

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: January 15, 2018

CASE NO(S): PL140743

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

Appellant (jointly): Angus Glen Holdings Inc., Angus Glen North West Inc. & North Markham Landowners Group
Appellant (jointly): Beechgrove Estates Inc., Minotar Holdings Inc., Cor-Lots Developments, Cherokee Holdings & Halvan 5.5 Investments Ltd.
Appellant (jointly): Brentwood Estates Inc., Colebay Investments Inc., Highcove Investments Inc., Firewood Holdings Inc., Major McCowan Developments Ltd. & Summerlane Realty Corp.
Appellant: And others (See Attachment "1")
Subject: Proposed New Official Plan – Part 1 (December 2013) - for the City of Markham
Municipality: City of Markham
OMB Case No.: PL140743
OMB File No.: PL140743
OMB Case Name: Angus Glen Holdings Inc. v. Markham (City)

Heard: November 24, 2017 at Markham, Ontario

APPEARANCES:

Parties

Counsel*/Representative

See Attachment 2

**MEMORANDUM OF ORAL DECISION DELIVERED BY GERALD S. SWINKIN ON
NOVEMBER 24, 2017 AND ORDER OF THE BOARD**

- [1] This was the seventh Pre-hearing Conference (“PHC”) with respect to the appeals against the City of Markham New Official Plan – Part 1 (“the New OP”).
- [2] Counsel for the City of Markham (“the City”) had prepared an agenda for the PHC, which had been circulated to all other counsel and representatives in advance of the session. The PHC followed the agenda.
- [3] As at the prior, sixth, PHC, the City had served and filed a Notice of Motion seeking partial approval of various portions of the New OP based upon modifications agreed upon by various Appellants and endorsed by City Council. The motion also dealt with appeals which have now been scoped to be site specific rather than City-wide.
- [4] As a result of some late discussions with the Ministry of Municipal Affairs concerning modifications which they were requesting, which were acceptable to the City, and which were circulated to the Parties, and no objection having been registered to the proposed modifications, the City also served and filed a Supplementary Notice of Motion and Supplementary Affidavit of Murray Boyce detailing these late modifications.
- [5] The Supplementary Notice of Motion was only served two days prior to the PHC. The Supplementary Notice of Motion included a request for an order of the Ontario Municipal Board (“the Board”) abridging the time for service of this Notice. After canvassing counsel and representatives present at the session and no objection being taken, the Board granted the request and abridged the period of notice to two days.
- [6] Chris Barnett, counsel for the City, provided a summary review of the matters which were identified in the City’s motion and supplementary motion and in the two Affidavits deposed by Murray Boyce, Senior Planner for the City.
- [7] Addressed here in a very summary fashion, Mr. Barnett took the Board through the characters of modification.

[8] This included a site specific application by Times Group Corporation which related to an amendment to the 1987 City Official Plan for a portion of its property which has now been resolved and which resolution has been Council endorsed. Council has endorsed that this be implemented in the 2014 City OP and it has been brought before the Board as a modification for which approval is sought. The balance of the Times Group lands not affected by this modification, for which there is an outstanding appeal, will remain in the Group J appeal process.

[9] A number of modifications have been made which provide greater clarity and consistency in the interpretation of the Environmental System and Greenway land use policies. This includes provisions which will assist in determining the boundaries of the natural heritage network, the extent of natural heritage land to be conveyed as a condition of the development approval process and interface provisions between Greenway lands and adjacent land uses. Modifications have been introduced to achieve an enhancement of the policies relating to protection of natural heritage and hydrologic features. Further, modifications have been introduced to the definition of Vegetation Protection Zone.

[10] A new definition for urban forest has been introduced. Modifications have been made with respect to surface and groundwater resources policies with a view to protecting water quality. Clarification has been added regarding the role and function of environmental impact studies and the requirement for pre-consultation with respect to them in order to establish terms of reference for such studies.

[11] Clarifying modifications have been made to Maps 4, 5 and 6 with respect to the components of the Greenway System and Natural Heritage Network. A specific modification has been effected with respect to the lands of Pino Norte on the south side of Elgin Mills Road, east of Warden Avenue. After consideration of a Woodland Evaluation Report prepared for the owner, it has been determined that a certain hedgerow of non-native tree species may be removed as they do not meet the definition

of significant woodland or woodland as defined in the New OP. As such, the boundary of the Greenway System has been modified to exclude these lands.

[12] Mr. Barnett also spoke to the further scoping of issues amongst various appellants. This was also dealt with in the Boyce Affidavit. In connection with this matter, a letter dated November 23, 2017 from Susan Rosenthal to Chris Barnett was tendered as an exhibit regarding the Dorsay appeal, which letter specifies those policies under appeal that were being scoped to the Dorsay lands and those which were being maintained on a City-wide basis.

[13] In addition to this documented confirmation, Catherine Lyons, on behalf of her clients, rose to indicate a reservation of position concerning the scoping of their appeal relating to s.6.2.2.1 of the New OP. One of the current modifications introduces the newly defined term “natural heritage and hydrologic features” into this section and she was concerned with the implications of that change on how the policies in Section 3 would be administered. This was to be further discussed between Ms. Lyons and Mr. Barnett, with the anticipated scoping either occurring or not. It is now reflected in Schedule B to the Order of Partial Approval attached hereto.

[14] All of the proposed modifications were set out in a draft Order intended to be used by the Board to approve the authorized modifications and to reflect the scoping of the appeals. Due to the late modifications, and in order to ensure that there was clarity in the final version of the draft Order, Mr. Barnett undertook to circulate to counsel and representatives the final version of the draft following the PHC on the understanding that he would report back to the Board through the case coordinator on the clearance of, or lack of objection to, the draft. That confirmation has now been received by the Board. Consequently, the Board allows the Motion (inclusive of the Supplementary Notice of Motion) of the City. The Board’s Order is attached hereto as Attachment 3.

[15] As in the previous PHCs, counsel for the City delineated the status and next steps regarding the various Groups of appeals. That update was set forth in the agenda for the day's session and is simply transcribed herein as follows:

- A) Group A - Hamlet Issue to be subject of site specific hearing
- B) Group B - Mid Block Crossings/404 Ramp Extensions and Surrounding Land uses: EA concluding for Cathedral mid-block crossing. Land use issues to be dealt in a site specific hearing
- C) Group C - Many City Wide Issues resolved by Partial Approval Motion - confirm dates and Procedural Order for February, 2018, hearing of remaining issues
- D) Group D - Resolved - Minutes of Settlement authorized and pending execution
- E) Group E - Issues that were scheduled for hearing resolved by Partial Approval Motion
- F) Group F - City Wide Issues resolved - remaining Issues moved to Group J - Site Specific
- G) Group G - City Wide Issues resolved - remaining Issues moved to Group J - Site Specific
- H) Group H - Countryside - no steps proposed - await outcome of Regional MCR
- I) Group I - Parkland Dedication: await outcome of Richmond Hill court decision - awaiting outcome from Court of Appeal
- J) Group J - Area and Site Specific. No hearings currently proposed for scheduling. Future hearings and scheduling to be addressed at future pre-hearings

[16] With regard to the ongoing management of the outstanding appeals, counsel for the City requested that a further PHC be scheduled in the spring of 2018 and he proposed a couple of dates that resulted from a circulation amongst the parties as to availability. The Board was able to accommodate on one of those dates and therefore the next PHC is scheduled for **Friday, May 4, 2018 at 10 a.m.** to be held at:

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

[17] As on the prior occasions, the Board requests counsel for the City to prepare and circulate to counsel and representatives of record in this matter, in advance of the PHC set for May 4, 2018, an agenda for that session and provide the case coordinator at the Board with a copy.

[18] No further notice is required with respect to the next PHC.

[19] This Member is not seized.

“Gerald S. Swinkin”

GERALD S. SWINKIN
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario
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**Environment and Land Tribunals
Ontario**

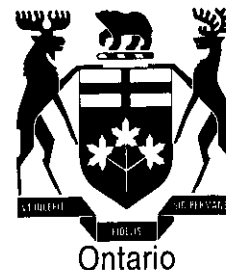
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ATTACHMENT 1

PL140743

LIST OF APPELLANTS

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

Appellant: Arbor Memorial Inc.
Appellant: Romandale Farms Ltd.
Appellant: Maylar Construction Ltd.
Appellant: 775377 Ontario Ltd. (Belmont)
Appellant: Dorsay (Residential) Developments Inc.
Appellant: King David Inc.
Appellant: Cathedral Town Ltd.

Appearances November 24, 2017 prehearing			
	Appellants	Counsel/Representatives	Present
	North Markham Landowners Group, Angus Glen Northwest Inc., and Angus Glen Holdings	Patricia Foran*, Andrea Skinner*	Andrea Skinner
	Berczy Glen Landowners Group Inc.	Jennifer Meader*	Michael Connell for J. Meader
	First Elgin Mills Developments Ltd.	Ira Kagan* Chris Tyrrell	
	Romandale Farms Ltd.	Michael Melling*, Meaghan McDermid*	Meaghan McDermid
	Minotar Holdings Inc., Cor-lots Developments, Cherokee Holdings, Halvan 5.5 Investments Ltd., and Beechgrove Estates Inc.	Catherine Lyons*	Catherine Lyons
	Colebay Investments Inc., Highcove Investments Inc., Firwood Holdings Inc., Major McCowan Developments Limited, Summerlane Realty Corp., and Brentwood Estates Inc.	Stephen D'Agostino*, Denita Koev*	Stephen D'Agostino
	Enbridge Gas Distribution Inc.	Eileen Costello*, Sidonia Loiacono*	Andrea Skinner for E. Costello and S. Loiacono
	Honda Canada Inc.	Mary Flynn-Guglietti*, Annik Forristal*, Kailey Sutton	Kailey Sutton
	Markham Woodmills Development Inc.	Sharmini Mahadevan*	
	Cathedral Town Ltd.	Michael Melling*, Meaghan McDermid*	Meaghan McDermid
	Times Group Corporation	Ira Kagan*	Alexandra DeGasperis
	Box Grove Hill Developments Inc.	Ira Kagan*	Alexandra DeGasperis

	Neamsby Investments Inc., Rosina Mauro and Fulton Homes Ltd.	Ira Kagan*	Alexandra DeGasperis
	Linvest Properties (Cornell) Ltd.	Patricia Foran*	
	CF/OT Buttonville Properties LP and Armadale Co. Ltd.	Patrick Devine*, Adrian Frank*	Adrian Frank
	IBM Canada Ltd.	Leo Longo*	Andrea Skinner
	Dorsay (Residential) Developments Inc.	Susan Rosenthal*	Susan Rosenthal
	Pacific Mall Development Ltd. and York Region Condominium Corporation No. 890	Mary Flynn-Guglietti*, Annik Fornstal* Kailey Sutton	Kailey Sutton
	King David Inc.	Michael Melling*, Meaghan McDermid*	Meaghan McDermid
	Atlas Shouldice Healthcare Ltd.	Mark Flowers*, Meaghan McDermid*	Meaghan McDermid
	Maylar Construction Ltd.	Susan Rosenthal*	Susan Rosenthal
	E. Manson Investments Ltd.	Patricia Foran*	Andrea Skinner
	Arbor Memorial Inc.	Thomas Barlow*	
	Parties	Counsel/Representatives	
	City of Markham	Chris Barnett* Bruce Ketcheson*. Effie Lidakis*	Chris Barnett Effie Lidakis
	The Region of York	Barbara Montgomery*	Barbara Montgomery
	Toronto and Region Conservation Authority	Doris Cheng Quentin Hanchard*	
	Ontario Infrastructure and Lands Corporation	John Dawson*	
	Ministry of Municipal Affairs and Housing	Ken Hare*, Claire Young	Claire Young
	York Region District School Board	Gilbert Luk	

	Remington Steeles 9 Inc., Barry Glen Little and Robert Brownlee Little	Alexandra DeGasperis	Alexandra DeGasperis
	Holborn	Mary Flynn-Guglietti*, Annik Forristal, Kailey Sutton	Kailey Sutton
	Innvest Projects Ltd.	Marc Kemerer*	
	Angus Glen Golf Club and Angus Glen Developments Ltd.	Raivo Uukkivi* Christie Gibson*	Raivo Uukkivi
	4716 Elgin Mills Markham Ltd., Kennedy MM Markham Ltd., Markham MMM North Development Corp. and Markham MMM South Development Corp.	Jason Park*	Adrian Frank
	Participants	Counsel/Representatives	Present
	Wemat One Ltd. And Jolis Investment (Ontario) Ltd.	Michael Melling* and Kate Fairbrother* - Davies Howe Partners	Meaghan McDermid
	Catholic Cemeteries - Archdiocese of Toronto	Mike Everard	Mike Everard
	President, Dickson Hill Hamlet and Neighbourhood Community Association	Dave McKennitt	Dave McKennitt
	Dave Jones	Dave Jones	
	Other	Counsel/Representatives	Present
	Sam Orrico	Sam Orrico	Sam Orrico
	David MacDonald		
	Mary Brawley	Mary Brawley	
	Scarborough Truck Centre, Krasic Investments Ltd., Capitanata Investments Ltd., Arquato Investments Ltd.		

ATTACHMENT 3

PL140743

Ontario Municipal Board Commission des affaires municipales de l'Ontario

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

Appellant: The Norfinch Group Inc.
Appellant: Scardred 7 Company Ltd.
Appellant: Raymond Tang
Appellant: Corrado Gazze Holding Ltd.
Appellant: Markham Woodmills Development Inc.
Appellant: Tribute (Unionville) Ltd.
Appellant: North Markham Landowners Group, Angus Glen North West Inc., & Angus Glen Holdings Inc.
Appellant: Box Grove Hill Developments Inc.
Appellant: Times Group Corporation
Appellant: Minotar Holdings Inc., Cor-Lots Developments, Cherokee Holdings, Halvan 5.5 Investments Ltd., & Beechgrove Estates Inc.
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 Subject: Proposed New Official Plan - Part 1 (December 2013) - for the City of Markham
 Municipality: City of Markham
 OMB Case No.: PL140743
 OMB File No.: PL140743

ORDER

B E F O R E:

Gerald S. Swinkin)
) Friday, the 24th day of November,
) 2017

THESE MATTERS having come on for a public hearing,

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

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

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

THE BOARD ORDERS that in accordance with section 17(50) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, those policies, maps, and appendices within the Plan, listed in Schedule “B” to this Order, as adopted by the City on December 10, 2013, and as modified and approved by the Regional Municipality of York (the “Region”) on June 12, 2014, further modifications having been endorsed by City Council on June 23, 2015, April 19, 2016, June 28, 2016, April 11, 2017, June 27, 2017 and November 1, 2017 and further modified by this Board as set out in Schedule “A”, are approved, except to the extent that those policies and land use schedules remain under appeal on a City-wide or site-specific or area-specific basis, as set out on Schedules “B” and “C”.

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

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

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

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

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

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

This Order updates and therefore supersedes the Board's Order in this matter dated May 25, 2017.

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

SECRETARY

**SCHEDULE “A”
COUNCIL ENDORSED/BOARD APPROVED MODIFICATIONS SUBJECT TO
SCHEDULE B**

FURTHER MODIFICATIONS TO 2014 OFFICIAL PLAN, PART I

Note: The numbering of the Proposed Modifications is consecutive to the 198 Markham Modifications previously endorsed by Council on April 21, 2017.
Strikethrough denotes deleted text.
Underlined text denotes added text, except where “Planning Act”, “Clean Water Act”, etc. and Chapters, Appendices and Map headings are shown.
(Green font for Proposed Markham Modifications)
(Blue font for Markham Modifications endorsed by Council on June 23/2015)
(Red font for York Region Modifications approved by Regional Council on June 12/14)

- 199. Modify Section 11.2 Definitions to introduce a new definition of Natural heritage and hydrologic features as follows:**

11.2 DEFINITIONS

Natural heritage and hydrologic features means *key natural heritage features, key hydrologic features, valleylands, and woodlands* and their functions.

*** NOTE: the definitions of the features listed within this definition are also subject to to modifications which are proposed later in this Appendix.**

- 200. Modify Section 3.0 Environmental Systems preamble text in Paragraphs 2 and 7 to italicize any reference to natural heritage and hydrologic features, to delete text where referenced elsewhere in the Chapter, and to reword the reference to flora and fauna habitat as follows:**

3.0 ENVIRONMENTAL SYSTEMS

Paragraph 2:

By defining a system of linked *natural heritage and hydrologic features* ~~natural heritage and hydrologic features and associated lands to support their functions~~, the ~~natural heritage areas establish~~ limits and priorities for protection of Markham’s significant environmental features relative to the use of lands within and adjacent to them are established. This “environment first” approach to land use planning ensures that significant *natural heritage and hydrologic features* ~~and the lands needed to support the function of these features~~ are protected.

Paragraph 7:

The Greenway System ~~includes natural heritage areas, enhancement lands and protected agricultural lands, which will~~ enhance human health and well-being by providing for the protection of natural heritage and hydrologic features ~~natural heritage and hydrologic features as well as flora and fauna habitat, and~~ improvements to air and soil quality, ~~and the protection and restoration of flora and fauna habitat.~~ Furthermore, ~~the~~ Greenway System policies ~~further~~ support ecological linkages that connect and integrate the natural heritage landscape in Markham across five *watersheds*. The Oak Ridges Moraine and the Greenbelt are included as part of the Greenway System.

201. **Modify Section 2.3.2 a) and Section 3.1 Greenway System preamble text to reference the components of the Greenway System in Paragraph 1, clarify “certain” agricultural lands in Paragraph 2 and add a reference to “restoring” the natural heritage landscape in Paragraph 3 as follows:**

- 2.3.2 **That** the policies of this Plan be based on the structure shown on Map 1 – Markham Structure and further articulated on Map 2 – Centres and Corridors and Transit Network, which include the following components:
- a) Greenway System – comprising Natural Heritage Network lands, Natural Heritage Network Enhancement Lands, Rouge Watershed Protection Area lands, Oak Ridges Moraine Conservation Plan Area lands, Greenbelt Plan Area lands and certain naturalized stormwater management facilities ~~natural heritage features (e.g., valleylands, wetlands, woodlots and enhancement areas) to be protected from urban development, including all of the lands within the Oak Ridges Moraine and the Provincial Greenbelt, as well as natural heritage features and hydrologic features outside these Plan areas;~~

3.1 GREENWAY SYSTEM

The Greenway System encompasses approximately 33 percent of the land base in Markham comprising Natural Heritage Network lands, Natural Heritage Network Enhancement Lands, Rouge Watershed Protection Area lands, Oak Ridges Moraine Conservation Plan Area lands, Greenbelt Plan Area lands and certain naturalized stormwater management facilities ~~natural heritage and hydrologic features and their functions, vegetation protection zones, protected agricultural lands and enhancement lands~~. Markham’s Greenway System lands are not available for urban development.

The purpose of the Greenway System policies is to maintain and enhance, as a permanent landscape, an interconnected system of natural open space, certain agricultural lands and enhancement areas and linkages that will preserve areas of significant *ecological value* and certain protected agricultural lands while providing, where appropriate, opportunities to improve *biodiversity* and connectivity of natural features and *ecological function*.

Markham’s Greenway System also forms part of the Region’s Greenlands System connecting and assisting with the implementation of the Greenlands System and supporting

other agency natural heritage programs by providing a finer level of detail for protected features. Markham's Greenway System is one of the City's its most valuable assets to be maintained and enhanced over the long term. Markham is committed to protecting, restoring rehabilitating and actively managing the natural heritage landscape.

202. Modify Sections 3.1.1.1 and 3.1.1.2 to reverse the policy sequence and introduce the term natural heritage and hydrologic features (as defined) in Section 3.1.1.2 a) and b) and delete the reference to lands coming into public ownership in g) as follows:

3.1.1.12 **That** the components of the Greenway System include the following:

- a) Natural Heritage Network lands;
- b) Natural Heritage Network Enhancement Lands;
- c) Rouge Watershed Protection Area lands;
- d) Oak Ridges Moraine Conservation Plan Area lands;
- e) Greenbelt Plan Area lands; and
- f) certain naturalized stormwater management facilities.

To the extent possible, given the limitation of available data, these components are generally identified on Map 4 – Greenway System, Map 5 – Natural Heritage Features and Landforms, Map 6 – Hydrologic Features and Map 7 – Provincial ~~and Federal~~ Policy Areas. (YR Mod. 142)

3.1.1.21 **To identify, protect and enhance** Markham's Greenway System as shown on Map 1 – Markham Structure by:

- ~~a)~~ b) protecting a network of natural heritage and hydrologic features (as defined as key natural heritage features, key hydrologic features, valleylands and woodlands, and their functions) ~~natural heritage and hydrologic features and associated~~ vegetation protection zones, certain protected agricultural lands and Natural Heritage Network Enhancement Lands, to improve the *biodiversity* and connectivity of natural heritage features and their *ecological function*;
- ~~a~~ b) directing permitted development, *redevelopment* and *site alteration* away from natural heritage and hydrologic features ~~natural heritage and hydrologic features~~ within the Greenway System;
- c) protecting the *ecological integrity* of the Oak Ridges Moraine;
- d) providing protection for agricultural lands and *ecological features* and functions in the Greenbelt;
- e) providing public access to publicly owned natural areas for nature-based recreation uses, where appropriate, in a manner that respects ecological sensitivities in support of a healthy and active community;
- f) encouraging public acquisition of the Natural Heritage Network lands where possible over the long term; ~~and~~
- g) encouraging stewardship of privately owned natural areas ~~by private landowners until the lands come into public ownership.~~ (YR Mod. 5)

203. Modify Section 3.1.1.3 to include reference to the boundaries of the Greenway System and the delineation of natural heritage and hydrologic features and to clarify: confirmation of the boundaries will be undertaken in the field; refinements to the

boundaries may be considered as part of an application pursuant to the Planning Act without amendment to the Plan; and modifications to the boundaries may be considered through an amendment to the Plan as follows:

3.1.1.3 **That** the boundaries of the Greenway System and Natural Heritage Network, including the delineation of natural heritage and hydrologic features as shown on Map 4 – Greenway System, ~~the woodlands as shown on~~ Map 5 – Natural Heritage Features and Landforms, and ~~valleylands and permanent and intermittent streams and wetlands shown on~~ Map 6 – Hydrologic Features reflect the most accurate information available and are to be confirmed and may be refined or modified as follows:

- a) confirmation of the boundaries will be undertaken in the field, in consultation with appropriate agencies, and any corresponding changes to the mapping shall be undertaken without an amendment to this Plan;
- ~~a~~b) refinements to the boundaries and location of features may be considered as part of an application pursuant to the Planning Act, by Council without an amendment to this Plan, where supported by a subwatershed study plan, master environmental servicing plan, environmental impact study, ~~natural heritage evaluation and/or hydrological evaluation~~ or equivalent study; and
- ~~b~~c) major modifications to the boundaries, other than refinements, including the delineation of the boundaries of the Natural Heritage Network Enhancement Lands in accordance with Section 3.1.3.2, may be considered of the Greenway System components, as determined by the City, shall only occur through an amendment to this Plan, where supported by a subwatershed study, master environmental servicing plan, environmental impact study or equivalent study. -An amendment to this Plan shall not be required to add lands to the Greenway System where confirmed through an appropriate study; and (YR Mod. 6)

The outer boundaries of the Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area can only be refined or modified by the Province through amendments to the relevant Provincial Plan or as identified in applicable legislation. Any modifications to these boundaries approved by the Province shall be addressed in accordance with provincial requirements ~~not require an amendment to this Plan.~~

~~Where the removal of natural heritage and hydrologic features is supported through one or more of the studies referred to above, appropriate compensation shall be provided by the landowner at their cost.~~

204. (Modification not part of partial approval motion)

205. Modify Sections 3.1.1.5 and 3.1.1.10 to introduce the defined term natural heritage and hydrologic features as follows:

3.1.1.5 **To coordinate** with Parks Canada, the Province, York Region and the Toronto and Region Conservation Authority efforts to ensure a consistent approach towards the protection of a system of natural heritage and hydrologic features ~~natural heritage and hydrologic features and their functions.~~

3.1.1.10 **To require** minimum vegetation protection zones, as identified in Section 3.1.2.223, where development, redevelopment or site alteration is approved on lands adjacent to natural

~~heritage and hydrologic features~~ natural heritage and hydrologic features.

206. Modify Section 3.1.1.11 to ensure that to the extent possible connectivity is maintained or enhanced as follows:

3.1.1.11 To ensure ~~to the extent possible that~~ connectivity is maintained or ~~where possible~~ enhanced between *key natural heritage* and/or *key hydrologic features* to ~~accommodate~~ ~~ensure~~ the movement of native plants and animals across the landscape where development, *redevelopment* and *site alteration* is proposed in the Greenway System.

207. Modify Section 3.1.1.13 to encourage the incorporation of “other” natural heritage features into the planning and design of proposed development as follows:

3.1.1.13 To encourage the incorporation of ~~the other~~ natural heritage features referred to in Section 3.1.1.12 into the planning and design of proposed development, wherever possible, and where identified for protection in an environmental impact study.

208. Modify Section 3.1.2 Natural Heritage Network preamble text to: add the word as “generally” before “shown on Map 4”; delete text where referenced elsewhere in the Chapter; and clarify that where lands are held in private ownership, their identification does not infer a commitment to purchase such area or imply that they are accessible to the public as follows:

3.1.2 Natural Heritage Network

The Natural Heritage Network as generally shown on Map 4 – Greenway System is a core element of the Greenway System and includes ~~natural heritage and hydrologic features, and associated vegetation protection zones. These features and their functions are the best~~ remaining examples of Markham’s natural ecosystem ~~and~~ which are essential for preserving ~~Markham’s biodiversity~~ and providing representation of the natural environment in which Markham was established.

~~Natural heritage and hydrologic~~ The features that comprise the Natural Heritage Network are generally intended to be conveyed into public ownership through the development approval process and other land securement means where appropriate, with the approval of development. Markham has also committed funds and developed a land securement strategy for the purpose of identifying and securing important components natural heritage and hydrologic features within the Natural Heritage Network and the Natural Heritage Network Enhancement Lands.

Where lands in the Natural Heritage Network are held in private ownership, their identification does not infer a commitment on the part of the City to purchase such areas, or imply that they are accessible to the general public.

209. Modify Section 3.1.2.1 to add a reference to the defined term natural heritage and hydrologic features and delete the redundant reference to “certain naturalized stormwater management facilities” as follows:

- 3.1.2.1 **That** the Natural Heritage Network, ~~as shown on Map 4 – Greenway System,~~ includes the following components:
- a) ~~*natural heritage and hydrologic features*~~ *natural heritage and hydrologic features and their functions:*
 - ~~i. *key natural heritage features and key hydrologic features;*~~
 - ~~ii. *valleylands; and*~~
 - ~~iii. *woodlands and wetlands;*~~
 - b) *vegetation protection zones* associated with the features identified in 3.1.2.1a); and
 - c) *hazardous lands and hazardous sites;* and
 - ~~d) *certain naturalized stormwater management facilities in accordance with Section 3.3.3.9.*~~

210. Modify Section 3.1.2.2 to reference the defined term natural heritage and hydrologic features and replace “the approval of Council” with “required approvals” as follows:

- 3.1.2.2 **That** where ~~*natural heritage and hydrologic features*~~ *natural heritage and hydrologic features and functions* have been willfully damaged, destroyed or removed without required approvals ~~the approval of Council~~, appropriate compensation in the form of rehabilitation and enhancement to the impacted area shall be provided by the landowner at their cost. There shall be no adjustment to the Natural Heritage Network boundary or redesignation of lands where *natural heritage and hydrologic features* are willfully damaged, ~~or~~ destroyed or removed without required approvals. (YR Mod. 7)

211. Modify Section 3.1.2.4 to clarify that conveyance of lands within the Natural Heritage Network, where appropriate through the development approval process, will be at minimal or no cost to the receiving public authority and that Natural Heritage Network Enhancement Lands may be considered as contributing towards the parkland dedication requirements under the Planning Act as follows:

- 3.1.2.4 **To require seek** conveyance of lands within the Natural Heritage Network to a public authority, where appropriate, as part of the *development approval* process at minimal or no cost to the receiving public authority ~~Markham~~. Conveyance of lands within the Natural Heritage Network shall not be considered as contributing towards the parkland dedication requirements under the Planning Act, except where provided as Natural Heritage Network Enhancement Lands. (YR Mod. 8)

212. Modify Sections 3.1.2.5, 3.1.2.6 and 3.1.2.7 to reorder the sequence of the policies and to replace the word “shall” with “may” in Section 3.1.2.6 as follows:

- 3.1.2.57 **That** in addition to conveyance of ~~lands within~~ Natural Heritage Network lands through

development approvals in Section 3.1.2.4, Markham may also consider the following options for ~~acquiring~~ securing land into public ownership:

- a) public acquisition;
- b) land exchanges;
- c) donations, gifts, bequests; and
- d) other appropriate methods.

3.1.2.65 **That** where lands in the Natural Heritage Network cannot be secured in public ownership, in order to achieve the objectives of this Plan, the following stewardship and regulatory tools ~~shall~~ may be used to secure the appropriate protection and/or public access for the lands:

- a) municipal land use controls;
- b) education;
- c) stewardship and other agreements; and
- d) conservation easements.

3.1.2.76 **To work** in partnership with the Region, other senior levels of government, community partners and landowners, to secure in public ownership strategic land parcels within the Natural Heritage Network for the purpose of environmental protection.

213. Delete Section 3.1.2.9 and modify Section 6.1.1.5 of the Urban Design policies to add a new subsection referencing appropriate interface conditions between lands within the ‘Greenway’ designation and adjacent land uses as follows:

~~3.1.2.9 **To prepare** Natural Heritage Network Edge Management Guidelines to address appropriate mechanisms for protecting and managing the interface between lands within the Natural Heritage Network and other land uses.~~

6.1.1.5 **To develop** comprehensive urban design guidelines including, but not limited to, streetscape design guidelines, built form, height and massing guidelines, and parks and open space guidelines, and design guidelines for specific uses and types of development, to guide new development and redevelopment to achieve, among other things:

r) appropriate interface conditions between lands within the ‘Greenway’ designation and adjacent land uses.

214. Modify Section 3.1.2.10 to renumber and reword the policy to minimize and mitigate the impact of infrastructure on the Natural Heritage Network as follows:

~~3.1.2.910 **To minimize** the impact of required infrastructure in the Natural Heritage Network, where need is demonstrated and no reasonable alternative is available, as identified through an appropriate study and in consultation with the City and appropriate~~

agencies, the impact of the infrastructure shall be minimized and mitigated by:

- a) ~~avoiding key natural heritage and hydrologic features, where possible and key hydrologic features and the associated vegetation protection zone where feasible in accordance with the recommendations of an appropriate study;~~
- b) avoiding provincially significant wetlands except where addressed through an environmental assessment process;

- ~~cb) minimizing the length of crossings through amount of the Natural Heritage Network traversed and/or occupied by such infrastructure;~~
- ~~de) only considering the location of stormwater management facilities in accordance with Section 3.3.3.9 locating planned linear infrastructure parallel to valleylands outside of the minimum vegetation protection zone identified in Section 3.1.2.23;~~
- ~~ed) locating nature-based recreation infrastructure, as described in Section 3.1.1.9, to avoid natural heritage and hydrologic features, where possible minimizing the impacts and disturbance of the existing landscape including, but not limited to, impacts caused by light intrusions, noise and road salt through planning, design and construction practices;~~
- ~~fe) optimizing existing and planned capacity and through coordination and co-location of with different infrastructure among services providers;~~
- ~~gf) working with senior governments and agencies to address providing appropriate mitigation measures to address minimize the impacts on natural heritage and hydrologic features public infrastructure improvements and human activity on wildlife habitats; and~~
- ~~hg) ensuring compliance with the applicable policies of the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan and consistency with the Provincial Policy Statement by demonstrating how the policies are being met through environmental approvals.~~

- 215. Modify Section 11.2 Definitions to introduce a new definition of Habitat of endangered and threatened species; update the definitions of Endangered species, Threatened species, Key hydrologic feature, and Key natural heritage feature; and delete the definition of Significant habitat for endangered, threatened, special concern and provincially rare species as follows:**

11.2 DEFINITIONS

Habitat of endangered and threatened species means:

- a) with respect to a species listed on the Species at Risk in Ontario List as endangered or threatened species for which a regulation made under Clause 55(1)(a) of the Endangered Species Act, 2007, is in force, the area prescribed by the regulation as the habitat of the species; or
- b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ministry of Natural Resources and Forestry; and

places in the areas described in a) or b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

Endangered species means a species that is listed or categorized as an “Endangered Species” on the Ontario Ministry of Natural Resources and Forestry Official Species At Risk in Ontario List, as updated and amended from time to time.

Threatened species means a species that is listed or categorized as a “Threatened Species” on the Ontario Ministry of Natural Resources and Forestry ~~Official~~ Species At Risk in Ontario List, as updated and amended from time to time.

Key hydrologic feature ~~is described in Section 3.1.2 of this Plan and~~ includes evaluated wetlands, lakes and their littoral zones, permanent streams and intermittent streams, kettle lakes, and seepage areas and springs, ~~and the Lake Simcoe Shoreline.~~

Key natural heritage feature ~~is described in Section 3.1.2 of the Plan and includes~~ the ~~habitat of~~ habitat of endangered species, and threatened species and habitat of special concern species, fish habitat, evaluated wetlands, Life Science Areas of Natural and Scientific Interest, significant valleylands, significant woodlands, significant wildlife habitat, provincially rare species, and sand barrens, savannahs and tallgrass prairies.

~~Significant habitat for endangered, threatened, special concern or provincially rare species means the habitat, as determined by Ministry of Natural Resources regulations or protocols, that is necessary for the maintenance, survival and/or the recovery of naturally occurring or reintroduced populations of the species, and where those areas of occurrence are occupied by the species during all or any part(s) of its life cycle.~~

- 216. Modify Key Natural Heritage Features, Key Hydrologic Features and Species at Risk preamble text and related policies to address: the introduction of a new definition of Habitat of endangered and threatened species; the protection and enhancement of Key natural heritage features and Key hydrologic features by securing Vegetation protection zones; the evaluation of features not identified on mapping using provincial procedures or an environmental study to determine if they qualify for protection; and working with other governments to identify and protect Habitat of endangered and threatened species and habitat of special concern species as follows:**

Key Natural Heritage Features, Key Hydrologic Features and Species at Risk

Key natural heritage features and key hydrologic features are the principal features of the Natural Heritage Network that are identified by the Province for protection.

Key natural heritage features and key hydrologic features support a wide variety of habitat for flora and fauna both plant and animal species and in some cases ~~particular, habitat for~~ habitat of endangered species, and threatened species and habitat of special concern species. ~~Endangered species and threatened species may be subject to~~ are addressed in Provincial regulations governing habitat and species protection.

