

OFFICIAL PLAN AMENDMENT

AND

SECONDARY PLAN

CENTRAL AREA PLANNING DISTRICT

(MARKHAM CENTRE)

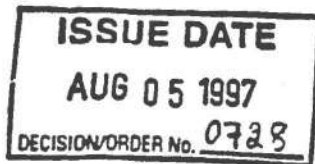
JULY 1997

Approved by the Ontario Municipal Board on July 7, 1997.

OFFICIAL PLAN
of the
TOWN OF MARKHAM PLANNING AREA
AMENDMENT NO. 21
to the Official Plan (Revised 1987) as amended
CENTRAL AREA PLANNING DISTRICT
(MARKHAM CENTRE)

To Amend the Official Plan (Revised 1987) as amended, to establish a new Planning District and to adopt and incorporate into the Official Plan a Secondary Plan for the Central Area Planning District (PD 33-1).

July 1997



PL957092

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

At the request of Lonsmount Construction Limited, Sheridan Nurseries Limited, and Village Securities Limited and Fiston Holdings Limited, the Honourable Minister of Municipal Affairs and Housing has referred to the Ontario Municipal Board under subsection 17(11) of the Planning Act, R.S.O. 1990, c. P.13, proposed amendment No. 21 to the Official Plan for the Town of Markham
Ministry's File No.: 19-OP-0016-021
O.M.B. File No.: O950178

C O U N S E L :

| | | |
|-----------------------|-----|--|
| R. A. Robinson | for | Town of Markham |
| N. G. Davis | for | Tenstone Developments Inc. |
| R. T. Beaman | for | Sheridan Nurseries Ltd. |
| K. Beckman | for | York Region Board of Education |
| S. H. Diamond | for | Lonsmount Construction Limited |
| M. Noskiewicz | for | Village Securities Limited; and Fiston Holdings Limited |
| L. Townsend-Robertson | for | Stringbridge Investments Limited |
| J. W. Harbell | for | Ontario Realty Corporation |
| J. G. Parkinson Q. C. | for | Metro Toronto Regional Conservation Agency |
| C. Williams | for | Costal Capital Inc. |

A G E N T :

| | | |
|----------|-----|------------------------|
| M. Bales | for | Shepherd Products Inc. |
|----------|-----|------------------------|

T. Pechkovsky

for York Region Roman Catholic School
Board

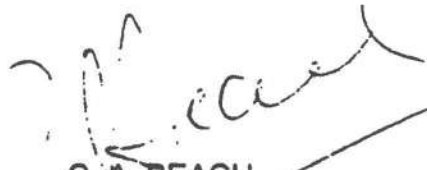
**MEMORANDUM OF ORAL DECISION delivered on July 7, 1997 by C. A.
BEACH and ORDER OF THE BOARD**

The Board approves Amendment No. 21 (O.P.A. No. 21) to the Official Plan (Revised 1987) of the Town of Markham Planning Area, which is attached hereto as Schedule "A". It establishes a new Planning District and adopts and incorporates into the Official Plan a Secondary Plan for the Central Area Planning District. In its approval, the Board notes and commends the parties and counsel for reaching agreement on the many issues they had to consider. Undoubtedly, the agreements reached avoided the possibility of a protracted hearing and in my view underlines the importance of the Board's case management and pre-hearing process.

O.P.A. No. 21, represents a Town of Markham vision for a mixed use Town Centre development within a live/work environment. It applies mostly to lands between the south boundary of Highway No.7 and proposed Highway No. 407. Its easterly extent is Kennedy Road and its westerly extent is approximately a north to south Hydro Corridor. It also applies to some lands north of Highway No.7 between Warden Avenue on the east and the Hydro Corridor already mentioned. The Rouge Valley traverses the lands between Highway No. 7 and the proposed Highway 407 and essentially divides the lands into a north area and a south area. The Town's vision for the lands of O.P.A. No. 21 encompasses varying density levels of residential, commercial and industrial development that is transit supported and designed to be pedestrian friendly. Parks, open spaces and other institutional uses are all part of this vision.

Mr. James Baird, Director of planning for the Town of Markham, testified that with respect to the subject lands, a planning study which commenced in 1992, culminated in the adoption of O.P.A. No. 21 by council, in 1994. There was extensive public and land owners' input into the study and no member of the public referred any part of the amendment. Referrals by three land owners have been the subject of three pre-hearing

conferences and extensive negotiations between the municipality, public agencies including School Boards and the land owners. He noted in his testimony that the partial approval granted by the Board on April 4, 1996 for the lands north of Cox Boulevard and west of Town Centre Boulevard is repealed and the lands and provisions of that approval are incorporated into O.P.A. No. 21. Mr. Baird also emphasised in his testimony that although there have been changes to the document, the goals and objectives and the basic structure of the document remains intact and is essentially the same document that was aired in public. He confirmed and the Board accepts that O.P.A. No. 21 represents good planning and is in the public interest.


C. A. BEACH
MEMBER

OFFICIAL PLAN

of the

MARKHAM PLANNING AREA

AMENDMENT NO. 21

This Official Plan Amendment was adopted by the Corporation of the Town of Markham by By-law Number 161 -94 in accordance with Sections 17 and 21 of the Planning Act, 1990 on the 23rd day of August, _____ 1994.



Mayor



Clerk

THE CORPORATION OF THE TOWN OF MARKHAM
BY-LAW NUMBER 161-94

Being a by-law to adopt Amendment No. 21 to the
Official Plan (Revised 1987)

as amended, which also incorporates Secondary Plan (PD 33-1).

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM,
IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS 17 AND 21 OF
THE PLANNING ACT, R.S.O. 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. 21 to the Official Plan (Revised 1987) as amended, of the Markham Planning Area, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS 23RD
DAY OF AUGUST, 1994.



BOB PANIZALA, TOWN CLERK



FRANK SCARPITTI, MAYOR

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**THE OFFICIAL PLAN OF THE TOWN OF MARKHAM
THE CENTRAL AREA PLANNING DISTRICT
OFFICIAL PLAN AMENDMENT AND SECONDARY PLAN**

- Part I: BACKGROUND provides a summary description of the development proposal and does not constitute an operative part of the Official Plan Amendment.
- Part II: THE AMENDMENT, including Schedules 'A', 'B', 'C', 'D', 'E', 'F' and 'G' attached thereto, indicates specific amendments to the Official Plan being effected by Official Plan Amendment No. 21 and is an operative part of the Official Plan Amendment.
- Part III: THE SECONDARY PLAN, including Schedules 'AA', 'BB', 'CC', 'DD' and 'EE' attached thereto constitutes the Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). Part III is also an operative part of the Official Plan Amendment.

The APPENDICES are included for information purposes only and are not an operative part of this Official Plan Amendment. They include Appendix I (Markham Centre Statistics), Appendix II (Heritage Buildings) and Appendix III (Requirements for a Precinct Plan).

PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 21)

1.0 GENERAL

PART I - The INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.

PART II - THE OFFICIAL PLAN AMENDMENT, including Schedules 'A' - Detailed Land Use, 'B' - Planning Districts and Community Improvement Areas, 'C' - Transportation, 'D' - Urban Service Area, 'E' - Special Policy Area, 'F' - Site Plan Control and 'G' - Commercial/Industrial Categories attached hereto, indicates specific amendments to the Official Plan being effected by Official Plan Amendment No. 21 and is an operative part of this Official Plan Amendment.

PART III - THE SECONDARY PLAN, and Schedules 'AA' - Detailed Land Use, 'BB' - Transportation, 'CC' - Open Space System, 'DD' - Community Structure and 'EE' - Districts and Precincts Areas attached thereto, constitute the Secondary Plan for the Central Area Planning District (Planning District No. 33). Part III is also an operative part of this Official Plan Amendment.

The APPENDICES are included for information purposes only and are not an operative part of this Official Plan Amendment. They include Appendix I (Markham Centre Statistics), Appendix II (Heritage Buildings) and Appendix III (Requirements for a Precinct Plan).

2.0 PURPOSE

The purpose of this amendment is to establish a Secondary Plan for the Central Area Planning District (Markham Centre) in accordance with Section 9 of the Town of Markham Official Plan (Revised 1987) and to incorporate the provisions necessary to implement a Town Centre Plan. The amendment removes the identification "Future Urban Area" in the Official from the subject lands where applicable, and designates the subject lands in accordance with Official Plan categories as shown on Schedule 'A'. Amendments to Schedules 'B', 'C', 'D', 'F', 'G' and 'H' of the Official Plan (Revised 1987) as amended, reflect other policies and requirements affecting the Amendment area. The Amendment also incorporates the lands that were the subject of a partial approval for OPA No. 21 granted by the Ontario Municipal Board on April 4, 1996 for the lands north of Cox Boulevard between Town Centre Boulevard and the Ontario Hydro Corridor.

3.0 LOCATION

This amendment applies to the lands known as the Central Area Planning District (Markham Centre). The area consists of land in:

- Part of Lots 8, 9, 10 and 11, Concession 4
- Part of Lot 8, Lots 9 and 10, Concession 5
- Part of Lots 8, 9 and 10, Concession 6

The lands are generally bounded by the Ontario Hydro transmission line and the Rouge River on the west, Highway 7 and Lot 11, Concession 4 on the north, Kennedy Road on the east and the northern boundary of the Highway 407 right-of-way on the south and are shown on Schedule 'B' of the Official Plan Amendment as "Central Area Planning District". References to the "Town Centre" include the entire Central Area Planning District.

Official Plan Amendment No. 21 further includes York Tech Boulevard between Woodbine Avenue and the western boundary of the Central Area Planning District, and the proposed extension of Birchmount Road from the southern boundary of the Central Area Planning District, to south of Highway 407.

4.0 BASIS OF THE AMENDMENT

4.1 BACKGROUND

In 1992, the Town of Markham commissioned a study of the lands known as Markham Centre, generally south of Highway 7 between Highway 404 and McCowan Road, for the purpose of creating a Master Plan for the development of the future urban core of the Town of Markham, a "Town Centre". A multi-disciplinary team of consultants led by the NORR Partnership and Andres Duany and Elizabeth Plater-Zyberk Architects was retained to undertake the Study and to prepare a plan for Markham Centre.

The intent of the Markham Centre Study was to provide for a wide variety of residential, employment, commercial, recreational, cultural and institutional activities in a compact urban core, with complementary but lower density development in adjacent neighbourhoods, all forming part of a cohesive Markham Centre Master Plan. The planning process involved a number of consultation charrettes and resulted in a Master Plan with urban, architectural and landscaping objectives, based on an approach to community development known as "New Urbanism".¹ The Markham Centre Study Final Report, August 1994, by Malone Given Parsons limited summarizes the Study process and findings.

¹ "New Urbanism" refers to an approach to community development which will achieve a built environment that is diverse in use and population, scaled for the pedestrian, and capable of accommodating the automobile and mass transit. The built environment must have a well defined public realm supported by an architecture reflecting the ecology and culture of the supporting region.

This Amendment and Secondary Plan implement the vision for the western portion of the Markham Centre Area, known as the "Town Centre" or "Central Area Planning District". The South Unionville Official Plan Amendment and Secondary Plan implement the eastern portion of the Markham Centre Area. The Official Plan Amendments and Secondary Plans are generally based on the Markham Centre Study Final Report, but do reflect refinements as directed by Council in consultation with interested parties.

4.2 POLICY CONTEXT

Provincial, Regional and local municipal policies and related initiatives have provided the framework for development being proposed for the Central Area Planning District.

4.2.1 Provincial Policies

A number of recent Provincial policy initiatives are reflected in the Secondary Plan. These include:

- The Growth and Settlement Guidelines, September 1992, encourage economically and environmentally sound communities through principles of development such as compact urban form, mixed land uses and urban design that facilitates pedestrian movement.
- The Provincial Policy Statement, 1996, calls for the development of efficient and cost effective developments and land use patterns as well as the protection of natural heritage features and areas. The Provincial Policy permits municipalities to develop policies and programs which further enhance the Provincial Policy Statement.
- "GTA 2021 - The Challenge of Our Future", March 1992, supports the principles of compact living environments, decentralizing employment throughout the Greater Toronto Area, nodal development, housing on main streets and a wide variety of open spaces. The Office of the Greater Toronto Area has identified the Markham Centre area as a node and Highway 7 as an important corridor.
- The Rouge Park Management Plan, released by the Province in May 1994, identifies the extension of the Rouge Park north through Markham along the major tributaries. The plan will maintain and enhance the ecological and cultural integrity of the features within the Rouge Valley based on an ecosystem approach. The Town of Markham and the Rouge Park Alliance are currently undertaking a study for the preparation of a Management Plan for the lands north of Steeles Avenue.
- Transit Supportive Land Use Planning Guidelines released by the Province in April 1992 encourages forms of urban development and redevelopment which are compatible with and easily served by public transit.

- The Office of the Greater Toronto Area recently published a report, "The Outlook for Population and Employment in the GTA" (August 1993), which contains updated population forecasts for the Greater Toronto Area. The conclusions and the demographic forecasts in the report, subsequently incorporated into the Region of York Official Plan, provide additional support for the proposed future residential and employment-related development in the Town of Markham.

The principles which formed the basis for the Secondary Plan, including urban intensification, a wide range of housing densities and mixed use to support public transit and urban nodes along transit corridors, environmental protection and ecological planning, and urban environments that are safe and convenient for pedestrians, all support the Provincial objectives. In recognition of Markham's efforts to achieve these objectives, the Ministry of Municipal Affairs in 1994 expedited the review and approval process and released the affected lands from the Parkway Belt West Plan.

4.2.2 Regional Policies

The Region of York Official Plan, 1994 identifies a Regional Centre in the general location of the Central Area Planning District. The Region of York Official Plan describes Regional Centres as containing the highest concentration and intensity of uses and a focus of business government entertainment and culture with complementary medium and high density residential development. This Amendment and Secondary Plan will implement a "Regional Centre" at this location.

A number of general planning objectives and policies of the Regional Official Plan are also reflected in the Secondary Plan, including:

- to promote an integrated community structure and design comprising a range and mix of housing forms, tenures and sizes;
- to develop diverse self sufficient communities which are economically vibrant, pedestrian-oriented and accessible; and
- to achieve higher transit usage through convenient access and appropriate urban design.

4.2.3 Municipal Policies

Amendment No. 5 to the Official Plan (Revised 1987) as amended, provides the basis for the planning initiatives in the new growth areas of the Town identified as "Future Urban Area" including the Central Area and South Unionville Planning Districts of Markham Centre. The document implements the recommendations of two studies undertaken by the Town of Markham: the Municipal Housing Statement Study and the Urban Area Expansion Study.

With respect to the implementation of the Municipal Housing Statement, Official Plan Amendment No. 5 introduces detailed goals and policies relative to housing including housing targets for future development.

Official Plan Amendment No. 5 also establishes detailed goals, objectives and policies for the "Future Urban Area", which includes the Central Area Planning District. These include balancing urban growth with the protection and enhancement of the natural environment and the heritage resources of the Town, the promotion of a more compact urban form, and provision for a range and mix of housing. OPA No. 5 makes specific provision for a new Town Centre with a high concentration of residential and commercial development in a compact form of exceptional aesthetic and environmental quality.

The goals, objectives and policies of Official Plan Amendment No. 5 are closely reflected in the Secondary Plan.

4.3 SUPPORTING STUDIES

4.3.1 Transportation

The Markham Transportation Planning Study (MTPS) was completed in June 1994. This Study addressed Town-wide transportation issues, including the integration of the required transportation facilities for the Future Urban Area with the existing and proposed transportation facilities for the Town as a whole.

The Study findings and recommendations are reflected in the detailed planning for the Central Area Planning District.

A detailed Markham Centre Study Transportation Assessment has been prepared for all of the lands in the Markham Centre area (OPA No. 21 and 22). The Study includes recommendations on the road system required in the Central Area and South Unionville Planning Districts to service the proposed development. It also confirms that the Planning Districts can support transit and addresses the transit requirements within the road network. Further definition of all transportation system components by Precinct within the Secondary Plan Area will be required as part of the Precinct Plans [see Part III Secondary Plan Section 3.3.2)].

4.3.2 Servicing

A Master Servicing Study has been completed by the Town of Markham for the "Future Urban Area" including the Central Area Planning District. This study outlines a coordinated strategy for the provision of sanitary and water supply facilities. The work identifies options for the extension of the York Region and Town water systems and the connections to the York-Durham Sanitary System to accommodate the Central Area Secondary Plan within a Town-wide servicing strategy.

A Stormwater and Environmental Management Strategy for the Central Area and South Unionville Planning Districts has been completed. The study included an assessment of stormwater quantity, quality and erosion controls, road crossings of watercourses, management of minor watercourses, and development limits. It concluded that the proposed development within the Markham Centre area can occur with minimal environmental impact on the Rouge River System and in accordance with the proposed greenway system of the Town's Natural Features Study.

4.3.3 Natural Environment

The Town of Markham completed a Natural Features Study in March, 1993. A linked greenway system was proposed to improve Markham's environment by protecting and enhancing natural features. These corridors increase the ecological value of the remaining natural features.

The Central Area Secondary Plan seeks to maintain and promote these natural corridors. The Open Space Schedule of the Secondary Plan integrates tableland parks with the valley system while ensuring that sensitive natural areas of the valley and significant tableland features are preserved.

4.4 THE MARKHAM CENTRE CONCEPT

The planning process undertaken for the Central Area and South Unionville Planning Districts culminated in the Markham Centre Study Final Report, August 1994, including a detailed Markham Centre Master Plan, prepared by a team of consultants through an extensive consultative process. That Study Report and Master Plan as originally endorsed by Council on August 23, 1994, form the general basis of the Secondary Plan for the Central Area Planning District comprising Part III of this Amendment. However, the Secondary Plan does reflect revisions and refinements arising from further review by Town Staff and Council in consultation with interested parties in the context of negotiations arising from the referral by certain landowners of OPA No. 21, as originally adopted by Council on August 23, 1994, to the Ontario Municipal Board.

The revisions reflected in the Secondary Plan are intended especially to increase flexibility in land use and density in the context of a dynamic Town Centre. The Plan's land use and density flexibility is governed by refined community structure and urban design provisions. The Town Centre will evolve and adapt over time, and will be guided and made successful by a strong community structure and excellence in urban design that will ensure a consistent high quality of development throughout the Central Area.

The Secondary Plan provides for the future urban core of the Town of Markham, a "Town Centre", in the Central Area Planning District. The Plan consists of a series of Districts, defined and linked by existing arterial routes (Highway 7, Warden Avenue and Kennedy Road) and by the Rouge River and the open space system. A new east-west collector road (the Central Boulevard) is to be located south of the Rouge River from

Kennedy Road to the west limit of the Planning District, and north-south extensions to Rodick Road and Birchmount Road are to be provided. The entire plan will have a finely grained road pattern to promote efficiency in transportation and to be pedestrian friendly.

The highest concentration of development and greatest variety of activities in the Central Area will be on lands designated COMMUNITY AMENITY AREA - MAJOR URBAN PLACE as shown on Schedule 'AA' of the Secondary Plan. These lands are intended to develop and function as the primary mixed use activity areas of the Town Centre in accordance with specific land use and urban design policies in the Secondary Plan.

A mixed pattern of land use, higher density development and compact urban form are also encouraged for the remaining development lands in the Central Area Planning District. However, it is recognized that development on certain of these remaining lands will likely have more of a primary employment, residential, commercial or institutional character - varying by location - and may be less intense, than in the mixed use MAJOR URBAN PLACE areas. Nonetheless, complementary land uses and a consistent high quality of urban design and development are required throughout the Town Centre, and must be demonstrated by landowners through the preparation of detailed Precinct Plans to the satisfaction of the Town prior to development approvals.

Land use and density targets are provided for in Appendix I and will be further refined through the preparation of Development Phasing Plans and Precinct Plans.

The Secondary Plan protects existing natural features and defines potential greenland corridors. The largest of these is the wide, meandering Rouge River Valley which serves as the centerpiece of the community. The extensive trail system, the valleyland and tableland parks, the Central Boulevard and smaller urban spaces will form a well-connected Greenlands network.

The Secondary Plan represents a sensitive integration of urban development with the natural environment, and achieves in a most elegant manner the overall objective of creating a mixed use urban centre to accommodate a significant residential and employment population in a healthy and sustainable form.

4.5 PREVIOUS APPROVAL

This Official Plan and Secondary Plan Amendment incorporates the site specific approval granted by the Ontario Municipal Board on April 4, 1996 for the lands north of Cox Boulevard between the Ontario Hydro corridor and Town Centre Boulevard.

PART II - THE AMENDMENT

(This is an operative part of Official Plan Amendment No. 21)

PART II - THE AMENDMENT

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PART II - THE AMENDMENT

(This is an operative part of Official Plan Amendment No. 21)

1.0 THE AMENDMENT

1.1 TEXT AND SCHEDULES

The following text and Schedules 'A', 'B', 'C', 'D', 'E', 'F' and 'G' attached hereto constitute Amendment No. 21 to the Official Plan.

1.2 Secondary Plans 1-7 and 13-5 (Official Plan Amendment No. 32) are hereby repealed as they relate to the lands covered by this Amendment.

1.3 The partial approval of Official Plan Amendment No. 21, granted by the Ontario Municipal Board on April 4, 1996, for the lands north of Cox Boulevard and west of Town Centre Boulevard, is hereby repealed and the lands and provisions of that approval are incorporated into Part II and Part III of this Amendment.

1.4 NEW PLANNING DISTRICT - CENTRAL AREA PLANNING DISTRICT

1.4.1 By adding the following to Section 4.1.2:

"No. 33 Central Area Planning District"

1.4.2 By adding a new Section to 4.3.33 as follows:

"4.3.33 Central Area Planning District

(Planning District No. 33)

4.3.33.1 General Policies

a) The Central Area Planning District is the area generally east of the Ontario Hydro Transmission Line and the Rouge River, north of the Highway 407 right-of-way, west of Kennedy Road and south of Highway 7, and also includes the lands in and around the Civic Centre northwest of Highway 7 and Warden Avenue. The Central Area Planning District is planned as a mixed use, intensive urban area incorporating housing, employment and retail facilities, recreational, cultural, major institutional and civic buildings to serve as a central, "Town Centre" focus for Markham's many communities. The Planning District will be a major activity centre which will be transit supportive as well as attractive and comfortable for pedestrians and will integrate a high standard of urban design with existing natural features to create a unique destination. The Central Area Planning District is consistent with the "Regional Centre" designation and policies applicable to these lands in the Region of York Official Plan, as amended.

b) The PD 33-1 area is intended to accommodate, in a Town Centre context, a very significant number of residential units on lands designated Community Amenity Area, which will require significant provision for complementary community facilities. The preferred locations of parks,

schools and other community facilities, as permitted under the Community Amenity Area designation, shall be shown in Secondary Plan PD 33-1."

1.5 CENTRAL AREA SECONDARY PLAN

1.5.1 A new Secondary Plan shall be prepared for the lands subject to the Amendment and shall be incorporated into the Official Plan in accordance with the provisions of Section 9 of the Official Plan.

1.5.2 Section 9.2 of the Official Plan (Revised 1987) as amended, is hereby further amended by adding a new subsection 9.2.17 as follows:
"9.2.17 Secondary Plan PD 33-1 for the Central Area Planning District (Official Plan Amendment No. 21)".

1.6 The last paragraph in Section 4.3.1.1a) is hereby deleted.

1.7 The third paragraph including subsections I) and II) in Section 4.3.21.1b) is hereby deleted.

1.8 Section 4.3.1.2a) and Figure 1.1 are hereby deleted and the text relocated to the Part III of this Amendment.

1.9 Section 4.3.1.2d) and Figure 1.4 are hereby deleted and the text relocated to the Part III of this Amendment.

1.10 Schedule 'A' - LAND USE of the Official Plan (Revised 1987) as amended, is hereby further amended as shown on Schedule 'A' of this Amendment to:

- i) delete the identification 'Future Urban Area';
- ii) redesignate the lands URBAN RESIDENTIAL, COMMERCIAL, INDUSTRIAL, INSTITUTIONAL - CEMETERY, TRANSPORTATION AND UTILITIES, OPEN SPACE, HAZARD LANDS, ENVIRONMENTALLY SIGNIFICANT AREA, AND SPECIAL POLICY AREA as shown on Schedule 'A' of this Amendment.

1.11 Schedule 'B' - PLANNING DISTRICTS AND COMMUNITY IMPROVEMENT AREAS of the Official Plan (Revised 1987) as amended, is hereby further amended as shown on Schedule 'B' of this Amendment to:

- i) delete the identification 'Future Urban Area';
- ii) delete the lands from Planning Districts No. 1, No. 13 and No. 21;
- iii) incorporate the lands into a new Planning District, being Planning District No. 33;
- iv) add the following name to the list of Planning Districts shown on Schedule 'B': "No. 33 - Central Area Planning District"; and,
- v) delete the tone identifying these lands under the Minister's Order (Parkway Belt).

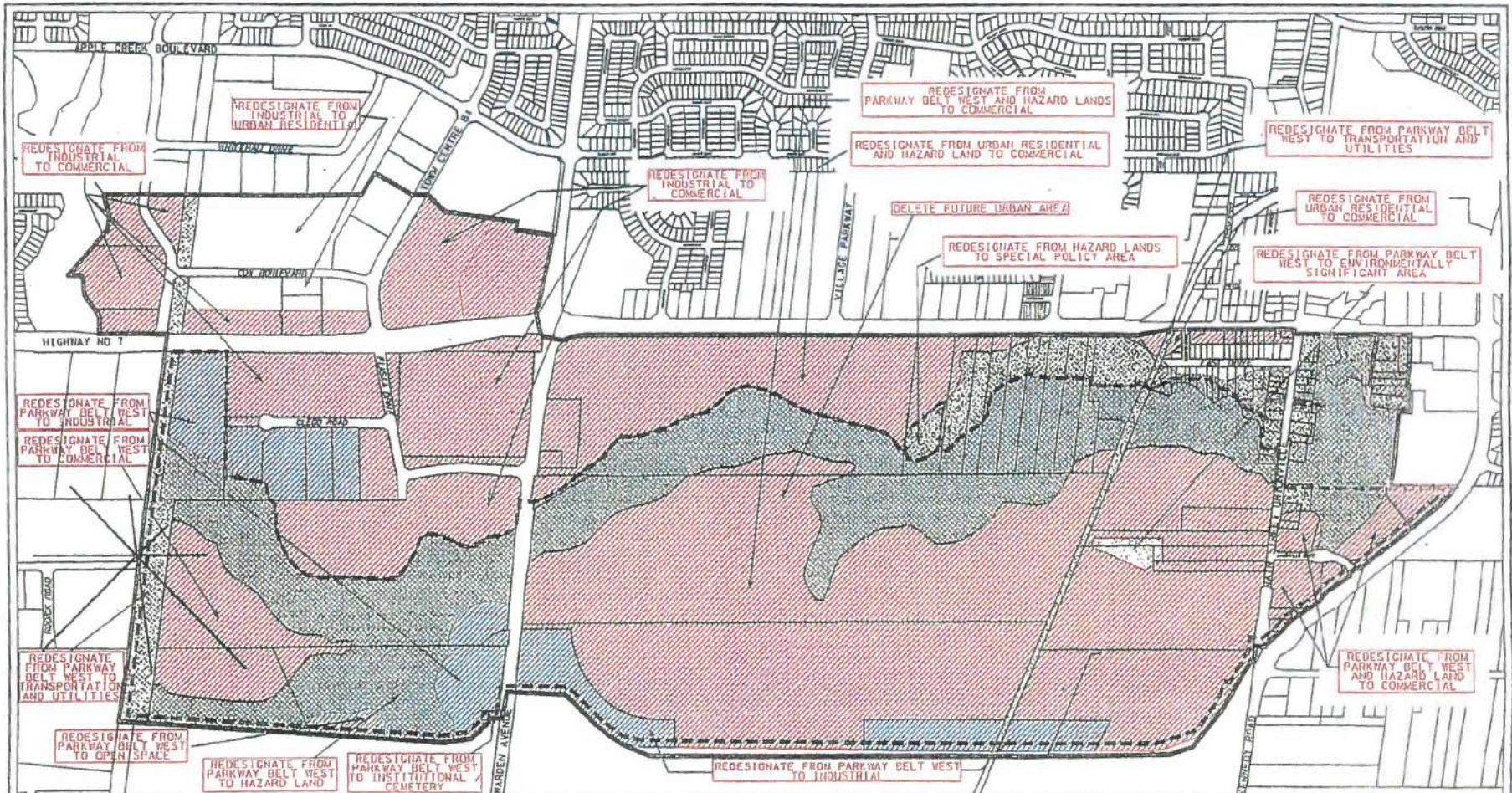
- 1.12 Schedule 'C' - TRANSPORTATION of the Official Plan (Revised 1987) as amended, is hereby further amended as shown on Schedule 'C' of this Amendment to:
- i) delete the identification 'Future Urban Area';
 - ii) incorporate designations and road alignments for Collector and Arterial Roads;
 - iii) designate Yorktech Boulevard from Woodbine Avenue to Rodick Road as a Major Collector Road;
 - iv) designate the proposed extension of Birchmount Road from the north limit of the Highway 407 right-of-way to 14th Avenue as a Major Collector Road.
- 1.13 Schedule 'D' - URBAN SERVICE AREA of the Official Plan (Revised 1987) as amended, is hereby further amended to remove the identification "Future Urban Service Area" from the subject lands and to incorporate said lands into the "Urban Service Area" as shown on Schedule 'D' of this Amendment.
- 1.14 Schedule 'F' - SPECIAL POLICY AREA of the Official Plan (Revised 1987) as amended, is hereby further amended to extend Special Policy Area limits, pursuant to Section 3.10.2. of the Official Plan (Revised 1987) as amended, to include certain additional lands comprising a minor adjustment to the existing boundaries, as shown on Schedule 'E' of this Amendment.
- 1.15 Schedule 'G' - SITE PLAN CONTROL of the Official Plan (Revised 1987) as amended, is hereby further amended to remove the identification "Future Urban Area" from the subject lands as shown on Schedule 'F' hereto.
- 1.16 Schedule 'H' - COMMERCIAL/INDUSTRIAL CATEGORIES of the Official Plan (Revised 1987) as amended, is hereby further amended to remove the deferred status of the Markham Centre area and to designate parts of the subject lands Community Amenity Area, Commercial Corridor Area and Business Park Area, being further categories of designation relating to the respective Commercial and Industrial designations on these lands pursuant to Schedule 'A' - LAND USE, as shown on Schedule 'G' to this Amendment.

