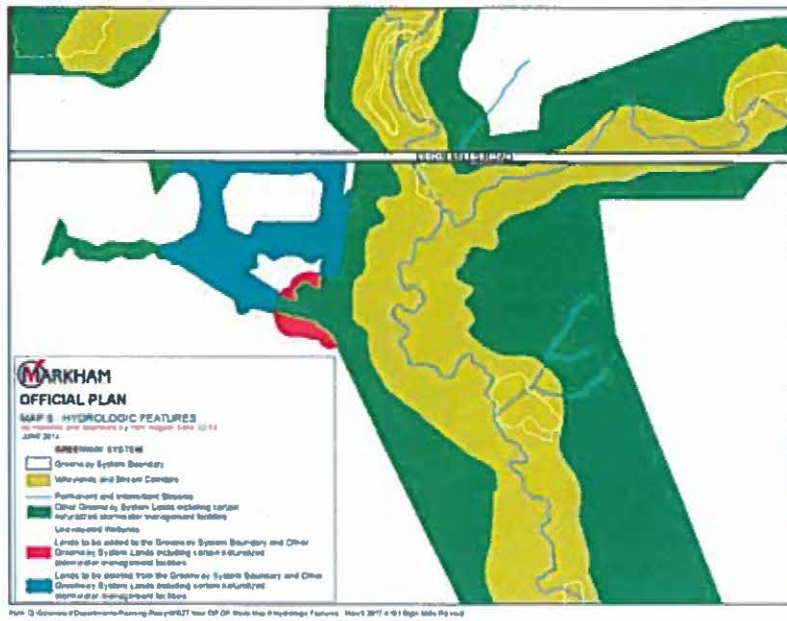
Map 4 – Greenway System



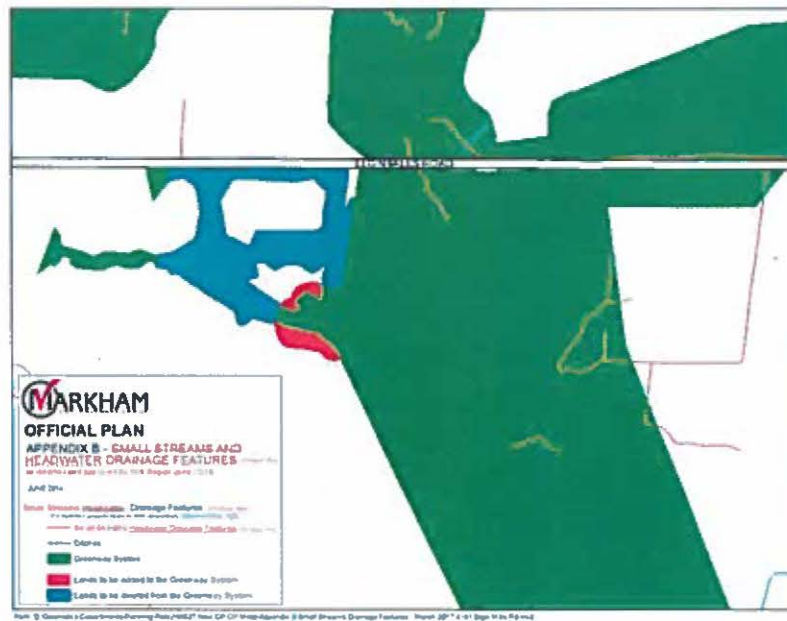
Map 5 – Natural Heritage Features and Landforms



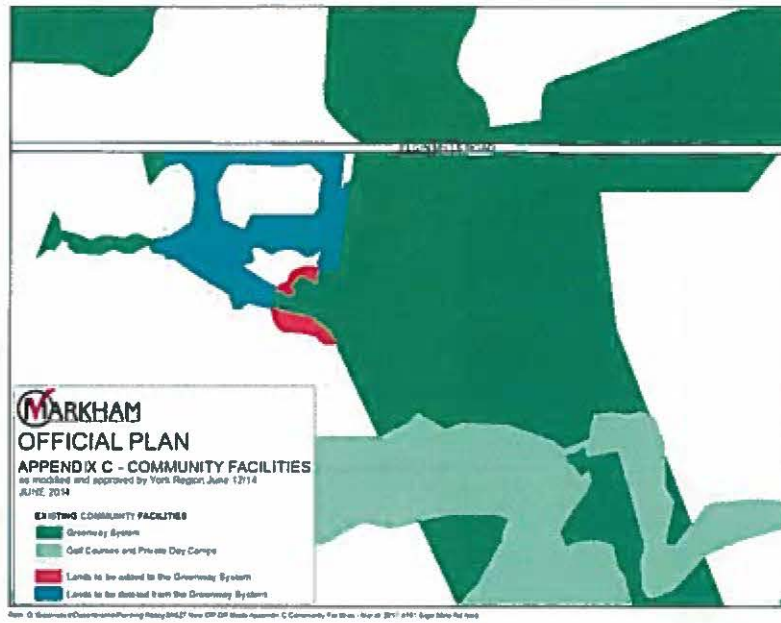
### Map 6 – Hydrologic Features



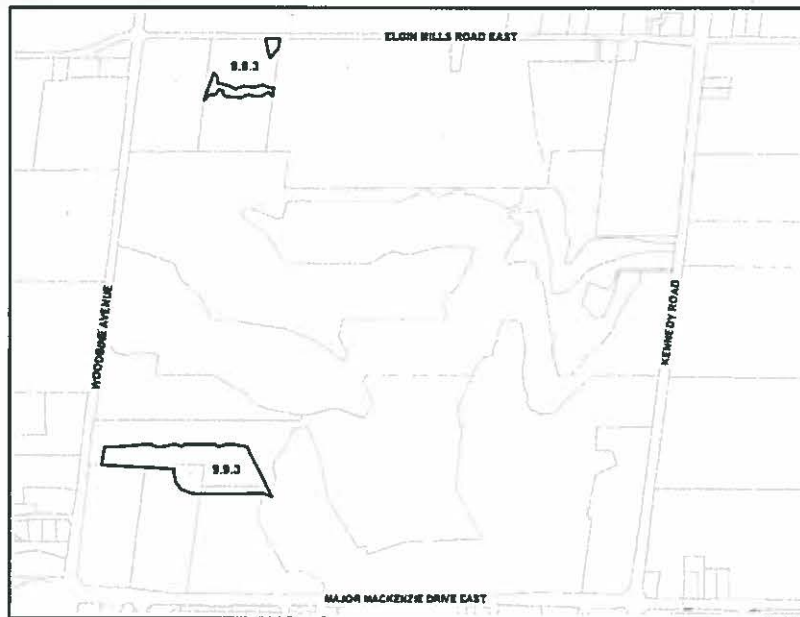
### Appendix B – Headwater Drainage Features



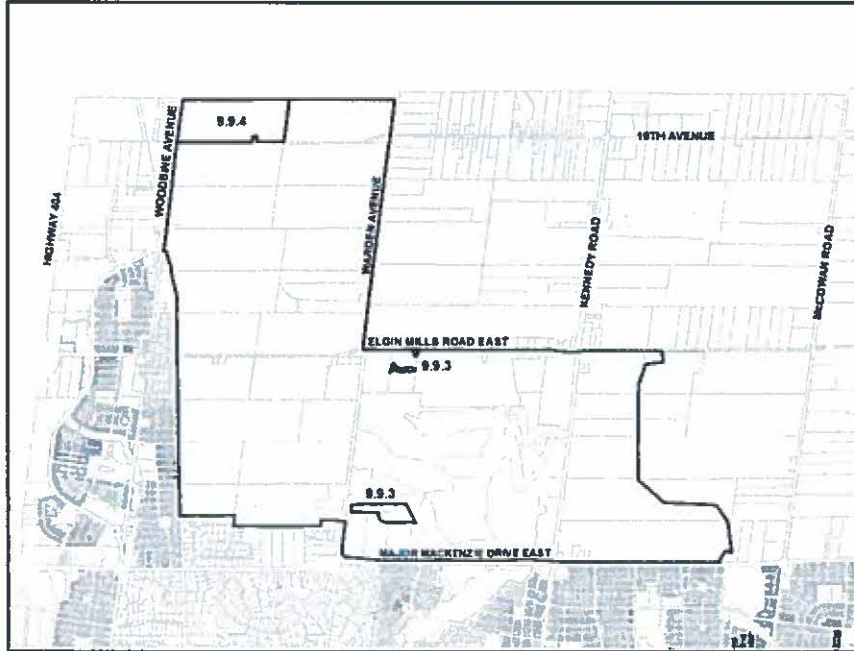
**Appendix C – Community Facilities**



197. **Modify Section 9.9.3 to revise the boundary of the lands shown in Figure 9.9.3 as follows:**



198. **Modify Section 9.9.1 to revise the boundary of the lands referencing Figure 9.9.3 as shown in Figure 9.9.1 as follows:**



**Area and Site Specific Modifications Approved on April 21, 2017**

Modify the text and figure of Section 9.5.8 to delete the reference to the road connection from the Highway 404 interchange at Elgin Mills Road as follows:

**Road Connection to Interchange with Highway 404**

- 9.5.8 The connecting road generally as shown in Figure 9.5.8 shall provide access directly from the Highway 404 interchange at Major Mackenzie Drive East. As per City policy, landowner will dedicate free of charge the required right-of-way width for this connection as a condition of development approval on the lands. The precise alignment and location of the roads will be determined through a Class Environmental Assessment at the site plan control approval stage.

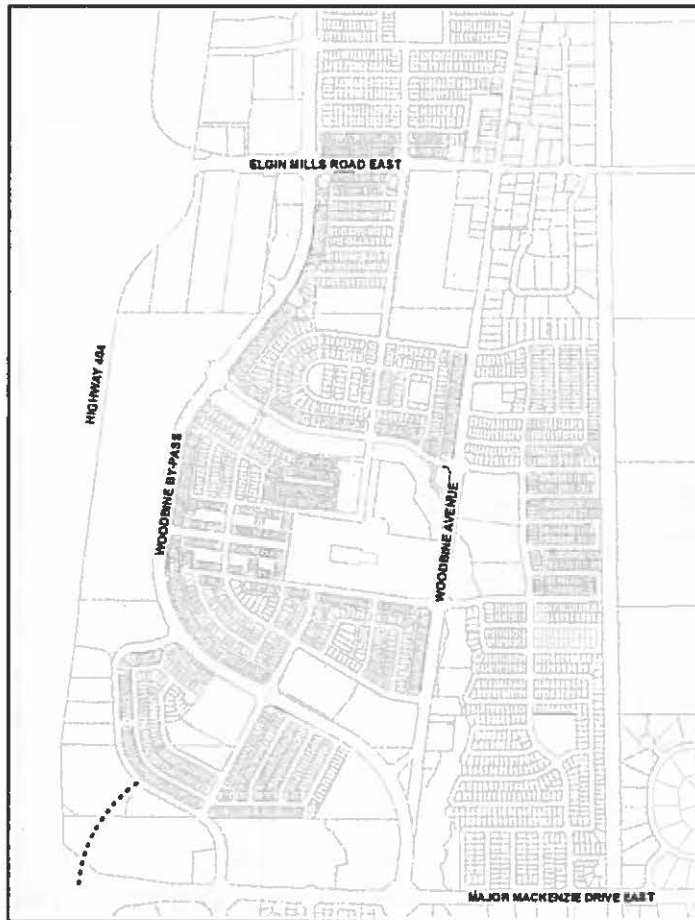


Figure 9.5.8

Modify Section 9.5.1 to delete the Section 9.5.8 reference to the road connection from the Highway 404 interchange at Elgin Mills Road in Figure 9.5.1 as follows:

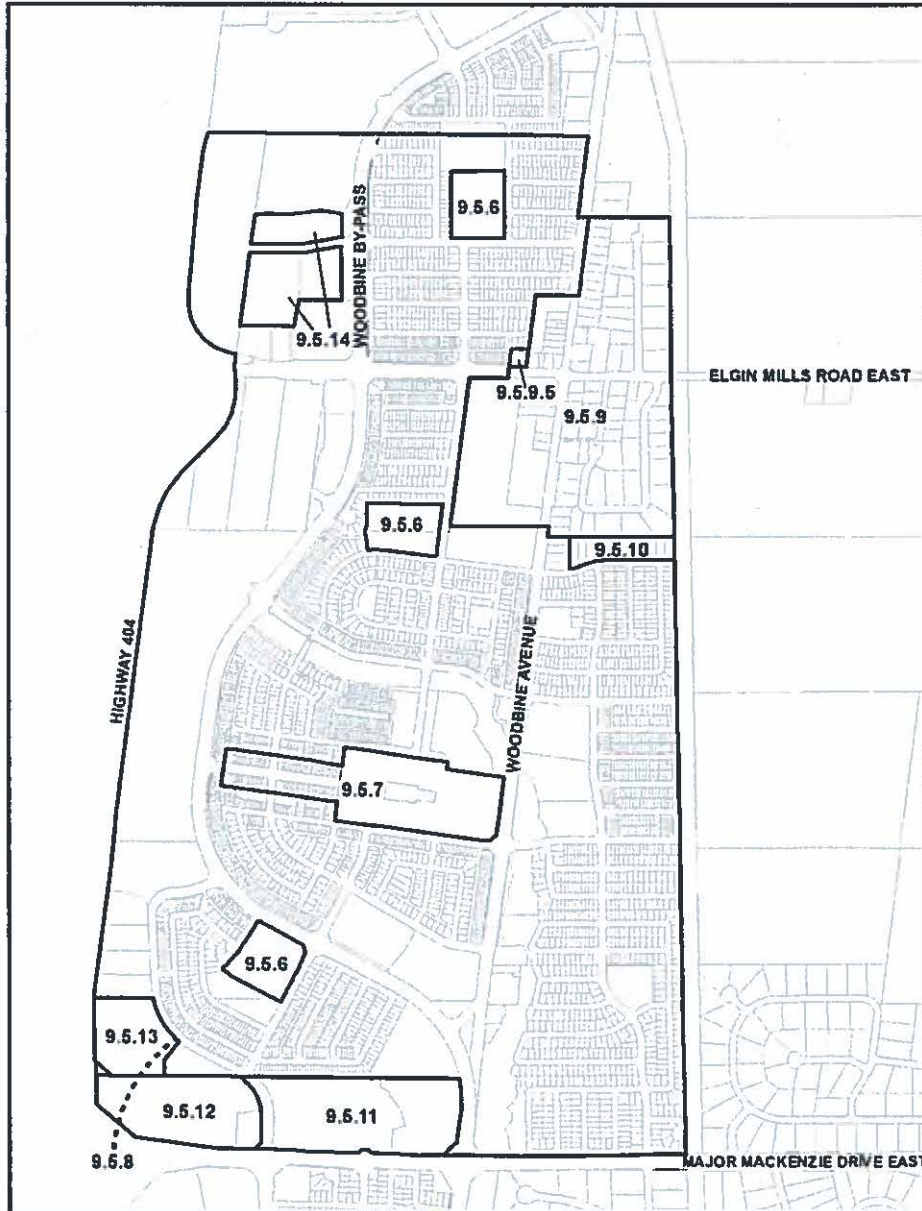


Figure 9.5.1





**Schedule "B"**

<b>Chapter</b>	<b>Section</b>	<b>In Force City-Wide, Subject to Area/Site Specific Appeals</b>	<b>Under Area/Site Specific Appeal</b>	<b>Appellant</b>
1	1.1	All	None	N/A
	1.2	Paragraphs 1-4	None	N/A
	1.3	All	1.3.1	22
	1.5	All	None	N/A
2	2.0	All	2.0	24
	2.1	All	2.1	22
	2.2	All	2.2.2	22
			2.2.2.1	22
			2.2.2.4	22
			2.2.3	22
2.2.3.1			22	
2.2.4	22			
2.3	2.3.2 (c)-(h)  2.3.3	2.3.2(c)	22	
		2.3.2(d) 2.3.2(e)-(h) 2.3.3	22, 24 22 1	
2.4	Preamble 2.4.1-8  2.4.10 2.4.11	Preamble	22	
		2.4.3 2.4.5	22 22	
2.5	Preamble 2.5.2-4	Preamble 2.5.2 2.5.3 2.5.3.1	22 7, 18 22 22	
3	3.4	Special Policy Area Preamble 3.4.1.10-18 3.4.2	3.4.2	2

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		3.4.3		
4	4.0	All	None	N/A
	4.1	4.1 preamble	4.1 preamble	22
		4.1.1.1	4.1.1.1	22
		4.1.1.2	4.1.1.2	22
		4.1.2 preamble	4.1.2 preamble	22
		4.1.2.1-8	4.1.2.1	22
			4.1.2.2	22
	4.1.2.4	22		
	4.1.3 preamble			
	4.1.3.1-8			
4	4.2	Preamble		
		4.2.1		
		4.2.2 preamble	4.2.2 preamble	21
		4.2.2.1	4.2.2.1	21
		4.2.2.2	4.2.2.2	2, 21
4.2.3				
4.4	All	None	N/A	
4	4.5	Preamble		
		4.5.1.1-3		
		4.5.2	4.5.2.1-4	32
		4.5.3	4.5.3.12-13	24
		4.5.4		
4.5.5				
4.6	All	None	N/A	
5	5.1	Preamble	None	N/A
		5.1.3 preamble		
		5.1.3.3		
		5.1.3.4		
		5.1.3.6		
		5.1.5		
		5.1.6 preamble		
		5.1.6.1		
		5.1.6.2		
		5.1.8		

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
	5.2	5.2.1 preamble 5.2.1.1-2 5.2.1.4-13 5.2.2	5.2.1 preamble 5.2.1.1-2 5.2.1.4-13	1, 5, 28 1, 5, 28 1, 5, 28
6	6.1	6.1 preamble 6.1.1.1-4 6.1.1.5 (a)-(g), (i)-(q) 6.1.2 6.1.3 6.1.4 6.1.5 6.1.6 preamble 6.1.6.1-3 6.1.6.5-7 6.1.7 6.1.8	6.1 preamble 6.1.1.1-2  6.1.3.1 6.1.4.1-2  6.1.6 preamble 6.1.6.7  6.1.8 preamble 6.1.8.2-3 6.1.8.4-5 6.1.8.7 6.1.8.10	22 22  22 22  32 22  22, 26 22 22, 24 26 4, 24
		6.2. preamble 6.2.1 preamble 6.2.1.1-3 6.2.2 preamble 6.2.2.1 (a)-(b), (d)-(g) 6.2.2.2 (a)-(c), (e)-(h) 6.2.2.3-8 6.2.3 preamble 6.2.3.1 (a)-(c), (e)-(m) 6.2.3.2	6.2 preamble 6.2.1 preamble 6.2.1.1-3 6.2.2.1 (a)-(b), (d)-(g) 6.2.2.2 (a)-(c), (e)-(h)	22 22 22 22 22
		6.3	6.3.1(b)-(g)	None
7	7.1	Preamble 7.1.1 7.1.2  7.1.3	Preamble 7.1.1 7.1.2 preamble 7.1.2.1-4 7.1.2.5-9 7.1.3 preamble	19, 22 19, 22 7, 19, 22 7, 19, 22 7, 19 14, 19

<b>Chapter</b>	<b>Section</b>	<b>In Force City-Wide, Subject to Area/Site Specific Appeals</b>	<b>Under Area/Site Specific Appeal</b>	<b>Appellant</b>
		7.1.4-8	7.1.3.1 7.1.3.2-3 7.1.3.4 7.1.3.5-10 7.1.4-8	14 19 14, 19 19 19
	7.2	All	All	19
8	8.0	All	All	10, 24
	8.1	8.1 Preamble 8.1.1(a)-(e), (g)-(i) 8.1.2 8.1.3(a)-(c), (e)-(i) 8.1.4-6	8.1 Preamble  8.1.5	21, 24, 22  22, 24
	8.2	Preamble 8.2.1 8.2.2 8.2.3 8.2.4 8.2.5	   8.2.4 8.2.5.4	   18 18
	8.3	8.3 preamble  8.3.1  8.3.1.1-4  8.3.1.3 8.3.1.4  8.3.2 8.3.3  8.3.4  8.3.5 preamble last paragraph 8.3.5.1 (a), (c), (e), (f)  8.3.5.2-4 8.3.5.5 (b), (c), (d)	8.3 preamble  8.3.1  8.3.1.1-2  8.3.1.3 8.3.1.4  8.3.2 8.3.3  8.3.4  8.3.5 preamble last paragraph 8.3.5.1 (a), (c), (e), (f) 8.3.5.2-4 8.3.5.5 (b), (c), (d)	15, 21, 22, 24, 26 15, 21, 26, 22 15, 21, 22, 26 15, 21, 26 15, 21, 22, 24, 26 15, 26 15, 18, 21, 22, 24, 26 15, 19, 21, 22, 24 15, 21 15, 21 15, 21 15, 21

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		8.3.6 8.3.7		
	8.4	All	All	1,15
	8.6	8.6.1.7 8.6.1.8	None	N/A
	8.7	Preamble 8.7.1.1 (a), (c), (d) 8.7.1.2	Preamble 8.7.1.1 (a), (c), (d) 8.7.1.2	3 3 3
	8.8	Preamble 8.8.1.1 8.8.1.2 8.8.1.5	Preamble 8.8.1.1 8.8.1.2 8.8.1.5	1, 5, 28 1, 5, 28 1, 5, 28 1, 5, 28
	8.9	8.9.1.3	None	N/A
	8.10	All	None	N/A
	8.11	All	None	N/A
	8.13	8.13.1-3 8.13.5-9	None	N/A
	9	9.0	All	None
9.1		All	None	N/A
9.2		All	None	N/A
9.3		All	None	N/A
9.4		All	9.4.5 9.4.5.1	19 19
9.5		All	9.5.2 9.5.4 9.5.5 9.5.7 9.5.9	23 23 23 23 3

<b>Chapter</b>	<b>Section</b>	<b>In Force City-Wide, Subject to Area/Site Specific Appeals</b>	<b>Under Area/Site Specific Appeal</b>	<b>Appellant</b>
	9.6	All	9.6.3-5	15
	9.7	All	9.7.1-7 9.7.8 9.7.8.1-4 9.7.8.5 (in part) 9.7.8.6 9.7.8.7 9.7.9-12	18 18 18 18 18 18 18
	9.8	All	9.8	32
	9.9	All	None	N/A
	9.10	All	9.10.1-4	9, 10
	9.11	All	None	N/A
	9.12	All	9.12.1-2 9.12.3 9.12.4 9.12.5 9.12.6	21 20, 21 20, 21 20 21
	9.13	All	None	N/A
	9.14	All	None	N/A
	9.15	All	9.15.1 9.15.2 9.15.3 9.15.3.1-4	22 22 22 22
	9.16	All	None	N/A
	9.17	All	None	N/A
	9.18	All	9.18.11 9.18.11.1 9.18.11.2	24 24 24
	9.19	All	None	N/A

<b>Chapter</b>	<b>Section</b>	<b>In Force City-Wide, Subject to Area/Site Specific Appeals</b>	<b>Under Area/Site Specific Appeal</b>	<b>Appellant</b>
	9.20	All	None	N/A
10	10.0	All	None	N/A
	10.1	Preamble 10.1.1 10.1.2	Preamble 10.1.1 10.1.2 preamble 10.1.2.1 10.1.2.2-4 10.1.2.5-7 10.1.2.8	22 22 2, 18, 22 2, 18, 22 1, 2, 18, 22 2, 18, 22 1, 2, 18, 22
		10.1.3 10.1.4	10.1.3 10.1.4	2, 22 2, 22, 24
	10.2	Preamble 10.2.1.1-4 10.2.2-7	Preamble  10.2.4	22  22
	10.3	All	None	N/A
	10.4	All	10.4.3	24
	10.5	All	None	N/A
	10.6	All	None	N/A
	10.7	All	None	N/A
	10.8	10.8.1.1-9 10.8.3 10.8.4	10.8.1.1-5	14
	10.9	All	None	N/A
	10.10	All	None	N/A
	10.11	All	None	N/A
	10.12	All	None	N/A
	10.13	All	10.13.8	2, 22
10.14	All	None	N/A	



Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
11	11.1	All	None	N/A
	11.2	"Accessory use" "Adjacent lands" "Adverse effects" "Affordable Housing" "Agricultural uses" "Agriculture-related uses" "Agritourism" "Alternative energy systems" "Ancillary uses" "Archaeological resources" "Areas of archaeological potential" "Bed and breakfast establishment" "Biodiversity" "Brownfield site" "Built heritage resources" "Built-up area" "Coach house" "Commercial fitness	"Comprehensive Block Plan" "Floor Space Index"	22, 24 24

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		centre" "Comprehensive Block Plan" "Conservation/ conserved" "Contaminant management plan" "Convenience retail and personal service" "Cultural heritage conservation" "Cultural heritage landscape" "Cultural heritage resources" "Cultural or regenerating woodland" "Day care centre" "Development approval" "Discretionary uses" "Ecological features" "Ecological function" "Ecological integrity" "Endangered species" "Erosion hazard"		

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		"Farm vacation home" Fish habitat" "Floodplain" "Flood vulnerable areas" "Flooding hazard" "Floor Space Index" "Greenfield area" "Groundwater recharge" Hazardous lands" "Hazardous sites" "Heritage attributes" "Heritage conservation district" "Heritage conservation plan" "Heritage impact assessment" "Highly vulnerable aquifer" "Home business" "Home industry" "Home occupation" "Intensification"		

