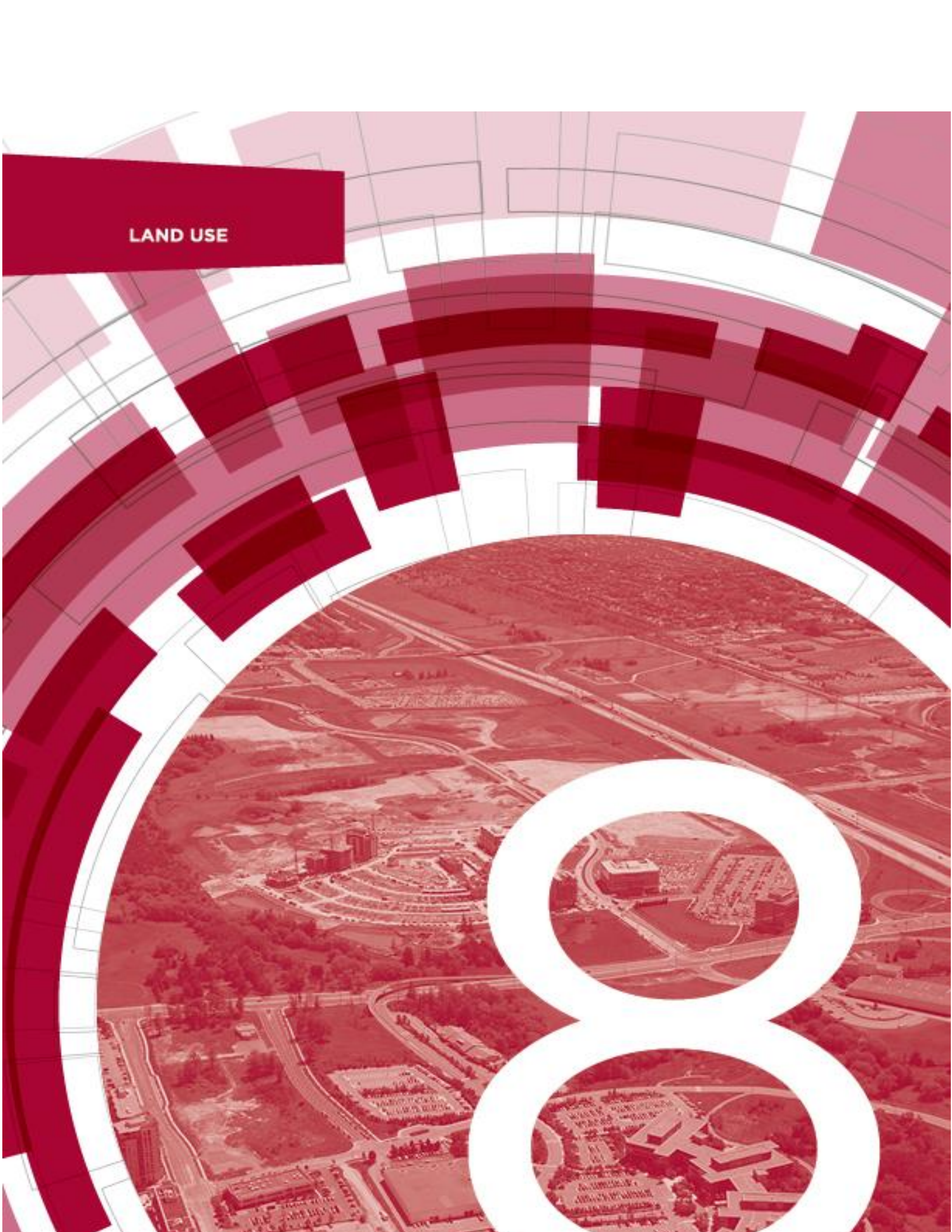


LAND USE



## **8.0 LAND USE**

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## 8.0 LAND USE

The land use designations and associated policies presented in this Chapter are the principal means of implementing the Official Plan's objectives regarding the organizational pattern and character of Markham's land use activities. These land use policies are a fundamental component of the Official Plan and are intended to complement and reinforce the Markham Structure policies outlined in Chapter 2. The land use policies of the Official Plan expand upon the framework of the Council endorsed Growth Alternative to 2031 and provide more detailed guidance for directing future development in Markham. The land use designations direct where, and under what conditions, housing, retail, office and other employment uses, parks and open spaces, natural and cultural heritage, and agricultural uses can locate within Markham. These designations relate to the transit and road network shown on Map 2 – Centres and Corridors and Transit Network and Map 10 – Road Network.

Each land use designation shown on Map 3 – Land Use is linked to the policies outlined in this Chapter. The policies apply on an area-wide basis within the geographic boundaries of a given land use designation, which, taken together, create an overall pattern of land use control. For each land use designation, the policies provide guidance regarding permitted uses, building types, heights, densities and comprehensive development criteria. The latter criteria may include urban design objectives that address the wider role and responsibility of new development in maintaining and enhancing the quality of the public realm, including such matters as streetscape improvements, the protection and enhancement of the tree canopy, pedestrian comfort and the design of the street network or grid. The land use designations and attendant policies are intended to be interpreted in conjunction with all other policies contained in this Plan, particularly those relating to transportation, sustainability and urban design. They are also intended to provide guidance for the implementation of this Plan through the development of zoning by-laws, urban design guidelines, *comprehensive block plans* and other implementation tools.

In addition to the general land use policies described in this Chapter, a secondary plan and/or area or site-specific policies may be approved to provide additional structure for a specific area and more detailed land use policies to guide development. Secondary plans form Part 2 of this Plan and area or site-specific policies form Chapter 9 of this Plan.

## 8.1 GENERAL LAND USE

The land use designations and policies are organized according to the following categories:

- 'Residential';
- 'Mixed Use';
- 'Commercial';
- 'Employment Lands';

**Section 8.0  
preamble subject  
to Area/Site  
Specific Appeal  
Nos. 10 (Issues 18,  
19) and 24 (Issue  
284)**

*The land use designations direct where, and under what conditions, housing, retail, office and other employment uses, parks and open spaces, natural and cultural heritage, and agricultural uses can locate within Markham.*

**Section 8.1  
preamble subject  
to Area/Site  
Specific Appeal  
Nos. 10 (Issues 18,  
19), 21 (Issues 142,  
200), 22 (Issue  
280), and 24 (Issue  
285)**

- ‘Greenway’;
- ‘Hamlets’;
- ‘Countryside’;
- ‘Private Open Space’;
- ‘Transportation and Utilities’;
- ‘Parkway Belt West’; and
- ‘Future Urban Area’.

Certain categories are further subdivided to reflect different forms and functions of existing and planned development. Each designation is described in an introductory statement, followed by general policies, uses, building types, heights and densities and development criteria.

In addition to the uses provided for in each of the designations, there are *sensitive land use* policies identified in Section 8.5.1.2 and use prohibitions for *hazardous lands*, *hazardous sites* and *special policy areas* identified in Section 3.4.1.2. To ensure that the City and other senior government agencies and service and utility providers are able to deliver mandated services and facilities in an orderly and cost efficient manner, certain services and facilities are provided for in all land use designations unless otherwise stipulated in a specific land use designation or policy.

The density of a site is expressed in terms of a *floor space index* (FSI) as defined in Section 11.2. FSI generally refers to the ratio of the gross floor area of all buildings on a lot divided by the area of the lot on which the buildings are being developed.

The land use designations of this Plan provide a range of heights and densities. These serve as a guide to development and it is not intended that every area and development be zoned to allow for the maximum height and density provided for within a land use designation, but rather the zoning standards be tailored to fit the specific context within the framework of the land use designation.

On large sites it is anticipated that the density and height at which buildings are developed may not be equally distributed in response to varying conditions across the site. Generally, it would be expected that development densities would be reduced in parts of a large site that border surrounding low-rise areas to provide a gradual transition in the scale of built form and to reduce any impacts of more intensive development. On the other hand, for example, densities on large sites could be expected to be higher in locations well served by transit such as major stops or stations where concentrated growth is desired. Hence, while the overall density over the entire site would be expected to correspond to the density limits prescribed in the relevant policy sections, densities may vary across the site with higher concentrations in some areas of the site, and lower concentrations in others, as considered appropriate in planning and design terms. In all instances, the appropriate height shall be the key determinant on what density can be achieved on a site along with the provision of adequate transportation and water and waste water infrastructure, and community infrastructure such as public schools and parks and open spaces.

*The land use designations provide a range of heights and densities which serve as a guide to development and it is not intended that every area and development be zoned to allow for the maximum height and density provided for within a land use designation.*



The intent of this Plan is to protect established residential areas, and to plan new compact communities incorporating mixed-use areas that are transit-supportive and pedestrian-oriented.







Most of Markham's new growth will be directed to intensification areas and redevelopment areas containing mixed-use, higher density development served by rapid transit.



Detailed comprehensive and contextual planning will be provided through the development of *comprehensive block plans*, which will address such matters as:

- deployment of density and height;
- provision of open space;
- integrated and effective active transportation;
- urban design and sustainable development objectives;
- relationship of built form to existing or potential development on adjacent sites including natural and cultural heritage resources;
- relationship of development to adjacent arterial roads, hydro corridors and natural areas;
- provision and phasing of infrastructure and services;
- achievement of *affordable* and *shared housing* and housing mix objectives; and
- adequacy of community infrastructure.

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

In considering an application for *development approval* within each of the land use designations, development shall adhere to Urban Design and Sustainable Development policies outlined in Chapter 6 of this Plan.

**It is the policy of Council:**

### 8.1.1 Uses provided for in all Land Use Designations

**To provide** for the following uses in all designations, except in the 'Greenway' designation unless stipulated in Section 8.6.1.2, and in accordance with Section 5.2.1.13:

- a) publicly owned and operated community facility, including a library, community centre and recreation centre, provided the facility is located on an arterial or major collector road;
- b) fire, police and emergency service facility;
- c) electrical, gas and oil transmission/distribution facilities;
- d) publicly owned parking facility;
- e) publicly owned parkland and public recreation use;
- f) publicly owned *cemetery* in accordance with Section 8.13.10;
- g) municipal district heating and/or cooling system;
- h) municipal transportation facility; and
- i) municipal service including an underground service, and utility, operation and maintenance facility.

### 8.1.2 Uses prohibited in Hazardous Lands, Hazardous Sites and Special Policy Areas

**To prohibit** certain uses on *hazardous lands*, *hazardous sites* and *Special Policy Areas* as identified in Section 3.4.1.2.

**Section 8.1  
preamble subject  
to Area/Site  
Specific Appeal  
Nos. 10 (Issues 18,  
19), 21 (Issues 142),  
22 (Issue 280), and  
24 (Issue 285)**

*Detailed  
comprehensive and  
contextual planning  
will be provided  
through the  
development of  
comprehensive  
block plan for a site  
larger than one  
hectare in size, or  
where otherwise  
considered  
appropriate.*



### 8.1.3 Uses subject to Specific Use Policies

**To provide** for the following uses and uses accessory to a permitted use, where provided for within each of the land use designations, subject to the specific use policies outlined in Section 8.13:

- a) *day care centre*
- b) *convenience retail and personal service;*
- c) drive through service facility where accessory to a permitted use;
- d) funeral establishment;
- e) motor vehicle service station;
- f) outdoor display and storage where accessory to a permitted use;
- g) *place of worship;*
- h) *secondary suite;* and
- i) *shared housing.*

### 8.1.4 Building Types provided for in all Land Use Designations

**To provide** for the building type associated with the uses listed in Section 8.1.1 in all designations except in the 'Greenway' designation, subject to the densities and heights provided for in each designation unless otherwise stipulated.

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

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

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

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

### 8.1.6 Lands adjacent to Greenway, Hamlets and Countryside

**To require** new land uses, consents, and new and expanding livestock operations on lands adjacent to 'Greenway', 'Hamlets' and 'Countryside' designations to comply with provincial *minimum distance separation*

**Section 8.1.5**  
**subject to Area/Site**  
**Specific Appeal Nos.**  
**22 (Issue 280 t)), 24**  
**(Issue 286),**

*formulae.*

## 8.2 RESIDENTIAL

Most of the existing neighbourhoods within Markham are designated 'Residential' and are located within the 'Neighbourhood Area' as depicted in Map 1 - Markham Structure. The intent in this Plan is to protect established residential areas from incompatible development and to create *complete communities* by guiding new development into nearby 'Mixed Use' areas and improving access to employment areas.

Lands designated 'Residential', together with nearby lands designated for 'Mixed Use' and 'Employment Lands', are intended, in combination to meet the requirements for *complete communities*, where residents can live, shop and enjoy convenient access to services within close proximity. The intent is to accommodate a range of housing types at optimal locations in the 'Residential' areas, including appropriate forms of *affordable and shared housing* where individuals choose to live for economic, support or lifestyle reasons. *Convenience retail and personal services* may be located within a comfortable walking distance of most residential neighbourhoods and provide increased live-work opportunities. For many areas in Markham this may represent a desirable, but not immediately attainable, objective.

New neighbourhoods in 'Residential' areas are intended to be well designed, incorporating a full range of uses and building types needed to support the needs of the local residents with buildings aligned along arterials, collectors and local roads with consistent setbacks, punctuated at key points with open spaces, parks and urban squares. The availability of community services will be assessed as part of the development planning in new 'Residential' areas to ensure that a full range of community services and facilities are available or will be provided to serve residents in these areas.

It is the intent of this Plan that all new 'Residential' areas will be planned to accommodate a more compact built form than older established neighbourhoods and integrate community and 'Mixed Use' areas in a manner that is transit-supportive and pedestrian-oriented. The principle of creating *complete communities* will guide planning for these new areas.

The designations and policies in this Section will be reviewed and applied, as determined appropriate, to the lands designated 'Future Neighbourhood Area' in the 'Future Urban Area'.

Lands designated 'Residential' are shown on Map 3 – Land Use and include the following designations:

- 'Residential Estate';
- 'Residential Low Rise';
- 'Residential Mid Rise'; and
- 'Residential High Rise'.

*Lands designated 'Residential', together with nearby lands designated by 'Mixed Use' and 'Employment Lands', are intended, in combination to meet the requirements for complete communities, where residents can live, shop and enjoy convenient access to services within close proximity.*

The 'Residential Low Rise' designation provides for a maximum building height of 3 storeys, while lands designated 'Residential Mid Rise' and 'Residential High Rise' have a maximum building height of 6 storeys and 15 storeys respectively, unless otherwise specified in a secondary plan or site-specific policy.

## 8.2.1 General Policies

**It is the policy of Council:**

8.2.1.1 **On lands** designated 'Residential' to:

- a) ensure that new development is compatible with the character and pattern of adjacent and surrounding development;
- b) ensure that adequate park space and community services exist or will be provided to serve residents;
- c) encourage a high quality of urban design;
- d) promote sustainable development practices;
- e) improve the pedestrian experience; and
- f) improve access to transit services.

**Uses provided for in all 'Residential' Designations**

8.2.1.2 **In addition** to the uses listed in Section 8.1.1, the following uses may be provided for in all 'Residential' designations:

- i. *convenience retail and personal service* in accordance with Section 8.13.1;
- ii. *day care centre* in accordance with Section 8.13.2;
- iii. *dwelling unit including a home occupation*;
- iv. *place of worship* in accordance with Section 8.13.7;
- v. *public school*, provided it is approved at a location on an arterial or collector road; and
- vi. *secondary suite* in accordance with Section 8.13.8.

Where lands designated 'Residential' are located in *Special Policy Areas*, the policies of Section 3.4.1.2 shall apply.

8.2.1.3 **Development Criteria that apply to all Residential Designations**

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

## 8.2.2 Residential Estate

Lands designated 'Residential Estate' refer to existing subdivisions with detached dwellings on large lots some with a private sewage disposal system, but are distinct from 'Hamlets', which are addressed in Section 8.7. These subdivisions were developed with large lots with dwellings surrounded by significant landscaped open spaces.

The planning intent for these areas is to retain the landscape character



established by the pattern of lot sizes and to ensure that any proposed changes to buildings reflect the pattern of development already established in the area.

There is only one 'Residential Estate' area in Markham. It is the intent of this Plan that there will be no additional lands designated 'Residential Estate'.

**It is the policy of Council:**

**General Policies**

8.2.2.1 **On lands** designated 'Residential Estate' to:

- a) retain the landscape character and protect remaining wooded and scenic areas, natural habitats and distinct topography;
- b) ensure that new development or alterations to buildings respect the predominant character of lot configuration and building pattern;
- c) provide for development on large lots that suit the topography; and
- d) provide opportunities for one *secondary suite* per lot on condition that landscape characteristics are protected and that parking and servicing requirements are met.

**Uses**

8.2.2.2 **That notwithstanding** the policy of Section 8.2.1.2:

- a) *convenience retail and personal service* uses shall not be permitted; and
- b) a *secondary suite*, in accordance with Section 8.13.8, may be permitted on each lot provided that water and wastewater are adequate to meet demand and requirements regarding parking are met.

**Building Types and Heights**

8.2.2.3 **To provide** for detached dwellings up to a maximum height of 3 storeys on large lots, which are generally not less than 0.4 hectares in area, on lands designated 'Residential Estate'.

**Development Criteria**

8.2.2.4 **In considering** an application for *development approval* and/or a building permit on lands designated 'Residential Estate', Council shall ensure that development adheres to development criteria outlined below, in addition to the criteria contained in Section 8.2.1.3:

- a) the character of the landscape and wooded and scenic areas, natural habitats and distinct topography shall be protected;
- b) predominant building forms and types shall be respected;
- c) lot size as represented by frontage, area and depth shall be replicated;
- d) massing of adjacent buildings shall be respected;
- e) landscaped areas shall be protected and sustainable treatments shall be encouraged;
- f) general setback patterns on adjacent properties shall be respected; and
- g) in areas adjacent to watercourses and other groundwater recharge areas development shall be limited and controlled to ensure that the quality and quantity of water in aquifers and surface water bodies are

*It is intended that Residential Estate areas retain the landscape character established by the pattern of lot sizes and that any proposed changes to buildings reflect the pattern of development already established in the area.*

maintained.