2.0 IMPLEMENTATION

The provisions of the Official Plan, as amended from time to time, regarding the implementation of that Plan, shall apply in regard to this Amendment.

3.0 INTERPRETATION

The provisions of the Official Plan, as amended from time to time, regarding interpretation of that Plan, shall apply in regard to this Amendment.

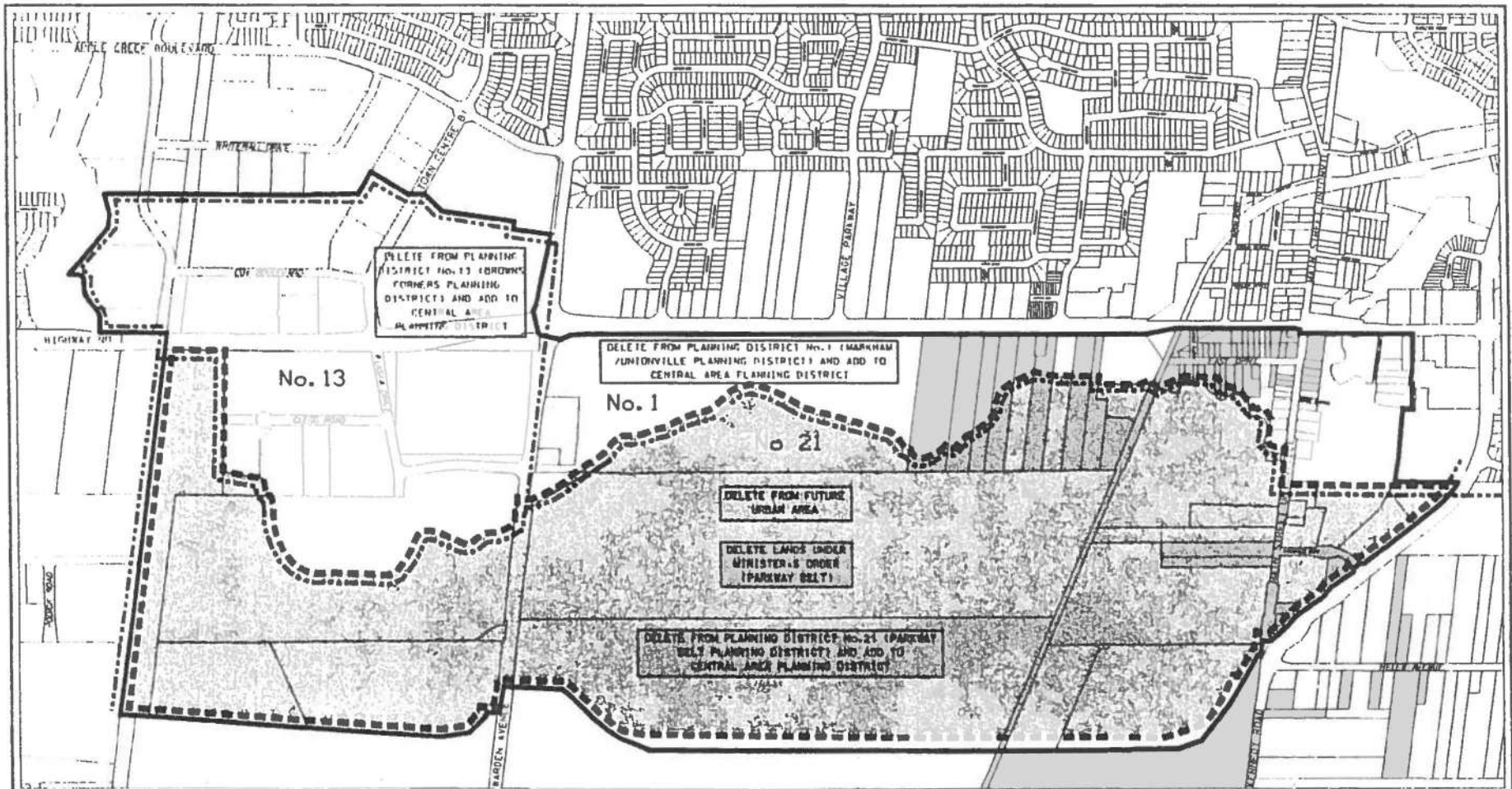


OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21

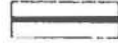

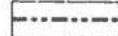



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OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21

-  BOUNDARY OF AREA COVERED BY THIS AMENDMENT
-  FUTURE URBAN AREA
-  PLANNING DISTRICT BOUNDARIES
-  PARKWAY BELT LANDS

MARKHAM

DEVELOPMENT SERVICES COMMISSION

SCHEDULE 'B' - COMMUNITY IMPROVEMENT

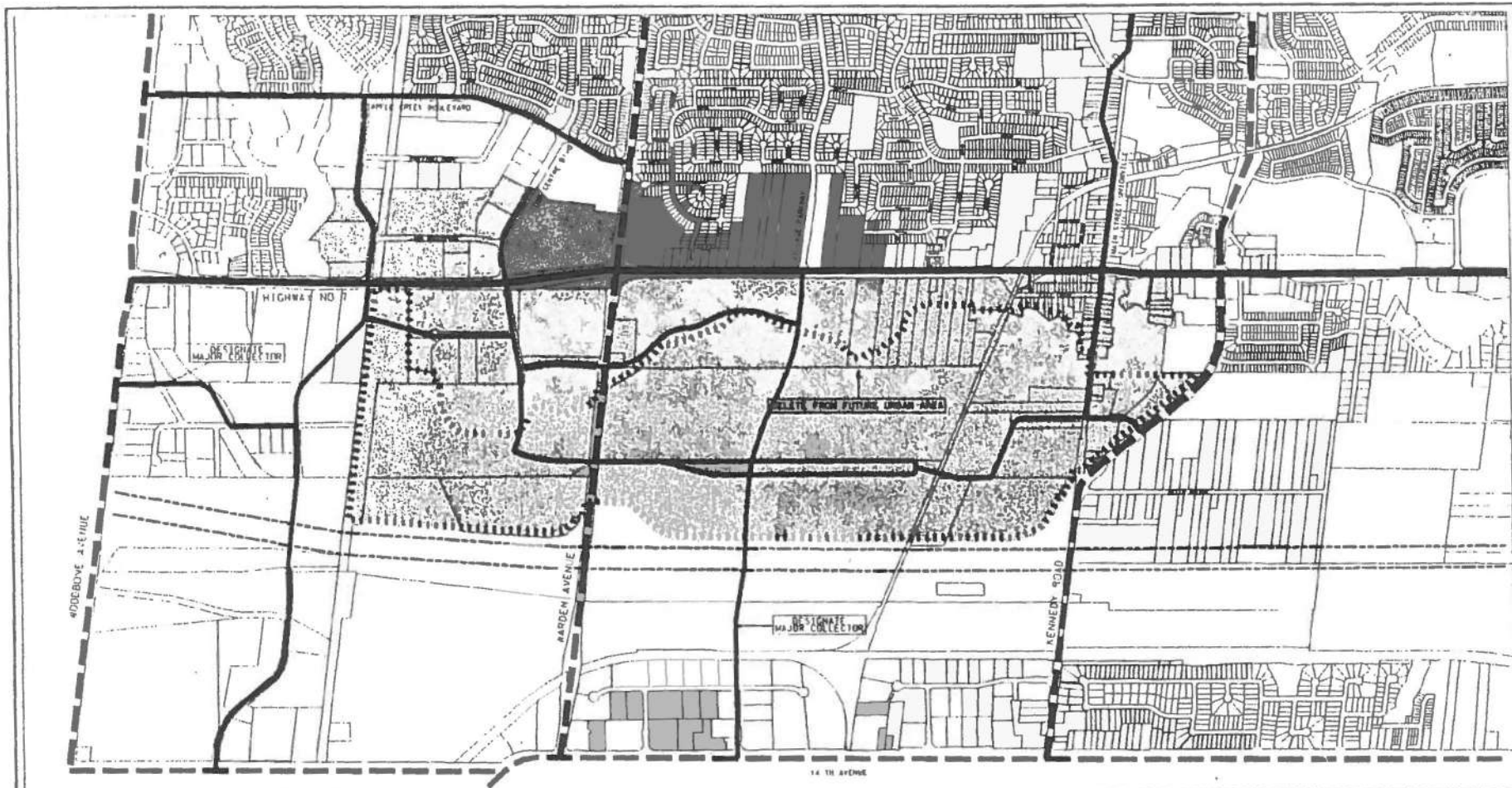
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




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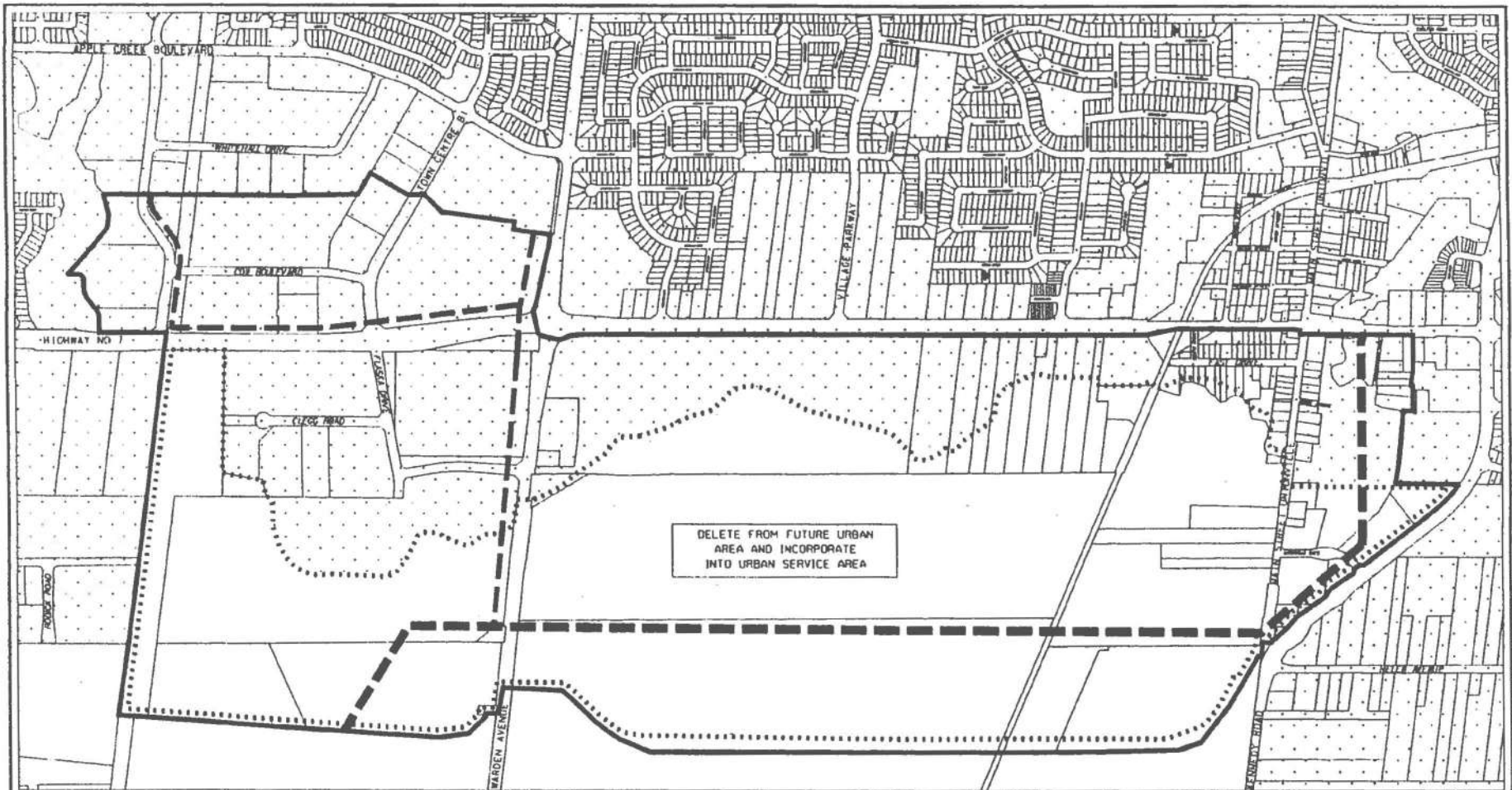


OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21

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|  MAJOR ARTERIAL ROAD |  MAJOR COLLECTOR ROAD |  FUTURE URBAN AREA | |

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OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21

- BOUNDARY OF AREA COVERED BY THIS AMENDMENT
- URBAN SERVICE AREA
- YORK DURHAM TRUNK SEWER
- TOWN OF MARKHAM TRUNK SEWER
- FUTURE URBAN AREA

MARKHAM DEVELOPMENT SERVICES COMMISSION

SCHEDULE 'D' - URBAN SERVICE AREA

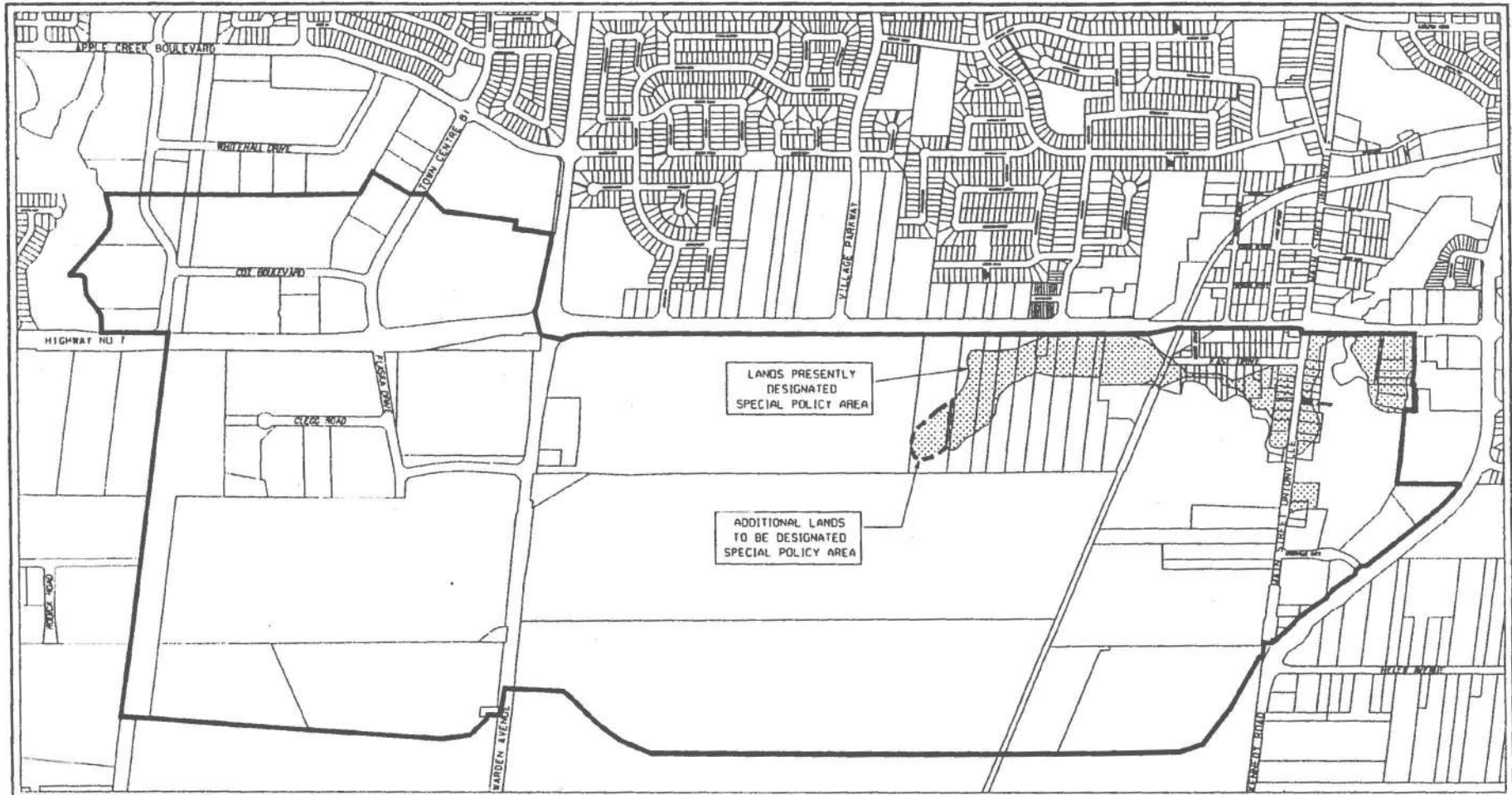
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OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21

-  BOUNDARY OF AREA COVERED BY THIS AMENDMENT
-  SPECIAL POLICY AREA PURSUANT TO SECTION 3.10.2 OF O.P. (REV.1987)



MARKHAM DEVELOPMENT SERVICES COMMISSION

SCHEDULE 'E' - SPECIAL POLICY AREA

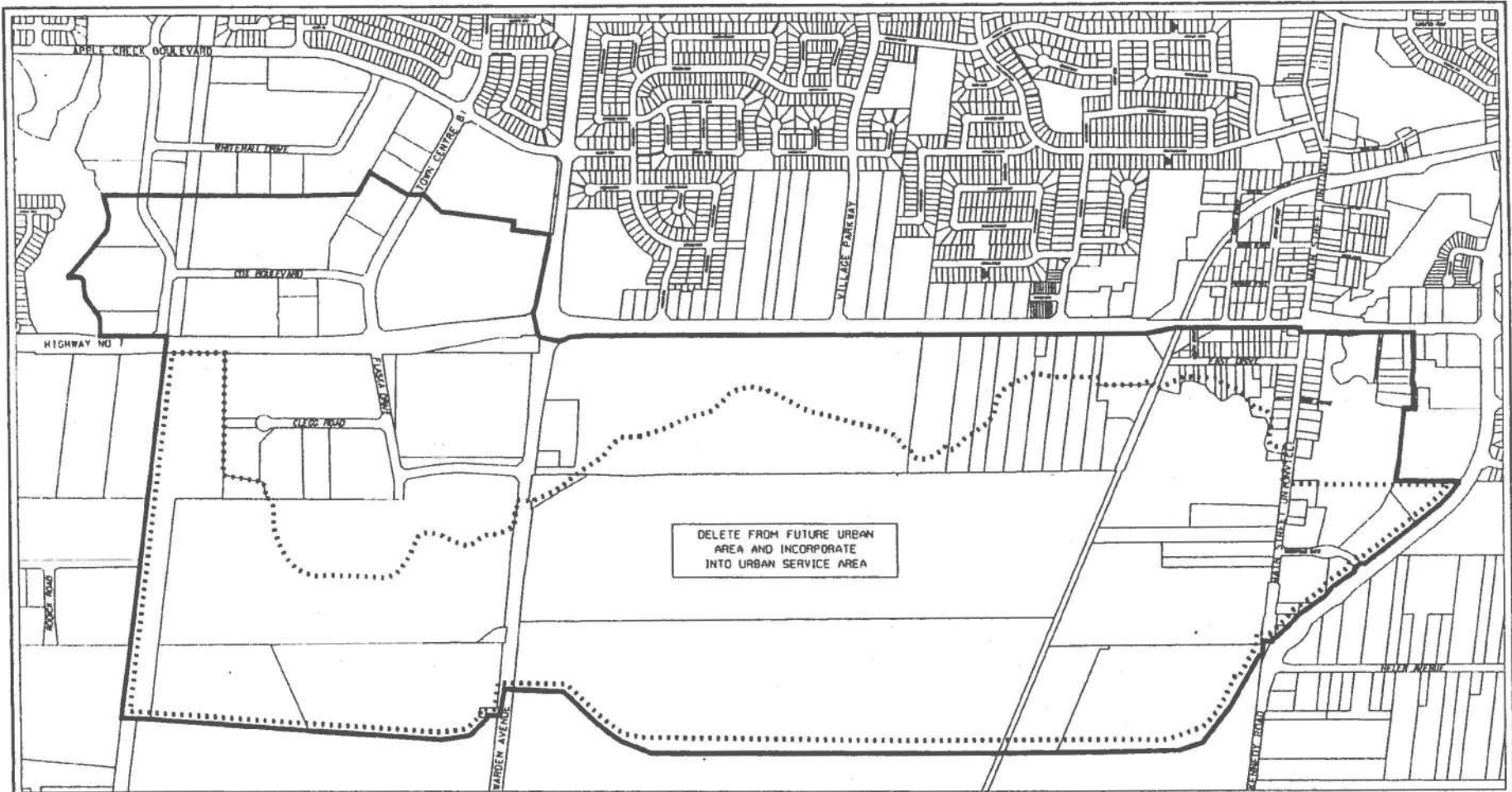
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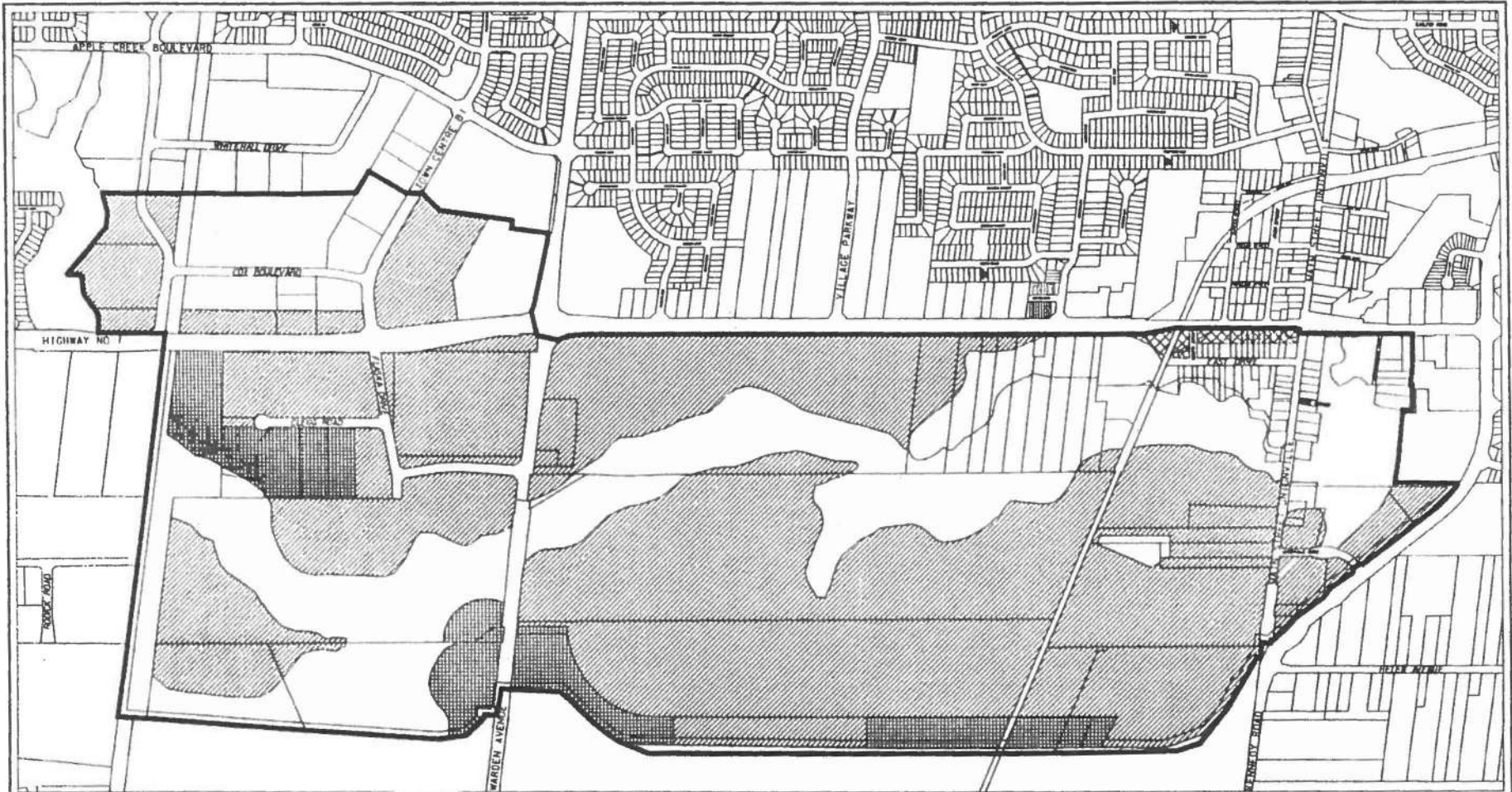
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OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21

-  BOUNDARY OF AREA COVERED BY THIS AMENDMENT
-  FUTURE URBAN AREA



OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21



BOUNDARY OF AREA COVERED BY THIS AMENDMENT



COMMUNITY AMENITY AREA



BUSINESS PARK AREA



COMMERCIAL CORRIDOR



PART III - THE SECONDARY PLAN

(This is an operative part of Official Plan Amendment No. 21)

**Part III - THE SECONDARY PLAN FOR THE CENTRAL AREA PLANNING DISTRICT
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- Appendix I - Markham Centre Statistics
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- (The Appendices are a non-operative part of this Official Plan Amendment)

PART III - THE SECONDARY PLAN

(This is an operative part of Official Plan Amendment No. 21)

SECTION 1 - INTRODUCTION

1.1 INTRODUCTION

The following text and maps identified as Schedule 'AA' - Detailed Land Use, Schedule 'BB' - Transportation, Schedule 'CC' - Open Space System, Schedule 'DD' - Community Structure and Schedule 'EE' - Districts and Precincts Areas, attached hereto, constitute the Secondary Plan for the Central Area Planning District. It was prepared in conjunction with the Secondary Plan for the South Unionville Planning District, both being the subject of the Markham Centre Study. The principles and urban design policies of both Plans have commonality and the two districts are interconnected in terms of design and function. There are, however, distinctions related to the differences in land use, density and built form. The Central Area Planning District will develop primarily as a mixed use, intensive community incorporating generally higher density and moderate to high buildings. The South Unionville District will develop primarily as a residential community at lower densities than the Central Area District.

1.2 PURPOSE

The purpose of this Secondary Plan is to provide a detailed land use plan and policies for the regulation of land use and development in accordance with the land use designations established in the Official Plan (Revised 1987) as amended and this Secondary Plan.

1.3 LOCATION

The designated area of this Secondary Plan consists of land in:

- Part of Lots 8, 9, 10 and 11, Concession 4
- Part of Lot 8 and Lots 9 and 10, Concession 5
- Part of Lots 8, 9 and 10, Concession 6.

The lands are generally bounded by the Ontario Hydro transmission line and the Rouge River on the west, Highway 7 on the north but including lands in and around the Civic Centre, Kennedy Road on the east and the Highway 407 right-of-way on the south.

SECTION 2 - GOAL AND OBJECTIVES

2.1 INTRODUCTION

The goals and objectives which the Town is seeking to achieve through the detailed policies of this Secondary Plan are outlined below. Together with the goals and objectives of the Official Plan, these provide the framework for the planning and development of the Secondary Plan lands for both the public and private sectors. The goal and objectives will be implemented in accordance with Section 7 - Implementation

of the Official Plan, as further elaborated in the policies and the requirements in Section 6.1 of this Secondary Plan.

2.2 GOAL

To provide a policy framework and direction for detailed land use planning for a vibrant, intensive, mixed use Town Centre. Through adherence to the policies of this Secondary Plan, the Town Centre is to have a distinctive character as the urban core of the Town of Markham, which will become the central focus of the Town, unifying its many communities. The Planning District will be a major activity centre which will be transit supportive as well as attractive and comfortable for pedestrians and will integrate a high standard of urban design with existing natural features to create a unique destination.

2.3 OBJECTIVES

2.3.1 Land Use

To create a complete and integrated community of pedestrian oriented neighbourhoods and districts containing a mix of land uses suitable to a Town Centre, including residential, commercial, employment, open space and recreational, cultural and institutional facilities.