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		<p>"Intensification areas"</p> <p>"Intermittent stream"</p> <p>"Key development areas"</p> <p>"Key natural heritage feature"</p> <p>"Landform features"</p> <p>"Major recreational uses"</p> <p>"Minimum distance separation formulae"</p> <p>"Mobility hub"</p> <p>"Municipal comprehensive review"</p> <p>"Natural self-sustaining vegetation"</p> <p>"Noise exposure forecast"</p> <p>"Normal farm practices"</p> <p>"Permanent stream"</p> <p>"Place of entertainment"</p> <p>"Place of worship"</p> <p>"Prime agricultural area/land"</p> <p>"Private Club"</p>		

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		<p>“Private School”</p> <p>“Protected heritage property”</p> <p>“Provincially rare species”</p> <p>“Provincially significant wetlands”</p> <p>“Public community infrastructure”</p> <p>“Public school”</p> <p>“Redevelopment”</p> <p>“Register of Property of Cultural Heritage Value or Interest”</p> <p>“Regulatory flood standard”</p> <p>“Renewable energy systems”</p> <p>“Secondary suite”</p> <p>“Seepage areas and springs”</p> <p>“Sensitive groundwater features”</p> <p>“Sensitive land uses”</p> <p>“Sensitive Land Use Compatibility Study”</p> <p>“Shared housing”</p> <p>“Significant archaeological</p>		

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		resources" "Significant cultural heritage resources" "Significant local groundwater recharge area" "Significant valleylands" "Significant wildlife habitat" "Site alteration" "Special concern species" "Special policy area" "Subwatershed" "Subwatershed plan" "Traditional territories" "Threatened species" "Trade school" "Tree" "Tree canopy" "Urban agriculture" "Urban growth centres" "Valleylands" "Watershed"		

<b>Chapter</b>	<b>Section</b>	<b>In Force City-Wide, Subject to Area/Site Specific Appeals</b>	<b>Under Area/Site Specific Appeal</b>	<b>Appellant</b>
		"Watershed plan"  "Wetlands"  "Woodland"		
Maps	Map 1	All	See annotation of Map 1 and Master Issues List	1, 4, 5, 7, 15, 16, 17, 18, 19, 21, 24, 28
	Map 2	All	See annotation of Map 2 and Master Issues List	7, 15, 18, 19, 21, 24
	Map 3	All	See annotation of Map 3 and Master Issues List	1, 4, 5, 7, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 28
	Map 7	All	See annotation of Map 7 and Master Issues List	5
	Map 8	All	None	N/A
	Map 10	All	See annotation of Map 10 and Master Issues List	2, 14, 20, 23
	Map 11	All	See annotation of Map 11 and Master Issues List	2, 20
	Map 12	All	See annotation of Map 12 and Master Issues List	1, 5, 7, 28
	Map 13	All	None	N/A

<b>Chapter</b>	<b>Section</b>	<b>In Force City-Wide, Subject to Area/Site Specific Appeals</b>	<b>Under Area/Site Specific Appeal</b>	<b>Appellant</b>
	Map 14	All	None	N/A
	Map 15	All	See annotation of Map 15 and Master Issues List	1, 5, 21, 28
	Appendix C	All	See annotation of Appendix C and Master Issues List	5, 24
	Appendix D	All	None	N/A
	Appendix E	All	See annotation of Appendix E and Master Issues List	2
	Appendix F	All	See annotation of Appendix F and Master Issues List	22
	Appendix G	All	None	N/A
	Appendix I	All	None	N/A
	Appendix J	All	See annotation of Appendix J and Master Issues List	2



## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

### GROUP A: APPEALS THAT REQUIRE RESOLUTION OF ROPA 3

#### Issues

1. North Markham Landowners Group, Angus Glen Northwest Inc. and Angus Glen Holdings have expressed an interest in these issues
2. Berczy Glen Landowners Group Inc. has expressed an interest in these issues
3. First Elgin Mills Developments Ltd.
  1. Should the "Hamlet" identification/designation be reinstated for Victoria Square? (Policy 8.7)
    - (a) Does the elimination of that identification/designation comply with the Regional Official Plan (which retains that identification/designation)?
    - (b) Should the Hamlet identification/designation be expanded east to the west limit of the Natural Heritage System lands?
  2. Should the future development of the lands lying between the existing Victoria Square Hamlet and the west limit of the Natural Heritage System lands (to the east) be governed by distinct policies which recognize their development as a hamlet expansion? (Policy 8.12 and Chapter 9)
    - (a) Should these lands be planned separate from the urban expansion lands in North Markham (ROPA 3) given their location and proximity to the Victoria Square hamlet?
4. Romandale Farms Ltd. has expressed an interest in these issues
5. Minotar Holdings Inc. Cor-lots Developments, Cherokee Holdings, Halvan 5.5 Investments Ltd., and Beechgrove Estates Inc. have expressed an interest in these issues

**Note: Appellant 7 (Colebay Investements Inc., Highcove Investments Inc., Firwood Holdings Inc., Major McCowan Developments Limited, Summerlane Realty Corp., and Brentwood Estates).MMAH, Infrastructure Ontario , York Region and Remington Steeles 9 Inc., Barry Glen Little, and Robert Brownlee Little have expressed an interest in these issues**

**Schedule "C" - Issues List**

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

**GROUP B: MID BLOCK CROSSINGS/ 404 RAMP EXTENSIONS AND SURROUNDING LAND USES**

<b>Issues</b>	<b>Issues covered by Proposed Issues</b>
<p>18. Should the lands generally within the Highway 404 North (Employment) district be designated Business Park Employment instead of General Employment?</p>	<p><b>9. Enbridge Gas Distribution Inc.</b>  Issues 18, 19, 20</p>
<p>19. Are the Business Park Employment policies of the Official Plan more appropriate for the lands within the 404 North Business Park than the General Employment policies, or are other area specific policies more appropriate?</p>	<p><b>10. Honda Canada Inc.</b>  Issues 18, 19, 20 and 25</p>
<p>20. Do the area specific policies for the Highway 404 North (Employment) district, including policies 9.10.3 and 9.10.4, negatively impact the future character and development of the 404 North Business Park?</p>	<p><b>14. Cathedral Town Ltd.</b>  Issues 24 and 26</p>
<p>24. Is it appropriate to require the dedication of land for a future midblock crossing, roads and other transportation and transportation infrastructure as a condition of development approval as set out in policy 10.8.1.5? Is such a requirement consistent with the <i>Planning Act</i>, and is it warranted, reasonable and appropriate?</p>	<p><b>23. King David Inc.</b>  Issue 26  <b>Innvest Projects Ltd. is a Party to Issues Raised by Appellants 14 and 23</b></p>
<p>25. Should the total costs related to the acquisition and construction of the connecting roads be included as development charges in the Development Charges Background Study?</p>	
<p>26. Does the identification of a mid-block crossing of Highway 404 between Major Mackenzie Drive and Elgin Mills Road on Map 10, in accordance with policy 7.1.3.1, conform with the <i>Growth Plan for the Greater Golden Horseshoe</i> and the Region of York Official Plan, 2010 and is it consistent with the <i>Provincial Policy Statement, 2014</i>? Does it represent good planning in the public interest, and is it warranted, reasonable and appropriate? If not, should it be deleted?</p>	
<p><b>Note: York Region and TRCA have expressed an interest in these issues</b></p>	

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

### GROUP C: ENVIRONMENTAL SYSTEMS

#### Issues

**1. North Markham Landowners Group, Angus Glen Northwest Inc., and Angus Glen Holdings  
(Angus Glen Golf Club and Angus Glen Developments Ltd is a party to these issues)**

28. Should policy 3.1.1.3 be modified and should the last paragraph of the policy read as follows:

Where the identification of natural heritage and hydrologic features is confirmed through one or more of the studies above, and removal of natural heritage and hydrologic features is supported through same appropriate compensation, if any, shall be provided by the landowner at their cost.

29. Should policy 3.1.1.3 clearly specify that compensation will be required for significant features only?

30. Should policies 3.1.1.10 and 3.1.2.23 be consistent with policy 3.1.2.26?

31. Are the policies respecting Vegetation Protection Zones ("VPZs"), including policies 3.1.1.10, 3.1.2.23, 3.1.2.26 appropriate? **(General Issue also raised by Appellant 18)** In particular:

(a) Are minimum VPZs and minimum adjacent lands appropriate with respect to the features identified in Table 3.1.2.23?

(b) Should the policies allow for the determination and refinement of VPZs outside of provincial plan areas (Greenbelt, Oak Ridges Moraine) through area or site specific study?

(c) Should Section 3.3.3.9 be modified to permit stormwater management facilities to generally locate in VPZs subject to meeting specific requirements?

(d) Should the policies related to VPZs, in particular Section 3.1.2.22, be clarified to remove conflicting and confusing terminology and wording?

(e) Does policy 3.1.2.26 appropriately recognize and respect existing approved VPZ's (buffers)?

**(Issue also raised by Appellant 5)**

32. Should the policies allow for the determination or refinement of VPZs outside of provincial plan areas (Greenbelt, Oak Ridges Moraine) through area or site specific study?

33. Should policy 3.3.3.9 be modified to permit storm water management facilities to locate within VPZs, where feasible and subject to meeting clearly articulated requirements? **(Issue also raised by Appellant 18)**

34. Is policy 3.4.1.6, which requires *hazardous lands* and *hazardous sites* within the Greenway designation to be conveyed to a public authority at no

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

cost, lawful, reasonable, necessary and appropriate?

35. Should policy 3.4.1.6 be modified and should it read as follows:

To ~~require~~ encourage conveyance of *hazardous lands* and *hazardous sites* within the 'Greenway' designation ~~at no cost~~ to a public authority as part of a *development approval*.

36. Should the Markham OP policies recognize and permit the finalization of the natural heritage network (including Core Area Enhancements and Core Linkage Enhancements) in the Future Urban Area (currently set out on Map 4) through the Secondary Plan(s) for that area?

### 2. Berczy Glen Landowners Group Inc.

39. Are the environmental policies in Chapter 3 appropriate, are they consistent with the Provincial Policy Statement, and do they conform to the Growth Plan for the Greater Golden Horseshoe?

40. Are the environmental policies in Chapter 3 unnecessarily restrictive? Are the policies based in appropriate supporting technical rationale? Are these policies appropriately balanced with other objectives of the Official Plan, such as the compact development of complete communities in the Future Urban Area?

41. Should the Official Plan include policies acknowledging that further formation and refinement of the natural heritage network will occur through future secondary plans?

42. Is the 30 metre vegetation protection zone stipulated in policies 3.1.1.10 and 3.1.2.23 technically justified and does it conform with the requirements of the *Greenbelt Plan*?

43. Is the "no negative impact" test set out in policy 3.1.2.21 appropriate for all wetlands and has it been technically justified?

44. Should policy 3.2.1 be revised to ensure consistency with policies 3.1.1.13 and 3.2.6, which provide greater flexibility for the removal of hedgerows and small woodlot features?

45. Should policy 3.3.2.1 be revised to "restrict" development in sensitive groundwater and surface water features, consistent with policy 2.2.2 of the Provincial Policy Statement?

46. Should policy 3.3.3.2 be revised to "protect" groundwater quality and flow and stream baseflow?

47. Is policy 3.3.3.5, which requires storm water management facilities to be designed "in accordance with" related guidelines, appropriate?

48. Should policy 3.3.3.6 be revised to ensure consistency with policy 3.3.2.2 of the Official Plan?

49. Are policies 3.3.3.8 and 3.3.3.9 overly restrictive and should they be revised to ensure consistency with the *Greenbelt Plan*?