### 8.2.3 Residential Low Rise

Lands designated 'Residential Low Rise' constitute most of the existing residential neighbourhoods in Markham. These are established residential areas with lower-scale buildings such as detached and semi-detached dwellings, duplexes and townhouses, which will experience minimal physical change in the future. Access to *convenience retail and personal services* uses and a full range of community facilities, parks and open spaces is an important characteristic of these areas. Over time, improvements will be introduced to provide for greater access and an enhanced pedestrian experience. These may include the introduction of pedestrian connections to existing services or, in some cases, the introduction of new facilities and services along existing arterial or major collector roads to improve convenience for residents.

Infill development refers to small-scale development within existing residential areas intended to respect and reflect the existing pattern and character of adjacent development. New development refers to larger-scale development outside the context of existing residential areas. Both are subject to certain development criteria.

Within 'Residential Low Rise' areas local institutions such as *public schools* and *places of worship* will be situated in appropriate, accessible locations on major collector or arterial roads to provide easy access for residents. In order to accommodate the trend for more and more people to work from home, *home occupations* may be included within residential buildings. *Affordable* and *shared housing* shall be considered as an integral characteristic of 'Residential Low Rise' areas.

#### It is the policy of Council:

#### General Policies

- 8.2.3.1 **On lands** designated 'Residential Low Rise' to:
- a) respect the physical character of established neighbourhoods including *heritage conservation districts*;
  - b) provide for improved access to *convenience retail and personal service* uses; and
  - c) accommodate *shared housing small scale*.

#### Uses

- 8.2.3.2 **To provide** for *shared housing small scale*, in addition to the uses listed in Section 8.2.1.2, on lands designated 'Residential Low Rise' in accordance with Section 8.13.9 of this Plan.

#### Building Types

- 8.2.3.3 **To provide** for the following building types on lands designated 'Residential Low Rise':
- a) detached dwelling, semi-detached dwelling, townhouse excluding back to back townhouse, small multiplex building containing 3 to 6 units, all with direct frontage on a public street. A zoning by-law amendment to

*Residential Low Rise areas are established residential neighbourhoods with lower-scale buildings such as detached and semi-detached dwellings, duplexes and townhouses, which will experience minimal physical change in the future.*

permit the above building types without direct frontage on a public street may also be considered, at appropriate locations, where a development block has frontage on an arterial road or a major collector road;

- b) *coach house* located above a garage on a laneway; and
- c) buildings associated with *day care centres, places of worship and public schools*.

#### Heights

- 8.2.3.4 **To provide** for a building height of up to a maximum of 3 storeys on lands designated 'Residential Low Rise' or as otherwise specified in a secondary plan or a *heritage conservation district* plan.

#### Development Criteria – Infill Development

- 8.2.3.5 **In considering** an application for *development approval* on lands designated 'Residential Low Rise', Council shall ensure infill development respects and reflects the existing pattern and character of adjacent development, by adhering to the development criteria outlined below, in addition to the criteria in Section 8.2.1.3 and the area and site specific policies of Sections 9.3.3, 9.13.2, 9.14.2, 9.18.5, 9.19.2, unless otherwise specified in a *heritage conservation district* plan:
- a) the lot frontage(s) and lot area(s) of the proposed new lot(s) shall be consistent with the sizes of existing lots on both sides of the street on which the property is located;
  - b) the proposed new building(s) shall have heights, massing and scale appropriate for the site and generally consistent with that permitted by the zoning for adjacent properties and properties on the same street;
  - c) front and rear yard setbacks for the new building(s) shall be consistent with the front and rear yards that exist on the same side of the street;
  - d) the setback between new building(s) and the interior side lot line shall increase as the lot frontage increases;
  - e) the new building(s) shall have a complementary relationship with existing buildings, while accommodating a diversity of building styles, materials and colours;
  - f) existing trees and vegetation shall be retained and enhanced through new street tree planting and additional on-site landscaping;
  - g) the width of the garage(s) and driveway(s) at the front of new building(s) shall be limited to ensure that the streetscape is not dominated by garages and driveways;
  - h) new driveways and service connections shall be sited to minimize tree loss;
  - i) impacts on adjacent properties shall be minimized in relation to grading, drainage, access and circulation, privacy and microclimatic conditions such as shadowing;
  - j) the orientation and sizing of new lots shall not have a negative impact on significant public views and vistas that help define a residential neighbourhood;
  - k) proposals to extend the public street network should be designed to improve neighbourhood connectivity, improve local traffic circulation



- and enhance conditions for pedestrians and cyclists; and
- l) road and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.

**Development Criteria - New Development**

- 8.2.3.6 **In considering** an application for *development approval* on lands designated ‘Residential Low Rise’, Council shall ensure that development, other than infill development, adheres to the development criteria outlined below, in addition to the criteria contained in Section 8.2.1.3:
- a) buildings shall be street-related with consistent setbacks to create a harmonious relationship to the street;
  - b) the local road system shall be designed to enhance the pedestrian environment by increasing the visual interest of streets and pedestrian comfort through the provision of sidewalks, walkways, frequent intersections, attractive streetscapes and landscaping;
  - c) the development should incorporate an integrated open space network;
  - d) development should be designed to be transit-oriented and reflect transit-oriented development principles; and
  - e) non-residential buildings that are adjacent to low-rise residential buildings shall be designed to respect an angular plane measured from the boundary of the low-rise residential building is located in accordance with Sections 6.1.8.9 and 6.1.8.10.

*‘Residential Mid Rise’ areas are characterized primarily by mid-rise residential buildings that provide for a diversity of housing mix and building types and respect the existing character of the adjacent and surrounding areas.*

**8.2.4 Residential Mid Rise**

Lands designated ‘Residential Mid Rise’ are generally located along arterial or major collector roads and are characterized primarily by mid-rise residential buildings that provide for a diversity of housing mix and building types and respect the existing character of the adjacent and surrounding areas. For the most part these areas are located near mixed-use developments and shopping centres.

The intent in these areas is to support existing or planned transit services by providing opportunities for modest levels of *intensification* in appropriate areas, adjacent to established ‘Residential’ areas. Buildings in ‘Residential Mid Rise’ areas will contain a mix of unit types and will generally be aligned along public streets with consistent setbacks and designed to ensure appropriate transitions in height to adjacent low-rise areas. Height and density will be directed away from low rise designations to frontages along arterial and major collector roads.

New developments on large sites will be planned in a comprehensive way incorporating the locations of new roads, development blocks, open spaces, access to community services and public transit.

**It is the policy of Council:**

**General Policies**

- 8.2.4.1 **On lands** designated ‘Residential Mid Rise’ to:

**Section 8.2.4 subject to Area/Site Specific Appeal No. 18 (Issues 123, 124)**

- a) provide for modest levels of residential *intensification* in mid-rise buildings adjacent to transit routes along arterial and collector roads;
- b) encourage building design in new developments that is street-related with consistent setbacks; massing to adjacent 'Residential Low Rise' areas.
- c) require buildings to address pedestrian comfort in the public realm;
- d) ensure development responds to the provision of transportation infrastructure in accordance with Section 7.1.1.6; and
- e) require that buildings be designed to provide a transition in height and massing to adjacent 'Residential Low Rise' areas.

#### Uses

- 8.2.4.2 **To provide** for *shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised*, in addition to the uses listed in Section 8.2.1.2, on lands designated 'Residential Mid Rise' in accordance with Section 8.13.9 of this Plan.

#### Building Types

- 8.2.4.3 **To provide** for the following building types on lands designated 'Residential Mid Rise':
- a) townhouse including back to back townhouse;
  - b) small multiplex building containing 3 to 6 units;
  - c) stacked townhouse;
  - d) apartment building; and
  - e) buildings associated with *day care centres, places of worship and public schools*.

#### Heights and Densities

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

#### Development Criteria

- 8.2.4.5 **In considering** an application for *development approval* on lands designated 'Residential Mid Rise', Council shall ensure that development adheres to the development criteria outlined below, in addition to the criteria in Section 8.2.1.3:
- a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* may be prepared in accordance with Section 10.1.4 of this Plan;
  - b) buildings should generally be placed on a site to respect a consistent setback and provide for continuity in built form;
  - c) buildings should be designed to enhance pedestrian safety and comfort by providing for appropriate microclimatic conditions including:
    - i. sunlight access between the Spring and Fall equinox, particularly on the north, east and west pedestrian zones along arterial and collector roads;

**Section 8.2.4 subject to Area/Site Specific Appeal No. 18 (Issues 123, 124)**

- ii. measures to mitigate wind conditions at the street level and in parks and open spaces;
- d) height and density shall be directed away from low rise designations to frontages along arterial and major collector roads; and
- e) buildings that are adjacent to areas designated for low rise development shall be designed to respect an angular plane measured from the boundary of the designation in which the low-rise building is located in accordance with Sections 6.1.8.9 and 6.1.8.10.

## 8.2.5 Residential High Rise

Lands designated 'Residential High Rise' are located along arterial or major collector roads and are characterized primarily by high-rise residential buildings. For the most part, these areas are located near 'Mixed Use' areas, retail and community uses. The intent for development in these areas is to support existing or planned transit services.

New buildings on lands designated 'Residential High Rise' will generally be aligned along public streets with consistent setbacks and designed to respect transitions in height to adjacent low and mid-rise areas. Height and density will be directed away from low rise designations to frontages along arterial and major collector roads.

Buildings will be designed to respect light, view and privacy of adjacent buildings. In areas where existing high-rise buildings are located, infill development will be encouraged to create a pedestrian-scale built form relationship to the street to address pedestrian comfort in the public realm, public access and safety.

New developments on large sites will be planned in a comprehensive way incorporating locations for new roads, blocks, and open spaces to improve pedestrian connectivity and access to community services and transit.

### It is the policy of Council:

#### General Policies

- 8.2.5.1 **On lands** designated 'Residential High Rise' to:
- a) provide for residential *intensification* adjacent to existing or planned transit routes along arterial and major collector roads;
  - b) encourage building design in new developments that is street-related with consistent setbacks;
  - c) provide for opportunities to add infill buildings adjacent to existing residential high-rise buildings to create a pedestrian-scale built form relationship to the street that enhances the quality of the public realm by creating safe and attractive streetscapes;
  - d) ensure development responds to the provision of transportation infrastructure in accordance with Section 7.1.1.6; and
  - e) require that new buildings provide a transition in height and massing to adjacent 'Residential Low Rise' and 'Residential Mid Rise' areas.

**Section 8.2.4 subject to Area/Site Specific Appeal No. 18 (Issues 123, 124)**

*New buildings in 'Residential High Rise' areas will generally be aligned along public streets with consistent setbacks and designed to respect transitions in height to adjacent low and mid-rise areas.*



### Uses

8.2.5.2 **To provide** for *shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised*, in addition to the uses listed in Section 8.2.1.2, on lands designated 'Residential High Rise' in accordance with Section 8.13.9 of this Plan.

### Building Types

8.2.5.3 **To provide** for the following building types on lands designated 'Residential High Rise':

- a) townhouse excluding back to back townhouse;
- b) stacked townhouse;
- c) apartment building; and
- d) buildings associated with *day care centres, places of worship and public schools*.

### Heights and Densities

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

### Development Criteria

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

- a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* may be prepared in accordance with Section 10.1.4 of this Plan;
- b) buildings should generally be placed on a site to respect a consistent setback and provide for continuity in built form along public streets;
- c) buildings should be designed to provide privacy for residential units at the street level by providing an appropriate setback between the development and the street or neighbouring buildings;
- d) buildings should be designed to enhance pedestrian safety and comfort by providing for appropriate microclimatic conditions including:
  - i. sunlight access between the Spring and Fall equinox, particularly on the north, east and west pedestrian zones along arterial and collector roads;
  - ii. measures to mitigate wind conditions at the street level and in parks and open spaces;
- e) height and density shall be directed away from low rise designations to frontages along arterial and major collector roads;
- f) buildings that are adjacent to areas designated for low rise development shall be designed to respect an angular plane measured from the boundary of the designation in which the low-rise building is located in accordance with Sections 6.1.8.9 and 6.1.8.10;

**Section 8.2.5.4  
subject to Area/Site  
Specific Appeal No.  
18 (Issue 123, 124)**

- g) where appropriate, buildings should include a street-related podium along arterial road frontages with the section of the building above the podium set back from the street-related building front;
- h) the tower portion of buildings above 8 storeys shall be designed on small floor plates to minimize shadow impacts on adjacent areas and maximize sky views; and
- i) the tower portions of buildings shall provide for adequate separation to achieve light, view and privacy.

### 8.3 MIXED USE

Lands designated 'Mixed Use' are located primarily within the areas identified as Centres and Corridors on Map 2 – Centres and Corridors and Transit Network include commercial, entertainment and personal service uses for nearby, and sometimes, regional populations. These include existing retail areas ranging from small strip malls to mid-sized shopping areas with supermarkets and other retail services to some of the large "destination" shopping centres and big box centres. Most are located along arterial roads providing good access by automobile. They are currently largely single-use, car-oriented and characterized by large surface parking areas. Existing uses include professional offices, medical clinics, larger office buildings, institutions and/or high-rise residential buildings. Most of the lands designated 'Mixed Use' are located within *intensification areas* (i.e., those areas prioritized for *intensification*) shown on Map 1 – Markham Structure and Map 3 – Land Use, and are intended to become the main focus for *intensification* in Markham, while retaining their current function as retail and service centres serving nearby populations.

Most of the lands designated for mixed-use development are located along Markham's best-served transit routes. It is the intent of this Plan that these areas be transformed into mixed-use neighbourhoods where existing commercial functions required by residents are combined with housing and office employment, as integrated elements of new, attractive, street-related, *complete communities* where people have the option and are encouraged to use non-automobile modes of transportation to move around and access services.

Height and density will be directed away from low rise designations to frontages along arterial and major collector roads. Where development or *redevelopment* is proposed on a mid-rise or high-rise site larger than one hectare, it is intended that a mix of uses be provided for by not allowing the site to be exclusively developed with residential or non-residential development. For developed commercial sites, the minimum height and mixed use requirements will not apply for minor additions and/or renovations.

'Mixed Use' areas in 'Future Neighbourhood Areas' are intended to incorporate a full range of uses to support the needs of the local population with buildings aligned along arterials, collectors and internal

**Section 8.3  
preamble subject to  
Area/Site Specific  
Appeal Nos. 15  
(Issue 122), 21 (Issue  
133), 22 (Issue 280  
v)), 24 (Issue 287  
and 26 (Issue 154)**

streets with consistent setbacks, punctuated at key points with open spaces, parks and urban squares. The availability of community infrastructure will be assessed as part of the development planning in mixed-use areas to ensure that a full range of community services and facilities are available or will be provided to serve residents in these areas.

It is the intent of this Plan that all new retail, restaurant and service uses in 'Future Neighbourhood Areas' will be integrated with community and residential uses in a mixed-use setting in a manner that is transit-supportive and pedestrian-oriented. These new 'Mixed Use' areas will be located to optimize opportunities for accessing planned public transit facilities and, when developed, will reflect the same characteristics for new, *complete communities* in the existing urbanized area as described above.

Lands designated 'Mixed Use' include the following designations:

- 'Mixed Use Low Rise';
- 'Mixed Use Mid Rise';
- 'Mixed Use High Rise';
- 'Mixed Use Office Priority';
- 'Mixed Use Health Care Campus'; and
- 'Mixed Use Heritage Main Street'.

The 'Mixed Low Rise' designation provides for a maximum building height of 3 storeys, while lands designated 'Mixed Use Mid Rise' and 'Mixed Use High Rise' have a maximum building height of 8 storeys and 15 storeys respectively, unless otherwise specified in a secondary plan or site-specific policy.

### 8.3.1 General Policies

**It is the policy of Council:**

#### 8.3.1.1 On lands designated 'Mixed Use' to:

- a) provide for a mix of residential, retail, restaurant and service uses that contribute to the creation of *complete communities*;
- b) create attractive multi-storey street related building environments;
- c) ensure that new development is compatible with the character and pattern of adjacent and surrounding development;
- d) ensure that adequate park space and community services exist or will be provided to serve residents;
- e) encourage a high quality of urban design;
- f) promote sustainable development practices;
- g) improve the pedestrian experience; and
- h) improve access to transit services.

**Uses provided for in all Mixed Use Designations**

#### 8.3.1.2 To provide for the following uses, in addition to the uses listed in Section 8.1.1, in all 'Mixed Use' designations:

- a) sports and fitness recreation;
- b) commercial school;

**Section 8.3 preamble subject to Area/Site Specific Appeal Nos. 15 (Issue 122), 21 (Issue 133), 22 (Issue 280 v)), 24 (Issue 287 and 26 (Issue 154)**

*It is intended that Mixed-Use areas be transformed into mixed-use neighbourhoods where existing commercial functions required by residents are combined with housing and office employment, as integrated elements of new, attractive, street-related, complete communities.*

**Section 8.3.1.1-2 subject to Area/Site Specific Appeal Nos. 15 (Issue 122), 21 (Issue 133), 22 (Issue 280 v)), and 26 (Issue 154)**

- c) *day care centre* in accordance with Section 8.13.2;
- d) dwelling unit including a *home occupation*;
- e) financial institution;
- f) office;
- g) *place of worship* in accordance with Section 8.13.7;
- h) *public school and private school* provided these are located on an arterial or major collector road;
- i) restaurant;
- j) retail;
- k) *secondary suite* in accordance with Section 8.13.8; and
- l) service, with the exception of motor vehicle service station and commercial storage facility.

Where lands designated ‘Mixed Use’ are located within *Special Policy Areas*, the policies of Section 3.4.1.2 shall apply.

**Minor Additions or Renovations to Developed Commercial Sites**

8.3.1.3 **To not apply** the minimum height and mixed use requirements, and the gross floor area restrictions (as they apply to the ‘Mixed Use Mid Rise’ and ‘Mixed Use High Rise’ designations only), for minor additions and/or renovations to developed commercial sites.