2.3.2 Residential Development

- a) To create an urban environment that provides for safe, healthy and attractive residential neighbourhoods.
- b) To provide a range of housing types and densities, largely in multiple forms in a Town Centre context, which will contribute to fulfilling the goals and objectives of Section 2.13 - Housing of the Official Plan (Revised 1987) as amended.

2.3.3 Commercial Development

- a) To provide for a range of commercial development to serve the local and the broader market area, in accordance with the policies of Section 3.4 - Commercial of the Official Plan (Revised 1987) as amended, and in particular the Community Amenity Area policies of Section 3.4.6.2 of the Official Plan and Section 4.3.2 of this Secondary Plan.
- b) To provide for mixed use development and intensive activity areas, where appropriate, in a Town Centre context.
- c) To provide for street oriented retail and service commercial uses and community services on the ground level of buildings, with opportunities for a mix of housing, office, commercial and other uses on the upper levels.

2.3.4. Employment

- a) To provide a wide range of employment opportunities, in particular office related and population related jobs in a Town Centre context, in accordance with the policies of Section 3.5 - Industrial of the Official Plan (Revised 1987) as amended, and in particular the Business Park Area policies of Section 3.5.6.2 of the Official Plan and Section 4.8.2 of this Secondary Plan.
- b) To support a high live-work ratio within the Central Area by designating lands for employment at key strategic locations with a high degree of exposure and road and transit accessibility, and by permitting employment uses in a mixed use context across the majority of the Amendment area.
- c) To provide a full range of services and amenities in proximity to work places.

2.3.5 Cultural and Institutional

- a) To provide opportunities to enhance existing facilities including the Anthony Roman Centre (Civic Centre, Markham Theatre and Unionville High School) and to locate new cultural and institutional facilities, to serve the needs of local users and Town residents in general, to reinforce the role of the Town Centre as an active area of higher order services and facilities.
- b) To encourage multi-purpose and shared use of cultural and institutional facilities.
- c) To encourage integration of community facility sites with adjacent development.
- d) To provide locations for community facilities that are visible and accessible and which contribute to excellence in urban design.

2.3.6 Transportation

- a) To develop a transportation system that is consistent with the recommendations of the Markham Transportation Planning Study (May 1994) and the detailed Markham Centre Study Transportation Assessment (December 1994) where applicable.
- b) To develop a street system that extends and connects with existing streets in the surrounding urban areas.
- c) To ensure that the public street system provides for permeability and connectivity, and is designed to facilitate vehicular, pedestrian and bicycle movements. Purposeful variations are encouraged to be incorporated into the street system through street alignments and block geometrics to achieve local identity and character.

- d) To design streets in such a way as to maximize exposure and visibility of the Rouge River Valley, school and park sites, and other open space features, so as to provide scenic views and to fully integrate these elements into the community.
- e) To design a public realm composed of streets and public spaces that are functional, accessible, connected and aesthetically pleasing.
- f) To establish development densities for residential and employment uses that will be sufficient to support a desired level and network of public transit.
- g) To ensure that development, both on a comprehensive and a site specific scale is designed to give a high priority to and maximize public transit use, and to facilitate efficient and effective public transportation operations within the community and connections to Town-wide and Regional transit systems.
- h) To ensure that the transportation facilities required for any portion of the district are committed prior to or coincident with development.
- i) To phase the implementation of the transportation system, including transit services, based on acceptable operational and financial criteria in accordance with the Development Staging Strategy.
- j) To encourage transit usage, by locating transit stops sufficient to allow 85% of the population to be within a 5 minute walk, to the extent practical.

2.3.7 Open Space and Recreation

- a) To create a linked open space system connecting tableland parks with the proposed Rouge Park.
- b) To create functional open spaces with a clear relationship to the development within the Planning District, and which are both highly accessible and highly visible to the community.
- c) To ensure the preservation and enhancement of significant existing natural features within the open space system.
- d) To provide opportunities for public enjoyment of the Rouge valley while protecting and enhancing the significant natural features of the valley system.
- e) To provide opportunities for a wide variety of recreation facilities, both public and private, at appropriate locations and in keeping with the active, destination oriented focus of a Town Centre.

2.3.8 Natural and Heritage Features

- a) To preserve existing natural and heritage features wherever feasible including significant vegetation, topographic features and scenic views, heritage buildings and archaeological resources.
- b) To provide a continuous greenway system throughout the community that incorporates links of varying character and function, natural features and community amenities.

2.3.9 Services

- a) To ensure that the piped services, including the necessary water, sanitary and storm sewers and stormwater facilities required for any part of the Secondary Plan area, are in place and operative, prior to or coincident with the development of the land.
- b) To design a stormwater management system which is integrated with the open space system and which mitigates impacts on the natural environment, while meeting Town and agency water quality and quantity requirements, as well as any other requirements through master servicing and stormwater management studies.

2.3.10 Urban Design

- a) To achieve a quality and character of development which reflects the primary role of the Central Area Planning District as the heart and focus of Markham communities.
- b) To provide the opportunity to develop a dynamic and active urban environment by:
 - i) ensuring high quality of design for public parks and open spaces;
 - ii) developing attractive streetscapes;
 - iii) establishing appropriate relationships between buildings and streets;
 - iv) establishing locations for landmark buildings and landscapes,
 - v) developing an appropriate built form response for riverside drives, and urban edges including Highway 7, Warden Avenue, Kennedy Road and collector roads.
- c) To provide opportunities for a strong and well-defined pedestrian network throughout the Central Area Planning District by utilizing a grid of public streets, pedestrian connections and supportive design of the private realm.
- d) To recognize and enhance the contribution of the Rouge Valley to the character and structure of the Central Area Planning District.

- e) To encourage the retention of architecturally and/or historically significant buildings and to incorporate these buildings into the community in a manner which respects their scale, massing and design.

2.3.11 Plan Implementation

- a) To ensure that the costs of required services, public facilities and infrastructure to support the development of the Planning District are provided for in accordance with:
 - i) the ability of the development to be financed, including possible innovative arrangements such as public-private partnerships, to the satisfaction of the Town and the Region;
 - ii) the Town's Development Staging Strategy;
 - iii) the provisions of the Development Charges Act;
 - iv) the provisions of the Planning Act - R.S.O., 1990 and the Official Plan (Revised 1987), as amended;
 - v) any Developers' Group Agreements entered into as part of development approvals.
 - vi) any other legal agreements required by the Town or authorized agencies.
- b) To establish an integrated program of planning approvals and resource commitments to implement the provisions of this Secondary Plan.

SECTION 3 - COMMUNITY STRUCTURE AND URBAN DESIGN

3.1 INTRODUCTION

The Community Structure and Urban Design policies describe the physical elements for the planning and development of the Secondary Plan lands for both the private and public sectors. These policies shall be implemented in accordance with Section 3.3.2 Precincts and Section 6 Implementation.

3.2 COMMUNITY STRUCTURE

3.2.1 Major Structural Components

The Rouge Valley System and Major Streets define the fundamental arrangement of land use and shape the physical structure of the lands in the Central Area Planning District (see Schedule 'DD').

The Rouge Valley is the predominant natural feature and the centre piece of the entire Planning District and its linked open space system.

Major Streets provide three distinct functions in the Plan area:

- As a major east/west transit street, Highway 7 is the major urban focus for the lands in the Highway 7 corridor north of the Rouge River. Similarly the Central Boulevard

is envisioned as the major urban focus for the lands south of the Rouge Valley, with particular emphasis on the major intersections shown on Schedule 'DD'.

- In defining the major urban edge of the Rouge Valley and other important open space areas, roadways are an internal element that will shape the boundaries of open space areas.
- Roadways provide linkage throughout the Plan area and define the urban structure for lands both north and south of the Rouge Valley.

3.2.1.1 Rouge Valley and Open Space System

The Rouge Valley System is the primary open space element within the Central Area Planning District, and is a major component in defining the overall structure of the Plan.

The Rouge Valley will be connected to tableland parks and other open space elements to form a linked open space system. Vistas of the Rouge Valley will be protected, and opportunities will be provided for public use and enjoyment while protecting and enhancing the significant natural features of the valley system.

Other important components in creating the open space system include community and neighbourhood parks, parkettes and school sites. These have been located not only in the context of their specific functional requirements but also in relation to potential linkages to the Rouge Valley System.

The Rouge Valley also represents a unique opportunity for curvilinear edged urban development along continuous riverside drives, which will add to the overall character and appeal of the Town Centre.

3.2.1.2 The Major Streets

Highway 7 and the Central Boulevard are the primary east/west streets that connect the Central Area Planning District with the adjacent areas. Highway 7, as the Town's major axis and a primary transit route, is a major structural component of the Plan.

The Central Boulevard will connect adjacent communities south of Highway 7 to the Central Area Planning District, and serve as a primary street focus for the lands south of the Rouge River.

There are four major north/south streets in the Central Area Planning District:

- Kennedy Road and Warden Avenue are arterial roads that link the Plan area to the larger Markham community and beyond. Warden Avenue is the primary north/south connector to Highway 407 in the Plan Area, and at its intersections with Highway 7 and the Central Boulevard creates opportunities for successful 'activity nodes'.

- Birchmount Road extension will function as a mid-block connector, between Warden Avenue and Kennedy Road. Opportunity for development of 'activity nodes' will be provided at its intersection with the Central Boulevard and with Highway 7 opposite Village Parkway.
- Town Centre Boulevard/Flaska Drive connects the Central Boulevard to the Markham Civic Centre north of Highway 7. At its intersection with Highway 7, a focus for an 'activity node' will be created.

The Riverside Drives, for the most part, frame the entire length of the Rouge Valley. These streets generally provide a public edge to the Rouge Valley by giving physical and visual access for all Markham residents.

3.2.1.3 Highway 7 Corridor

The Highway 7 Corridor is envisioned as a high activity area comprised of a mix of medium and high density residential development with retail, office, hotel and entertainment uses. Schools and neighbourhood parks and parkettes will be provided as appropriate to support residential use. Transit service will operate along Highway 7 and Warden Avenue, providing connections to all of Markham and beyond.

A higher density and intensity of development is intended, generally in mid-rise buildings 3 to 8 storeys in height. High rise buildings may be considered up to 13 storeys at key strategic locations at Warden Avenue and Highway 7 and at Town Centre Boulevard/Flaska Drive and Highway 7, subject to satisfying Council as to the quality of the design and proper gradation of height. Appropriate building heights will be determined by Council in response to the existing development to the north of Highway 7 and by providing a gradual transition of building heights within the Plan area, and will be established through the approval of Precinct Plans and development applications. The benchmark for maximum height at the identified key strategic locations on Highway 7 shall be the top of the clock tower of the existing Embassy Suites Hotel.

Landmark location buildings and/or landscaped amenity areas will be required with special street treatment at the following intersections:

- Highway 7/Town Centre Boulevard/Flaska Drive
- Highway 7/Warden Avenue
- Highway 7/Verclaire Gate
- Highway 7/Village Parkway/Birchmount Drive extension.

3.2.1.4 Lands South of the Rouge Valley

The lands located south of the Rouge Valley and north of Highway 407 are to be traversed by the new Central Boulevard. North of the Central Boulevard land uses are

envisioned to be predominantly residential, but a mix of uses shall be encouraged. South of the Central Boulevard land uses are envisioned to be predominantly residential or mixed use, with business park uses adjacent to Highway 407. Community facilities east of Warden Avenue and west of Kennedy Road will include two high schools, two elementary schools, neighbourhood parks and parkettes and other open space including a continuous landscaped centre island as shown conceptually on Schedule 'DD', to the satisfaction of the Town. At the western boundary of the Planning District, lands are designated for a community park.

It is intended that a higher concentration of activity, which may include a mix of residential, office and retail uses, and more substantial building mass and height, will be provided at the following key intersections along the Central Boulevard:

- Warden Avenue and Central Boulevard;
- Birchmount Extension and Central Boulevard; and
- The "GO" Station and Central Boulevard.

These areas which are designated Community Amenity Area - Major Urban Place and Business Park Area on Schedule 'AA' will create the opportunity for a more lively and animated urban environment as a focus for the lands south of the Rouge River.

3.3 ORGANIZATIONAL COMPONENTS

Section 3.2 of this Plan describes the Rouge Valley System and Major Streets as the major structural components of the Town Centre. This Section outlines the two organizing elements of this Secondary Plan: Districts and Precincts. Districts and Precincts are the basis for more detailed study that is necessary for developing specific standards and regulations that will guide the approval of development, including subdivision of land and zoning. The boundaries of Districts and Precincts are generally derived from the structural component boundaries, and are used to divide the lands into manageable increments for detailed planning and growth management.

3.3.1 Districts

The 'District' is the primary organizing element within the Secondary Plan. The six Districts identified in this Secondary Plan and shown on Schedule 'EE' are as follows:

- Civic Centre District (all lands north of Highway 7)
- Warden West District (all lands south of Highway 7, west of Warden Avenue)
- Centre North District (all lands south of Highway 7, west of Sciberras Road and north of Rouge River)
- Centre West District (all lands south of the Rouge River, west of the CN Rail)
- Centre East District (all lands south of the Rouge River, east of the CN Rail)
- Unionville Main District (all lands south of Highway 7 and north of the Rouge River and east of Sciberras Road)

Studies and/or plans to be undertaken on a District basis are necessary to determine broader based requirements for services, public facilities and infrastructure. District wide matters shall be addressed through the development phasing program and include population, housing and employment targets, transportation, servicing and stormwater management requirements.

3.3.2 Precincts

The 'Precinct' is the secondary organizing element within the Secondary Plan. The following nine Precincts are identified on Schedule 'EE':

- Precinct 1 - Anthony Roman Centre
- Precinct 2 - Highway 7/Rodick Road
- Precinct 3 - Highway 7/ Clegg Road
- Precinct 4 - Highway 7/Flaska Drive
- Precinct 5 - Highway 7/Birchmount Road Extension
- Precinct 6 - North of Central Boulevard (West)
- Precinct 7 - South of Central Boulevard (West)
- Precinct 8 - North of Central Boulevard (East)
- Precinct 9 - South of Central Boulevard (East)

The Precinct is a smaller geographic area within a District which is an appropriate scale and size for detailed planning studies. A plan for each Precinct, to be prepared by the affected landowners for approval by the Town, will establish further parameters for detailed land use and the physical character and form of development in those areas shown on Schedule 'EE', consistent with the policies of this Amendment. The Precinct Plan will further assist the Town to determine appropriate zoning controls, and subdivision and infrastructure requirements. The Precinct Plan will provide a physical representation of a proposed community, or a portion of a proposed community, by ensuring the following matters are addressed, including the requirements contained in Appendix III:

- a) land use and density distribution;
- b) a diagrammatic drawing that illustrates:
 - i) major structural elements
 - street, block and lot pattern
 - significant views and landscape focal points
 - location of landmark buildings
 - location of large surface parking areas
 - location of public and private open spaces
 - ii) built form elements:
 - type, height and location of buildings and structures

- location of primary building face
 - location and type of “build-to” zones
- iii) streetscape components
- street sections and plan views that show the size of the rights-of-way including the number and size of required traffic lanes, sidewalk locations and locations for vehicular access, trees, lighting fixtures, above-grade utility fixtures, bus-stops and street furniture including benches
 - identification of special streetscape zones including retail shopping pedestrian areas.
- c) an implementation strategy for the Town’s Greenland’s Plan as approved by Council; including a demonstration of the continuity and connectivity of adjoining Precincts;
- d) traffic and transportation requirements;
- e) the pertinent results and requirements derived from the following studies, where applicable:
- Tree Conservation Plan [Section 4.1.3(f)]
 - Archaeological Assessment or Survey [Section 3.10(g)]
 - Noise Attenuation Measures [Section 6.1.1(b)]
 - Cultural Heritage (Section 3.10)
 - Development Phasing Plans (Section 6.1.2.2)

As indicated by the Precinct boundaries on Schedule ‘EE’, Precinct Plans are not required for areas within the Central Area Planning District that are already substantially developed or approved for development.

The Precinct Plans are to be endorsed by Council prior to approval of development applications, but are non-statutory documents. Modifications and changes relative to the Precinct Plans may be reflected in development approvals without formal amendments to Precinct Plans or to this Secondary Plan. In those circumstances where all lands within a Precinct Plan are not anticipated to be developed in a timely manner, basic Precinct requirements may be considered acceptable for those phases or sub-areas that are not proceeding in the near or immediate future.

3.4 URBAN DESIGN

A clear and thorough direction for urban design will guide development in the Planning District. The land use designations in this Secondary Plan allow for flexibility of uses and create an opportunity for development to occur over an extended period of time.

This process, with its many changes, will lead to the ultimate development of an urban centre. The structural components of this Secondary Plan will provide the framework for development to occur in an orderly and efficient manner over time. To create this urban centre, a strong urban design direction is essential.

The Central Area Planning District has been structured (see Section 3.3.2) so that the urban design policies and principles in this Plan are to be further refined and elaborated in Precinct Plans.

The Community Structure Plan attached as Schedule 'DD' to this Secondary Plan illustrates key elements to be considered in preparing the Precinct Plans. These include built form edges, conceptual maximum height provisions, key intersections requiring special treatment, and elements of the open space system. Precinct Plans will incorporate and further address these matters and shall be prepared prior to the approval of the first draft plan of subdivision or site plan within the Precinct. Precinct Plans shall have regard to the policies, design objectives, principles and criteria contained in this Plan with further regard, where applicable, to the provisions contained in the Town's Design Implementation Guidelines (June 1996).

The following policies set out general criteria for the development of both the public realm and for private lands to create an attractive, safe and pedestrian friendly environment.

3.5 PHYSICAL STRUCTURE

Development will be based on an interconnected system of public and private streets that are aligned to create a modified rectilinear grid pattern and to ensure continuous and direct movement for both vehicles and pedestrians.

3.5.1 Streets, Block and Lot Pattern

The layout of streets, the size and shape of blocks, and configuration of lots shall ensure:

- i) views to the Rouge Valley and, to the extent possible, to parks and other public open spaces;
- ii) pedestrian ease of access and enjoyment of public streets and other outdoor spaces is encouraged;
- iii) safety, comfort and security for all persons in public spaces, including streets, parks, parking facilities and amenity areas, will be achieved through appropriate siting and location of buildings, entrances, walkways, amenity and parking areas so as to provide visibility and opportunities for informal surveillance.
- iv) there is no reverse lotting adjacent to public streets and, to the extent appropriate, to parks and other public open spaces;
- v) public and institutional buildings will be sited and designed to enhance their public status and recognize their importance in the community.

- vi) provision of connectivity between the major structural components identified on Schedule 'DD' - Community Structure.

3.5.2 Views and Landscape Focal Points

Significant views and focal points shall be encouraged by:

- i) preserving and enhancing views to natural features, including woodlots, the Rouge Valley and across open spaces;
- ii) providing opportunities for views of important public buildings, heritage buildings, parks, and other landmarks; and,
- iii) providing for sites to terminate streets and view corridors.

3.5.3 Landmark Locations

Buildings and structures at the following locations should be designed and massed to emphasize unique qualities that set them apart from other building sites in the community:

- i) at the termination of a street;
- ii) corner sites at street intersections specifically:
 - Flaska Drive/Town Centre Boulevard at Highway 7
 - Warden Avenue at Highway 7
 - Verclaire Gate at Highway 7
 - Village Parkway/Birchmount Extension at Highway 7
 - Birchmount Extension at Centre Boulevard
 - all intersections at Birchmount between Highway 407 and the Central Boulevard
 - Warden Avenue at Central Boulevard
 - 'GO' Station at Central Boulevard
- iii) at deflections in the street grid

Reference should be made to the provisions of Section 3.8 in regard to building heights.

3.6 BUILT FORM

To achieve high quality design in the public realm, specifically with respect to streets and open spaces, buildings should be designed to ensure that attractive streetscapes, social interaction, transit usage and public safety are addressed. The following measures should be considered:

- a) Buildings should provide an appropriate degree of continuity and enclosure to the street.
- b) Buildings will generally be aligned to the public street and the facade should be designed to avoid blank walls, to provide clearly marked secondary access(es) and

not be the location of exposed exterior loading doors, garbage handling facilities, highly visible mechanical equipment or outside storage.

- c) The primary building face, which is that portion of a building parallel to the public street, should:
 - maintain a consistent setback from the street line
 - provide the principal address and entrance to the building, and
 - be designed to achieve a high quality of architectural resolution.
- d) For buildings where the ground (first) floor is used for retail or other public purposes, ground (first) floor elevations should be consistent with the street grade and provide entrances and large display windows that face the public street.
- e) Buildings on corner sites should be sited and massed toward the intersection of the adjoining public streets.
- f) Schedule 'DD' - Community Structure to this Secondary Plan identifies the riverside drive edge and urban edge conditions. Criteria for the riverside drive edge condition are contained in Section 3.6.1; the urban edge condition criteria are contained in Section 3.6.2.

3.6.1 Riverside Drive Edge

- a) The relationship of the buildings to the streets shall ensure an attractive streetscape and views into the Rouge Valley.
- b) The height, massing and location of buildings should respect the character of the Rouge Valley.
- c) The primary building face, which is that portion of the building parallel to the Rouge Valley, should:
 - provide the principal address and entrance to the building.
 - be designed to achieve a high quality of architectural resolution.
 - not be dominated by garage doors and parking.

3.6.2 Urban Edge

- a) Commercial, retail, industrial and institutional buildings should be massed to the street with a consistent setback to the lot line. Where residential buildings or mixed use buildings are provided at street level, a variation in this consistent setback is encouraged to create the opportunity for a landscaped forecourt.
- b) Buildings are encouraged to have direct pedestrian access at street level. Retail stores and/or building entrances should front onto the street and have a clear address marking.

- c) Buildings located on corner sites are encouraged to provide a building entrance(s) that addresses the corner of the intersection.
- d) Buildings are encouraged to provide weather protected pedestrian walkways, colonnades or arcades and landscaped courtyards that are connected to the public sidewalk.
- e) Where appropriate, transit waiting areas are encouraged to be incorporated into buildings.
- f) Parking facilities are encouraged to be located in the interior of blocks or below grade.
- g) Parking facilities located between the building and the lot line are strongly discouraged.
- h) Large surface parking lots should be subdivided into block sizes and configurations similar to the block and street pattern established in the Precinct with the edge treatment similar to the public street treatment.
- i) Servicing and loading facilities should be accessed from a lane interior to a block, or a driveway that provides such access to the rear of the building. Where servicing and loading facilities are directly facing a public street, these facilities should be internal to the building.

3.6.3 Microclimatic and Privacy

Development will be compatible with adjacent and neighbouring development by ensuring that the siting and massing of new buildings does not result in negative impacts on adjacent properties, particularly in regard to shadowing, wind, overlook and other environmental factors.

3.7 STREETScape

The streetscape component of a Precinct Plan shall meet the design principles of the Secondary Plan and shall have regard, where applicable, to the appropriate provisions contained in the Town's Design Implementation Guidelines (June 1996). The streetscape component will ensure that the public realm is consistent in quality and design for all areas in the Planning District and will address the following matters:

- a) The function, design and treatment of street hierarchy, including identification of the Primary and Secondary street system.
- b) The provision of a continuous and connective pedestrian and bicycle route system.

- c) A strategy for the provision of on-street parking.
- d) Requirements for the mobility impaired, such as safety and security features at all bus stops, standards for the placement of street furniture, and sidewalk maintenance and design, including curb cuts so as to provide a continuous barrier free path to transit services.
- e) Requirements for traffic calming measures.
- f) Specific streetscape treatment including tree planting, decorative paving, boulevard treatment, street furnishing and lighting, appropriate to the character of the street type, shall be designed and implemented for the following:
 - i) Highway 7
 - ii) Central Boulevard
 - iii) For those street sections shown with a riverside drive edge in Schedule 'DD' - Community Structure
 - iv) For those street sections shown with an urban edge on Schedule 'DD' - Community Structure.

3.8 BUILDING HEIGHTS

Building heights will be established in the Precinct Plan and shall be determined by the relevant policies in this Secondary Plan and the following general criteria:

| <u>Land Use Designation</u> | <u>Maximum Height</u> |
|---|--|
| Low Density Housing Medium Density I and II Housing Neighbourhood Commercial Centre Commercial Corridor Area Open Space | low-rise buildings, generally not to exceed 3-1/2 storeys |
| Community Amenity Area - General | mid-rise buildings, generally not to exceed 6 storeys |
| Business Park Area Community Amenity Area - Major Urban Place | mid rise buildings, generally not to exceed 8 storeys; high-rise buildings may be permitted at key strategic locations, generally not to exceed 13 storeys, subject to satisfying Council as to the quality of the design and proper gradation of height |

The intended maximum building heights for lands designated Business Park Area and Community Amenity Area - Major Urban Place have been identified conceptually on Schedule 'DD' - Community Structure Plan. Maximum building heights identified on Schedule 'DD' are defined as follows:

- '8' - 8 storeys for residential or office uses.
- '8*' - 8 storeys for residential or office uses. Where buildings are designed to achieve landmark design objectives and provide focal points for the community, and proper gradation of height is provided, Council may increase the building heights to a maximum of 13 storeys for residential or office uses.
- '13' - 13 storeys based on an office building module. High-rise residential buildings may have a height in metres equivalent to that which could be achieved under the maximum number of storeys permitted for an office building module.

In the case of the lands designated Community Amenity Area - Major Urban Place at the southeast corner of the Warden Avenue and Highway 7 intersection, buildings may be permitted to a maximum height equivalent to the top of the clock tower of the existing Embassy Suites Hotel. Building heights are not intended to exceed 8 stories east of Verclaire Gate (see Section 3.2.1.3).

Specific building height provisions for lands within the Secondary Plan area will be determined in Precinct Plans in response to adjacent development outside the Plan area, and by providing a gradual transition of building heights within the Plan area.

Council may deem it appropriate for a building or buildings to exceed the above general maximum heights without an amendment to this Secondary Plan, provided the purpose and intent of this Secondary Plan are met.

3.9 SITING AND DESIGN REVIEW FOR LOW DENSITY HOUSING

Whereas the majority of development will be subject to site plan approval, low density housing forms including single detached and semi detached, as may be permitted by Sections 4.2.1 and 4.3.2.2(d), will be subject to siting and design review. Low density housing will be designed to enhance the development of a pedestrian friendly environment and an attractive public realm. This will be achieved through the formulation and implementation of siting and design guidelines for low density housing. It is the intent of the siting and design review guidelines to:

- establish appropriate siting of dwellings, fencing and accessory structures
- control garage location and extent of garage protrusion
- establish a variety of building setbacks, or where appropriate establish a consistent setback
- control model, and front and flankage elevation, repetition
- ensure the provision of front porches

- establish special treatment for houses on corner lots or T-intersections, and for houses flanking open spaces and landmark locations
- identify minimum building design performance standards, relating to such matters as minimum roof pitches, and treatment of utility connections.

As a condition of approval of development applications that include low density housing, the applicant shall be required to engage the services of a qualified architect, acceptable to the Town, who shall review all housing plans and certify their compatibility with the guidelines established at the time of development approval.

3.10 HERITAGE CONSERVATION

- a) Conservation of heritage resources, which includes buildings of historic and/or architectural merit and archeological resources shall be consistent with the provisions of Section 2.5 of the Official Plan (Revised 1987) as amended.
- b) Buildings having historic or architectural significance have been identified by the Town within the Secondary Plan area (Appendix II).
- c) It is intended to encourage the retention and conservation of buildings of architectural and/or historic merit on their original sites and to promote the integration of these resources into new development proposals in their original use or an appropriate adaptive re-use. Prior to recommending draft approval of a plan of subdivision, or approving a site plan, for the lands on which these buildings are located, Council shall obtain the recommendation of the Local Architectural Conservation Advisory Committee as to whether the existing buildings should be retained, removed, or can be demolished. Analysis of the integration of the heritage resources will be addressed in the Precinct Plan.
- d) As a condition of further development approval the Town will secure satisfactory financial guarantees to fully restore or reconstruct any damaged or demolished heritage structures.
- e) Through the use of Zoning By-laws, Sign By-laws, Site Plan Agreements and Subdivision Agreements, the Town will ensure that development within or adjacent to heritage buildings is designed, sited or regulated in such a manner so as not to conflict with or destroy its historical or architectural significance.
- f) A pioneer cemetery located in Lot 8 Concession 4, on the west side of Warden Avenue and designated Institutional - Cemetery on Schedule 'AA' shall be retained, consistent with the provisions of Section 2.5.1(h) of the Official Plan (Revised 1987) as amended.

- g) Prior to recommending draft approval of plans of subdivision or approval of site plans, the Town, in consultation with the Ministry of Citizenship, Culture and Recreation, shall require proponents of development to carry out archaeological surveys and assessments for the lands within the Secondary Plan area to be used for urban development or supporting infrastructure under the supervision of a licensed archaeologist.

If significant archaeological remains are found, measures to excavate or protect the site(s) of such remains shall, as deemed appropriate, be undertaken by the proponents of the development to the satisfaction of the Town in consultation with the Ministry of Citizenship, Culture and Recreation.

SECTION 4 - LAND USE POLICIES

4.1 GENERAL POLICIES

4.1.1 Land Use Designations and Policies

The land use designations for the Central Area Secondary Plan shown on Schedule 'AA' establish the general pattern for future development in the Secondary Plan area. The policies for these designations are set out in Sections 4.2 to 4.9 inclusive.