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

50. Is the definition of "significant groundwater recharge area" clear and does it appropriately apply to the policies?
51. Is the definition of "urban forest" clear and does it appropriately apply to the policies?
52. Do Maps 4, 5 and 6 and Appendices A and B appropriately reflect the landscape, and do they reflect and/or assist in implementing the policies of Chapter 3?
53. Should the blue line traversing the Berczy Glen Landowners Group lands located on the west side of Warden Avenue be removed from Maps 5, 6, 10 and 11 and Appendix E?
54. Should policies be added to the Official Plan allowing for changes to Appendix J where warranted by updated or more detailed data?
- 4. Romandale Farms Ltd**
55. Is the designation of the Romandale Lands as Greenway System on Map 4 appropriate and does it properly reflect the natural heritage features on the Romandale Lands?
56. Are the Greenway System policies in policy 3.1 consistent with the PPS, do they conform with the ROP 2010 and do they represent good planning?
- 5. Minotar Holdings Inc., Cor-lots Developments, Cherokee Holdings, Halvan Investments Ltd., and Beechgrove Estates Inc.**
57. Has the City correctly balanced the directions under Provincial and Regional policies to provide for growth in the urban area, with the directions in Provincial and Regional policies to protect significant natural heritage and hydrological features?
58. Are the various requirements for compensation for the removal of natural heritage and hydrologic features, and related measures to protect features which are not significant as defined by the Province including features beyond the Natural Heritage Network appropriate, fair and equitable? In particular, is it appropriate, fair and equitable:
- (a) To require compensation where the removal of natural heritage and hydrologic features are supported through one or more studies identified in the Official Plan (Sections 3.1.1.3 and 3.1.1.4);
  - (b) To discourage removal of natural features which are not part of the Natural Heritage Network (Section 3.1.1.12);
  - (c) To require compensation from the landowner where natural heritage and hydrologic features and functions have been willfully damaged, destroyed or removed without approval of Council (Section 3.1.2.2) regardless of the circumstances including whether the landowner was the landowner at the time and whether Council had any legislative ability to "approve" the removal;
  - (d) To require the preparation of Natural Heritage Network Edge Management Guidelines to address appropriate mechanisms to protect and manage the interface between lands in the Network and other land uses (Section 3.1.2.9);

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

- (e) To require a woodland compensation plan for areas outside the Natural Heritage Network (Sections 3.1.2.17 and 3.1.2.18);
  - (f) To require conveyance of vegetation protection zones into public ownership through the development approval process (Section 3.1.2.22);
  - (g) To require the protection and enhancement of Natural Heritage Network Enhancement lands through the development approval process (Section 3.1.3.3);
  - (h) To require compensation where the urban forest has been impacted by the provision of infrastructure (Section 3.2.4);
  - (i) To protect and enhance the urban forest and integrate it into development (Section 3.2.6).
59. Should the policies for the Greenway System and the Urban Forestry System in Sections 3, 8.6, 6.2.2.1(c), 6.2.2.2(d), 6.2.3.1(d) and paragraph 2 of the 6.3 preamble of the Plan be clarified to remove conflicting and confusing terminology and wording?
60. Should the policies related to the Greenbelt Plan be clarified to revise those which are inconsistent with the Greenbelt Plan and the Regional Plan, in particular Section 3.1.5.14, 8.6 (preamble), 8.6.1.1(a), 8.6.1.2(a) and 8.6.1.6(b)(c)? In particular:
- (a) Should the policies at a minimum permit uses in the Greenbelt Plan Area in conformity with the Greenbelt Plan;
  - (b) Should the policies of the Markham Official Plan be clarified to clearly identify the Greenbelt Natural Heritage System and to distinguish it from or clarify its relationship to the City's Natural Heritage Network?
61. Should the policies related to the Greenbelt Plan be modified to remove conflicting and confusing terminology and wording?
62. Are the natural heritage designations on the Maps and in the Appendices on the KMLG lands appropriate including the Greenway System, Natural Heritage Network, and Natural Heritage Enhancement Lands designations? In particular:
- (a) Is the Core Area Enhancement designation on Map 4 Greenway System south of Elgin Mills Road, west of McCowan Road, north Major Mackenzie Drive and east of Kennedy Road consistent with the approach taken for similar areas of the Provincial Greenbelt System in the City and necessary to address the criteria of Section 3.1.3.1 of the City of Markham Official Plan (i.e. to improve biodiversity around existing natural features and protected provincial policy areas; improve connectivity of subwatersheds and their features; improve ecological function)?
  - (b) Is the Core Linkage Enhancement "arrowhead" on Map 4 Greenway System appropriately located on the KMLG lands east of McCowan Road given that the Core Linkage does not extend to the west and given the small size of this habitat?
  - (c) Are the Greenway and Natural Heritage Network designations appropriate for agricultural table land devoid of natural heritage features and functions?
  - (d) Should Appendix B: Headwater Drainage Features be updated to reflect the most current information, including the text box with respect to

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

management of these features?

**(Appellants 6 and 7 have expressed an interest in these issues)**

### **18. Lindvest Properties (Cornell)**

- 66. Are the policies and mapping respecting woodlands and wetlands correct and appropriate?
- 67. Are the policies respecting environmental compensation appropriate?
- 68. Do the policies which require conveyance to a public authority of components of the natural heritage network and at no cost appropriate?
- 69. Should the policies of Markham's OP as it relates to environmental systems, including natural heritage network policies, apply to lands which are subject to existing secondary plans, including lands within the Cornell Secondary Plan area?

### **24. Atlas Shouldice Healthcare Ltd.**

- 70. Is it appropriate to require conveyance into public ownership of vegetation protection zones through the development approval process? [Section 3.1.2.23]
- 71. Should Section 3.1.2.27 clarify what is intended by the proposed requirement that vegetation protection zones be "managed as part of the feature"?
- 72. Are the non-italicized terms "natural heritage feature(s)" and "hydrologic feature(s)" (and similar variations of these terms) intended to be distinct from the defined terms "key natural heritage feature" and "key hydrologic feature"? If so, should the Official Plan define the terms "natural heritage feature(s)" and "hydrologic feature" (and similar versions of these terms) and, if so, what are the appropriate definitions? If not, is it appropriate to refer to these undefined terms in various provisions within the Official Plan or, alternatively, should such provisions be modified? [Section 2.3.2(a); Section 3.0; Section 3.1; Section 3.1.1.1; Section 3.1.1.2; Section 3.1.1.3; Section 3.1.1.4; Section 3.1.1.5; Section 3.1.1.8; Section 3.1.1.10; Section 3.1.1.12; Section 3.1.2; Section 3.1.2.1; Section 3.1.2.2; Section 3.1.2.20; Section 3.1.2.23; Section 3.1.3; Section 3.1.3.1; Section 3.1.3.3; Section 3.5; Section 3.5.2; Section 3.5.4; Section 4.3; Section 6.2.2.2; Section 8.6; Section 8.6.1.1; Section 8.6.1.6; Section 10.1.4.2; Section 11.2]
- 73. Is it appropriate to presume that "privately owned natural areas" will "come into public ownership"; or that "natural heritage and hydrologic features" are "generally intended to be conveyed into public ownership with the approval of development"; or that City Council will seek "conveyance of lands within the Natural Heritage Network to a public authority as part of the development approval process at no cost"? [Section 3.1.1.1(f); Section 3.1.2; Section 3.1.2.4; Section 3.1.2.5; Section 3.1.2.7; Section 4.3.5]
- 74. Is it appropriate to identify the "Greenway System" as including, among other things, lands within the "Natural Heritage Network", which is identified as including "natural heritage and hydrologic features", which are undefined? [Section 3.1.1.2]
- 75. Is it appropriate to require the "protection" and/or "enhancement" (or similar variations of these terms) of the Greenway System and/or the Natural Heritage Network and, if so, what is the anticipated protection and/or enhancement intended to entail? [Section 3.1.1.6; Section 3.1.1.7; Section

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

3.1.1.8; Section 3.1.1.9; Section 3.1.2.5]

76. Should the Official Plan clarify whether "development" is permitted within the Greenway System, given the apparent contradictions within various provisions of the Official Plan and, if development is not intended to be permitted in the Greenway System, is this an appropriate restriction? [Section 3.1; Section 3.1.1.11; Section 3.1.1.13; Section 8.6.1; Section 8.6.1.6]
77. Should Section 3.1.2.2 stipulate that this policy, or some modified version thereof, would only apply where the requirement for obtaining approval of Council for the damage, destruction or removal is authorized by statute and any conditions for the exercise of such authority by the City have been satisfied? [Section 3.1.2.2]
78. Should Section 3.1.2.10 define what constitutes "required infrastructure" for the purposes of this policy, and are the proposed conditions for permitting such infrastructure appropriate? [Section 3.1.2.10]
79. Are the components of "key natural heritage features" and "key hydrologic features" in Section 3.1.2.11 consistent with the definitions of these terms in Section 11.2 and, if not, should Section 3.1.2.11 be modified? [Section 3.1.2.11]
80. Is it appropriate to prohibit any "development, redevelopment and site alteration" within the vegetation protection zones of key natural heritage features and key hydrologic features? [Section 3.1.2.12; Section 6.3.1]
81. Should Section 3.1.2.12(b) be clarified to indicate who is intended to undertake the evaluation of such features and what the trigger(s) would be for such an evaluation, and is this policy otherwise appropriate? [Section 3.1.2.12(b)]
82. Should Section 3.1.2.13 specify how the delineation of key natural heritage features and key hydrologic features is to be carried out in instances where the procedures established by the various public authorities for such delineation may not be consistent? [Section 3.1.2.13]
83. Is it appropriate to reference "management documents produced by the Toronto and Region Conservation Authority" as a basis for ensuring the long-term protection of valleylands and stream corridors? [Section 3.1.2.14 preamble]
84. Is it appropriate to reference "... stream corridors and their associated vegetation protection zones ..." in Section 3.1.2.14 where Table 3.1.2.23 does not provide for a vegetation protection zone in relation to "stream corridors", and is this policy otherwise appropriate? [Section 3.1.2.14]
85. Are the policies for the "protection and enhancement" of woodlands and their vegetation protection zones appropriate, including the proposed requirement for securing public ownership of woodlands through the development approval process? [Section 3.1.2.17]
86. Should the Official Plan clarify what a "woodland compensation plan" is intended to entail and when it is anticipated to be triggered, and are the proposed policies for "woodland compensation" otherwise appropriate? [Section 3.1.2.18]
87. Is it appropriate to require a study for development, redevelopment or site alteration within 120 metres of any wetland? [Section 3.1.2.21]
88. Is it appropriate to not require an amendment to the Official Plan for the confirmation of wetlands and their boundaries, and should the Official Plan clarify the role of landowners within the process of confirming wetlands and their boundaries where all or a portion of the wetland is located on



## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

- private property? [Section 3.1.2.22]
89. Should Section 3.1.3.2 be modified to clarify that an amendment to the official plan would be required if additional Natural Heritage Network Enhancement Lands are to be identified beyond those that are currently shown on Map 4? [Section 3.1.3.2]
90. Is it appropriate to define the "Urban Forest System", or "urban forest", as proposed in the Official Plan, and are the proposed policies associated with the urban forest appropriate? [Section 3.2 and related subsections; Section 3.0; Section 6.1.1.5; Section 6.1.8.4; Section 6.1.8.5; Section 6.2.2.2; Section 11.2 – definition of "urban forest"]
91. Should the Official Plan stipulate minimum size criteria for trees on private property that could be regulated under the City's Tree Preservation By-law? [Section 3.2.5]
92. Is it appropriate to prohibit stormwater management facilities in the Natural Heritage Network except where provided for in Section 3.3.3.9, and are the proposed criteria for consideration of such facilities in these areas appropriate? [Section 3.3.3.8; Section 3.3.3.9]
93. Is it appropriate to require conveyance of hazardous lands and hazardous sites within the 'Greenway' designation at no cost to a public authority as part of a development approval? [Section 3.4.1.6]
94. Should Section 3.5.5 clarify who is to prepare such management plans, as well as the criteria by which one determines whether lands are subject to "ecological stress or in a degraded state"? [Section 3.5.5]
95. Are the proposed permitted uses, building types and development criteria for development on lands designated 'Greenway' appropriate, or are they unnecessarily restrictive? [Section 8.6.1.2; Section 8.6.1.5; Section 8.6.1.6]
96. Are the definitions of the following terms appropriate and, if not, what are the appropriate modifications:
- (a) Key hydrologic feature;
  - (b) Sensitive surface water features;
  - (c) Significant habitat for endangered, threatened, special concern or provincially rare species;
  - (d) Significant woodlands;
  - (e) Urban forest;
  - (f) Vegetation protection zone? [Section 11.2]
97. Is it appropriate to establish and require "minimum" vegetation protection zones adjacent to various "natural heritage and hydrologic features" and, if so, are the proposed minimum vegetation protection zones appropriate? [Section 3.1.2.23 and Table 3.1.2.23; Section 3.1.1.10; Section 3.1.2;

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

Section 3.1.2.1(b); Section 3.1.2.16]

98. Are the proposed criteria in Section 3.1.2.26 for consideration of a reduced vegetation protection zone within the Urban Area appropriate, and should this policy be modified to clarify that it would apply to all vegetation protection zones identified in Table 3.1.2.23? [Section 3.1.2.26]

**(Appellant 28 has expressed an interest in these issues)**

**Note: York Region and TRCA have expressed an interest in this group of issues**

**MMAH has expressed an interest in issues in this group related to hazardous lands and issues that affect the Greenbelt**

**Schedule "C" - Issues List**

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

**GROUP D HOUSING/ COMMUNITY INFRASTRUCTURE/ CULTURAL HERITAGE**

**Issues**

**2. Berczy Glen Landowners Group Inc.**

99. Is section 4.2 overly onerous and is it appropriately balanced with other objectives of the Official Plan?

101. Is it appropriate for policy 4.2.4 to require the identification of places of worship at the secondary plan level and does this policy constitute good planning?