**Development Criteria that apply to all Mixed Use Designations**

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

- a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* may be prepared in accordance with Section 10.1.4 of this Plan;
- b) buildings should generally be placed on a site to respect a consistent setback and provide for continuity in built form along public streets;
- c) buildings should be designed to enhance pedestrian safety and comfort by providing for appropriate microclimatic conditions including:
  - i. sunlight access between the Spring and Fall equinox, particularly on the north, east and west pedestrian zones along arterial and collector roads; and
  - ii. measures to mitigate wind conditions at the street level and in parks and open spaces;
- d) height and density shall be directed away from low rise designations to frontages along arterial and major collector roads;
- e) buildings that are adjacent to areas designated for low rise development shall be designed to respect an angular plane measured from the boundary of the designation in which the low-rise building is located in accordance with Sections 6.1.8.9 and 6.1.8.10;
- f) vehicular access points from arterial or collector roads shall be coordinated and consolidated where possible;

**Section 8.3.1.3**  
**subject to Area/Site**  
**Specific Appeal Nos.**  
**15 (Issue 122), 21**  
**(Issue 133), and 26**  
**(Issue 154)**

**Section 8.3.1.4**  
**subject to Area/Site**  
**Specific Appeal Nos.**  
**15 (Issue 122), 21**  
**(Issue 133), 22 (Issue**  
**280 v)), 24 (Issue**  
**146) and 26 (Issue**  
**155)**



- g) parking should generally be located at the side or rear of buildings, or below grade and will be designed to provide convenient access to retail and service uses;
- h) loading and parking facilities shall be screened from public view and buffered so as to reduce impacts on lands designated 'Residential';
- i) landscaped buffers shall be provided adjacent to residential uses; and
- j) other criteria as identified in plans approved by Council.

### 8.3.2 Mixed Use Low Rise

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

Infill development will respect and reflect the existing pattern and character of adjacent development. New buildings shall be aligned along public streets encouraging human interaction and activity at the street level and avoiding blank facades. Parking will generally be located at the rear or side of buildings, or underground, with a minimal amount of front yard parking only where it can be justified to support economic viability and where there is a minimal negative impact on the streetscape, and pedestrian and bicycle circulation. Loading and servicing areas will be screened or otherwise buffered from public streets and adjacent 'Residential Low Rise' areas. Appropriate setbacks incorporating landscaping will be included adjacent to 'Residential Low Rise' areas.

New 'Mixed Use Low Rise' areas in 'Future Neighbourhood Areas' will be conveniently located to serve local residents. Within these areas all new small scale retail, restaurant and personal service uses will be integrated with community and residential uses in a mixed-use setting in a manner that is transit-supportive and pedestrian-oriented. It is intended that new 'Mixed Use Low Rise' areas in 'Future Neighbourhood Areas' will serve as centres and/or corridors integrating residential uses with small-scale retail, service, professional office and community infrastructure serving nearby residents in accordance with Section 8.12.1.3 g) iii.

#### It is the policy of Council:

#### General Policies

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

- a) support their function as identifiable focal points that serve nearby residents and businesses by providing a diverse range of small-scale retail, service, office, community, institutional and recreational uses;

**Section 8.3.1 subject to Area/Site Specific Appeal Nos. 15 (Issue 122), 21 (Issue 133), and 26 (Issue 154)**

**Section 8.3.2 subject to Area/Site Specific Appeal Nos. 15 (Issue 122) and 26 (Issue 148-150, 154.155. 308-313)**

*Mixed Use Low Rise Areas will be characterized by multi-use, multi-purpose areas that offer a diverse range of relatively small retail, service, professional office, community, institutional and recreational uses serving nearby residents and businesses.*

- b) encourage mixed-use buildings with street-related retail and service uses combined with residential and/or small-scale office uses;
- c) provide opportunities for dwelling units to be integrated with street-related retail and service uses;
- d) provide appropriate buffering where adjacent to ‘Residential Low Rise’ areas; and
- e) require that buildings be designed to provide a transition in height and density to adjacent ‘Residential Low Rise’ areas.

**Uses**

8.3.2.2 **To provide** for *shared housing small scale*, in accordance with Section 8.13.9 of this Plan, in addition to the uses listed in Section 8.3.1.2 on lands designated ‘Mixed Use Low Rise’.

**Building Types**

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

**Heights**

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

**Development Criteria**

8.3.2.5 **In considering** an application for *development approval* on lands designated ‘Mixed Use Low Rise’, Council shall ensure that development adheres to the development criteria outlined below, in addition to the development criteria contained in Section 8.3.1.4:

- a) the gross floor area of a non-residential premise shall not exceed 500 square metres except where located on an arterial road where the gross floor area of a non-residential premise shall not exceed 1,000 square metres; and
- b) building design and on-site parking shall have particular regard for the provisions contained in Sections 6.1.8.4 h) and 6.1.8.7 b).

**8.3.3 Mixed Use Mid Rise**

Lands designated ‘Mixed Use Mid Rise’ are located primarily along arterial and major collector roads, some of which are *intensification areas*. For the most part, they are characterized by mid to large scale retail development and other facilities providing services such as supermarkets, specialty grocery, hardware, clothing and electronics stores for residents, workers and businesses over larger areas than are generally served by ‘Mixed Use Low Rise’ areas. These lands serve an important function for nearby residents by providing access to needed goods and services. Over time, the intent is to encourage *intensification* that supports existing and planned transit services adjacent to these lands and transform these lands to mixed-use neighbourhoods.

As this transformation takes place, it will be important that mixed-use

**Section 8.3.2 subject to Area/Site Specific Appeal Nos. 15 (Issue 122) and 26 (Issue 148-150, 154.155. 308-313)**

*Over time, it is intended that Mixed Use Mid Rise Areas will integrate residential development with mixed-use development incorporating space for a full range of retail and service functions to address the needs of Markham residents.*

**Section 8.3.3 subject to Area/Site Specific Appeal Nos. 15 (Issue 122), 18 (Issue 125), 21 (Issues 136, 137)22 (Issue 280v)), 24 (Issue 286) and No. 26 (Issue 151)**

developments incorporate space for a full range of small, medium and large sized retail and service functions, where required, to address the needs of Markham residents. It is intended that residential development be integrated with mixed-use development and will be supportive of retail and service activities.

The transformation towards mixed-use neighbourhoods in existing 'Mixed Use Mid Rise' areas will take place gradually in phases over a number of years. The principles guiding the evolution of these mixed-use neighbourhoods will be based on creating neighbourhoods where people can shop, live and work within close proximity, relying on active transportation to get around. New buildings will be multi-storey, mid-rise, attractive, well designed, primarily street-related with retail at grade and residences above along commercial spines on arterial and collector roads or newly created "main streets" that are internal to development sites. Multi-storey, stand-alone, retail, office or residential buildings may be incorporated into the design of the overall development and integrated with mixed-use buildings.

Buildings located near existing or planned 'Residential Low Rise' areas will be designed to provide a transition to these areas in terms of scale and height. Parks, open spaces, urban squares and community services and facilities will be provided to serve the needs of the existing and future residents. New developments on large sites will be planned in a comprehensive way to show the locations of new roads, development blocks, open spaces and access to community infrastructure and how the proposed development will be integrated with existing development areas.

New 'Mixed Use Mid Rise' areas in 'Future Neighbourhood Areas' will be located adjacent to arterial or collector roads close to planned transit services. Within these areas all new small, medium and large scale retail, restaurant and personal service uses will be integrated with community and residential uses in a mixed-use setting in a manner that is transit-supportive and pedestrian-oriented. It is intended that new 'Mixed Use Mid Rise' areas in 'Future Neighbourhood Areas' will serve as centres and/or corridors integrating medium and large scale retail, restaurant and services with residential and community infrastructure in accordance with Section 8.12.1.3 g) ii.

**It is the policy of Council:**

**General Policies**

8.3.3.1

**On lands** designated 'Mixed Use Mid Rise' to:

- a) establish these areas as focal points for neighbourhood activities;
- b) provide for retail and service functions to address the needs of the community;
- c) provide for mid-rise *intensification* opportunities adjacent to public transit routes along arterial and major collector roads;
- d) ensure a mix of uses on large sites by not allowing a site to be developed or *redeveloped* exclusively with residential or non-

**Section 8.3.3 subject to Area/Site Specific Appeal Nos. 15 (Issue 122), 18 (Issue 125), 21 (Issues 136, 137)22 (Issue 280v)), 24 (Issue 286) and No. 26 (Issue 151)**

- residential development;
- e) provide for mixed-use development on large sites through the preparation of a *comprehensive block plan* in accordance with Section 10.1.4.2 g) and where appropriate, a secondary plan in accordance with Section 10.1.2.2 h);
- f) ensure development responds to the provision of transportation infrastructure in accordance with Section 7.1.1.6;
- g) provide for a phased pattern of development on sites with existing retail services, where required, to allow for needed retail services to continue to be provided as *redevelopment* proceeds; and
- h) require that buildings be designed to provide a transition in height and massing to adjacent 'Residential Low Rise' areas.

#### Uses

- 8.3.3.2 **To provide** for the following uses, in addition to the uses listed in Section 8.3.1.2, on lands designated 'Mixed Use Mid Rise':
- a) community college or university;
  - b) commercial parking garage;
  - c) hotel;
  - d) motor vehicle sales facility wholly contained within a building;
  - e) motor vehicle service station in accordance with Section 8.13.5;
  - f) entertainment; and
  - g) *shared housing small scale, shared housing large scale, shared housing long term care and shared housing supervised* in accordance with Section 8.13.9.

#### Building Types

- 8.3.3.3 **To provide** for the following building types in 'Mixed Use Mid Rise' areas:
- a) apartment building;
  - b) multi-storey non-residential or mixed-use building;
  - c) stacked townhouse; and
  - d) townhouse including back to back townhouse.

#### Heights and Densities

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

#### Development Criteria

- 8.3.3.5 **In considering** an application for *development approval* on lands designated 'Mixed Use Mid Rise', Council shall ensure that development adheres to the development criteria outlined below, in addition to the criteria contained in 8.3.1.4:
- a) where *redevelopment* is proposed on sites larger than one hectare with existing commercial uses, or where otherwise appropriate, a retail and

**Section 8.3.3 subject to Area/Site Specific Appeal Nos. 15 (Issue 122), 18 (Issue 125), 21 (Issues 136, 137)22 (Issue 280v)), 24 (Issue 286) and No. 26 (Issue 151)**



service needs study as identified in Section 5.1.7.8, shall be prepared to demonstrate how the retail and service needs of the community will be met and integrated as part of the *redevelopment*;

- b) the gross floor area of any individual retail premise shall not exceed 6,000 square metres;
- c) ground floor retail and service uses shall be focused at or near existing or proposed transit stops or along newly established main streets;
- d) where appropriate, buildings should include a street-related podium along arterial road frontages with the portion of the building above the podium set back from the street-related building front; and
- e) other criteria as identified in plans approved by Council.

### 8.3.4 Mixed Use High Rise

Lands designated 'Mixed Use High Rise' are priority locations for development where the greatest levels of *intensification* are intended to take place within Markham. For the most part these areas are located along Highway 7, Yonge Street, and Markham's two *urban growth centres*: the Langstaff Gateway and Markham Centre. It is intended that the 'Mixed Use High Rise' designation be limited to *intensification areas* unless otherwise established through a secondary plan or *comprehensive block plan*.

Most existing sites are occupied by larger scale retail development or are underused and undeveloped. These areas are located adjacent to the highest order transit services planned for Markham. The potential for the *redevelopment* of these existing areas into attractive, liveable, high density urban environments with a full mix of uses and range of building types is significant.

'Mixed Use High Rise' areas within the urban boundary will provide retail and service functions for large populations intermixed with high density residential and office uses. In addition to accommodating significant amounts of residential *intensification*, these areas have the potential to provide major opportunities for office employment by virtue of their high levels of existing or planned transit access.

The *redevelopment* of existing 'Mixed Use High Rise' areas will take place over a number of years. It will be important to understand how development in these areas will be phased, and to design municipal services accordingly.

The *redevelopment* of these areas will be based on achieving *complete communities* with priority for active transportation opportunities. New buildings on lands designated 'Mixed Use High Rise' will generally be aligned along public streets with consistent setbacks and designed to respect transitions in height to adjacent low and mid-rise areas. New buildings will generally be street-related and integrate attractive open spaces and community infrastructure, as appropriate, to serve Markham residents. Buildings will be designed to respect sunlight, view and privacy of adjacent buildings. In areas where existing high-rise buildings are located, infill developments that create a street frontage and improve the

**Section 8.3.4 subject to Area/Site Specific Appeal Nos. 15 (Issue 122), 18 (Issue 125), 19 (Issues 129, 258, 259, 260, 262) and 21 (Issue 138, 139) 22 (Issue 280v)), and 24 (Issue 286)**

*Mixed Use High Rise areas are priority locations for intensification and will provide retail and service functions for large populations intermixed with high-density residential and office uses.*

safety and urban design of the setting for high-rise building forms will be encouraged.

New developments on large sites will be planned in a comprehensive way incorporating locations for new roads, development blocks, and open spaces to improve pedestrian connectivity and access to community services and transit. Plans have already been prepared or will be updated for the two *urban growth centres* based on achieving overall population and employment targets within a framework of good urban planning and building design. The intent of the policies in this Section is to consolidate previous initiatives for high density *redevelopment areas* and extend the policy framework to all areas within Markham that are suitable for this type of *intensification*.

New 'Mixed Use High Rise' areas in Future Neighbourhood Areas will be centres of activity located adjacent to arterial roads and within close proximity to major future planned transit services. Within these areas all new office, retail, restaurant and personal service uses will be integrated with community and residential uses in a mixed-use setting in a manner that is transit-supportive and pedestrian-oriented. It is intended that new 'Mixed Use High Rise' areas in Future Neighbourhood Areas may serve as major focal points for the new communities and will be characterized by similar types of development patterns described above.

**It is the policy of Council:**

**General Policies**

8.3.4.1

**On lands** designated 'Mixed Use High Rise' to:

- a) provide for the highest level of residential *intensification* in Markham;
- b) provide for significant opportunities for office employment development;
- c) provide for retail and service functions to address the needs of the local population and the wider area;
- d) ensure a mix of uses on large sites by not allowing a site to be developed or redeveloped exclusively with residential or non-residential development;
- e) provide for mixed-use development on large sites through the preparation of a secondary plan in accordance with Section 10.1.2.2 h) and where appropriate, a comprehensive block plan in accordance with Section 10.1.4.2 g);
- f) ensure development responds to the provision of transportation infrastructure in accordance with Section 7.1.1.6;
- g) provide for a phased pattern of development on sites with existing retail services, where required, to allow for needed retail services to continue to be provided as *redevelopment* proceeds; and
- h) require that buildings be designed to provide a transition in height and massing to adjacent 'Residential Low Rise' and 'Residential Mid Rise' areas.

**Section 8.3.4 subject to Area/Site Specific Appeal Nos. 15 (Issue 122), 18 (Issue 125), 19 (Issues 129, 258, 259, 260, 262) and 21 (Issue 138, 139) 22 (Issue 280v)), and 24 (Issue 286)**

### Uses

- 8.3.4.2 **To provide** for the following uses, in addition to the uses listed in Section 8.3.3.2, on lands designated 'Mixed Use High Rise':
- trade and convention centre; and
  - private club*.

### Building Types

- 8.3.4.3 **To provide** for the following building types in 'Mixed Use High Rise' areas:
- apartment building;
  - multi-storey non-residential or mixed-use building;
  - stacked townhouse; and
  - townhouse excluding back to back townhouse.

### Heights and Densities

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

### Development Criteria

- 8.3.4.5 **In considering** an application for *development approval* on lands designated 'Mixed Use High Rise', Council shall ensure that development adheres to the development criteria outlined below, in addition to the criteria contained in Section 8.3.1.4:
- where *redevelopment* is proposed on sites larger than one hectare with existing commercial uses, or where otherwise appropriate, a retail and service needs study as identified in Section 5.1.7.8, shall be prepared to demonstrate how the retail and service needs of the community will be met and integrated as part of the *redevelopment*;
  - the ground floor area of any individual retail premise shall not exceed 6,000 square metres;
  - ground floor retail uses shall be focused at or near existing or proposed transit stops or along newly established main streets;
  - where appropriate, buildings should include a street-related podium along arterial road frontages with the portion of the building above the podium set back from the street-related building front;
  - the tower portion of residential buildings above 8 storeys shall be designed on small floor plates to minimize shadow impacts on adjacent areas and maximize sky views;
  - the tower portions of buildings shall provide for adequate separation to achieve light, view and privacy; and
  - other criteria as identified in plans approved by Council.

**Section 8.3.4 subject to Area/Site Specific Appeal Nos. 15 (Issue 122), 18 (Issue 125), 19 (Issues 129, 258, 259, 260, 262) and 21 (Issue 138, 139) 22 (Issue 280v)), and 24 (Issue 286)**

## 8.3.5 Mixed Use Office Priority

Lands designated 'Mixed Use Office Priority' are intended primarily for

office employment uses but may also contain multiple-unit residential uses and street-related retail and service uses integrated with the office uses. These areas are located within the Langstaff Gateway and Markham Centre *urban growth centres*, near *mobility hubs* and along regional rapid transit corridors. Currently these areas are underused and underdeveloped, but have the potential over time to become important focal points for new development or *redevelopment* adjacent to GO stations and other rapid transit lines.

Residential development will only be allowed if a majority of the total gross floor area built on a development site is for office employment uses as set out in an implementing zoning by-law. Residential development of residential and employment activities served by high order transit opportunities are intended to provide incentives for office development and to create vibrant high density mixed-use communities with a variety of services.