4.1.2 Policy Implementation

Development shall be permitted in accordance with:

- i) the policies of the Official Plan (Revised 1987) as amended;
- ii) the policies and requirements of this Secondary Plan;
- iii) Development Staging Strategy and Development Phasing Plan;
- iv) Plans of Subdivision/Condominium, Site Plans and the implementing Zoning By-law;
- v) Developer's Group Agreements, as may be required; and,
- vi) agreements between the Town of Markham and proponents of development, in particular those arising from planning approvals.

4.1.3 General

- a) The basic pattern of land use for the subject lands is established as shown on Schedule 'A' - LAND USE of Amendment No. 21.
A more detailed pattern of land use is established on Schedule 'AA' attached hereto. This pattern is schematic and may be adjusted in subdivision or site plan approval processes, taking into account such matters as the preservation of natural vegetation, preservation of heritage resources, stormwater management requirements, detailed land use arrangements and street patterns. Minor adjustments to the boundaries of the land use designations may be approved without an amendment to the Secondary Plan in accordance with Section 8.2 of the Official Plan.

- b) Minor adjustments to the alignment of roads may be permitted subject to conformity with the Transportation Objectives of Section 2.3.6 and the Transportation Policies of Section 5.1 of this Secondary Plan, to the satisfaction of the Town. Any proposed adjustments relating to crossings of floodplain areas shall be reviewed by the Town in consultation with the Metropolitan Toronto and Region Conservation Authority.
- c) The locations of community and infrastructure facilities within the Markham Centre Master Plan area, such as schools, parks, roads and road improvements, external services and storm water management facilities shall be selected without regard to property ownership. All owners within the Markham Centre Master Plan area shall contribute their proportionate share towards community and infrastructure facilities. In order to ensure that property owners within the Markham Centre Master Plan area of Official Plan Amendment No. 21 contribute their proportionate share towards these facilities, the Town may require property owners within Official Plan Amendment No. 21 to enter into one or more agreements with each other and/or the Town, as a condition of approval of the development of their lands, providing for the equitable distribution of the costs (including that of land) of these community and infrastructure facilities. [See also Section 6.1.2.3 and Section 4.5.6 (c)].
- d) Residential development, including housing in mixed use developments, shall be subject to the provisions of the Official Plan (Revised 1987) as amended and this Secondary Plan in regard to housing.
- e) The Open Space System shown on Schedule 'CC' provides the general framework for parks and open space within the Secondary Plan area. Refinements to the Open Space System will be required subject to Section 4.5.1(d). Adjustments to the Open Space system may be approved without an amendment to the Secondary Plan.
- f) It shall be the policy of this Secondary Plan to preserve as many of the existing trees as possible. During preparation of Precinct Plans (Section 3.3.2), tree conservation plans shall be prepared to the satisfaction of the Town. Suitable programs to implement approved tree conservation plans shall be required prior to final approval of draft plans of subdivision or site plans.
- h) Notwithstanding any other policies of this Secondary Plan, all municipal facilities and utilities shall be permitted on lands in any land use designation, with the exception of the Open Space Environmentally Significant Area designation. In the case of HAZARD LANDS, the provisions of Section 4.6 of this Secondary Plan shall apply.

- i) Notwithstanding the land use designations on Schedule 'AA', attached hereto, where lands are designated Special Policy Area on Schedule 'F' of the Official Plan, the provisions of Section 3.10.2 of the Official Plan (Revised 1987) as amended shall apply.
- j) Development shall be consistent with the Urban Design policies of this Secondary Plan (Sections 3.4 to 3.9).
- k) Council shall strive to maintain compatibility between sensitive land uses and industrial facilities. Measures including land use separation shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of Environment and Energy. Distances will vary depending on the nature of the industrial facility and the intervening land uses. The greater the scale and intensity of the industry, the greater the separation distance required will be. Regard shall be given to the Transitional Urban Area requirements of the Ministry's Guideline where existing industrial uses exist or lands are zoned for such uses.
- l) Where there is evidence that a site may be contaminated due to the previous use of the property, the Town shall require that a soils study in accordance with Provincial guidelines for the restoration or contaminated sites be submitted along with any application for development. Development of any contaminated site shall not be permitted until a Record of Site Condition in accordance with the Guideline for Use of Contaminated Sites in Ontario is received to the satisfaction of the Town. The Ministry of Environment and Energy is to be consulted if the Site Specific Risk Assessment approach to site restoration is used.
- m) Notwithstanding the study requirements identified in Section 6.1.5 of this Secondary Plan, public uses such as schools, parks, libraries and municipal works may be permitted to develop prior to the completion of the studies identified in Section 6.1.5 subject to conformity with the objectives and policies of the Official Plan and this Secondary Plan to the satisfaction of the Town.
- n) Development parcels shall be of sufficient size and configuration to accommodate development in a manner that achieves the planning and design principles established or provided for in this Secondary Plan.
- o) It is generally intended that the amount and distribution of development to be approved within the Planning District will be approximately as shown in Appendix I. The Development Phasing Plans, Precinct Plans and implementing zoning by-laws will further refine the approximate values identified in Appendix I.

- p) Appendix I, entitled 'Central Area Statistics', while not forming an operative part of this plan, nevertheless indicates the amount and distribution of development that was used to determine the supply of public infrastructure envisioned by the plan, including such matters as parks, schools, roads, and water and sewage facilities. Council will monitor development as it occurs, so that the projected level of public infrastructure can be adjusted to be kept in balance with development.
- q) Building heights shall be subject to the provisions of Section 3.8 of this Secondary Plan.

4.2 URBAN RESIDENTIAL

- a) The policies found in Section 3.3 - URBAN RESIDENTIAL of the Official Plan will be adhered to in the development in this Secondary Plan area. Where provisions in this Secondary Plan differ from or elaborate further on policies in the Official Plan, this Secondary Plan shall prevail.
- b) Housing categories in this Secondary Plan are in accordance with the following provisions of Section 3.3.2(a) of the Official Plan:
 - i) Low Density Housing
 - ii) Medium Density I Housing
 - iii) Medium Density II Housing.

4.2.1 Low Density Housing

- a) Lands designated Low Density Housing on Schedule 'AA' attached hereto shall be subject to the provisions of Section 3.3.2(a)(i) of the Official Plan.
- b) Where lands designated Low Density Housing in this Secondary Plan are designated Special Policy Area on Schedule 'F' of the Official Plan (Revised 1987) as amended, the provisions of Section 3.10.2 of the Official Plan shall also apply.

4.2.2 Medium Density I Housing

- a) Land designated Medium Density I Housing on Schedule 'AA' attached hereto shall be subject to the provisions of Section 3.3.2(a)(ii) of the Official Plan as further modified through the following provisions:
 - i) the form of housing shall include townhouses, street townhouses, stacked townhomes, urban villas and other forms of multiple unit housing;
 - ii) limited professional offices may also be permitted in mixed use developments through an implementing Zoning By-law;
 - iii) density shall not exceed 44 units per net hectare (18 units per net acre);
 - iv) lands designated Medium Density I Housing in this Secondary Plan which are designated Special Policy Area in the Official Plan (Revised 1987) as

amended, shall also be subject to the provisions of Section 3.10.2 of the Official Plan;

- v) where applications are considered for development or redevelopment abutting existing residential development on lands designated Low Density Residential, the new development shall be compatible; and,
- vi) Notwithstanding the provisions of this Section, existing buildings which are identified as heritage buildings in Appendix II will be subject to the policies and provisions of Section 2.5 of the Official Plan and Section 3.10 of this Secondary Plan.

4.2.3 Medium Density II Housing

- a) Lands designated Medium Density II Housing on Schedule 'AA' attached hereto shall be subject to the following provisions:
 - i) the form of housing shall consist of multiple dwelling types and shall include townhouses, street townhouses, stacked townhouses, apartments and other forms of multiple unit housing;
 - ii) density shall not exceed 62 units per net hectare (25 units per net acre).
- b) Notwithstanding the URBAN RESIDENTIAL designation in the Official Plan and the Medium Density II Housing designation in this Secondary Plan, the lands fronting onto Town Centre Boulevard north of the neighbourhood park and the lands south of Cox Boulevard may be approved to permit employment uses in accordance with the Community Amenity Area provisions of Section 3.4.6.2 of the Official Plan (Revised 1987) as amended, and the Community Amenity Area - Major Urban Place provisions of Section 4.3.2.3 of this Secondary Plan.

4.3 COMMERCIAL

4.3.1 General

In accordance with Section 3.4.3 of the Official Plan (Revised 1987) as amended, the following specific commercial categories are established within this Secondary Plan:

- i) Community Amenity Area
- ii) Neighbourhood Commercial Centre
- iii) Commercial Corridor Area

Distinct roles with respect to commercial function will be allocated to specific areas within the Planning District. The three categories provide policies for mixed use development, neighbourhood-related retail and retail commercial corridors. Commercial development will be designed in accordance with the policies of Section 3.4.4.4 of the Official Plan and this Secondary Plan.

4.3.2 Community Amenity Area

4.3.2.1 General Policies

- a) The Community Amenity Area designation in this Secondary Plan is intended to accommodate a mix of residential, commercial, employment, and community uses

in a pedestrian friendly manner, in keeping with the overall objectives for the Town Centre.

The development of lands designated Community Amenity Area shall be in accordance with the general provisions of Section 3.4 and the specific provisions of Section 3.4.6.2 of the Official Plan (Revised 1987) as amended, and the provisions of this Secondary Plan.

- b) Lands within the Community Amenity Area category are further organized into two sub-categories of designation, as shown on Schedule 'AA' - Land Use attached hereto as follows:
 - Community Amenity Area - General
 - Community Amenity Area - Major Urban Place
- c) In accordance with the provisions of Section 3.4.6.2(c)(i) of the Official Plan (Revised 1987) as amended, institutional uses and community facilities are permitted in the Community Amenity Area designation. The preferred locations of certain identified park, school and open space uses are shown on Schedules 'AA' and 'CC', subject to the provisions of Section 4.4 and 4.5 of this Secondary Plan.
- d) Development of lands designated Community Amenity Area shall be subject to the provisions of the Official Plan (Revised 1987) as amended, this Secondary Plan, and the Precinct Plans (Section 3.3.2) to be approved by the Town where applicable.
- e) Permitted residential densities shall be established in accordance with the provisions of Sections 4.3.2.2(c) and (g) and 4.3.2.3(g) and (m) of this Secondary Plan, having regard to the following average net site densities for residential units in each category, in accordance with Section 2.13 of the Official Plan (Revised 1987) as amended:
 - Low Density (17 - 37 units per hectare)
 - Medium Density (37.1 - 79.9 units per hectare)
 - High Density (80 - 148 units per hectare).

4.3.2.2 Community Amenity Area - General

- a) The development of lands designated Community Amenity Area - General shall be in accordance with the provisions of Section 3.4.6.2 of the Official Plan (Revised 1987) as amended, and the provisions of this Secondary Plan.
- b) Notwithstanding the provisions of Section 3.4.6.2(c)(ii) of the Official Plan (Revised 1987) as amended, lands designated Community Amenity Area - General may be used predominantly for medium and high density residential use,

subject to review of a specific development proposal and rezoning or for low density residential subject to the provisions of Section 4.3.2.2 (d).

- c) The permitted density of medium and high density residential development shall be established through Precinct Plans (Section 3.3.2), where applicable, having regard to the provisions of Section 2.13.1(e) of the Official Plan (Revised 1987) as amended and the provisions of this Secondary Plan including the target Statistics in Appendix I. Permitted residential building types, to be confirmed through Precinct Plans, where applicable, may include the following:
- medium density residential development - street townhouses, small plex-type (e.g. quattroplex), multiple unit buildings, stacked townhouses, apartments and similar forms of medium density multiple unit housing; where deemed appropriate by the Town, the implementing zoning by-law may provide for townhouse buildings containing two dwelling units;
 - high density residential development - stacked townhouses, garden court apartments, apartments and similar forms of high density multiple unit housing
 - low density residential development - subject to the provisions of Section 4.3.2.2(d).
- d) Notwithstanding the provisions of Section 3.4.6.2(c)(i) of the Official Plan (Revised 1987) as amended, lands designated Community Amenity Area - General may be approved to permit Low Density residential uses (including single detached, semi-detached and street townhouse units), subject to review of a specific development proposal and rezoning, that the location is appropriate and that the provisions of this Secondary Plan are met. Any proposals for Low Density housing must be outlined in Precinct Plan submissions (Section 3.3.2), where applicable, to the satisfaction of the Town.
- e) Buildings or development blocks with a mix of uses shall be encouraged.
- f) Parking shall be provided in accordance with standards of the Town and implemented through the zoning by-law. Surface parking areas shall generally be located to the side or rear of commercial or apartment buildings.
- g) Provisions and development standards to control the density and distribution of development shall be included in the implementing zoning by-law. Specific zoning provisions and standards relating to density shall be based on the findings and recommendations of the Precinct Plan, and the distribution of development established in the Development Phasing Plan.

- h) Lands designated Community Amenity Area - General described as Part 2, Plan 64R-6935, know municipally as 4167 Highway 7 shall be subject to the following policies:
 - i) The permitted uses shall be limited to business and professional offices or a day care centre. If the property is used for a day care centre, one accessory residential dwelling unit shall be permitted within the same building as the day care centre.
 - ii) Access to Highway 7 will be closed when an alternative access is available from an interior collector road.
 - iii) The site plan control agreement shall require that within six months of the municipal sewers becoming available to service the subject property, the development on the property shall be connected to sewers.

- i) Notwithstanding the provisions of Section 3.4.6.2 iv) of the Official Plan, the lands designated Community Amenity Areas - General on the west side of Kennedy Road may be considered for retail uses involving accessory outdoor storage and/or display, subject to approval by Council of a specific proposal for zoning amendment and site plan approval demonstrating land use and quality of design commensurate with the intended character of the area.

4.3.2.3 Community Amenity - Major Urban Place

- a) The Community Amenity Area - Major Urban Place designation applies to certain significant lands within the Planning District, including those lands located at the intersections of the Central Boulevard and Birchmount Road, the Central Boulevard in proximity to the GO station east of the C.N.R., and along the Highway 7 Corridor from east of Village Parkway to east of Rodick Road, as shown on Schedule 'AA' attached hereto. The highest concentration of development and the greatest variety of activities in the Planning District will be on the lands designated Community Amenity Area - Major Urban Place. These lands are intended to function as the primary mixed use activity areas of the Town Centre.

- b) The development of lands designated Community Amenity Area - Major Urban Place shall be in accordance with the provisions of Section 3.4.6.2 of the Official Plan (Revised 1987) as amended, and the provisions of this Secondary Plan.

- c) The lands shall develop with a high concentration and intensity of residential, commercial, employment and supporting uses.

- d) Development will incorporate mixed uses wherever possible, either within single buildings or within development blocks, and will afford convenient pedestrian access between uses and between development parcels.

- e) Retail and service commercial uses and community services are encouraged on the ground floor of multi-storey buildings along arterial, major collector and minor collector street frontages.
- f) Notwithstanding the provisions of Section 3.4.6.2(c)(ii) of the Official Plan (Revised 1987) as amended, lands designated Community Amenity Area - Major Urban Place may be used predominantly for medium and high density residential use, subject to review and approval of a specific development proposal and rezoning.
- g) The permitted density of medium and high density residential development shall be established through Precinct Plans (Section 3.3.2), having regard to the provisions of Section 3.3.3(e) of the Official Plan (Revised 1987) as amended and the provisions of this Secondary Plan including the target Statistics in Appendix I. Permitted residential building types, to be confirmed through Precinct Plans, may include the following:
- medium density residential development - street townhouses, small plex-type (e.g. quattroplex), multiple unit buildings, stacked townhouses, apartments and similar forms of medium density multiple unit housing; where deemed appropriate by the Town, the implementing zoning by-law may provide for townhouse buildings containing two dwelling units;
 - high density residential development - stacked townhouses, garden court apartments, apartments and similar forms of high density multiple unit housing.
- h) Notwithstanding subsection (g), in the case of the Community Amenity Area - Major Urban Place designation on the north side of Highway 7 between Town Centre Boulevard and Rodick Road, density shall be permitted up to 200% Floor Area Ratio overall, and for residential uses 50% Floor Area Ratio up to 62 units per net hectare (25 units per net acre), subject to confirmation in the Precinct Plan.
- i) Parking shall be provided in accordance with standards of the Town and implemented through the zoning by-law. Surface parking areas shall generally be located to the side and rear of commercial and apartment buildings.
- j) Notwithstanding the provisions of Section 3.4.6.2 (c)(ii) of the Official Plan (Revised 1987) as amended, the following uses shall be prohibited:
- automobile service stations
 - car washes
 - automobile repair uses
 - banquet halls and day care centres unless part of a mixed use project

- k) In the case of the Community Amenity Area - Major Urban Place lands adjacent to Highway 407 between Warden Avenue and the C.N.R., the ground floor shall be reserved for retail, service commercial, office space, or other employment uses, or for community facilities. Alternatively, a mixed use campus of buildings may be considered. Any residential uses shall be limited to high density forms. Height provisions shall be determined through the Precinct Plan in accordance with Section 3.8. High rise residential buildings may have a height in metres equivalent to that which could be achieved under the maximum number of storeys permitted for an office building module.
- l) Notwithstanding the Commercial designation in the Official Plan, the lands identified in subsection (k) shall also permit uses in accordance with the Business Park Area policies of Section 4.8.2 of this Secondary Plan.
- m) Provisions and development standards to control the density and distribution of development shall be included in the implementing zoning by-law. Specific zoning provisions and standards relating to density shall be based on the findings and recommendations of the approved Precinct Plan, and the distribution of development established in the approved Development Phasing Plan.

4.3.3 Neighbourhood Commercial Centre

- a) The Neighbourhood Commercial Centre designation is intended to provide convenience commercial uses that primarily serve the surrounding residential areas. Lands designated Neighbourhood Commercial Centre on Schedule "AA" attached hereto shall be subject to the general provisions of Section 3.4.6.3 of the Official Plan (Revised 1987) as amended, and to the further provisions of this Secondary Plan.
- b) Notwithstanding the provisions of Section 3.4.6.3(c)(ii) of the Official Plan (Revised 1987) as amended, lands designated Neighbourhood Commercial Centre may be zoned to permit residential uses, as provided for in subsection i) of that Section. The permitted density of residential development shall be established through the Precinct Plan (Section 3.3.2) and the implementing zoning by-law.
- c) Parking shall generally be provided in accordance with standards implemented through the Zoning By-law and shall be located to the rear of the principal buildings, where possible.

4.3.4 Commercial Corridor Area

Lands designated Commercial Corridor Area west and east of Unionville Main Street may be redeveloped subject to the provisions of Section 3.4.6.5 of the Official Plan (Revised Plan 1987) as amended and to the further provisions of this Secondary Plan as follows:

- a) West of Unionville Main Street
 - i) the assembly of parcels will be encouraged in order to provide limited points of access to Highway 7 and coordinated parking;
 - ii) buildings will be located as close as possible to the Highway 7 right-of-way taking into account the need for and design of pedestrian amenities and the overall design objectives for Highway 7;
 - iii) parking shall generally be located to the rear of principal buildings; and,
 - iv) residential uses shall be limited to a maximum of two storeys over the ground floor commercial or other permitted uses in mixed use developments.

- b) Lands designated COMMERCIAL and SPECIAL POLICY AREA on Schedule 'A' - LAND USE in the Official Plan (Revised 1987) as amended, on the south side of Highway 7 abutting the westerly limit of the C.N.R. right-of-way, known as 4261 Highway 7, with a total of approximately 2.4 hectares shall be subject to the following policies:
 - i) Uses which generate high volumes of traffic or have high traffic turnover shall generally not be permitted.
 - ii) Buildings and structures shall be flood protected to an elevation of not less than 176.4 metres, Canadian Geodetic Datum.

- c) East of Unionville Main Street
 - i) on lands designated Commercial Corridor Area east of Unionville Main Street, residential uses will be permitted up to two storeys over the ground floor commercial or other permitted uses in mixed use developments;
 - ii) residential uses will be permitted along Meadowbrook Lane in accordance with the Medium Density I Housing provisions of Section 4.2.2 of this Secondary Plan; and,
 - iii) lands designated Commercial Corridor Area in the Secondary Plan which are designated Special Policy Area in the Official Plan (Revised 1987) as amended, shall also be subject to the provisions of Section 3.10.2 of the Official Plan.

4.4 INSTITUTIONAL USES

Lands designated Institutional and Institutional - Cemetery on Schedule 'AA' shall be subject to the provisions of Section 3.6 of the Official Plan. In this Secondary Plan, the Anthony Roman Centre (Civic Centre, and adjacent Markham Theatre and Unionville High School) is designated Institutional. The existing pioneer cemetery on the west side of Warden Avenue north of Highway 407 is designated Institutional - Cemetery.

In addition to the above-noted lands designated Institutional on Schedule 'AA', this Secondary Plan also permits certain institutional uses to locate in other land use

designations in accordance with the provisions of the Official Plan and this Secondary Plan.

4.4.1 Separate and Public School Sites

- a) Symbols denoting preferred locations for separate and public elementary and high school sites are shown on Schedules 'AA' and 'CC', as an overlay to the underlying land use designation shown on Schedule 'A' to the Official Plan. These sites also form a major part of the Open Space System in the Secondary Plan (Section 4.5). School sites have been selected to reflect the role of such sites in defining community structure and patterns of land use. School sites may be relocated without amendment to this Secondary Plan, in consultation with the respective School Boards and affected landowners, provided the alternate sites are consistent with the location objectives and community structure of this Secondary Plan, and with the appropriate general institutional policies of Section 3.6.2 of the Official Plan (Revised 1987) as amended.
- b) High school sites shall be located with access to public transit and wherever possible on potential transit routes.
- c) School sites shall be located to be highly visible and accessible.
- d) The exact location, size and configuration of school sites will be determined in the context of Precinct Plans (Section 3.3.2), plans of subdivision and development proposals in the general area surrounding the symbol.
- e) A campus form of development to include adjacent school and park sites will be encouraged in an endeavor to promote multi-functional and shared-use facilities and services and to achieve capital and operating cost efficiencies.
- f) The Town will encourage the School Boards to review school standards relative to floor plate, number of storeys, parking and drop off requirements and other aspects of building design and site layout to maximize the area available for recreational use and to reduce the size of school sites.
- g) Where appropriate, additional community oriented facilities such as a recreation centre, library, day care centre, or social service centre may be incorporated into the campus either in free standing buildings or in school buildings, subject to Site Plan approval and agreements with the School Boards.
- h) The Town of Markham shall have first right to acquire all or part of the school site in the event that the School board(s) acquires the school site and subsequently decides that it is no longer required for a school site. In the event the Town decides not to exercise its right, all other government agencies will be provided

the same opportunity to acquire the school site. The School board may assign the conditions relative to an executed agreement of purchase and sale to the Town or other government agencies. Appropriate wording will be included in the applicable subdivision agreement to give effect to these requirements.

- i) School sites have been located adjoining parkland, the Rouge Valley system or both, and in campus arrangements which are generally central to neighbourhoods. In the event that all or part of a school site should not be required by the School Boards, alternative uses will be reviewed, in accordance with the following priorities:
 - i) Open space uses in accordance with Section 4.5 of this Secondary Plan and Section 3.9 - OPEN SPACE of the Official Plan (Revised 1987) as amended, and in particular additional park space.
 - ii) Compatible institutional buildings, and particularly those suited to joint arrangements with the remaining school or open space uses such as places of worship, government buildings, and community, cultural or recreation centres.
 - iii) Development which is in conformity with the underlying land use designation as shown on Schedule 'A' to the Official Plan (Revised 1987) as amended, and any other applicable provisions of this Secondary Plan.
 - iv) Development which is compatible in use, density and form with the development permitted on abutting lands.
- j) In the event that the secondary school sites shown on Schedule 'AA' should not be required by the School Boards and not required for open space or institutional uses as provided for in subsection 4.4.1(i)(i) and (ii), alternate permitted uses shall be in accordance with Section 4.3.2.2 - Community Amenity Area - General policies of this Secondary Plan and/or, notwithstanding the Commercial designation in the Official Plan, in accordance with Section 4.8.2 - Business Park Area - policies of this Secondary Plan, and shall include a significant employment given the high degree of exposure and accessibility of the lands at key gateway locations to the satisfaction of the Town.

4.4.2 Places of Worship

- a) Places of worship are permitted in all land use designations in this Secondary Plan except HAZARD LANDS and OPEN SPACE, unless jointly developed with schools, recreation centres or other permitted buildings or facilities under the OPEN SPACE designation.

Places of worship will be encouraged to locate close to centres of community activity, such as recreation centres or retail areas, to create a neighbourhood focal point and to share facilities, or will be encouraged to locate in prominent

locations. Locations which terminate a vista will be given special consideration for places of worship and other civic and community buildings.

- b) It is the intent of the Secondary Plan that distribution of Places of Worship sites be in accordance with Council adopted policy. In this regard, Places of Worship site(s) shall be identified in the required Precinct Plan and Development Phasing Plan. Appropriate development parcel(s) shall be incorporated in plan(s) of subdivision and development proposals and will be zoned to permit a Place of Worship or appropriate alternate uses.
- c) The Town shall, by subdivision or other appropriate agreements, ensure that places of worship are made available for acquisition for a period of at least five years from the date of registration of the plan of subdivision or execution of a site plan agreement.
- d) The Town shall establish, in subdivision or other agreements, conditions for the acquisition of Place of Worship sites, including pricing, as Council deems appropriate.

4.4.3 Day Care Centres

Day care centres shall be permitted in accordance with the provisions of Section 2.11 of the Official Plan (Revised 1987), as amended.

4.4.4 Institutional - Cemetery

A pioneer cemetery on the west side of Warden Avenue (Lot 8, Concession 4) is designated Institutional - Cemetery on Schedule 'AA' and is subject to the provisions of Sections 3.6.3 and 2.5(h) of the Official Plan.

4.5 OPEN SPACE SYSTEM

4.5.1 General Policies

- a) i) The Open Space System shall incorporate several elements as shown on the Schedules 'CC' - Open Space System and 'DD' - Community Structure. These include a community park, neighbourhood parks, parkettes, valleylands and associated buffers, a woodlot, elementary school sites, secondary school sites, and other open space features. Public amenity areas forming part of private development projects may also be located and designed to relate to and extend the Open Space System.
- ii) Elements of the Open Space System shall be located to be highly visible and accessible. To this end, continuous road frontage adjoining these elements will be provided where appropriate. The functional and design requirements relating to elements of the Open Space System shall be identified in the Precinct Plan (Section 3.3.2).

- b) Certain lands contributing to components of the Open Space System are identified schematically or symbolically on Schedule 'AA' - Detailed Land Use and Schedule 'CC' - Open Space System of the Secondary Plan. (The underlying land use designations are shown on Schedule 'A' - Land Use of the Official Plan). The locations, configurations and boundaries of these lands shall be confirmed through Precinct Plans and implementing development plans and may be revised in the process of development approval without further amendment to this Secondary Plan, to the satisfaction of the Town and authorized agencies.
- c) It is intended that wherever possible existing trees and hedgerows worthy of preservation shall be protected and incorporated into the open space system.
- d) The Precinct Plans shall have regard for the Greenlands Plan once prepared by the Town. Further detailed guidelines on the design of public parks and public open spaces within the Secondary Plan may be identified in the Greenlands Plan. The Greenlands Plan may also provide details on the management of public lands within the valley to ensure protection of significant and sensitive natural areas, while identifying restoration and recreational opportunities, and will be used in consultation with the Metropolitan Toronto and Region Conservation Authority to develop plans or programs in the valley.
- e) The Greenlands Plan identified in Section 4.5.1(d) shall be prepared by the Town in consultation with the Metropolitan Toronto and Region Conservation Authority and the area landowners and shall have regard for public access and environmental protection considerations.
- f) Adjustments to parkland boundaries resulting from Section 4.5.1(d) or the completion of additional floodplain mapping or servicing studies may be permitted without an Amendment to the Secondary Plan.
- g) Additional provisions relating to school sites, which form a major part of the Open Space System, are outlined in Section 4.4.1.

4.5.2 Parkland Provisions

- a) In accordance with the provisions of Section 3.9.3(a) of the Official Plan (Revised 1987) as amended, the Community Park, Neighbourhood Park and Parkette categories are established for this Secondary Plan. Notwithstanding Section 3.9.3(f) of the Official Plan (Revised 1987) as amended, the provisions of public parks may be varied as deemed appropriate by Council and as further modified by the policies of this Secondary Plan.

- b) Schedule 'CC' identifies the Open Space System for the Secondary Plan and includes neighbourhood and community parkland, institutional and school sites, valleylands and associated buffers, environmentally significant areas, other open space features, and private open space performing an integral design function. The areas, locations, classifications and configurations of the parks will generally be in accordance with 'CC' and 'DD' and will have regard for the Greenland's Plan as described in 4.5.1(d).
- c) Parks will be provided on the basis of the Official Plan standard of three acres (1.214 ha) of tableland parks per 1000 persons or 1 hectare per 300 units in accordance with Section 3.9.4 of the Official Plan (Revised 1987) as amended, as outlined conceptually in Appendix I. However, the ultimate amount and location of parkland required is dependent upon the actual amount and type of development, and will be further refined through the approval of Precinct Plans and development applications.
- d) A linked pedestrian and bicycling trail system to connect public parks with the valley system and beyond to other communities within the Town will be provided for as a condition of development approval. Routes, standards and functions will be established in a comprehensive Bicycle Path Study, to be undertaken by the Town in consultation with the Metropolitan Toronto and Region Conservation Authority.