**24. Atlas Shouldice Healthcare Ltd.**

107. Is it appropriate to establish, as Official Plan policy, a priority for retaining a cultural heritage resource in its original location and use? [Section 4.5.3.12]

108. Are the proposed criteria for the potential relocation of a cultural heritage resource appropriate? [Section 4.5.3.13]

**Appellant 22 has expressed an interest in the Issues in this Group.**

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

### GROUP E INTENSIFICATION, EMPLOYMENT, RETAIL, and SPECIFIC LAND USE DESIGNATION POLICIES

#### Issues

#### 1. North Markham Landowners Group, Angus Glen North West Inc. and Angus Glen Holdings Inc.

(Angus Glen Golf Club and Angus Glen Developments Ltd are a party to these issues)

111. Are the policies in the Markham OP respecting Markham's retail structure, including *major retail*, and ancillary uses in employment areas appropriate? Do they conform with the Growth Plan, the York Region Official Plan and are they consistent with the 2014 PPS? Do they represent good planning?
112. Is the definition of *major retail* appropriate and does it conform with the *Places to Grow Act, 2005*, the Growth Plan for the Greater Golden Horseshoe, the York Region Official Plan and is it consistent with the 2014 PPS?
113. Do the policies in the Markham OP conform with the direction and intent of York Region Official Plan policies 4.4.8 and 4.3.11?
114. Should the policies applicable to the Future Urban Area be modified to recognize and provide for large-format retail uses? Should a separate Commercial designation apply to the Future Urban Area? What modifications to the policies in Section 8.4, including policy 8.4.1.2, and to the Schedules are required?
115. Should the policies of Section 8.5 be modified to broaden the range of permissions on employment lands?
116. Should the policies of the Markham OP permit the finalization of the policies and permissions in the Future Employment Area designation through the completion of the Secondary Plan(s) contemplated by the City's OP?

#### 4. Romandale Farms Ltd.

117. Are the density targets for the Future Urban Area set out in section 2.6.1 appropriate? Are they consistent with the PPS, do they conform with the Growth Plan and the ROP 2010 and do they represent good planning?
118. Is the requirement in policy 2.6.2 that the employment lands within the Future Urban Area accommodate the employment forecasts to 2031 for the entirety of the City appropriate, good planning, consistent with the PPS and in conformity with the Growth Plan and ROP 2010?
119. Are the requirements in policy 8.12 appropriate, reasonable and do they represent good planning?
120. Should policy 8.12.1.4 be modified such that the minimum requirements for a Conceptual Master Plan are evaluated on a case-by-case basis?

(Appellant 7 has an interest in issues 117, 118 and 119.)

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

### 18. Lindvest Properties (Cornell) Ltd.

- 123. Are the built form policies for Residential designations (minimum height and densities) appropriate and sufficiently flexible?
- 124. Are the use permissions in the Residential - Mid Rise designation and the Business Park Office Priority Employment designation appropriate?
- 125. Are the policies of the Mixed Use Mid Rise designation appropriate? Do they accommodate specific circumstances such as in Cornell Centre?
- 126. Are the policies of section 2.5.2 dealing with Key Development Areas appropriately applied to all of Cornell Centre?
- 127. Should the Markham OP be amended to reflect OPA 224 as adopted by Markham Council? Should the Markham OP apply to the approval of that OPA?
- 128. Should the Markham OP be amended to reflect Markham Council's approval of updated permissions for the Lindvest commercial block in Cornell Centre?
- 256. Are the following employment conversion and retail policies of chapter 5 appropriate:
  - 5.1.1.1 (c)
  - 5.1.1.4
  - 5.1.1.5
  - 5.1.1.6 (b)
  - 5.1.2 (entirety)
  - 5.1.3.1
  - 5.1.3.2
  - 5.1.3.5
  - 5.1.4.2
  - 5.1.4.3
  - 5.1.7
  - 5.1.7.2

### 19. CF/OT Buttonville Properties LP and Armadale Co. Ltd.

- 129. Are the restrictions and land use permissions of policies 8.5.1.6 and 8.5.2 appropriate, recognizing that the York Region Official Plan policy 7.2.90 allows a broader range of uses?
- 261. Is the proposed redevelopment of the Buttonville Airport lands an intensification form of development within an established Provincial Built Boundary? If so, does the proposed redevelopment of Buttonville have any bearing on the amount of land that is being brought into the Urban Area Boundary by York Region Official Plan Amendment (ROPA) 3?

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

### 21. Dorsay (Residential) Developments Inc.

130. Are the policies contained in Section 2.5.1 with respect to Regional Centres, including all subsections, reasonable, appropriate and good planning? Are the density targets reasonable, appropriate and do they represent good planning? Is the employee target ratio in Policy 2.5.1.3 appropriate, reasonable and does it represent good planning? Should the policies contained in section 2.5.1 apply to the Dorsay Lands?
131. Are the policies contained in section 5.1.4, including subsections 5.1.4.1, 5.1.4.2, and 5.1.4.3 with respect to the Mixed Use Office Priority designations unduly onerous and unreasonable in prescribing the form of development permitted on lands so designated? Should these policies be applied to the Dorsay lands?
132. Is it appropriate, necessary or reasonable to establish minimum and maximum height ranges for buildings within the Mixed Use Mid Rise and Mixed Use High Rise designations in Policy 5.1.7?
133. Are the policies and text contained in section 8.3 Mixed Use appropriate, suitable and do they represent good planning?
134. Are the policies in Section 8.3.1 and all subsections of the General Mixed Use Policies, including without limitation, those relating to development criteria, reasonable and appropriate and do they represent good planning?
135. Are the policies in Section 8.3.1, including those relating to development criteria, appropriate and suitable, and do they represent good planning for the Dorsay lands? Do these policies provide an appropriate policy framework to guide the development of the Dorsay Lands?
136. Are the policies in Section 8.3.3 and all subsections of the Mixed Use Mid Rise designation policies, including without limitation, those relating to location, massing, height, built form and site design, reasonable and appropriate and do they represent good planning?
137. Are the policies in Section 8.3.3, and all subsections, including those relating to location, massing, height, built form and site design, appropriate and suitable, and do they represent good planning for the Dorsay lands? Do these policies provide an appropriate policy framework to guide the development of the Dorsay Lands?
138. Are the policies in Section 8.3.4 and all subsections of the Mixed Use High Rise designation policies, including without limitation, those relating to location, massing, height, built form and site design, reasonable and appropriate and do they represent good planning?
139. Are the policies in Section 8.3.4, and all subsections, including those relating to location, massing, height, built form and site design, appropriate and suitable, and do they represent good planning for the Dorsay lands? Do these policies provide an appropriate policy framework to guide the development of the Dorsay Lands?
140. Are the policies in Section 8.3.5 and all subsections of the Mixed Use Office Priority designation policies, including without limitation, those relating to location, use, massing, height, built form and site design, reasonable and appropriate and do they represent good planning?
141. Are the policies in Section 8.3.5, and all subsections, including those relating to use, location, massing, height, built form and site design, appropriate and suitable, and do they represent good planning for the Dorsay lands? Do these policies provide an appropriate policy framework

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

to guide the development of the Dorsay Lands? Is it appropriate to require the provision of office uses on the Dorsay lands?

142. Is the text contained in the last paragraph of section 8.1, General Land Use on page 8-6 relating to the determinant of densities and its relationship to height appropriate, reasonable and does it represent good planning?
143. Is Policy 2.4.9 appropriate reasonable and good planning in requiring area studies to determine appropriate built form of development, height, and density, the appropriate mix of uses and the relationship to the surrounding community to ensure that intensification is appropriate to the area context? Should this policy apply to the Dorsay lands given the level of study which has been undertaken in Markham Centre?
144. Is policy 10.2.1.5 reasonable, appropriate and does it represent good planning?

### 24. Atlas Shouldice Healthcare Ltd.

145. Is it necessary and/or appropriate to establish minimum and maximum height ranges for buildings within the 'Mixed Use Mid Rise' and 'Mixed Use High Rise' areas in a section of the Official Plan dealing with 'Retail'? [Section 5.1.7]
146. Is it appropriate to require that development proposed on lands designated 'Mixed Use' "adhere" to the criteria set out in Section 8.3.1.4, including: (e) an undefined angular plane from the boundary of an adjacent area designated for low rise development; and (j) unspecified "criteria" as may be identified in plans approved by City Council? [Section 8.3.1.4]

### 26. Maylar Construction Ltd.

148. Are the policies in Section 8.3.2 and all subsections of the "Mixed Use Low Rise" designation, including without limitation, those relating to location, massing, built form, and site design, reasonable and appropriate and do they represent good planning?
149. Are the policies of the "Mixed Use Low Rise" designation in Section 8.3.2.4 overly restrictive with regards to the permitted height (number of storeys)?
150. Are the policies of the "Mixed Use Low Rise" designation in Section 8.3.2.5 overly limiting with regards to the permitted gross floor area of non-residential uses?
151. Are the policies in Section 8.3.3, including all subsections of the "Mixed Use Mid Rise designation, including, without designation, those relating to location, massing, built form, and site design, reasonable and appropriate and do they represent good planning?
152. Are the policies of the "Mixed Use Mid Rise" designation in Section 8.3.3.4 overly restrictive with regards to the permitted heights and densities?
153. Are the development criteria policies as set out in Section 8.3.3.5 of the "Mixed Use Mid Rise" designation over limiting?
154. Are the policies relating to massing, site design, and the maximum permitted height (number of storeys) in the "Mixed Use" designation categories as found in Section 8.3 appropriate and reasonable and do they represent good planning?

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

155. Are the development criteria and policies relating to the required angular plane as set out in Section 8.3.1.4 of the "Mixed Use" designation appropriate and reasonable and do they represent good planning?

**Note: York Region, TRCA, and Infrastructure Ontario, and Appellant 22 have expressed an interest in these issues**



## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

### GROUP F URBAN DESIGN/ SUSTAINABLE DEVELOPMENT

#### Issues

#### 2. Berczy Glen Landowners Group

166. Is policy 6.1.6.4 overly onerous? Does this policy clearly articulate what is expected of a development proponent? Is the policy an appropriate official plan policy, or should these matters be assessed on a site-by-site basis through privately-initiated development applications?

#### 4. Romandale Farms Ltd.

168. Are the development standards set out in policy 6.1.8.10 appropriate and reasonable, and do they provide sufficient flexibility to develop sites with a variety of forms?

#### 26. Maylar Construction Ltd.

183. (a) Is it appropriate and reasonable to require buildings on a site to be designed and placed to enhance adjacent or abutting development, cultural heritage resources, streetscapes and parks and open spaces as set out in policy 6.1.8.4?
- (b) Is it appropriate and reasonable to include continuity in building placement as a factor to be addressed as set out in policy 6.1.8.4(c)?
- (c) Is it appropriate and reasonable to include enhanced views and vistas of identified landmarks as a factor to be addressed as set out in policy 6.1.8.4(d)? Where are such landmarks identified?
- (d) Is it appropriate and reasonable to require development to address sky views as set out in policy 6.1.8.4(e)?
- (e) Is it appropriate and reasonable to require design and placement of buildings, open spaces and on site landscaping to contribute to the enhancement of urban forests as set out in policies 6.1.8.4(f) and 6.1.8.5(e)?
- (f) Is it appropriate and reasonable to require building design to provide for vending and outdoor seating along commercial frontages in all circumstances? Should this requirement be considered on a case by case basis, where appropriate?
- (h) Is it appropriate and reasonable to require sites to provide public access to and routes through private open space and amenity areas? Should the words "where feasible" be changed to "where appropriate"?
- (i) Is it appropriate and reasonable to limit the design and location of parking facilities as set out in policy 6.1.8.7?

**Note: TRCA and Appellants 22 have expressed an interest in the issues in this Group.**

Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

**GROUP G IMPLEMENTATION/ COMPREHENSIVE BLOCK PLAN/ RIGHT OF WAY**

**Issues**

**2. Berczy Glen Landowners Group Inc.**

189. Are the policies of section 10.1.2 appropriate or are the requirements overly onerous, especially when combined with the Conceptual Master Plan work to be undertaken in the Future Urban Area?

190. Are the policies of section 10.1.3 and section 10.1.4, when combined with the requirements of section 10.1.2 appropriate or are the requirements overly onerous?

**14. Cathedral Town Ltd.**

191. Do the transportation policies in policy 7.1.3 conform with the Growth Plan and the ROP 2010 and are they consistent with the PPS? Are they appropriate, reasonable and good planning in the public interest?

192. Are the policies in policy 10.8.1 respecting the maximum width that the City may require as part of a road widening dedication reasonable and appropriate?