In addition to detailed secondary plan provisions, new development and *redevelopment* in these areas will require the approval of a *comprehensive block plan*. Generally, buildings will be high-rise with a tower component located above street-related podiums. Open spaces, parks and urban squares will be incorporated into the design of the overall site. New roads will be introduced where appropriate and pedestrian areas will be designed to ensure pedestrian comfort in the public realm. Buildings will be designed to respect light, view and privacy of adjacent buildings and address pedestrian comfort in the public realm, public access and safety.

**It is the policy of Council:**

**General Policies**

**Section 8.3.5 preamble paragraphs 1 and 2 subject to City-wide Appeal No. 21 (Issues 140, 141) and Section 8.3.5 subject to Area/Site Specific Appeal Nos. 15 (Issue 122) and 21 (Issue 133)**

*Mixed Use Office Priority areas are intended primarily for office employment uses but may also contain multiple-unit residential uses and street-related retail and service uses integrated with the office uses.*

**8.3.5.1 On lands designated 'Mixed Use Office Priority' to:**

- a) promote a vibrant mix of transit-oriented employment and mixed-use development in proximity to existing or planned rapid transit services along arterial and major collector roads;
- b) provide significant opportunities for office employment development;
- c) provide for opportunities to locate retail and service functions on the ground floor of office buildings;
- d) provide for opportunities to incorporate residential uses into new development, provided office development represents a majority of the floor space of the total development on the site;
- e) provide for orderly, phased *redevelopment*; and
- f) require that buildings be designed to provide a transition in height and massing to adjacent existing and planned 'Residential Low Rise' and 'Residential Mid Rise' areas.

**Section 8.3.5.1 b) and d) subject to City-wide Appeal No. 21 (Issues 140, 141)**



**Uses**

- 8.3.5.2 **To provide** for the following uses, in addition to the uses listed in Section 8.3.1.2, on lands designated 'Mixed Use Office Priority':
- banquet hall;
  - community college or university;
  - commercial parking garage;
  - hotel;
  - motor vehicle sales facility wholly contained within a building;
  - entertainment; and
  - shared housing large scale and shared housing long term care and shared housing supervised* in accordance with Section 8.13.9.

**Building Types**

- 8.3.5.3 **To provide** for the following building types on lands designated 'Mixed Use Office Priority':
- apartment building; and
  - multi-storey non-residential or mixed-use building.

**Heights and Densities**

- 8.3.5.4 **To provide** for a minimum building height of 3 storeys and a maximum building height of 15 storeys, with a maximum overall density up to 3.0 FSI on lands designated 'Mixed Use Office Priority', unless otherwise specified in a secondary plan or site-specific policy.

**Development Criteria**

- 8.3.5.5 **In considering** an application for *development approval* on lands designated 'Mixed Use Office Priority', Council shall ensure that development adheres to the development criteria outlined below, in addition to the criteria contained Section 8.3.1.4:

- the gross floor area of the development on the site devoted to residential or retail uses shall not exceed the gross floor area devoted to office use;
- where appropriate, buildings should include a street-related podium along arterial road frontages with the portion of the building above the podium set back from the street-related building front;
- the tower portion of residential buildings above 8 storeys shall be designed on small floor plates to minimize shadow impacts on adjacent areas and maximize sky views; and
- the tower portions of buildings shall provide for adequate separation to achieve light, view and privacy.

**8.3.6 Mixed Use Health Care Campus**

Lands designated 'Mixed Use Health Care Campus' comprise the Markham Stouffville Hospital and surrounding lands. It is anticipated that this area will continue to function as the focus for medical services for Markham and its environs and that future expansions and/or additions to facilities will strengthen the campus's role as a major employment centre focused

**Section 8.3.5 subject to Area/Site Specific Appeal Nos. 15 (Issue 122) and 21 (Issue 133)**

**Section 8.3.5.5 a) subject to City-wide Appeal No. 21 (Issues 140, 141)**

on medical treatment and research. The lands designated 'Mixed Use Health Care Campus' also include municipal facilities including the East Markham Community Centre, an Emergency Medical Services Station, the Cornell fire station, and a district energy plant.

The secondary plan for Cornell Centre provides for a range of hospital and public uses within a similar designation relating to the provision of health care and community facilities. This Plan supports the growth and ongoing development of the health care campus with a focus on medical services while permitting complementary and supportive retail, service, office and residential uses related to the hospital function. Future expansion or intensified use of the hospital campus may be accommodated through a comprehensive planning exercise to be implemented by amendment to the secondary plan or this Plan. New development will be designed to be pedestrian-oriented and transit-supportive, and integrated to the extent possible with the surrounding community, through the introduction of public open space and new roads. Buildings will be designed to complement the adjacent residential neighbourhoods.

**It is the policy of Council:**

**General Policies**

- 8.3.6.1 **On lands** designated 'Mixed Use Health Care Campus' to:
- a) support this area as the major centre for medical services, research and activity in Markham;
  - b) provide for a hospital use as the primary function as well as complementary retail, service, office and residential uses related to the hospital function;
  - c) provide for community infrastructure including, but not limited to, a library, community centre and recreation centre, fire and emergency services facilities, and a district energy plant; and
  - d) consider opportunities for *intensification* of lands with additional complementary uses related to the health care campus through a comprehensive planning review in accordance with Section 8.3.6.2.
- 8.3.6.2 **To consider** opportunities for *intensification* of lands designated 'Mixed Use Health Care Campus' with additional complementary uses related to the health care campus through an amendment to the Cornell Centre Secondary Plan, having regard for:
- a) identification of appropriate locations for *intensification* adjacent to public transit routes along arterial and major collector roads;
  - b) the capacity of the transportation network to accommodate the *intensification*;
  - c) maintaining the integrity of the structure of Cornell Centre, particularly with respect to the viability of the mixed-use retail nodes along Bur Oak Avenue and south of Highway 7;
  - d) provision of appropriate transition in height and massing to adjacent 'Residential Low Rise' and 'Residential Mid Rise' lands in accordance with Section 8.3.1.4;
  - e) integration of the health care campus with the surrounding community to the extent possible through the introduction of public open space

*It is intended that the 'Mixed Use Health Care Campus' area will continue to function as the focus for medical services for Markham and that future expansions and/or additions to facilities will strengthen the campus's role as a major employment centre focused on medical treatment and research.*

- and new roads; and
- f) providing for a phased and orderly pattern of *intensification* to ensure that existing services continue to be available as new development proceeds.

8.3.6.3 **To assess development approvals** for lands designated 'Mixed Use Health Care Campus' in accordance with the policies of the Cornell Centre Secondary Plan, as amended.

### 8.3.7 Mixed Use Heritage Main Street

Lands designated 'Mixed Use Heritage Main Street' are located along the historic, commercial main streets of Thornhill, Unionville and Markham Village. Each represents a symbolic, historic focal point and an identifiable sense of place that belongs to the entire community and celebrates one of Markham's original town settlements. All three areas have been designated as *heritage conservation districts* under the Ontario Heritage Act and a *heritage conservation district* plan. The lands and buildings within these districts are subject to the area specific policies contained in Chapter 9, guidelines and procedures and *heritage conservation district* plans. The intent behind these plans is to protect and enhance the unique heritage qualities of each respective district.

'Mixed Use Heritage Main Street' areas provide a traditional shopping experience for residents and visitors in an historic commercial main street setting where at-grade uses are predominantly retail. As such, these areas represent an opportunity for residents and visitors to engage in a unique experience that is not currently available in newer shopping areas. The areas provide for pedestrian-oriented uses at-grade that contribute to the animation of the historic commercial area. New infill development will be subject to strict conditions outlined in the *heritage conservation district* plans to ensure compatibility with existing *cultural heritage resources*.

Residential uses will typically be located above the ground floor of mixed-use buildings. Where considered appropriate and subject to compatibility of built form with adjacent heritage buildings and the importance of maintaining the rhythm and flow of retail activity at grade, stand-alone residential buildings may also be considered in exceptional circumstances.

#### It is the policy of Council:

##### General Policies

- 8.3.7.1 **On lands** designated 'Mixed Use Heritage Main Street' to:
- a) protect and enhance the unique heritage character and *cultural heritage resources* within the area;
  - b) support the area as a symbolic, historic focal point with an identity that belongs to the entire community and celebrates Markham's original town settlements;
  - c) support and enhance a traditional main street shopping experience in the form of an historic district where at-grade uses are predominantly retail; and
  - d) support opportunities for mixed-use buildings with residential uses

*'Mixed Use Heritage Main Street' areas provide a traditional shopping experience for residents and visitors in an historic commercial main street setting where at-grade uses are predominantly retail.*

above the ground floor and, where appropriate, limited opportunities for stand alone residential buildings, provided the design of these buildings reinforces the rhythm and flow of the pedestrian experience at grade.

#### Uses

- 8.3.7.2 **To provide** for the following uses, in addition to the uses listed in Sections 8.1.1 and 8.3.1.2, on lands designated 'Mixed Use Heritage Main Street':
- bed and breakfast establishment*;
  - hotel;
  - entertainment, as a *discretionary use*, subject to review of a site-specific development application for zoning approval; and
  - shared housing small scale* and *shared housing long term care* and *shared housing supervised* in accordance with Section 8.13.9 of this Plan.

#### Building Types

- 8.3.7.3 **To provide** for the following building types on lands designated 'Mixed Use Heritage Main Street':
- multi-storey commercial and/or office building;
  - multi-storey building with dwelling units located above the ground floor; and
  - multi-storey residential building.

#### Heights and Densities

- 8.3.7.4 **To provide** for heights and densities on lands designated 'Mixed Use Heritage Main Street' consistent with the provisions contained in the Chapter 9 area specific policies for the *heritage conservation districts*.

#### Development Criteria

- 8.3.7.5 **To ensure** that all development on lands designated 'Mixed Use Heritage Main Street' shall:
- adhere to the development criteria contained in Section 8.3.1.4; and
  - be consistent with objectives and policies related to the maximum size of certain uses, urban design and development matters as set out in the relevant area specific policies contained in Chapter 9 for the *heritage conservation districts*.

## 8.4 COMMERCIAL

The 'Commercial' designation applies to certain lands that accommodate existing or approved large-format retail development serving a wide area.

Lands designated 'Commercial' form part of the Employment Area component of the urban structure as shown on Map 1 – Markham Structure. It is the intent of this Plan to provide for the evolution of 'Commercial' lands to more intensive building forms and office, retail and service uses, while remaining compatible within Markham's structure as part of the Employment Area.

**Section 8.4 subject to Area/Site Specific Appeals Nos. 1 (Issue 114) and 15 (Issue 122)**



As the intent of this Plan is to accommodate future large-scale retail in 'Mixed Use' designations and no longer accommodate large-format retail development (single-use retail complexes surrounded by large surface parking lots), no additional lands will be designated 'Commercial'.

#### 8.4.1 General Policies

**It is the policy of Council:**

##### Planned Function

8.4.1.1 **On lands** designated 'Commercial' to:

- a) recognize certain lands have been developed or approved for large-format retail development, adjacent to 'Employment Lands';
- b) provide for the orderly, phased development or *redevelopment* of large-format retail development into more intensive multi-use commercial areas that accommodate complementary retail, service and office employment uses; and
- c) not permit residential uses.

##### Restriction on 'Commercial' Designation

8.4.1.2 **That** no additional lands be designated 'Commercial' in Markham, in order to ensure that future large-scale retail development is directed to lands designated 'Mixed Use'.

##### Uses

8.4.1.3 **To provide** for the following uses, in addition to the uses listed in Section 8.1.1, on lands designated 'Commercial':

- a) retail;
- b) service;
- c) office;
- d) banquet hall;
- e) sports and fitness recreation;
- f) commercial parking garage;
- g) financial institution;
- h) hotel that does not include dwelling units;
- i) light manufacturing, processing and warehouse use, with no outdoor storage or outdoor processing;
- j) motor vehicle retail sales and motor vehicle rental with limited accessory outdoor storage or display of motor vehicles in accordance with Section 8.13.6;
- k) motor vehicle service station in accordance with Section 8.13.5;
- l) entertainment;
- m) *private club*;
- n) restaurant;
- o) trade and convention centre;
- p) *trade school*; and
- q) commercial school.

**Section 8.4 subject to Area/Site Specific Appeals Nos. 1 (Issue 114) and 15 (Issue 122)**

- 8.4.1.4 **To provide** for the following *discretionary uses*, in addition to the uses provided for in Section 8.4.1.3, on lands within the 'Commercial' designation, subject to review of a site-specific zoning by-law amendment application, and in accordance with Sections 8.5.1.3 and 8.5.1.2 and any conditions identified below:
- a) *day care centre* in accordance Section 8.13.2;
  - b) *place of worship* in accordance with Section 8.13.7;  
and
  - c) funeral establishment in accordance with Section 8.13.4.

- 8.4.1.5 **To prohibit** the following uses on lands designated 'Commercial':
- a) dwelling unit.

#### **Building Types and Heights**

- 8.4.1.6 **To provide** for single and multi-storey retail, industrial and office buildings containing single or multiple units, with a maximum building height specified in the implementing zoning by-law, on lands designated 'Commercial'.

#### **Development Criteria**

- 8.4.1.7 **In considering** an application for *development approval* on lands designated 'Commercial', Council shall ensure that development has regard for the Urban Design and Sustainable Development policies outlined in Chapter 6 of this Plan and adheres to the following development criteria:
- a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* may be prepared in accordance with Section 10.1.4 of this Plan;
  - b) buildings should generally be placed on a site to respect a consistent setback and provide continuity in built form along public streets;
  - c) buildings shall be sited in a manner that would accommodate expansion of buildings or the introduction of new buildings in the future;
  - d) buildings shall be designed to enhance pedestrian safety and comfort by providing for appropriate microclimatic conditions including:
    - i. sunlight access between the Spring and the Fall equinox, particularly on the north, east and west pedestrian zones along arterial and collector roads; and
    - ii. measures to mitigate wind conditions at the street level and in parks and open spaces;
  - e) the design of the site and the building shall contribute to a safe, comfortable and attractive pedestrian environment that is linked to a system of pedestrian routes providing direct connections to existing or planned transit services;
  - f) vehicular access points from arterial or collector roads shall be coordinated and consolidated;
  - g) parking should be generally located at the side or rear of buildings, or below grade in accordance with Section 6.1.8.7 and will be designed to provide convenient access to retail and service uses;
  - h) buildings shall be sited in a manner that facilitates required truck

**Section 8.4 subject to Area/Site Specific Appeals Nos. 1 (Issue 114) and 15 (Issue 122)**

- movements and loading;
- i) loading and parking facilities should be buffered so as to reduce the impacts on lands designated 'Residential';
  - j) height and density shall be directed away from low rise designations to frontages along arterial and major collector roads;
  - k) buildings that are adjacent to areas designated for low rise development shall be designed to respect an angular plane measured from the boundary of the designation in which the low-rise building is located in accordance with Sections 6.1.8.9 and 6.1.8.10; and
  - l) landscaped buffers shall be provided adjacent to residential uses.

## 8.5 EMPLOYMENT LANDS

Markham's 'Employment Lands' are vital to the City's economic well-being as these lands are specifically required to accommodate forecast office and industrial employment and are the areas in which many of the major drivers of economic activity take place within Markham. These lands are diverse in character and history, and this diversity is captured in four land use designations, each with a particular planned function, use provisions, development criteria and standards. The five designations are: 'Business Park Employment', 'Business Park Office Priority Employment', 'Service Employment', 'General Employment' and 'Future Employment Area'. The 'Future Employment Area' lands will be redesignated to one of the other 'Employment Lands' through the approval of secondary plans for the 'Future Urban Area' lands.

The 'Business Park Employment' designation primarily applies to lands located in the Highway 404 corridor between Highway 407 and Markham's northern boundary. Other 'Business Park Employment' lands are located within Markham Centre, Cornell Centre and along Warden Avenue, 14<sup>th</sup> Avenue and Steeles Avenue. These areas are currently, or are planned to become, high-profile employment areas and are the site of offices and a range of prestige industrial buildings displaying high design.

As Markham continues to grow, much of the new major office development will be established on lands designated 'Business Park Office Priority Employment' in locations that are, or will be, served by rapid transit. A major concentration of 'Business Park Office Priority Employment' lands is located at the intersection of Highway 404 and Highway 7, between Woodbine Avenue and Bayview Avenue. It is within these designated 'Business Park Office Priority Employment' areas that Markham will encourage the development of multi-storey office buildings and the *redevelopment* of existing industrial sites to office uses. Structured and underground parking will support higher employment densities in these areas.

Lands designated 'Service Employment' are intended to accommodate uses that serve and support other business uses and employees. The 'Service Employment' designation also applies to lands in older employment areas that have been transitioning for several years from

**Section 8.4 subject to Area/Site Specific Appeals Nos. 1 (Issue 114) and 15 (Issue 122)**

**Section 8.5 Preamble subject to and Area/Site Specific Appeal Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19), and 15 (Issue 122)**

*Markham's 'Employment Lands' are vital to the City's economic well-being as these lands are specifically required to accommodate forecast office and industrial employment and are the areas in which many of the major drivers of economic activity take place within Markham.*

industrial and warehousing uses to small-scale office and service employment uses. Service employment uses typically do not require large amounts of floor space and are suited to locations in shared multiple unit buildings. These uses provide goods and services to the businesses in Markham's employment areas, but may also serve resident needs. In some areas, a cluster of complementary service employment uses has been established. These 'Service Employment' areas are located throughout Markham and have evolved into areas that provide locations for the widest variety of business uses in multiple building types and tenures.

The 'General Employment' designation primarily applies to lands east of Highway 404 and south of Highway 407 that have long been established for primarily industrial and warehousing uses. This 'General Employment' area extends eastwards from Warden Avenue along the north side of 14th Avenue. Another 'General Employment' area is located on both sides of 14th Avenue between McCowan Road and Markham Road. In addition to the industrial and warehousing uses established in these areas, a number of service uses serving the businesses in the area also exist. Given that new office development is to occur primarily on 'Business Park Employment' and 'Business Park Office Priority Employment' lands, the 'General Employment' designation has been applied to lands intended to accommodate established and new industrial and warehouse uses.

