



SUBJECT: INFORMATION REPORT
Update on Markham's New Comprehensive Zoning By-law Project, PR-13 128340

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REVIEWED BY: Tom Villella, MCIP, RPP, Manager – Zoning & Special Projects, ext. 2758

RECOMMENDATION:

That the report entitled, "INFORMATION REPORT: Update on Markham's New Comprehensive Zoning By-law Project" dated September 9, 2014, be received.

PURPOSE:

The purpose of this report is to provide a brief update on the status of Markham's New Comprehensive Zoning By-law Project and to outline next steps moving forward, consistent with the draft work plan presented to Development Services Committee on November 5, 2013.

BACKGROUND:

Markham's New Comprehensive Zoning By-law Project

The purpose of Markham's New Comprehensive Zoning By-law Project is to review, consolidate and update, where appropriate, the City's parent zoning by-laws into one (1) comprehensive zoning by-law that conforms with and implements the City's New Official Plan. A key objective of the Project is to develop an innovative, web-based & user-friendly zoning by-law that responds to current and emerging sustainable planning and development trends, to guide future development in Markham.

On November 5, 2013, Staff presented a report and presentation to Development Services Committee on the initiation of this Project, including a draft work program which was endorsed by Council. The endorsed work plan anticipates a multi-year Project consisting of four (4) phases:

Phase 1: Zoning Issues Analysis

Phase 2: Strategic Direction

Phase 3: Drafting & Processing of New Comprehensive Zoning By-law

Phase 4: Potential OMB Appeals

Project Consulting Team Retained

In January 2014, Staff issued a Request for Proposal (RFP) for Phase 1 & 2 of the Project (Zoning Issues Analysis & Strategic Direction Report). Consistent with a staff award report to DSC, dated April 29, 2014, the City retained Gladki Planning Associates (GPA) to complete the required background work for Phase 1 (Zoning Issues Analysis). GPA will also be retained for Phase 2 (Strategic Direction), subject to confirmation of 2015 capital budget funding approval.

In response to the Project requirements for Phase 1 & 2, as outlined in the RFP, GPA has partnered with sub-consultants, assembling a strong and well-rounded team. Combined, GPA and the sub-consultants (consulting team) have extensive knowledge of innovative zoning approaches and experience managing projects of similar scale and scope. The following table outlines the sub-consultants collaborating with GPA:

SUB CONSULTANT	AREA OF EXPERTISE
R.E. Millward & Associates (Toronto, ON)	Zoning & Planning
Clarion Associates (Denver, CO, USA)	Zoning & Planning
Woodfield Consulting (Oakville, ON)	Information Technology (IT) & Geographic Information Systems (GIS)
Anthony Usher Planning (Toronto, ON)	Natural Heritage
Davis LLP (Toronto, ON)	Legal

Work Program: Phase 1 (Zoning Issues Analysis) & Phase 2 (Strategic Direction)

The RFP issued for Phase 1 & 2 outlines a work program with a list of required tasks to be completed, as well as, consultation requirements with Staff, Development Services Committee, the general public and various stakeholders (Appendix 'A' – Project Schedule).

Phase 1 (Zoning Issues Analysis) includes a list of 17 required tasks. Generally, each task represents a zoning issue, identified by Staff, that requires addressing prior to drafting the new comprehensive zoning by-law. For each task, a detailed review and analysis will be completed, including a review of best practices in Ontario and abroad (where applicable), and a review of potential options for addressing identified issues. A technical/discussion paper will be prepared for each required task, outlining the analysis and review completed.

Phase 2 (Strategic Direction) consists of one (1) task which will be informed by the work completed in Phase 1 (Zoning Issues Analysis). A detailed review of potential options for addressing all identified zoning issues will be completed with recommendations for addressing each identified zoning issue. Cumulatively, the recommendations will provide the basis for the strategic direction, to guide the drafting and processing of the new comprehensive zoning by-law (Phase 2). A technical/discussion paper will also be prepared, outlining the analysis and review completed, including a detailed rationale for the recommended strategic approach.

In addition, consultation with City Staff, Development Services Committee, the general public and various stakeholders will also take place, throughout Phase 1 & 2, to obtain feedback, as discussed further in this report.

OPTIONS/DISCUSSION:

Phase 1 (Zoning Issues Analysis) Work Underway

The consulting team officially commenced work on Phase 1 in May 2014. The following is a list of work initiated thus far:

1. Consultation with City Staff

Key members of the consulting team met with Staff in May 2014, to discuss and finalize the work program prior to commencement of work on Phase 1. A project initiation meeting was held on July 3, 2014, and City Staff from various departments having an interest in the City's zoning by-laws were present. Key members of the consulting team were also in attendance. In addition, the work program for Phase 1 & 2 (Appendix 'A') was discussed.

Regular monthly meetings have been scheduled with the consulting team and Staff to discuss work progress and next steps. Thus far, two (2) monthly meetings have taken place, in July and August 2014. Additional meetings with the consulting team and Staff will take place to obtain input and feedback relative to the specific required tasks for Phase 1 and 2.