It is the intent of this Plan that *key natural heritage features and key hydrologic features* shall be assessed, ~~expanded~~ enhanced and planned for in a comprehensive and integrated manner, which builds upon and supports the Natural Heritage Network. (YR Mod. 9)

It is the policy of Council:

- 3.1.2.101** ~~That~~ the components of *key natural heritage features and key hydrologic features* include the following:
- a) *wetlands;*
 - b) *habitat of endangered and threatened species*

~~b~~c) significant portions of the habitat of:

- ~~i.~~ ~~endangered species and threatened species;~~
 - ii. special concern species in the Oak Ridges Moraine Conservation Plan Area and Greenbelt Plan Area; and
 - iii. ~~P~~rovincially rare species in the Oak Ridges Moraine Conservation Plan Area;
- c) fish habitat;
 - d) Life Science Areas of Natural and Scientific Interest;
 - e) significant valleylands;
 - f) significant woodlands;
 - g) significant wildlife habitat;
 - h) sand barrens, savannahs and tallgrass prairies;
 - i) permanent streams and intermittent streams; and
 - j) seepage areas and springs.

3.1.2.112 **To protect** and enhance key natural heritage features and key hydrologic features and their functions by:

a) prohibiting development, redevelopment and site alteration within key natural heritage features and key hydrologic features ~~and their vegetation protection zones~~ as determined through an environmental impact study, natural heritage evaluation and/or hydrological evaluation, or equivalent study ~~identified in Section 3.1.2.23~~ except ~~for uses as otherwise~~ provided for in the policies of this Plan;

~~b~~) securing vegetation protection zones in accordance with Section 3.1.2.22;

~~b~~c) evaluating features not identified on Map 5 – Natural Heritage Features and Landforms and Map 6 – Hydrologic Features using procedures developed or applied by the Province, or where it is determined appropriate by the City in consultation with relevant agencies, an environmental study, to determine if they qualify for protection as key natural heritage features and key hydrologic features; and

~~e~~d) working with other governments and agencies to identify and protect:

- i. habitat of ~~for endangered species, and threatened species,~~ and habitat of special concern species ~~and provide habitat protection through recovery strategies or management plans in accordance with provincial policy;~~ and
- ii. Life Science Areas of Natural and Scientific Interest and providing protection policies consistent with senior government requirements.

3.1.2.123 **That** key natural heritage features and key hydrologic features on Map 5 – Natural Heritage Features and Landforms and Map 6 – Hydrologic Features shall be precisely delineated on a site-by-site basis using procedures established by the Region, Toronto and Region Conservation Authority and the Province, where applicable, and through the approval of Planning Act applications where supported by the appropriate study. ~~Where approved by Council,~~ the refined boundaries of the features may be identified without an amendment to this Plan with the approval of Council.

217. Modify Section 11.2 Definitions to update the definitions of Significant valleylands and Valleylands as follows:

11.2 DEFINITIONS

Significant valleylands ~~means a natural area occurring in a valley or other landform depression that has water flowing through or standing for some period of the year.~~

~~Significant~~ includes valleylands include areas that which are ecologically important in terms of features, functions, representation or amount, and contribute to the quality and diversity of an identifiable geographic area or natural heritage system as determined using guidelines/procedures developed by the Province.

Valleylands means a natural area occurring in a valley or other landform depression that has water flowing through or standing for some period of the year. For the purposes of this Plan they include well or ill defined depressional features associated with a river or stream, whether or not they contain a watercourse in which a flow of water regularly or continuously occurs.

- 218. Modify Valleylands preamble text to clarify that the valleylands shown on Map 6 may include significant valleylands; and to reword the protection and enhancement policies for valleylands including significant valleylands, to clarify exceptions for infrastructure and to secure vegetation protection zones, and to work with the Toronto and Region Conservation Authority and landowners to confirm valleylands and their boundaries as follows:**

Valleylands and Stream Corridor Policies

~~Valleylands and stream corridors as shown on Map 6 – Hydrologic Features comprise significant valleylands, and permanent and intermittent streams that are defined by the Toronto and Region Conservation Authority and the Province. These lands support flood protection, erosion hazard control, and nature-based recreation uses, and provide for fish habitat and habitat for flora and fauna. They are an integral part of the Natural Heritage Network and frequently provide an ecological linkage function among natural heritage features.~~

Valleylands, as generally shown on Map 6 – Hydrologic Features, may include significant valleylands which are intended for protection in accordance with the Provincial Policy Statement.

It is the intent of this Plan to ensure the long-term protection of ~~valleylands and stream corridors~~ through the policies of this Plan and the regulations of contained within this Section and the management documents produced by the Toronto and Region Conservation Authority.

It is a policy of Council:

- 3.1.2.134 To protect and enhance valleylands including significant valleylands as defined by the Province and the Toronto and Region Conservation Authority by: ~~To only permit development, redevelopment and site alteration within valleylands and stream corridors and their associated vegetation protection zones, in accordance with Section 3.1.2.23 of this Plan on:~~**

- a) prohibiting development, redevelopment and site alteration except:
- i. on lands identified as Special Policy Areas on Map 8 – Special Policy Areas and in accordance with Toronto and Region Conservation Authority regulations and provincial requirements; ~~and or~~

- ~~b) ii. on existing developed properties regulated under the Conservation Authorities Act with the approval of the Toronto and Region Conservation Authority; or~~
 - iii. where infrastructure is provided in accordance with Section 3.1.2.9; and
 - b) securing *vegetation protection zones* in accordance with Section 3.1.2.22.
- 3.1.2.14 To work with the Toronto and Region Conservation Authority and landowners to confirm *valleylands* and their boundaries in accordance with this Plan.
- 3.1.2.15 **To work** in cooperation with the Toronto and Region Conservation Authority to protect and improve *fish habitat* having regard for the recommendations in approved fisheries management plans. Development, *redevelopment* and *site alteration* is not permitted where it impacts *fish habitat* except in accordance with provincial and federal requirements.
- ~~3.1.2.16 That *vegetation protection zones* for significant *valleylands*, *permanent* and *intermittent streams* and *fish habitat* be provided in accordance with Section 3.1.2.23.~~

219. (Modification not part of partial approval motion).

220. Modify Section 11.2 Definitions to delete the definition of Cultural or regenerating woodland which no longer is applied in the Plan as follows:

11.2 DEFINITIONS

~~**Cultural or regenerating woodland** means *woodlands* where the ecological functions of the site are substantially compromised as a result of prior land use activity and would be difficult to restore and/or manage as a native *woodland* in an urban setting. An environmental impact study is required to assess the ecological functions with consideration of the following:~~

- ~~i. a) the *woodland* is regenerating, typically with a dominant proportion of woody species being invasive and non-native (e.g., Norway Maple, Manitoba Maple, Siberian Elm, Scots Pine, European Buckthorn, White Mulberry, Tree of heaven, Apple, White Poplar etc.);~~
- ~~ii. b) the area was not treed approximately 20 – 25 years ago as determined through air photo interpretation or other suitable technique;~~
- ~~iii. c) soils may be degraded, for example, soil may be compacted, the top soil removed, or there may be substantial erosion for over use and/or the *woodland* may be regenerating on fill; and~~
- ~~iv. d) there is limited ability to maintain or restore self-sustaining ecological functions typical of native *woodlands*.~~

~~v.~~

221. Modify Section 11.2 Definitions to update the definitions of Provincially significant wetlands as follows:

11.2 DEFINITIONS

Provincially significant wetlands means an area identified as provincially significant by the ~~Ontario~~ Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.

222. **Modify Wetlands preamble text and related policies to remove reference to Woodlands to reword and replace the protection and enhancement policies for wetlands including provincially significant wetlands, to clarify exceptions for infrastructure and criteria for wetland removal, to secure vegetation protection zones, and to work with the Ministry of Natural Resources and Forestry, the Toronto and Region Conservation Authority and landowners to confirm wetlands and their boundaries as follows:**

~~Woodlands and~~ Wetlands

~~Woodlands provide ecological, social, economic, and environmental benefits including enhancing biodiversity, providing wildlife habitat, moderating temperatures, erosion control, pollution filtration, opportunities for passive recreation and respite from the urban environment. Woodlands are generally associated with valleylands or fragmented tableland parcels throughout Markham. It is a priority of Markham to protect woodlands of all sizes and integrate them into existing and new communities, as well as protect and actively manage the urban forest.~~

~~The woodlands identified on Map 5 – Natural Heritage Features and Landforms are mapped using best available information based on existing data sources from the City, York Region and Toronto and Region Conservation Authority and are subject to additions and refinement in the field. It is the intent of this Plan to protect significant woodlands and encourage the protection and enhancement of all other woodlands to the extent possible.~~

Wetlands are areas that are seasonally or permanently covered by shallow water or where the water table is close to or at the ground surface and are generally classified as swamps, marshes, bogs or fens. Wetlands control and store surface water to assist in flood control and groundwater recharge and support water tolerant vegetation. Wetlands may include provincially significant wetlands.

The wetlands shown on Map 6 – Hydrologic Features are mapped using the best available information based on existing data sources from the City, Region, Ministry of Natural Resources and Forestry and Toronto and Region Conservation Authority and are subject to refinement through an environmental impact study or equivalent study. These wetlands include these wetlands evaluated using standard provincial procedures and these wetlands that have yet to be evaluated. Not all wetlands in the City are shown on Map 6 – Hydrologic Features.

It is the policy of Council:

- vi. 3.1.2.19 To protect and enhance wetlands including provincially significant wetlands by:
- vii. a) prohibiting development, redevelopment and site alteration except:

- viii. i. where infrastructure is provided in accordance with Section 3.1.2.9;
or
- ix. ii. in wetlands that are not provincially significant wetlands, or identified in the York Region Official Plan, in accordance with Section 3.1.2.20;
- x. b) securing vegetation protection zones in accordance with Section 3.1.2.22 b);
- xi. c) integrating wetlands into new communities as appropriate; and
- xii. d) seeking public ownership of wetlands through the development approval process.

~~3.1.2.20 To protect wetlands and their functions where:~~

- ~~a) shown on Map 6 – Hydrologic Features as Provincially Significant and Locally Significant;~~
 - ~~b) shown on Map 6 – Hydrologic Features as unevaluated, where their importance and function are determined appropriate for protection by an environmental impact study; and (Markham Mod. 2)~~
 - ~~c) not shown on Map 6 – Hydrologic Features, but identified and evaluated as appropriate for protection by an environmental impact study or hydrologic evaluation using standard provincial procedures.~~
- ~~—(YR Mod. 12)~~

~~3.1.2.201 To only permit That applications for development, redevelopment and site alteration within 120 metres of a wetlands shall be accompanied by an environmental impact study that determines ,but outside of the vegetation protection zone, where it has been demonstrated through an appropriate study that there will be no negative impacts to the feature or its functions. The study shall identify their importance, functions and means of protection and/or maintenance of function, as appropriate, to the satisfaction of the approval authority. In limited circumstances, the modification and/or relocation of wetlands may be considered where importance and functions are such that in-situ protection and/or maintenance is not necessary.~~

~~3.1.2.212 To work with the Ministry of Natural Resources and Forestry and/or Toronto and Region Conservation Authority and landowners to confirm wetlands and their boundaries using provincial criteria and procedures. Confirmation of wetlands and their boundaries shall not require an amendment to this Plan.~~

223. Modify Section 11.2 Definitions to update the definitions of Vegetation protection zone as follows:

11.2 DEFINITIONS

Vegetation protection zone means a buffers surrounding a natural heritage feature or hydrologic feature. These areas protect the feature and its functions from the impacts of land use changes and associated activities that will occur before, during and after construction, and where possible, restore or enhance the features and its functions.

224. Modify Vegetation Protection Zone preamble text and related policies to

introduce the defined term Natural heritage and hydrologic features, to clarify the width of the vegetation protection zone shall be based on the minimum standards provided in Table 3.1.2.22 and any additional lands required to protect the feature as identified in an environmental study, and to update the minimum vegetation protection zones and measurement shown in Table 3.1.2.22 for each of the features as follows:

Vegetation Protection Zone

A *vegetation protection zone* is a buffer area adjacent to a natural heritage or hydrologic feature ~~natural heritage feature or a hydrologic feature~~ that is intended to protect the feature and its *ecological function* from adjacent land use impacts in order to maximize the long-term viability of the feature.

Vegetation protection zones are established as lands are urbanized or land uses change. They policies of this Section are not intended to alter existing buffers and edge conditions in urban areas of Markham outside of large scale development or redevelopment applications, or prevent agricultural uses contiguous with farm operations on lands which could become a future vegetation protection zone within the 'Countryside' and 'Greenway' designations. *Vegetation protection zone* requirements vary depending on the feature and the relevant policy application (local, regional or provincial). Where development, *redevelopment* or *site alteration* is proposed on lands adjacent to a natural heritage or hydrologic feature ~~feature~~, the extent of a *vegetation protection zone* is determined by an environmental impact study, natural heritage evaluation and/or hydrological evaluation, or equivalent ~~study as identified in Table 3.1.2.23.~~ The width of the vegetation protection zone shall be based on the minimum standards provided in Table 3.1.2.22 and any additional lands required to protect the feature as identified in an environmental study, having regard for the significance and sensitivity of the feature, and the level of impact associated with proposed adjacent development.

As outlined in Section 3.1.4, tThe Rouge *watershed* tributaries are subject to the requirements of the Rouge North Implementation Manual, 2003 and the application of the ecological delineation criteria approved in 2009, and are incorporated into this Plan as the Rouge Watershed Protection Area Criteria in Section 3.1.4. The application of the Rouge Watershed Protection Criteria which incorporates *vegetation protection zones*.

It is the intent of this Plan that where development, *redevelopment* and *site alteration* is proposed adjacent to a natural heritage or hydrologic feature ~~natural heritage feature or hydrologic feature~~, a *vegetation protection zone* be provided and conveyed ~~secured~~ in public ownership as part of the Natural Heritage Network.

It is the policy of Council:

- 3.1.2.223 **To identify** and protect *vegetation protection zones* adjacent to natural heritage and hydrologic features ~~natural heritage and hydrologic features~~ by:
- a) requiring an environmental impact study, natural heritage evaluation and/or hydrological evaluation, or equivalent to ~~confirm~~ determine the *vegetation protection zone* where development, *redevelopment* or *site alteration* is proposed within the ~~minimum~~ adjacent lands outlined in Table 3.1.2.223. The width of the vegetation protection zone shall be based on the minimum standards provided in Table 3.1.2.223

- and any additional lands required to protect the feature as identified in the environmental study; and
- b) securing *vegetation protection zones* through:
- i. conveyance into public ownership through the *development approval process* where appropriate, and other land securement means where appropriate; and
 - ii. appropriate zoning controls.

MINIMUM VEGETATION PROTECTION ZONES			
On the Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area the standards specified by the Provincial Plans will apply. Standards provided in this Table are minimums and their adequacy must be <u>assessed</u> through site-specific studies.			
Feature	Adjacent Lands **	Minimum Vegetation Protection Zone **	Measurement***
<i>Significant valleylands</i>	120 metres	<u>10 metres except where the upper limit of other natural heritage and/or hydrologic features and/or their vegetation protection zones are located between the toe of the slope and top of bank. In these instances, additional lands will be required to protect the features, as determined through an environmental study, consistent with the guidance provided in the Natural Heritage Reference Manual, and with consideration for the effect of the valley slope on the function of the vegetation protection zone. In the Urban Areas as identified on Map 12 – Urban Area and Built-Up Area, a reduced vegetation protection zone may be considered in accordance with Section 3.1.2.25</u>	<u>Whichever is the greater of long-term stable top of bank, limit of the floodplain defined by the TRCA or edge of other natural heritage or hydrologic features.</u>
<i>Valleylands</i>	120 metres	<u>10 metres</u> <u>In the Urban Areas as identified on Map 12 – Urban Area and Built-Up Area, a reduced vegetation protection zone may be considered in accordance with Section 3.1.2.25</u>	<u>Whichever is the greater of long-term stable top of bank or limit of the floodplain defined by the TRCA</u>
<i>Significant woodlands</i>	120 metres	<u>10 metres</u>	<u>Outermost drip line of edge trees as determined by field staking with the City in consultation with the TRCA and relevant agencies</u>
<i>Woodlands</i>	60 metres	<u>10 metres</u> <u>In the Urban Areas as identified on Map 12 – Urban Area and Built-Up Area, a reduced vegetation protection zone may be considered in accordance with Section 3.1.2.25</u>	<u>Outermost drip line of edge trees as determined by field staking with the City in consultation with the TRCA and relevant agencies</u>
<i>Provincially significant wetlands</i>	120 metres	<u>30 metres</u>	<u>Wetland boundary as determined through field staking with relevant agencies</u>

<u>Wetlands</u>	<u>120 metres</u>	<u>15 metres</u> In the Urban Areas as identified on Map 12 – Urban Area and Built-Up Area, a <u>reduced vegetation protection zone</u> may be considered in accordance with Section 3.1.2.25	<u>Wetland boundary as determined through field staking with the TRCA in consultation with the City and relevant agencies</u>
<u>Significant wildlife habitat and <i>habitat of endangered and threatened species</i></u>	<u>Determined based on wildlife requirement</u>	Determined by an environmental impact study evaluation and/or applicable Provincial regulation and guideline	
<u>Fish habitat</u>	<u>120 metres</u>	<u>15, 20 or 30 metres as determined by an environmental impact study or equivalent study consistent with the standards recommended in the Natural Heritage Reference Manual</u>	<u>Edge of water feature</u>
Rouge River tributaries within the Rouge Watershed Protection Area	120 metres	Determined in accordance with Section 3.1.4.1	
<u>Oak Ridges Moraine Conservation Plan Area and Greenbelt Plan Area</u>			
<u>Wetlands on the Oak Ridges Moraine and the Greenbelt</u>	<u>120 metres</u>	<u>30 metres</u>	<u>Any part of the feature</u>
<u>Seepage areas and springs on the Oak Ridges Moraine and the Greenbelt</u>	<u>120 metres</u>	<u>30 metres</u>	<u>Any part of the feature</u>
<u>Significant woodlands on the Oak Ridges Moraine and Greenbelt</u>	<u>120 metres</u>	<u>30 metres</u>	<u>Outermost drip line of edge trees</u>
<u>Permanent streams and intermittent streams on the Oak Ridges Moraine and the Greenbelt</u>	<u>120 metres</u>	<u>30 metres</u>	<u>Oak Ridges Moraine Conservation Plan: Edge of meanderbelt</u> <u>Greenbelt Plan: Outside boundary of the key natural heritage feature or key hydrologic feature</u>
<u>Sand barrens, savannahs and tallgrass prairies on the Oak Ridges Moraine or Greenbelt</u>	<u>120 metres</u>	<u>30 metres</u>	<u>Any part of the feature</u>
<u>Provincially rare species on the Oak Ridges Moraine</u>	<u>120 metres</u>	<u>Determined by a Natural Heritage Evaluation or applicable Provincial regulation and guideline</u>	

Table 3.1.2.22

** The adjacent lands are those lands contiguous to a natural heritage feature or hydrologic feature as measured from the feature, regardless of property boundaries.

** Minor roundings of vegetation protection zones, located outside of the Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area, may be considered where there is no net loss in the required area of the minimum vegetation protection zone.

*** Measurement may also be determined in accordance with the Ministry of Natural Resources and Forestry Natural Heritage Reference Manual

Feature	Minimum Adjacent Lands**	Minimum Vegetation Protection Zone	Measurement*
<i>Provincially significant wetlands, locally significant wetlands and wetlands on the Oak Ridges Moraine and the Greenbelt</i>	120 metres	30 metres	Edge of the feature
<i>All other wetlands outside the Oak Ridges Moraine and the Greenbelt</i>	120 metres	15 metres	Edge of the feature
<i>Seepage areas and springs on the Oak Ridges Moraine and the Greenbelt</i>	120 metres	30 metres	Edge of the feature
<i>Significant valleylands</i>	120 metres	30 metres	Long term stable top of bank
<i>Permanent and intermittent streams outside of the Urban Area as identified on Map No. 12 – Urban Area and Built Up Area</i>	120 metres	30 metres on drainage areas of 30 hectares or greater, and within the Oak Ridges Moraine Conservation Plan Area and Greenbelt Plan Area 10 metres on drainage areas between 10 and 30 hectares Drainage areas less than 10 hectares determined by an environmental impact study	Limit of the floodplain or hazard lands as defined by the TRCA
<i>Permanent and intermittent streams inside the Urban Area as identified on Map No. 12 – Urban Area and Built Up Area</i>	60 metres	10 metres or in accordance with Section 3.1.2.26	Greater of stable top of bank or floodplain
<i>Fish habitat</i>	120 metres	30 metres	Edge of water feature
<i>Significant woodlands on the Oak Ridges Moraine and Greenbelt</i>	120 metres	30 metres	Drip line of edge trees or outermost

Feature	Minimum Adjacent Lands**	Minimum Vegetation Protection Zone	Measurement*
			trunks for Oak Ridges Moraine
Significant woodlands off the Oak Ridges Moraine and Greenbelt	120 metres	10 metres	Drip line of edge trees
Woodlands	60 metres	10 metres	Drip line of edge trees
Significant wildlife habitat and habitat of endangered species and threatened species and Provincially rare species on the Oak Ridges Moraine	120 metres	Determined by an environmental impact study evaluation and/or applicable Provincial regulation and guideline	Edge of the feature
Sand barrens, savannahs and tallgrass prairies on the Oak Ridges Moraine or Greenbelt	120 metres	30 metres	Edge of the feature
Rouge River tributaries within the Rouge Watershed Protection Area	120 metres	Determined in accordance with Section 3.1.4.1	Edge of the feature
Natural heritage and hydrologic features in the Urban Area as identified on Map No. 12 – Urban Area and Built-Up Area	NA	10 metres or in accordance with Section 3.1.2.26	Edge of the feature

Table 3.1.2.23

*— Measurement may also be determined in accordance with the Ministry of Natural Resources Natural Heritage Reference Manual

**— The minimum adjacent lands are those lands contiguous to a natural heritage feature or hydrologic feature as measured from the feature, exclusive of property boundaries.

3.1.2.234 **That** where development, *redevelopment* or *site alteration* outside the Urban Area, as shown on Map 12 – Urban Area and Built-Up Area, is proposed between *key natural heritage features* or *key hydrologic features* within the minimum adjacent lands, the minimum adjacent land requirements identified in Section 3.1.2.223 a) may be increased.

3.1.2.245 **To coordinate** with the York Region requirements for a natural heritage evaluation and/or hydrological evaluation, or an environmental impact study where lands within the Greenway System and the Region’s Greenlands System overlap.

225. Modify Section 3.1.3 Natural Heritage Network Enhancement Lands preamble to

introduce the defined term Wetland in the second paragraph and Section 3.1.3.3 to introduce the defined term Natural heritage and hydrologic features and replace the word “require” with seek” as follows:

3.1.3 Natural Heritage Network Enhancement Lands

‘Core Area Enhancements’ have been identified as areas that would greatly enhance the function of existing natural areas by improving their shape and marginally increasing their size to provide the minimum area required to support valued species in the long term. This is done in recognition of the increased stresses put on smaller natural features within urban areas. ‘Core Linkage Enhancements’ are intended to provide wildlife corridors and mitigate the reduction in connectivity among natural features that generally occurs when agricultural lands are urbanized. ‘Natural Heritage Restoration Areas’ are publicly owned lands that are targeted for natural heritage restoration activities such as reforestation and wetland wetland rehabilitation.

3.1.3.3 **To seek ~~require~~** the protection and enhancement of Natural Heritage Network Enhancement Lands through the *development approval* process for development, *redevelopment* and *site alteration*, particularly on lands designated as ‘Future Urban Area’ on Map 3 – Land Use, to maintain existing connectivity among natural heritage and hydrologic features ~~natural heritage and hydrologic features~~ and create large blocks of habitat. Natural heritage enhancements may also be secured through greening initiatives, partnership and infrastructure projects to achieve ecological gains.

226. Modify Section 3.1.4 Rouge Watershed Protection Area preamble to clarify the role of the Rouge North Management Plan and boundary delineation as follows:

3.1.4 Rouge Watershed Protection Area

The ‘Rouge Watershed Protection Area’ as shown on Map 4 – Greenway System comprises the Rouge watercourses, their associated *valleylands* and riparian zones, *key natural heritage features* and *key hydrologic features* and woodlands associated with the corridor and the associated *vegetation protection zones*. The ‘Rouge Watershed Protection Area’ reflects the criteria established to delineate the Rouge Park boundary in the Rouge North Management Plan forms part of the Natural Heritage Network and the Greenbelt.

The ‘Rouge Watershed Protection Area’ component of the Greenway System is of particular significance given the extensive public investment in establishing the Rouge Park and the efforts of all levels of government in preparing the Rouge North Management Plan.

Some of the Rouge Park lands shown in the in the Rouge North Management Plan are intended to form portions of the Rouge National Urban Park. The Rouge North Management Plan provides the framework for the Rouge Park referred to herein as delineation of the boundary of the ‘Rouge Watershed Protection Area’ and contains objectives to ensure the long-term protection of Rouge *watershed* tributaries that flow into the Rouge National Urban Park. The Rouge North Implementation Manual provides the boundary delineation methodology requirements for the interpretation and refinement of the ‘Rouge Watershed Protection Area’ boundary. The boundary of the ‘Rouge Watershed Protection Area’ shown on Map 4 – Greenway System is preliminary and will continue to be refined through the *development approvals* process.

227. Modify Section 3.1.5.3 to add the word “facilities” after “nature-based recreation”

as follows:

- 3.1.5.3 **To prohibit** development, *redevelopment* or *site alteration* within *key natural heritage features* and *key hydrologic features* and their *vegetation protection zones* in the Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area with the exception of conservation, resource management, nature-based recreation facilities and infrastructure.

228. **Modify Section 11.2 Definitions to update the definition of Urban forest as follows:**

11.2 DEFINITIONS

Urban forest means ~~woodlands, hedgerows, plantations and all~~ all wooded areas and individual trees, shrubs and understorey plants, as well as the soils that sustains them, that grow on private and public property within Markham.

229. **Modify Sections 3.2 Urban Forest System preamble to acknowledge the definition of *urban forest* and Section 3.2.2 to add a reference to tracking and measuring the health benefits of the urban forest as follows:**

3.2 URBAN FOREST SYSTEM

The Urban Forest System comprises ~~all wooded areas and woodlands, hedgerows and small woodlots~~, individual ~~trees trees as well as the and shrubs, understorey~~ and soils that ~~sustains them grow~~ on public and private property in Markham. The *urban forest is a valuable asset which* provides various benefits to Markham including reduction in air pollution, moderation of urban heat island effect, energy savings, ~~mitigation~~ mitigation of climate change effects, habitat for urban adapted wildlife, stormwater management, recreation and opportunities for physical activity, *biodiversity*, ~~improvement~~ improvement in mental well-being and ~~contributions~~ contributions to the quality and character of the urban environment and ~~supporting~~ supporting to Markham's Greenway System.

The urban forest contains a number of different components which will be protected in accordance with the relevant policies of this Plan, including significant woodlands and woodlands.

It is the policy of Council:

- 3.2.2 **To develop** in cooperation with York Region an Urban Forest Management Plan to address local *tree canopy* targets, tree species diversity, invasive species management, soil conservation strategies to implement *tree canopy* targets and ~~provide for~~ the long-term maintenance of Markham's *urban forest* including tracking and measuring the health benefits of the urban forest.

230. **Modify the first paragraph of the Section 3.3.1 Watershed Planning preamble and Section 3.3.1.4 to introduce the defined term ~~n~~Natural heritage and hydrologic features as follows:**

3.3.1 Watershed Planning

Watershed plans provide management direction for the protection of natural heritage and hydrologic features ~~natural heritage and hydrologic features~~ at the *watershed* scale using an ecosystem approach. *Watershed plans* have been prepared for the five *watersheds* located in Markham including the Don, Rouge, Duffins, Petticoat and Highland *watersheds* identified on Map 6 – Hydrologic Features. These plans provide a community vision and policy framework to achieve a sustainable and healthy *watershed* through the protection of safe and sustainable local surface water and groundwater resources and an integrated water conservation approach.

- 3.3.1.4 **To require** the preparation of *subwatershed plans* prior to development in the ‘Future Urban Area’ lands north of Major Mackenzie Drive as shown on Map 3 – Land Use to guide land use options and identify mitigation and restoration strategies required to protect and enhance natural heritage and hydrologic features ~~natural heritage and hydrologic features and their ecological functions and hydrologic functions~~. (YR Mod. 17)

231. **Modify the third paragraph of the Section 3.3.2 Groundwater and Surface Water Resources preamble to replace “small streams” with “headwater drainage features” to be assessed and, where appropriate protected; and to reword Section 3.3.2.1 as follows:**

3.3.2 Groundwater and Surface Water Resources

Groundwater and surface water resources in Markham are important from an ecological perspective and sensitive features are protected through this Plan and the provincial Oak Ridges Moraine Conservation Plan and ~~the~~ Greenbelt Plan. *Watershed plans* prepared by the Toronto and Region Conservation Authority have also identified potential *significant local groundwater recharge areas* which contribute to maintaining aquifer levels and aquatic habitat and may be further defined through a *subwatershed plan*. At a local scale, sensitive features such as headwater drainage features will be assessed and, where appropriate, protected through the *development approval* process.

It is the policy of Council:

- 3.3.2.1 ~~**That To direct**~~ development, *redevelopment* and *site alteration* ~~away from sensitive groundwater features and sensitive surface water features~~ be designed with the goal of protecting ground and surface water quality and quantity through the identification of strategies and techniques to maintain and where appropriate restore the function of key hydrologic features demonstrated through master environmental servicing plans or other equivalent studies.
- 3.3.2.2 **To work** with the Toronto and Region Conservation Authority to manage the water budget as a result of development to maintain as much as possible the hydrological function and *ecological integrity* of *key hydrologic features* using best management practices suited to terrain and hydrogeological conditions.
- 3.3.2.7 **That** where development, *redevelopment* or *site alteration* is proposed on lands containing headwater drainage features as identified on Appendix B – Headwater Drainage Features, the features shall be evaluated and protected where required using the Toronto and Region Conservation Authority’s Evaluation, Classification and Management of Headwater

Drainage Features Guidelines. (YR Mods. 20 and 165)

232. **Modify Section 11.2 Definitions to delete the definitions of Sensitive groundwater features and Sensitive surface water features which are no longer applied in the Plan as follows:**

11.2 DEFINITIONS

~~**Sensitive groundwater features** means water related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations, that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants. In Markham, these features include seepage areas and springs located in the Oak Ridges Moraine Conservation Plan Area, springs defined in the Greenbelt Plan and *subwatersheds* within which impervious cover is restricted as defined in the Oak Ridges Moraine Conservation Plan.~~

~~**Sensitive surface water features** means water related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics, that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants. Within Markham, these features include *key hydrologic features* defined in the Greenbelt Plan, hydrologically sensitive features defined in the Oak Ridges Moraine Conservation Plan, *key hydrologic features* defined in the York Region Official Plan and that may lie outside of the Oak Ridges Moraine Conservation Plan Area and Greenbelt Plan Area and Class 1 features defined using Markham's Small Streams Classification System identified for protection using the Toronto and Region Conservation Authority's Evaluation, Classification and Management of Headwater Drainage Features Guidelines. (YR Mod. 113)~~

233. **Modify Section 3.3.3 Stormwater Management to protect groundwater quality and stream baseflow in Section 3.3.3.2 a) and to promote low-impact development measures as part of best management practices:**

3.3.3 Stormwater Management

- 3.3.3.2 **To apply** best management practices in stormwater management to:

a) ~~maintain~~ protect groundwater quality and flow and stream baseflow, and where applicable, in accordance with targets established in a *subwatershed plan* or master environmental servicing plan;

- 3.3.3.4 **That** all stormwater management reports submitted to Markham in support of applications for development, *redevelopment* or *site alteration*, identify best management practices that will meet or exceed the minimum design criteria specified for flood control, erosion control (as specified in a sediment and erosion control report), water quality treatment and

infiltration (water budget balance) identified in Markham's Stormwater Management Guidelines and Engineering Design Standards, other applicable agency requirements and any large-scale supporting studies. Minimum criteria specified in the guidelines may be superseded by additional requirements for drinking water protection, Oak Ridges Moraine and Greenbelt conservation, and/or protection of sensitive and endangered or threatened aquatic species.

3.3.3.6 **That** low-impact development measures be promoted as part of best management practices consistent with the requirements of Sections 3.3.2.2 and 3.3.3.2 of overall stormwater management strategies in order to address impacts at source and to maintain or restore components of the natural water balance.

3.3.3.10**1**~~That~~ all proposed development, *redevelopment* or *site alteration* shall have erosion and sediment control measures in place to the satisfaction of Markham.

3.3.3.11**2**~~That~~ construction practices and sediment control measures during construction shall be implemented, monitored and maintained to the satisfaction of Markham in consultation with the Toronto and Region Conservation Authority in accordance with best management practices. (YR Mod. 22)

3.3.3.12**3**~~To prepare~~ a Stormwater Management Retrofit Master Plan to identify and prioritize opportunities to:

- a) improve stormwater management in the urban area;
- b) improve existing water quality treatment and erosion control; and
- c) restore pre-development hydrologic functions.

3.3.3.13**4**~~To require~~ that stormwater management facilities be inspected and maintained on an on-going basis to ensure their proper function.

234. Subject to the approval of the Minister of Municipal Affairs and the Minister and the Ministry of Natural Resources and Forestry as per policy 3.1.4 of the Provincial Policy Statement, 2014, modify Paragraphs 1 and 4 of the Section 3.4.1 Natural Environmental Hazards preamble to add a reference to the defined term Hazardous sites and references to Section 3.4.1 and the Planning Act and Condominium Act processes as follows:

3.4.1 Natural Environmental Hazards

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

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

- the screening area for development, *redevelopment* or *site alteration* established through Ontario Regulation 166-06;
- *flood vulnerable areas* that are shown symbolically and are potentially susceptible to flood events where the flood risk must be assessed and addressed prior to development, *redevelopment* or *site alteration*; and
- the *floodplain* and erosion hazards where development, *redevelopment* or *site alteration* is regulated.

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

For the purposes of this Section 3.4.1, the definition of development shall mean the creation of a new lot, a change of in land uses, or the construction of buildings and structures requiring approval under the Planning Act, but does not include:

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

- 235. Subject to the approval of the Minister of Municipal Affairs and the Minister and the Ministry of Natural Resources and Forestry as per policy 3.1.4 of the Provincial Policy Statement, 2014, modify the Hazardous Lands and Hazardous Sites policies in Section 3.4.1.6 and 3.4.1.7 to provide for an exception for development of infrastructure and to not require conveyance in those circumstances where an existing use will continue after implementation of a development approval as follows:**

- 3.4.1.6 To only consider development, redevelopment and site alteration in certain areas associated with hazardous lands and hazardous sites where appropriate, provided:
- a) it is associated with required flood and/or erosion control works, minor additions and structures associated with passive recreational uses, or located within an approved Special Policy Area;
 - b) it has been demonstrated that safe access can be provided to the satisfaction of the Toronto and Region Conservation Authority; and
 - c) no habitable living space or overnight accommodation is located below the regulatory flood elevation; and (Markham Mod. 8)
 - d) infrastructure is provided in accordance with Section 3.1.2.9.