Cumulatively, lands within the 'Employment Lands' designations provide for and are intended to accommodate specific types of employment uses, including industrial uses involving manufacturing, processing and warehousing. These uses are integral to Markham's economy and many also contribute to the operation of other local businesses. Other land uses, that may be sensitive to one or more adverse effects from noise, odour and contaminant discharges, incidental to the normal operation of permitted industrial uses, may be restricted from locating on, or in the vicinity of industrial uses in any 'Employment Lands' designation, to minimize their impacts on the viability of surrounding employment lands or industrial uses.

An application for *development approval* on 'Employment Lands' shall have regard for the policies contained in the applicable 'Employment Lands' designation as well as the general employment policies contained in Section 8.5.1 of this Plan. In considering a specific development application to approve a *sensitive land use*, Council shall be satisfied that the introduction of the use will not adversely impact the viability of surrounding employment lands or industrial uses, and that the potential sensitivity will be satisfactorily mitigated as a condition of approving the *sensitive land use*.

## 8.5.1 General Policies

**It is the policy of Council:**

### 8.5.1.1 On 'Employment Lands' to:

a) enhance the role of Markham as a major employment centre and

**Section 8.5**  
**Preamble subject to**  
**and Area/Site**  
**Specific Appeal Nos.**  
**Nos. 1 (Issues 113,**  
**115), 9 and 10**  
**(Issues 18, 19), and**  
**15 (Issue 122)**

primary office location within York Region accommodating a significant share of forecast Regional employment growth;

- b) provide for a range of employment uses at appropriate locations that contribute to the creation of *complete communities*;
- c) protect and preserve 'Employment Lands' from land uses that may affect the continued viability of existing employment uses and their expansion in the future;
- d) ensure that new development is compatible with the character and pattern of adjacent and surrounding development;
- e) encourage a high quality of urban design;
- f) promote sustainable development practices;
- g) improve the pedestrian experience; and
- h) improve access to transit services.

#### Sensitive Land Use Policies

8.5.1.2

a) **That** in considering a site-specific zoning by-law amendment application to permit a *sensitive land use*, the following conditions shall be met:

- i. a *sensitive land use compatibility study* shall be prepared by the proponent to the satisfaction of Markham, including any required peer review, in addition to any other required studies or supporting documentation; and
- ii. notice shall be circulated to landowners within 1,000 metres of the proposed *sensitive land use*, in accordance with the alternative notice provisions in Section 10.7.3.

- b) **That** in considering a site-specific zoning by-law amendment application to permit a *sensitive land use*, Council shall be satisfied that:
  - i. the introduction of the *sensitive land use* will not negatively impact the viability of surrounding employment lands or industrial uses; and
  - ii. the potential adverse effects of the existing or planned uses in the area on the *sensitive land use* will be satisfactorily mitigated as a condition of approval.

#### Discretionary Land Uses

8.5.1.3

**That** the *discretionary uses* identified within the 'Commercial' designation and each of the 'Employment Lands' designations, shall only be approved subject to a review of a site-specific development application for zoning approval. In reviewing the zoning by-law amendment application, the following matters shall be addressed:

- a) the conformity of the proposed built form and scale with the planned function and policies of the land use designation;
- b) the appropriateness of the site for the proposed use from a traffic impact perspective;
- c) the criteria established in the policies for each land use designation and whether all of the criteria can be met;
- d) the compatibility of the proposed use with other existing uses on the same lot and on adjacent lands including compatibility related to

**Sections 8.5.1  
subject to Area/Site  
Specific Appeal Nos.  
Nos. 1 (Issues 113,  
115), 9 and 10  
(Issues 18, 19), 15  
(Issue 122) and 19  
(Issue 129, 258, 259,  
260)**



- sensitive land uses*;
- e) the means by which anticipated impacts, if any, are to be measured and mitigated;
  - f) the specific use provisions in Section 8.13; and
  - g) the *sensitive land use* provisions of Section 8.5.1.2.

#### **Employment Lands Conversion Policies**

- 8.5.1.4 **That** an application for the conversion of lands within an ‘Employment Lands’ designation as described in Section 5.1.2.4 a) shall only be considered as part of a *municipal comprehensive review* as provided for in Section 5.1.2.4 b) and 5.1.2.5.

#### **Buttonville Airport Redevelopment Area**

- 8.5.1.5 **That** Markham will prepare a new secondary plan for the Buttonville West lands in the vicinity of Toronto Buttonville Municipal Airport as shown on Appendix F – Secondary Plan Areas, and shown in outline with an asterisk on Map 3 – Land Use, that will incorporate policies for future land use in accordance with Section 7.2.89 of the Regional Official Plan.

#### **Development Criteria that apply to all Employment Lands Designations**

- 8.5.1.6 **In considering** an application for *development approval* on ‘Employment Lands’, Council shall ensure that development has regard for the Urban Design and Sustainable Development policies outlined in Chapter 6 of this Plan and adheres to the development criteria outlined below, in addition to the criteria contained within each ‘Employment Lands’ designation:
- a) buildings shall be sited in a manner that would accommodate expansion of buildings and/or the introduction of new buildings in the future;
  - b) buildings shall be designed to enhance pedestrian safety and comfort by providing for appropriate microclimatic conditions including:
    - i. sunlight access between the Spring and the Fall equinox, particularly on the north, east and west pedestrian zones along arterial and collector roads; and
    - ii. measures to mitigate wind conditions at the street level and in parks and open spaces;
  - c) the design of the site and the building shall contribute to a safe, comfortable and attractive pedestrian environment that is linked to a system of pedestrian routes providing direct connections to existing or planned transit services;
  - d) the quality of the public and private realm is in conformity with and reflects the planned function of the land use designation;
  - e) new buildings shall exhibit an appropriate interface, including a transition in height and massing, with existing buildings in adjacent areas;
  - f) the tower portion of buildings shall provide for adequate separation to achieve light, view and privacy;
  - g) buildings shall be located close to the street edge in attractively landscaped settings;

**Sections 8.5.1  
subject to Area/Site  
Specific Appeal Nos.  
Nos. 1 (Issues 113,  
115), 9 and 10  
(Issues 18, 19), a15  
(Issue 122) and 19  
(Issue 129, 258, 259,  
260)**

- h) buildings shall be sited in a manner that facilitates truck movements and loading;
- i) vehicular access points from arterial or collector roads shall be coordinated and consolidated;
- j) parking should be generally located at the side or rear of buildings, or below grade, in accordance with Section 6.1.8.7, and will be designed to provide convenient access to retail and service uses;
- k) loading and parking facilities should be buffered so as to reduce the impacts on lands adjacent to residential uses;
- l) buildings that are adjacent to areas designated for low rise development shall be designed to respect an angular plane measured from the boundary of the designation in which the low-rise building is located in accordance with Sections 6.1.8.9 and 6.1.8.10; and
- m) landscaped buffers shall be provided adjacent to residential uses.

**Sections 8.5.1 and 8.5.2 subject to Area/Site Specific Appeal Nos. Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19), 15 (Issue 122) and 19 (Issue 129, 258, 259, 260)**

## 8.5.2 Business Park Employment

Land designated 'Business Park Employment' are to be planned and developed for prestige industrial and office development, frequently in larger scale buildings located on large properties. Industrial buildings will generally be single storey and may be in single use or multiple unit buildings. It is the intent of this Plan that business park areas provide prime business locations that help attract new business and support the retention of existing businesses in Markham.

The 'Business Park Employment' designation applies to lands primarily adjoining 400 series highways that are served by arterial roads that provide visibility and excellent access. Frequent transit service is available to Business Park areas on the adjoining arterial roads. Roads, cycling and pedestrian systems within these areas shall be designed to facilitate enhanced access to transit services in the future as Markham continues to grow.

The range of uses provided for is limited to 'Business Park Employment' type uses, and the development standards and criteria in this designation are intended to support consistent, high quality building and site design. The intended uses and larger scale development benefit from access to both major roads and transit routes. Accessory uses and *ancillary uses* will be strictly controlled and limited to those that support the primary office and industrial uses.

**It is the policy of Council:**

### Planned Function

- 8.5.2.1 **On lands** designated 'Business Park Employment' to:
- a) provide strategic locations planned and developed for prestige, larger scale, industrial and office development in business park settings offering high visibility and excellent access to 400 series highways, arterial roads and transit services;
  - b) provide accommodation in prime locations attractive to existing and future businesses seeking a setting with a specific range of compatible

*'Business Park Employment' areas are currently, or are planned to become, high-profile employment areas and are the site of offices and a range of prestige industrial buildings.*

land uses characterized by high quality site development and building forms;

- c) restrict accessory uses and *ancillary uses* to those that directly support the primary office and industrial uses of this designation; and
- d) restrict the introduction of new *sensitive land uses* to minimize impacts on the viability of permitted uses.

#### Uses

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

- a) office;
- b) manufacturing, processing and warehousing use with no accessory outdoor storage;
- c) hotel that does not include dwelling units;
- d) trade and convention centre;
- e) commercial parking garage;
- f) retail, and/or service use that is accessory to the primary manufacturing, processing or warehousing use, and located in the same premise as the primary use, provided the area devoted to the accessory use does not exceed 500 square metres of gross floor area, or a maximum of 15 percent of the gross floor area devoted to the primary use, whichever is less;
- g) *ancillary use* such as retail, service, restaurant, and sports and fitness recreation use within an industrial building, provided that:
  - i. all *ancillary uses* and accessory uses are located only on the ground floor of the building; and
  - ii. the combined gross floor area devoted to all *ancillary uses*, and to all accessory uses described in 8.5.2.2 f), is limited to a maximum of 15 percent of the total gross floor area of the building.
- h) *ancillary use* such as retail, service, restaurant, sports and fitness recreation use or financial institution within a non-industrial building provided that:
  - i. the combined gross floor area devoted to all *ancillary uses* is limited to a maximum of 15 percent of the total gross floor area of the building, or in the case of an office building the total gross floor area of the ground floor, whichever is less; and
  - ii. access to the premises of all ancillary uses is integrated within the building.

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

- a) banquet hall and/or night club provided it is integrated within a hotel or trade and convention centre and meets the provisions of Section 8.5.2.2 h);
- b) community college or university;
- c) *day care centre* in accordance with Section 8.13.2, provided it is located within an office building;

**Section 8.5.2 subject to Area/Site Specific Appeal Nos. Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19), 15 (Issue 122) and 19 (Issue 129, 258, 259, 260)**

- d) *trade school* and commercial school, wholly located within a building;
- e) manufacturing, processing and warehousing with accessory outdoor storage in accordance with Section 8.13.6; and
- f) motor vehicle service station in accordance with Section 8.13.5, and provided not more than one service station is located at an intersection.

8.5.2.4 **To not permit** the following uses on lands designated 'Business Park Employment':

- a) funeral establishment;
- b) commercial storage facility;
- c) motor vehicle use not identified in Sections 8.5.2.2 and 8.5.2.3;
- d) *private club*;
- e) *private school*;
- f) *place of worship*; and
- g) adult entertainment.

#### **Building Types and Heights**

8.5.2.5 **To provide** for single or multiple unit non-residential buildings with one or more storeys with a maximum building height specified in the implementing zoning by-law on lands designated 'Business Park Employment'.

#### **Development Criteria**

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

- a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* may be prepared in accordance with Section 10.1.4 of this Plan;
- b) new multi-storey buildings shall be sited to achieve a continuous and consistent relationship to adjoining public streets;
- c) buildings with the greatest density and height should be directed to locations along arterial roads and transit services.

### **8.5.3 Business Park Office Priority Employment**

It is the intent of this Plan that lands designated 'Business Park Office Priority Employment', should be reserved and used for major office development, and that existing industrial development on these lands will be complemented and/or replaced with office development over the long term. New office development is intended to be multi-storey and may include associated parking structures.

Lands designated 'Business Park Office Priority Employment' are located within the Centres and Corridors, as shown on Map 2 – Centres and Corridors and Transit Network, and may also adjoin 400 series highways. These lands offer highly visible locations and access to existing or planned Regional Rapid Transit Corridors.

**Section 8.5.2 subject to Area/Site Specific Appeal Nos. Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19), 15 (Issue 122) and 19 (Issue 129, 258, 259, 260)**

**Section 8.5.3 subject to Area/Site Specific Appeal Nos. Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19) and 15 (Issue 122)**

Land use provisions and development standards in 'Business Park Office Priority Employment' areas will promote and support new major office development and higher order educational institutions and emphasize access to rapid transit service. Accessory uses and *ancillary* uses will be strictly controlled and limited to those that directly support the primary office and higher order educational uses to be accommodated.

**It is the policy of Council:**

**Planned Function**

- 8.5.3.1 **On lands** designated 'Business Park Office Priority Employment' to:
- a) recognize and reserve strategic locations and assign them priority for the clustering of higher density prestige office development in business park settings with excellent access to 400 series highways, arterial roads and rapid transit services;
  - b) provide for the phased development of new prestige office development, in multi-storey buildings with associated parking structures, to complement or replace existing industrial buildings over time;
  - c) provide accommodation for businesses and higher order educational institutions seeking locations with other compatible land uses characterized by high quality site development and building forms; and
  - d) restrict accessory uses and *ancillary uses* to those that directly support the primary uses of this designation.

**Uses**

- 8.5.3.2 **To provide** for the following uses, in addition to the uses listed in Section 8.1.1, on lands designated 'Business Park Office Priority Employment':
- a) uses listed in Sections 8.5.2.2 a), e), f), g), h); and
  - b) community college or university.
- 8.5.3.3 **To provide** for the following *discretionary uses*, in addition to the uses provided for above, on lands designated 'Business Park Office Priority Employment', subject to review of a site-specific development application for zoning approval, and in accordance with Sections 8.5.1.2 and 8.5.1.3 and any conditions outlined below:
- a) *day care centre* in accordance with Section 8.13.2 located within an office building; and
  - b) *trade school* and commercial school, wholly located within a building.
- 8.5.3.4 **To not permit** the following uses on lands designated 'Business Park Office Priority Employment':
- a) manufacturing, processing or warehousing use;
  - b) hotel;
  - c) trade and convention centre;
  - d) funeral establishment;
  - e) commercial storage facility;
  - f) motor vehicle use;
  - g) *private school*;
  - h) *place of worship*;

**Section 8.5.3 subject to Area/Site Specific Appeal Nos. Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19) and 15 (Issue 122)**

*It is intended that 'Business Park Office Priority Employment' areas should be reserved and used for major office development, and that existing industrial development on these lands will be complemented and/or replaced with office development over the long term.*



- i) *private club*; and
- j) adult entertainment.

#### **Building Types and Heights**

- 8.5.3.5 **To provide** for multi-storey buildings, with a minimum building height of 3 storeys with a maximum building height specified in the implementing zoning by-law, on lands designated 'Business Park Office Priority Employment'.

#### **Development Criteria**

- 8.5.3.6 **In considering** an application for *development approval* on lands designated 'Business Park Office Priority Employment', Council shall ensure that development adheres to the development criteria outlined below, in addition to the criteria contained in Section 8.5.1.6:
- a) on sites generally larger than one hectare, or where otherwise considered appropriate, a *comprehensive block plan* may be prepared in accordance with Section 10.1.4 of this Plan;
  - b) new multi-storey buildings shall be sited to achieve a continuous and consistent relationship to adjoining public streets;
  - c) buildings with the greatest density and height shall be directed to locations along arterial roads and rapid transit services, and in particular transit stops.

### **8.5.4 Service Employment**

The 'Service Employment' designation applies to lands that are planned and developed for service and retail uses together with light industrial and warehousing and small office uses that are dispersed within an overall mix of uses. Service employment uses are generally located within a variety of configurations and building forms such as single and multi-storey buildings that are modest in scale.

The 'Service Employment' designation applies to lands located along arterial or collector roads that are easily accessible to nearby businesses and in some cases adjacent to 'Residential' areas, and to lands in older developed industrial areas that have evolved to accommodate a wider range of uses. The corridor locations typically adjoin and are accessible from the larger established employment areas that they serve. Many of the 'Service Employment' areas are located near or on rail corridors.

Lands designated 'Service Employment' are intended to accommodate uses that serve and support other business uses and employees in Markham, but that are not provided for in other 'Employment Lands'. Some of these uses may also serve residents, and therefore benefit from their transit accessible corridor locations or proximity to 'Residential' areas. It is the intent of this Plan that the introduction of potentially *sensitive land uses* in these areas be restricted and monitored to minimize conflicts and protect adjacent industrial and warehouse uses from incompatible development.

**Sections 8.5.3 and 8.5.4 subject to Area/Site Specific Appeal Nos. Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19) and 15 (Issue 122)**

**It is the policy of Council:****Planned Function**

8.5.4.1

**On lands** designated 'Service Employment' to:

- a) provide locations, planned and developed for a range of employment uses, including light industrial and warehousing, office, small-scale retail and service uses serving and supportive of other business uses and employees in Markham, and that may also serve the general public;
- b) provide for *ancillary uses* serving businesses and employees located within 'Employment Lands' designations;
- c) incorporate lands accommodating complementary services, located on arterial and major collector road corridors adjoining and accessible from the established employment areas that they serve, or in evolving older industrial areas accessible to the business community;
- d) accommodate a variety of modestly scaled building forms and configurations supportive of the intended range of business activity; and
- e) restrict the introduction of new *sensitive land uses* to minimize the impacts on the viability of permitted industrial and warehouse uses located on adjacent 'Employment Lands'.