4.5.3 Community Park

- a) A major Community Park complex shall be provided adjoining the Rouge River, west of Warden Avenue.
- b) The location and extent of the Community Park will be generally as shown on Schedules 'AA' and 'CC', but may be further refined upon finalization of a Greenlands Plan as identified in Section 4.5.1(d).
- c) Prior to acceptance of lands for Community Park, the Town shall require that a soils and or groundwater study in accordance with Provincial guidelines for the restoration of contaminated sites be submitted to the Town. Where required by the Town, a groundwater monitoring program shall be implemented prior to the acceptance of the lands for park purposes. A Record of Site Condition shall be prepared and submitted in accordance with the Guideline for Use of Contaminated Sites in Ontario to the satisfaction of the Town. The Ministry of Environment and Energy is to be consulted if the Site Specific Risk Assessment approach to site restoration is used. Should decommissioning and clean up of the site not be financially feasible or suitable, the Community Park may be relocated to other lands within the Amendment area as deemed appropriate by the Town.

- d) The Town shall require the landowner enter into appropriate agreements with the Town to ensure the implementation of remedial works if necessary.
- e) In the event that the major community park complex adjoining the Rouge River east of the Ontario Hydro corridor shown on Schedules 'AA' and 'CC' is relocated as per sub-section (c), the alternate permitted use and development of the lands shall be in accordance with Section 4.3.2.2 Community Amenity Area - General of this Secondary Plan, or, notwithstanding the COMMERCIAL designation in the Official Plan in accordance with Section 4.8.2 - Business Park Area polices of this Secondary Plan, subject in either case to any necessary decommissioning or clean up of the site for the intended use to the satisfaction of the Town in consultation with the Ministry of Environment and Energy.
- f) In the event that the major community park complex adjoining the Rouge River east of the Ontario Hydro corridor shown on Schedules 'AA' and 'CC' cannot be acquired by the Town in its entirety, a portion of the lands may be used in accordance with Section 4.3.2.2 Community Amenity Area - General of this Secondary Plan, or, notwithstanding the COMMERCIAL designation in the Official Plan in accordance with Section 4.8.2 - Business Park Area polices of this Secondary Plan. However, it is intended that a minimum of 6.1 ha (15 acres) shall be provided for community park purposes at this location, which shall be credited against concurrent or future development by the respective dedicating landowners. It is intended that the respective portions of the minimum 6.1 ha (15 acre) Community Park be dedicated upon registration of the first plan(s) of subdivision in the Secondary Plan areas by the respective dedicating landowners, or as may otherwise be agreed to in a development agreement with the Town. The ultimate land area of the Community Park shall take account of the objective for an appropriate overall distribution of community park, neighbourhood parks and parkettes throughout the Secondary Plan areas as outlined in Section 4.5.1.

4.5.4 Neighbourhood Park

- a) Whenever possible, neighbourhood parks will be located adjacent to schools to facilitate comprehensive planning and joint use of sites and buildings.
- b) Neighbourhood parks will also be encouraged in locations central to neighbourhoods for the convenience of residents and employees and in locations that are adjacent to or in proximity to the Rouge River valley.
- c) Neighbourhood parks will be open to view on as many sides as appropriate in consideration for the safety of users and good urban design.

- d) The location and configuration of Neighbourhood Parks will be generally as shown on Schedule 'CC' and as further defined in the Precinct Plan (Section 3.3.2).

4.5.5 Parkettes and Open Space

- a) Small urban parks and parkettes are symbolically shown on Schedule 'CC' to this Secondary Plan. Additional parkettes or modifications to the suggested locations shown on Schedule 'CC', may be required by the Town through the process of review and approval of Precinct Plans, without an amendment to this Secondary Plan.
- b) These parkettes will not necessarily be in public ownership and may be squares, plazas, or gardens which are integral components of a building or project design.
- c) Notwithstanding sub-section (a), where the location shown on Schedule 'CC' includes existing natural features, a parkette will be encouraged at this location and these features will be retained, enhanced and incorporated into the parkette.
- d) A continuous landscaped centre island shall be provided along the length of the Central Boulevard, to function as a major urban streetscape feature and distinct structural element of the Central Area Planning District as shown conceptually on Schedule 'DD', to the satisfaction of the Town.
- e) The north/south tributary corridor located in the vicinity of the Birchmount Road extension shall be protected and enhanced in accordance with Section 4.6.1(h), and shall provide an open space link between the Central Boulevard and the school/park campus and the Rouge Valley.

4.5.6 Open Space Acquisition

- a) Public open space shall be provided in accordance with the provisions of the Planning Act, R.S.O. 1990, the policies and standards of the Official Plan (Revised 1987) as amended, and this Secondary Plan.
- b) Parkland dedication will be required as a condition of development approval or in accordance with the appropriate provisions in a Developers Group Agreement.
- c) Where the Secondary Plan allocates parkland requirements which are within the allowable limits under the Planning Act, but which impose upon some landowners a proportionally greater burden than upon others, then in order to ensure that all landowners contribute their proportionate share towards the provision of parkland, landowners may be required to enter into a Developers Group Agreement as a condition of development of their land, providing for the equitable distribution of the costs of such parkland.

Where the Secondary Plan allocates to a landowner a greater share of parkland than it would otherwise be required to provide under the Planning Act, and where such landowner has not been compensated for the provision of such excess parkland through a Developers Group Agreement, Council may alternatively choose to compensate owners directly through funding sources including:

- i) cash-in-lieu of parkland funds
- ii) Development Charges parkland acquisition funds
- iii) funds allocated in the Town's budget
- iv) funds allocated by any authority having jurisdiction
- v) other sources as necessary

The timing and funding sources for parkland acquisition shall be addressed through subdivision or other agreements. Where parklands are to be purchased from the developer by the Town, the value of such parkland shall be determined as of the day before draft plan approval.

Where the subdivision or other agreements do not make provision for the public acquisition of such parkland, the lands in question may be developed in accordance with other applicable policies of this Plan, without the need for an amendment to this Plan.

- d) Woodlots and tree stands worthy of preservation may be incorporated into parks as areas for passive recreation.
- e) Parks or portions thereof may be designed to include water quantity/quality control features, subject to the approval of the Town, in consultation with the Metropolitan Toronto and Region Conservation Authority and the Ministry of Natural Resources.

In instances where grading or other changes required for water quantity/quality control or the presence of water precludes the use of a portion of park area for the required park purposes then such stormwater management features shall not be accepted as part of the parkland dedication

- f) Parklands dedicated to the Town shall be prepared and landscaped to the satisfaction of the Town.

4.5.7 Environmentally Significant Area

- a) The designation of Open Space - Environmentally Significant Area is established in this Secondary Plan in accordance with the provisions of Section 2.2.3 of the Official Plan (Revised 1987), as amended.

One existing woodlot, identified and recommended for protection in the Town of Markham Natural Features Study, has been designated Open Space - Environmentally Significant Area and is shown on Schedule 'AA'.

- b) Notwithstanding the depiction of the designated feature on Schedule 'AA', the boundary of the designation shall be deemed to include a buffer as required in Section 4.5.7(c)
- c) An Environmental Impact Study may be required by the Town for the designated feature as provided for in Section 2.2.3(e) of the Official Plan (Revised 1987) as amended, and may include:
 - i) determination of the boundaries of the lands designated Open Space - Environmentally Significant Area, which shall include the woodlot and any other lands required for buffering. Buffers adjoining an Environmentally Significant Area may be kept in private ownership if deemed acceptable to the Town;
 - ii) an assessment of the impacts of proposed development on existing conditions of the designated area and its surroundings; and,
 - iii) a description of the manner in which negative impacts will be avoided or mitigated and a program for restoration or enhancement to improve the ecological integrity of the designated area.

Such study, if required, shall be completed and recommendations approved by the Town prior to the approval of development applications in the vicinity of the feature or agreement by the Town to accept their dedication. In cases where an environmental buffer is required in public ownership, the implementing zoning by-law may permit a density allocation to be transferred from the buffer to areas adjacent or nearby lands, to the satisfaction of the Town.

- d) The existing woodlot shall be credited as parkland and incorporated into a neighbourhood park.

4.5.8 Rouge Park

- a) In accordance with the Provincial and municipal interest to extend the Rouge Park north of Steeles Avenue along the main branch of the Rouge River, and the objectives of this Secondary Plan to provide scenic views and to integrate the valley feature into the community, the following special provisions apply:
 - i) A minimum 10 metre environmental buffer adjacent to the stable top-of-bank or Regulatory Flood Line, whichever is the greater, will be left in a natural state or enhanced subject to approval by the Town in consultation with the Metropolitan Toronto and Region Conservation Authority. This buffer may be adjusted in size through completion of an Environmental

- Master Drainage Plan or Environmental Impact Study to the satisfaction of the Town in consultation with the Metropolitan Toronto and Region Conservation Authority.
- ii) The identified lands shall be set aside for environmental buffer purposes as a condition of development approval on adjacent lands or in accordance with provisions in a development Agreement required prior to final approval of development applications within the Secondary Plan area. Where lands in the environmental buffer are conveyed to the Town, the buffer area may be included in the calculation of permitted development density or the buffer may be accepted as part of the parkland dedication where it is suitable for open space or recreational uses in conjunction with adjacent parkland.
 - iii) Riverside Roads shall be provided adjacent to the 10 m buffer identified in Section 4.5.8(a)(i) generally as shown on Schedule 'DD' - Community Structure. The unpaved portion of the right of way may be incorporated into a portion of the required 10 m buffer.
 - iv) Compatible community amenities such as school sites and parks shall be encouraged and may incorporate the environmental buffer for open space uses provided buildings and structures are not sited within the environmental buffer.
 - v) Where existing development abuts the Rouge Valley, a setback to the maximum extent feasible shall be required for any redevelopment.
 - vi) Where lands adjacent to the Rouge River are designated Special Policy Area on Schedule 'F' to the Official Plan, a buffer will generally not be required. However, building structures, parking and roads will be set back to the maximum extent feasible.
- b) The Greenlands Plan identified in Section 4.5.1(d) shall identify plans and programs for protection and restoration of sensitive natural features, and public enjoyment of the valleylands.

4.6 HAZARD LANDS

4.6.1 General Policies

- a) Lands designated HAZARD LANDS on Schedule 'A' and 'AA' shall be subject to the provisions of Section 3.10 of the Official Plan (Revised 1987) as amended, as further modified by the provisions of this Secondary Plan.
- b) HAZARD LANDS shown on Schedule 'AA' shall be defined by the stable top-of-bank or the Regulatory Flood Line whichever is greater; both of which shall be established in the field and surveyed and/or supported by technical studies to the satisfaction of the Town and the Metropolitan Toronto and Region Conservation Authority.

- c) Notwithstanding Section 3.10.1(c) of the Official Plan (Revised 1987), as amended, HAZARD LANDS shall be conveyed to the Town or other authorized public agency as a condition of development approval on adjacent lands or in accordance with provisions in a development Agreement required prior to final approval of development applications within the Secondary Plan area.
- d) In addition to the permitted uses in Section 3.10.1(b) of the Official Plan (Revised 1987) as amended, municipal services, utilities and stormwater management facilities shall also be permitted, subject to approval of the Town and the Metropolitan Toronto and Region Conservation Authority.

These facilities will be located and designed to minimize impacts on the valley system and to achieve a net environmental benefit, where possible.

- e) Notwithstanding Section 3.10 of the Official Plan (Revised 1987) as amended, portions of the Rouge Valley designated HAZARD LANDS may be used for active recreation associated with a park, school site or other acceptable outdoor public recreation use, subject to approval by the Town having regard to the Greenlands Plan identified in Section 4.5.1(d) and subject to approval of applicable Regulatory Agencies.
- f) Where minor tributaries are proposed for enclosure, stream inventories, fisheries assessments and fish habitat statements, where not provided through the Floodplain and Storm Water Management Study for the Markham Centre Study, shall be provided to the satisfaction of the Town and the applicable Regulatory Agencies.
- g) The management of the tributary corridor located in the vicinity of the Birchmount Road extension will require further refinement regarding the floodplain limits and the siting and design of roads and development blocks. Intrusions and alterations to the existing tributary landform and functions, including the floodplain and watercourse, shall be minimized and may result in adjustments at the Precinct Plan, draft plan of subdivision and detailed design stages. Efforts will be made to balance valleyland management objectives with the broad objectives of the Secondary Plan. Buffer requirements adjacent to the floodplain may be reduced and portions of the floodplain may be incorporated as landscaped areas within compatible developments. Development approvals affected by this tributary corridor will not be granted until the Town of Markham and the Metropolitan Toronto and Region Conservation Authority are satisfied.
- h) Prior to development, proposals for channelization shall demonstrate no net loss to the productive capacity of the fishery resource and shall incorporate natural

channel design to the satisfaction of the Town and the applicable Regulatory Agencies.

- i) Notwithstanding any other provisions of this Plan, the existing building on the lands designated 'Hazard Lands' to the north and east of the combined school/park campus east of Warden Avenue and north of the Central Boulevard may be used for a Private School, subject to a development application being approved by the Town in consultation with the Metropolitan Toronto and Region Conservation Authority. The environmental buffer requirement of Section 4.6.2a) shall not apply to the Private School Site subject to Council being satisfied with the development application in regard to pedestrian linkages in this section of the valley and environmental protection objectives. Schools or educational facilities which service children, the elderly or physically or mentally impaired shall not be permitted within buildings on Hazard Lands.

4.6.2 Environmental Buffer

- a) An environmental buffer shall be required adjacent the main branch of the Rouge River subject to the policies of Section 4.5.8(a).
- b) All other watercourses within the Secondary Plan area shall require an environmental buffer to be measured from the stable top-of-bank or regulatory flood line, whichever is the greater. The width of this buffer shall generally be 10 m or as determined as part of the Environmental Master Drainage Plan and/or Stormwater Management Studies required pursuant to Section 5.2.5(b). No building or structure shall be permitted within an environmental buffer and the lands will be left in a naturally vegetated state or enhanced in accordance with the Greenlands Plan [Section 4.5.1(d)] or the Precinct Plans (Section 3.3.2).
- c) In cases where an environmental buffer is required, the implementing zoning by-law may permit a density allocation to be transferred from the buffer area to adjacent or nearby lands, as deemed appropriate by the Town.

4.7 FORMER WASTE DISPOSAL SITE

- a) The influence area of the Former Waste Disposal Site, west of the Ontario Hydro corridor, designated on Schedule 'A' of the Official Plan (Revised 1987) as amended, potentially extends onto lands designated Community Park on Schedule 'AA' to this Secondary Plan.
- b) Prior to any acceptance of these lands by the Town for park purposes, studies will be undertaken by the land owners addressing soil and water quality and any necessary mitigation programs in accordance with Section 2.10.2 of the Official Plan, to the satisfaction of the Town in consultation with the Ministry of Environment and Energy [see Section 4.5.3(c)].

- c) The Town shall not accept public dedication of these lands, or approve any development, until any necessary mitigation measures have been undertaken, and the site confirmed to be safe for the intended use, to the satisfaction of the Town in consultation with the Ministry of the Environment and Energy.

4.8 INDUSTRIAL

4.8.1 General

In accordance with Section 3.5.3 of the Official Plan (Revised 1987) as amended, the category of Business Park Area is established in this Secondary Plan.

4.8.2 Business Park Area

- a) The Business Park Area designation applies to lands having employment potential at key strategic locations with a high degree of exposure and road and transit accessibility. Furthermore, certain lands within the Planning District, south of Highway 7 and west of Flaska Drive, are already developed with business park type uses and are designated as Business Park Area on Schedule 'AA'. The designated Business Park lands are intended to provide a wide range of employment opportunities, in particular office related jobs at a high density and intensity of development, and to contribute to a high live - work ratio and transit supportive land use pattern in the Town Centre.
- b) The development of lands designated Business Park Area shall be in accordance with the general provisions of Section 3.5 and the specific provisions of Section 3.5.6.2 of the Official Plan (Revised 1987) as amended, and the provisions of this Secondary Plan and the implementing Precinct Plans.
- c) The lands shall develop with a high concentration of employment and supporting uses.
- d) Development shall be compatible in density and form with the development permitted on adjacent lands.
- e) Retail and service commercial uses and community facilities are encouraged on the ground floor of multi-storey buildings along arterial, major collector and minor collector street frontages.
- f) Parking shall be provided in accordance with standards of the Town, implemented through the Zoning By-law. On-site parking shall generally be located to the rear of principal buildings.
- g) Provisions and development standards to control the density and distribution of development shall be included in the implementing zoning by-law. Provisions

and standards relating to density shall be based on the Precinct Plan and the distribution of development established in the Development Phasing Plan, having regard to the provisions of this Secondary Plan including the approximate target Statistics in Appendix I.

- h) Notwithstanding the provisions of Section 3.5.6.2(c)(ii) of the Official Plan (Revised 1987) as amended, the following uses shall be prohibited on the lands designated Business Park Area as shown on Schedule 'AA' of this Secondary Plan:
- motels
 - banquet halls
- i) The lands designated 'Business Park Area' at the northwest corner of Warden Avenue and the Central Boulevard (Yorktech Drive extension) are intended for a multi-storey 'signature' office building. However, it is recognized that the site is constrained by the existing regional storm floodline. Notwithstanding any other policy in this Plan, it is the policy of Council to work with the landowner and the Metropolitan Toronto and Region Conservation Authority to try to achieve the intended quality and scale of office development at this location. This will involve detailed engineering studies and examination of innovative building and parking solutions to try to maximize the development potential subject to approval of a development application by the Town in consultation with the Metropolitan Toronto and Region Conservation Authority.

4.9 TRANSPORTATION AND UTILITIES

Lands designated Transportation and Utilities on Schedule 'AA' shall be subject to the relevant provisions of Section 6 of the Official Plan (Revised 1987) as amended.

4.10 HOUSING

- a) Housing shall be provided in accordance with the policies of Section 2.13 of the Official Plan (Revised 1987) as amended, and as further modified by the policies of this Secondary Plan.
- b) It is the intent of this Secondary Plan to accommodate a broad range of housing types, largely in multiple housing forms in keeping with a Town Centre context. A component of low density housing is also contemplated in accordance with the provisions of Sections 4.2.1 and 4.3.2.2(d) of this Secondary Plan.
- c) The housing target for this Secondary Plan shall be approximately 10,000 dwelling units as shown distributed by District in Appendix I to this Secondary Plan. The housing target for each District shall be identified in the Development Phasing Plan (Section 6.1.2.2).

- d) Adjustments to the housing targets identified in Appendix I may be considered by Council in the context of Development Phasing Plans and Precinct Plans (Section 3.3.2). Where any significant departure from the housing unit targets is proposed, the proponent shall satisfy the Town that such a departure is in keeping with the goal and objectives of the Plan and supports the transportation system servicing the Secondary Plan.
- e) The distribution of housing units throughout the Districts may be adjusted without an Amendment to this Secondary Plan, providing the overall housing targets are generally maintained to the satisfaction of the Town.
- f) The Town shall monitor the approval of development within the Secondary Plan, and may adjust the housing targets from time to time without the need for Amendment to this Secondary Plan.

4.11 EMPLOYMENT

- a) Applications for development will be reviewed relative to the overall employment, live-work, and public transit objectives of this Secondary Plan.
- b) The employment target for this Secondary Plan shall be approximately 17,000 new office employment opportunities, based on target office employment space of some 390,000 m² as shown distributed by District on Appendix I to this Secondary Plan. (This is in addition to existing office/industrial employment in the Secondary Plan Area. New population related jobs, such as in retail and institutional space, will also be in addition to this office employment target.) The employment target for each District shall be identified in the Development Phasing Plan (Section 6.1.2.2).
- c) Adjustments to the employment space targets identified in Appendix I may be considered by Council in the context of Development Phasing Plans and Precinct Plans (Section 3.3.2). Where any significant departure from the employment targets is proposed, the proponent shall satisfy the Town that such a departure is in keeping with the goal and objectives of the Plan and supports the transportation system.
- d) The distribution of employment space throughout the Districts may be adjusted without an Amendment to this Secondary Plan, providing the overall approximate target employment space is maintained to the satisfaction of the Town.
- e) The Town shall monitor the approval of development within the Secondary Plan, and may adjust the employment targets from time to time without the need for Amendment to this Secondary Plan.

- f) Development approvals for lands designated for mixed use (housing and employment) will be monitored to ensure that housing approvals do not unduly limit opportunities for the development of employment space, where appropriate.
- g) The Town will have regard for employment targets identified by District in Appendix I in determining permitted uses in implementing by-laws.

SECTION 5 - INFRASTRUCTURE

5.1 TRANSPORTATION

5.1.1 GENERAL POLICIES

- a) The Transportation system servicing the Secondary Plan area shall include road, transit, bicycle and pedestrian routes and facilities. The proposed network of Minor and Major Collector Roads is shown on Schedule 'BB' - Transportation. Minor revisions to the alignment of these roads may be incorporated into implementing plans(s) of subdivision without further amendment to this Secondary Plan.
- b) Components of the transportation system shall be planned and provided in accordance with the policies of the Official Plan (Revised 1987), as amended, and the policies of this Secondary Plan.
- c) The right-of-way of all roads within and bordering the Planning District including sight triangles and throat widening shall be dedicated in accordance with the requirements of the Town, or the agency having jurisdiction.
- d) The findings and recommendations of the Markham Transportation Planning Study (May 1994) and the Markham Centre Study Transportation Assessment (December 1994) shall be recognized and addressed in determining the function and design requirements for components of the transportation system, and in considering applications for development to ensure transit supportive patterns of land uses within the Secondary Plan area.
- e) Notwithstanding the provisions of Section 5 of the Official Plan and the designations on Schedule 'BB' of this Secondary Plan, the specific functions and design requirements of roads will be addressed through Transportation Studies required in accordance with Section 5.1.2. Additional or modified classifications and standards applicable to this Secondary Plan Area may be implemented as a condition of development approvals, to the satisfaction of the Town.
- f) Prior to approval of development within defined Districts, as shown on Schedule 'EE', a Transportation Study (Section 5.1.2) for the District shall be completed and the requirements for all transportation system components confirmed to the

satisfaction of the Town, in consultation with the Regional Transportation Department and addressing Regional concerns to the Region's satisfaction, and other concerned agencies. Where required by the Town, review of transportation system components may be required for areas extending beyond the District boundary.

- g) Certain major roads such as Highway 7, the Riverside Roads or the Central Boulevard may be studied independently and plans prepared on condition that the studies include all intersecting roads.
- h) Roads and bridges across the valley will be designed with due regard for the scenic quality and environmental aspects of the Rouge Valley and its ecological integrity/function and the architectural integrity of the Central Area Planning District to the extent practical and feasible.

5.1.2 TRANSPORTATION STUDY

- a) A detailed Transportation Study relating to the proposed development within each District shall be completed to the satisfaction of the Town and authorized agencies, prior to the approval of the Development Phasing Plan for the District (Section 6.1.2.2), Precinct Plans (Section 3.3.2), implementing zoning by-law or development applications, including plans(s) of subdivision or site plans.
- b) The Transportation Study shall identify the anticipated traffic to be generated by the proposed development and the internal and external transportation infrastructure requirements to accommodate this traffic. The Transportation Study shall also identify required phasing of development in relation to the construction/delivery of roads, road widening or other transportation infrastructure, in sufficient detail to support the preparation of the Development Phasing Plan and Precinct Plan for the District.
- c) Prior to draft approval of plan(s) of subdivision or approval of site plans, the Precinct Plans required by Section 3.3.2 shall confirm the required rights-of-way for all roads and intersections within the Precinct (Schedule 'EE') taking into account all functional and design requirements for traffic, bicycle and pedestrian movement, parking, services and utilities, streetscape and access to private lands, including the findings and recommendations of the Transportation Study for the District within which the Precinct is located.
- d) The Town may require the preparation and approval of area/site specific Transportation Impact Studies in support of applications for subdivision or site plan approvals. Each study shall reflect the approved Transportation Study for the District (Schedule 'EE'), and shall be completed to the satisfaction of the Town in

accordance with the approved Town Guidelines for Transportation Impact Studies.

5.1.3 HIGHWAY 7

- a) Notwithstanding the current designation of Highway 7 as a Provincial Highway, the Town supports the ultimate function of Highway 7 as a transit supportive urban arterial road, and supports urban development in conformity with the Urban Design policies in Section 3.4 of this Secondary Plan.
- b) Prior to approval of development fronting onto Highway 7, a Comprehensive Streetscape Plan shall be prepared identifying built form and pedestrian access for Highway 7 through such features as boulevards, tree planting and street furniture and on-street parking while providing for an urban arterial traffic volume and higher order transit services.

5.1.4 ROAD EXTENSIONS

- a) The Official Plan Amendment provides for, and this Secondary Plan accommodates, the extension of certain major roads to connect with the Town's existing road network.

These include a north/south connection to Birchmount Road and east-west connections to Rodick Road and York Tech Boulevard.

- b) Development approvals will be monitored to ensure that the road system is adequate to accommodate proposed development and will be phased, dependent on the achievement of these road extensions.

5.1.5 COLLECTOR ROADS

- a) The proposed system of Major and Minor Collector Roads is shown on Schedule 'BB'. The classifications and right-of-way requirements in Section 5 of the Official Plan (Revised 1987), as amended, may be modified, based on the required Transportation Study and Precinct Plan and will be implemented through development approvals, Development Charges By-laws and Developers Group Agreements, as applicable.
- b) Roads through the Community Park will be designed to contribute to the scenic quality and functioning of the Park.
- c) Direct access from individual lots and blocks to the major collector roads shall be discouraged. Access to individual buildings, particularly in mixed use multiple unit residential development, shall be encouraged from rear lanes and/or adjoining local roads.

5.1.6 LOCAL ROADS

5.1.6.1 General

The overall road pattern will be determined in the Precinct Plan. Local roads shall be designed to reflect a modified grid system and shall be consistent with the Town's Design Implementation Guidelines.

5.1.6.2 Alleys and Lanes

- a) Secondary and complementary public roads referred to as alleys and lanes may be provided at the rear of lots to provide access to the required on-site parking and service areas.
- b) Public utilities may be located within alleys and lanes subject to functional and design standards approved by the Town.

5.1.7 ROUGE RIVER CROSSINGS

In order to serve the traffic needs of the Central Area Planning District and to provide the necessary distribution of this traffic, a number of roads crossing the Rouge River have been provided as follows:

- a) From the Central Boulevard:
 - i) adjacent to the railway, connecting to the extension of Sciberras Road;
 - ii) in the Centre West Neighbourhood connecting to the extension of Birchmount Road; and,
 - iii) in the Centre West Neighbourhood connecting to the extension of Verclaire Gate.
- b) West of Warden Avenue:
 - i) the Central Boulevard will cross the Rouge River at two locations and connect with York Tech Drive and Flaska Drive.
- c) Bridge or related alternative design concepts across the valleys will be designed with regard for the scenic quality of the Rouge Valley and its ecological integrity/function and the architectural character of the town centre as expressed in the Precinct Plan (Section 3.3.2).
- d) Bridge or related alternative design concepts for road crossings of the Rouge River shall have regard to the broad public objectives of the Secondary Plan and shall minimize intrusions and alterations to existing valley landforms and functions. Exact siting of bridge locations shall be finalized at the detailed design stage. Siting and bridge design shall address to the satisfaction of the Town and applicable Regulatory agencies such requirements as:
 - (i) pedestrian and wildlife access in the valley corridor;

- (ii) watercourse dynamics such that channelization and armouring is minimized and the need for future remedial works is avoided;
 - (iii) aquatic habitat including the retention and/or establishment of appropriate riparian habitat; and,
 - (iv) the safe passage of Regulatory Flood flows such that existing Regulatory Flood elevations are maintained to within acceptable limits as determined by the Town and the Metropolitan Toronto and Region Conservation Authority.
- e) Bridge or related alternative design concepts for road crossings of other Rouge River tributaries shall have regard to the policy and requirements of Section 5.1.7(c) to the extent practical and feasible.

5.1.8 PUBLIC TRANSIT

5.1.8.1 General

- a) The Town will work with other transit services, the Region of York and the Province of Ontario to develop a system of transit service for the Secondary Plan area, pursuant to Section 5.6 of the Official Plan (Revised 1987), as amended.
- b) The introduction of transit services to the Secondary Plan area will be phased, based on acceptable operational and financial criteria.
- c) It is intended that at least 85% of the population of the community will be within 400 metres of a bus route, to the extent practical.
- d) Local transit services and other longer distance services, where possible, shall connect to the GO Station within this Secondary Plan Area.
- e) Development applications for the GO Station site or for lands over and around the GO Station will be reviewed to ensure that the local transit transfer requirements can be met and to promote coordinated planning of station facilities with GO Transit.

5.1.8.2 Transit Supportive Development

In order to provide an attractive alternative to the private automobile and encourage greater use of public transit, the form of development must be transit supportive and transit facilities and services must be accessible to all potential users.