- 3.4.1.67 To require conveyance of hazardous lands and hazardous sites within the ‘Greenway’ designation at no cost to a public authority as part of a development approval, except in those circumstances where an existing use will continue after implementation of the development approval. (Markham Mod. 9)

- 236. Modify the Section 11.2 Definitions to include a reference to the defined term Natural heritage and hydrologic features in the definition of adjacent lands as follows:**

11.2 DEFINITIONS

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

237. **Modify the Section 3.5 Environmental Reporting preamble text and related policies to reference the defined terms Natural heritage and hydrologic features and Adjacent lands; to clarify the role and function of an environmental impact study, natural heritage evaluation and/or hydrological evaluation; to require pre-consultation for all environmental studies to determine the details, scope and terms of reference for the studies, and to require, where appropriate a peer review of any environmental study by a qualified professional as follows:**

3.5 ENVIRONMENTAL REPORTING

Markham requires the preparation of environmental reports such as master environmental servicing plans, environmental impact studies, natural heritage evaluation and/or hydrologic evaluations, in support of certain development, *redevelopment* and *site alteration*.

A master environmental servicing plan is a comprehensive study intended to address:

- the delineation and protection of natural heritage and hydrologic features, *key natural heritage features*, *key hydrologic features*, *hazardous lands* and *hazardous sites*;
- provincial requirements relative to water resources and *endangered species*, *threatened species*, and *special concern species*;
- municipal servicing in the context of urban development; and
- compliance with higher order *subwatershed* plans where prepared.

A scoped master environmental servicing plan for intensification areas may be provided where there are site specific requirements for a major *intensification area*.

An environmental impact study or natural heritage evaluation and/or hydrological evaluation is required to address and manage the impacts of development, *redevelopment*, *site alteration* or land use changes on ~~lands adjacent~~ adjacent lands to natural heritage and hydrologic features or *hazardous lands* or *hazardous sites*. This study or evaluation may be undertaken as a component of a master environmental servicing plan ~~key natural heritage features or key hydrologic features and their vegetation protection zones or other Natural Heritage Network features.~~

The role of an environmental impact study is to identify and evaluate potential impacts resulting from a proposed change of land use in or adjacent to a natural heritage or hydrologic feature. A primary function of the environmental impact study is to provide direction to a proponent to avoid impacts to natural heritage and hydrologic features.

Where avoidance cannot be achieved, the study should provide recommendations to minimize impacts. Recommendations for compensating residual, or net impacts that cannot be avoided or minimized should be provided where permitted by the policies of this Plan. Impact avoidance will take primacy over minimizing impacts or compensation. When evaluating features and determining appropriate protection measures, the study will be guided primarily by the policies of this Plan, as well as other applicable provincial and conservation authority policies, and will also utilize guidance provided in Markham's Submission Requirements for Development Applications.

The equivalent studies for applications environmental impact study is used for lands outside of the Oak Ridges Moraine Plan Area or the Greenbelt Plan Area identified on Map 7—Provincial and Federal Policy Areas. Within the Oak Ridges Moraine Plan Area or the Greenbelt Plan Area are called natural heritage evaluations and/or hydrological evaluations and their content will incorporate, but not be limited to, the reporting be required to address the requirements of the respective applicable Pprovincial Pplans. A natural heritage evaluation and/or hydrological evaluation may be incorporated into and undertaken in conjunction with an environmental impact study where determined appropriate through pre-consultation. (YR Mod. 142)

Other environmental studies may also be required by Markham to address soil contamination, tree preservation and other specific environmental issues.

The City places a high priority on pre-consultation with proponents to identify and scope the issues associated with a particular development application and to determine supporting information and material needed to evaluate the application as set out in Section 10.6.1. Markham's Submission Requirements for Development Applications will be prepared for specific study requirements referenced in the Official Plan and in Section 10.6.2.

The Submission Requirements will include guidelines and/or terms of reference for environmental impact studies and other environmental planning studies prepared in consultation with appropriate agencies and approved by Markham. Among other things, the guidelines and/or terms of reference will provide guidance on evaluating the function of a natural heritage or hydrologic feature and assessing its functional connection.

It is the policy of Council:

3.5.1 To require pre-consultation for all environmental studies in accordance with Section 10.6 to determine the details, scope and terms of reference for the studies, in consultation with appropriate agencies, to include:

- a) representatives from relevant City departments, as well as the Toronto and Region Conservation Authority and other agencies where appropriate;
- b) guidance on scoping the master environmental servicing plan or environmental impact study requirements, recognizing where existing studies or information may reduce required technical studies;
- c) guidance for evaluating the function of a natural heritage or hydrologic feature and assessing its functional connection; and

d) any phasing requirement for studies needed to address new information and ensure all technical issues and matters are appropriately addressed.

3.5.32 **To require**, where appropriate, in consultation with the Toronto and Region Conservation Authority, the preparation of a scoped master environmental servicing plan for intensification areas to address issues related to municipal servicing, stormwater management, protection of natural heritage and hydrologic features ~~natural heritage and hydrologic features~~ and sustainability requirements. (YR Mod. 29)

3.5.43 **To require** a natural heritage evaluation and/or hydrological evaluation or equivalent where development, *redevelopment* or *site alteration* is proposed on adjacent lands ~~adjacent~~ to a *key natural heritage feature* or a *key hydrologic feature* within the Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area to identify and confirm the protection of the feature and its associated *vegetation protection zone* in accordance with the requirements of the applicable ~~P~~rovincial ~~P~~lan.

3.5.54 **To require** an environmental impact study or equivalent where development, *redevelopment* or *site alteration* is proposed on adjacent lands ~~adjacent~~ to a natural heritage or hydrologic feature ~~natural heritage feature or hydrologic feature~~ outside of the Oak Ridges Moraine Conservation Plan Area and the Greenbelt Plan Area to identify and confirm the protection of the feature and its associated *vegetation protection zone*.

3.5.65 **To require** ~~prepare~~ recommendations regarding environmental management and enhancement, including where appropriate, a management plan for lands subject to ecological stress or in a degraded state, as part of an environmental impact study or natural heritage evaluation and/or hydrological evaluation or equivalent study to address the long term sustainability of ~~rehabilitation and enhancement of~~ Natural Heritage Network lands intended for public ownership.

3.5.7 **To require**, where appropriate, a peer review of any environmental study by a qualified professional. The selection of the peer reviewer will be at the discretion of the City and the cost will be borne by the development proponent.

238. Modify Urban Design and Sustainable Development Sections 6.1.2.4, 6.1.3.4 b), 6.1.6.4 a), 6.2.2 preamble second paragraph text, 6.2.2.1 c), 6.2.2.2 d) to reference the defined terms Natural heritage and hydrologic features as follows:

6.1.2.4 **To incorporate** natural heritage and hydrologic features ~~natural heritage features~~ and *cultural heritage resources*, landmark buildings and open spaces, streetscapes and view corridors, and public art that contribute to the overall sense of identity of Markham's neighbourhoods, heritage districts and business parks.

6.1.3.4 **To promote** a well-defined pattern of street and blocks for Markham's communities, particularly new mixed-use neighbourhoods and *intensifications areas*, in accordance with Section 7.1.3.3, that:

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

6.1.6.4 **To plan and design** new public parks and open spaces within the public realm to:

a) highlight integrate ~~natural and cultural~~ heritage features and facilities without impacting

Natural Heritage Network lands natural heritage and hydrologic features and their associated vegetation protection zones as part of the design of open spaces, while the design of new parks should complement natural heritage features;
(Markham Mods. 134 and 179)

6.2.2 Sustainable Communities

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

In particular, consideration will be given to opportunities to:

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

6.2.2.1 **To support** the sustainable development of Markham's communities through the integration of land use, transportation and infrastructure planning, and building and site design to:

- c) ensure that natural heritage and hydrologic features ~~natural heritage features~~ are protected and enhanced in accordance with the provisions of Chapter 3 of this Plan;

6.2.2.2 **To achieve** sustainable design and development or *redevelopment* of Markham's communities by addressing, where feasible:

- d) ~~natural heritage and hydrologic features~~ natural heritage and hydrologic features be protected and enhanced, including the improvement of the *urban forest*, to increase biodiversity and ecological function;

239. Modify Section 6.2.3.1 d) to reword reference to increase canopy coverage and encourage a diversity of tree species, and to introduce a new subsection e) to reduce the risk of bird window collisions through the use of adaptive or native vegetation and to renumber the subsequent subsections as follows:

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

- d) ~~conserve natural features such as~~ increase tree canopy coverage and encourage a diversity of tree species; ~~wetlands, native vegetation and provide habitat for both plant and animal species by:~~
- i. ~~rehabilitating natural areas to promote biodiversity; and~~
 - ii. ~~the use of adaptive or native vegetation for restoration and protection measures and where appropriate, to reduce the risk of bird window collisions;~~

e) reduce the risk of bird window collisions through the use of adaptive or native vegetation where appropriate;

240. Modify Section 7.1.1.7 to reference the replace “natural heritage areas or features” with “the Natural Heritage Network” of the Greenway System and ‘Greenway’ designation and to reference transportation infrastructure planning, design and implementation in accordance with Sections 3.1.2.9 and 8.6.1.2 as follows:

7.1.1.7 **To ensure** that required transportation infrastructure initiatives that impact lands within the Natural Heritage Network of the Greenway System and ‘Greenway’ designation ~~natural heritage areas or features~~ are planned, designed and implemented in accordance with Sections 3.1.2.9 and 8.6.1.2 ~~and to~~ address the applicable environmental protection policies of the Oak Ridges Moraine Conservation Plan, the Greenbelt Plan, and Markham’s Greenway System and other ~~natural heritage~~ policies of this Plan.

241. Modify Section 8.6 Greenway preamble text and related policies to reference the Natural Heritage Network, the defined terms Natural heritage and hydrologic features and Valleylands and insert “certain naturalized stormwater management facilities” after “Policy Areas” and the word “certain” before “protected agricultural lands” as follows:

8.6 GREENWAY

The ‘Greenway’ designation applies to Greenway System lands shown on Map 1 – Markham Structure that contain ~~natural heritage and hydrologic features and associated vegetation protection zones and lands~~ the Natural Heritage Network, ~~within~~ the ‘Oak Ridges Moraine Conservation Plan Area’ and Greenbelt Plan Areas’ shown on Map 7 – Provincial ~~and Federal~~ Policy Areas, ~~and certain naturalized stormwater management facilities~~. These lands are intended to protect ~~natural heritage and hydrologic features valleylands and stream corridors, sensitive groundwater features, landforms, woodlands, wetlands 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 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. (YR Mod. 142)

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 ~~natural heritage and hydrologic features and their functions, vegetation protection zones;~~ 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;

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; (Markham Mod. 36)

xiii. j) transportation, ~~or~~ servicing or utility infrastructure in accordance with Sections

xiv. 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;

8.6.1.3 **To provide** for the following uses, in addition to the uses permitted in ~~s~~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 ~~P~~provincial ~~P~~plan and the Regional Official Plan; (Markham Mod. 37)

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 ~~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 ~~the Natural Heritage Network and the Rouge Watershed Protection Area shown on Map 4 – Greenway System~~ natural heritage and hydrologic features ~~natural heritage and hydrologic features~~ and their vegetation protection zones shall be prohibited with the exception of conservation, resource management, nature-based recreational infrastructure and public infrastructure; (Markham Mod. 38)

242. Modify the Hamlets Sections 8.7.1.1 d) and 8.7.1.5 c) iii. to reference the defined term Natural heritage and hydrologic features as follows:

8.7.1.1 **On lands** designated 'Hamlets' to:

d) protect natural heritage and hydrologic features ~~natural heritage and hydrologic features~~.

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:

- 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:
 - 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~~;

243. Modify the Parkway Belt West Section 8.11.1.1 c) i. to reference the defined term Natural heritage and hydrologic features as follows:

- 8.11.1.1 **That on the lands** identified as ‘Parkway Belt West’ overlay that:
 - xv. 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:
 - xvi. i. natural heritage and hydrologic features ~~natural heritage and hydrologic features~~ that shall remain in the Greenway System; and

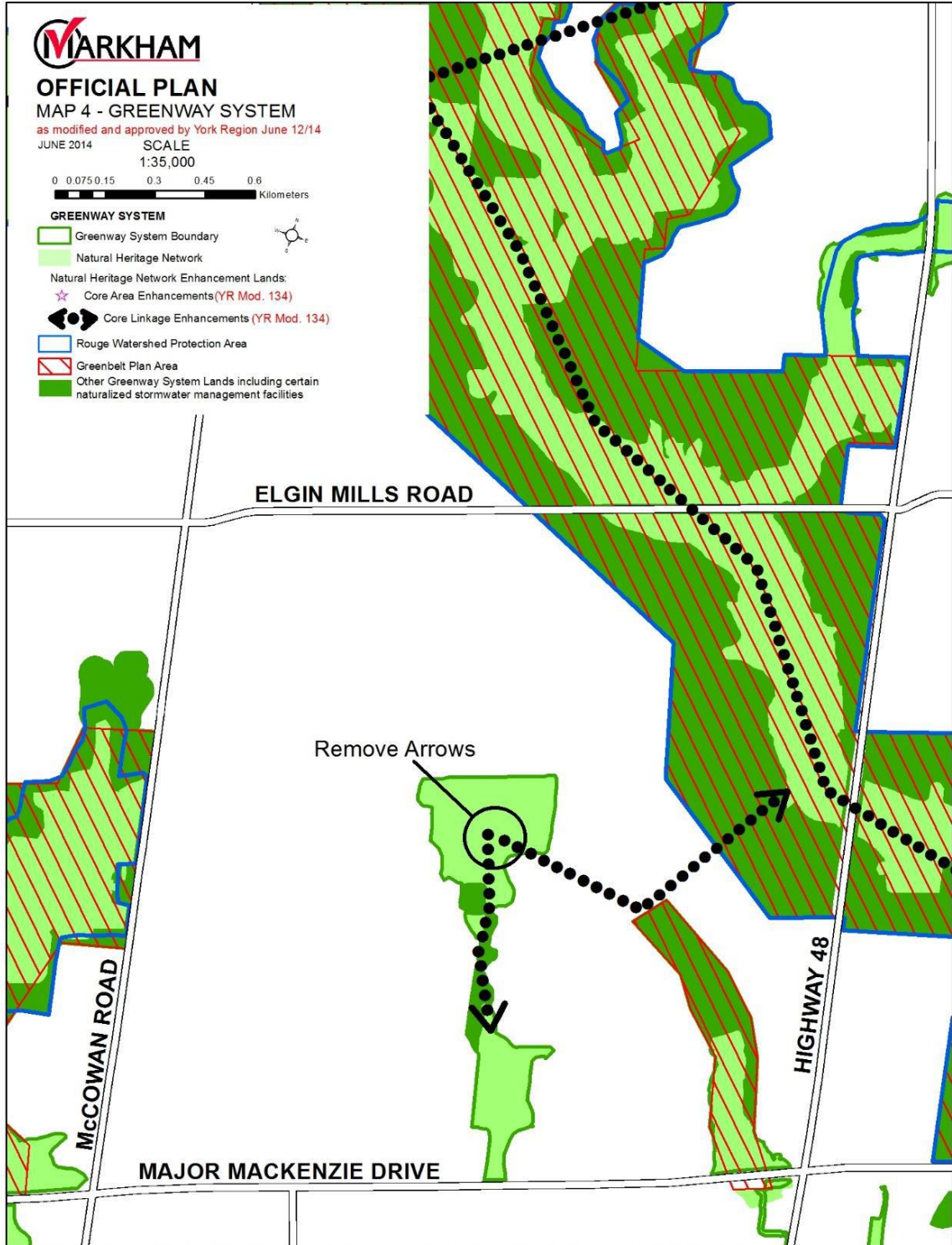
244. Modify the Future Urban Area Section 8.12.1.4 a) i. to reference the defined term Natural heritage and hydrologic features as follows:

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

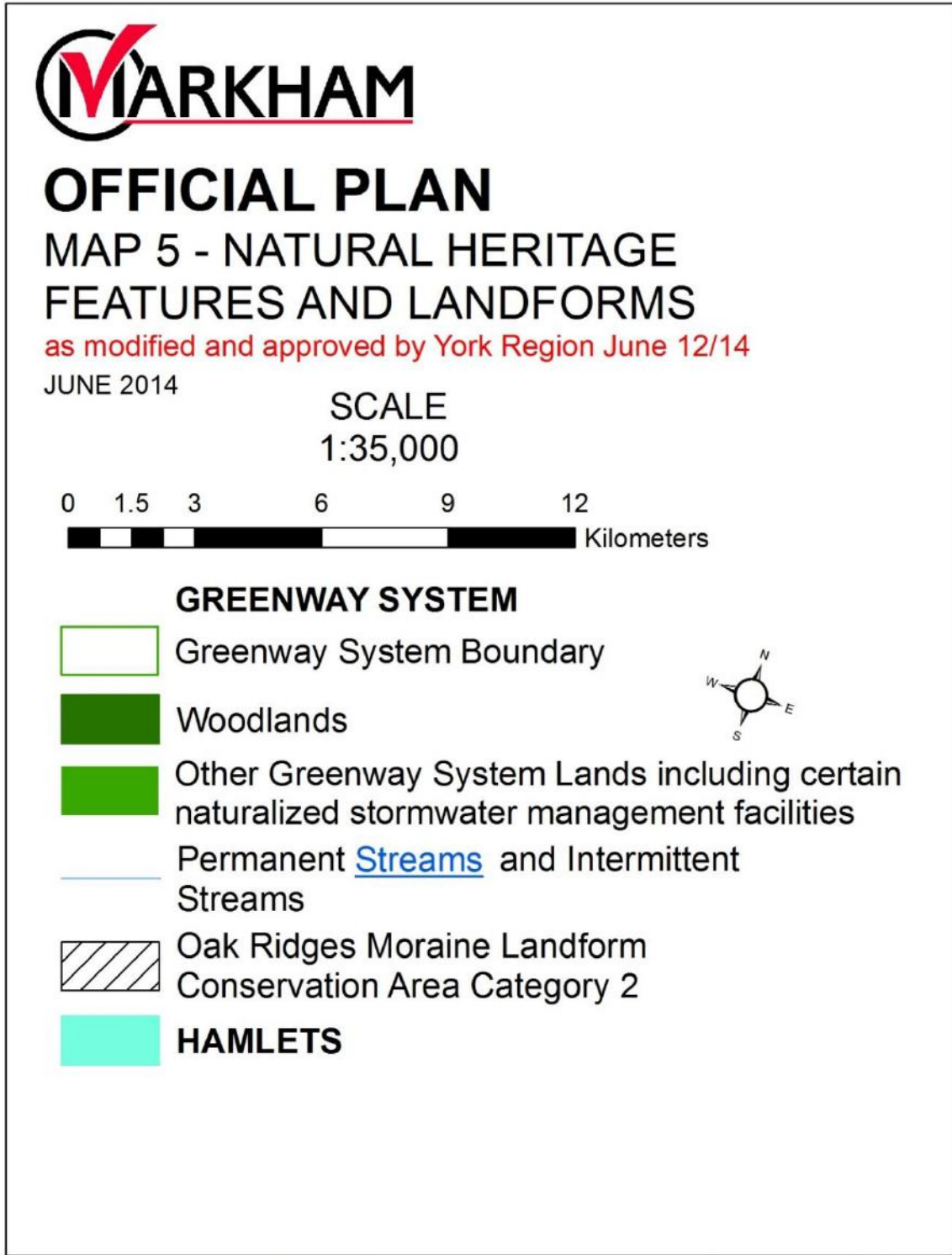
Subwatershed Plan

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

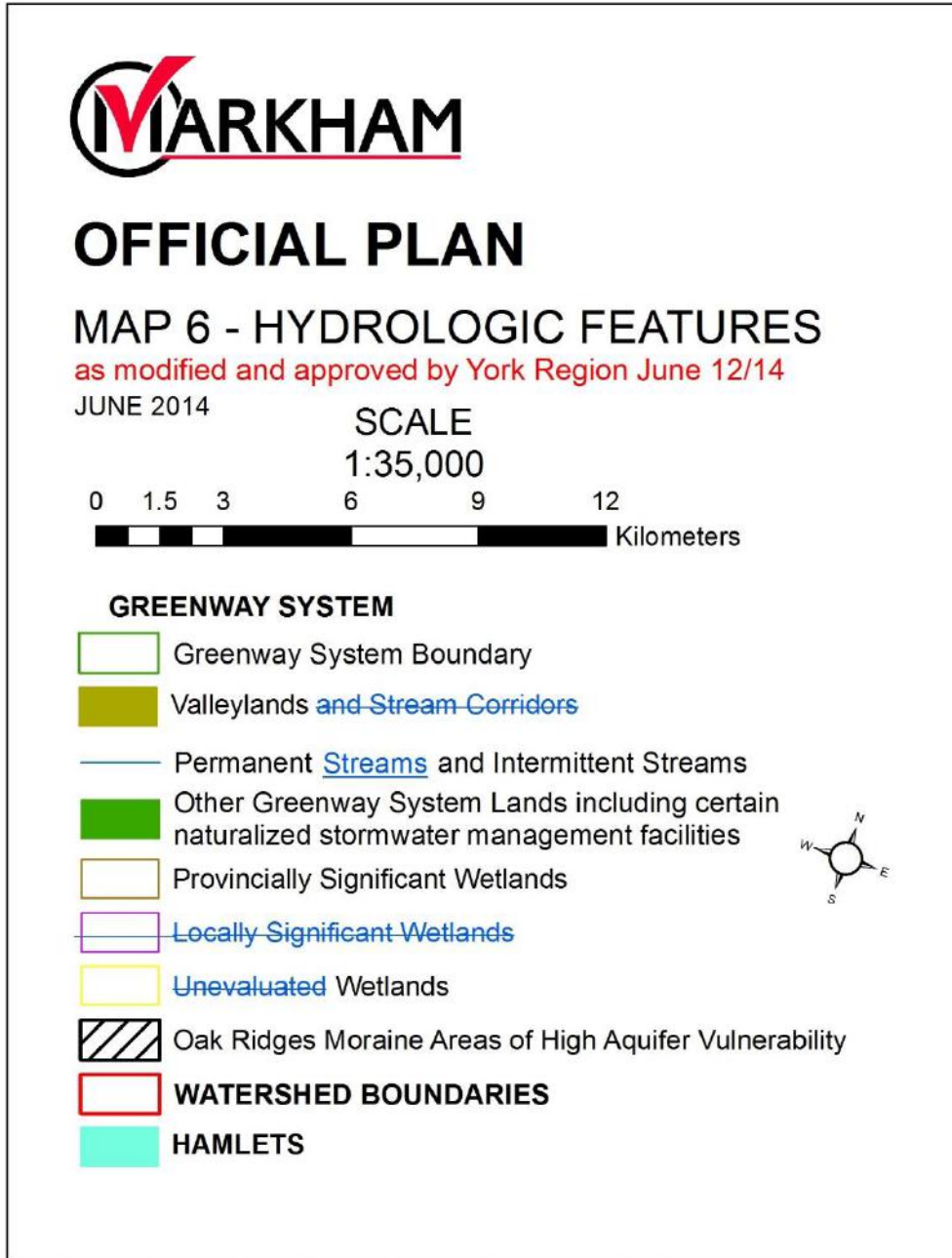
245. Modify Map 4 - Greenway System to remove the arrow symbols associated with the 'Core Linkage Enhancement' shown between the Greenway System lands located northwest of Highway 48 and Major Mackenzie Drive and replace them with dot symbols to reference a continuous 'Core Linkage Enhancement' as follows:



246. Modify Map 5 – Natural Heritage Features and Landforms to insert a reference to the defined term ‘Permanent Streams’ in the legend as follows:

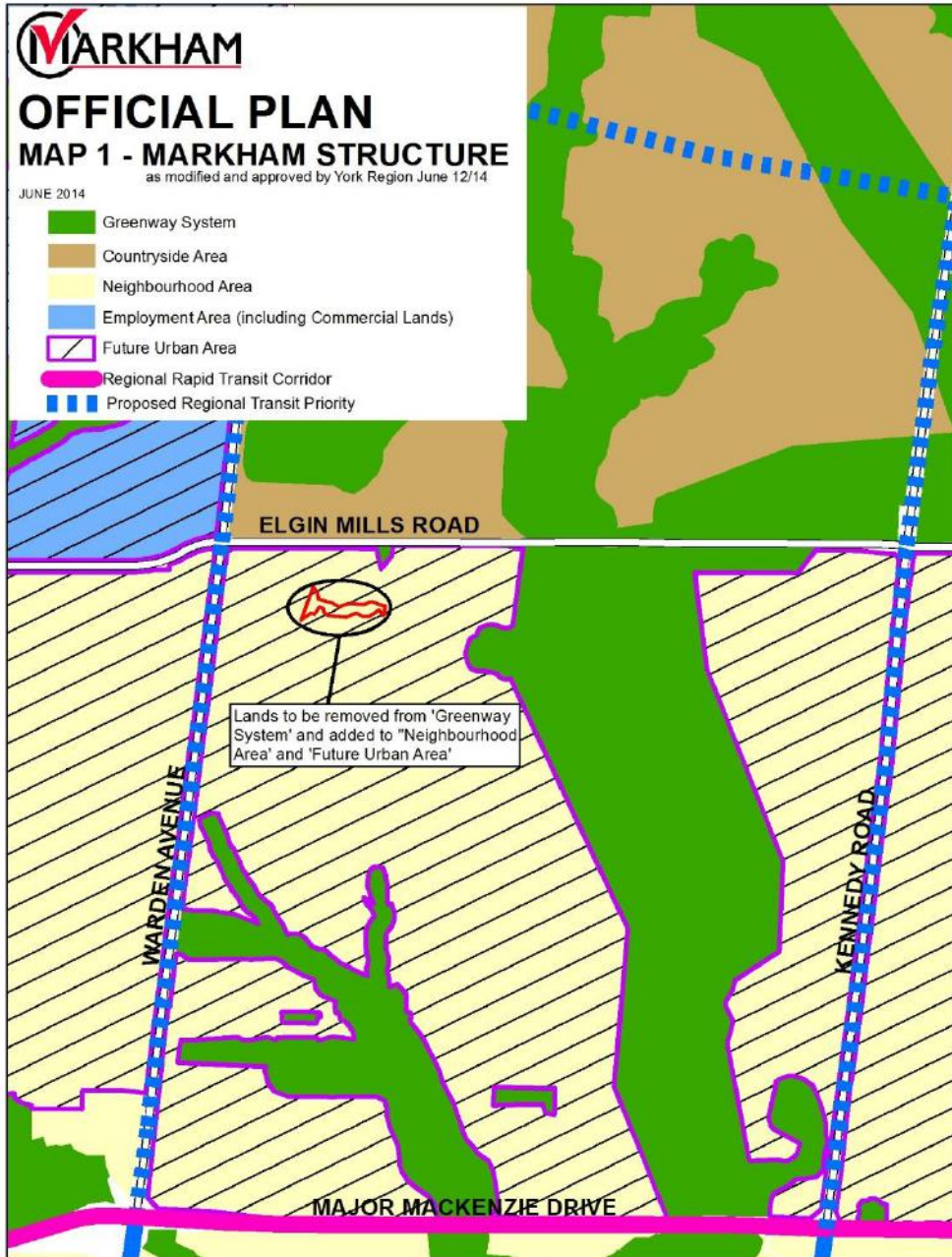


247. Modify Map 6 – Hydrologic Features to: delete the references to ‘Stream Corridors’, ‘Locally Significant Wetlands’ and ‘Unevaluated Wetlands’ and insert references to ‘Permanent Streams’ and ‘Wetlands’ in the legend; and show all former ‘Locally Significant Wetlands’ and ‘Unevaluated Wetlands’ as ‘Wetlands’ with a yellow boundary both within the legend and where outlined on the map as follows:



248. **Modify: the boundary of the Greenway System on Map 1 – Markham Structure, Map 4 – Greenway System, Map 5 – Natural Heritage Features and Landforms, Map 6 – Hydrologic Features, Appendix B – Headwater Drainage Features and Appendix C – Community Facilities; the boundary of the ‘Greenway’ designation on Map 3 – Land Use; and the boundary of the ‘Woodlands’ shown on Map 5 – Natural Heritage Features and Landforms as it applies to the lands located on the south side of Elgin Mills Road east of Warden Avenue:**

Map 1 – Markham Structure

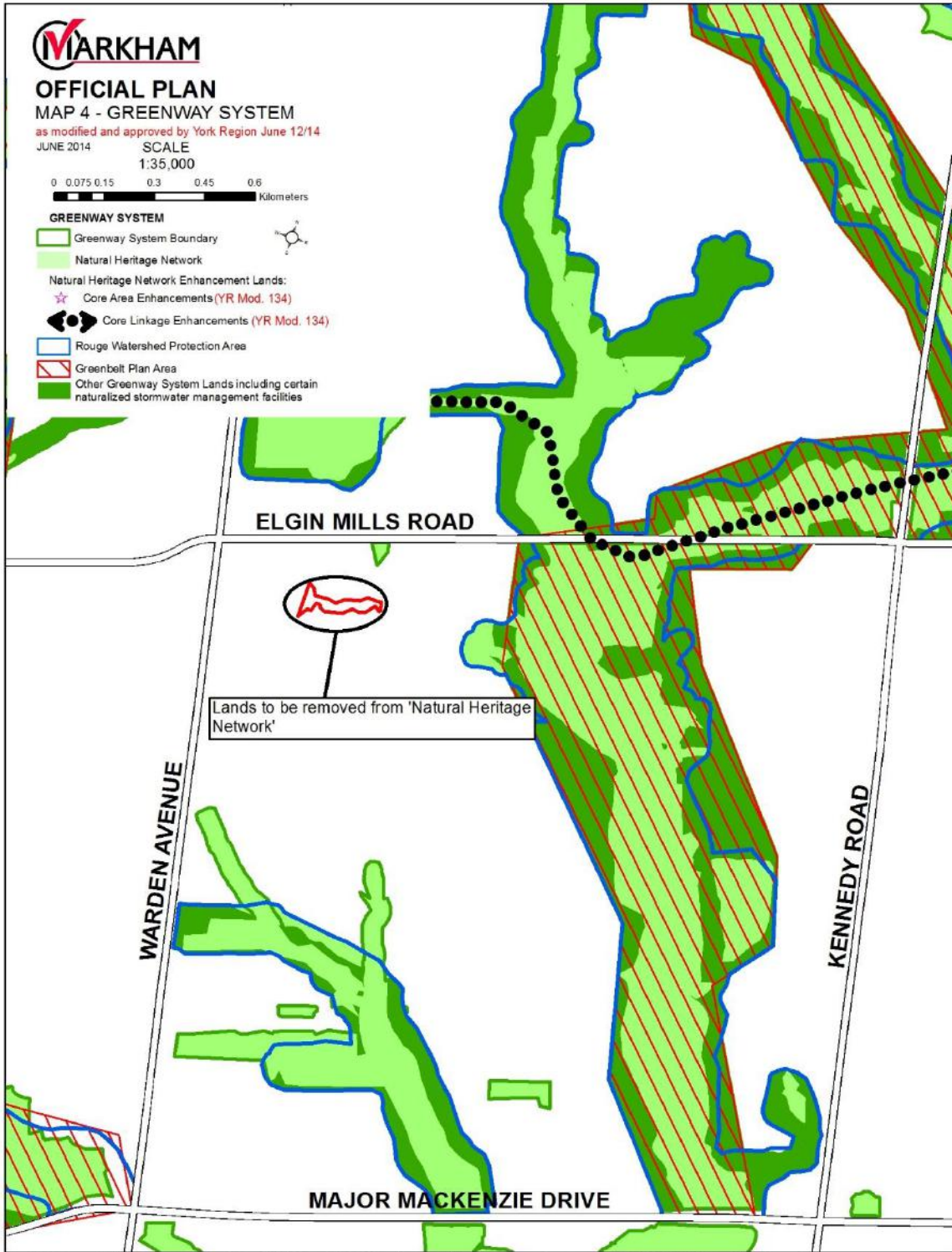


Map 3 – Land Use



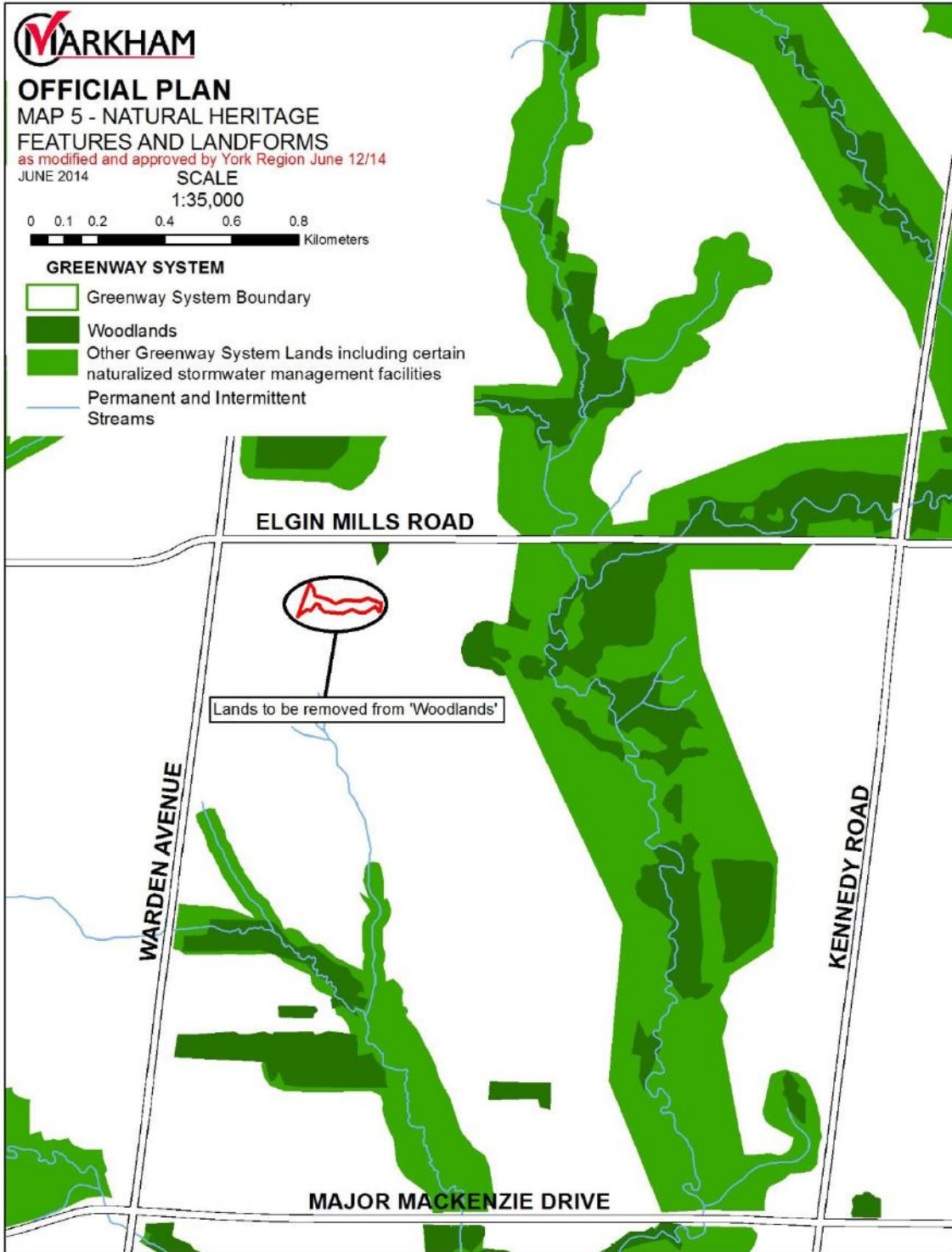
Path: Q:\Geomatics\Departments\Planning\Policy\MIS27 New OP\OP Mods Sept 2017\Map 3 Land Use - Sept 2017 SE Elgin Mills and Warden.mxd