**Uses**

8.5.4.2

**To provide** for the following uses, in addition to the uses listed in Section 8.1.1, on lands designated 'Service Employment':

- a) service;
- b) office;
- c) financial institution;
- d) manufacturing, processing and warehousing use, with no accessory outdoor display or outdoor storage;
- e) motor vehicle body shop or repair facility with no accessory outdoor storage;
- f) retail use provided:
  - i. - the retail use is not greater than 1,000 square metres of gross floor area per premises, unless the retail use is an office supply or computer supply store which may have up to 3,000 square metres of gross floor area per premises; or
    - within a multiple-unit building, the provisions of the first item of f) i. above are complied with, and the combined gross floor area devoted to all retail uses, including accessory retail uses, is limited to a maximum of either 50 percent of the total gross floor area of the building, or 3,000 square metres, whichever is less; and
  - ii. the total gross floor area devoted to all retail uses on a property does not exceed 3,000 square metres.
- g) retail and/or service use that is accessory to a primary manufacturing, processing or warehousing use, and located within the same premise as the primary use provided the provisions of Section 8.5.4.2 f) are met;
- h) *trade school*;
- i) commercial school;

**Section 8.5.4 subject to Area/Site Specific Appeal Nos. Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19) and 15 (Issue 122)**

- j) commercial parking garage; and
- k) hotel that does not include dwelling units.

## 8.5.4.3

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

- a) manufacturing, processing and warehousing use, with accessory outdoor storage in accordance with Section 8.13.6;
- b) restaurant;
- c) night club provided it is integrated within a hotel;
- d) banquet hall;
- e) *private club*;
- f) sports and fitness recreation;
- g) trade and convention centre;
- h) community college or university;
- i) *day care centre* in accordance with Section 8.13.2 provided it is located within an office building;
- j) funeral establishment in accordance with Section 8.13.4;
- k) crematorium accessory to a funeral establishment provided it is not located within 300 metres of a *sensitive land use* or lands within a 'Residential' and 'Mixed Use' designation;
- l) commercial storage facility;
- m) motor vehicle service station in accordance with Section 8.13.5;
- n) car wash;
- o) motor vehicle body shop and repair facility with accessory outdoor storage in accordance with Section 8.13.6;
- p) motor vehicle retail sales with limited accessory outdoor storage or display of motor vehicles in accordance with Section 8.13.6;
- q) motor vehicle rental with limited accessory outdoor storage or display of motor vehicles in accordance with Section 8.13.6;
- r) *place of worship* only in a multiple unit building limited to a maximum gross floor area of 500 square metres in accordance with Section 8.1.3.7;
- s) entertainment; and
- t) adult entertainment provided it is not located within 1,000 metres of lands within a 'Residential' or 'Mixed Use' designation.

## 8.5.4.4

**To not permit** the following uses on lands designated 'Service Employment':

- a) *private school*.

#### **Building Types and Heights**

## 8.5.4.5

**To provide** for single and multiple-unit building with one or more storeys with a maximum building height specified in the implementing zoning by-law, on lands designated 'Service Employment'.

**Section 8.5.4 subject to Area/Site Specific Appeal Nos. Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19) and 15 (Issue 122)**

### Development Criteria

- 8.5.4.6 **In considering** an application for *development approval* on lands designated 'Service Employment', Council shall ensure that development adheres to the development criteria outlined below, in addition to the criteria contained in Section 8.5.1.6:
- a) buildings should generally be placed on a site to respect a consistent setback and provide for continuity in built form along public streets;
  - b) accessory outdoor storage facilities shall be sufficiently screened and buffered from adjacent lands in accordance with Section 8.13.6.

### 8.5.5 General Employment

'General Employment' areas are characterized by large properties developed with single and multiple unit buildings accommodating the industrial uses that are primary to the designation. The majority of buildings are single storey, reflecting the nature of operations undertaken by the businesses they house. Many of the properties are designed to accommodate truck movements and loading and may also include space for outdoor storage. Some buildings may include a second storey portion to accommodate the particular requirements of industrial or warehousing activities or accessory office space.

The 'General Employment' designation applies to large areas of land, generally in the interior of employment areas, close to 'Business Park' and 'Service Employment' areas. These lands are typically served by the arterial road system, which provides quick access to 400 series highways. Manufacturing, processing and warehousing uses predominate within 'General Employment' areas and may be supplemented with accessory retail or service uses. It is the intent of this Plan to protect these areas from incompatible *sensitive land uses* and other non-industrial uses.

#### **It is the policy of Council:**

#### **Planned Function**

- 8.5.5.1 **On lands** designated 'General Employment' to:
- a) provide long-term and stable locations for manufacturing, processing and warehousing uses with good access to arterial roads, connections to 400 series highways, roadways suited to trucking and access to public transit;
  - b) maintain a supply of land suited to development of single and multi-unit building forms on large and small properties accommodating businesses in the industrial sector;
  - c) restrict the introduction of new *sensitive land uses* to minimize the impacts on the viability and continued operation of permitted industrial and warehouse uses;
  - d) accommodate the expansion and modernization of existing buildings to maintain the attractiveness and competitive advantage of the lands for the intended uses; and
  - e) restrict accessory uses and *ancillary uses* to those that directly support

**Sections 8.5.4 and 8.5.5 subject to Area/Site Specific Appeal Nos. Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19), and 15 (Issue 122)**

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

the primary industrial uses of this designation.

#### Uses

- 8.5.5.2 **To provide** for the following uses, in addition to the uses listed in Section 8.1.1, on lands designated 'General Employment':
- a) manufacturing, processing and warehousing with accessory outdoor storage provided the outdoor storage is located to the rear or side of a building and in accordance with Section 8.13.6;
  - b) retail and/or service use that is accessory to the primary manufacturing, processing or warehousing use, and located in the same premise as the primary use, provided the area devoted to the accessory use does not exceed 500 square metres of gross floor area, or a maximum of 15 percent of the total gross floor area devoted to the primary use, whichever is less;
  - c) office use that is accessory to a primary manufacturing, processing or warehousing use, and located within the same premise as the primary use; and
  - d) *trade school*.
- 8.5.5.3 **To provide** for the following *discretionary uses*, in addition to the uses provided for above, on lands designated 'General Employment', subject to review of a site specific development application for zoning approval, in accordance with Sections 8.5.1.2 and 8.5.1.3 and any conditions outlined below:
- a) *ancillary use* within an industrial building shall be limited to restaurant, service, commercial school and office uses other than medical offices, provided:
    - i. the combined total gross floor area devoted to *ancillary uses* and accessory uses described in Section 8.5.5.2 b), does not exceed 15 percent of the total gross floor area of the building;
    - ii. *ancillary uses* and accessory uses shall only be located on the ground floor of the building;
    - iii. an *ancillary* office use shall only be located in a building on an arterial road and does not exceed a maximum gross floor area of 300 square metres per premise;
    - iv. the gross floor area of an *ancillary* restaurant or other *ancillary* service use does not exceed a maximum of 100 square metres per premise; and
    - v. no outdoor seating shall be provided as part of an *ancillary* restaurant.
  - b) motor vehicle body shop and repair facility with accessory outdoor storage in accordance with Section 8.13.6; and
  - c) crematorium provided it is not located within 300 metres of a *sensitive land use* or lands within a 'Residential' or 'Mixed Use' designation.
- 8.5.5.4 **To not permit** the following uses on lands designated 'General Employment':
- a) community college or university;
  - b) *private school*;

**Section 8.5.5 subject to Area/Site Specific Appeal Nos. Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19), and 15 (Issue 122)**



- c) *private club*;
- d) sports and fitness recreation;
- e) hotel;
- f) funeral establishment;
- g) medical office;
- h) commercial storage facility;
- i) financial institution;
- j) motor vehicle service station;
- k) motor vehicle sales or rental;
- l) commercial parking garage;
- m) *day care centre*;
- n) *place of worship*;
- o) trade and convention centre;
- p) banquet hall;
- q) night club;
- r) entertainment; and
- s) adult entertainment.

#### **Building Types**

8.5.5.5 **To provide** for single and multiple-unit industrial and warehouse buildings on lands designated 'General Employment'.

#### **Development Criteria**

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

- a) accessory outdoor storage facilities shall be sufficiently screened and buffered from adjacent lands in accordance with Section 8.13.6.

## **8.6 GREENWAY**

The 'Greenway' designation applies to Greenway System lands shown on Map 1 – Markham Structure that contain the Natural Heritage Network, the 'Oak Ridges Moraine Conservation Plan Area' and 'Greenbelt Plan Areas' shown on Map 7 – Provincial Policy Areas, and certain naturalized stormwater management facilities. These lands are intended to protect *natural heritage and hydrologic features* and certain protected agricultural lands while supporting agricultural activities, protection of wildlife habitat, passive recreation uses, natural heritage enhancement opportunities and nature appreciation. The Greenway System also protects *cultural heritage resources* associated with *valleylands* and watercourse corridors through the application of the Rouge Watershed Protection Area. The detailed policies of the Greenway System are contained in Section 3.1 and should be read in conjunction with the land use policies contained in this Section.

**Section 8.5.5 subject to Area/Site Specific Appeal Nos. Nos. 1 (Issues 113, 115), 9 and 10 (Issues 18, 19), and 15 (Issue 122)**

*The 'Greenway' designation is intended to protect valleylands and stream corridors, sensitive groundwater features, landforms, woodlands, wetlands and agricultural lands while supporting agricultural activities, protection of wildlife habitat, passive recreation uses, natural heritage enhancement opportunities and nature appreciation.*

### 8.6.1 General Policies

**It is the policy of Council:**

8.6.1.1 **On lands** designated 'Greenway' to:

- a) identify and protect the Greenway System comprised of the Natural Heritage Network, certain protected agricultural lands, *cultural heritage resources*, certain naturalized stormwater management facilities and enhancement lands to support ecological linkages and *biodiversity* nodes and provide for uses that are compatible with the Greenway System;
- b) implement the land use and development requirements of the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan; and
- c) ensure that land use decisions in support of urban development and infrastructure contribute to the protection and enhancement of the Greenway System while having a minimum impact on the natural environment.

#### Uses

8.6.1.2 **To provide** for the following uses on lands designated 'Greenway':

- a) ~~agricultural use~~ **countryside uses, identified in Section 8.8.1.2 provided they are** outside of ~~natural heritage and hydrologic features~~ **natural heritage and hydrologic features** and their *vegetation protection zones*;
- b) archaeological activity;
- c) dwelling unit including *home occupation*;
- d) *secondary suite* in accordance with Section 8.13.8;
- e) ecological restoration activity;
- f) forest, wildlife habitat and fisheries management and conservation;
- g) watershed management, conservation, and flood and erosion control projects carried out by a public authority;
- h) trails and nature-based public recreational activities including associated recreational infrastructure;
- i) park-related use in the defined area of the Rouge National Urban Park;
- j) transportation, ~~or~~ servicing **or utility** infrastructure in accordance with Sections 3.1.2.910 and 7.1.1.7, which receives environmental approval under provincial or federal authority, subject to the **specific** requirements of the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan where applicable;
- k) communications/telecommunications infrastructure, subject to the requirements of the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan **where applicable**; and
- l) use accessory to the uses set out above. **(YR Mod. 46)** [\(Markham Mods. 36, 214 and 241\)](#)

**Section 8.6.1.2 subject to City-wide Appeal No. and 32 (Issue 323)**

8.6.1.3 **To provide** for the following uses, in addition to the uses permitted in ~~§~~Section 8.6.1.2, on lands designated 'Greenway' in the Oak Ridges Moraine Natural Linkage Area, Oak Ridges Moraine Countryside and Greenbelt Protected Countryside as shown on Map 7 – Provincial ~~and Federal~~ Policy Areas provided they are outside of natural heritage and hydrologic features ~~natural heritage and hydrologic features and their vegetation protection zones~~:

- a) activities related to non-renewable resources may be provided for within the ~~Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area~~ subject to the specific policies in the relevant Provincial Plan and the Regional Official Plan;
- b) *home business*;
- c) *home industry*;
- d) *bed and breakfast establishment*;
- e) a second dwelling where permitted in accordance with the ~~requirements of the~~ Oak Ridges Moraine Conservation Plan;
- f) *farm vacation home*;
- g) unserviced parks where permitted in accordance with the Oak Ridges Moraine Conservation Plan; and
- h) uses provided for in section 8.8.1.2. (YR Mod. 47)(YR Mod. 142) (Markham Mods. 37 and 241)

8.6.1.4 **To prohibit** the following uses in the Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area shown on Map 7 – Provincial ~~and Federal~~ Policy Areas:

- a) new major recreational use, non *agricultural use* including commercial, industrial and institutional uses, except for expansions to an existing major recreational use or non *agricultural use*, which may be permitted subject to satisfying the specific requirements of the applicable Oak Ridges Moraine Conservation Plan or Greenbelt Plan;
- b) where located on lands identified as Oak Ridges Moraine Areas of High Aquifer Vulnerability shown on Map 6 – Hydrologic Features:
  - i. generation and storage of hazardous waste or liquid industrial waste;
  - ii. waste disposal sites and facilities, organic soil conditioning sites and snow storage and disposal facilities;
  - iii. underground and above-ground storage tanks that not equipped with an approved secondary containment device; and
  - iv. storage of contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario; and
- c) in accordance with the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan, all land uses not identified in this Plan are prohibited and amendments to permit such uses by Markham requires provincial approval. (YR Mod. 142)

Sections 8.6.1.3 and 8.6.1.4 subject to City-wide Appeal No. 32 (Issues 323)

### Building Types

- 8.6.1.5 **To provide** for the following building types on lands designated 'Greenway':
- a) detached dwelling and structure on a lot of record that existed prior to approval of this Plan, the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan, where applicable, on an open road allowance and subject to existing zoning;
  - b) agricultural building and structure including accessory building; and
  - c) park and recreation related building and structure.

### Development Criteria

- 8.6.1.6 **In considering** an application for *development approval* on lands designated 'Greenway', Council shall ensure that development adheres to the following development criteria:
- a) development or *redevelopment* within the 'Greenway', shall require site plan approval to address appropriate setbacks, building size, location and parking, lighting, drainage, buffering, protection of natural heritage and hydrologic features and associated *vegetation protection zones*, landscaping and any studies that may be required in Section 3.5;
  - b) development, *redevelopment* or *site alteration* within *natural heritage and hydrologic features* and their *vegetation protection zones* shall be prohibited with the exception of conservation, resource management, nature-based recreational infrastructure and public infrastructure;
  - c) expansions to existing agricultural buildings, structures, accessory uses and agricultural infrastructure within the Natural Heritage Network may be permitted subject to the preparation of a natural heritage evaluation or environmental impact study and other specific requirements of applicable provincial plans, and must demonstrate all reasonable efforts are undertaken to mitigate the impacts and a suitable location outside of the 'Natural Heritage Network' is not available; and
  - d) expansions to existing major recreational and existing non-agricultural use may be permitted subject to the preparation of a vegetation enhancement plan and/or a water and nutrient conservation plan in accordance with the requirements of the applicable Oak Ridges Moraine Conservation Plan and/or Greenbelt Plan.
- 8.6.1.7 **In considering** an application for *development approval* or *site alteration* on lands designated 'Greenway' within the Oak Ridges Moraine Conservation Plan Area shown on Map 7 – Provincial Policy Areas, Council shall ensure that development, *redevelopment* or *site alteration* adheres to the following development criteria in addition those listed above in Section 8.6.1.6:
- a) development, *redevelopment* or *site alteration* shall address the impervious surface requirements of Section 27 (1) of the Oak Ridges Moraine Conservation Plan;
  - b) applications for development, *redevelopment* or *site alteration* should help support a 30 percent target within each *subwatershed* for self-sustaining vegetation; and

- c) applications for development, *redevelopment* or *site alteration* on lands identified as ‘Oak Ridges Moraine Landform Conservation Area Category 2’ on Map 5 – Natural Heritage Features and Landforms, shall be subject to the additional requirements of Section 30 of the Oak Ridges Moraine Conservation Plan.

## 8.6.1.8

**In considering** an application for *development approval* or *site alteration* on lands designated ‘Greenway’ within the Greenbelt Plan Area shown on Map 7 – Provincial Policy Areas, Council shall ensure that development, *redevelopment* or *site alteration* adheres to the following development criteria in addition those listed above in Section 8.6.1.6:

- a) negative effects on natural features and their functions will be minimized;
- b) connectivity between *key natural heritage features* and *key hydrologic features* is maintained or if possible enhanced for the movement of native plants and animals across the landscape;
- c) the removal of features not defined as *key natural heritage features* or *key hydrologic features* should be avoided;
- d) the disturbed area of the total developable area of any site does not exceed 25 percent; and
- e) the *impervious surface* of the total developable area of any site does not exceed 10 percent of all uses except recreational uses that are exempt and golf courses that shall not exceed 40 percent;
- f) for existing non *agricultural uses* within the Greenbelt Natural Heritage System of the Greenbelt Protected Countryside:
  - i. 30 percent of the total developable area will remain in *natural self-sustaining vegetation*;
  - ii. connectivity between *key natural heritage features* and *key hydrologic features* located within 240 metres of each is maintained or enhanced; and
  - iii. building or structures do not occupy more than 25 percent of the total developable area and are planned to optimize the compatibility of the project with the natural surroundings; and
- g) expansion or reconstruction of an existing legal non-conforming building or structure or conversion of an existing non-permitted use to a more compatible use may be permitted, subject to the Greenbelt Plan where applicable. Expansions, reconstruction and conversions must demonstrate that they will not adversely affect the *ecological integrity* of the Greenway System and that the use or expansion was lawfully used for that purpose on or before December 15, 2004.

*Hamlets are small historic settlement areas located in the countryside intended to remain predominantly as low-density residential communities within historic settlement boundaries.*

## 8.7 HAMLETS

Hamlets are small historic settlement areas located in the countryside serviced by individual private on-site wastewater systems and private wells. These existing communities are intended to remain predominantly as low-density residential communities within a settlement area established by the boundary of the ‘Hamlets’ designation.

**Section 8.7 subject to  
Area/Site Specific  
Appeal No. 3 (Issue 1)**



The ‘Hamlets’ designation is used to recognize the remaining four historic settlements of Cedar Grove, Locust Hill, Dickson Hill and Almira and contains policies to protect and maintain the historic and rural residential character of these communities.