**24. Atlas Shouldice Healthcare Ltd.**

214. Should the Official Plan clarify who is to prepare a "comprehensive block plan", and should the policies identify the implications for development applications if City Council does not approve a "comprehensive block plan" given its non-statutory status? [Section 10.1.4 and related subsections; Section 10.4.3; Section 11.2 – definition of "comprehensive block plan"]

217. Is it appropriate to exclude various portions of a lot, including "open space" and "natural heritage features and their associated vegetation protection zones", from the calculation of a floor space index? [Section 11.2 – definition of "Floor space index (FSI)"]

**Note: TRCA and Appellants 22 have expressed an interest in the issues in this Group.**

**Schedule "C" - Issues List**

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

**Group H Countryside**

**Issue**

**1. North Markham Landowners Group, Angus Glen Northwest Inc. and Angus Glen Holdings**

**(Angus Glen Golf Club and Angus Glen Developments Ltd is a party to these issues)**

224. What modifications to the policies and mapping of the City's OP are required to reflect the OMB approval of York Region Official Plan policies 5.1.12 and 6.3.10 and associated mapping changes, which reference the lands designated as Countryside and state that "the Region and local municipalities shall protect for the opportunity for new community areas and employment lands" within such lands? **(Issue also raised by Appellants 5 and 28)**

**(Appellant 7 has expressed an interest in this issue)**

**Note: York Region has expressed an interest in these issues**

**Schedule "C" - Issues List**

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

**GROUP I: PARKLAND DEDICATION**

<b>Issues</b>	<b>Issues parties have expressed an interest in</b>
225. Should the City's OP contain clear direction respecting the City's parkland dedication bylaw?	<b>1. North Markham Landowners Group, Angus Glen Northwest Inc. and Angus Glen Holdings.</b>
226. Should the policies of section 4.3 be revised to clearly permit community infrastructure to be located on or beneath public parkland?	<b>(Angus Glen Golf Club and Angus Glen Developments Ltd is a party to these issues)</b>
227. Is policy 4.3.5.3 overly onerous and does it exceed the City's authority to acquire parkland in accordance with the <i>Planning Act</i> ?	Issues 225 and 236
228. What modifications, if any, are warranted to the City's parkland dedication policies, including but not limited to the alternative parkland dedication rate, (policies 4.3 and 10.8.2) so as to:  (a) Comply with the <i>Planning Act</i> ;  (b) Be consistent with the Provincial Policy Statement 2014;  (c) Conform to the Growth Plan;  (d) Comply with the Regional Official Plan;  (e) Encourage higher density residential intensification;  (f) Encourage affordable housing, and  (g) Represent good planning?	<b>2. Berczy Glen Landowners Group Inc.</b> Issue 226  <b>15. Times Group Corporation</b> Issue 228  <b>18. Lindvest Properties (Cornell) Ltd.</b> Issue 229  <b>21. Dorsay (Residential) Developments Inc.</b> Issues 225-232, 235 and 236  <b>24. Atlas Shouldice Healthcare Ltd.</b>
229. Do the parkland policies appropriately recognize and permit existing agreements and arrangements in secondary plan areas to continue?	Issues 230, 231, 232, and 234-236
230. Should the policies contain a "cap" to establish a maximum amount of land that can be required to be conveyed or a maximum amount of cash in lieu of parkland required to be paid?	
231. Is it appropriate and good planning to identify Markham's Integrated Leisure Master Plan, which is a non-statutory document, as a component of the standards to be applied for the provision of parkland as set out in Policy 4.3.1.3, or should the standards be established	

**Schedule "C" - Issues List**

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

<p>in the Official Plan?</p> <p>232. Is the proposed policy that would require that land be conveyed for parks and other recreational purposes as a condition of "development approval" set out in policy 10.8.2.1 consistent with the Planning Act, and, if not, what modifications are appropriate?</p> <p>234. Should the conveyance of open space lands within the Natural Heritage Network be precluded from contributing towards parkland dedication requirements under the Planning Act? [Section 3.1.2.4; Section 4.3.2.2; Section 4.3.5]</p> <p>235. Should Section 4.3.5.3 clarify whether the proposed parkland provision standard is intended to apply to new development only, or whether it would also include the existing level of service? [Section 4.3.5.3]</p> <p>236. Are the policies, including all subsections, of Sections 10.8.2 "Parkland Dedication" and 4.3.5 "Parks and Open Space Acquisition, Design and Improvement" appropriate and good planning and are the requirements for parkland dedication proposed in these policies appropriate, fair and reasonable for medium and high density development? Should the policies contain a "cap" to establish a maximum amount of land that can be required to be conveyed or a maximum amount of cash in lieu of parkland required to be paid?</p>	
<p><b>Note: TRCA has expressed an interest in the issues in this Group.</b></p>	

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

### GROUP J: AREA AND SITE SPECIFIC

#### Issues

#### 4. Romandale Farms Ltd.

237. Does the designation of the Romandale Lands as "Future Employment Area" on Map 3 conform with the Growth Plan and the ROP 2010 and is it consistent with the 2014 PPS? Does this designation represent good planning?
238. Is it appropriate and does it represent good planning to designate the Romandale Lands instead for mixed employment and residential uses in accordance with the development applications filed by Romandale?

(Appellant 7 has expressed an interest in Issues raised by Appellant 4)

#### 7. Colebay Investments Inc., Highcove Investments Inc., Firwood Holdings Inc., Major McCowan Developments Limited, Summerlane Realty Corp., and Brentwood Estates

4. Are the Official Plan maps in conformity with the Regional Official Plan 2010 and ROPA 3 as they relate only to land designated Future Employment Area on Map 3 owned by appellant 4 (Romandale Farms Ltd.) and the land designated Future Neighbourhood Area on Map 3 located close to the intersection of 9<sup>th</sup> Line and Steeles Ave., known as Little Farm? (Appellant 18 has expressed an interest in Issue 4.)
5. Does the land use designation on the land designated Future Employment Area on Map 3, owned by appellant 4 (Romandale Farms Ltd.), and the land designated Future Neighbourhood Area on Map 3 located close to the intersection of 9<sup>th</sup> Line and Steeles Ave, known as Little Farm, conform with policy 8.12, and does it conform with the Region's Official Plan 2010 and ROPA 3?
9. Should the portion of Markham Rd., in the vicinity of Mount Joy GO station, be identified in Policy 2.5.2 as a Key Development Area?
10. Should Policy 7.1.2 be revised to recognize the potential of Mount Joy Station to provide transit relief as a priority? As well, should Policy 7.1 be revised to provide for a future GO station on the Stouffville GO line near the convergence of Major Mackenzie, Hwy 48, Don Cousens Parkway and the Stouffville GO?
14. In recognition of transit policies in the Provincial Policy Statement, Growth Plan and Regional Official Plan should:
- (a) The Markham Structure Plan - Map 1 be revised to include a potential Secondary Hub Star Symbol on the north side of Major Mackenzie east of Hwy 48, a proposed GO Station symbol on the north side of Major Mackenzie east of Hwy 48 and the area near Mount Joy GO Station be identified as a Key Development Area.
  - (b) Should Map 2 - Centres and Corridors in Transit Network, be amended to identify a Secondary Hub Star Symbol on the north side of Major MacKenzie east of Hwy 48, a proposed GO station on the north side of Major MacKenzie east of Hwy 48 and McCowan and Hwy 48 ought to be noted as "proposed regional transit priority" north of Major MacKenzie?

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

15. Having regard for the Policies in Section 8.5 "Employment," is it appropriate to designate the land located close to the intersection of 9<sup>th</sup> Line and Steeles Ave, known as Little Farm as Future Urban Area/Neighbourhood Area? (Remington Steeles Inc. Barry Glen Little and Robert Brownlee Little have expressed an interest in this issue)
- (Appellant 28 has expressed an interest in Issue 9-11 and 14).
- 15. Times Group Corporation**
122. What modifications are warranted to the Official Plan's retail commercial policies (policies 5.1.7, 8.3, 8.4, 8.5 and the definition of *Major Retail* in policy 11.2 and 5.1.2) so as to:
- (a) Provide proper and appropriate guidance on where to plan for retail in the City?
  - (b) Ensure that the definition of "Major Retail" properly conforms to the Growth Plan with respect to employment land conversions.
  - (c) Recognize that there are development applications in process which might not comply with the new Official Plan retail policies with respect to:
    - (i) The maximum size of individual retail premises;
    - (ii) The mix of uses required to contribute to the creation of "complete communities"
    - (iii) The requirement of street-related retail and service uses to residential/office buildings; and
    - (iv) The built form (large format retail to compact mixed-use)?
244. What is the appropriate land use designation for the lands on the south side of Highway 7, east of Bayview Avenue, west of the existing buildings in the Leitchcroft Community? The lands are Block 3 on Plan 65M-3575, Blocks 45 & 46, Plan 65M-3226, Part 1 on Plan 65R-31601 and Part 1 on Plan 65R-32906 (Policies 9.6.3, 9.6.4, 9.6.5; Maps 1, 2 and 3)
- 16. Box Grove Hill Developments Inc.**
245. Should development of the vacant lands within the plan of subdivision continue to be governed by the environmental policies of the in-force Box Grove Secondary Plan as opposed to the environmental policies in Chapter 3 of the City's new Official Plan? (Chapter 3)
- 17. Neamsby Investments Inc., Rosina Mauro and Fulton Homes Limited**
247. In the context of the Growth Plan for the Greater Golden Horseshoe, 2006 and the Provincial Policy Statement, 2014, are the lands municipally known as 5659 to 5933 14<sup>th</sup> Avenue (the "Lands") within an "Employment Area"?

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

248. In the context of the Planning Act, are the Lands within an "area of employment"?
249. Is the proposed designation of the Lands as being within an "Employment Area" on Map 1 to the City of Markham Official Plan (the "Official Plan") appropriate, and does it represent good planning?
250. Is the proposed designation of the Lands as "General Employment" on Map 3 to the Official Plan appropriate, and does it represent good planning?
251. What is the appropriate designation for the Lands in the Official Plan given the history of land use on the Lands, the existing use of the Lands, and the surrounding uses, which include low-rise residential and a community centre and park (under construction)?
252. If the Lands are considered to be within an "Employment Area", is the Appellant's proposal to convert a portion of the Lands to permit non-employment uses thereon:
- (a) in conformity with the Growth Plan;
  - (b) consistent with the PPS, 2014; and
  - (c) representative of good planning?
253. Is Policy 9.2.10 of the Official Plan as originally adopted by City of Markham Council on December 10, 2013 appropriate, and does it represent good planning?
254. Does the Appellant's development proposal satisfy the City of Markham Council criteria established in Policy 9.2.10 to the Official Plan?
255. Is York Regional Modification No. 55 to Policy 9.2.10 to the Official Plan as further modified by York Region approval on June 12, 2014 appropriate, and does it represent good planning?
- 18. Lindvest Properties (Cornell) Limited**
196. Should the new Markham Official Plan apply to lands subject to the Cornell Secondary Plan? Do policies 9.7.8.2, 10.1.2.5 and 10.1.2.6 adequately permit existing secondary plan permissions to continue?
197. Is it appropriate to require the updating of the Cornell Secondary Plan to conform to the Markham OP rather than accommodating existing secondary plan policies and permissions in the Markham OP?
198. Should the finalization of designations, policies and mapping in the Markham OP applicable to Cornell Secondary Plan area await the updating of the Cornell Secondary Plan?

**(Infrastructure Ontario has expressed an interest in Issues 196-198)**



## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

257. Is exception policy 9.7.8.5 as modified by the Region of York appropriate? Does it require a review of employment conversion applications against different policy requirements (population and employment figures) than the figures which form the basis of the Markham OP?

### 19. CF/OT Buttonville Properties LP and Armadale Co. Ltd.

258. Does the Markham Official Plan provide the appropriate policies and Maps to implement the intent of the York Region Official Plan and in particular its policy 7.2.90?

259. Are the restrictions on FSI and height in Section 8.3.4 appropriate should a portion of the Buttonville Airport lands be designated "Mixed Use High Rise" as part of the redevelopment of those lands?

260. Should all relevant policies applicable to the Buttonville Airport lands (together with the relevant parts of Maps 1, 2, 3 and 10) be deferred, insofar as the Buttonville Airport lands are concerned, until the Official Plan Amendment currently before the OMB for these lands (Case No. PL130548) has been disposed of?

262. Should the Markham Official Plan carry forward the policies found in Section 4.3.13.4 of the "in force" Markham Official Plan (1987)?

### 20. IBM Canada Ltd.

263. Should the depiction of the Yorktech Drive extension on Map 10 be modified by:

(a) Replacing the solid line with a dashed line [to indicate a "proposed" road]?

(b) Placing an asterisk over the proposed extension [to indicate it is the subject of an EA study]?

264. Should the classification of Yorktech Drive between Rodick Road and South Town Centre Boulevard remain as a minor collector road?

265. What, if any, consequential modifications are required to the policies of s. 7?

266. Should Appeal No. 20 be deferred pending the update of the Markham Centre Secondary Plan?

267. Should the proposed designations of the IBM lands depicted on Map 3 be modified to reflect and permit the current "as-of-right" land use permissions of the "Community Amenity Area" designation of the Markham Centre Secondary Plan?

268. Should development of the IBM lands be exempted from the requirements of s. 9.12.5?

269. Should s. 9.12.3 and the first sentence of s. 9.12.4 be modified so as not to prejudice or prejudge the anticipated Markham Centre Secondary Plan update?