Map 4 – Greenway System



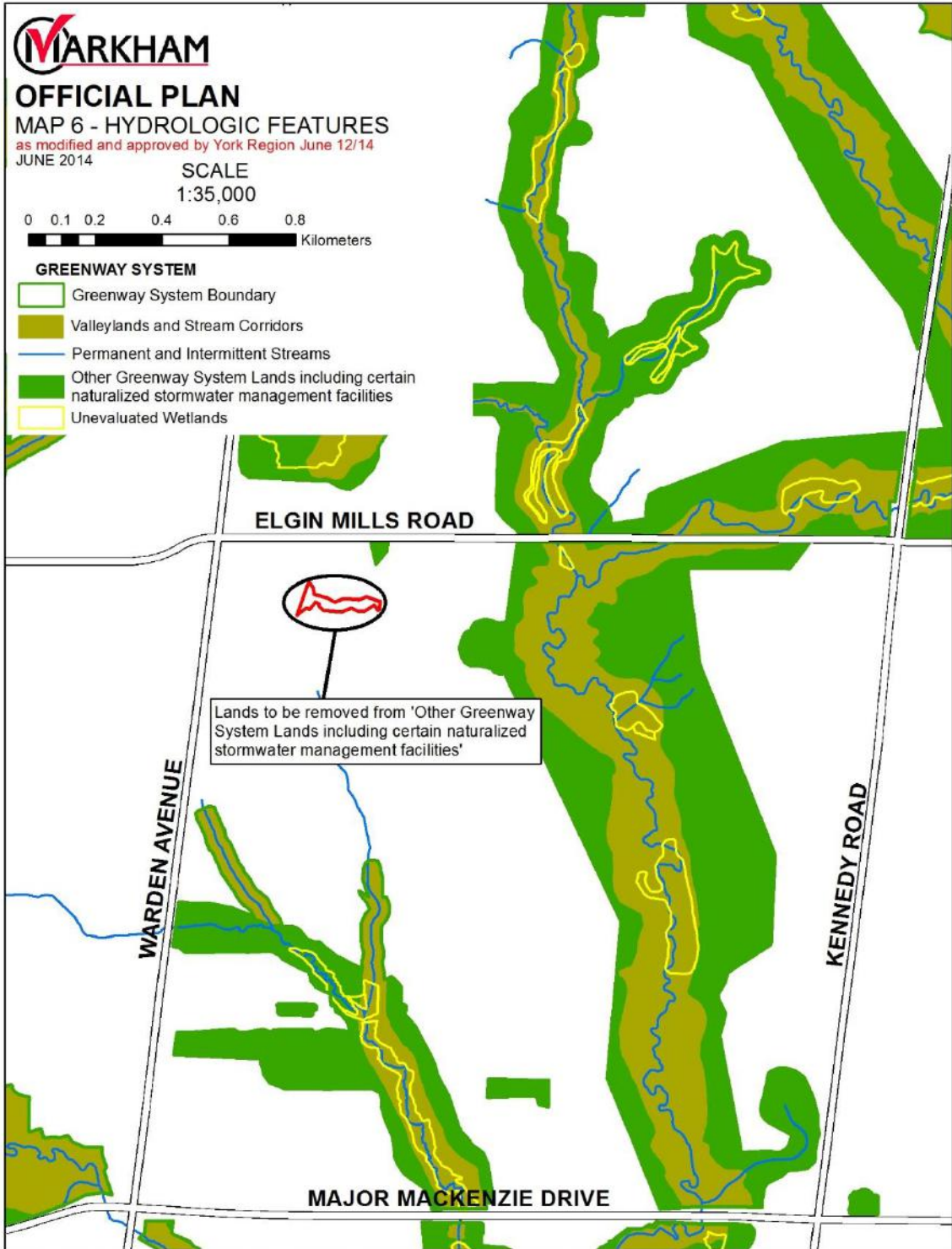
Path: Q:\Geomatics\Departments\Planning\Policy\MI527 New OPIOP Mods Sept 2017\Map 4 Greenway System - Sept 2017 SE Elgin Mills and Warden.mxd

Map 5 – Natural Heritage Features and Landforms



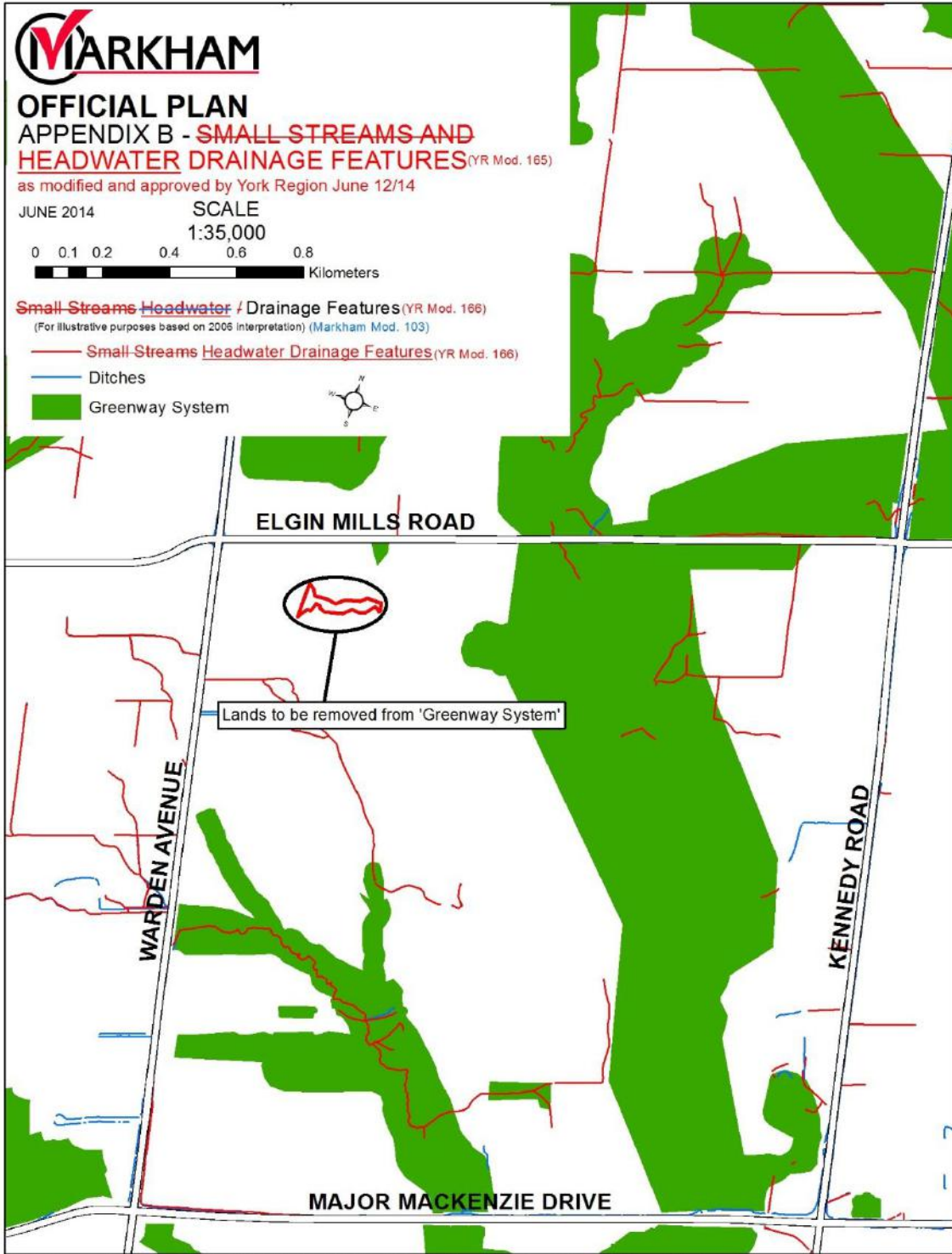
Path: Q:\Geomatics\Departments\Planning\Policy\M1527 New OPI\OP Mods Sept 2017\Map 5 Natural Heritage Features and Landforms - Sept 2017 SE Elgin Mills and Warden.mxd

Map 6 – Hydrologic Features

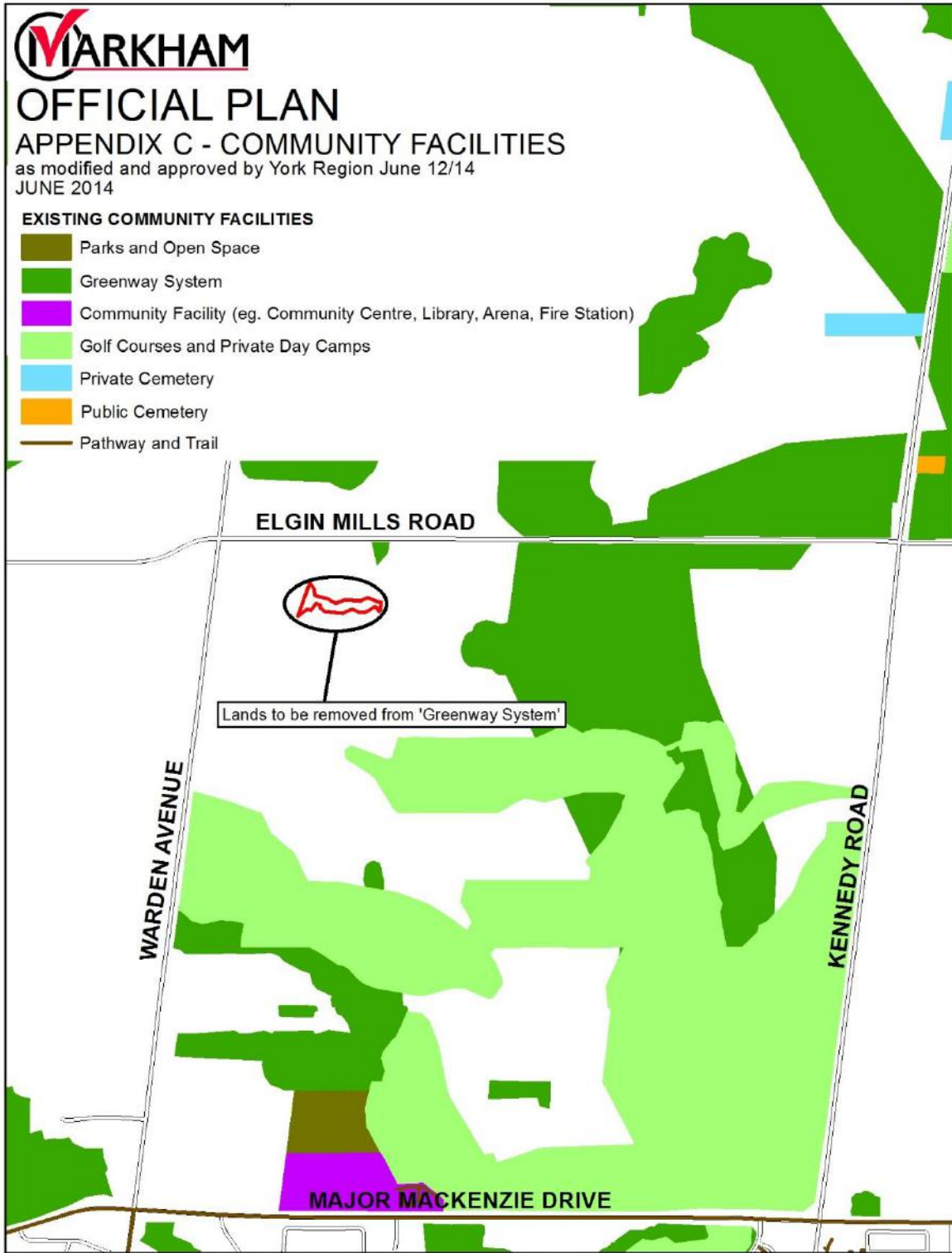


Path: Q:\Geomatics\Departments\Planning\Policy\MI527 New OPIOP Mods Sept 2017\Map 6 Hydrologic Features - Sept 2017 SE Elgin Mills and Warden.mxd

Appendix B – Headwater Drainage Features



Appendix C – Community Facilities



249. Modify Sections 9.9.1 and 9.9.4 to revise the boundary of the lands referred to in Section 9.9.4 and shown in Figures 9.9.1 and 9.9.4 as follows:

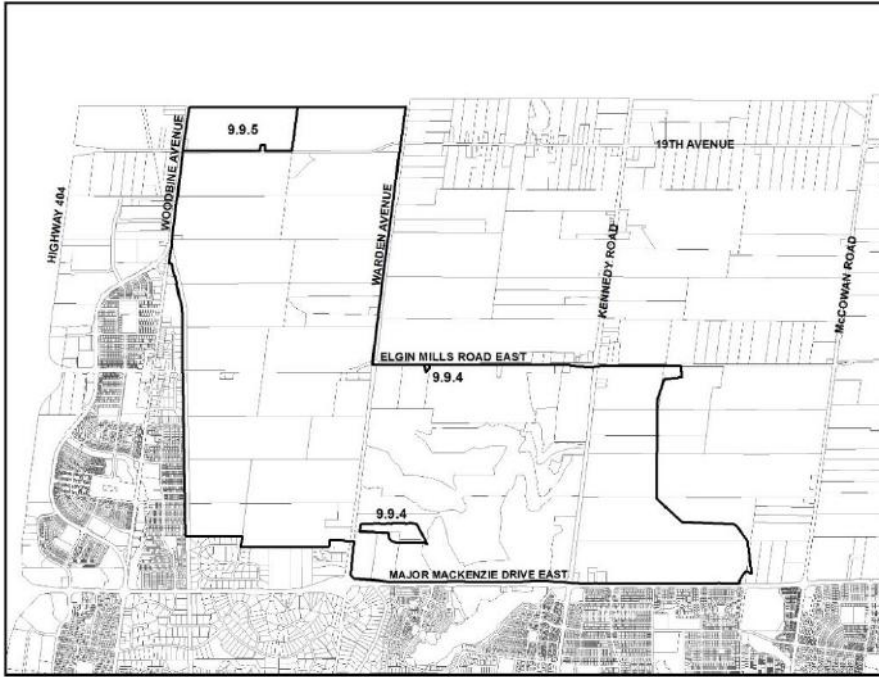


Figure 9.9.1

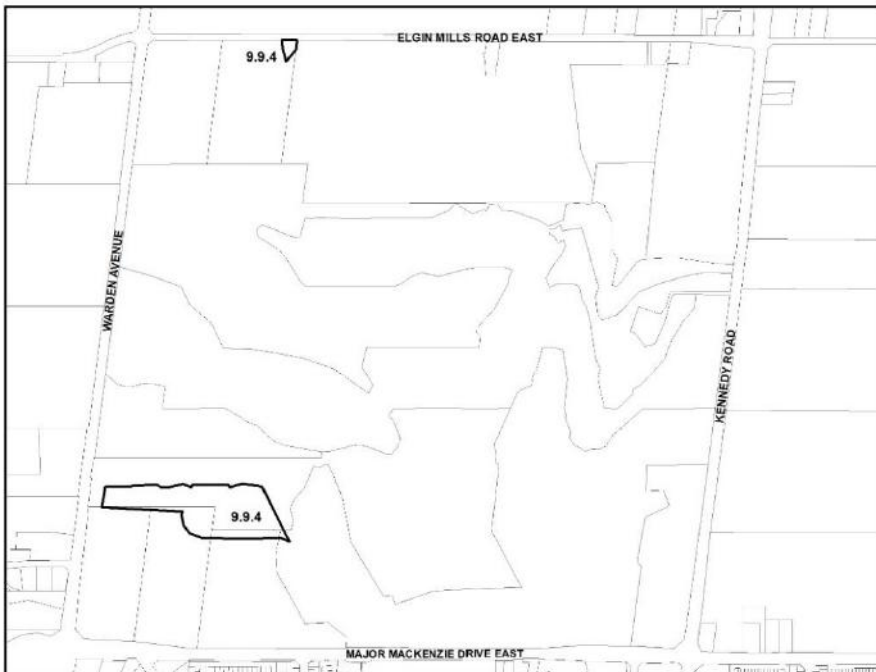


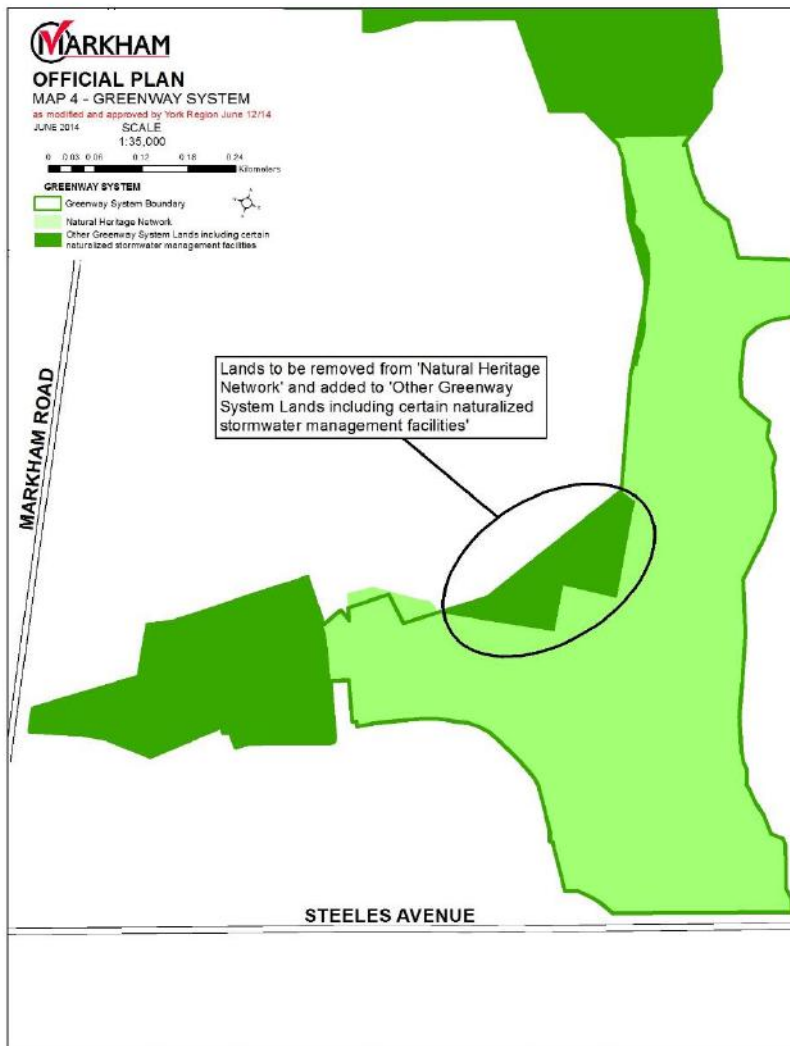
Figure 9.9.4

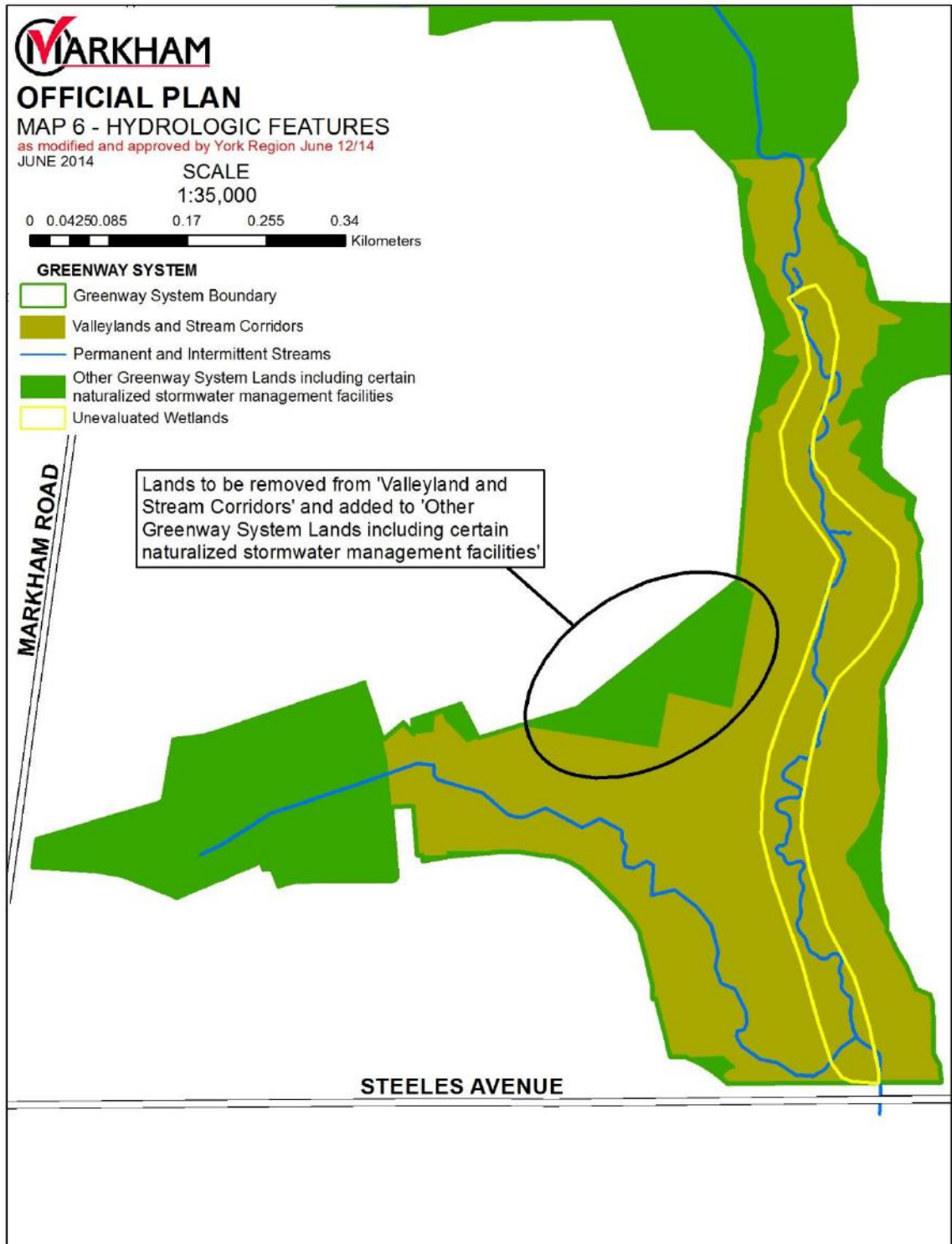
250. Modify Map 4 – Greenway System and Map 6 – Hydrologic Features to remove certain Greenway System lands associated with naturalized stormwater management facilities and public parks, which are not considered natural heritage or hydrologic features or their vegetation protection zones, from:

a) the ‘Natural Heritage Network’ shown on Map 4 – Greenway System and show them as ‘Other Greenway System Lands including certain naturalized stormwater management facilities’; and

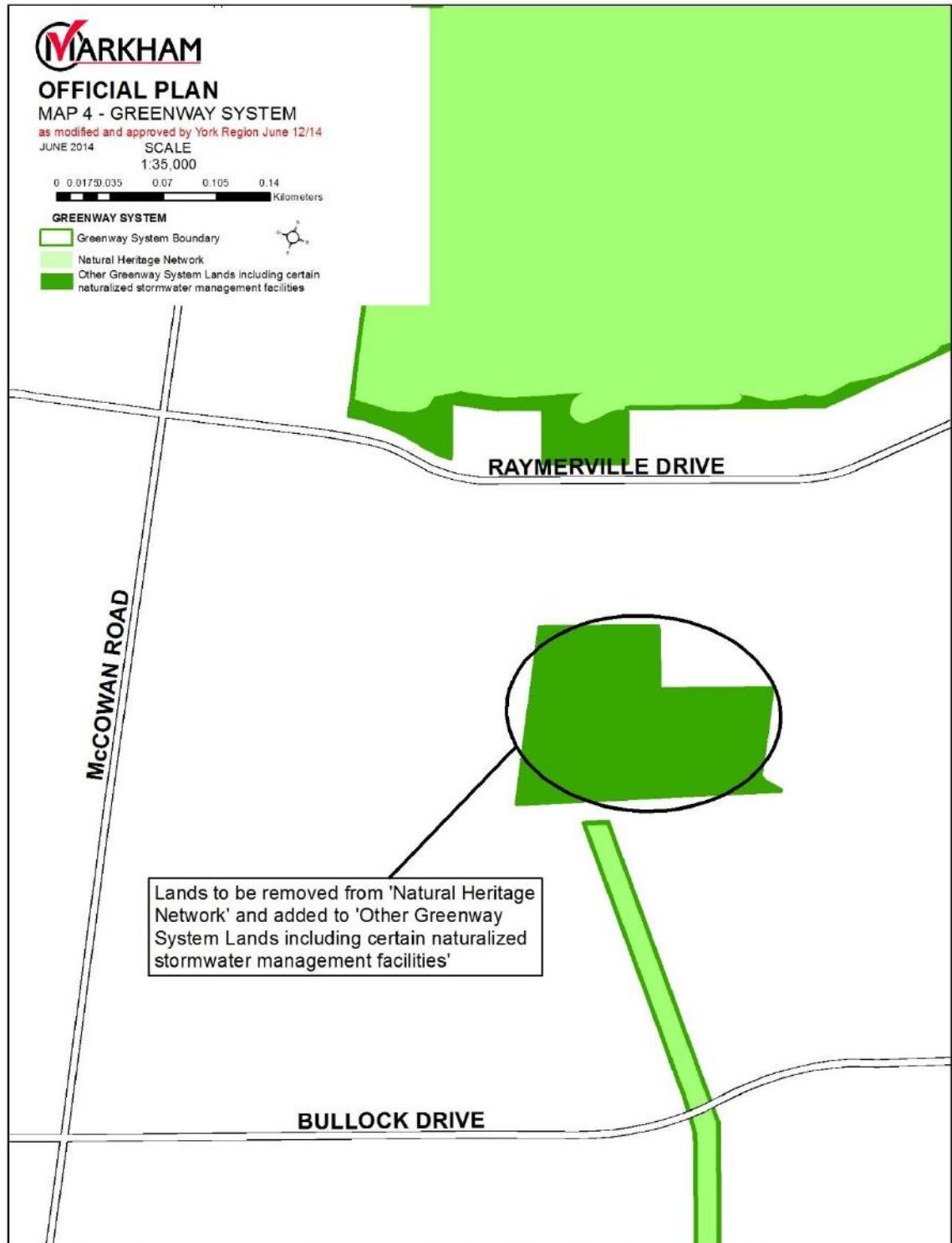
b) the ‘Valleylands and Stream Corridors’ shown on Map 6 – Hydrologic Features and show them as ‘Other Greenway System Lands including certain naturalized stormwater management facilities’ as follows:

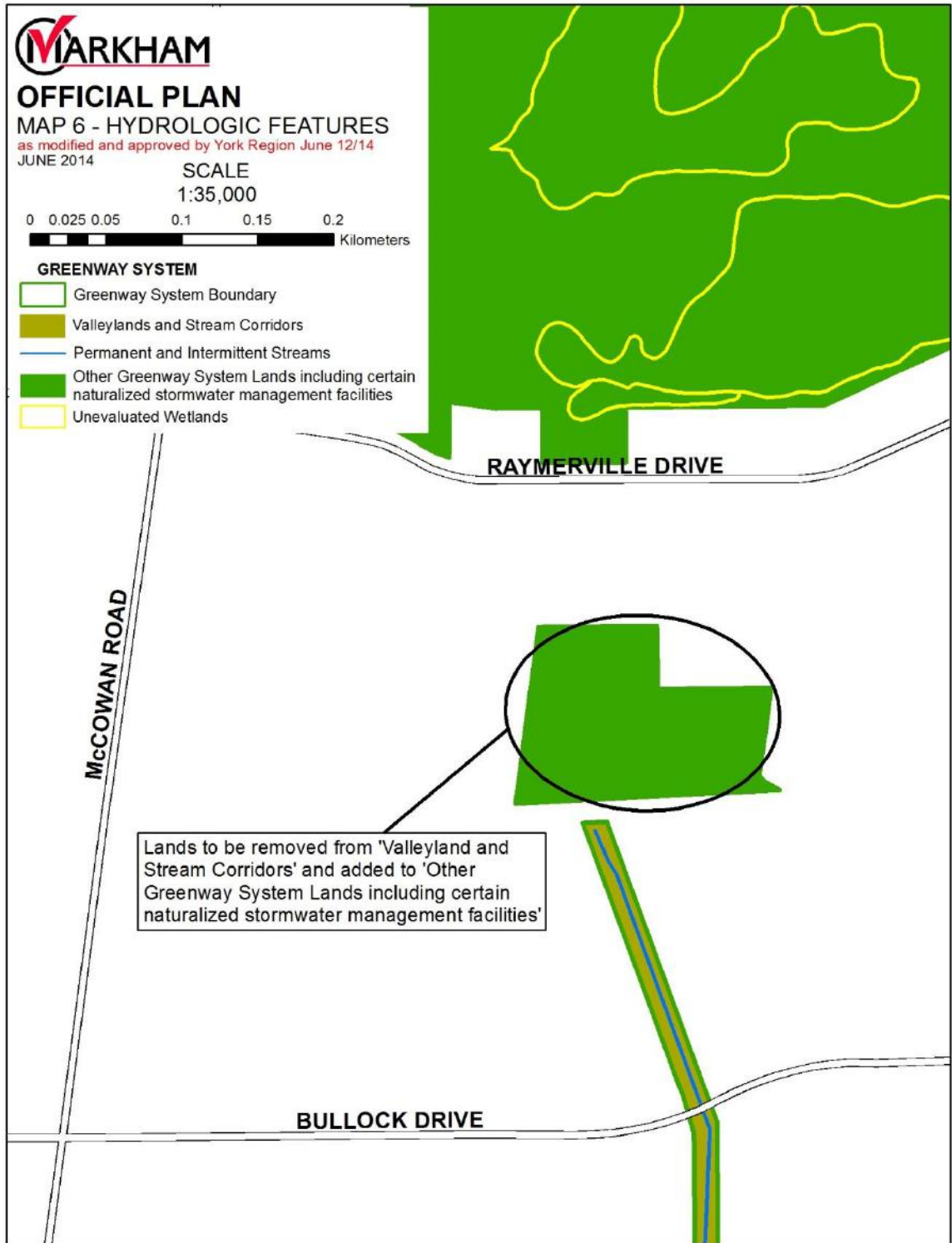
i. Greenway System lands north of Steeles Avenue and east of Markham Road