**Section 8.7 subject to Area/Site Specific Appeal No. 3 (Issue 1)**

**8.7.1 General Policies**

**It is the policy of Council:**

**8.7.1.1 On lands** designated ‘Hamlets’ to:

**Section 8.7.1.1 b) subject to City-wide Appeal No. 32 (Issues 319, 392, 393, 394, 397, 398 and 418)**

- a) protect and maintain the historic and rural residential character of the hamlets identified on Map 3 – Land Use;
- b) provide limited opportunities for additions to buildings and small-scale infill development including heritage buildings provided that the criteria outlined in Section 8.7.1.4 are met; and

**8.7.1.2**

- c) prohibit residential subdivisions or consents that would form an extension to a ‘Hamlets’ boundary; and
  - d) protect *natural heritage and hydrologic features*.
- That** the City undertake a land use and urban design study for the hamlets of Locust Hill and Cedar Grove, in consultation with Parks Canada, the Toronto and Region Conservation Authority, the Province, and landowners, to address the following matters:

- a) protection of the distinct heritage and countryside character;
- b) adaptive reuse of buildings relative to the non-residential use permissions in this Plan;
- c) infill development guidelines for vacant lands;
- d) streetscape and landscape improvements that enhance the character of the hamlet area; and
- e) integration and interface with the Rouge National Urban Park.

**Uses**

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

**Section 8.7.1.3 subject to City-wide Appeal No. 32 (Issue 318)**

- a) accessory dwelling in association with a principal dwelling provided that adequate parking is provided and it is serviced by an individual private on-site wastewater system and private well; and
- b) additional tourist and public uses, including *bed and breakfast establishment*, limited retail and offices, arts and craft studios and custom workshops may be permitted in keeping with the rural character of hamlets, subject to a site specific development application for zoning approval; and
- c) in the hamlets of Locust Hill and Cedar Grove, small scale restaurants and other food related services may be permitted, subject to a site specific application for zoning approval. ([Markham Mod. 39](#))

**Building Types**

8.7.1.4 **To provide** for the following building types on lands designated ‘Hamlets’:

- a) house form building; and
- b) buildings associated with *day care centres, places of worship and public schools*.

Sections 8.7.1.4 and 8.7.1.5 subject to City-wide Appeal No. 32 (Issues 318, 392, 393, 397, and 418)

**Development Criteria**

8.7.1.5 **In considering** an application for *development approval* on lands designated ‘Hamlets’, Council shall ensure that development, *redevelopment* or *site alteration* adheres to the following development criteria:

- a) compatible minor infill development, including relocation of heritage buildings, shall be subject to servicing availability and compatibility with the historic and rural character of the hamlet;
- b) built form and building materials shall reflect the hamlet’s character and new construction shall be similar in scale;
- c) limited non-residential uses, where compatible with adjacent uses, may be permitted in the hamlets subject to zoning by-law amendment and site plan control approval and the following considerations:

Section 8.7 subject to Area/Site Specific Appeal No. 3 (Issue 1)

Section 8.7.1.5 subject to City-wide Appeal No. 32 (Issues 318, 392, 393, 397, and 418)

- i. the new use or expansion is compatible with the character of the hamlet;
- ii. the use has direct access to a public road;
- iii. the use does not have a negative impact on natural heritage and hydrologic features ~~natural heritage features and functions~~;
- iv. the use shall not have a negative impact on the enjoyment and privacy of neighbouring properties, and appropriate landscaping and buffering is provided;
- v. adequate off-street parking is available;
- vi. availability of an on-site private wastewater system and a private well; and
- vii. fencing, landscaping, berming shall be utilized to ensure adequate screening. (Markham Mod. 242)

**8.8 COUNTRYSIDE**

The ‘Countryside’ designation applies to the agricultural lands in north Markham not included in the ‘Greenway’ or ‘Hamlets’ designation. These lands are intended to be protected for *agricultural uses* and support farming activities. Markham recognizes the changing nature of the agricultural industry and supports the development of uses that highlight the importance and value of the agricultural economy in a near-urban context and supports the principle of farm diversification activities, which

contribute to the long-term sustainability of the agricultural industry. The following land use policies shall guide development in the 'Countryside' designation. The detailed policies of Countryside Agriculture are contained within Section 5.2.1 and should be read in conjunction with the land use policies of this Section.

### 8.8.1 General Policies

**It is the policy of Council:**

#### 8.8.1.1 On lands designated 'Countryside' to:

- a) protect *agricultural uses* and support farming activities related to growing of crops, and the raising of livestock and other animals for food;
- b) support farm diversification activities that contribute to the long-term sustainability of the agricultural industry;
- c) promote uses supportive of primary agricultural activity such as agri-tourism and *home businesses*;
- d) promote preservation of rural heritage dwellings; and
- e) promote the conservation and management of the natural environment in areas where this is appropriate and achievable.

#### Uses

#### 8.8.1.2 To provide for the following uses on lands designated 'Countryside':

- a) dwelling unit including a *home occupation*;
- b) *secondary suite* in accordance with Section 8.13.8;
- c) farm labour residence on the same lot as the primary farm use provided the size and nature of the farm operation requires additional employment and the residence is accessory to the principal dwelling unit or is an accessory detached temporary dwelling such as a mobile home and the unit can be adequately serviced;
- d) *normal farm practices* and a full range of *agricultural uses* associated with *normal farm practices* that includes growing of crops including nursery and horticultural crops, greenhouse operations, raising livestock including poultry and fish and other animals for fur, food or fibre, aquaculture, apiaries, agro-forestry and maple syrup production;
- e) *agriculture-related uses* that are small-scale farm related industrial and commercial operations directly related to local farming, in close proximity to the farm operation, and that do not require the transport of produce from outside of the region including facilities for packaging, processing and storage of agricultural products such as a grain drying facility, seed storage and cold storage;
- f) compatible non *agricultural uses* including:
  - i. fish, wildlife and forestry management;
  - ii. conservation project;
  - iii. veterinary clinic; and
  - iv. passive recreation use;
- g) *secondary agricultural uses* that are small-scale and compatible with, and shall not hinder, surrounding agricultural operations including:
  - i. research farm;

*Markham recognizes the changing nature of the agricultural industry and supports the development of uses that highlight the importance and value of the agricultural economy in a near-urban context and supports the principle of farm diversification activities.*

- ii. farm business, *home business*, and *home industry*; and
- iii. uses that produce value added agricultural products and services from the farm operation and may include farm vacations, farm machinery and equipment exhibitions, *bed and breakfast establishment*, cottage wineries and *agri-tourism* uses;
- iv. produce stands and seasonal farm products sales outlet; and
- v. canine and feline boarding.

8.8.1.3 **To prohibit** all non *agricultural uses*, with the exception of the uses identified in Sections 8.1.1 and 8.8.1.2 f) in the ‘Countryside’ designation. Open storage shall not be permitted unless associated with *normal farm practices*.

**Building Types**

8.8.1.4 **To provide** for the following building types on lands designated ‘Countryside’:

- a) detached dwelling; and
- b) building and structure normally accessory to an *agricultural use*.

**Development Criteria**

8.8.1.5 **In considering** an application for *development approval* on lands designated ‘Countryside’, Council shall ensure that development, *redevelopment* or *site alteration* adheres to the following development criteria:

- a) new buildings or structures in support of *agriculture-related uses*, compatible non *agriculture-related uses* and secondary uses, and greenhouse operations, shall be subject to site plan approval to address appropriate setbacks, building size, parking, lighting, drainage, buffering and landscaping and any other application matter;
- b) development of any public use or public utility shall be located so that the impact of such a use on productive or potentially productive agricultural land or an agricultural operation shall be minimized;
- c) compatible non *agricultural uses* shall minimize the amount of land removed from agricultural production and limited non residential uses consistent with Section 2.3.5.1 c) of the Provincial Policy Statement;
- d) all buildings or structures associated with a secondary *agricultural use* shall allow for the ease of conversion to a future *agricultural use* and be located in close proximity to the primary farm buildings, where appropriate; and
- e) development shall promote sustainable development practices in accordance with Section 6.2.

8.8.1.6 That the opportunity for new community areas and employment lands is also protected within the lands designated ‘Countryside’ in accordance with Section 2.3.3 of this Plan.

**Sections 8.8.1.3 and 8.8.1.4 subject to City-wide Appeal No. 32 (Issue 326 and 396)**

## 8.9 PRIVATE OPEN SPACE

The lands designated as ‘Private Open Space’ on Map 3 – Land Use include private *cemeteries* and private golf courses within the urban area serving the populations of Markham and its surroundings and contributing to Markham’s overall open space system.

### 8.9.1 General Policies

**It is the policy of Council:**

8.9.1.1 **On lands** designated ‘Private Open Space’ to:

- a) provide for the continued operation of existing private golf courses and cemeteries; and
- b) establish criteria for the expansion of existing cemeteries and the creation of new cemeteries within the urban area.

#### Uses

8.9.1.2 **To provide** for the following uses on lands designated ‘Private Open Space’:

- a) golf course; and
- b) existing cemetery in accordance with Section 8.13.10, and uses associated with a cemetery such as mausoleum, columbaria, crematorium, and funeral establishment in accordance with Section 8.13.4. (Markham Mod. 259)

#### Building Types

8.9.1.3 **To provide** for the following building types on lands designated ‘Private Open Space’:

- a) club house facilities and accessory buildings on golf courses; and
- b) buildings related to the operation of a cemetery and associated uses on cemetery lands.

8.9.1.4 **That** the establishment of a new cemetery, or expansion of an existing cemetery within the urban area shall require an amendment to this Plan, and that in considering such an amendment, Markham shall have regard for the need for the proposed use and the appropriateness and suitability of the proposed location.

## 8.10 TRANSPORTATION AND UTILITIES

Lands designated as ‘Transportation and Utilities’ as shown on Map 3 – Land Use provide corridors for transportation facilities, particularly highways, rail lines and transmission lines.

Sections 8.9 preamble, 8.9.1.1 and 8.9.1.2 subject to City-wide Appeal No. 32 (Issue 372)

Sections 8.9.1.1 and 8.9.1.2 subject to City-wide Appeal No. 32 (Issue 372)

*Private Open Space areas include private cemeteries and private golf courses within the urban area contributing to Markham’s overall parks and open space system.*

### 8.10.1 General Policies

#### It is the policy of Council:

- 8.10.1.1 **To facilitate** the provision of highways, railways, hydroelectric transmission, gas and oil pipelines, telephone and any other cabled services on lands designated as ‘Transportation and Utilities’.
- 8.10.1.2 **To provide for** appropriate secondary uses in hydroelectric transmission corridors in accordance with Section 7.2.3.4.

## 8.11 PARKWAY BELT WEST

The Parkway Belt West is part of a development planning area established by the Province under the Parkway Belt and Development Act. Pursuant to this Act, the Province established planning regulations (Ontario Regulation 473/73) that restrict the use of land within the Parkway Belt West and adopted the Parkway Belt West Plan, July 1978, which outlines uses to be permitted within the Parkway Belt West such as Highway 407, the proposed Highway 407 transitway, and a utility corridor. The boundary of the Minister’s Zoning Order for the Parkway Belt West is shown on Map 7 – Provincial Policy Areas.

Lands identified as ‘Parkway Belt West’ are shown on Map 3 – Land Use as an overlay. Over time, certain parcels not required for the transportation and utility uses outlined in the Parkway Belt West Plan may be identified as surplus by the Province. It is the intent of this Plan to identify potential land use designations under the ‘Parkway Belt West’ overlay that may be provided for by amendment to this Plan should such lands be removed by the Province from the Parkway Belt West Plan.

### 8.11.1 General Policies

#### It is the policy of Council:

- 8.11.1.1 **That on the lands** identified as ‘Parkway Belt West’ overlay that:
- a) development of lands within the ‘Parkway Belt West’ shall be governed by the provisions of the Parkway Belt West Plan, July 1978, as amended, and also the policies of this Plan as applicable;
  - b) in the event of a conflict between this Plan and the Parkway Belt West Plan, July 1978, as amended, the provisions of the latter shall prevail; and
  - c) where lands within the ‘Parkway Belt West’ are identified as surplus by the Province and removed by the Province from the Parkway Belt West Plan, an amendment to this Plan is required to redesignate the lands. In considering an amendment to this Plan, Council will have regard for:
    - i. *natural heritage and hydrologic features* that shall remain in the Greenway System; and
    - ii. the potential land use designation identified in this Plan under the ‘Parkway Belt West’ overlay shown on Map 3 – Land Use.



## Uses

- 8.11.1.2 **That the lands identified** as ‘Parkway Belt West’ overlay shall be governed by the provincial land use regulation made under the Parkway Belt Planning and Development Act, as amended, or zoning by-laws passed by Council and acceptable to the Ministry of Municipal Affairs and Housing.

## 8.12 FUTURE URBAN AREA

Markham’s new development areas are shown on Map 1 – Markham Structure as ‘Future Urban Area’ and designated as ‘Future Urban Area’, on Map 3 – Land Use. Lands designated ‘Future Urban Area’ include the ‘Future Neighbourhood Area’ and ‘Future Employment Area’ designations.

It is the intent of this Plan that these new areas will be pedestrian, cycling and transit-friendly compact and *complete communities*, with an emphasis on sustainable building, innovative techniques for stormwater and waste management and high standards of urban design. The opportunity to make these areas among the most sustainable, and innovative neighbourhoods and employment areas in Markham requires careful planning beyond what may traditionally have been undertaken.

Specific land use designations for the lands designated ‘Future Neighbourhood Area’ in southeast Markham will be determined through an amendment to this plan. The specific land use designations for the ‘Future Employment Area’ lands in Cornell Centre will be confirmed through the update of the Cornell Centre Secondary Plan.

More specific land use designations for the ‘Future Neighbourhood Area’ and ‘Future Employment Area’ lands located north of Major MacKenzie Drive will be determined through a non-statutory master planning exercise, followed by more detailed secondary plans.

A Conceptual Master Plan will be prepared to enable Council to build a vision for how the ‘Future Urban Area’ will develop. The plan will establish a broad planning framework and structural elements to guide the overall direction and form of growth in these new urban areas. Refinements, along with more detailed and binding levels of planning control, will be developed subsequently through the statutory secondary plan process.

Early structural planning in the form of a Conceptual Master Plan will ensure that new neighbourhoods and employment areas meet the requirements and standards of this Plan, and that a consistency of the urban form and function can be anticipated, particularly in the distribution of:

- mixed-use centres and appropriate areas within employment lands to meet retail and service needs;
- community infrastructure including an integrated parks and open space

**Section 8.12 subject to City-wide Appeal Nos. 1 (Issue 116), 4 (Issue 119) and Area/Site Specific Appeal 3 (Issue 2)**

system; and

- major transportation system, water and wastewater infrastructure.

The Conceptual Master Plan will be developed through a comprehensive public consultation process that will involve all relevant stakeholders, including residents, businesses, landowners, other levels of government and public agencies.

The planning for this area will begin with *subwatershed plans* addressing environmental matters such as, among other things, water quality and quantity, aquatic habitat, fluvial geomorphology, and terrestrial natural heritage, in accordance with Section 3.3.1. The *subwatershed plans* will inform the Conceptual Master Plan and provide a basis for more detailed master environmental servicing plans at the secondary plan level.

**Section 8.12 subject to City-wide Appeal Nos. 1 (Issue 116), 4 (Issue 119) and Area/Site Specific Appeal 3 (Issue 2)**

### 8.12.1 General Policies

**It is the policy of Council:**

8.12.1.1 **That** specific land use designations for the lands designated ‘Future Neighbourhood Area’ at the northeast corner of 9<sup>th</sup> Line and Steeles Avenue will be determined through an amendment to this Plan in accordance with Section 9.2.8.

8.12.1.2 **That** specific land use designations for the ‘Future Employment Area’ lands east of Donald Cousens Parkway north and south of Highway 7 in Cornell Centre will be confirmed through the update of the Cornell Centre Secondary Plan in accordance with Section 9.7.8.

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

- a) a *subwatershed plan(s)* will be approved in accordance with the requirements of Sections 3.3.1.3 and 3.3.1.4;
- b) a Conceptual Master Plan will be endorsed to establish a broad planning framework and structural elements within which Markham can guide the overall direction and form of growth for secondary plans on these ‘Future Urban Area’ lands in accordance with Section 8.12.1.4 and the sustainable community policies of Sections 6.2 and 6.3; and
- c) a master environmental servicing plan will be approved in accordance with Section 3.5.1; and

- d) a secondary plan or concurrent secondary plans [determining specific land use designations and related policies](#) will be approved in accordance with Section 10.1.2 and the submission requirement of Section 10.1.2 .4 c) of this Plan and Sections 4.3 and 5.6 of the Regional Official Plan. (Markham Mod. 177)

8.12.1.4 **That** the Conceptual Master Plan for the 'Future Urban Area' lands north of Major Mackenzie Drive as shown on Map 3 – Land Use include, but not be limited to, the following:

#### Subwatershed Plan

- a) conformity with the requirements of the *subwatershed plan(s)* in Section 8.12.1.3. a) above that:

- i. delineates protected areas containing [natural heritage and hydrologic features](#) ~~natural heritage and hydrologic features~~ including any refinements of the features as set out on Map 5 – Natural Heritage Features and Landforms and Map 6 – Hydrologic Features; and
- ii. addresses provincial concerns regarding the management of water resources and the protection of *endangered species, threatened species, and species of concerns*; (Markham Mod. 243)

#### Cultural Heritage Resources

- b) identification of any known *cultural heritage and archaeological resources*;

#### Infrastructure and Services

- c) identification of requirements for the expansion of Markham's municipal infrastructure and services network to these 'Future Urban Area' lands including environmental considerations related to the crossing of watercourses and impacts on other natural features;

#### Transportation System

- d) identification of a transportation system consisting of the general pattern of municipal collector roads and their intersection points with the regional arterial roads that frame and serve these 'Future Urban Area' lands. The transportation system will:
- i. respect environmental considerations related to the crossing of watercourses and impacts on other natural features; and
  - ii. provide the basic network on which to develop transit services and take into account future pedestrian and cycling connections for

Section 8.12 subject to City-wide Appeal Nos. 1 (Issue 116), 4 (Issue 119) and Area/Site Specific Appeal 3 (Issue 2)

Section 8.12.1.4 subject to City-wide Appeal No. 4 (Issue 120)

residents, workers and visitors traveling to, from and within these 'Future Urban Area' lands;

**Community Structure**

e) identification of a community structure that will, among other things, establish the locations of:

- i. residential neighbourhoods;
- ii. mixed-use centres and/or corridors;
- iii. employment areas;
- iv. Greenway System and transportation corridors based on the refined natural heritage and hydrologic features mapping; and
- v. the conceptual collector road and transit network along with related pedestrian and cycling facilities;

**Section 8.12 subject to City-wide Appeal Nos. 1 (Issue 116), 4 (Issue 119) and Area/Site Specific Appeal 3 (Issue 2)**

**Section 8.12.1.4 subject to City-wide Appeal No. 4 (Issue 120)**

**Land Use and Density**

f) i. guidance on where appropriate land use designations and policies will be applied at the secondary plan level including:

- 'Residential' and 'Mixed Use' designations and policies for the lands designated 'Future Neighbourhood Area'; and
- 'Employment Lands' designations and policies for the lands designated 'Future Employment Area'; and

ii. guidance on how the density targets identified in Section 2.6 will be addressed.