Precinct Plans, plans of subdivision and site plans will be reviewed relative to the guidelines and requirements of the Transit Supportive Land Use Planning Guidelines (Ministry of Municipal Affairs and Ministry of Transportation of Ontario) and the Town of Markham's Transit Accessibility Implementation Plan and the Markham

Transportation Planning Study. In particular, the following matters shall be addressed to the satisfaction of the Town:

- a) provision of a local road pattern and related pedestrian routes that provide for direct pedestrian access to transit routes and stops;
- b) documentation that all parts of the District are within acceptable walking distance of public transit;
- c) incorporation of bus bays/right turn lanes into road design requirements;
- d) provision for transit waiting areas in major buildings adjacent to transit stops;
- e) reverse lotting adjacent to Arterial and Collector Roads will not be permitted;
- f) the main pedestrian entrance to major commercial and office buildings should front onto the street and on-site parking areas should be away from the front of buildings, where possible;
- g) pedestrian amenities such as canopies, and arcades for weather protection should be incorporated into the design of buildings along major transit routes;
- h) provision of pedestrian walkways and waiting areas which are attractive, weather protected, comfortable, well lit and contain seating, where appropriate. Walkways and waiting areas should provide for safe and unobstructed pedestrian movement to and from transit services; and,
- i) review of the following to create an accessible environment for individuals who are mobility impaired:
 - design and placement of newspaper boxes, garbage containers and other street furniture in the vicinity of transit stops; and,
 - design of sidewalks, including curb cuts to provide a continuous barrier free path to transit services.

5.1.9 PEDESTRIAN AND BICYCLE PATH SYSTEM

The Secondary Plan area shall have pedestrian and bicycle path systems which serve the entire community and which are linked with other pathway systems in the Town. These shall be developed in accordance with the findings and recommendations of the Town-wide Bicycle Path Study, and the Precinct Plans required by this Secondary Plan.

5.1.10 PARKING

- a) It is intended that on-street parking will be encouraged at appropriate locations on all roads, except Regional roads, busways, alleys and lanes, subject to confirmation in Precinct Plans, in order to provide some of the parking required

for adjacent development and to assist in calming traffic movement and thereby enhance pedestrian safety.

- b) Off-street parking shall also be provided, and shall be required to generally locate to the rear of principal buildings.
- c) Specific parking provisions, shall be incorporated into the applicable Zoning By-law.

5.2 SERVICES AND UTILITIES

5.2.1 General

Development within the Planning District shall be on full municipal services in accordance with the Town's Master Servicing (June 1994) and Development Staging Strategy (July 1994) for lands in the Future Urban Area, the findings and recommendations of the required Master Servicing Plans to be completed to the satisfaction of the Town in consultation with concerned agencies, and the policies of the Town and the Region of York.

5.2.2 SANITARY SEWERS

This Secondary Plan area will be serviced by sanitary sewers extended from the York Durham Sewage System. The assignment of sewage flow and treatment capacity to the subject lands will be determined by the Town pursuant to the Development Staging Strategy (Section 6.1.2.1) and approved at the plan of subdivision or site plan approval stage.

Construction of required infrastructure will be based on detailed engineering and design studies to be approved by the Town in consultation with the Region of York and concerned agencies.

5.2.3 WATER SUPPLY

A piped municipal water supply will be provided from the York Water Supply System. The assignment of a water supply to the subject lands will be determined by the pursuant to the Development Staging Strategy (Section 6.1.2.1) and approved at the plan of subdivision or site plan approval stage. Construction of required infrastructure will be based on detailed engineering and design studies to be approved by the Town in consultation with the Region of York and concerned agencies.

5.2.4 MASTER SERVICING PLAN

- a) Prior to approval of development, a Master Servicing Plan to address the provision of sanitary, storm and water services shall be prepared to the satisfaction of the Town. The Master Servicing Plan shall be prepared on a District basis. Where required by the Town, the provision of sanitary, storm and

water services components may be required for areas extending beyond the District boundary.

- b) The Master Servicing Plan shall identify the technical and financial requirements to provide the following services to support urban development:
- sanitary and storm sewers,
 - water supply,
 - stormwater management facilities,
 - transportation facilities, and,
 - hydro electric power.

The Master Servicing Plan shall serve as a contributing source of information for the Development Phasing Plans (Section 6.1.2.2).

5.2.5 STORMWATER MANAGEMENT

- a) In accordance with established policy, the stormwater drainage system will be designed to the satisfaction of the Town of Markham, in consultation with other Regulatory Agencies.
- b) Prior to approval of development, an Environmental Master Drainage Plan and/or Stormwater Management Studies shall be prepared to the satisfaction of the Town the Metropolitan Toronto and Region Conservation Authority and other authorized agencies. The Plans will reflect the findings and recommendations of the "Stormwater and Floodplain Management (March 1994)" for the Markham Centre Area and generally address:
- i) the lands within a catchment area defined by the Town;
 - ii) pond location and sizes;
 - iii) a fish habitat statement to confirm storm drainage outflow locations;
 - iv) assess recharge and discharge zones;
 - v) stormwater outflow (conceptual) designs (to address instream erosion prevention);
 - vi) thermal impacts;
 - vii) overall viability of the tributaries (as a result of flow diversions and changes to baseflow contributions) to be protected;
 - viii) implementation of at-source controls, to the extent possible.

The Environmental Master Drainage Plans and/or Stormwater Management Studies shall be prepared on a District basis. Where required by the Town, the provision of stormwater components may be required for areas extending beyond the District boundary.

- c) Stormwater facilities in the valley will be located, designed and constructed to minimize any negative impacts on significant natural features and on the stream corridor, and to achieve a net environmental benefit, where possible.

5.3 UTILITIES AND TELECOMMUNICATIONS

- a) All local power and telephone lines and other "cable" services serving the Secondary Plan area shall be located underground and shall be grouped into a single utility conduit, where possible.
- b) Utility services shall be permitted in all land use designations, except the Open Space - Environmentally Significant Area. In the case of the HAZARD LANDS designation, the policy of Section 4.6.1(d) shall apply.
- c) The Town will support the provision of electronic communications technology involving high capacity fibre optics to enhance telecommunications services within the Secondary Plan area.

SECTION 6 - IMPLEMENTATION AND INTERPRETATION

6.1 IMPLEMENTATION

6.1.1 General

- a) This Secondary Plan shall be implemented in accordance with the provisions of the Planning Act, RSO 1990, other applicable Provincial legislation, and the provisions of the Official Plan (Revised 1987) as amended and this Secondary Plan.
- b)
 - i) Pursuant to the provisions of Section 2.2.1 of the Official Plan (Revised 1987) as amended, the Town shall require completion of studies to determine possible negative impacts of noise and vibration and the need for attenuation measures on lands adjacent to Highway 407, Highway 7, the Arterial Roads and the C.N.R. Uxbridge Subdivision line. Such studies shall be approved by the Town in consultation with concerned agencies and shall be prepared in conjunction with Precinct Plans where required.
 - ii) Required noise and vibration attenuation measures shall be incorporated as conditions of subdivision and site plan approval.
 - iii) Noise attenuation measures shall be consistent with the urban design objectives of this Secondary Plan.
- c) Approval of development applications shall be conditional upon commitments from the appropriate authorities and the proponents of development to the timing and funding of the required road and transportation facilities.

These works shall be provided for in subdivision and site plan agreements. Any required phasing of development, based on the completion of the external road works, shall be in accordance with the Development Phasing Plans to be approved by the Town.

- d) The Town shall encourage development within the Secondary Plan area that is consistent with programs intended to reduce the consumption of energy and water and to promote waste reduction.
- e) It is acknowledged that there are certain existing uses in the Secondary Plan Area that are legally established but may not conform with the new land use designations and policies of this Amendment. However, nothing in this Amendment shall preclude the continued operation or reasonable expansion of such uses. The development or redevelopment of such uses should otherwise occur in conformance with the land use designations and policies of this Amendment.
- f) Notwithstanding the Community Amenity Area - General and Community Amenity Area - Major Urban Place designations, the existing industrial/manufacturing use on the easterly section of the lands described as 16 Main Street is recognized and its operations permitted to continue and expand in accordance with Sections 4.1.3k) and 6.1.1e) and subject to approval of a development application satisfactory to the Town.
- g) Council in considering applications for expansion of legal non-conforming uses, shall have regard to the provisions of Section 2.8 of the Official Plan (Revised 1987) as amended, the purpose and objectives of this Secondary Plan, and the overall merit of the proposal.
- h) The study requirements of Section 6.1.5 may be reduced, combined or eliminated for site specific developments in the Unionville Main District and on lands in the Centre North District which are not subject to a Precinct Plan requirement (see Schedule 'EE'), providing the objectives of this Secondary Plan are met and transportation, servicing and other requirements can be accommodated on a site specific basis to the satisfaction of the Town.

6.1.2 DEVELOPMENT STAGING

6.1.2.1 Development Staging Strategy

The Town has prepared a Development Staging Strategy to establish the schedule and requirements for the provision of infrastructure required to support urban development for the lands in the "Future Urban Area", including the Markham Centre area, pursuant to the provisions of Section 2.1.1 of the Official Plan (Revised 1987), as amended.

Notwithstanding the adoption of a Secondary Plan for the subject lands, the assignment and staging of capacity for sanitary and water services and requirements for the delivery of community facilities will be determined pursuant to the Development Staging Strategy. Allocation of services will be confirmed through the execution of applicable subdivision or site plan agreements.

6.1.2.2 Development Phasing Plan

A phasing program will be prepared by the landowners on a District basis to ensure an orderly sequence of development and the timely and efficient implementation of the key infrastructure components of the Plan. The Development Phasing Plan shall be prepared to the satisfaction of the Town and shall be approved by the Town prior to the approval of any development in the District. Prior to approval of the Phasing program, the Town shall be satisfied that all affected landowners have been consulted on the program. In particular, the phasing plan shall address:

- construction of the roads and road infrastructure including bridges over the Rouge River;
- provision of lands and facilities for schools, commercial uses, Community and Neighbourhood Parks, Parkettes and Valleyland management and amenities;
- the distribution of residential and employment density throughout the District;
- construction of stormwater, sewer and water infrastructure;
- the timetable for providing infrastructure and public facilities;
- implementation of the phasing plan as a monitoring tool in assessing all subsequent approvals.

6.1.2.3 Developers Group Agreement

Prior to the approval of any development applications within the Secondary Plan area, the Town may require that landowners enter into an agreement or agreements or will implement other alternative arrangements to address sharing of the common costs of development [(see also Section 4.1.3(c)]. The Agreement shall distribute in a fair and equitable manner the costs of community infrastructure and facilities to ensure an orderly sequence of development.

Notwithstanding the generality of the foregoing, owners of property having approved Official Plan Status and/or approved Zoning By-laws, as of the date of adoption of this Secondary Plan, shall only be required to participate in a Developers Group Agreement if the development proposal incorporates additional uses or densities permitted through this Secondary Plan but not included under the existing approved Official Plan designation or Zoning By-law for the property.

6.1.3 DEVELOPMENT CHARGES AND FINANCIAL AGREEMENTS

- a) Prior to the release of lands for development within the Official Plan Amendment No. 21 Secondary Plan area, the Town shall have conducted a Development Charges Study including the Markham Centre Master Plan area in its entirety,

identifying the Town wide and area specific charges applicable to the development of lands within the Markham Centre Master Plan area and passed a Development Charges By-law for the Official Plan Amendment No. 21 Secondary Plan area. Alternately, the Town Solicitor shall confirm that a satisfactory arrangement for payment to the Town by the landowner(s) without recourse, of an amount equal to the applicable development charges has been made.

- b) Prior to the approval of any initial phase of development, the Region of York, in consultation with the Town of Markham, shall be satisfied as to the availability of water supply and sewer capacity to accommodate the said development. This may require front-end or accelerated payment agreements and limitations to be placed on development, consistent with Markham's Development Staging Strategy. The Region of York, Metropolitan Toronto and the Province of Ontario shall have finalized an agreement for the cost sharing of the capital expenditures necessary to provide water supply and sewer capacity prior to the full development of the Secondary Plan area proceeding.
- c) Prior to the registration of any development beyond Phase I the owner shall have entered into a servicing agreement, including any front end requirements or accelerated payments with the Region of York that will identify the capital expenditures associated with servicing the lands.
- d) Prior to any development approvals an assessment of infrastructure cost requirements to accommodate the Secondary Plan development including development phasing, consistent with Markham's Development Staging Strategy, the timing of infrastructure emplacement, and methods of financing including developer front-end or accelerated payment agreements shall be addressed in conjunction with other proponent's developments in the Markham Urban Expansion lands to the satisfaction of the Town and the Region of York.

6.1.4 MINISTER'S ZONING ORDER AND TOWN ZONING BY-LAWS

The lands in the Secondary Plan area may be zoned with a Holding Symbol ("H") preceding the use designation in accordance with Section 6.3(c) of the Official Plan (Revised 1987), as amended. A Holding symbol may be applied to part or all of the lands if required to ensure that adequate infrastructure is available to serve such lands.

No development shall occur on any lands within the area zoned with a Holding symbol until the Holding symbol has been removed. An amendment to the by-law will be required to remove the Holding symbol and shall not be adopted until the following conditions have been met:

- a) i) a plan of subdivision has been draft approved and a related subdivision agreement between the landowner(s) and the Town has been executed; or,

- ii) a consent has been granted by the Committee of Adjustment and a Development Agreement between the landowner(s) and the Town has been executed; and,
- b) at the discretion of the Town, one or more of the following conditions has been satisfied:
 - i) the Town has granted site plan approval and a Site Plan Control agreement between the landowner(s) and the Town has been executed; or,
 - ii) the Town has approved a comprehensive development concept for a phase of development confirming that the implementing zoning satisfactorily achieves the required development standards; or,
 - iii) the Town has determined that approval of a comprehensive development concept or a site plan is not required prior to hold removal; and,
- c) The Town has been satisfied that adequate water and sanitary sewer facilities and stormwater management facilities are available to service the subject lands, pursuant to the Development Staging Strategy for lands in the "Future Urban Area" and to Town approval of a Development Phasing Plan for the District; and,
- d) The Town in consultation with concerned agencies is satisfied that the lands proposed to be released for development can be served adequately by the existing and committed transportation network without adverse impact to the road system or to other committed development; and,
- e) A Development Charges By-law applicable to the lands in the Planning District has been adopted or the Town Solicitor has confirmed a satisfactory arrangement for the payment to the Town by the landowner(s), without recourse, of an amount equal to the applicable development charges has been made; and,
- f) For those lands presently subject to the Minister's Zoning Order, the removal of the Zoning Order.

6.1.5 STUDY REQUIREMENTS

The Secondary Plan identifies the following studies and plans that must be completed to the satisfaction of the Town and other authorized agencies prior to approval of development applications within the district and precinct areas identified on Schedule 'EE' attached hereto:

DISTRICT AREA STUDIES

| | |
|--|------------------|
| Phasing Plan | Section 6.1.2.2 |
| Environmental Drainage Management Study or Stormwater Management Study | Section 5.2.5(b) |
| Master Servicing Study | Section 5.2.4 |

| | |
|---|-------------------|
| Highway 7 Streetscape | Section 5.1.3(b) |
| Transportation Study/Assessment (if required) | Section 5.1.2 (a) |

PRECINCT AREA STUDIES

| | |
|-------------------------------------|------------------|
| Precinct Plan | Section 3.2.2 |
| Archaeological Assessment or Survey | Section 3.10(g) |
| Tree Conservation Plans | Section 4.1.3(f) |

6.1.6 SUBDIVISIONS AND CONSENTS

6.1.6.1 Plans of Subdivision

- a) Plans of Subdivision shall only be released for development if they conform with the Development Phasing Program (Section 6.1.2.2) and the Precinct Plan (Section 3.3.2).
- b) Prior to the final approval of a plan of subdivision, siting and design review satisfactory to the Town, shall be prepared for single detached, semi-detached, and any residential building containing up to eight dwelling units.

6.1.6.2 Consents

Subdivision of land shall generally take place by plan of subdivision. Consents may be permitted in accordance with the provisions of Section 2.7 of the Official Plan (Revised 1987) as amended, the applicable provisions of this Secondary Plan and the implementing Zoning By-law.

6.1.7 LAND DEDICATION AND ACQUISITION

The Town shall require land to be conveyed for parks and open space purposes and for necessary infrastructure in accordance with the Official Plan (Revised 1987), as amended, the Planning Act and the specific provisions of this Secondary Plan, as a condition of development approval or as provided for in a Developers Group Agreement or Development Charges By-law.

6.1.8 SITE PLAN CONTROL

- a) All Lands within the Planning District shall be subject to the site plan control provisions of Section 7.12 of the Town of Markham Official Plan (Revised 1987) as amended.
- b) Low density housing shall be subject to requirements Siting and Design Review in Section 3.9.

6.1.9 PUBLIC SECTOR AGREEMENT TO COMPLY

It is the intent of this Plan to achieve agreement from all public agencies involved in any aspect of development in the area, to comply with the policies of this Secondary

Plan and the regulations in the implementing Zoning By-law(s) in order to achieve the goal, objectives, principles and policies of this Secondary Plan.

6.2 INTERPRETATION

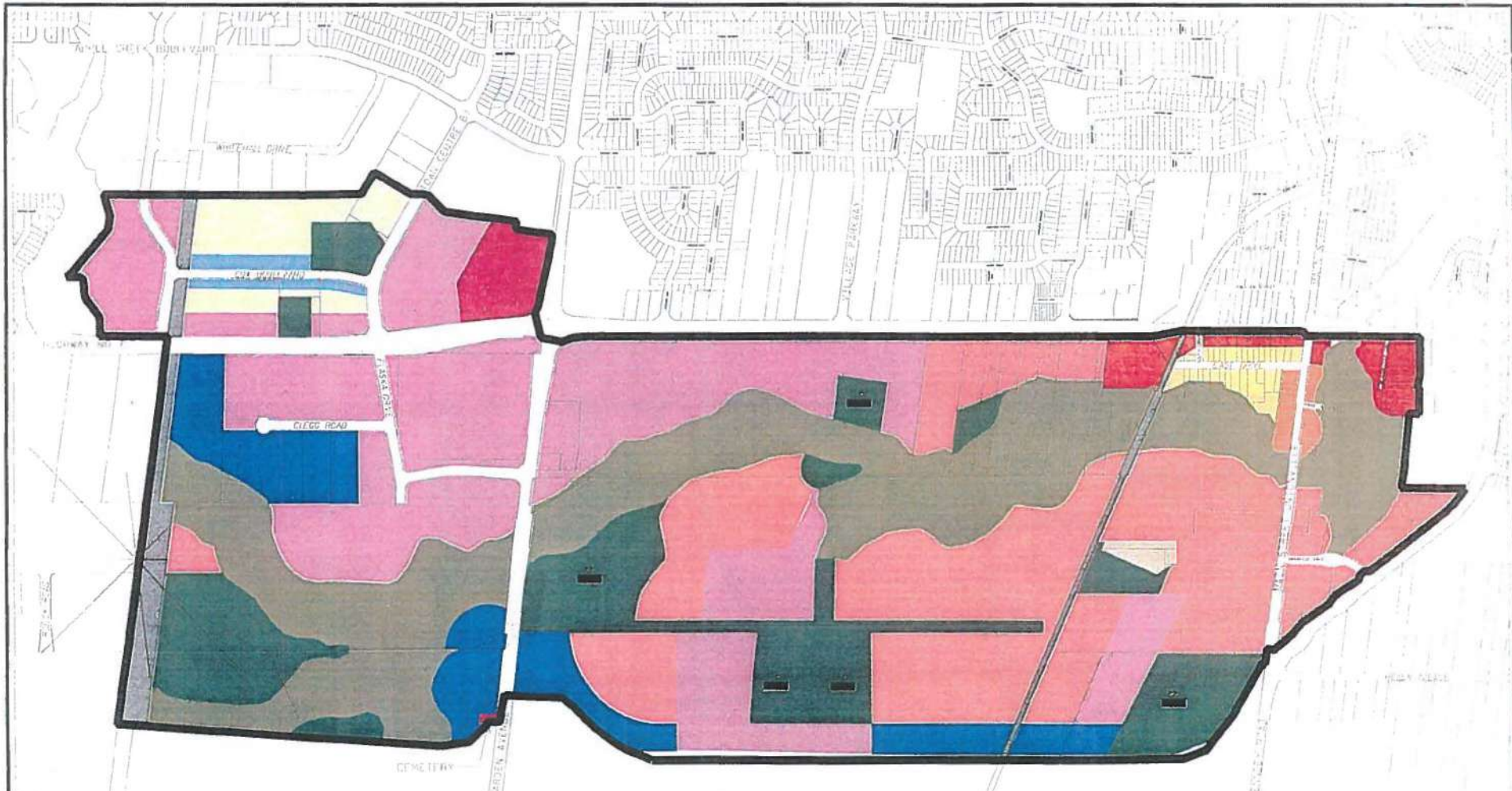
6.2.1 GENERAL POLICIES

This Secondary Plan includes goals, objectives, principles and policies. It is intended as a guide to development within the Central Area Planning District. Some flexibility in interpretation is permitted, provided the objectives of the Secondary Plan (Section 5.3) and the intent of the policies are maintained.

6.2.2 BOUNDARIES

- a) The boundaries of the land use designations shall be interpreted in accordance with the provisions of Section 8.2 of the Town of Markham Official Plan (Revised 1987) as amended.
- b) The southern boundary of the Secondary Plan shall be the northern boundary of the right-of-way for Highway 407 as finally determined.

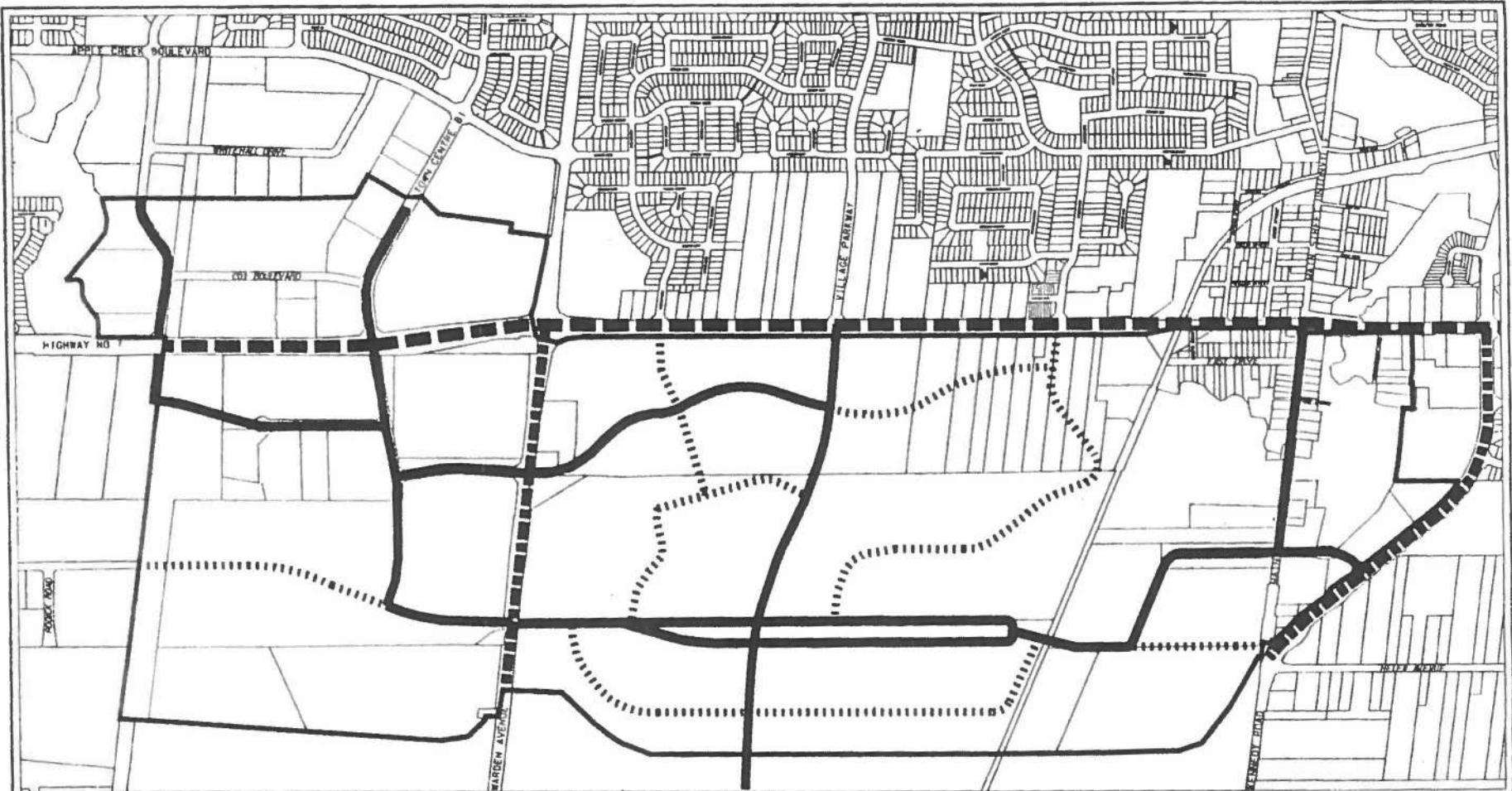
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OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

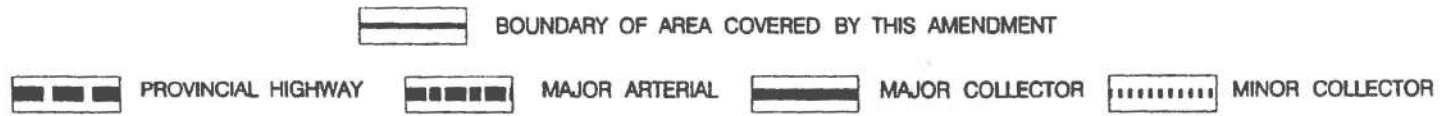
AMENDMENT No. 21

- | | | |
|--|--|--|
|  LOW DENSITY HOUSING |  BOUNDARY OF AREA COVERED BY THIS AMENDMENT |  INSTITUTIONAL CEMETERY |
|  MEDIUM DENSITY # HOUSING | |  ELEMENTARY SCHOOL |
|  MEDIUM DENSITY HOUSING | |  SECONDARY SCHOOL |
|  COMMERCIAL CORRIDOR AREA |  COMMUNITY AMENITY AREA - MAJOR URBAN PLACE |  TRANSPORTATION AND UTILITIES |
|  NEIGHBOURHOOD COMMERCIAL CENTRE |  OPEN SPACE |  BUSINESS PARK AREA |
|  COMMUNITY AMENITY AREA - GENERAL |  OPEN SPACE - ENVIRONMENTALLY SIGNIFICANT |  INSTITUTIONAL |
| |  HAZARD LAND | |

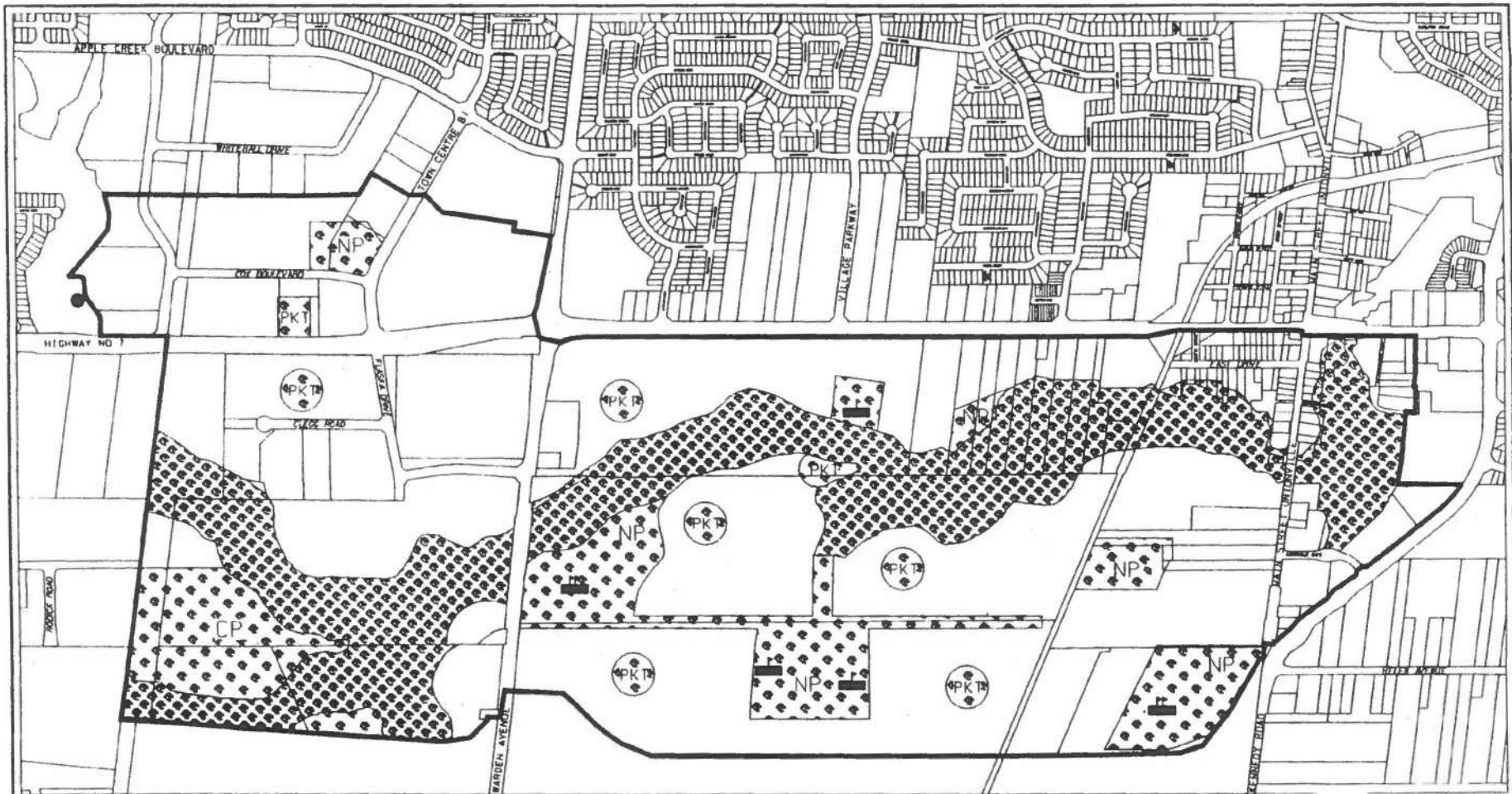


OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21

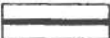










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OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21