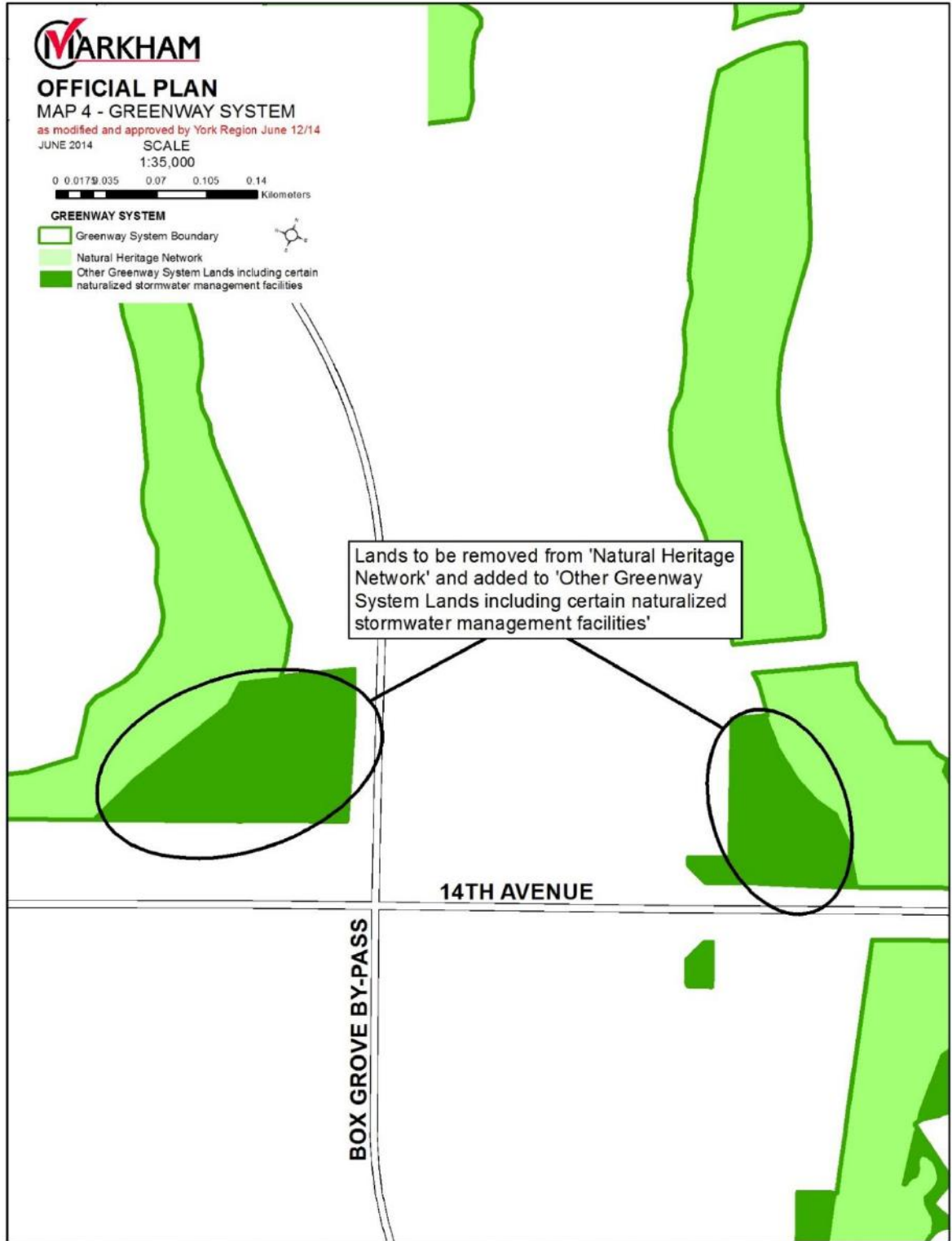


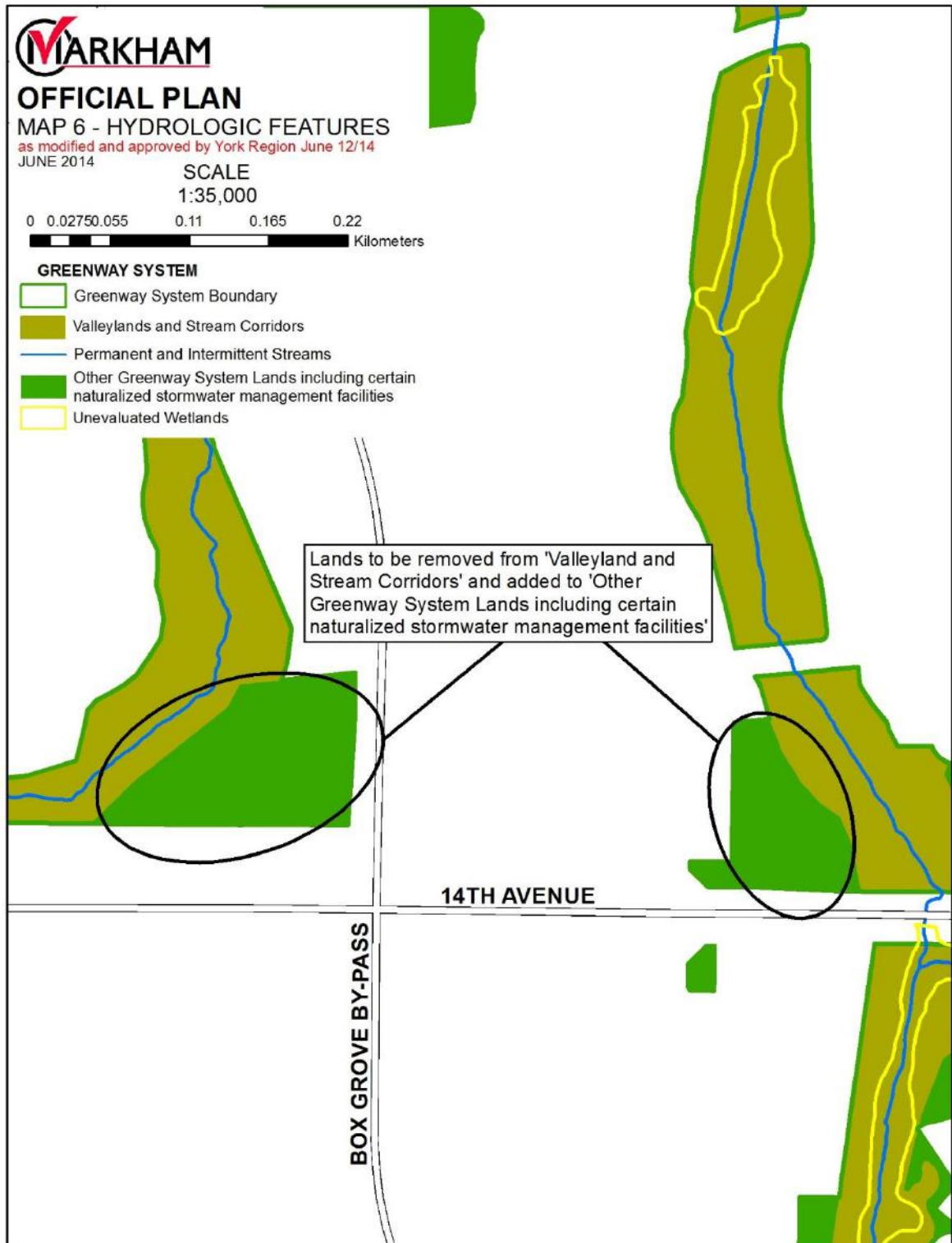
ii. Greenway System lands north of Bullock Drive and east of McCowan Road



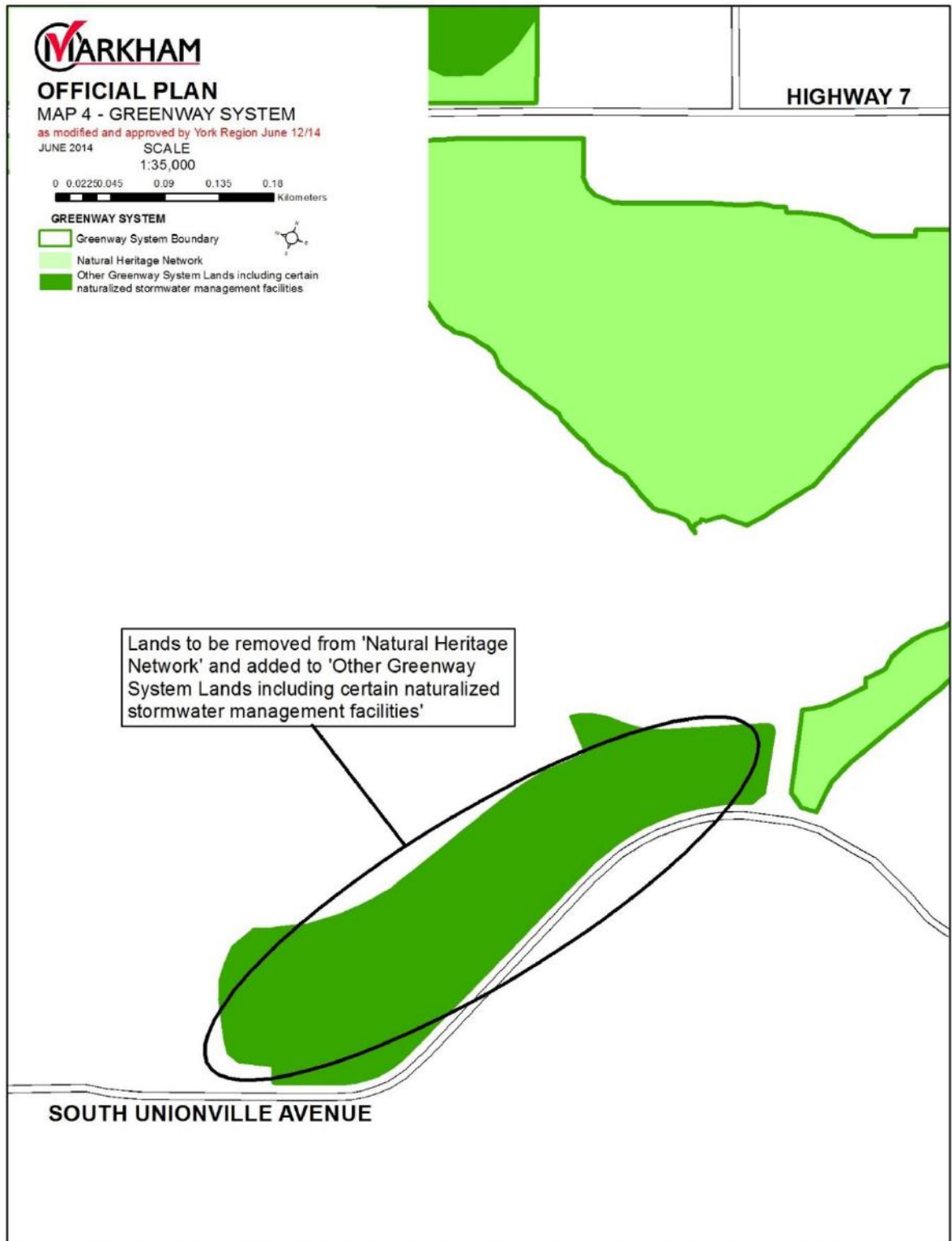


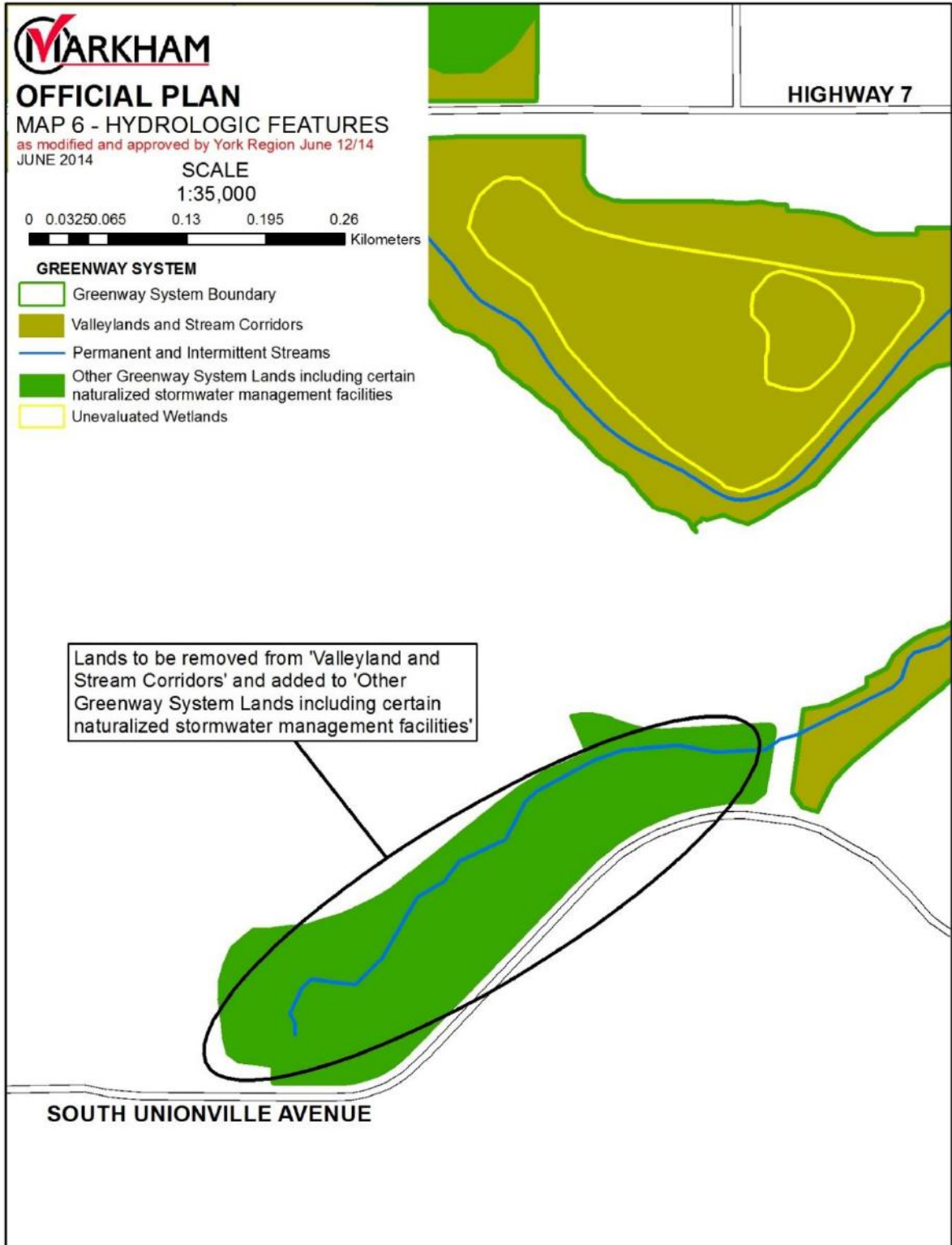
iii. Greenway System lands north of 14th Ave and east and west of Box Grove By-pass



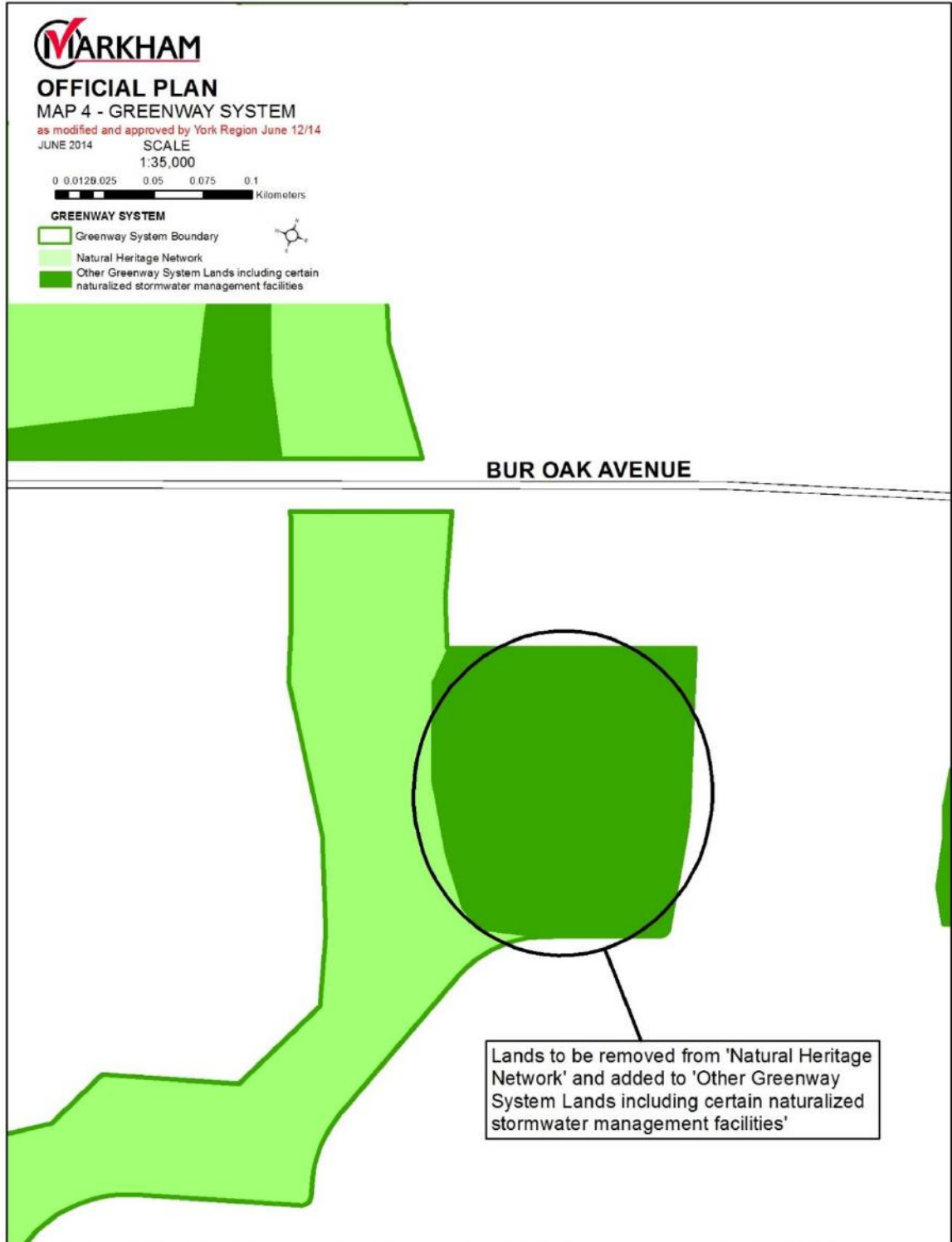


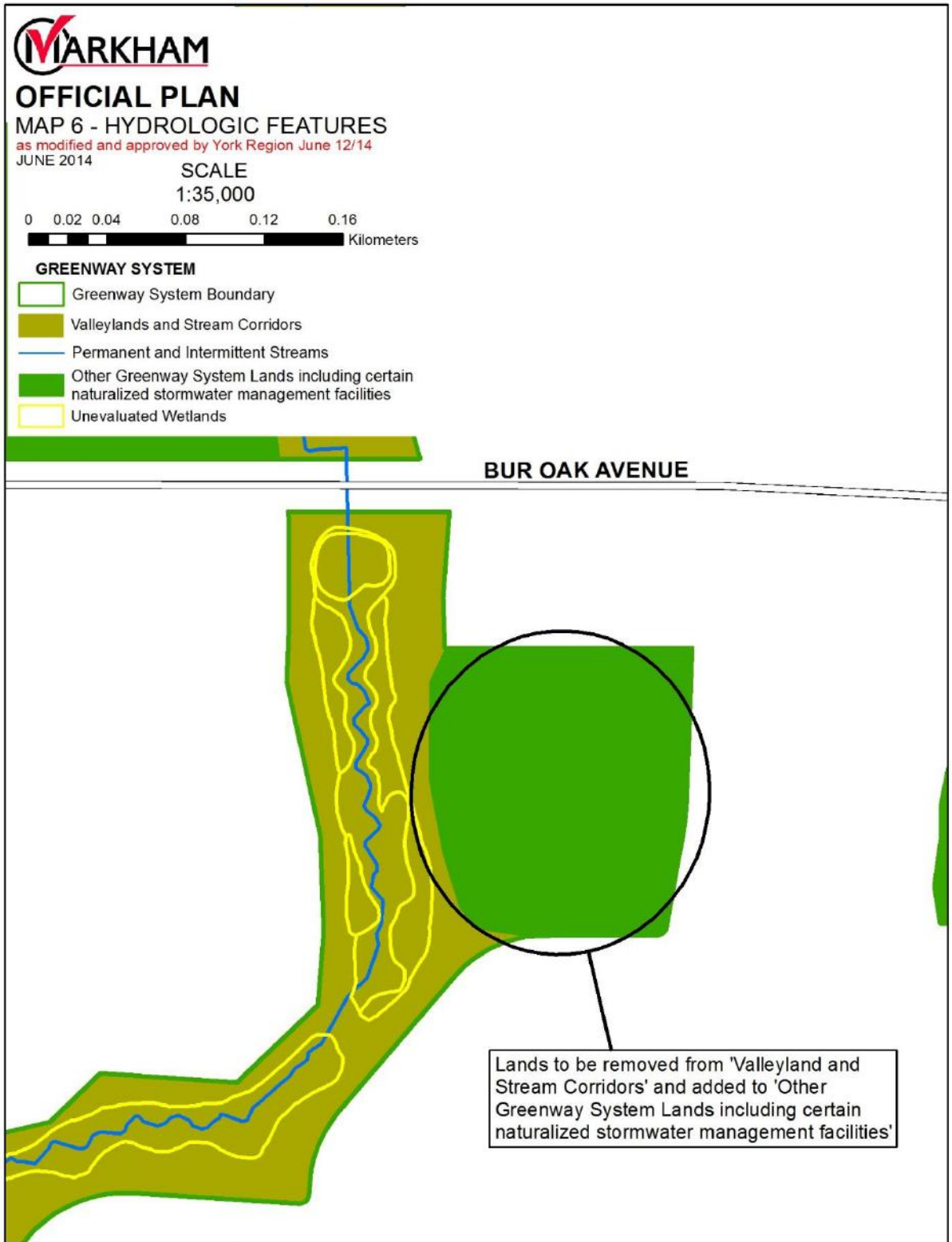
iv. Greenway System lands north of South Unionville Avenue east of Kennedy Road



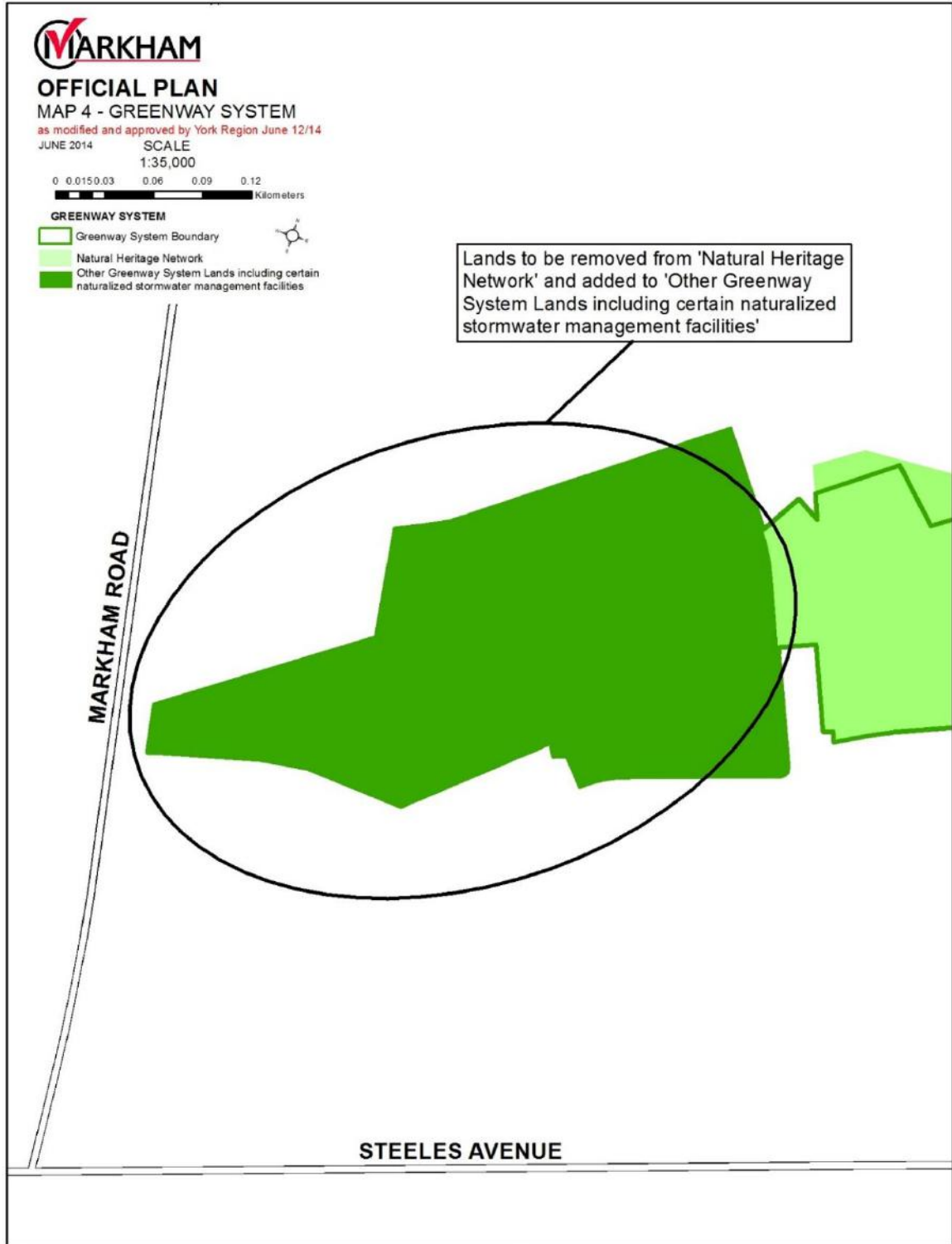


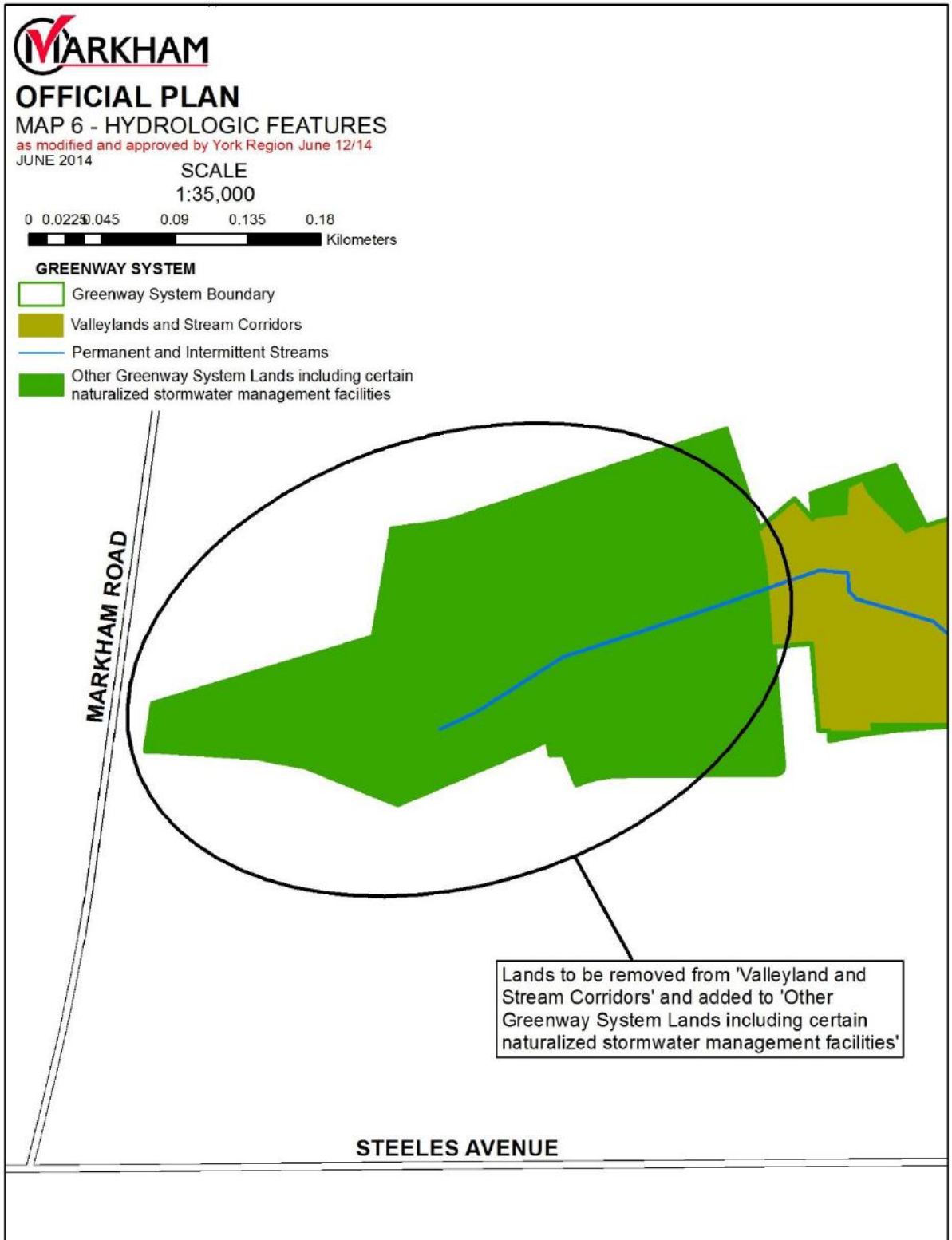
v. Greenway System lands south of Bur Oak Avenue west of Markham Road



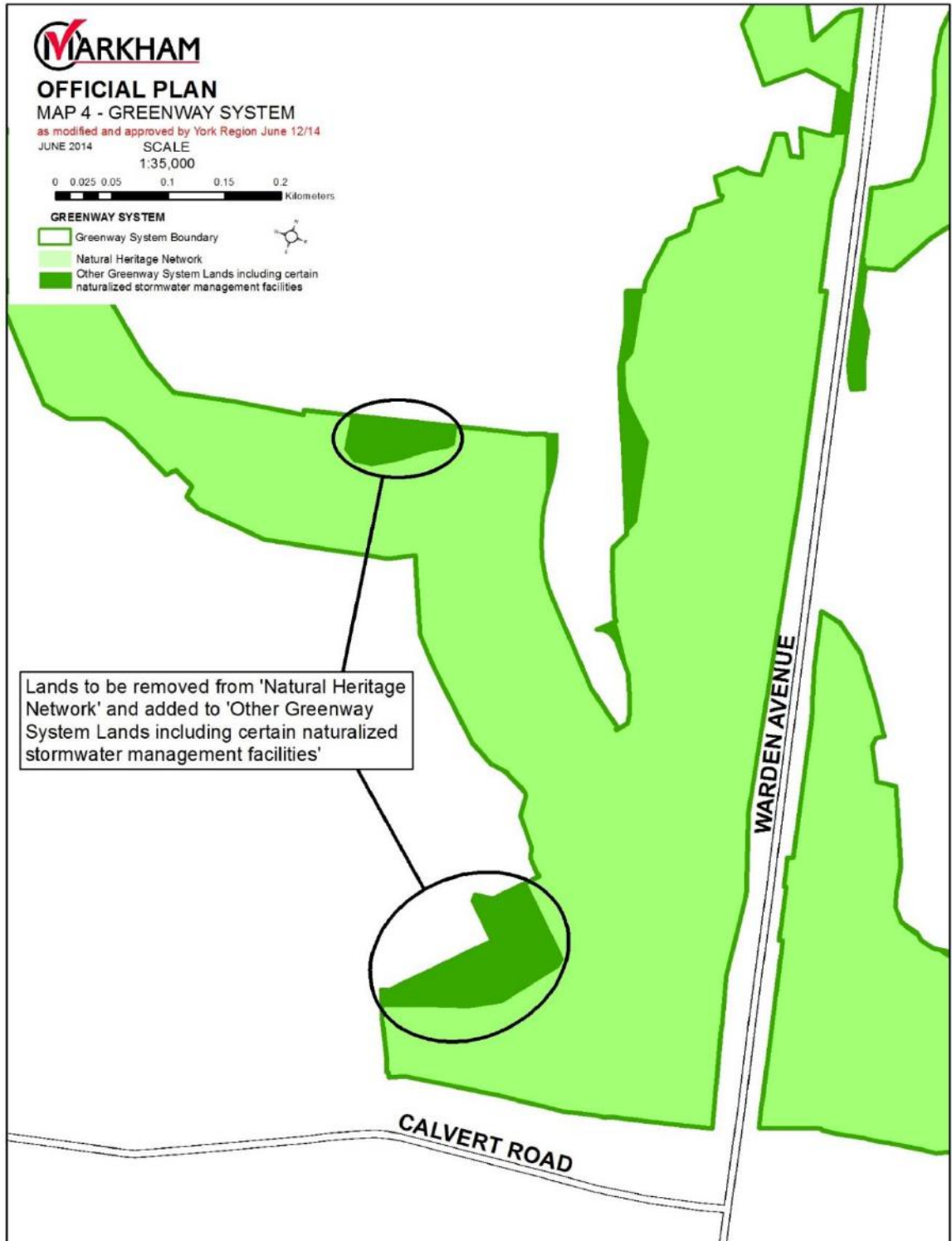


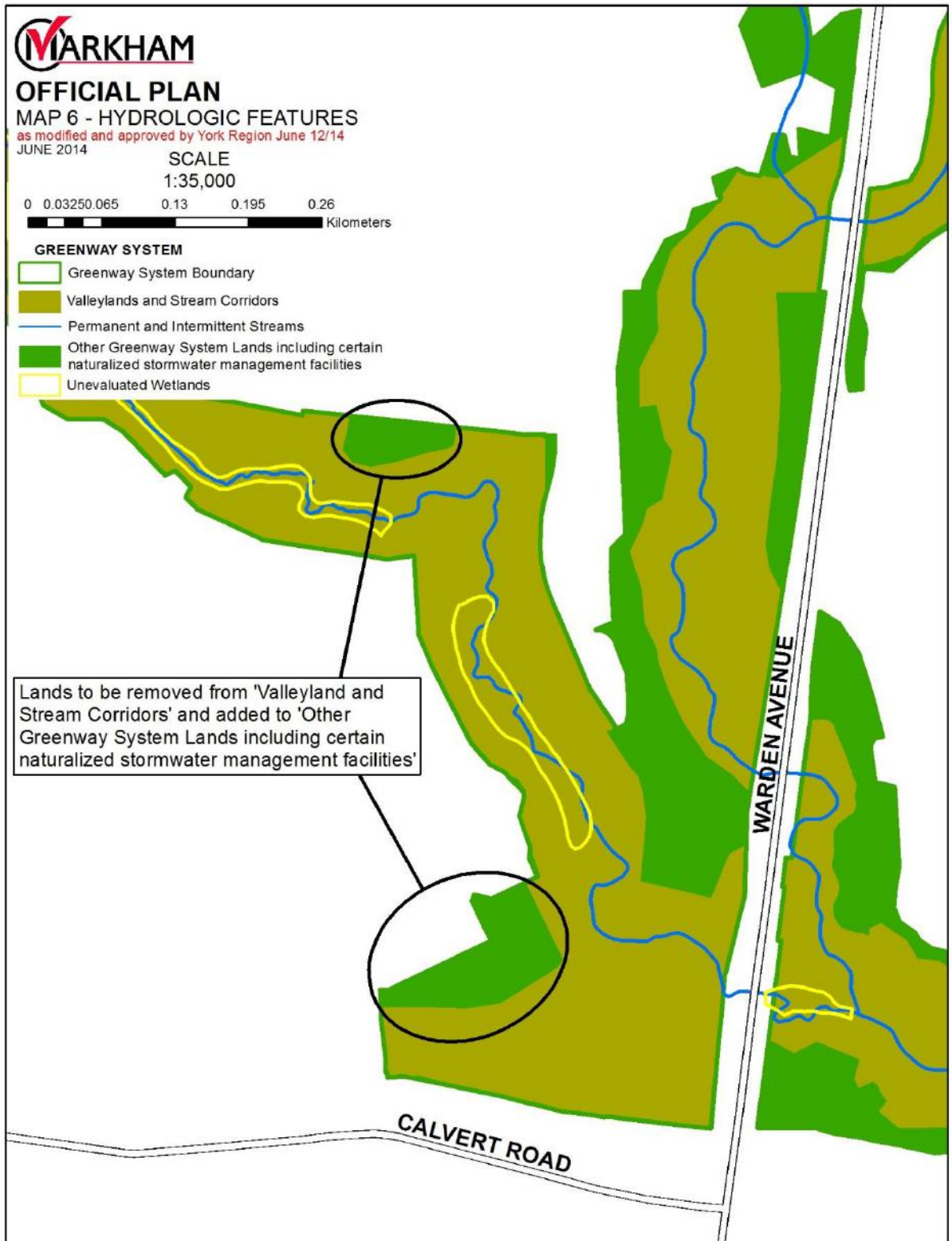
vi. Greenway System lands north of Steeles Avenue and east of Markham Road