270. What, if any, consequential modifications are required to the policies of s. 8?

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

### **21. Dorsay (Residential) Developments Inc.**

271. Is the proposed designation of Dorsay's lands for Mixed Use Office Priority on Map 3 appropriate, and does it represent good planning?
272. Given the status of approvals in Markham Centre, should the policies of Section 4.2.2 with respect to a Community Infrastructure Strategy be applied to the Dorsay Lands?
273. What is the appropriate designation to be identified on Map 3 for the Dorsay lands? Is it appropriate and good planning to designate the Dorsay lands for Mixed Use High Rise? Is it appropriate and good planning to designate the Dorsay lands for Mixed Use Mid Rise?
274. Is it reasonable, appropriate and good planning to designate Dorsay's lands under a new designation in the new Markham OP without the completion of an update to the Markham Centre Secondary Plan as required by policy 9.12.3? Should the Markham Centre Secondary Plan be updated before the appropriate land use designation for the Dorsay Lands and associated policies is integrated into the new Markham OP?
275. Are the policies 9.12 (identified on Maps 3 and 15) with respect to Markham Centre, including Policies 9.12.3 and 9.12.4 appropriate, reasonable and do they represent good planning?
276. Does policy 9.12.3 unreasonably limit the appropriate process and analysis to be undertaken for the update of the Markham Centre Secondary Plan, including the analysis required in accordance with the Planning Act and provincial and upper tier policies? Is this policy too onerous?
277. Is it appropriate, reasonable and good planning to require the use of land use designations and policies in the new Markham OP to inform an update of the Markham Centre Secondary Plan as set out in Policy 9.12.4?
278. What changes are required to the Maps and Appendices, including Maps 1, 2, 3, 44, and 15 to the Official Plan to reflect changes resulting from the above issues?

### **22. Pacific Mall Development Ltd. and York Region Condominium Corporation No. 890**

176. Will the proposed limitations on maximum heights, floor space index undermine the ability to implement the built form and site development policies of the Markham Official Plan?
177. Will the proposed limitations on maximum heights and floor space index, as well as restrictions on the range of permitted uses undermine the municipality's ability to facilitate intensification and redevelopment of transit-supportive mixed-use developments located along and/or within transit corridors, and existing commercial urban areas?
178. Will the proposed limitations on maximum heights and floor space index undermine the policies in the Growth Plan, Provincial Policy Statement, as well as the Region of York and City of Markham Intensification Strategies which identify priority Intensification Areas as including lands within Regional Centres and Key Development Areas on Regional Corridors and certain Local Centres and Corridors?
279. Would the designation of the lands municipally known as 4300 Steeles Avenue East in Markham, Ontario (the "Lands") as Mixed-Use High Rise versus Mixed-Use Mid Rise be consistent with the goals, objectives, policies and vision of The Provincial Policy Statement and The Growth Plan,

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

as well as the Region of York Official Plan? Is it appropriate to designate the Lands as Mixed-Use High Rise versus Mixed-Use Mid Rise

280. Is it appropriate to designate the Lands as Mixed-Use High Rise versus Mixed-Use Mid Rise? Would the designation of the Lands as Mixed-Use High Rise, expansion of the range of permitted uses and maximization of building height and floor space index:
- (a) fulfill the goals and objectives of the Markham Official Plan as it relates to building complete communities; including supporting compact urban development, accommodating a mix and range of housing and jobs based on convenient access to public transportation?
  - (b) support transportation mobility options and the pursuit of transit-supportive development?
  - (c) appropriately accommodate residential intensification within an existing built-up area which includes a combination of existing residential and retail uses?
  - (d) provide greater support for the maintenance and development of a more vibrant and competitive economy?
  - (e) strengthen the role and function of the existing large scale retail development which is focused at the northeast corner of Steeles Avenue East and Kennedy Road?
  - (f) support the Markham Structure which envisages that Mixed-Use Neighbourhood Areas (which includes Centres and Intensification Areas located along major transit corridors) will be the focus for higher density mixed-use residential development?
  - (g) support the municipality's Intensification Strategy which supports a diversity of housing and employment options?
  - (h) more appropriately recognize the location of the Lands within: an Intensification Area, a potential Secondary Hub and along a Regional Rapid Transit Corridor; all in proximity to a GO Station?
  - (i) support the City of Markham Official Plan policies which direct that the primary focus of growth and intensification be centres and corridors?
  - (j) achieve the municipality's housing goals and objectives; including adding to the diversity of housing types and tenure as well as affordability within the area and providing access to employment with enhanced transportation and transit?
  - (k) support the existing retail commercial uses which exist at the northeast corner of Steeles Avenue East and Kennedy Road within an Intensification Area, a potential Secondary Hub and a Local Centre?
  - (l) support transformation of the existing retail node into a sustainable, transit-supportive, pedestrian friendly shopping area?
  - (m) guide urban design and implementing development by reinforcing and creating a desirable Mixed-Use Neighbourhood and Intensification Area?
  - (n) support urban design and sustainable development policies which recognize that most of the new growth in Markham will occur within the

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

built-up area?

- (o) achieve a built form of development that will be compatible with the role and function of the area?
- (p) achieve streetscape, sustainable development, compact and transit-supportive goals and objectives?
- (q) achieve built form and site development goals and objectives, which are meant to: reflect and enhance the character of the neighbourhood, guide building heights and mass, assist with the transition between areas of different intensities and uses, and enhance the relationships between buildings?
- (r) achieve sustainable development goals and objectives which seek through the integration of planning, building and site design to create compact, complete communities which maximize the use of infrastructure?
- (s) achieve the Province of Ontario, Region of York and City of Markham sustainable transportation system goals, objectives, guidelines and policies (which seek to focus through transit-supportive development at higher densities, growth in Mixed-Use Neighbourhoods and Intensification Areas)?
- (t) achieve land use planning goals and objectives which seek to maximize heights and densities in accordance with the availability of transportation, transit, servicing and community infrastructure?
- (u) create a Mixed-Use Neighbourhood where the existing commercial development will be combined with other uses including housing to create a complete community?
- (v) achieve the goals and objectives associated with Mixed-Use Area land use, transportation, transit and infrastructure policies which seek to encourage intensification along major corridors by guiding the transformation of the site/area into a complete community, where people can shop, live and work within close proximity, relying on active transportation as a means of mobility?

281. Should the area and site specific policies that address land use designations and related policies of the new Markham Official Plan be used to inform and update the Milliken District Secondary Plan?

### 23. King David Inc.

282. Should Map 3 be modified to designate the entirety of the King David Lands "Mixed Use Mid-Rise" in accordance with King David's site specific development applications?

283. Are policies 9.5.2, 9.5.4, 9.5.5 and 9.5.7 appropriate and are they consistent with the policies of the Cathedral Community Secondary Plan?

### 24. Atlas Shouldice Healthcare Ltd.

147. Should Section 9.18.11 identify 'Mixed Use High Rise' as an additional designation within the Thornhill Centre, and should the underlying lot fabric

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

shown on Figure 9.18.11 be clarified and/or modified? [Section 9.18.11]

284. If the Board were to approve increased density and/or height permissions for the Shouldice Hospital lands at 7716, 7750 and 7766 Bayview Avenue (the "Shouldice Lands"), would this be contrary to the "Council endorsed Growth Alternative to 2031" and, if so, should the references to the Growth Alternative forming the basis of the Official Plan be modified in relation to the Shouldice Lands? [Section 1.4.3; Section 2.0; Section 8.0]
285. Should the reference to Neighbourhood Areas being developed "primarily with ground-related housing forms" be modified in relation to the Shouldice Lands? [Section 2.3.2(d)]
286. Is it appropriate to state that "the appropriate height shall be the key determinant on what density can be achieved on a site" in relation to the Shouldice Lands? [Section 8.1; Section 8.1.5]
287. Do the proposed policies for lands designated 'Mixed Use', including the policies for the 'Mixed Use Mid Rise' and 'Mixed Use High Rise' designations, provide an appropriate policy framework to guide the potential redevelopment of the Shouldice Lands? [Section 8.3; Section 8.3.1.1; Section 8.3.3 and its subsections; Section 8.3.4 and its subsections]
288. Does the site-specific policy in Section 9.18.11.2, including Figure 9.18.11.2, establish an appropriate policy framework to guide the potential redevelopment of the Shouldice Lands? [Section 9.18.11.2 and Figure 9.18.11.2]
289. Are the proposed designations and identifications on Maps 1 through 6 appropriate in relation to the Shouldice Lands? [Maps 1, 2, 3, 4, 5 and 6]
290. Is the proposed identification of the 'Area subject to Toronto and Region Conservation Authority review' and 'Floodplain' on Appendix A accurate and appropriate in relation to the Shouldice Lands? [Appendix A]
291. Is the proposed identification of the Greenway System on Appendices B and C accurate and appropriate in relation to the Shouldice Lands? [Appendix B; Appendix C]
- 26. Maylar Construction Ltd.**
308. Is the proposed "Mixed Use Low Rise" designation appropriate and suitable for the Maylar Lands?
309. Should the permitted height (number of storeys) under the "Mixed Use Low Rise" designation be greater on the Maylar lands?
310. Should the permitted gross floor area of non-residential uses under the "Mixed Use Low Rise" designation be greater on the Maylar lands?
311. Should the Maylar lands be designated "Mixed Use Mid Rise"? Is this designation more appropriate and suitable for the Maylar lands?
312. If the "Mixed Use Mid Rise" designation is more appropriate and suitable, should the maximum overall density permitted be greater than 2.0 FSI on the subject lands?

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

313. Should the relevant Maps of the Official Plan, including without limitation Map 3, be revised to designate the Maylar Lands "Mixed Use Mid Rise"?
- 32. Arbor Memorial Inc.**
318. In light of the policies in the Provincial Policy Statement 2014, should cemeteries and funeral homes (funeral establishments) be provided for in the Greenway System, Countryside Area, and Hamlet components of Section 2.3.2 a) and b) and the corresponding land use designations of the 2014 Markham Official Plan?
320. Should the restrictions of section 5.2.1.3 of the 2014 Markham Official Plan in respect of reclassification and permitted uses on prime agricultural lands, regarding cemeteries, be brought into conformity with the 2010 York Region Official Plan policies regarding cemeteries?
322. Are the policies of section 8.9.1.4 and 8.9.1.5 of the 2014 Markham Official Plan pertaining to cemeteries consistent with Section 2.3.6.1 b) of the Provincial Policy Statement 2014 and should they apply to the non-urban area?
323. Should cemeteries be permitted in the Greenway designation if they are permitted within higher order policy documents such as the Provincial Policy Statement 2014, the Growth Plan for the Greater Golden Horseshoe 2006, the Oak Ridges Moraine Conservation Plan, the Greenbelt Plan and the 2010 York Region Official Plan?
324. Does it represent good planning and efficient use of public and private spaces such as squares, courtyards and private gardens to limit cemeteries as an urban land use as identified in Section 6.1.6 of the 2014 Markham Official Plan?
326. Should the siting permissions for publicly owned cemeteries as defined in Section 8.1.1 f) of the 2014 Markham Official Plan differ from those for privately owned cemeteries?
330. Should the number of funeral homes within the City of Markham be restricted as per Appendix H - Funeral Homes Community Areas?
334. Should the definition of cemeteries in Section 11.2 of the 2014 Markham Official Plan be more reflective of the definition within the Funeral, Burial and Cremation Services Act, 2002?
335. Should the definition of 'funeral home' in section 11.2 of the 2014 Markham Official Plan be more reflective of the definition within the Funeral, Burial and Cremation Services Act, 2002?
372. Have the future burial needs of the public been appropriately addressed in the 2014 Markham Official Plan 2014?
375. Does the proposed Official Plan amendment and Re-zoning have appropriate regard for matters of provincial interest, as set out in Section 2 (a), (b), (d), (h), (i) (m) and (p) of the Planning Act?
376. Is the provision of cemeteries a matter of provincial interest?
383. To what extent does the Rural Ontario discussion paper - February, 2014 provide guidance as to the consistency of the proposed development with

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

the Provincial Policy Statement 2014?