2. Task 1 – Establishment of Guiding Principles

This task requires the identification of key City principles to guide the overall Project. Preliminary consultation has taken place with City Staff and draft principles have been prepared. Draft guiding principles are based on achieving the overall objective of the Project, to develop an innovative and user-friendly comprehensive zoning by-law that implements the new Official Plan and guides future development in Markham. The draft principles include, but are not limited to:

- Protecting natural areas, agricultural areas and established neighbourhoods;
- Promoting intensification in mid and high rise areas by combining certainty with flexibility;
- Supporting economic development policies;
- Promoting sustainability and transportation objectives;
- Incorporating existing zoning by-laws; and,
- Developing a by-law that is easy to navigate.

It is anticipated that the draft technical/discussion paper will be completed for review by Staff in August 2014.

3. Task 3 – Review & Assessment of Existing Zoning By-laws

This task requires the review of Markham's existing zoning by-laws (approximately 46) to identify issues and gaps, and to review potential options for addressing identified issues and gaps. The consulting team has reviewed the City's existing zoning by-laws and has compiled a list of relevant information to be analyzed. Preliminary consultation has also taken place with City Staff and additional consultation will take place as the work progresses. It is anticipated that the draft technical/discussion paper will be complete for review by Staff in November 2014.

4. Task 4 – Review & Assessment of Site Specific Zoning Amendments & Minor Variances

This task requires the review of the City's site specific zoning by-law amendments (~3,000) and minor variances (~6,000), to identify trends that require further analysis and to review options for recognizing these permissions moving forward. The consulting team has reviewed the City's minor variances records and is in the process of categorizing relevant information for analysis and consultation with Staff. Work on the City's site specific zoning by-law amendments is expected to begin in the near future. It is anticipated that the draft technical/discussion paper will be complete for review by Staff in November 2014.

5. Task 6 – Review & Assessment of GIS/IT Capabilities & Requirements

This task requires the review of the City's existing GIS/IT platform and capabilities to determine what is required for moving forward with a new comprehensive zoning by-law that is web-based and innovative. A start-up meeting for this task has taken place with Woodfield Consulting (sub-consultant) and City Staff to discuss the City's existing circumstances and objectives moving forward. Additional consultation with City Staff will take place as work on this task progresses. The draft technical/discussion paper is anticipated to be complete for review by Staff by November 2014.

6. Zoning Workshops

Don Elliot from Clarion Associates (sub-consultant) led two (2) zoning workshops for City Staff on July 30, 2014. The purpose of the zoning workshops was to learn about different zoning approaches used throughout North America and to discuss their associated strengths and weaknesses. The zoning workshops were well attended by Staff from various City departments and will greatly assist Staff and the consulting team when considering possible options for addressing zoning issues moving forward. Specifically, the information presented and discussed at the zoning workshops establishes a solid foundation for the review and analysis of many, if not all, of the required tasks for Phase 1 and 2.

7. Communications Strategy

City Planning Staff are currently working with Staff from Corporate Communications to develop a communications strategy for the Project. Staff have already developed a dedicated webpage on the City's website for the Project and have prepared and distributed brochures throughout the Civic Centre and to our community centres and seniors' centres across the City. The dedicated webpage and brochures are intended to keep members of the public and stakeholders informed about the Project as it progresses. In addition, they also encourage participation in the Project by providing information on up-coming meetings, as well as opportunities for providing feedback online via email and the dedicated webpage.

Next Steps**Consultation**

Stakeholder and public consultation are critical components of the overall Project and will greatly assist with the identification of issues and potential options for addressing issues in Phase 1 and 2. Stakeholder consultation and a public open house are targeted for February 2015 to obtain feedback and input prior to finalizing the papers and proceeding with Phase 2 (Strategic Direction). In addition, consultation with DSC will also occur prior to finalizing the technical/discussion papers. Further opportunities for public and stakeholder input will occur during Phase 2 & 3 of the Project.

Staff will continue to work with the consulting team to advance work on Phase 1, to ensure that Phase 1 remains on schedule for completion by May 2015. Drafts for all Phase 1 technical/discussion papers (Tasks 1-17) are expected to be completed by no later than January 2015. Staff intend to report back to DSC with another update on the Project sometime early next year.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

N/A

HUMAN RESOURCES CONSIDERATIONS:

N/A


ALIGNMENT WITH STRATEGIC PRIORITIES:

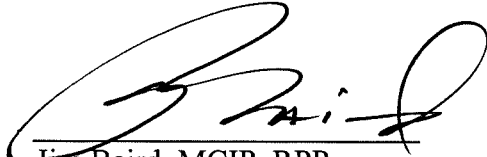
This Project will align with the City's strategic priority of Growth Management by implementing the New Official Plan.

BUSINESS UNITS CONSULTED AND AFFECTED:

This City-wide Project affects many City Departments. All relevant City departments will be consulted throughout Phase 1 and 2 of this Project, as appropriate. In addition, it is anticipated that extensive consultation will take place in Phase 3 (Drafting & Processing of New Comprehensive Zoning By-law) to obtain feedback on drafts of the new comprehensive zoning by-law.

RECOMMENDED**BY:**


Rino Mostacci, MCIP, RPP
Director, Planning & Urban Design


Jim Baird, MCIP, RPP
Commissioner, Development Services

ATTACHMENTS:

Appendix 'A' – Project Schedule (Phase 1 & 2)