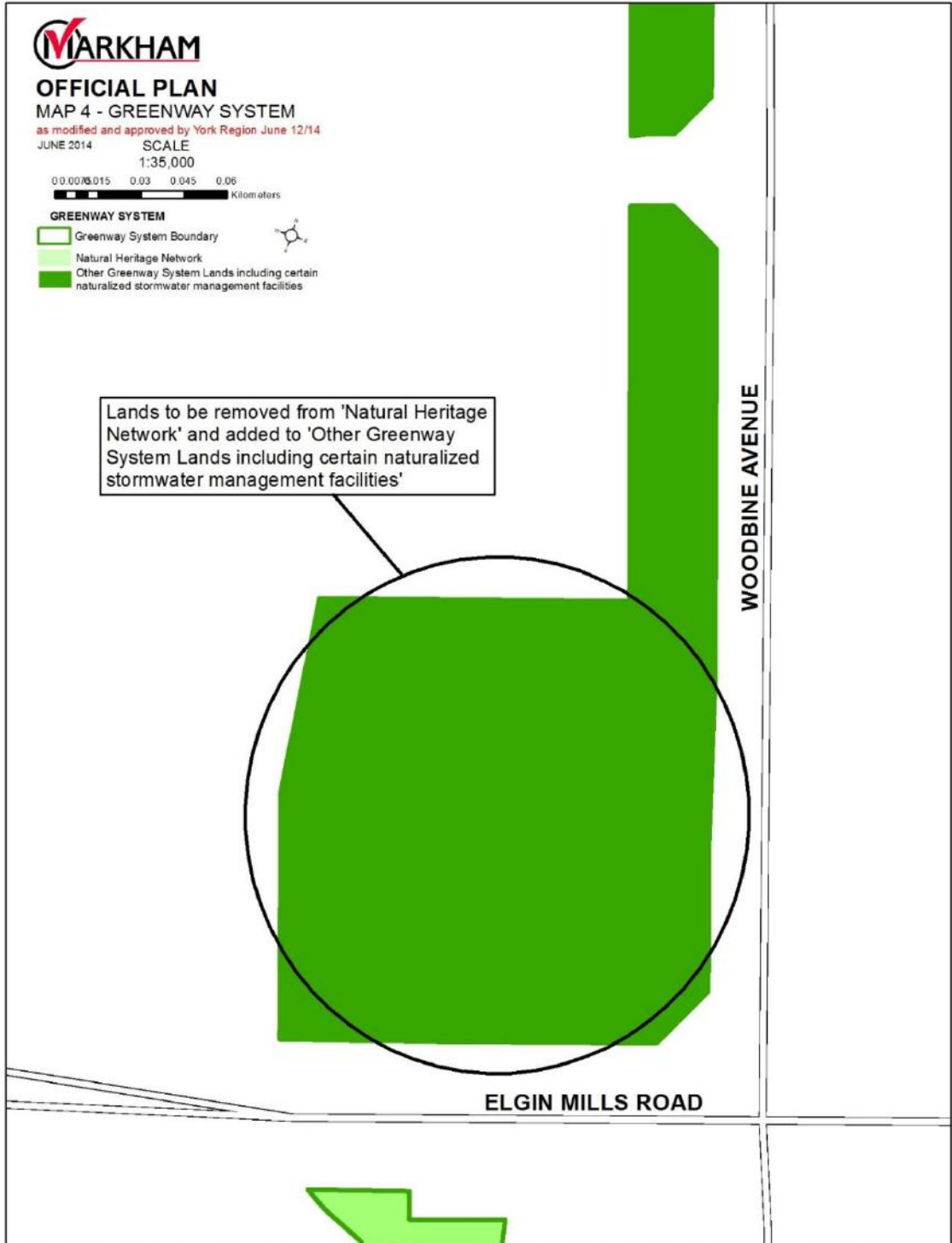


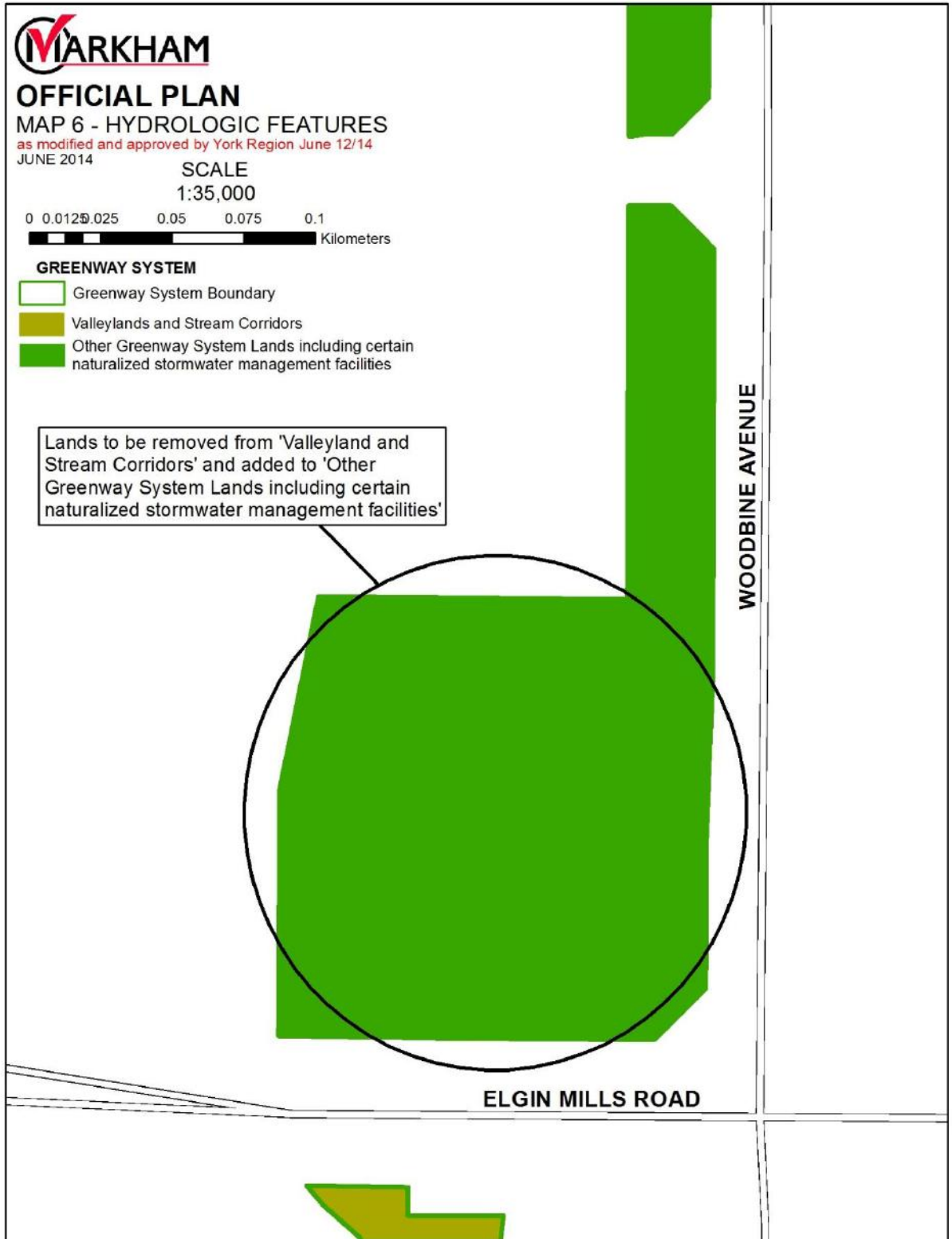
vii. Greenway System lands west of Warden Avenue and north of Calvert Road



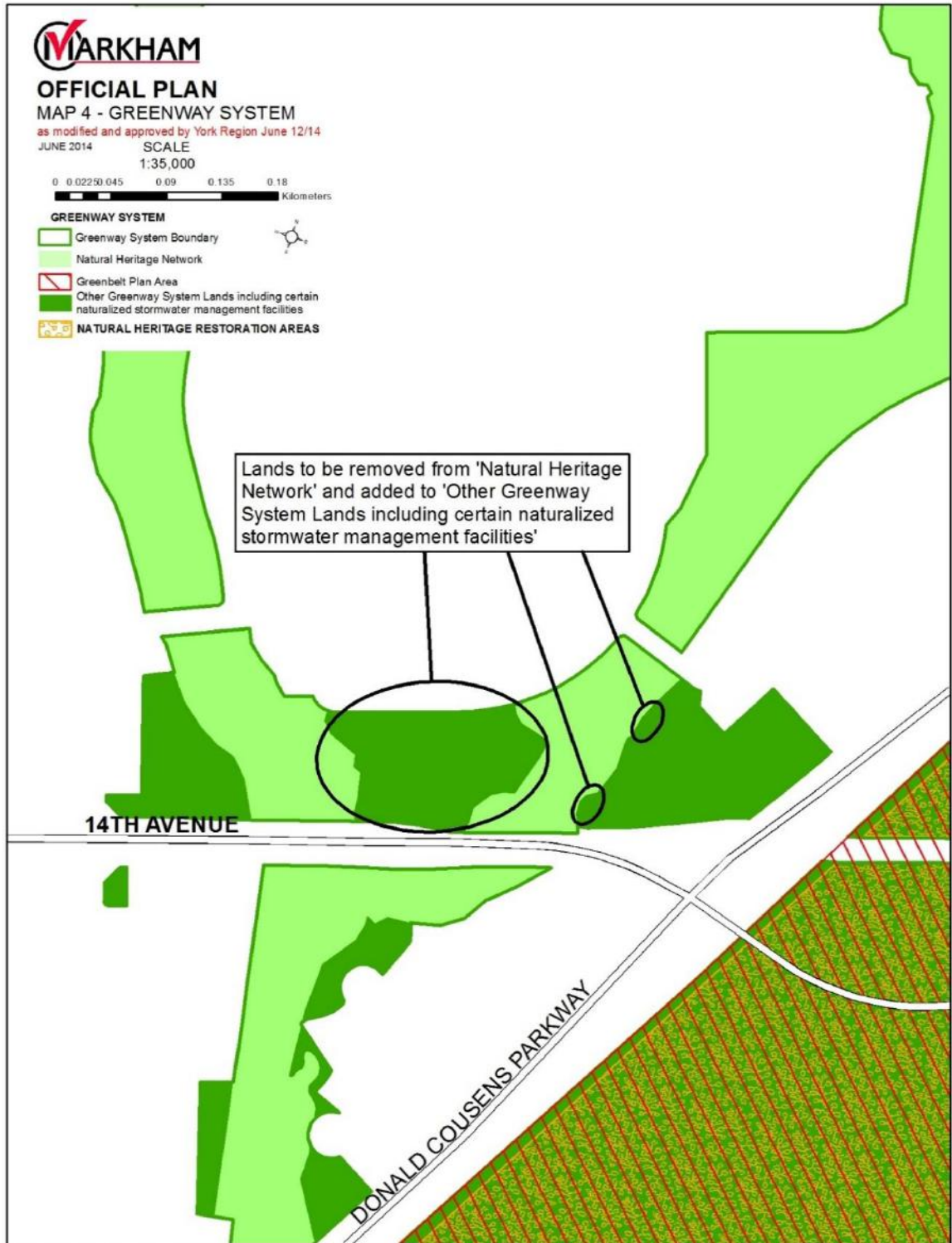


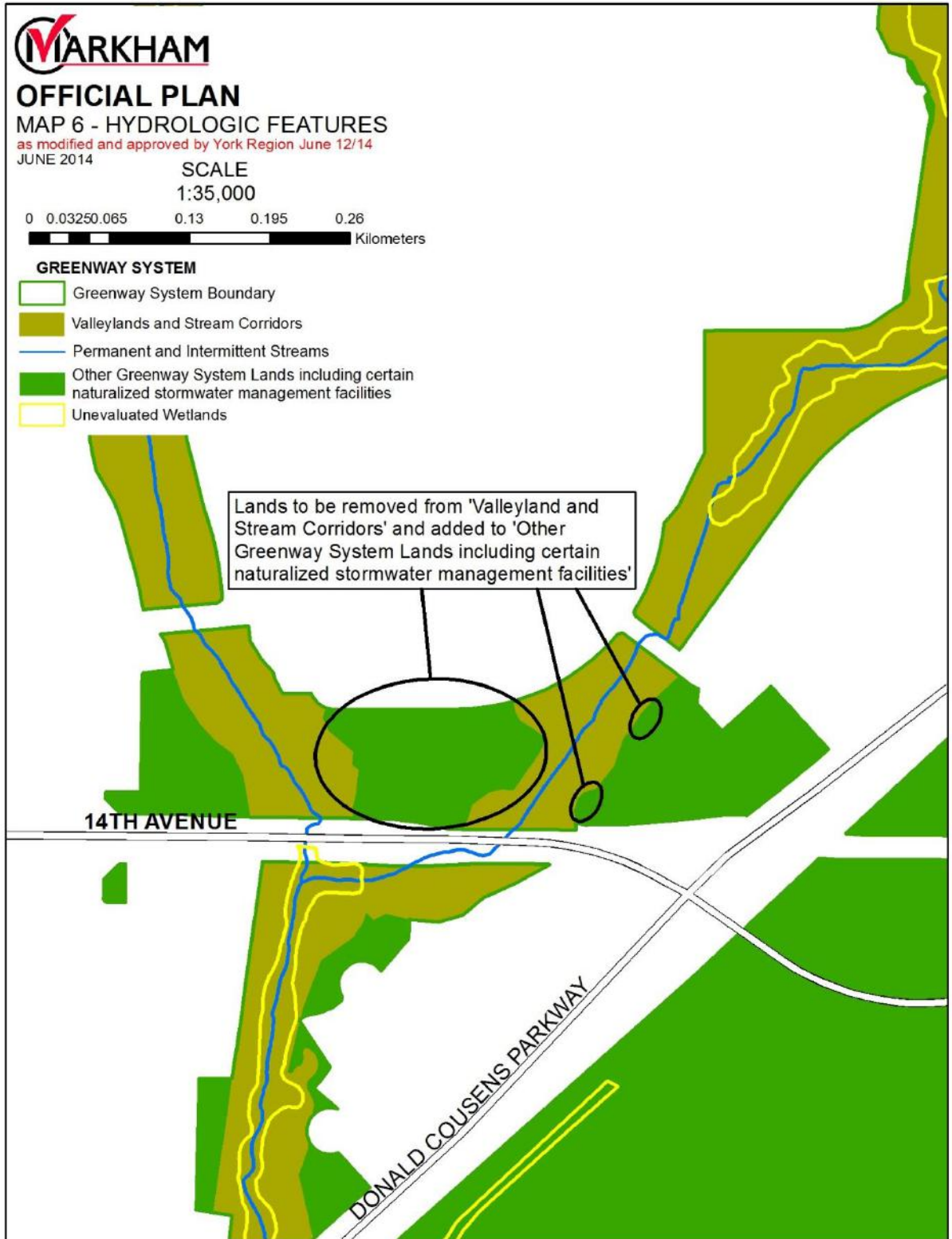
viii. Greenway System lands north of Elgin Mills Road and west of Woodbine Avenue



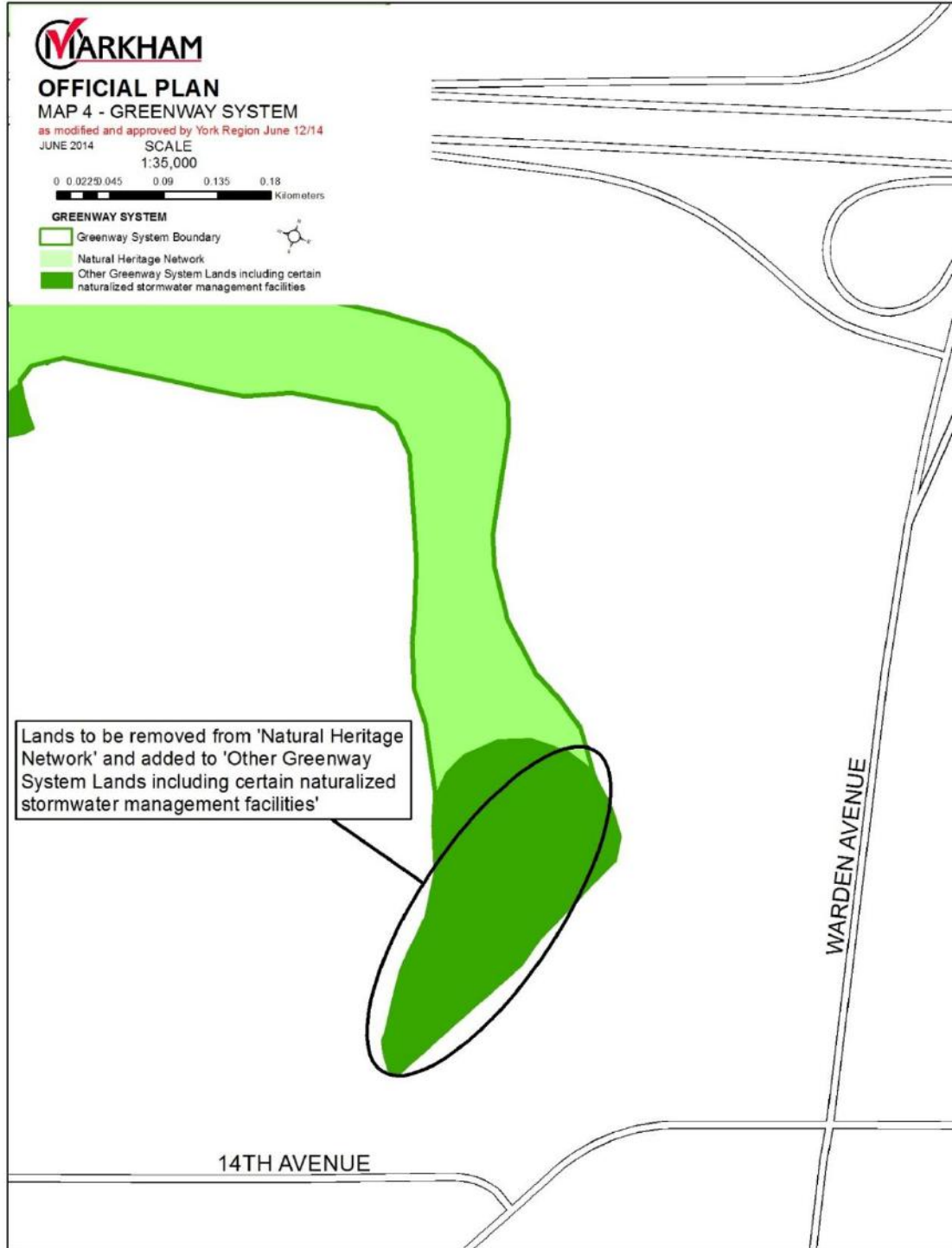


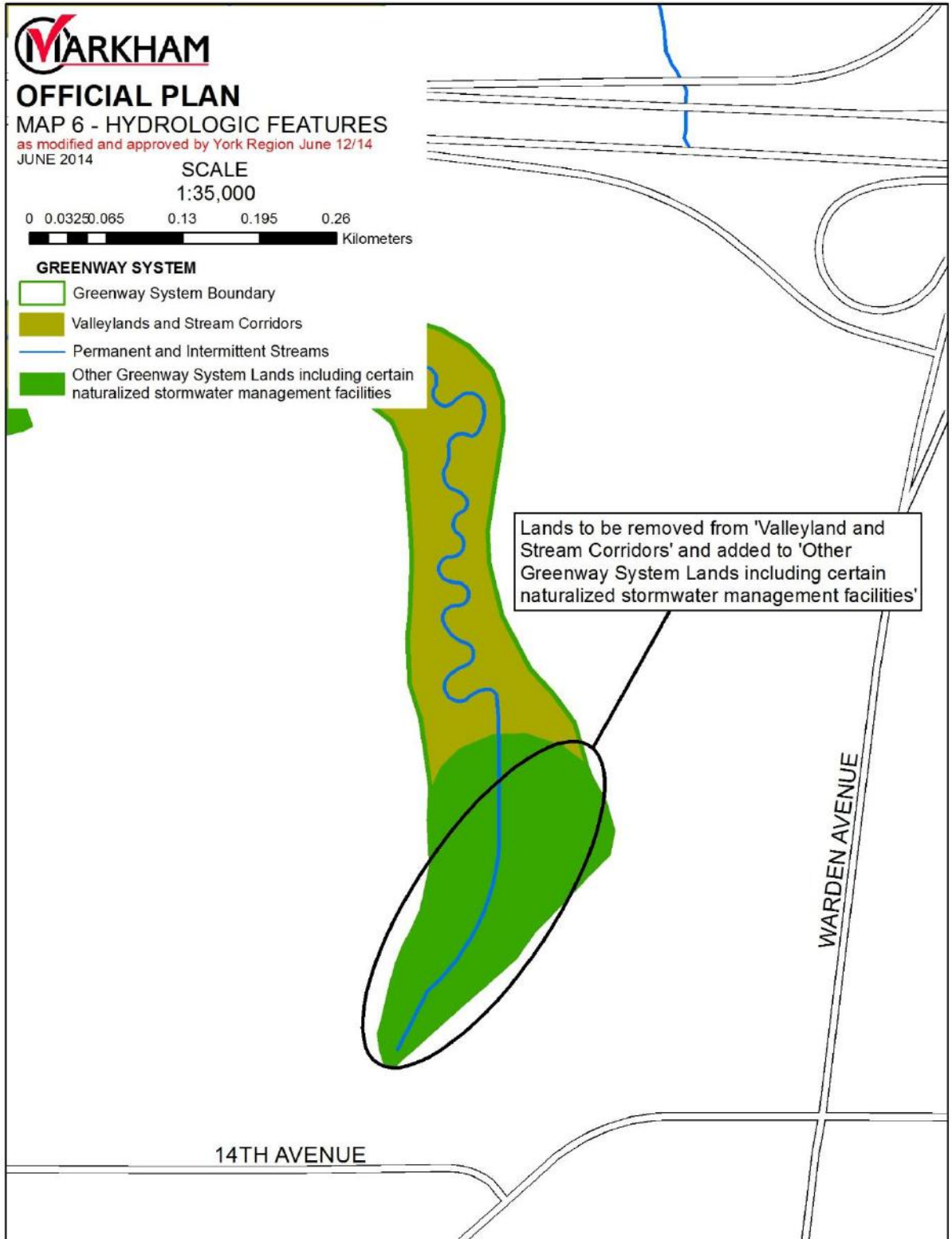
ix. Greenway System lands north of 14th Avenue west of Donald Cousens Parkway



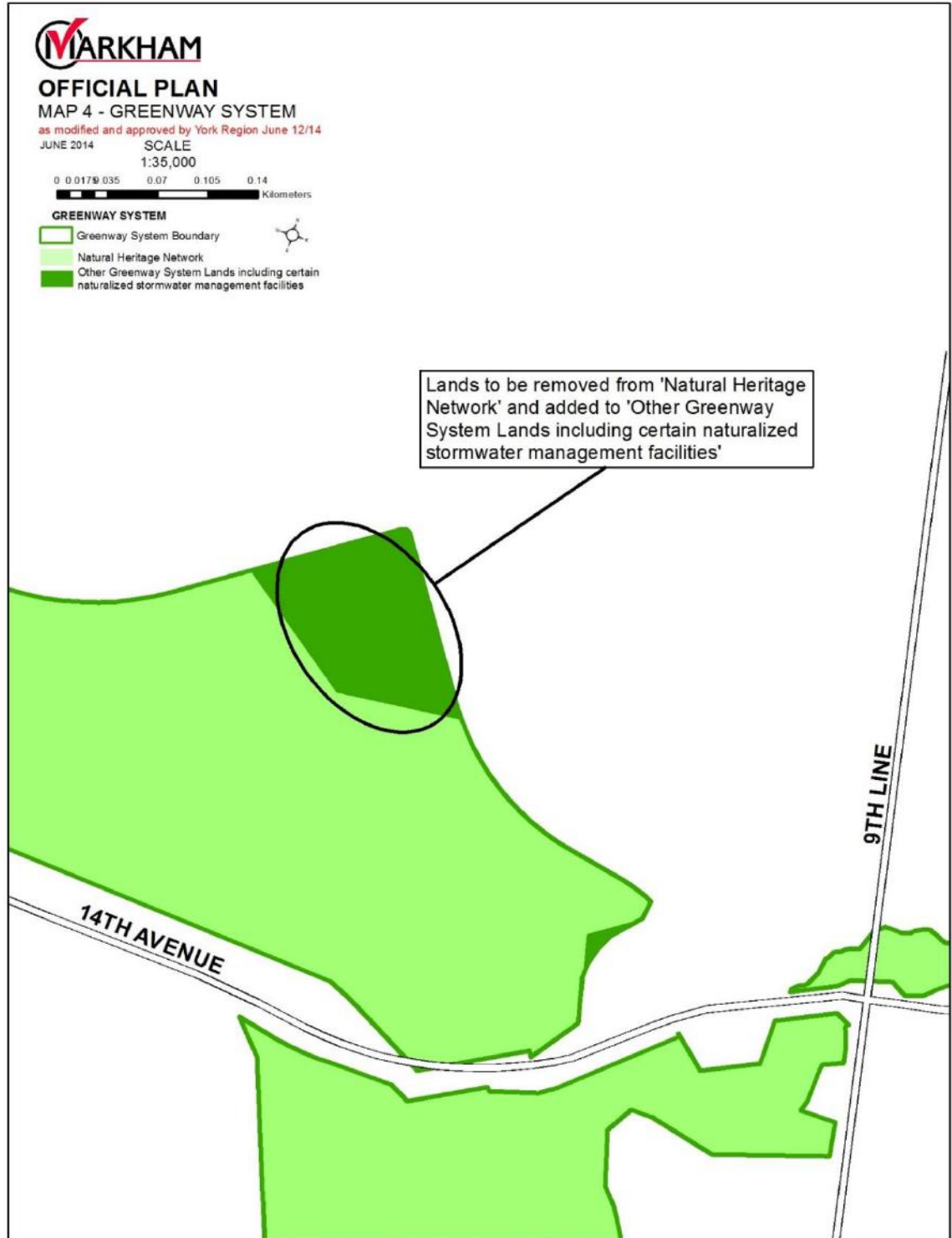


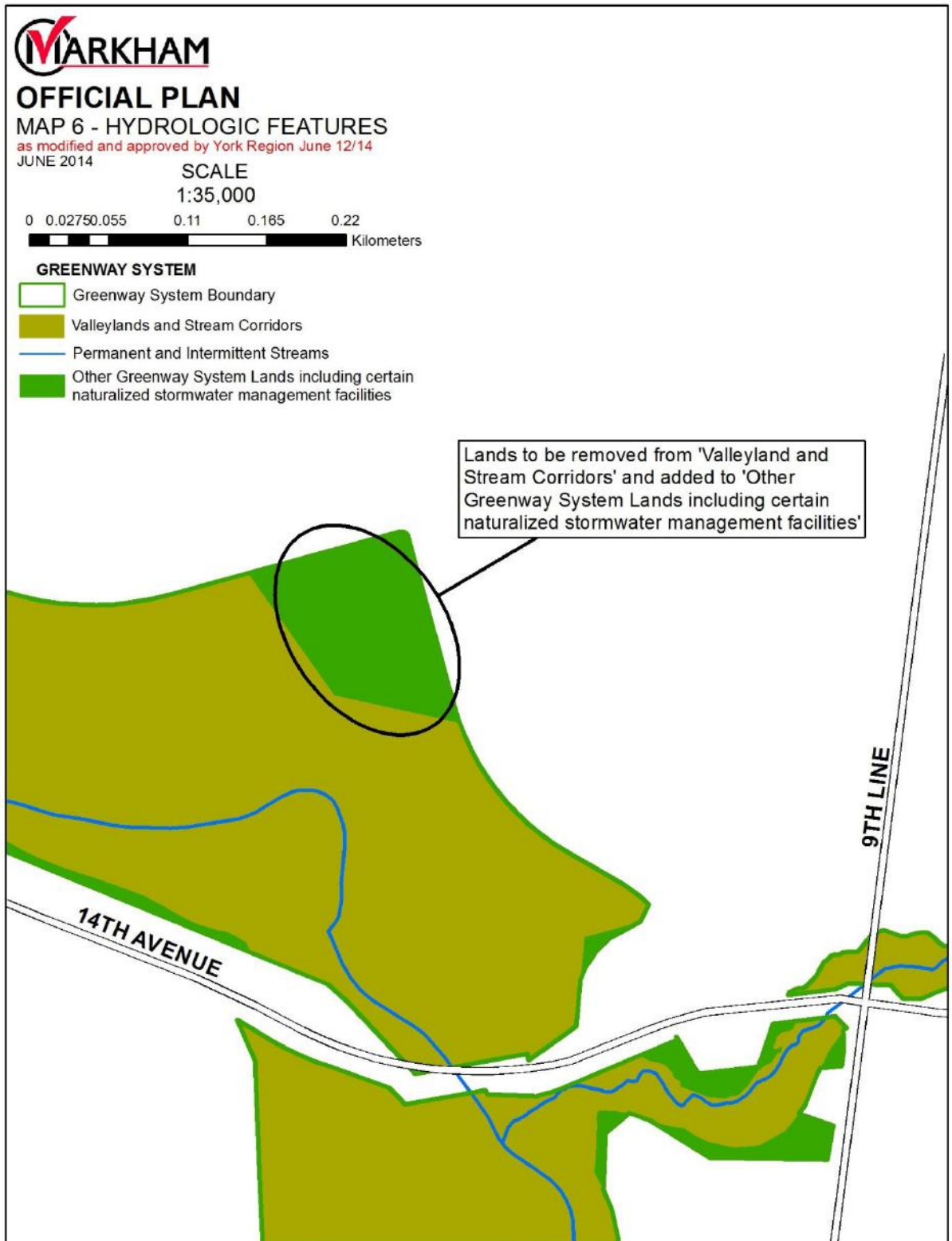
x. Greenway System lands west of Warden Avenue and north of 14th Avenue



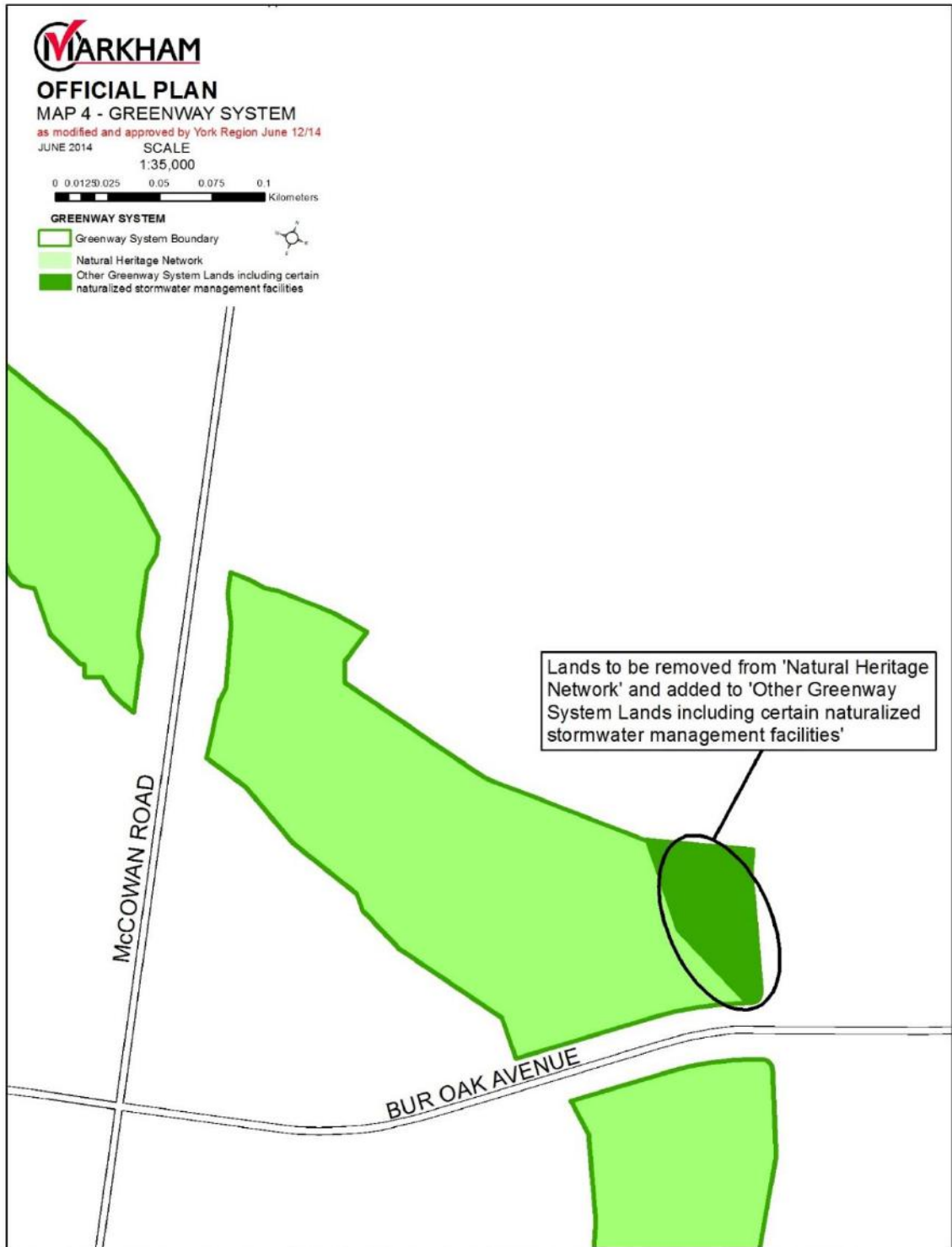


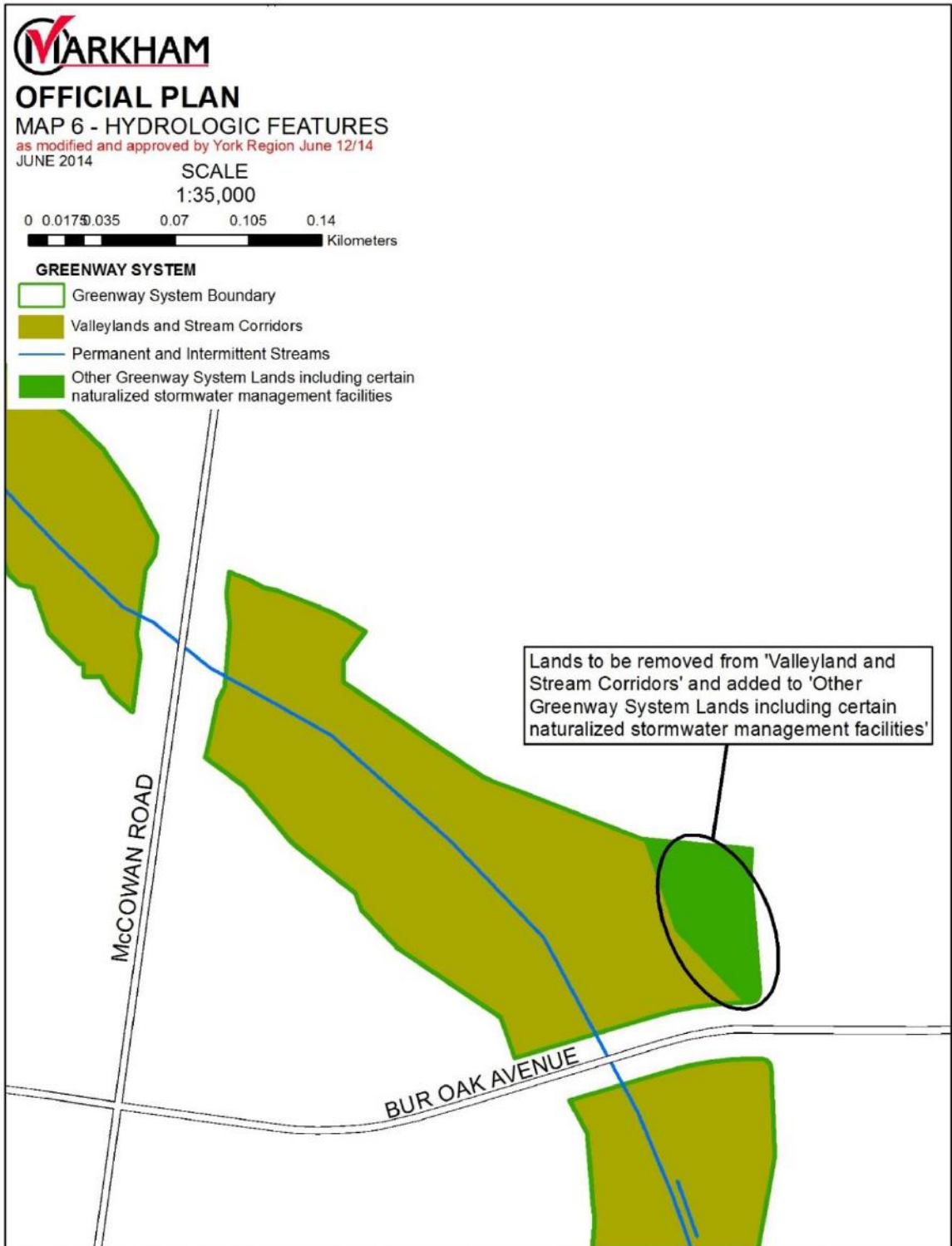
xi. Greenway System lands north of 14th Avenue and west of 9th Line