**Mixed Use Centres and Corridors**

g) identification of the approximate locations within the 'Future Neighbourhood Area' lands that will be carefully planned as mixed-use Centres and/or Corridors. These mixed-use Centres and/or Corridors will develop as well connected, intensive, pedestrian-oriented neighbourhood gathering places in accordance with the preferred 'Mixed Use' designations and policies outlined in Section 8.12.1.4 f) i. The growth and development of mixed-use Centres and Corridors will be guided by the following principles:

- i. mixed-use Centres and/or Corridors will be distributed throughout the 'Future Neighbourhood Area' lands to provide community cores, within reasonable walking distance from the majority of the population, providing a focus of local retail, commercial and community services, and providing connections to rapid transit;

- ii. mixed-use Centres and Corridors shall provide locations for 'Mixed Use Mid Rise' development, integrating medium and large sized retail, restaurant and services uses with residential and community uses;
- iii. mixed-use Centres and Corridors will also provide locations for 'Mixed Use Low Rise' development, integrating residential uses with small-scale retail, service, professional office and community uses serving nearby residents; and
- iv. other complementary uses such as *places of worship, public schools*, live-work units and *shared housing* will be encouraged to locate within or in close proximity to these mixed-use Centres and Corridors; (Markham Mod. 42)

**Section 8.12 subject to City-wide Appeal Nos. 1 (Issue 116), 4 (Issue 119) and Area/Site Specific Appeal 3 (Issue 2)**

### Strategic Employment Lands

- h) identification of the 'Future Employment Area' lands, strategically located near Highway 404 and contiguous with existing designated 'Employment Lands' as a priority area for generation of employment in the future. This area will be carefully planned and protected to maximize its capability to provide a range of jobs in accordance with the preferred 'Employment Lands' designations and policies outlined in Section 8.12.1.4 f) i.;

**Section 8.12.1.4 subject to City-wide Appeal No. 4 (Issue 120)**

### Sustainable Development Practices

- i) application of sustainable development practices for community, building and site design for sustainable community planning and design of these 'Future Urban Area' lands in accordance with the policies of Section 6.2 of this Plan; and

### Phasing of Development and Detailed Planning

- j) identification of the general phasing of development within these 'Future Urban Area' lands based on the infrastructure and services network, the transportation system and Markham's priority for the sequencing of new development in these 'Future Urban Area' lands. The Conceptual Master Plan will take into account the principles of *complete communities*, both within these 'Future Urban Area' lands and also within the context of existing adjoining areas to augment services within adjoining areas, ~~and will recommend triggers/thresholds that will provide for the secondary plan process to commence and in what sequence. The phasing strategy will allow the first phase of development to include lands within each of the four concession blocks within the 'Future Urban Area', with the program for phasing within each concession block to be confirmed to the satisfaction of Council through secondary plans, phasing plans and conditions of approval.~~ (YR Mod. 50)

## 8.13 SPECIFIC USE POLICIES

### 8.13.1 Convenience Retail and Personal Service

**It is the policy of Council:**

- 8.13.1.1 **That** in considering an application to amend the zoning by-law to permit the establishment of a *convenience retail and personal service* use where provided for in this Plan, Council shall be satisfied that the following requirements, where applicable, will be fulfilled:
- a) the use is located:
    - along an arterial road; or
    - within an existing building on a major collector road at an intersection; or
    - within one or more buildings along a major collector road in new communities; or
    - in compliance with *heritage conservation district* plan policies, where applicable; and
  - b) there is sufficient accessible nearby at-grade parking either on-site or on street; and
  - c) on lands designated 'Hamlets' the use is located on an arterial road.

### 8.13.2 Day Care Centre

**It is the policy of Council:**

- 8.13.2.1 **That** in considering an application for *development approval* to permit the establishment of a *day care centre* where provided for in this Plan, Council shall be satisfied that the following requirements, where applicable, will be fulfilled:
- a) the *day care centre* shall generally be located on a arterial road or collector road and shall generally not be permitted on local roads except where the *day care centre* is located within an existing *public school, place of worship* or community centre;
  - b) the design and site layout of the *day care centre* will:
    - mitigate the potential impact of the traffic generated by the *day care centre* on the arterial road and surrounding community;
    - not substantially alter the appearance of a residential building;
    - accommodate on-site parking, pick-up and drop-off facilities and outdoor play areas while minimizing the impact on day care children;
    - locate the outdoor play area away from parking facilities, arterial roads, and vehicular traffic and emissions;
    - provide direct access between the *day care centre* building and outdoor play area; and
    - discourage vehicle idling and encourage active transportation;
  - c) consideration may be given to preventing an undue concentration of *day care centres* in specific areas of Markham; and
  - d) where a *day care centre* is provided for in an 'Employment Lands' designation, that the provisions of Section 8.5.1.2 are addressed.



### 8.13.3 Drive-Through Service Facility

**It is the policy of Council:**

- 8.13.3.1 **To mitigate** the potential impact of drive-through service facilities, including the vehicle stacking lane and order box, on adjacent uses resulting from traffic, noise, litter and light.
- 8.13.3.2 **That** in considering an application for *development approval* to permit the establishment of a drive-through service facility as accessory to a use provided for in this Plan, excluding a drive-through service facility accessory to a motor vehicle service station, Council shall be satisfied that the following requirements, where applicable, will be fulfilled:
- a) access to the facility, where feasible, shall be from a shared driveway or intersecting public street where located on the Highway 7 or Yonge Street Regional Rapid Transit Corridor as shown on Map 2 – Centres and Corridors and Transit Network or where located on an arterial road or minor collector road within a *heritage conservation district*;
  - b) the facility shall be located on a site of 0.3 hectares or greater, and where located adjacent to low-rise residential or low-rise mixed-use development, the site shall be sufficiently sized to accommodate and mitigate all activities associated with the facility;
  - c) the facility shall be designed in accordance with the applicable design guidelines to provide for:
    - i) sufficient separation from residential uses in order to mitigate impacts such as noise, litter, lighting and traffic;
    - ii) convenient and safe pedestrian access between the primary building entrance and adjacent sidewalks or walkways;
    - iii) a strong building edge to reinforce the streetscape;
    - iv) the appropriate location of vehicle stacking lanes; and
    - v) sufficient vehicle stacking to:
      - prevent queuing on public streets;
      - prevent interference with on-site pedestrian access, vehicle circulation and parking; and
      - minimize the visual impact on the streetscape.

### 8.13.4 Funeral Establishment

**It is the policy of Council:**

- 8.13.4.1 **That** in considering an application for *development approval* to permit the establishment of a funeral establishment where provided for in this Plan, Council shall be satisfied that the following requirements, where applicable, will be fulfilled:
- a) the site shall have frontage and direct access onto an arterial or major collector road preferably on a transit route, or onto an intersecting side street that provides close, direct access to an arterial or collector road;
  - b) where a site has frontage on both an arterial road and a major collector road, primary access to the major collector road shall be preferred;
  - c) a transportation impact assessment be submitted to demonstrate, to the satisfaction of Markham and/or the Region, that the funeral

establishment use will not result in significant traffic impacts including parking and vehicle stacking on the adjacent development. The assessment shall also include a traffic management plan demonstrating how major or special circumstance funerals are to be addressed;

- d) a conceptual site plan including elevations be submitted to demonstrate, to the satisfaction of Markham, the functionality of the site for the funeral establishment use and the compatibility of the proposed development with adjacent uses, including provision of buffering particularly where adjacent to residential development (e.g. setbacks, landscaping, screening); and
- e) any other studies deemed necessary by Markham to complete a full evaluation of the requested approvals be submitted.

### 8.13.5 Motor Vehicle Service Station

#### It is the policy of Council:

8.13.5.1 **To apply** the following specific use policies where a motor vehicle service station is provided for in this Plan:

- a) a motor vehicle service station shall generally be located on a site of not more than 0.6 hectares, and used primarily for the retail sale of automotive fuels;
- b) the following *accessory uses* may be permitted within the principal building or gas bar kiosk:
  - i. retail sale of small-scale, convenience, motor vehicle parts and accessories;
  - ii. retail and small-scale take-out restaurant uses for the convenience of the travelling public;
  - iii. drive-through service facilities subject to applicable design guidelines for motor vehicle service stations; and
  - iv. small-scale outdoor storage and display of products associated with retail sales permitted on site and subject to the provisions of Section 8.13.6;
- c) the following *accessory uses* may be permitted within wholly enclosed buildings on a site:
  - i. servicing and minor repairing essential to the operation of motor vehicles; and
  - ii. car washes;
- d) the following *accessory uses* shall be prohibited:
  - i. the sale or leasing of motor vehicles;
  - ii. major mechanical repairs of motor vehicles;
  - iii. motor vehicle body repairs or painting of motor vehicles,
  - iv. outdoor storage, except as provided for in b) above; and
  - v. outdoor repair or outside servicing of automobiles.
- e) access shall generally be from provincial highways, arterial or major collector roads and shall be limited in number and designed to minimize danger to vehicular and pedestrian traffic;
- f) not more than two motor vehicle service stations shall be located at any one road intersection except as provided for in a specific land use designation. Preference shall be given to locating the stations on diagonally opposed corners;

- g) the principal building or gas bar kiosk shall generally be oriented to the intersection with the pump islands to the rear, to reduce the visual impact of the canopies and pump islands, to minimize vehicle movement, and to provide a more pedestrian-oriented environment at the intersection;
- h) extensive landscaping shall be provided to improve aesthetics and to buffer adjoining properties from the activities of the motor vehicle service station;
- i) the location, orientation, and massing of buildings and structures shall conform with the relevant urban design guidelines, and any other specific requirements as may be established in the applicable secondary plan, zoning by-law or through the site plan control approval process; and
- j) the station will be designed to address the potential impact of air emissions, noise, exterior lighting and traffic on the amenity of the surrounding area.

### 8.13.6 Outdoor Display or Outdoor Storage

**It is the policy of Council:**

- 8.13.6.1 **To apply** the following specific use policies where outdoor display or outdoor storage is accessory to a use provided for in this Plan:
- a) outdoor display of merchandise and related services, provided in conjunction with a business located on the same property, may be permitted, where it is appropriate and incidental to the permitted use:
    - i. on an occasional basis in an implementing zoning by-law where it is restricted by type, amount and location and in accordance with other applicable regulations; and
    - ii. on a continuing basis by a zoning by-law amendment where it is restricted by type, amount and location and in accordance with other applicable regulations; and
  - b) outdoor storage involving the occasional or continuous storing of goods, commodities, containers or equipment other than within a wholly enclosed building, in conjunction with a business located on the same property, shall not be permitted unless it is provided for in the specific land use designation of this Plan. Where permitted, outdoor storage shall be subject to *development approval* to ensure that it is appropriately located and that mitigation measures are in place, to address all impacts, including visibility, in a satisfactory manner.

### 8.13.7 Place of Worship

**It is the policy of Council:**

- 8.13.7.1 **That** in considering an application for a plan of subdivision, or amendment to the zoning by-law to permit a new *place of worship* or an addition to an existing *place of worship* where provided for in this Plan in accordance with Section 4.2.4, Council shall be satisfied that the following requirements, will be fulfilled:
- a) the site or premise meets the size and location criteria for each land use designation identified below:

Land Use Designation	Maximum Site Area (hectares) or Maximum Premise Size (square metres)	Location
Residential	2.0 ha or 2.5 ha if located on an arterial road or a maximum gross floor area of 500 sq. m. in a multiple unit building	At an intersection of: a) an arterial road with another public road; or b) a major collector road with a local road at a location that is in proximity to other institutional, commercial, mixed-use or higher density residential uses
Mixed Use except Mixed Use Heritage Main Street		
Mixed Use Heritage Main Street or any designation within a Heritage Conservation District	0.4 ha	On an arterial or major collector road
Commercial	2.5 ha	On an arterial or major collector road
Service Employment	A maximum gross floor area of 500 sq. m only in a multiple unit building in accordance with Section 8.5.4.3 r)	
Hamlets	2.0 ha	On an arterial or major collector road, or on Reesor Road in the hamlet of Cedar Grove

- b) a transportation impact assessment and other requirements for a study as identified in Section 10.6.2 shall be submitted to demonstrate, to the satisfaction of Markham and/or the Region that the *place of worship* will not result in significant impacts;
- c) provision for adequate and appropriate access for vehicles, accessibility by pedestrians, and existing or future availability of public transit within a short walking distance; and
- d) the design and site layout of the *place of worship* will:
- provide for a building form and scale that is compatible with, or enhances, the character of surrounding uses including adjacent heritage features;
  - provide for appropriate on-site open spaces and landscaping that contribute to the enhancement of the *place of worship* facility and surrounding uses;
  - provide for appropriate buffering in the form of visual screening, planting and/or fencing between the *place of worship* use and adjacent residential uses, where required;
  - manage and mitigate the potential impact of noise, light, traffic and parking on the surrounding community;
  - provide sufficient on-site parking;

- provide a plan for off-site parking for special events held at the *place of worship*, where required; and
- any other requirements as approved by Council.

### 8.13.8 Secondary Suite

**It is the policy of Council:**

- 8.13.8.1 **That** in considering an application to amend the zoning by-law to permit the establishment of a *secondary suite* where provided for in this Plan, Council shall be satisfied that an appropriate set of development standards are provided for in the zoning by-law including:
- a) the building type in which the *secondary suite* is contained;
  - b) the percentage of the floor area of the building type devoted to the *secondary suite*;
  - c) the number of dwelling units permitted on the same lot;
  - d) the size of the *secondary suite*;
  - e) the applicable parking standards; and
  - f) the external appearance of the main dwelling.

### 8.13.9 Shared Housing

**It is the policy of Council:**

- 8.13.9.1 **To apply** the following specific use policies where *shared housing* is provided for in this Plan:
- a) *shared housing* shall be categorized by the scale of the building type and the level of support services as follows: *shared housing small scale*; *shared housing large scale*; *shared housing long term care* and *shared housing supervised*; and
  - b) in considering an application to amend the zoning by-law to permit the establishment of *shared housing*, Council shall be satisfied that the following requirements, where applicable, will be fulfilled:
    - i. that *shared housing small scale* shall be accommodated within a permitted building type in accordance with all applicable codes, by-laws and regulations; and
    - ii. that the location of *shared housing large scale* and *shared housing long term care* and *shared housing supervised* shall be restricted to permitted building types on an arterial or collector road and built in accordance with all applicable codes, by-laws and regulations.
    - iii. that *shared housing* in the form of a rooming house shall be restricted to detached and semi detached building types that have frontage on, and sole vehicular access from, an arterial road, located within the “Urban Boundary” and are built in accordance with all applicable codes, by-laws and regulations.

### 8.13.10 Cemeteries

#### It is the policy of Council:

- 8.13.10.1 **That** in considering an application for *development approval* for the establishment of a new cemetery, or expansion of an existing cemetery, and accessory uses, Council shall be satisfied that the following requirements, where applicable, have been fulfilled:
- a) the proposed area and capacity of the cemetery and the accessory uses is appropriate for the location and compatible with surrounding uses;
  - b) an environmental evaluation has been completed by a qualified professional, including hydrological and hydrogeological studies, indicating that the cemetery use will not have adverse impacts on the quality and quantity of ground and surface water on or nearby the site or any Wellhead Protection Area, or soil and sub-soil conditions;
  - c) a transportation assessment has been completed, addressing among other things:
    - i. that direct access to the site is from an arterial road or Provincial highway;
    - ii. the impact of traffic generated by the cemetery on other uses in the surrounding area; and
    - iii. adequate off-street parking and internal traffic circulation;
  - d) a master site plan has been prepared demonstrating that the use of existing site characteristics such as topography and vegetation, as well as additional landscaping, to complement the proposed and adjacent uses and establish appropriate buffers from adjacent land uses, including a landscaped buffer adjacent to any arterial road or Provincial highway within which no graves or burial structures shall be located;
  - e) all graves located in a cemetery shall be adequately set back from any wells, watercourses or streams on the subject or adjacent lands, such setback requirements to be determined in consultation with other authorized agencies;
  - f) all graves shall have sufficient separation of unsaturated soil between the bottom of the excavation and the water table, and in no event shall the separation be less than any existing standards that may be adopted by the Medical Officer of Health and other authorized agencies;
  - g) a stormwater management report, where required by Markham, has been completed by a qualified professional to the satisfaction of Markham and the Toronto and Region Conservation Authority, and for the information of other authorized agencies prior to site plan control approval for any development;
  - h) all abandoned wells on a cemetery property shall be capped in accordance with the regulations of the Medical Officer of Health and other authorized agencies; and
  - i) all requirements of the relevant Provincial Ministry shall be satisfied.