- | | | | | | | | |
|---|--|---|--------------------|---|-------------------------------------|---|-------------------|
|  | BOUNDARY OF AREA COVERED BY THIS AMENDMENT |  | NEIGHBOURHOOD PARK |  | PARKETTE |  | ELEMENTARY SCHOOL |
|  | VALLEYLAND |  | COMMUNITY PARK |  | EXISTING STORMWATER MANAGEMENT POND |  | SECONDARY SCHOOL |
|  | OPEN SPACE | | | | | | |

MARKHAM

DEVELOPMENT SERVICES COMMISSION

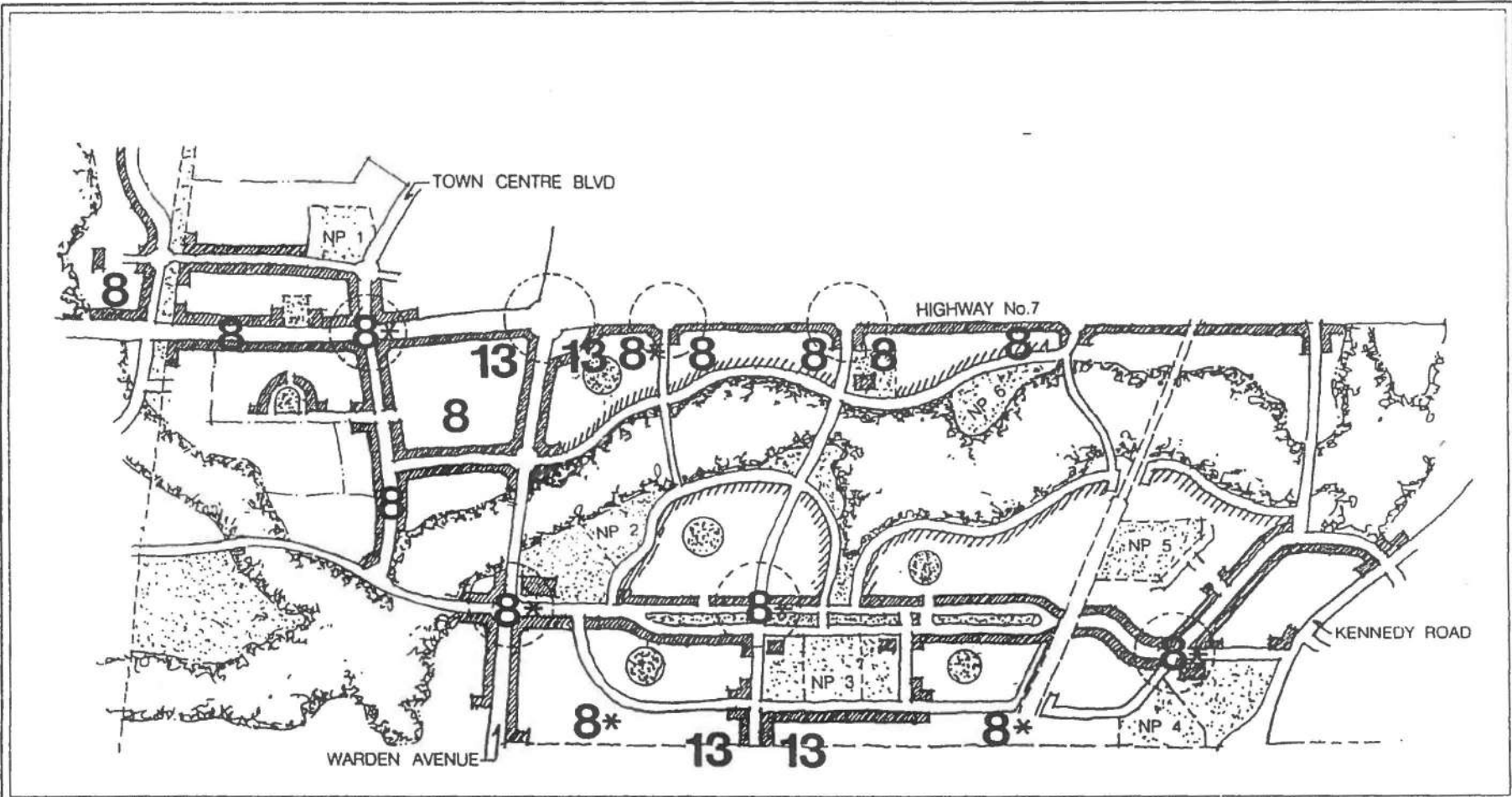
SCHEDULE 'CC' - OPEN SPACE SYSTEM

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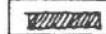
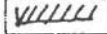
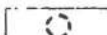
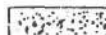
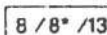
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DATE: JUNE 1997

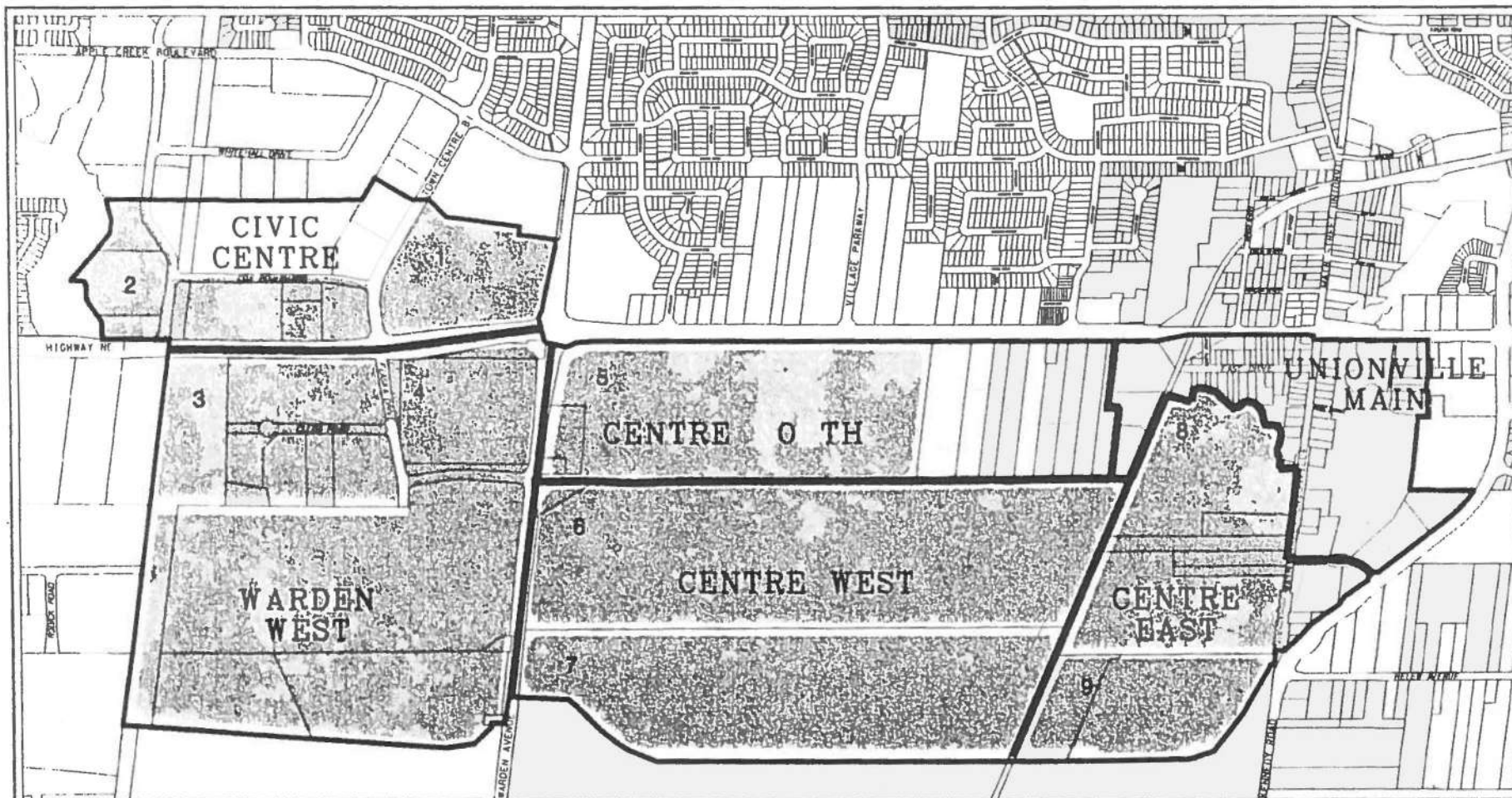


OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21

- | | | |
|--|--|---|
|  ROUGE VALLEY LANDS |  HIGHWAY 7 /URBAN EDGE |  RIVERSIDE DRIVE EDGE |
|  MAJOR INTERSECTION |  PARK LANDS AND SCHOOLS |  BUILDING HEIGHTS <small>As allowed for lands designated Business Park Area and Community Amenity Area - Map Urban Plans (see section 3.8)</small> |

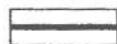
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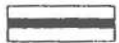
OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21

- PRECINCT
- 1 - ANTHONY ROMAN CENTRE
 - 2 - HIGHWAY 7 / RODICK ROAD
 - 3 - HIGHWAY 7 / CLEGG ROAD
 - 4 - HIGHWAY 7 / FLASKA DRIVE
 - 5 - HIGHWAY 7 / BIRCHMOUNT ROAD EXTENSIONS



BOUNDARY OF AREA COVERED BY THIS AMENDMENT



DISTRICT BOUNDARIES



PRECINCT BOUNDARIES

- PRECINCT
- 6 - NORTH OF CENTRAL BLVD WEST
 - 7 - SOUTH OF CENTRAL BLVD WEST
 - 8 - NORTH OF CENTRAL BLVD EAST
 - 9 - SOUTH OF CENTRAL BLVD EAST



MARKHAM DEVELOPMENT SERVICES COMMISSION

SCHEDULE 'EE'-DISTRICTS AND PRECINCT AREAS

DRAWN BY: DD

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DATE: JUNE 1997

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APPENDIX I

CENTRAL AREA STATISTICS

CIVIC CENTRE DISTRICT

| | |
|--------------------------|--|
| Target Residential Units | 700 medium density and 1280 high density |
| Target Population | 4,640 persons |
| Schools | None |
| Target Retail | 12,000 m ² |
| Target Employment | 85,000 m ² |

WARDEN WEST DISTRICT

| | |
|--------------------------|---|
| Target Residential Units | 570 medium density and 930 high density |
| Target Population | 3,600 persons |
| Schools | None |
| Target Retail | 7,000 m ² |
| Target Employment | 100,000 m ² |

CENTRE NORTH DISTRICT

| | |
|--------------------------|---|
| Target residential units | 700 medium density and 2,200 high density units |
| Target Population | 6,500 persons |
| Schools | 1 Elementary |
| Target Retail | 20,000 m ² |
| Target Employment | 46,000 m ² |

CENTRE WEST DISTRICT

| | |
|--------------------------|--|
| Target Residential Units | 850 low density, 1000 medium density, 650 high density |
| Target Population | 7,400 persons |
| Schools | 2 Elementary, 1 Secondary |
| Target Retail | 10,000 m ² |
| Target Employment | 117,000 m ² |

CENTRE EAST DISTRICT

| | |
|--------------------------|---|
| Target Residential Units | 400 medium density and 800 high density |
| Target Population | 2,800 persons |
| Schools | 1 Secondary |
| Target Retail | 6,000 m ² |
| Target Employment | 42,000 m ² |

APPENDIX I

CENTRAL AREA STATISTICS (continued)

UNIONVILLE MAIN DISTRICT

| | |
|--------------------------|----------------------|
| Target Residential Units | 130 medium density |
| Target Population | 400 persons |
| Schools | None |
| Target Retail | existing |
| Target Employment | 1,400 m ² |

SUMMARY FOR ALL DISTRICTS

| | |
|--|---------------------------|
| Total Secondary Plan Target Residential Units | 10,000 units |
| Total Secondary Plan Target Population | 25,000 persons |
| Total Schools | 3 elementary, 2 secondary |
| Total Secondary Plan Target Retail | 55,000 m ² |
| Total Secondary Plan Target Employment | 390,000 m ² |
| Total Secondary Plan Target New Office Employment (1 worker per 23.2 m ²) | 17,000 jobs |

Population Per Unit Assumptions

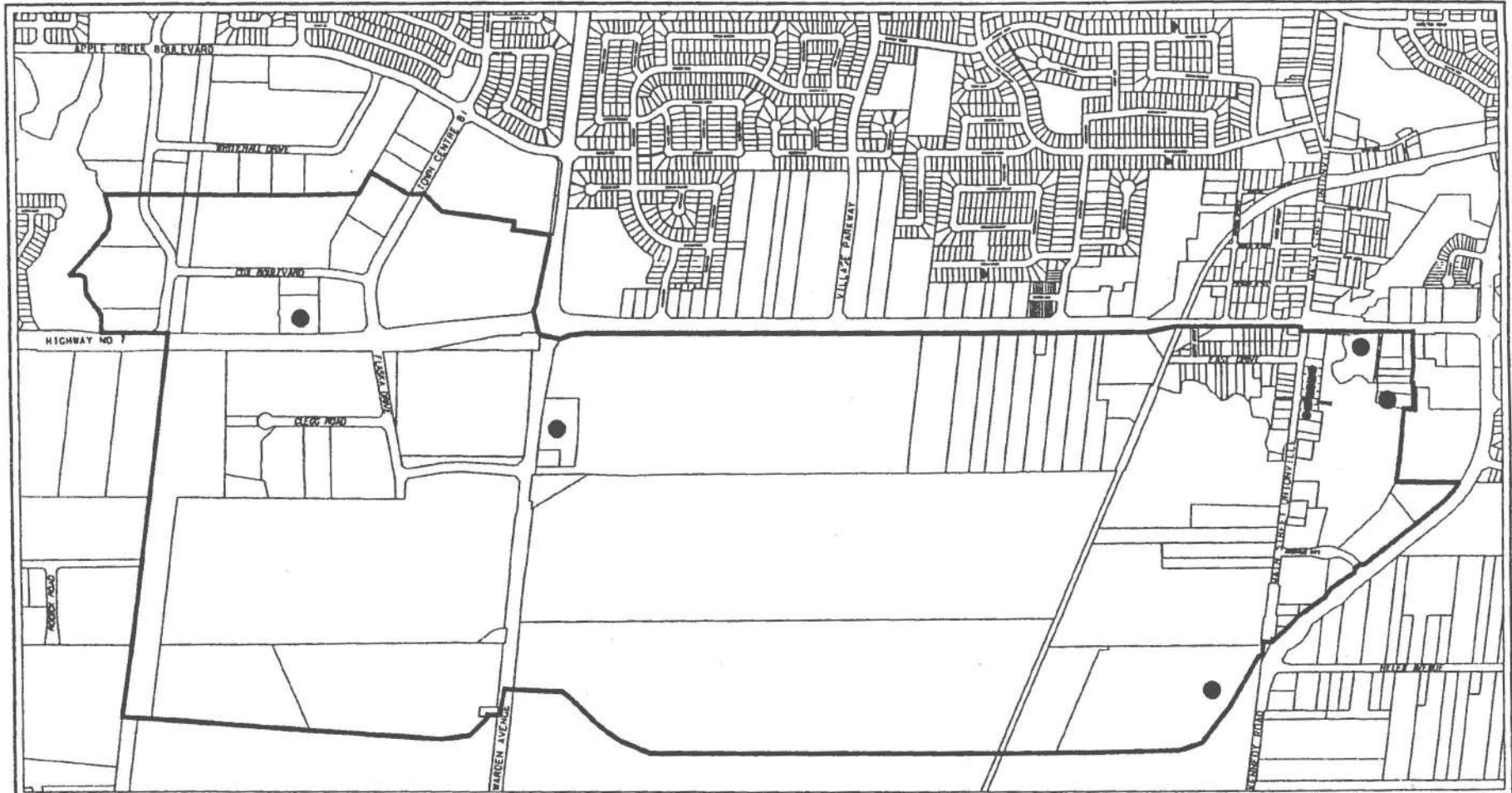
- 3.7 Low Density Housing
- 3.0 Medium Density Housing
- 2.0 High Density

Parkland Assessment

Parks will be provided on the basis of the minimum Official Plan standard of three acres (1.214 ha) of tableland parks, per 1,000 persons or 1 ha per 300 units.

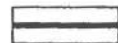
Preliminary parkland objectives for this Secondary Plan are as follows (see Schedule 'DD'):

| | | |
|--------------------------|-------------------|-----------------|
| Community Park | 25.0 acres | 10.1 ha |
| Neighbourhood Park 1 | 5.0 acres | 2.0 ha |
| Neighbourhood Park 2 | 4.3 acres | 1.7 ha |
| Neighbourhood Park 3 | 8.3 acres | 3.4 ha |
| Neighbourhood Park 4 | 5.0 acres | 2.0 ha |
| Neighbourhood Park 5 | 6.0 acres | 2.4 ha |
| Neighbourhood Park 6 | 5.6 acres | 2.3 ha |
| Neighbourhood Park Total | 59.2 acres | 24.0 ha |
| Parkettes | 15.8 acres | 6.39 ha |
| TOTAL | 75.0 acres | 30.35 ha |



OFFICIAL PLAN OF THE MARKHAM PLANNING AREA

AMENDMENT No. 21



BOUNDARY OF AREA COVERED BY THIS AMENDMENT



HERITAGE BUILDING



APPENDIX III

DETAILED REQUIREMENTS FOR A PRECINCT PLAN

The Precinct Plan is to be based on the policies in the Secondary Plan and will provide a physical representation of the community by ensuring the matters in Section 3.5 to 3.9 of the Secondary Plan are addressed. The Precinct Plan will also be guided by the Town's Design Implementation Guidelines, and any special studies which may be required by the Town. The following represents the minimum detailed requirements that should be addressed in a Precinct Plan:

1. Open Space Elements

- all lands contained within the Rouge Valley, ESA's, ANSI's wetlands and other lands requiring protection;
- location, size, orientation, distribution and general configuration of community, neighbourhood and special urban parks such as squares, plazas or gardens;
- location and treatment of tableland woodlots, hedgerows or individual specimen trees;
- location, size, orientation and distribution of Storm Water Management facilities;
- continuous trails, bikeways and path systems;
- location of school and park campuses;
- location of special landscape buffers along roads, streets, rail or utility corridors.

2. Built Form Elements

(For single detached, semi-detached, townhouses and other grade-related residential buildings, see Section 3).

- areas where buildings will be placed on blocks;
- building heights, special massing features, and setbacks;
- location and conceptual treatment for the primary building face including primary entrance locations, and expression lines (or cornice lines) that will be used to visually link adjacent buildings;
- identify and determine special landscape/architectural elements, including buildings for corner lots;
- identify microclimatic impacts and how they will be addressed;
- location and treatment of retail shopping zones;
- location of major vehicular access(es) to a block (and/or site) including service and fire routes;
- location and approximate size of parking areas indicating any pedestrian routes that may cross parking areas

3. Requirements for Lower Density Housing

Lower density neighbourhoods (single detached, semi-detached, townhouses and other grade-related residential buildings) in Markham Centre will distinguish themselves as meritorious of an urban Town Centre location by addressing the following items:

- identify street and block pattern and any laneways;
- identify lotting patterns i.e. range of lot frontages and sizes;
- identify and determine building orientation, build-to line or build to zone; and
- identify design strategy for dealing with garages (i.e. location on lot, integration with dwelling unit, impact on streetscape).

The Precinct Plan should also outline a design strategy for dealing with the following matters that will be further elaborated at the time of siting and design review (see Section 3.9):

- major front facade elements (i.e. *porches*, front door, ground floor windows in principle rooms);
- special landscape/architectural elements, including buildings for corner lots;
- unique architectural feature(s) or element(s) that characterize a particular area or subdivision within a precinct.

4. Streetscape Components

- overall street-layout for Precinct that includes right-of-way width, pavement width, number of traffic lanes, parking lanes, location of bicycle lanes, transit stops, sidewalk locations and width, boulevard treatment and width, location of street trees, landscaped medians;
- identify landscape treatment for areas located between building face and street line;
- identify design features for decorative lighting standards and any other street furnishings;
- identify those streets where special streetscape requirements may be required.

5. Graphic Illustrations:

The components of Precinct Plans shall be illustrated with such plans, drawings, cross-sections, elevations and perspectives as are necessary to demonstrate that all matters have been fully and properly addressed.

Suitably scaled massing models and 3-D computer imaging may be employed where advantageous.

EXPLANATORY NOTE

BY-LAW NO. 2011-123

A by-law to adopt a Community Improvement Plan for the Markham Centre Secondary Plan Area, including certain lands on the north side of Highway 7 within the Unionville Heritage Conservation District.

LANDS AFFECTED

The proposed Community Improvement Plan would apply to lands within the Markham Centre Secondary Plan Area (OPA 21), including certain lands on the north side of Highway 7 within the Unionville Heritage Conservation District, as shown on Schedule A to the by-law.

PURPOSE OF BY-LAW

The purpose of the by-law is to adopt a Community Improvement Plan to provide financial and other tools to assist the Town in achieving its objectives for Markham Centre and the Mobility Hub, located in the east Precinct.

The Community Improvement Plan is an enabling framework document. Details of specific infrastructure requirements and investment opportunities will be brought forward to Council for consideration as development in Markham Centre proceeds over time. Examples of potential infrastructure projects that could be considered through the Community Improvement Plan process may include, but are not limited to:

- Municipal parking facilities and structures
- Streetscape improvements
- Undergrounding of hydro wires
- Enhanced bridge and pedestrian crossings of the Rouge River and tributaries
- Implementation of the Markham Centre Greenlands Plan
- Realignment of Tributary 5 in East Precinct
- Servicing infrastructure, including stormwater management facilities
- Green infrastructure initiatives
- Roads and crossings of the GO rail line
- Road construction and linkages to Kennedy Road
- Road and pedestrian connections across Highway 407.

Examples of potential financial tools are the ability to make grants or loans to property owners/tenants; tax relief, full or partial, from municipal property taxes, subject to notice to the Region and the consent of the Minister of Finance; and, Tax Increment Equivalent Grant (TIEG).

EFFECT OF THE BY-LAW AMENDMENT

The effect of the By-law will be to adopt a Community Improvement Plan for the Markham Centre Secondary Plan Area, including certain lands on the north side of Highway 7 within the Unionville Heritage Conservation District.



**NOTICE OF THE PASSING
OF A BY-LAW BY**

THE CORPORATION OF THE TOWN OF MARKHAM

TAKE NOTICE that the Council of The Corporation of the Town of Markham passed By-law 2011-123 on the 31st day of May, 2011, under Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the by-law by filing with the Clerk of The Corporation of the Town of Markham, not later than 4:30 p.m. on the 29th day of June, 2011. If you wish to appeal to the OMB, a copy of an appeal form is available from the OMB website at www.omb.gov.on.ca. The appeal must be accompanied by a certified cheque or money order in the amount of \$125.00 made payable to the Minister of Finance.

An explanation of the purpose and effect of the by-law, describing the lands to which the by-law applies, and a key map showing the location of the lands to which the by-law applies are attached. The complete by-law is available for inspection in the Clerk's office during regular office hours, 8:30 a.m. to 4:30 p.m. Monday to Friday. For more information, please contact Richard Kendall, Development Services Commission, at (905) 477-7000, ext. 6588.

DATED at the Town of Markham this 9th day of June, 2011.

Kimberley Kitteringham, Town Clerk
Town of Markham
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Note: Only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.



BY-LAW 2011-123

A by-law to adopt a Community Improvement Plan for the Markham Centre Secondary Plan Area, including certain lands on the north side of Highway 7 within the Unionville Heritage Conservation District

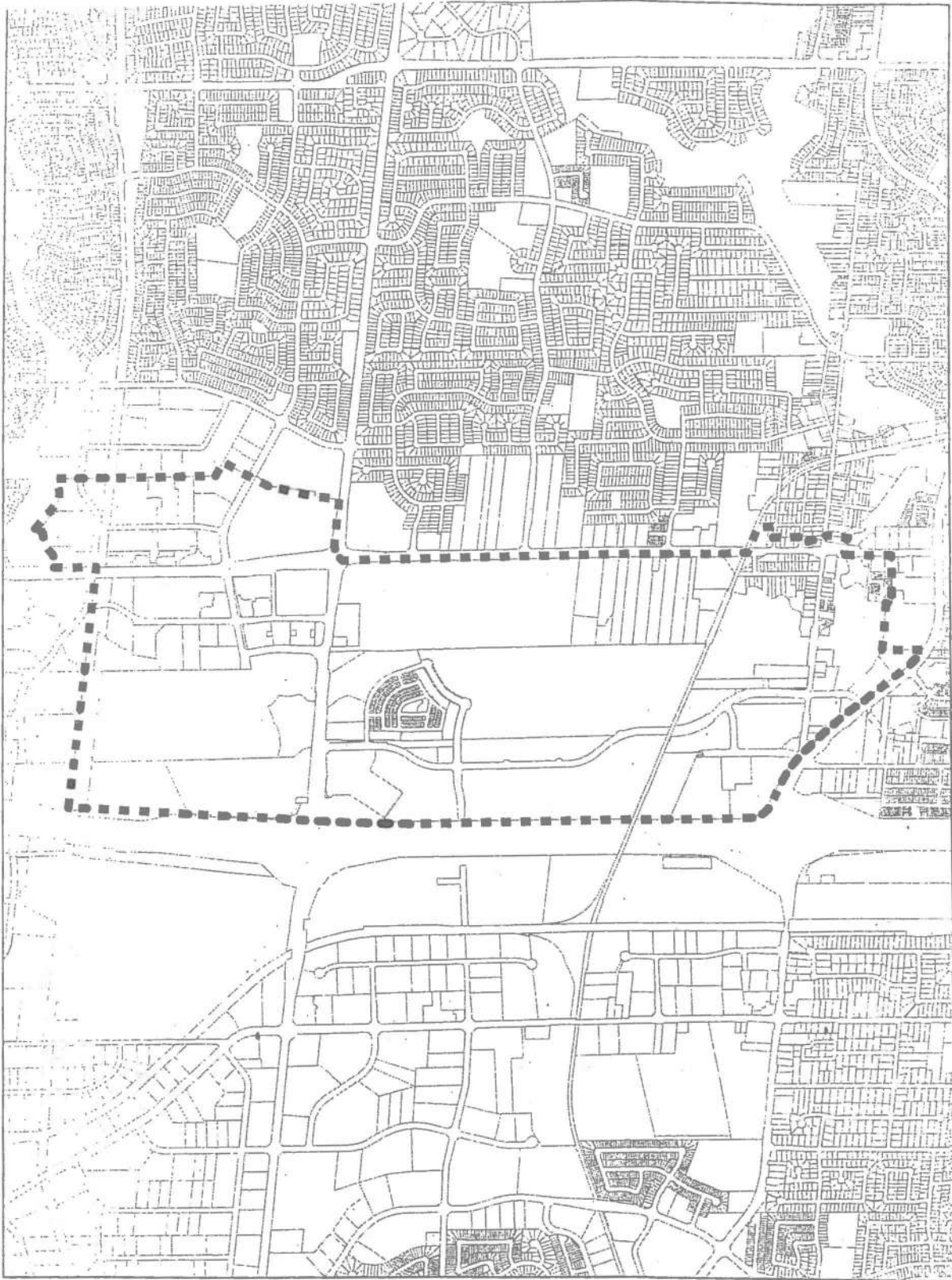
THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM
HEREBY ENACTS AS FOLLOWS:

1. That the Markham Centre Community Improvement Plan, including certain lands on the north side of Highway 7 within the Unionville Heritage Conservation District, comprising the attached text and accompanying Schedule "A" is hereby adopted.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
31ST DAY OF MAY, 2011.