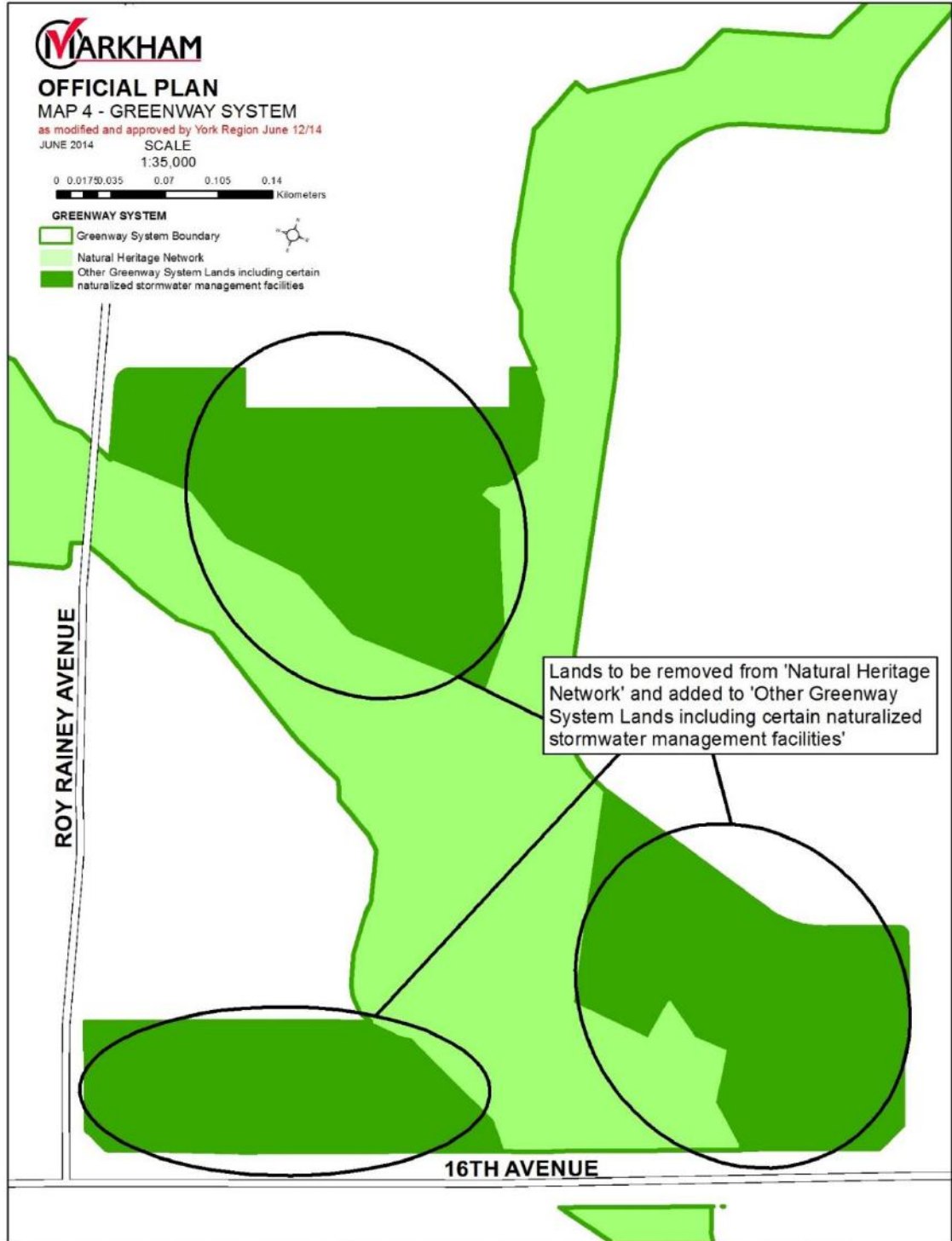


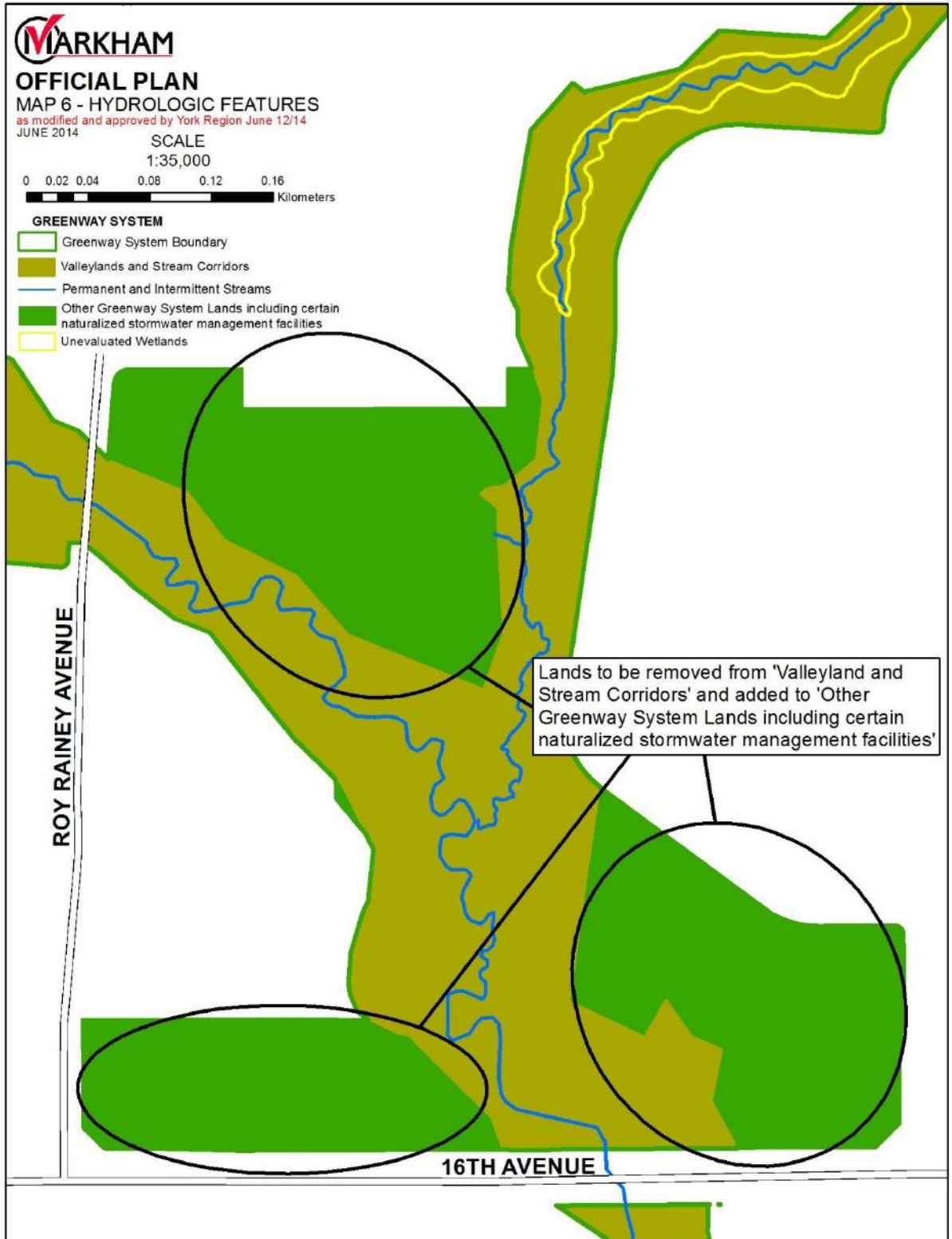
xii. Greenway System lands north of Bur Oak Avenue and east of McCowan Road





xiii. Greenway System lands north of 16th Avenue and east of Roy Rainey Avenue





Group E – Employment and Retail Policies

251. **Modify Section 5.1.2.5 b) to clarify that in considering a request for conversion of employment lands, it shall be demonstrated that there are sufficient lands within ‘Employment Lands’ designations to accommodate the type of employment assumed in the employment forecast that rely on those designations as follows:**

- **5.1.2 Protecting Employment Lands**

5.1.2.5 **That** during the course of a *municipal comprehensive review*, in considering a request for conversion of lands, as defined in Section 5.1.2.4, within an ‘Employment Lands’ designation, it shall be demonstrated that:

- a) there is a need for the conversion; and
- b) there are sufficient lands within ‘Employment Lands’ designations to accommodate the type of employment assumed in the employment forecast allocated to Markham by York Region that rely on those designations will be able to be accommodated on appropriate ‘Employment Lands’ designations; and
- c) the conversion will not adversely affect the overall viability of the ‘Employment Lands’ and achievement of *intensification* and density targets, and any other policies of the York Region Official Plan, this Plan and the Province; and
- d) there is existing or planned infrastructure to accommodate the proposed conversion; and
- e) the lands are not required over the long term for the employment purposes for which they are intended; and
- f) cross-jurisdictional issues have been considered.

252. **Modify the Section 5.1.3 preamble to clarify: where the majority of the employment growth by employment type used in the forecasts is expected to be; that certain types of major office and population-related employment will be accommodated in other designations such as the ‘Residential’ and ‘Mixed Use’ designations; and that the role of ‘Employment Lands’ in accommodating employment growth will be reviewed as part of each *municipal comprehensive review* as follows:**

- **5.1.3 Maintaining a Supply of Diverse Employment Lands**

Markham is forecast to add over 95,000 new jobs by 2031, increasing the total employment base to 240,400 jobs. The majority of employment growth, by employment type used in the York Region forecasts, is expected to be in major office employment, followed by employment land employment and population-related employment.

FORECAST EMPLOYMENT GROWTH BY TYPE 2006 TO 2031

	Total 2006	Additional Employment 2006-2031	Total 2031
Major Office	47,400	37,400	84,800
Employment Land <u>Employment</u>	50,000	33,000	83,000
Population Related	47,500	25,100	72,600
Total Employment	144,900	95,500	240,400

Table 5.1.3 - Source: York Region

Anticipated major office employment will almost double in Markham over the forecast period. The majority of these jobs are planned to be accommodated within office buildings located within centres on Regional corridors where higher order transit services will be available. The balance is planned to locate in business parks.

Approximately one-third of the anticipated employment growth will occur in the industrial sector, which, in addition to the protection of the existing supply of designated industrial land will require the addition of 'Future Employment Area' lands to accommodate the forecast growth.

While industrial and office employment growth make up large and important sources of economic growth, the growth of jobs that directly support the day-to-day needs of the community (population-related employment) will also need to be accommodated. These jobs are directly related to population growth and include jobs in institutional, retail and service sectors.

The majority of Markham's employment forecasts will be accommodated in the 'Employment Lands' designations, but certain types of major office and population-related employment will also be accommodated in other designations such as the 'Residential' and 'Mixed Use' designations. The role of 'Employment Lands' in accommodating employment growth will be reviewed as part of each *municipal comprehensive review*.

253. Modify the Section 5.1.3.1 preamble and replace subsection a) to clarify that sufficient lands must be provided to accommodate forecast employment growth for a variety of employment types in appropriate locations throughout the City including ‘Employment Lands’, and to reword subsection d) to clarify the requirement for monitoring the supply and use of ‘Employment Lands’ as follows:

- 5.1.3.1 To plan for and accommodate York Region’s forecasts for employment growth by type in Markham to 2031 by:
- a) providing sufficient lands in appropriate locations throughout the City to accommodate the variety of employment types contemplated in the employment forecasts; establishing policies to protect the supply of ‘Employment Lands’ including protection from the conversion and redesignation of the lands and the introduction of sensitive land uses;
 - b) providing sufficient ‘Employment Lands’ in appropriate designations ~~and in~~ including appropriate locations within the ‘Future Urban Area’;
 - c) establishing development densities that contribute to achieving the forecasts and target densities identified in the York Region Official Plan; and
 - d) ~~controlling and managing~~ monitoring the supply and use of ‘Employment Lands’.

254. Modify Section 9.7.8.5 to provide for phasing of the density and parking provisions on the lands to be designated ‘Business Park Office Priority Employment’, and to provide for a *private school* as a discretionary use on the lands to be designated ‘Business Park Employment’, through the approval of an update of the Cornell Secondary Plan as follows:

- 9.7.8.5 The land use designations as shown on Map 3 –Land Use shall be used to inform the update of the Cornell Secondary Plan for the lands south of Highway 7 west of Donald Cousens Parkway as shown in Figure 9.7.8.5.
- a) The update of the Cornell Secondary Plan shall:
 - i. conform with the designations and policies of Official Plan Amendment No. 224 to the Official Plan (Revised 1987), as amended, and Amendment No. 3 to the Cornell Secondary Plan PD 29-1, for the lands shown as Parcel ‘A’, particularly as they apply to the lands shown as ‘Residential Mid Rise’, ‘Residential High Rise’, ‘Mixed Use High Rise’, ‘Business Park Employment’ and ‘Business Park Office Priority Employment’ on Map 3 – Land Use; and
 - ii. conform with the designations and policies of Official Plan Amendment No. 237 to the Official Plan (Revised 1987), as amended, and Amendment No. 5 to the Cornell Secondary Plan PD 29-1, for the lands shown as Parcel ‘B’, particularly as they apply to the lands shown as ‘Mixed Use Mid Rise’ on Map 3 – Land Use.

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

--

- b) Where a 'Business Park Office Priority Employment' designation is approved through the update of the Secondary Plan, the minimum density of 2.5 FSI and the requirement for underground or structured parking for development may be achieved in phases over time as set out in a *comprehensive block plan*, provided the minimum building height of 5 storeys, except for lower podium heights attached to the main building, is achieved at each phase; and
- c) Where a 'Business Park Employment' designation is approved through the update of the Secondary Plan, a *private school*, with no residential or dormitory component, may also be provided for as a discretionary use, subject to the review of a site-specific development application for zoning approval in accordance with Sections 8.5.1.2 and 8.5.1.3 of this Plan.

255. Modify Section 11.2 Definitions to delete the definitions of Commercial fitness centre and Place of entertainment and modify Sections 8.3.1.2 a), 8.4.1.3 e), 8.5.2.2 g) and h), 8.5.4.3 f), and 8.5.5.4 d) to replace the formerly defined term "Commercial fitness centre" with the undefined term "sports and fitness recreation" and Sections 8.3.3.2 f), 8.3.5.2, 8.3.7.2, 8.4.1.3 l), 8.5.4.3 s) and 8.5.5.4 r) to replace the formerly defined term "Place of entertainment" with "entertainment" as follows:

11.2 DEFINITIONS

~~**Commercial fitness centre** means a premise in which facilities are provided for recreational or athletic activities such as body building and exercise classes and may include associated facilities such as a sauna, a swimming pool, a solarium, a cafeteria and accessory retail uses.~~

~~**Place of entertainment** means a motion picture or live theatre, arena, auditorium, planetarium, concert hall, and other similar uses but shall not include an adult entertainment parlour or any establishment accommodating or providing gambling or gaming activities.~~

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) ~~commercial fitness centre~~ sports and fitness recreation;

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':

- f) ~~place of entertainment~~ entertainment; and

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':

- f) ~~place of entertainment~~ entertainment; and

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':

- c) ~~place of entertainment~~ entertainment, as a discretionary use, subject to review of a site-specific development application for zoning approval;

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':

- e) ~~commercial fitness centre~~ sports and fitness recreation;
- l) ~~place of entertainment~~ entertainment;

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':

- g) *ancillary use* such as retail, service, restaurant, and ~~commercial fitness centre~~ 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, ~~commercial fitness centre~~ sports and fitness recreation use or financial institution within a non-industrial building provided that:

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:

- f) ~~commercial fitness centre~~ *sports and fitness recreation*;
- s) *entertainment*; and
- st) adult entertainment provided it is not located within 1,000 metres of lands within a 'Residential' or 'Mixed Use' designation; ~~and~~

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

- d) ~~commercial fitness centre~~ *sports and fitness recreation*;
- r) *entertainment*; and

256. Modify Section 8.5.4.3 p) to delete the maximum gross floor area restriction for motor vehicle retail sales where provided for as a discretionary use in the 'Service Employment' designation as follows:

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

- p) motor vehicle retail sales, ~~having a maximum gross floor area of up to 3000 square metres per premise~~, with limited accessory outdoor storage or display of motor vehicles in accordance with Section 8.13.6;

257. Modify Section 11.2 to clarify that the definition of Major retail shall not apply to a retail premise exceeding 3,000 square metres devoted to motor vehicle retail sales as follows:

11.2 DEFINITIONS

Major retail means any of the following:

- a) an individual retail premises exceeding 1,000 square metres gross floor area except as provided for in b); or,
- b) where permitted, an office supply or computer supply store ~~or a premises devoted to motor vehicle retail sales~~ having a gross floor area exceeding 3,000 square metres; or,

- c) more than one retail premises on a property having a combined retail gross floor area exceeding 3,000 square metres.

It is the intent of this Plan that the definition of *major retail* shall only apply to the policies of Section 5.1.2 of this Plan and shall not apply to a premise devoted to motor vehicle retail sales.

- 258. Modify the fourth paragraph of the preamble of Section 5.1.7 Retail to insert the words “including sites” after the word “intensification” and before the words “along Highway 7” as follows:**

Mixed Use High Rise’ areas are intended as locations for major *intensification* including sites along Highway 7, Yonge Street, the Langstaff Gateway and Markham Centre. The intent in these areas is to take advantage of excellent future planned rapid transit services to foster large-scale, mixed-use developments in buildings with 3 to 15 storeys incorporating a broad range of retail and service uses including large-scale stores in multi-storey buildings. (Markham Mod. 167)

- 259. Modify Sections 8.9 Private Open Space and 8.13 Specific Use Policies to:**
- a) clarify in Section 8.9.1.2 that only existing cemeteries and uses associated with a cemetery are provided for in the Private Open Space designation consistent with Section 8.9.1.1;**
 - b) clarify in Section 8.9.1.4 that a new cemetery or expansion of an existing cemetery would require an amendment to the Plan;**
 - c) to consolidate and reword the locational and site development criteria for establishment of a new cemetery or expansion of an existing cemetery outlined in Sections 8.9.1.4 and 8.9.1.5 and relocate them into a new Section 8.13.10 Specific Use Policy applicable to a cemetery use throughout the City; and**
 - d) reference Section 8.13.10 in the Master Table of Contents and Chapter 8 Table of Contents and Sections 8.1.1 and 8.1.2 as follows:**

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:

- f) publicly owned *cemetery* in accordance with Section 8.13.10

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 home* in

accordance with Section 8.13.4.

Criteria for Establishment or Expansion of a Cemetery within the Urban Area

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 following matters:~~ a) the need for the proposed use and the appropriateness and suitability of the proposed location;

8.13.10 Cemeteries

It is the policy of Council:

~~8.13.10-4~~ **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;
- ~~a) the need for the proposed use and the appropriateness and suitability of the proposed location ;~~
- ~~b) the type and character of uses on surrounding properties and the possible impacts of the proposal on these 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; ~~g) the geophysical and environmental conditions in the general area including soil and sub-soil conditions.~~

c) a transportation impact assessment has been completed, addressing among other things:

i. e) that direct access to the site is from an arterial road or Provincial highway;

ii. d) the impact of traffic generated by the cemetery use on other uses in the surrounding area; and

iii. e)adequate off-street parking and internal traffic circulation;

de)a master site plan has been prepared demonstrating that the use of existing site characteristics such as topography and vegetation, f) as well as additional landscaping, including planting, grading, and screening as appropriate 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; and

8.9.1.5 **That in addition** to Section 8.9.1.4 above, in considering an application for *development approval* of a cemetery on lands designated 'Private Open Space' Council shall be satisfied the following additional criteria will be met:

- ~~a) soils and hydrological tests and reports will be undertaken by a qualified professional~~

- ~~to the satisfaction of relevant government agencies, including Markham, the Medical Officer of Health and other authorized agencies;~~
- ~~be) 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 ~~the Medical Officer of Health and other~~ authorized agencies;
- ~~ef) 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;
- ~~dg) a~~ stormwater management report study, where if required by Markham, ~~shall be undertaken has been completed~~ by a qualified professional to the satisfaction of and shall be submitted for the approval of the ~~by~~ Markham, and the Toronto and Region Conservation Authority, and for the information of other authorized agencies prior to site plan control approval for any development;
- ~~eh) 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
- ~~fi) proponents of cemeteries may be required to furnish studies or similar information, prepared by qualified professionals in respect of matters such as those noted above.~~
- All requirements of the relevant Provincial Ministry shall be satisfied. (Markham Mod. 41)

8.13 SPECIFIC USE POLICIES

8.13.1 Convenience Retail and Personal Service

8.13.2 Day Care Centre

8.13.3 Drive-Through Service Facility

8.13.4 Funeral Home

8.13.5 Motor Vehicle Service Station

8.13.6 Outdoor Display or Outdoor Storage

8.13.7 Place of Worship

8.13.8 Secondary Suite

8.13.9 Shared Housing

8.13.10 Cemeteries

260. **Modify Section 11.2 Definitions to delete the definition of Funeral home as follows:**

11.2 DEFINITIONS

~~**Funeral home** means a premise used for furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the human body for interment.~~

261. **Modify Section 8.13.4 of the Master Table of Contents and Chapter 8 Table of Contents, and Sections 8.1.3 d), 8.4.1.4 c), 8.5.2.4 a), 8.5.3.4 d), 8.5.4.3 j) and k), 8.5.5.4 f), 8.9.1.2 b), 8.13.4, 8.13.4.1 preamble and d) and e), 9.5.7.4 a), 9.5.11 a) ii, and 9.13.4.5 h) to replace the defined term ‘funeral home’ with the undefined term ‘funeral establishment’ as follows:**

8.13 SPECIFIC USE POLICIES

8.13.1 Convenience Retail and Personal Service

8.13.2 Day Care Centre

8.13.3 Drive-Through Service Facility

8.13.4 Funeral Establishment Home

8.13.5 Motor Vehicle Service Station

8.13.6 Outdoor Display or Outdoor Storage

8.13.7 Place of Worship

8.13.8 Secondary Suite

8.13.9 Shared Housing

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:

d) funeral establishment funeral home;

- 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:

c) funeral establishment funeral home in accordance with Section 8.13.4.

- 8.5.2.4 **To not permit** the following uses on lands designated ‘Business Park Employment’:

a) funeral establishment funeral home;

- 8.5.3.4 **To not permit** the following uses on lands designated ‘Business Park Office Priority Employment’:

d) funeral establishment funeral home;

- 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:

j) funeral establishment funeral home in accordance with Section 8.13.4;

- k) crematorium accessory to a funeral establishment funeral home provided it is not located within 300 metres of a *sensitive land use* or lands within a 'Residential' and 'Mixed Use' designation;

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

- f) funeral establishment funeral home;

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

- b) cemetery and uses associated with a cemetery such as mausoleum, columbaria, crematorium,
and funeral establishment funeral home in accordance with Section 8.13.4.

8.13.4 **Funeral Establishment Home**

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 funeral home where provided for in this Plan, Council shall be satisfied that the following requirements, where applicable, will be fulfilled:

- d) a transportation impact assessment traffic study be submitted to demonstrate, to

the satisfaction of Markham and/or the Region, that the funeral establishment funeral home use will not result in significant traffic impacts including parking and vehicle stacking on the adjacent development. The study assessment shall also include a traffic management plan demonstrating how major or special circumstance funerals are to be addressed; (Markham Mod. 43)

- e) a conceptual site plan including elevations be submitted to demonstrate, to the satisfaction of Markham, the functionality of the site for the funeral establishment funeral home 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

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

- a) a banquet hall and a funeral establishment funeral home shall also be permitted, except a funeral establishment funeral home shall not be permitted on the lands shown in hatching on Figure 9.5.7;

9.5.11 On the lands designated 'Mixed Use Mid Rise' lands at 2880-2920 Major MacKenzie Drive East, 725-735 Markland Street, as shown in Figure 9.5.11:

- a) the following uses shall also be permitted:
 - i. funeral establishment funeral home.

9.13.4.5 The following site specific provisions apply to the 'Residential Low Rise' lands as shown in Figure 9.13.4.4:

- h) a funeral establishment ~~funeral home~~ shall also be permitted at 166 Main Street North;

262. Modify the Section 8.13.4 Funeral Home specific use policy to delete the Section 8.13.4.1 c) restriction on the number of funeral homes in each defined community area identified in Appendix H – Funeral Homes Community Areas and reorder the subsequent subsections as follows:

8.13.4 Funeral Home

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 home* 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;

~~e) the maximum number of funeral homes in each defined community area identified in Appendix H – Funeral Homes Community Areas be as follows:~~

- ~~• one each in Community Areas 1 and 2,~~
- ~~• two each in Community Areas 3 and 4,~~
- ~~• one in Community Area 5; and~~
- ~~• one in each cemetery greater than 40 hectares;~~

~~ed)~~ a transportation impact assessment ~~traffic study~~ be submitted to demonstrate, to the satisfaction of Markham and/or the Region, that the *funeral home* use will not result in significant traffic impacts including parking and vehicle stacking on the adjacent development. The study-assessment shall also include a traffic management plan demonstrating how major or special circumstance funerals are to be addressed; (Markham Mod. 43)

~~ed)~~ a conceptual site plan including elevations be submitted to demonstrate, to the satisfaction of Markham, the functionality of the site for the *funeral home* 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

~~fe)~~ any other studies deemed necessary by Markham to complete a full evaluation of the requested approvals be submitted.

263. Modify the Master Table of Contents and Appendices Table of Contents and the Appendices to delete reference to 'Appendix H - Funeral Homes Community Areas' and reorder and renumber all subsequent appendices reference and delete 'Appendix H – Funeral Homes Community Areas' as follows:

APPENDICES

~~H~~ Funeral Homes Community Areas

~~H~~ Former Waste Disposal Sites

~~H~~ Clean Water Act Highly Vulnerable Aquifers

Schedule “B”

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
1	1.1	All	None	N/A
	1.2	Paragraphs 1-4	None	N/A
	1.3	All	1.3.1	22
	1.5	All	None	N/A
2	2.0	All	2.0	24
	2.1	All	2.1	22
	2.2	All	2.2.2 2.2.2.1 2.2.2.4 2.2.3 2.2.3.1 2.2.4	22 22 22 22 22 22
	2.3	2.3.2 (c)-(h)	2.3.2(c) 2.3.2(d) 2.3.2(e)-(h)	1, 22 1, 22, 24 1, 22
		2.3.3	2.3.3	1
	2.4	Preamble 2.4.1-8	Preamble 2.4.3 2.4.5 2.4.9	22 22 22 21
2.4.9 2.4.10 2.4.11				
2.5	Preamble 2.5.1 2.5.1.1-2	Preamble 2.5.1, Preamble 2.5.1.1 2.5.1.2	22 21 21 21	
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3	3.0	All	None	N/A	
	3.1	3.1 Preamble	None	N/A	
		3.1.1.1-3	3.1.1.2	22	
		3.1.1.5-13	3.1.1.10-11, 13	22	
		3.1.2 Preamble	3.1.2 Preamble	22	
		3.1.2.1-15	3.1.2.1-2, 3.1.2.4-7, 9	22	
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		3.1.3	3.1.3	22	
		3.1.4	3.1.4	1, 2, 5	
		3.1.5			
	3.2	3.2.2	None	N/A	
		3.3	3.3.1	None	N/A
			3.3.2	3.3.2, 3.3.2.1-2,7	22
			3.3.3 Preamble		
			3.3.3.1-4	3.3.3.2 a)	22
			3.3.3.6-8		
3.3.3.10-14	3.3.3.13		22		
	3.4	3.4 Preamble	None	N/A	
		3.4.1 Preamble			
		3.4.1.1-6			
		3.4.1.7	3.4.1.7	24	
		3.4.1.8-20			
		3.4.2	3.4.2	2	
	3.5	3.4.3			
		3.5 Preamble	None	N/A	
		3.5.1			
		3.5.3-7			
4	4.0	All	None	N/A	
	4.1	4.1 preamble	4.1 preamble	22	
		4.1.1.1	4.1.1.1	22	

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	4.4	All	None	N/A
	4.5	Preamble 4.5.1.1-3 4.5.2 4.5.3 4.5.4 4.5.5	4.5.2.1-4 4.5.3.12-13	32 24
	4.6	All	None	N/A
5	5.1	Preamble 5.1.1 5.1.2 5.1.3 5.1.4.1-2 5.1.4.3-4 5.1.5 5.1.6 preamble 5.1.6.1 5.1.6.2 5.1.7 preamble 5.1.7.1 5.1.7.2 5.1.7.3-10 5.1.8	None 5.1.1 5.1.4.1-2 5.1.7 preamble 5.1.7.1 5.1.7.2 5.1.7.3-10	N/A 1 21 1, 22 1, 22 1, 21, 22 1, 22

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		6.2	6.2. preamble 6.2.1 preamble 6.2.1.1-3 6.2.2 preamble 6.2.2.1 6.2.2.2 (a)-(c), (e)-(h) 6.2.2.3-8 6.2.3 preamble 6.2.3.1 6.2.3.2	6.2 preamble 6.2.1 preamble 6.2.1.1-3 6.2.2.1 6.2.2.2 (a)-(c), (e)- (h)	22 22 22 22 22 22
		6.3	6.3.1(b)-(g)	None	N/A
7	7.1	Preamble 7.1.1 7.1.2	Preamble 7.1.1 7.1.2 preamble	19, 22 19, 22 7, 19, 22	

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		7.1.3 7.1.4-8	7.1.2.1-4 7.1.2.5-9 7.1.3 preamble 7.1.3.1 7.1.3.2-3 7.1.3.4 7.1.3.5-10 7.1.4-8	7, 19, 22 7, 19 14, 19 14, 23 19 14, 19 19 19
	7.2	All	All	19
8	8.0	All	All	10, 24
	8.1	8.1 Preamble 8.1.1 8.1.2 8.1.3 8.1.4-6	8.1 Preamble 8.1.5	10, 21, 24, 22 22, 24
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		8.3.5.1 (a), (c), (e), (f) 8.3.5.2-4 8.3.5.5 (b), (c), (d) 8.3.6 8.3.7	8.3.5.1 (a), (c), (e), (f) 8.3.5.2-4 8.3.5.5 (b), (c), (d)	15, 21 15, 21 15, 21
	8.4	All	All	1,15
	8.5	8.5 Preamble 8.5.1 8.5.2 8.5.3 8.5.4 8.5.5	8.5 Preamble 8.5.1 8.5.2 8.5.3 8.5.4 8.5.5	1, 9, 10, 15 1, 9, 10, 15, 19 1, 9, 10, 15, 19 1, 9, 10, 15 1, 9, 10, 15 1, 9, 10, 15
	8.6	8.6 Preamble 8.6.1.1 8.6.1.5-8	None	N/A
	8.7	Preamble 8.7.1.1 (a), (c), (d) 8.7.1.2	Preamble 8.7.1.1 (a), (c), (d) 8.7.1.2	3 3 3
	8.8	Preamble 8.8.1.1 8.8.1.2 8.8.1.5	Preamble 8.8.1.1 8.8.1.2 8.8.1.5	1, 5, 28 1, 5, 28 1, 5, 28 1, 5, 28
	8.9	8.9.1.3-4	None	N/A
	8.10	All	None	N/A
	8.11	All	None	N/A
	8.13	8.13.1-9 8.13.10 a)-b), c) ii-iii - h)	None	N/A

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
9	9.0	All	None	N/A
	9.1	All	None	N/A
	9.2	All	None	N/A
	9.3	All	None	N/A
	9.4	All	9.4.5 9.4.5.1	19 19
	9.5	All	9.5.2 9.5.4 9.5.5 9.5.7 9.5.9	23 23 23 23 3
	9.6	All	9.6.3-5	15
	9.7	All	9.7.1-7 9.7.8 9.7.8.1-4 9.7.8.5 (in part) 9.7.8.6 9.7.8.7 9.7.9-12	18 18 18 18 18 18 18
	9.8	All	9.8	32
	9.9	All	None	N/A
	9.10	All	9.10.1-4	9, 10
	9.11	All	None	N/A
	9.12	All	9.12.1-2 9.12.3 9.12.4 9.12.5 9.12.6	21 20, 21 20, 21 20 21
	9.13	All	None	N/A

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	9.14	All	None	N/A
	9.15	All	9.15.1 9.15.2 9.15.3 9.15.3.1-4	22 22 22 22
	9.16	All	None	N/A
	9.17	All	None	N/A
	9.18	All	9.18.11 9.18.11.1 9.18.11.2	24 24 24
	9.19	All	None	N/A
	9.20	All	None	N/A
10	10.0	All	None	N/A
	10.1	Preamble 10.1.1 10.1.2 10.1.3 10.1.4	Preamble 10.1.1 10.1.2 preamble 10.1.2.1 10.1.2.2-4 10.1.2.5-7 10.1.2.8 10.1.2.9-10 10.1.3 10.1.4	22 22 2, 18, 22 2, 18, 22 1, 2, 18, 22 2, 18, 22 1, 2, 18, 22 22 2, 22 2, 22, 24
	10.2	Preamble 10.2.1.1-4 10.2.2-7	Preamble 10.2.4	22 22
	10.3	All	None	N/A
	10.4	All	10.4.3	24
	10.5	All	None	N/A
	10.6	All	None	N/A

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
	10.7	All	None	N/A
	10.8	10.8.1.1-9 10.8.3 10.8.4	10.8.1.1-5	14
	10.9	All	None	N/A
	10.10	All	None	N/A
	10.11	All	None	N/A
	10.12	All	None	N/A
	10.13	All	10.13.8	2, 22
	10.14	All	None	N/A
11	11.1	All	None	N/A
	11.2	“Accessory use” “Adjacent lands” “Adverse effects” “Affordable Housing” “Agricultural uses” “Agriculture-related uses” “Agritourism” “Alternative energy systems” “Ancillary uses” “Archaeological resources” “Areas of archaeological		