392. Can the proposed development be considered a small scale use in accordance with Section 40 of the Oak Ridges Moraine Conservation Plan, Section 5.6.25 of the 2010 York Region Official Plan and Section 8.7 of the 2014 Markham Official Plan?
393. Does the scale and function of the proposed cemetery and funeral establishment represent good planning having regard for land use compatibility and land use policy?
396. Does the proposed cemetery use conform to the intent of the Oak Ridges Moraine Conservation Plan 'Countryside Areas' policies, Sections 13(1), 13(2), 13(3) and 13(5), and the prohibitions identified in the High Aquifer Vulnerability Areas Section 29(5)?
397. Does the proposed cemetery use conform to the intent of the Greenbelt Plan Protected Countryside designation including Section 3.1.3 Prime Agricultural policies, Section 3.2 Natural Heritage System policies and Section 4.1.1 Non-Agricultural Use policies?
401. Does the proposed development provide an appropriate land use between the residential lands and employment lands?
402. Is the proposal consistent with the requirement of Section 1.1.1 b) as contemplated in Section 1.0 of the Provincial Policy Statement 2014?
403. Will allowing the proposed cemetery in a prime agricultural area be consistent with Section 2.3 of the Provincial Policy Statement 2014?
404. If required did the proponent adequately evaluate alternate locations in rural areas where cemeteries are permitted?
406. Have the Region of York and the City of Markham correctly applied Section 2.3.6 of the Provincial Policy Statement 2014?
414. Does the proposed amendment to the City's Official Plan conform to the agricultural and rural policies of the 2010 York Region Official Plan and the agricultural policies of the 2014 Markham Official Plan?
417. Is the proposed amendment to the City's Official Plan consistent with Section 2.3 - Agriculture, including section 2.3.6.1 b) of the Provincial Policy Statement 2014?
418. Does the proposed development represent good planning from an agricultural perspective?
419. Is it consistent with provincial policy to permit a use specifically permitted in the Rural Area in a Prime Agricultural Area?
420. Is it good planning to consider a land use not permitted within the Provincial Policy Statement 2014 agricultural classifications outside of completing a comprehensive review supported by a LEAR process?
421. What are the appropriate considerations for siting cemetery uses if they are permitted on prime agricultural lands?
436. Has the list of uses to be permitted within the proposed cemetery and funeral establishment been appropriately defined within the official plan

## Schedule "C" - Issues List

Issues List - April 21, 2017

City of Markham Official Plan

PL140743

amendments and zoning by-law amendment?

437. Is the form and content of the zoning by-law amendment appropriate?

438. Can the Zoning By-law Amendment application for the funeral establishment be approved on its own merit without any official plan amendment?

439. Is it good planning to partially approve the proposed Official Plan amendment to permit (i) the Funeral Establishment and/or (ii) accessory cemetery on the Hamlet lands?

### Infrastructure Ontario

352. Should the designation proposed in the Proposed New City of Markham Official Plan be approved for the lands known municipally as 8359 Reesor Road, or, if it is to be changed, should it be changed to "Business Park Employment"?

**Note: MMAH has expressed an interest in issues identified in Appeals No. 32 Arbor Memorial Inc, York Region has expressed an interest in these issues generally but not in any specific appeal. TRCA have expressed an interest where site-specific appeals-raise issues that pertain to its program and policy interests and responsibilities.**



## ATTACHMENT 4

PL140743

### Ontario Municipal Board Commission des affaires municipales de l'Ontario

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: The Norfinch Group Inc.  
Appellant: Scardred 7 Company Ltd.  
Appellant: Raymond Tang  
Appellant: Corrado Gazze Holding Ltd.  
Appellant: Markham Woodmills Development Inc.  
Appellant: Tribute (Unionville) Ltd.  
Appellant: North Markham Landowners Group, Angus Glen North West Inc., & Angus Glen Holdings Inc.  
Appellant: Box Grove Hill Developments Inc.  
Appellant: Times Group Corporation  
Appellant: Minotar Holdings Inc., Cor-Lots Developments, Cherokee Holdings, Halvan 5.5 Investments Ltd., & Beechgrove Estates Inc.  
Appellant: York Region Condominium Corporation No, 890 & Pacific Mall Development Ltd.  
Appellant: Honda Canada Inc.  
Appellant: First Elgin mills Developments Ltd.  
Appellant: Enbridge Gas Distribution Inc.  
Appellant: The Shouldice Hospital Ltd.  
Appellant: 4716 Elgin Mills Markham Ltd., Kennedy MM Markham Ltd., Markham MMM North Development Corp., Markham MMM South Development Corp.  
Appellant: CF/OT Buttonville Properties LP  
Appellant: E. Manson Investments Ltd.  
Appellant: Lindvest Properties (Cornell) Ltd.  
Appellant: Loblaw Properties Ltd.  
Appellant: North Markham 404 GP Ltd., 11160 Woodbine Avenue Ltd., & Rice Commercial Group Inc.  
Appellant: IBM Canada Ltd.  
Appellant: The Mandarin Golf and Country Club Inc. & AV Investments II Inc.  
Appellant: Power Education Group  
Appellant: HS Nouvel Developments Inc.  
Appellant: Colebay Investments Inc., Highcove Investments Inc., Firewood Holdings Inc., Major McCowan Developments Ltd., Summerlane Realty Corp & Brentwood Estates Inc.  
Appellant: Neamsby Investments Inc., Rosina Mauro & Fulton Homes Ltd.  
Appellant: 2283288 Ontario Ltd.  
Appellant: Berczy Glen Landowners Group Inc.  
Appellant: Terra Gold (McCowan) Properties Inc.  
Appellant: Mark Lichtblau

Appellant: Arbor Memorial Inc.  
Appellant: Romandale Farms Ltd.  
Appellant: Maylar Construction Ltd.  
Appellant: 775377 Ontario Ltd. (Belmont)  
Appellant: Dorsay (Residential) Developments Inc.  
Appellant: King David Inc.  
Appellant: Cathedral Town Ltd.  
Subject: Proposed New Official Plan - Part 1 (December 2013) - for the City of Markham  
Municipality: City of Markham  
OMB Case No.: PL140743  
OMB File No.: PL140743

### PROCEDURAL ORDER

1. The Board may vary or add to these rules at any time, either on request or as it sees fit. It may alter this Order by an oral ruling, or by another written Order.

#### Organization of the Hearing

2. The hearing will begin on **October 11, 2017** at 10:00 a.m. at the Markham Civic Centre, Canada Room, 101 Town Centre Boulevard, Markham ON L39 9W3.
3. The length of the hearing will be 3 days.
4. The parties and participants identified at the pre-hearing conference (see the Attachment for the meaning of these terms) are listed in Attachment 1 to this Order.
5. The Issues are set out in the Issues List attached as Attachment 2. The relevance of any party's issues as set out in the Issues List is not being determined by their inclusion in the Issues List nor by the issuance of this Procedural Order. There will be no changes to this list unless the Board permits, and a party who asks for changes may have costs awarded against it.
6. Any person intending to participate in the hearing should provide a telephone number to the Board as soon as possible. Any such person who will be retaining a representative should advise the other parties and the Board of the representative's name, address and phone number as soon as possible.

#### Requirements Before the Hearing

7. A party who intends to call witnesses, whether by summons or not, shall provide to the Board, the other parties and to the Clerk a list of the witnesses, and the area of each witness's expertise, and the order in which they will be called. This list must be delivered on or before **August 1, 2017**.

8. An expert witness shall complete and sign an Acknowledgment of Expert's Duty Form and shall attach it to his/her expert witness statement, failing which he/she shall not be permitted to testify.
9. Expert witnesses in the same field shall have a meeting after the delivery of expert witness statements, in accordance with paragraphs 10 and 13, and before the hearing to try to resolve or reduce the issues for the hearing. The experts must prepare a list of agreed facts and the remaining issues to be addressed at the hearing, and provide this list to all of the parties and the Board forthwith after the meeting.
10. An expert witness shall prepare an expert witness statement which shall list any reports prepared by the expert, or any other reports or documents to be relied on at the hearing. Copies of this must be provided as in paragraph 13. Instead of a witness statement, the expert may file his or her entire report if it contains the required information. If this is not done, the Board may refuse to hear the expert's testimony.
11. A non-expert witness or participant must provide to the Board and the parties a witness participant statement by **September 1, 2017**, or the witness or participant may not give oral evidence at the hearing.
12. Expert witnesses who are under summons but not paid to produce a report do not have to file an expert witness statement; but the party calling them must file a brief outline of the expert's evidence, as in section 11.
13. On or before **September 1, 2017**, the parties shall provide copies of their witness and expert witness statements to the other parties and to the Board caseworker.
14. The parties may provide to all other parties and file with the Board caseworker a written response to any written evidence by **September 27, 2017**.
15. On or before **October 4, 2017**, the parties shall provide copies of their visual evidence to all of the other parties. If a model will be used, all parties must have a reasonable opportunity to view it before the hearing.
16. A person wishing to change written evidence, including witness statements, must make a written motion to the Board.

(See Rules 34 and 35 of the Board's Rules, which require that the moving party provide copies of the motion to all other parties 10 days before the Board hears the motion.)

17. A party who provides a witness' written evidence to the other parties must have the witness attend the hearing to give oral evidence, unless the party notifies the Board at least 7 days before the hearing that the written evidence is not part of their record.

18. Documents may be delivered by personal delivery, facsimile or registered or certified mail, or electronic mail or otherwise as the Board may direct. The delivery of documents by fax shall be governed by the Board's Rules (26 to 31) on this subject. Material delivered by mail shall be deemed to have been received five business days after the date of registration or certification.
19. Where documents are delivered by e-mail, the party delivering the document must obtain from each recipient a confirmation of receipt. The Board may require proof of receipt of e-mails in the event of a dispute over the delivery of the document.
20. No adjournments or delays will be granted before or during the hearing except for serious hardship or illness. The Board's Rules 61 to 65 apply to such requests.

This Member is [not] seized.

**So orders the Board.**

## Attachment to Procedural Order

### Purpose of the Procedural Order and Meaning of Terms

**Party** is an individual or corporation permitted by the Board to participate fully in the hearing by receiving copies of written evidence, presenting witnesses, cross-examining the witnesses of the other parties, and making submissions on all the evidence. If an **unincorporated group** wishes to become a party, it must appoint one person to speak for it, and that person must accept the other responsibilities of a party as set out in the Order. Parties do not have to be represented by a lawyer, and may have an agent speak for them. The agent must have written authorization from the party.

**NOTE** that a person who wishes to become a party before or at the hearing, and who did not request this at the prehearing conference, must ask the Board to permit this.

**Participant** is an individual, group or corporation, whether represented by a lawyer or not, who may attend only part of the proceeding but who makes a statement to the Board on all or some of the issues in the hearing. Such persons may also be identified at the start of the hearing. The Board will set the time for hearing these statements. **NOTE** that such persons will likely not receive notice of a mediation or conference calls on procedural issues. They also cannot ask for costs, or review of a decision as parties can. If a participant does not attend the hearing and only files a written statement, the Board will not give it the same attention or weight as submissions made orally. The reason is that parties cannot ask further questions of a person if they merely file material and do not attend.

**Written and Visual Evidence:** **Written evidence** includes all written material, reports, studies, documents, letters, and witness statements which a party or participant intends to present as evidence at the hearing. These must have pages numbered consecutively throughout the entire document, even if there are tabs or dividers in the material. **Visual evidence** includes photographs, maps, videos, models, and overlays which a party or participant intends to present as evidence at the hearing.

**Witness Statements:** A **witness statement** is a short written outline of the person's background, experience and interest in the matter; a list of the issues which he or she will discuss and the witness' opinions on those issues and a list of reports that the witness will rely on at the hearing. An **expert witness statement** should include his or her (1) name and address; (2) qualifications; (3) a list of the issues he or she will address; (4) the witness' opinions on those issues and the complete reasons for the opinions and (5) a list of reports that the witness will rely on at the hearing. A **participant statement** is a short written outline of the person's or group's background, experience and interest in the matter; a list of the issues which the participant will address and a short outline of the evidence on those issues; and a list of reports, if any, which the participant will refer to at the hearing.

**Additional Information**

**Summons:** A party must as a Board Member of the senior staff of the Board to issue a summons. This request must be made before the time that the list of witnesses is provided to the Board and the parties. (See Rules 45 and 46 on the summons procedure.) If the Board requests it, an affidavit must be provided indicating how the witness' evidence is relevant to the hearing. If the Board is not satisfied from the affidavit, it will require that a motion be heard to decide whether the witness should be summoned.

*The order of examination of witnesses: is usually direct examination, cross-examination and re-examination in the following way:*

*direct examination by the party presenting the witness;*

*direct examination by any party of similar interest, in the manner determined by the Board;*

*cross-examination by parties of opposite interest;*

*re-examination by the party presenting the witness; or*

*another order of examination mutually agreed among the parties or directed by the Board.*

**Attachment 1  
Parties and Participants**

**Parties**

**City of Markham**

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**Berczy Glen Landowners Group**

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Toronto, ON M5K 1B7

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e-mail: [jmeader@weirfoulds.com](mailto:jmeader@weirfoulds.com)

**Attachment 2  
Issues List**

99. Is section 4.2 overly onerous and is it appropriately balanced with other objectives of the Official Plan?
101. Is it appropriate for policy 4.2.4 to require the identification of places of worship at the secondary plan level and does this policy constitute good planning?



**Attachment 3  
Order of Evidence**

The order in which evidence shall be called by the parties shall be as follows:

1. City of Markham
2. Berczy Glen Landowners Group
3. Reply by City of Markham