KIMBERLEY KITTERINGHAM
TOWN CLERK


FRANK SCARPITTA
MAYOR



BY-LAW SCHEDULE "A" TO AMEND BY-LAW 2011-123



BOUNDARY OF AREA COVERED BY THE MARKHAM CENTRE COMMUNITY IMPROVEMENT PLAN.

BY-LAW AMENDMENT No. 2011-123 PASSED MAY 31, 2011

John Sangalli (MAYOR) [Signature] (CLERK)

MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By:

Checked By:

DATE:

NOTE: This Schedule should be read in conjunction with the By-Law.

MARKHAM CENTRE COMMUNITY IMPROVEMENT PLAN

For a sustainable, vibrant and distinctive, mix-use, transit-supportive downtown community

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- **Markham’s Economic Development Strategy Requires Development of a Vibrant, Regional-Scale, Transit-Supported Downtown**

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- **Markham Official Plan**
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- **Guiding development Principles**
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- **Community Awareness**
- **Loans or Grants**
- **Tax Relief**
- **Tax Increment Equivalent Grant (TIEG)**
- **Land Acquisition and Disposal**
- **Agreements**
- **CIP Expiry**
- **CIP Review**

Appendix A: Markham Centre Secondary Plan – Land Use Schedule

Appendix B: Aerial Photo – Markham Centre CIP, including north side of Highway 7

Appendix C: Grant or Loan Agreement Provisions

MARKHAM CENTRE COMMUNITY IMPROVEMENT PLAN

INTRODUCTION

Community Improvement Plan for Markham Centre

This Community Improvement Plan (CIP) applies to Markham Centre, the Town of Markham's emerging downtown. To remain successful and competitive, Markham Centre must continue to build upon its recognition as a place of superior quality and distinction. In a mobile and increasingly global economy, the development of an urban core and employment centre that is dynamic, safe, environmentally friendly and centrally located (supported by regional and inter-regional transportation systems) is essential.

This plan identifies an enabling strategic framework for potential community improvement projects in Markham Centre. Details of specific infrastructure requirements and investment opportunities will be brought forward to Council for consideration as the development of Markham Centre proceeds over time.

Markham Centre is being planned and implemented as the "Town Centre" urban core of the Town of Markham

The Markham Centre Secondary Plan (Official Plan Amendment No. 21) was adopted by Markham Council in 1994, and approved by the Ontario Municipal Board in 1997. The Secondary Plan provides for the future urban core of the Town of Markham, a "Town Centre", in the Central Area Planning District.

The goal of OPA 21 is to provide a policy framework and direction for detailed land use planning for a vibrant, intensive, mixed use Town Centre. The Town Centre is to have a distinctive character as the urban core of the Town of Markham, which will be the central focus of the Town, unifying its many communities. The Planning District will be a major activity centre which will be transit supportive as well as attractive and comfortable for pedestrians and will integrate a high standard of urban design with existing natural features to create a unique destination.

The Markham Centre area is generally bounded by Rodick Road on the west, Kennedy Road on the east, Highway 407 on the south, and the Highway 7 corridor on the north. Markham Centre is a long term vision. It has been two decades in the planning stages, and a significant amount of land development and investment in infrastructure has occurred since the late 1990's. The full build out of Markham Centre is anticipated to take another 20 to 30 years. Plans and development proposals continue to evolve to reflect a renewed focus on urban intensification under the Provincial Growth Plan, the Metrolinx "Big Moves" Transportation Plan, the new Region of York Official Plan, and the Town's Growth Management Strategy to 2031.

The total area of Markham Centre (OPA 21) is approximately 400 hectares, of which some 300 hectares is developable. The Rouge River Valley System is the primary open space element within the Planning District, and is a major component in defining the overall structure of the Plan. The basic land use targets identified in OPA 21 included 25,000 residents in 10,000 residential units, and 17,000 office jobs. More recent forecasts, arising from the Town's Growth Management Strategy, are targeting some 41,000 residents in 20,000 units, and some 39,000 jobs in Markham Centre.

Creating a new urban downtown in a greenfield setting is a complex and evolutionary process. While OPA 21 establishes a broad framework for the planning and development of Markham Centre, it divides the area into Districts, and relies on the preparation of more detailed "Precinct Plans" to guide planning and development approvals. The "Precinct" is a smaller geographic area within a District, which is an appropriate scale and size for detailed planning studies. A plan for each Precinct is to be prepared by the affected landowners for approval by the Town, to establish further parameters for detailed land use and the physical character and form of development.

The Precinct Plans are to be endorsed by Council prior to approval of development applications, but are non-statutory documents: To date, Council has endorsed detailed Precinct Plans for lands in the following Districts: Civic Centre (Tridel Circa), Warden West (IBM, Hilton Hotel, Liberty, Stringbridge/Times), Centre North (Times Uptown) and Centre West (Remington "Downtown Markham"). Remington has recently hired Calthorpe Associates to update the Centre West Precinct Plan, including revised road and block patterns to provide additional connectivity across the GO Rail Line to the proposed "Mobility Hub" multi-modal transit facility. Town staff have also recently initiated a Precinct Plan process for lands in the Centre East District (which lands are primarily in municipal and provincial ownership), to address the Mobility Hub and emerging opportunities for land use intensification, transit oriented development and potential sports, entertainment and cultural uses as part of the "Markham Live" concept. Engineering Department staff are undertaking a transportation study to address the technical requirements of Metrolinx and other transit agencies regarding the Mobility Hub.

Markham's Economic Development Strategy Requires Development of a Vibrant, Regional-Scale, Transit-Supported Downtown

Planning for Markham Centre began in the early '90s. Since then, the Town of Markham, residents, businesses and landowners have been working together to make the vision a reality.

Markham Centre is currently home to the IBM Research Lab, Motorola, Honeywell, and the Hilton Hotel and Conference Centre. Medium and high density residential development is well underway, with approximately 4,000 residential units currently occupied or under construction.

Markham Centre is home to the Anthony Roman Centre (civic centre), Markham Theatre, Bill Crothers High School for Healthy Active Living, the YMCA, and is planned to accommodate three elementary schools, and the Pan Am Pool. Potential additional sports, entertainment and cultural facilities are under consideration by the Markham Live Committee of Markham Council. When complete, Markham Centre will be an intensive, mixed use urban area, incorporating housing, employment and retail facilities, recreational, cultural, major institutional and civic buildings, to serve as a central "Town Centre" focus for Markham's many communities. It will be a place where residents, culture, entertainment and businesses thrive side by side. A walkable community integrated with the natural beauty of the Rouge River Valley, Markham Centre will be a place everyone can enjoy.

Markham Centre has gained wide recognition as a new way to manage dynamic growth, while sustaining the natural environment. New development in Markham Centre follows LEED standards. LEED (Leadership in Energy and Environmental Design) is a benchmark for the design, construction and operation of high performance "green" buildings. New development in Markham Centre is connected to the Markham District Energy system (district heating and cooling and co-generation of hydro electric power). The Markham Centre Advisory and Town Staff developed the "Markham Centre Performance Measures", endorsed by Council, which are used in the review of all development applications to ensure conformity with the planning vision and sustainability objectives for Markham Centre.

Fast Facts:

- Current projections: 41,000 residents in 20,000 units, and 39,000 jobs.
- More than 30 of buildings are complete or under development – with many more to come.
- The community plan will include some 75 acres of parkland improved to an urban standard, and some 200 acres of valleyland and public open space to be restored and enhanced in keeping with the Council approved "Greenlands Plan" and integrated with tableland parks.
- Transit based location, served by Unionville GO station (identified as a GTA "Anchor Mobility Hub" by Metrolinx), with inter-modal connections to VIVA rapid transit, York Region buses, and the future Highway 407 Transitway.
- Accessible road network, with easy connections to Highways 407 and 404, arterial road system (including Highway 7, Warden Avenue and Kennedy Road), and local collector road system (Town Centre Boulevard, Enterprise Boulevard, Rodick Road, and Birchmount Road).
- Markham Centre will be one of North America's largest LEED communities, and a benchmark for energy efficient district heating and cooling.
- Markham Centre Performance Measures and Guiding Principles are applied by the Markham Centre Advisory and Town Staff and Council to guide development in the area.

To remain successful and competitive, Markham Centre must continue to build upon its recognition as a place of superior quality and distinction. In a mobile and increasingly global economy, the development of an urban core and employment centre that is dynamic, safe, environmentally friendly and centrally located (supported by regional and inter-regional transportation systems) is essential.

Markham Centre is designed to be the community of choice for targeted businesses including the high technology sector, the financial services sector, professional services, and knowledge-based industry. It is therefore imperative that the hard and soft infrastructure essential to fostering this success, and the private sector investment that will signal this success, be encouraged and incented to be in place (and in the right places) in a timely way.

There has been very significant investment in Markham Centre to date – both public and private investment. Arterial and collector road networks are in place and are being expanded by both the Town of Markham and the Region of York. The VIVA rapid transit system is being upgraded and installed. Improvements are being made to the GO Rail infrastructure to provide for all day GO service. Plans of subdivision are being registered and the necessary local roads, utilities and underground services are being installed. Individual site plans have been approved, and there has been considerable new development over the past decade.

In addition to the hard and soft infrastructure required by the original Markham Centre Secondary Plan (OPA 21), the increased intensification and density now being planned for the area will place increased demands on infrastructure requirements. In particular, the Unionville GO Station in the East Precinct has recently been identified as a future Metrolinx Mobility Hub, to serve local, regional and inter-regional transit modes. The multi modal transit station will be a multi-level facility, which is intended to be integrated with surrounding infrastructure, land uses and pedestrian and traffic facilities to create a vibrant mobility hub district spanning both sides of the GO Rail line. Conceptual planning for the Mobility Hub is underway by the Remington Group and the Town through the updates to the Downtown Markham Precinct Plan (Centre West) and the preparation of a new East Precinct Plan.

The existing GO tracks at grade act as a major barrier in the Mobility Hub. Town staff and consultants (Adamson Architects Associates) are exploring options for overcoming this barrier, such as building pedestrian linkages and roads over the GO tracks, and VIVA and 407 Transitway connections under the GO tracks, with a layering of land uses and pedestrian connections spanning the tracks. The Town also is exploring options for a comprehensive “Markham Live” sports centre, cultural and entertainment destination that could be integrated with the future multi modal transit Mobility Hub. Possible elements under review by the Markham Live Committee of Council include sports and training facilities, cultural venues, entertainment,

commercial and office uses, hotel and residential, consolidated transit hub, stacked parking and service areas.

The infrastructure investments that would be required for the road and transit alignments, structured and underground parking, municipal services, major land uses, and the multi-modal transit station are challenging in their potential cost to the municipality, other levels of government, transit agencies, and private sector investors. The current Development Charges regime for Markham Centre already makes this a particularly expensive area for development in comparison to other development sites in Markham and across the Greater Toronto Area.

These high costs have posed competitive cost obstacles resulting in a relatively slow absorption rate for new commercial and office development in Markham Centre to date. Whereas the residential market demand has been sufficiently robust to absorb these high costs, the commercial and office markets in Markham Centre have lagged behind the pace of growth experienced in other districts. For example, the limited commercial and office development built to-date has relied on the limited opportunity to provide inexpensive interim surface parking, a condition that will not prevail in future phases of development.

In light of market constraints on the ability to achieve the planned intensity and pace of development, it is evident that alternative financial instruments and incentives must be considered in order to overcome the infrastructure challenges and to achieve Markham Centre's planned building densities and build-out. A programme that is suited to overcome these challenges, and to spur the desired growth in development, is the establishment of a Community Improvement Plan.

COMMUNITY IMPROVEMENT PLAN POLICIES

Planning Act

Section 28 of the *Planning Act* authorizes municipalities to designate, by by-law, the whole or any part of an area as a community improvement project area, provided that the municipality's official plan contains provisions relating to community improvement plans. Community improvement planning was used in the 1970's and 1980's to facilitate neighbourhood renewal and rehabilitation, whereas now, municipalities are utilizing it as an incentive to achieve development that delivers on municipal objectives, including environmental standards such as LEED ©, employment uses, intensification, energy efficiency and economic development. Incentives available within a community improvement project area include:

- grants, loans and land under section 28 of the *Planning Act*
- tax assistance under section 365.1 of the *Municipal Act, 2001*

Assistance provided pursuant to a Community Improvement Plan is an exception to the bonusing rule found in section 106 of the *Municipal Act*, which generally prohibits providing financial assistance to industrial or commercial enterprises. Financial assistance, as further described below, can be provided in order to carry out a Community Improvement Plan.

Markham Official Plan

The Town's Official Plan (section 2.12) contains provisions permitting it to establish Community Improvement Project Areas within the Town. Community Improvement Plans may be used as a tool to provide incentives to encourage the type, form and quality of development and redevelopment that will advance community interests and the objectives of the Town's Official Plan. Specifically the Town's OP authorizes the use of CIP's to encourage "new development and redevelopment, which is supportive of the goals and objectives of this Plan" (which would include the policies of the Markham Centre Secondary Plan – OPA 21).

- Area selection is guided by a number of criteria including areas where there is "the need for appropriate investment, growth and development incentives to achieve the goals and objectives of this Plan".
- CIP's are to be used to direct private investment, as well as public investment to:
 - Repair and upgrade deficient or deteriorated public infrastructure and amenities
 - Acquire lands or buildings and any subsequent clearing, rehabilitation, redevelopment or resale of these properties
 - Stimulating and directing growth and development that advances the community interest and supports the objectives of the Official Plan
- Main Street Markham and Main Street Unionville have already been designated as Community Improvement Project Areas.
- Additional areas may be designated by by-law, without requirement for an Official Plan Amendment.

York Region Official Plan

York Region's new Official Plan contains a number of references to Community Improvement Plans related to issues such as encouraging and supporting the development and maintenance of non-profit and affordable housing, to promote brownfield site redevelopment, and to support sustainable building incentive programmes. Section 8.3 of the Region's Official Plan - The Planning Process, specifically allows the Region to use the Community Improvement provisions of the Planning Act to implement the policies of the Plan by designating any part of the Region as a Community Improvement Project Area. The Regional Community Improvement Plan would utilize incentive programmes, including making grants or loans within the Community Improvement Plan Area either to registered property owners or to local

municipalities. The policies also provide for the Region to participate in a Community Improvement Plan of a local municipality.

York Region may also use Community Improvement Plans for infrastructure that is within York Region's jurisdiction, land and buildings within and adjacent to existing or planned transit corridors that have the potential to provide a focus for higher density mixed-use development and redevelopment; and, affordable housing. The use of a Community Improvement Plan for Markham Centre and its Mobility Hub would be consistent with the Region's CIP objectives.

MARKHAM CENTRE VISION

The Markham Centre Secondary Plan, dating back to its adoption by Council in 1994, provides the framework for transforming what were essentially Greenfield lands within the heart of Markham into a sustainable, vibrant and distinctive, mix-use, transit-supportive downtown community. Current growth targets suggest that Markham Centre will eventually be home to 20,000 units with 41,000 persons and 39,000 jobs.

Guiding Development Principles

Key guiding principles developed in conjunction with the Markham Centre Advisory to assist in achieving the goals and objectives for Markham Centre are:

1. The Rouge River valley has a powerful influence on Markham Centre.
2. The transit routes and stops determine the intensity of activity, the focus of public spaces and the concentration of built form.
3. Highway 7 will be transformed from an inter-regional highway to a major urban boulevard with a concentration of activity, mix of uses and a high quality of urban design.
4. A grid of major and minor streets provides ease of access which supports the mix and intensity of activity and helps define the structure of Markham Centre.
5. Public spaces, streets, courtyards and major urban places contribute to a 'sense of place' for Markham Centre.
6. Well-defined streets, building placement and architectural character support public life and year-round activity.
7. Ecological sustainability, which ensures that the built form and public spaces protect and enhance the natural processes of the landscape, will define the future of Markham Centre.
8. Markham Centre will have a town-wide cultural social focus.

9. Maintaining a high quality of life in Markham Centre will require managing parking and traffic impacts.
10. Building and sustaining a high quality public environment will require a new financial framework.
11. The value placed on the quality of life in existing, adjacent communities is recognized, respected and supported.

Markham Centre Performance Measures

The Town's vision for Markham Centre is further articulated by the Markham Centre Performance Measures document which emerged from the Town's citizen-centred approach to developing a dynamic evaluation framework for use in the review of applications within Markham Centre. The measures are focused on five key themes including Greenlands, Transportation, Built Form, Green Infrastructure and Public/Open Spaces. The Performance Measures Document was up-dated in 2007, to consolidate the various categories within a much simpler and more concise document, while identifying potential L.E.E.D. correlations. The revised Document is a critical component of the review of development applications in Markham Centre, intended to ensure the Town's vision for an intense, sustainable, mixed-use, transit-supportive town centre is achieved.

THE NEED FOR FINANCIAL INCENTIVES IN MARKHAM CENTRE

Markham Centre is facing a number of financial challenges to achieving its long term vision and to support the development densities required to truly become a remarkable downtown. Consistent with the objectives of the Official Plan's CIP policies, the Town's growth strategy and the Markham Centre Secondary plan, the Town has initiated a number of studies aimed at identifying transportation and other infrastructure improvements required to accommodate the residents, employees, businesses and visitors to Markham Centre.

The need was also identified to specifically revisit the planning framework for Markham Centre's East Precinct (where the Unionville GO station is located), and its relationship to the Remington Group's Downtown Markham project on the west side of the tracks. This planning framework has to be expanded to define and establish the parameters for creating an Anchor Mobility Hub at Unionville GO Station, as identified in Metrolinx's "The Big Move" document.

Anchor Mobility Hubs are intended to play a much greater role within the community than a transit interchange, and are expected to accommodate an intensive concentration of employment, living, shopping and recreational experiences supported by a variety of connected transit choices.

The rail corridor presently acts as a separator and barrier to the integration of the East Precinct and mobility hub with the rest of Markham Centre, where the greatest concentration of residential, retail and employment opportunities will occur. Consequently, opportunities to link the two sides of the GO line have become a design and planning priority.

In support of creating a mobility hub, the Town arranged for a developer and transportation agency roundtable workshop to be held in October, 2008 to discuss policies and implications on Markham Centre; review opportunities to align the mobility hub with other opportunities in Markham Centre; confirm the potential and scope of work for a Mobility Hub Concept Plan; and, discuss transit agency requirements in the area. This roundtable identified the need for more detailed planning and transportation studies associated with lands within Markham Centre and the East Precinct/Mobility Hub area.

Subsequently, Adamson Associates Architects were retained by the Town to undertake a comprehensive review of the infrastructure required to create an integrated mobility hub and provide the connectivity required for Markham Centre to achieve its full potential as an urban, high density, mixed-use, transit supportive downtown. This review included an examination of preferred and alternate transit alignments, existing and proposed road alignments, identified the need for additional road crossings of the GO line to connect the East Precinct with the balance of Markham Centre and, provided a strategy to implement these elements.

Key amongst the findings was the proposal to create the required crossings by altering the grade of the roads on either side of the tracks to meet above the GO rail line. The future development sites in the adjacent development blocks would then be completed through the construction of parking structures on the existing grades with the building's main entrances matching the grade of the new streets. This strategy has the added advantage of addressing the provision of below grade parking in a constrained environment with a high water table. The Adamson concept plan and proposed road/transit alignments were endorsed by Development Services Committee in March, 2011 as the basis for preparing Precinct Plans in the mobility hub area.

The potential costs, timing and phasing of this infrastructure is critical for the development of lands at the planned densities within Markham Centre and in the vicinity of the mobility hub, and the Town is currently undertaking studies to fully understand the financial implications. Another aspect to achieving the higher densities associated with the mobility hub and addressing the needs of the transit providers is the provision of adequate parking both in the short term (at-grade) and particularly in the long term as this parking is converted to structures concurrent with higher density development and higher order transit.

The Big Move document identifies a full range of financial and development tools that are potentially available as part of a mobility hub development strategy which may include tax increment financing, community improvement plans, area development charges, and public-private partnerships. This Community Improvement Plan is one strategy recognized as a possible way to assist the Town in achieving its objectives for Markham Centre and the mobility hub.

Beyond the mobility hub aspect of the work undertaken to-date, the Town has previously identified a number of significant infrastructure investments required to create a truly urban downtown as the Town transitions from a suburban municipality to an urban one. The current Development Charge funding regime however, does not allow the Municipality to fully capture the higher costs associated with creating more urban spaces such as streetscapes, urban parks, municipal parking garages, and public art. This disconnect has resulted in funding shortfalls for a number of critical aspects of city building.

Markham Centre also faces a number of competitive challenges with attracting strategic, office employment opportunities as it competes with area municipalities and even with other parts of the Town. The Markham Centre parking strategy, as implemented in the Markham Centre By-law, has reduced the parking requirement for office uses and introduced parking maximums. The by-law further requires a significant portion of the required parking to ultimately be accommodated within structures. The perceived lack of available parking, coupled with the increased costs associated with providing parking structures, especially when combined with enhanced costs associated with developing LEED Certified buildings, are constraints on the market competitiveness for employment lands in Markham Centre.

The Town's parking strategy does allow for interim measures to address these inequities in the short-term, while over the long-term the Town has identified the need to be more active in the provision of municipal parking facilities to address community parking needs. The strategy contemplates that the Town could eventually control a significant enough component of the parking supply to effect and influence, through a parking pricing policy, transit ridership behaviours. The provision of municipal parking facilities should help to level the playing field for attracting employment opportunities and encouraging the higher density development of employment lands in Markham Centre to help achieve the desired mix of uses.

This CIP identifies potential financial incentives to support the development of specific infrastructure required to achieve the Town's ultimate vision for Markham Centre. Incentives may be available during the anticipated build out of Markham Centre over the next 20 years. Examples of potential opportunities to direct future public investments within Markham Centre or offer incentives to achieve municipal objectives may include, but are not limited to:

- Municipal parking facilities and structures
- Streetscape improvements, including the north side of Highway 7 within the Unionville Heritage Conservation District
- Undergrounding of hydro wires
- Enhanced bridge and pedestrian crossings of the Rouge River and tributaries

- Implementation of the Markham Centre Greenlands Plan
- Realignment of Tributary 5 in East Precinct
- Servicing infrastructure, including stormwater management facilities
- Green infrastructure initiatives
- Roads and crossings of the GO rail line
- Road construction and linkages to Kennedy Road
- Road and pedestrian connections across Highway 407.

This CIP will be an enabling framework document. Details of specific infrastructure requirements and investment opportunities will be brought forward to Council for consideration as development in Markham Centre proceeds over time.

OBJECTIVES OF THE COMMUNITY IMPROVEMENT PLAN

The primary objectives of this CIP are to identify a strategic framework for potential opportunities and incentives to support and facilitate the timely infrastructure and other investment required to support and attract key businesses to Markham Centre and allow it to realize its full potential as an Urban Growth Centre, as a Regional Centre, and as a dynamic and vibrant downtown for all of Markham, anchored around the mobility hub.

THE CIP PROGRAMME

In order to achieve the objectives of this CIP, the Town will seek to provide a suite of programmes. The specific scope and extent of these programmes will be the subject of a detailed financial analysis to be endorsed by Council following consultation with stakeholders, Provincial and Regional agencies and the public. The financial study will establish eligibility criteria, the manner in which the programme (whether it be a grant or incentive) is to be determined, the scope and term of the incentive or grant, and potential phasing of the incentive or grant.

Financial Analysis

In addition to establishing the eligibility criteria and scope of any component of the CIP, the financial study should explore potential opportunities for shared grants or loans consistent with Region's CIP policies. As part of the financial study, specific programme policies and implementation strategies for defining, screening and evaluating applications for grant or loans will be established. This will ensure clarity of the rules and procedures and a transparency of process to facilitate an effective delivery programme, and to support a clear understanding by all parties prior to commencement of the CIP. This is especially important in the event there is a shared grant or loan programme between Markham and York Region. The financial study should also identify appropriate interpretation policies/provisions to provide adequate direction on how certain matters such as numerical figures are interpreted – i.e. approximately rather than definitively.

Community Awareness

Once the financial strategy is in place, a more comprehensive dialogue will need to occur with the community, including Markham Centre landowners, the Markham Centre Advisory and interested members of the public to fully articulate the CIP projects and programmes and identify potential opportunities to advance municipal objectives through the CIP. A distinct marketing strategy could form a component of this dialogue however, given the generally larger property holdings and limited scope of development interests in Markham Centre, this may not be required.

The potential programmes to be considered to implement the CIP are described below.

Loans or Grants

Upon completion of the financial analysis, a Loan or Grant programme may be designed to provide assistance to landowners to help to pay eligible costs in the form of a series of annual grants to eligible owners who develop buildings, facilities, municipal parking structures and other infrastructure or works to address municipal objectives for Markham Centre.

Tax Relief

Tax relief, full or partial, from municipal property taxes and School Taxes, subject to notice to the Region and the consent of the Minister of Finance could form another component of the financial strategy. This would require further consultation with the affected agencies.

Tax Increment Equivalent Grant (TIEG)

This would consist of a grant equal to the full amount or a portion of the amount of the estimated municipal property tax increase after a property is developed or redeveloped. Such grants are funded from a portion of the Municipal Tax Increment. These grants are often referred to as Tax Increment Equivalent Grants (TIEGs). All eligible development will require a building permit and must conform to the zoning by-law. There are two types of municipal grants Base Development Grants and Enhanced Development Grants opportunities for which will be fully explored through the financial analysis to be undertaken in support of the CIP.

Land Acquisition and Disposal

The Town may also acquire land, develop it, rehabilitate or expand existing buildings on it, and sell, lease or otherwise dispose of the land or its buildings, at or below market value, in order to implement the objectives of this CIP.

Any action to implement this policy will require:

- i) a resolution of Council; and
- ii) a demonstration that the action is needed to implement the vision for Markham Centre to meet the goals of the CIP.

Agreements

As a condition of any programme selected to implement the CIP, owners shall enter into an agreement with the Town to be registered on title setting out the terms and conditions of the programme, as applicable. Terms and conditions of the Financial Incentives Agreement will complement and may expand upon, but in no way will detract from the conditions set out in the CIP. Appendix B attached is an extract from the Ministry of Municipal Affairs and Housing's Community Improvement Planning Handbook (2008) outlining possible Grant or Loan Agreement Provisions which may be used by municipalities as part of a CIP.

CIP Expiry

This CIP shall expire twenty (20) years after its coming into full force and effect subject only to Council amending this CIP so as to revise the expiry date or delete this provision.

CIP Review

The CIP will be reviewed no later than every five (5) years after it comes into full force and effect. The review will be initiated by a staff report outlining the content natures and extend of the review to be undertaken.

Amendments to the plan may also be required as a result of the financial analysis being undertaken and specific programming and funding requirements being identified as a result of that study. These changes would be subject to the provisions of the Planning Act and could require further notice and/or public meetings.



Legend
Markham Centre CIP Boundary

Appendix C

Grant or Loan Agreement Provisions

The following lists provide some information on the basic kinds of grant or loan agreement terms or provisions that may be used by municipalities. Municipalities are responsible for their decisions about their agreements. The provisions used and their content may vary according to local factors. The development and evaluation of agreements is an example of a matter, like others in the handbook, for which municipalities often seek independent legal advice.

Note: An agreement concerning a grant or loan program may be registered against the land to which it applies (s. 28(11) of the Planning Act).

- Property information, including:
 - municipal address
 - assessment roll number
 - legal description
 - name of registered owner
- Owner/Applicant information, including:
 - name
 - mailing address
 - telephone number
 - facsimile number
 - e-mail address
- Project compliance requirements with the community improvement plan, section 365.1 of the Municipal Act, 2001, section 28 of the Planning Act and any other requirements specified in the agreement (e.g., work orders, building permits, orders to comply)
- Where the owner/applicant is a corporation, supporting documentation that the corporation:
 - is incorporated and in good standing
 - has the authority to enter into an agreement
 - is not subject to any action, suit or claim affecting its financial capacity
- Eligible costs covered by the relevant grant or loan program
- Exclusion of costs covered by other funding sources, where applicable

- Estimated amount of grant or loan
- Timing and duration of financial assistance payments
- Interest rate of loan and repayment schedule
- Documentation requirements from owner/applicant relating to:
 - eligible cost estimates
 - studies (e.g., design studies, environmental studies)
 - business planning
 - any other required documentation
- Independent third party review and audit of all estimated and actual costs, where required
- Non-retroactivity provision, where applicable (i.e., financial assistance begins with municipal approval and execution of an agreement)
- Construction covenants, including (re)development commencement and completion dates and penalty for non-fulfillment of obligations
- Maintenance requirements for buildings and improvements that are subject to a grant or loan (e.g., cancellation or reduction of assistance)
- Requirement for proof of actual costs on completion of eligible works, and municipal discretion to lower or increase coverage based on actual costs
- Payment options where there is a change in ownership (e.g., original owner/applicant retains the financial assistance or may assign it to the new owner)
- Protocol governing communications between the owner/applicant and the municipality, including notification procedures where there is a change in ownership of the subject property
- Municipal inspection requirements to ensure activities subject to the grant or loan are in conformity with municipal approvals and terms of the agreement
- Specification of conditions of default, including:
 - use of grant or loan for non-permitted uses or ineligible costs
 - failure to pay taxes
 - non-compliance with bylaws or any other requirement of the agreement
 - corporate bankruptcy
- Municipal recourse in the event of default