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		<p>potential”</p> <p>“Bed and breakfast establishment”</p> <p>“Biodiversity”</p> <p>Brownfield site”</p> <p>“Built heritage resources”</p> <p>“Built-up area”</p> <p>“Coach house”</p> <p>“Comprehensive Block Plan”</p> <p>“Conservation/ conserved”</p> <p>“Contaminant management plan”</p> <p>“Convenience retail and personal service”</p> <p>“Cultural heritage conservation”</p> <p>“Cultural heritage landscape”</p> <p>“Cultural heritage resources”</p> <p>“Cultural or regenerating woodland”</p> <p>“Day care centre”</p> <p>“Development</p>	<p>“Comprehensive Block Plan”</p>	<p>22, 24</p>

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		approval” “Discretionary uses” “Ecological features” “Ecological function” “Ecological integrity” “Endangered species” “Erosion hazard” “Farm vacation home” Fish habitat” “Floodplain” “Flood vulnerable areas” “Flooding hazard” “Floor Space Index” “Greenfield area” “Groundwater recharge” “Habitat of endangered and threatened species” “Hazardous lands” “Hazardous sites” “Heritage attributes” “Heritage conservation district”	“Floor Space Index”	24

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		<p>“Heritage conservation plan”</p> <p>“Heritage impact assessment”</p> <p>“Highly vulnerable aquifer”</p> <p>“Home business”</p> <p>“Home industry”</p> <p>“Home occupation”</p> <p>“Intensification”</p> <p>“Intensification areas”</p> <p>“Intermittent stream”</p> <p>“Key development areas”</p> <p>“Key natural heritage feature”</p> <p>“Landform features”</p> <p>“Major recreational uses”</p> <p>“Major Retail”</p> <p>“Minimum distance separation formulae”</p> <p>“Mobility hub”</p> <p>“Municipal comprehensive review”</p> <p>“Natural self-</p>	<p>“Major Retail”</p>	<p>1, 15</p>

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		<p>sustaining vegetation”</p> <p>“Noise exposure forecast”</p> <p>“Normal farm practices”</p> <p>“Permanent stream”</p> <p>“Place of worship”</p> <p>“Prime agricultural area/land”</p> <p>“Private Club”</p> <p>“Private School”</p> <p>“Protected heritage property”</p> <p>“Provincially rare species”</p> <p>“Provincially significant wetlands”</p> <p>“Public community infrastructure”</p> <p>“Public school”</p> <p>“Redevelopment”</p> <p>“Register of Property of Cultural Heritage Value or Interest”</p> <p>“Regulatory flood standard”</p> <p>“Renewable energy systems”</p>		

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		<p>“Secondary suite”</p> <p>“Seepage areas and springs”</p> <p>“Sensitive land uses”</p> <p>“Sensitive Land Use Compatibility Study”</p> <p>“Shared housing”</p> <p>“Significant archaeological resources”</p> <p>“Significant cultural heritage resources”</p> <p>“Significant groundwater recharge area”</p> <p>“Significant local groundwater recharge area”</p> <p>“Significant valleylands”</p> <p>“Significant wildlife habitat”</p> <p>“Site alteration”</p> <p>“Special concern species”</p> <p>“Special policy area”</p> <p>“Subwatershed”</p> <p>“Subwatershed plan”</p>		

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
		“Traditional territories” “Threatened species” “Trade school” “Tree” “Tree canopy” “Urban agriculture” “Urban growth centres” “Valleylands” “Vegetation Protection Zone” “Watershed” “Watershed plan” “Wetlands” “Woodland”	“Valleylands” “Vegetation Protection Zone”	22 1, 2, 5, 22
Maps	Map 1	All	See annotation of Map 1 and Master Issues List	1, 4, 5, 7, 15, 16, 17, 18, 19, 21, 24, 28
	Map 2	All	See annotation of Map 2 and Master Issues List	7, 15, 18, 19, 21, 24
	Map 3	All	See annotation of Map 3 and Master Issues List	1, 4, 5, 7, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26,

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
				28
	Map 4	All	See annotation of Map 4 and Master Issues List	1, 2, 4, 5, 18, 24
	Map 5	All	See annotation of Map 5 and Master Issues List	1, 2, 4, 5, 18, 24
	Map 6	All	See annotation of Map 6 and Master Issues List	1, 2, 4, 5, 18, 24
	Map 7	All	See annotation of Map 7 and Master Issues List	5
	Map 8	All	None	N/A
	Map 10	All	See annotation of Map 10 and Master Issues List	2, 14, 20, 23
	Map 11	All	See annotation of Map 11 and Master Issues List	2, 20
	Map 12	All	See annotation of Map 12 and Master Issues List	1, 5, 7, 28
	Map 13	All	None	N/A
	Map 14	All	None	N/A
	Map 15	All	See annotation of Map 15 and Master Issues List	1, 5, 21, 28
	Appendix A	All	See annotation of Appendix A and Master Issues List	2, 24

Chapter	Section	In Force City-Wide, Subject to Area/Site Specific Appeals	Under Area/Site Specific Appeal	Appellant
	Appendix B	All	See annotation of Appendix B and Master Issues List	2, 5, 24
	Appendix C	All	See annotation of Appendix C and Master Issues List	5, 24
	Appendix D	All	None	N/A
	Appendix E	All	See annotation of Appendix E and Master Issues List	2
	Appendix F	All	See annotation of Appendix F and Master Issues List	22
	Appendix G	All	None	N/A
	Appendix H ¹	All	None	N/A
	Appendix I	All	See annotation of Appendix I and Master Issues List	2

¹ Appendix H as adopted is proposed to be deleted. Appendices I-J will be renamed accordingly to Appendices H-I.

GROUP A: APPEALS THAT REQUIRE RESOLUTION OF ROPA 3

Issues

All Issues moved to Group "J" Site Specific

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

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

GROUP C: ENVIRONMENTAL SYSTEMS

Issues
<p>Policies under City Wide appeal by North Markham Landowners Group Inc. (Appellant 1), Berczy Glen Landowners Group Inc. (Appellant 2), Romandale Farms Limited (Appellant 4) Minotar et al (Appellant 5), Lindvest Properties (Appellant 18) and Atlas Shouldice Healthcare Ltd. (Appellant 24) (Note: These issues are numbered separately for purposes of hearing in January, 2018)</p>
<p><u>SWM Facilities in VPZs</u></p> <ol style="list-style-type: none"> 1. Is policy 3.3.3.9 appropriate? Does it contain appropriate flexibility to permit storm water management facilities to locate within <i>natural heritage and hydrologic features</i> and VPZs, where appropriate and subject to meeting clearly articulated and technically justified requirements? 2. Are the Stormwater Management Guidelines that are referred to in policy 3.3.3.9 and 3.3.3.5 appropriate in providing guidance with respect to 3.3.3.9 (a) to (d)?
<p><u>Urban Forest</u></p> <ol style="list-style-type: none"> 3. Are the policies with respect to the protection of the urban forest in particular compensation for woodland and other tree removal, including policy 3.2.1(c), reasonable and appropriate?
<p><u>Development, Redevelopment and Site Alteration in Woodlands (including Significant Woodlands)</u></p> <ol style="list-style-type: none"> 4. Do the woodlands (including significant woodlands) policies appropriately recognize the circumstances in which development, redevelopment and site alteration may be considered in woodlands; do they appropriately balance the community planning objectives of the Official Plan, and do they represent good planning?
<p><u>Policy 3.5.2</u></p> <ol style="list-style-type: none"> 5. Should the words "in consultation with" be added after "Markham" in policy 3.5.2 to reflect the fact that "TRCA and other agencies" are not approval authorities.

**Note: York Region and TRCA have expressed an interest in this group of issues
MMA has expressed an interest in issues in this group related to hazardous lands and issues that affect the Greenbelt**

GROUP D HOUSING/ COMMUNITY INFRASTRUCTURE/ CULTURAL HERITAGE

Issues	
2. Berczy Glen Landowners Group Inc.	
99.	Is section 4.2 overly onerous and is it appropriately balanced with other objectives of the Official Plan?
101.	Is it appropriate for policy 4.2.4 to require the identification of places of worship at the secondary plan level and does this policy constitute good planning?

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

Issues	
1.	North Markham Landowners Group, Angus Glen North West Inc. and Angus Glen Holdings Inc (Angus Glen Golf Club and Angus Glen Developments Ltd are a party to these issues) (Issues moved to Group J – Site Specific)
116.	Should the policies of the Markham OP permit the finalization of the policies and permissions in the Future Employment Area designation through the completion of the Secondary Plan(s) contemplated by the City's OP?
4.	Romandale Farms Ltd.
117.	Are the density targets for the Future Urban Area set out in section 2.6.1 appropriate? Are they consistent with the PPS, do they conform with the Growth Plan and the ROP 2010 and do they represent good planning?
118.	Is the requirement in policy 2.6.2 that the employment lands within the Future Urban Area accommodate the employment forecasts to 2031 for the entirety of the City appropriate, good planning, consistent with the PPS and in conformity with the Growth Plan and ROP 2010?
119.	Are the requirements in policy 8.12 appropriate, reasonable and do they represent good planning?
120.	Should policy 8.12.1.4 be modified such that the minimum requirements for a Conceptual Master Plan are evaluated on a case-by-case basis?
	(Appellant 7 has an interest in issues 117, 118 and 119.)
21.	Dorsay (Residential) Developments Inc.
130.	Is the employee target ration in Policy 2.5.1.3 appropriate, reasonable and does it represent good planning?
133.	Are the policies and text contained in section 8.3.5 Mixed Use Office Priority Preamble, 1 st 2 paras, 8.3.5.1 (b) (d), 8.3.5.5 (a) appropriate, suitable and do they represent good planning?
140.	Are the policies in Section 8.3.5 Mixed Use Office Priority Preamble, 1 st 2 paras, 8.3.5.1 (b) (d), 8.3.5.5 (a), reasonable and appropriate and do they represent good planning?
141.	Are the policies in Section 8.3.5 Mixed Use Office Priority Preamble, 1 st 2 paras, 8.3.5.1 (b) (d), 8.3.5.5 (a), appropriate and suitable, and do they represent good planning for the Dorsay lands? Do these policies provide an appropriate policy framework to guide the development of the Dorsay Lands? Is it appropriate to require the provision of office uses on the Dorsay lands?
144.	Is policy 10.2.1.5 reasonable, appropriate and does it represent good planning?
Note: York Region, TRCA, and Infrastructure Ontario, and Appellants 22 have expressed an interest in these issues	

GROUP F URBAN DESIGN/ SUSTAINABLE DEVELOPMENT

Issues
None remaining

GROUP G IMPLEMENTATION/ COMPREHENSIVE BLOCK PLAN/ RIGHT OF WAY

Issues
Moved to Group J Site Specific

Group H Countryside

Issue
<p>1. North Markham Landowners Group, Angus Glen Northwest Inc. and Angus Glen Holdings</p> <p>(Angus Glen Golf Club and Angus Glen Developments Ltd is a party to these issues)</p> <p>224. What modifications to the policies and mapping of the City's OP are required to reflect the OMB approval of York Region Official Plan policies 5.1.12 and 6.3.10 and associated mapping changes, which reference the lands designated as Countryside and state that "the Region and local municipalities shall protect for the opportunity for new community areas and employment lands" within such lands? (Issue also raised by Appellants 5 and 28)</p> <p>(Appellant 7 has expressed an interest in this issue)</p>
<p>Note: York Region has expressed an interest in these issues</p>

GROUP I: PARKLAND DEDICATION

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

Schedule "C"
City of Markham Official Plan

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

GROUP J: AREA AND SITE SPECIFIC

Issues	
1. North Markham Landowners Group, Angus Glen Northwest Inc., and Angus Glen Holdings (Angus Glen Golf Club and Angus Glen Developments Ltd and Romandale Farms are parties to these issues)	
36.	Should the Markham OP policies recognize and permit the finalization of the natural heritage network (including Core Area Enhancements and Core Linkage Enhancements) in the Future Urban Area (currently set out on Map 4) through the Secondary Plan(s) for that area? (Appellant 4 has expressed an interest in this issue)
52A.	Are the policies in section 3.1.4 respecting the Rouge Watershed Protection Area and the section 3.1.2.22 VPZ policies and the delineation of the Greenway System boundary consistent with the boundaries of the features and VPZ shown in the OPA 140 Minutes of Settlement for the following properties? <ol style="list-style-type: none">1. Robinson block: Major Kennedy South Developments Limited, Part of Lot 21, Concession 6, Markham Feature: Wetland lobe extending southward from Robinson Swamp2. Employment block: Warden Mills Developments Limited, 11162 Kennedy Road, Markham Feature: Headwater drainage feature extending eastward from Berczy Creek3. East of Warden block: Kennedy Elgin Developments Limited, 11242 Warden Ave., Markham Feature: Wetland along southerly limit, watercourse in easterly part4. 10541 Highway 48 [Part of Lot 24, Concession 8 as in R411284 described by PIN 03062-0011 (LT)]; and 10192 Ninth Line [Part of Lot 21 and 22, Concession 8, Part 1, Plan 65R13746 described by PIN 03062-0023 (LT)]5. Part of Lots 22 and 23, Concession 4, designated as Part 2 on Plan 65R-24972 (Site specific Issue for Berczy Glen Landowners Group) (Appellant 28 has expressed an interest in this issue)
62A.	Are the natural heritage designations on the Maps and in the Appendices on the Future Urban Area including the Greenway System, Natural Heritage Network, and Natural Heritage Enhancement Lands designations appropriate?
110.	As they relate to the Future Urban Area, are the policies in Section 8.3, including but not limited to policies 8.3.2.1(b), 8.3.2.3, 8.3.2.4, 8.3.2.5, 8.3.3.3, 8.3.3.5, 8.3.4.1 and 8.3.4.3 appropriate?
111.	As they relate to the Future Urban Area, are the policies in the Markham OP respecting Markham's retail structure, including <i>major retail</i> , and

- ancillary uses in employment areas appropriate? Do they conform with the Growth Plan, the York Region Official Plan and are they consistent with the 2014 PPS? Do they represent good planning?
112. As it relates to the Future Urban Area, is the definition of *major retail* appropriate and does it conform with the *Places to Grow Act, 2005*, the Growth Plan for the Greater Golden Horseshoe, the York Region Official Plan and is it consistent with the 2014 PPS?
113. As they relate to the Future Urban Area, do the policies in the Markham OP conform with the direction and intent of York Region Official Plan policies 4.4.8 and 4.3.11?
114. Should the policies applicable to the Future Urban Area be modified to recognize and provide for large-format retail uses? Should a separate Commercial designation apply to the Future Urban Area? What modifications to the policies in Section 8.4, including policy 8.4.1.2, and to the Schedules are required?
115. As they relate to the Future Urban Area, should the policies of Section 8.5 be modified to broaden the range of permissions on employment lands?

2. Berczy Glen Landowners Group Inc.

52. Do Maps 4, 5 and 6 and Appendices A and B appropriately reflect the landscape, and do they reflect and/or assist in implementing the policies of Chapter 3 as they relate to the Berczy Glen Landowners Group lands?
53. Should the blue line traversing the Berczy Glen Landowners Group lands located on the west side of Warden Avenue be removed from Maps 5, 6, 10 and 11 and Appendix E?
54. Should policies be added to the Official Plan allowing for changes to Appendix J where warranted by updated or more detailed data?
- 62A. Are the natural heritage designations on the Maps and in the Appendices on the Future Urban Area including the Greenway System, Natural Heritage Network, and Natural Heritage Enhancement Lands designations appropriate?
189. Are the policies of section 10.1.2 appropriate or are the requirements overly onerous, especially when combined with the Conceptual Master Plan work to be undertaken in the Future Urban Area?
190. Are the policies of section 10.1.3 and section 10.1.4, when combined with the requirements of section 10.1.2 appropriate or are the requirements overly onerous?

3. First Elgin Mills Developments Ltd.

1. Should the "Hamlet" identification/designation be reinstated for Victoria Square? (Policy 8.7)
 - (a) Does the elimination of that identification/designation comply with the Regional Official Plan (which retains that identification/designation)?
 - (b) Should the Hamlet identification/designation be expanded east to the west limit of the Natural Heritage System lands?

2. Should the future development of the lands lying between the existing Victoria Square Hamlet and the west limit of the Natural Heritage System lands (to the east) be governed by distinct policies which recognize their development as a hamlet expansion? (Policy 8.12 and Chapter 9)
 - (a) Should these lands be planned separate from the urban expansion lands in North Markham (ROPA 3) given their location and proximity to the Victoria Square hamlet?

4. Romandale Farms Ltd.

55. Is the designation of the Romandale Lands as Greenway System and its components on Maps 4, 5 and 6 appropriate and does it properly reflect the natural heritage features on the Romandale Lands?
- 62A. Are the natural heritage designations on the Maps and in the Appendices on the Future Urban Area including the Greenway System, Natural Heritage Network, and Natural Heritage Enhancement Lands designations appropriate?
168. Are the development standards set out in policy 6.1.8.10 appropriate and reasonable, and do they provide sufficient flexibility to develop sites with a variety of forms?
237. Does the designation of the Romandale Lands as "Future Employment Area" on Map 3 conform with the Growth Plan and the ROP 2010 and is it consistent with the 2014 PPS? Does this designation represent good planning?
238. Is it appropriate and does it represent good planning to designate the Romandale Lands instead for mixed employment and residential uses in accordance with the development applications filed by Romandale?

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

5. Minotar Holdings Inc., Cor-lots Developments, Cherokee Holdings, Halvan Investments Ltd., and Beechgrove Estates Inc.

62. Are the natural heritage designations on the Maps and in the Appendices on the KMLG lands appropriate including the Greenway System, Natural Heritage Network, and Natural Heritage Enhancement Lands designations? In particular:
 - (a) Is the Core Area Enhancement designation on Map 4 Greenway System south of Elgin Mills Road, west of McCowan Road, north Major Mackenzie Drive and east of Kennedy Road consistent with the approach taken for similar areas of the Provincial Greenbelt System in the City and necessary to address the criteria of Section 3.1.3.1 of the City of Markham Official Plan (i.e. to improve biodiversity around existing natural features and protected provincial policy areas; improve connectivity of subwatersheds and their features; improve

ecological function)?

- (b) Is the Core Linkage Enhancement "arrowhead" on Map 4 Greenway System appropriately located on the KMLG lands east of McCowan Road given that the Core Linkage does not extend to the west and given the small size of this habitat?
- (c) Are the Greenway and Natural Heritage Network designations appropriate for agricultural table land devoid of natural heritage features and functions?
- (d) Should Appendix B: Headwater Drainage Features be updated to reflect the most current information, including the text box with respect to management of these features?

62A. Are the natural heritage designations on the Maps and in the Appendices on the Future Urban Area including the Greenway System, Natural Heritage Network, and Natural Heritage Enhancement Lands designations appropriate?

(Appellant 7 has expressed an interest in these issues)

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

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

48 ought to be noted as "proposed regional transit priority" north of Major MacKenzie?

(c) Map 10 - should a potential future GO station be shown near Major MacKenzie on the Stouffville GO line?

15. Having regard for the Policies in Section 8.5 "Employment," is it appropriate to designate the land located close to the intersection of 9th Line and Steeles Ave, known as Little Farm as Future Urban Area/Neighbourhood Area? **(Remington Steeles Inc. Barry Glen Little and Robert Brownlee Little have expressed an interest in this issue)**

(Appellant 28 has expressed an interest in Issue 9-11 and 14).

14. Cathedral Town Ltd.

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

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

15. Times Group Corporation

122. What modifications are warranted to the Official Plan's retail commercial policies (policies 5.1.7, 8.3, 8.4, 8.5 and the definition of *Major Retail* in policy 11.2 and 5.1.2) so as to:

(a) Provide proper and appropriate guidance on where to plan for retail in the City?

(b) Ensure that the definition of "Major Retail" properly conforms to the Growth Plan with respect to employment land conversions.

(c) Recognize that there are development applications in process which might not comply with the new Official Plan retail policies with respect to:

(i) The maximum size of individual retail premises;

(ii) The mix of uses required to contribute to the creation of "complete communities"

(iii) The requirement of street-related retail and service uses to residential/office buildings; and

(iv) The built form (large format retail to compact mixed-use)?

244. What is the appropriate land use designation for the lands on the south side of Highway 7, east of Bayview Avenue, west of the existing buildings in the Leitchcroft Community? The lands are Block 3 on Plan 65M-3575, Blocks 45 & 46, Plan 65M-3226, Part 1 on Plan 65R-31601 and Part 1 on Plan 65R-32906 (Policies 9.6.3, 9.6.4, 9.6.5; Maps 1, 2 and 3)

16. Box Grove Hill Developments Inc.

245. Should development of the vacant lands within the plan of subdivision continue to be governed by the environmental policies of the in-force Box Grove Secondary Plan as opposed to the environmental policies in Chapter 3 of the City's new Official Plan? (Chapter 3)

17. Neamsby Investments Inc., Rosina Mauro and Fulton Homes Limited

247. In the context of the Growth Plan for the Greater Golden Horseshoe, 2006 and the Provincial Policy Statement, 2014, are the lands municipally known as 5659 to 5933 14th Avenue (the "Lands") within an "Employment Area"?

248. In the context of the Planning Act, are the Lands within an "area of employment"?

249. Is the proposed designation of the Lands as being within an "Employment Area" on Map 1 to the City of Markham Official Plan (the "Official Plan") appropriate, and does it represent good planning?

250. Is the proposed designation of the Lands as "General Employment" on Map 3 to the Official Plan appropriate, and does it represent good planning?

251. What is the appropriate designation for the Lands in the Official Plan given the history of land use on the Lands, the existing use of the Lands, and the surrounding uses, which include low-rise residential and a community centre and park (under construction)?

252. If the Lands are considered to be within an "Employment Area", is the Appellant's proposal to convert a portion of the Lands to permit non-employment uses thereon:

- (a) in conformity with the Growth Plan;
- (b) consistent with the PPS, 2014; and
- (c) representative of good planning?

253. Is Policy 9.2.10 of the Official Plan as originally adopted by City of Markham Council on December 10, 2013 appropriate, and does it represent good planning?

254. Does the Appellant's development proposal satisfy the City of Markham Council criteria established in Policy 9.2.10 to the Official Plan?

255. Is York Regional Modification No. 55 to Policy 9.2.10 to the Official Plan as further modified by York Region approval on June 12, 2014 appropriate, and does it represent good planning?

18. Lindvest Properties (Cornell) Limited

62B. Are the natural heritage designations on the Maps and in the Appendices on the Cornell Secondary Plan Area lands including the Greenway

System and Natural Heritage Network designations appropriate?

66. Are the policies and mapping respecting woodlands and wetlands correct and appropriate?
196. Should the new Markham Official Plan apply to lands subject to the Cornell Secondary Plan? Do policies 9.7.8.2, 10.1.2.5 and 10.1.2.6 adequately permit existing secondary plan permissions to continue?
197. Is it appropriate to require the updating of the Cornell Secondary Plan to conform to the Markham OP rather than accommodating existing secondary plan policies and permissions in the Markham OP?
198. Should the finalization of designations, policies and mapping in the Markham OP applicable to Cornell Secondary Plan area await the updating of the Cornell Secondary Plan?

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

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

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

129. Are the restrictions and land use permissions of policies 8.5.1.6 and 8.5.2 appropriate, recognizing that the York Region Official Plan policy 7.2.90 allows a broader range of uses?
258. Does the Markham Official Plan provide the appropriate policies and Maps to implement the intent of the York Region Official Plan and in particular its policy 7.2.90?
259. Are the restrictions on FSI and height in Section 8.3.4 appropriate should a portion of the Buttonville Airport lands be designated "Mixed Use High Rise" as part of the redevelopment of those lands?
260. Should all relevant policies applicable to the Buttonville Airport lands (together with the relevant parts of Maps 1, 2, 3 and 10) be deferred, insofar as the Buttonville Airport lands are concerned, until the Official Plan Amendment currently before the OMB for these lands (Case No. PL130548) has been disposed of?
261. Is the proposed redevelopment of the Buttonville Airport lands an intensification form of development within an established Provincial Built Boundary? If so, does the proposed redevelopment of Buttonville have any bearing on the amount of land that is being brought into the Urban Area Boundary by York Region Official Plan Amendment (ROPA) 3?
262. Should the Markham Official Plan carry forward the policies found in Section 4.3.13.4 of the "in force" Markham Official Plan (1987)?

20. IBM Canada Ltd.

263. Should the depiction of the Yorktech Drive extension on Map 10 be modified by:
- (a) Replacing the solid line with a dashed line [to indicate a "proposed" road]?
 - (b) Placing an asterisk over the proposed extension [to indicate it is the subject of an EA study]?
264. Should the classification of Yorktech Drive between Rodick Road and South Town Centre Boulevard remain as a minor collector road?
265. What, if any, consequential modifications are required to the policies of s. 7?
266. Should Appeal No. 20 be deferred pending the update of the Markham Centre Secondary Plan?
267. Should the proposed designations of the IBM lands depicted on Map 3 be modified to reflect and permit the current "as-of-right" land use permissions of the "Community Amenity Area" designation of the Markham Centre Secondary Plan?
268. Should development of the IBM lands be exempted from the requirements of s. 9.12.5?
269. Should s. 9.12.3 and the first sentence of s. 9.12.4 be modified so as not to prejudice or prejudge the anticipated Markham Centre Secondary Plan update?
270. What, if any, consequential modifications are required to the policies of s. 8?

21. Dorsay (Residential) Developments Inc.

- 130A Are the policies in section 2.5.1 Preamble, 2.5.1.1. and 2.5.1.2 reasonable, appropriate and good planning? Are the density targets reasonable, appropriate and do they represent good planning? Should these policies apply to the Dorsay Lands?
131. Are the policies contained in section 5.1.4, including subsections 5.1.4.1, 5.1.4.2, and ~~5.1.4.3~~ with respect to the Mixed Use Office Priority designations unduly onerous and unreasonable in prescribing the form of development permitted on lands so designated? Should these policies be applied to the Dorsay lands?
132. Should the requirement in section 5.1.7.2 to provide for retail and service uses within mixed use developments apply to the Dorsay lands?
- 133A. Are the policies and text contained in section 8.3 Mixed Use appropriate, suitable and do they represent good planning? (Note: all policies in 8.3 other than 8.3.5 Preamble, 1st 2 paras, 8.3.5.1 (b) (d), 8.3.5.5 (a) are appealed on a site specific basis.
134. Are the policies in Section 8.3.1 and all subsections of the General Mixed Use Policies, including without limitation, those relating to development criteria, reasonable and appropriate and do they represent good planning?
135. Are the policies in Section 8.3.1, including those relating to development criteria, appropriate and suitable, and do they represent good planning for the Dorsay lands? Do these policies provide an appropriate policy framework to guide the development of the Dorsay Lands?

136. Are the policies in Section 8.3.3 and all subsections of the Mixed Use Mid Rise designation policies, including without limitation, those relating to location, massing, height, built form and site design, reasonable and appropriate and do they represent good planning?
137. Are the policies in Section 8.3.3, and all subsections, including those relating to location, massing, height, built form and site design, appropriate and suitable, and do they represent good planning for the Dorsay lands? Do these policies provide an appropriate policy framework to guide the development of the Dorsay Lands?
138. Are the policies in Section 8.3.4 and all subsections of the Mixed Use High Rise designation policies, including without limitation, those relating to location, massing, height, built form and site design, reasonable and appropriate and do they represent good planning?
139. Are the policies in Section 8.3.4, and all subsections, including those relating to location, massing, height, built form and site design, appropriate and suitable, and do they represent good planning for the Dorsay lands? Do these policies provide an appropriate policy framework to guide the development of the Dorsay Lands?
142. Is the text contained in the last paragraph of section 8.1, General Land Use on page 8-6 relating to the determinant of densities and its relationship to height appropriate, reasonable and does it represent good planning?
143. Is Policy 2.4.9 appropriate reasonable and good planning in requiring area studies to determine appropriate built form of development, height, and density, the appropriate mix of uses and the relationship to the surrounding community to ensure that intensification is appropriate to the area context? Should this policy apply to the Dorsay lands given the level of study which has been undertaken in Markham Centre?
271. Is the proposed designation of Dorsay's lands for Mixed Use Office Priority on Map 3 appropriate, and does it represent good planning?
272. Given the status of approvals in Markham Centre, should the policies of Section 4.2.2 with respect to a Community Infrastructure Strategy be applied to the Dorsay Lands?
273. What is the appropriate designation to be identified on Map 3 for the Dorsay lands? Is it appropriate and good planning to designate the Dorsay lands for Mixed Use High Rise? Is it appropriate and good planning to designate the Dorsay lands for Mixed Use Mid Rise?
274. Is it reasonable, appropriate and good planning to designate Dorsay's lands under a new designation in the new Markham OP without the completion of an update to the Markham Centre Secondary Plan as required by policy 9.12.3? Should the Markham Centre Secondary Plan be updated before the appropriate land use designation for the Dorsay Lands and associated policies is integrated into the new Markham OP?
275. Are the policies 9.12 (identified on Maps 3 and 15) with respect to Markham Centre, including Policies 9.12.3 and 9.12.4 appropriate, reasonable and do they represent good planning?
276. Does policy 9.12.3 unreasonably limit the appropriate process and analysis to be undertaken for the update of the Markham Centre Secondary Plan, including the analysis required in accordance with the Planning Act and provincial and upper tier policies? Is this policy too onerous?
277. Is it appropriate, reasonable and good planning to require the use of land use designations and policies in the new Markham OP to inform an update of the Markham Centre Secondary Plan as set out in Policy 9.12.4?

278. What changes are required to the Maps and Appendices, including Maps 1, 2, 3, and 15 to the Official Plan to reflect changes resulting from the above issues?

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

176. Will the proposed limitations on maximum heights, floor space index undermine the ability to implement the built form and site development policies of the Markham Official Plan?

177. Will the proposed limitations on maximum heights and floor space index, as well as restrictions on the range of permitted uses undermine the municipality's ability to facilitate intensification and redevelopment of transit-supportive mixed-use developments located along and/or within transit corridors, and existing commercial urban areas?

178. Will the proposed limitations on maximum heights and floor space index undermine the policies in the Growth Plan, Provincial Policy Statement, as well as the Region of York and City of Markham Intensification Strategies which identify priority Intensification Areas as including lands within Regional Centres and Key Development Areas on Regional Corridors and certain Local Centres and Corridors?

279. Would the designation of the lands municipally known as 4300 Steeles Avenue East in Markham, Ontario (the "Lands") as Mixed-Use High Rise versus Mixed-Use Mid Rise be consistent with the goals, objectives, policies and vision of The Provincial Policy Statement and The Growth Plan, as well as the Region of York Official Plan? Is it appropriate to designate the Lands as Mixed-Use High Rise versus Mixed-Use Mid Rise

280. Is it appropriate to designate the Lands as Mixed-Use High Rise versus Mixed-Use Mid Rise? Would the designation of the Lands as Mixed-Use High Rise, expansion of the range of permitted uses and maximization of building height and floor space index:

- (a) fulfill the goals and objectives of the Markham Official Plan as it relates to building complete communities; including supporting compact urban development, accommodating a mix and range of housing and jobs based on convenient access to public transportation?
- (b) support transportation mobility options and the pursuit of transit-supportive development?
- (c) appropriately accommodate residential intensification within an existing built-up area which includes a combination of existing residential and retail uses?
- (d) provide greater support for the maintenance and development of a more vibrant and competitive economy?
- (e) strengthen the role and function of the existing large scale retail development which is focused at the northeast corner of Steeles Avenue East and Kennedy Road?
- (f) support the Markham Structure which envisages that Mixed-Use Neighbourhood Areas (which includes Centres and Intensification Areas located along major transit corridors) will be the focus for higher density mixed-use residential development?
- (g) support the municipality's Intensification Strategy which supports a diversity of housing and employment options?
- (h) more appropriately recognize the location of the Lands within: an Intensification Area, a potential Secondary Hub and along a Regional

Rapid Transit Corridor; all in proximity to a GO Station?

- (i) support the City of Markham Official Plan policies which direct that the primary focus of growth and intensification be centres and corridors?
- (j) achieve the municipality's housing goals and objectives; including adding to the diversity of housing types and tenure as well as affordability within the area and providing access to employment with enhanced transportation and transit?
- (k) support the existing retail commercial uses which exist at the northeast corner of Steeles Avenue East and Kennedy Road within an Intensification Area, a potential Secondary Hub and a Local Centre?
- (l) support transformation of the existing retail node into a sustainable, transit-supportive, pedestrian friendly shopping area?
- (m) guide urban design and implementing development by reinforcing and creating a desirable Mixed-Use Neighbourhood and Intensification Area?
- (n) support urban design and sustainable development policies which recognize that most of the new growth in Markham will occur within the built-up area?
- (o) achieve a built form of development that will be compatible with the role and function of the area?
- (p) achieve streetscape, sustainable development, compact and transit-supportive goals and objectives?
- (q) achieve built form and site development goals and objectives, which are meant to: reflect and enhance the character of the neighbourhood, guide building heights and mass, assist with the transition between areas of different intensities and uses, and enhance the relationships between buildings?
- (r) achieve sustainable development goals and objectives which seek through the integration of planning, building and site design to create compact, complete communities which maximize the use of infrastructure?
- (s) achieve the Province of Ontario, Region of York and City of Markham sustainable transportation system goals, objectives, guidelines and policies (which seek to focus through transit-supportive development at higher densities, growth in Mixed-Use Neighbourhoods and Intensification Areas)?
- (t) achieve land use planning goals and objectives which seek to maximize heights and densities in accordance with the availability of transportation, transit, servicing and community infrastructure?
- (u) create a Mixed-Use Neighbourhood where the existing commercial development will be combined with other uses including housing to create a complete community?
- (v) achieve the goals and objectives associated with Mixed-Use Area land use, transportation, transit and infrastructure policies which seek to encourage intensification along major corridors by guiding the transformation of the site/area into a complete community, where people

can shop, live and work within close proximity, relying on active transportation as a means of mobility?

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

281A. Are any natural heritage features, hydrologic features, natural heritage network enhancement features or habitats of endangered or threatened species located on, or adjacent to, the Lands? If yes, are the policies related to such features and habitats appropriate in their application to the Lands

23. King David Inc.

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

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

24. Atlas Shouldice Healthcare Ltd.

62C. Are the natural heritage designations on the Maps and in the Appendices on the Atlas Shouldice Healthcare Ltd. lands including the Greenway System and Natural Heritage Network designations appropriate?

93. Is it appropriate to require conveyance of hazardous lands and hazardous sites within the 'Greenway' designation at no cost to a public authority as part of a development approval? [Section 3.4.1.6] (**Note: policy is now 3.4.1.7**)

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

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

146. Is it appropriate to require that development proposed on lands designated 'Mixed Use' "adhere" to the criteria set out in Section 8.3.1.4, including: (e) an undefined angular plane from the boundary of an adjacent area designated for low rise development; and (j) unspecified "criteria" as may be identified in plans approved by City Council? [Section 8.3.1.4]

147. Should Section 9.18.11 identify 'Mixed Use High Rise' as an additional designation within the Thornhill Centre, and should the underlying lot fabric shown on Figure 9.18.11 be clarified and/or modified? [Section 9.18.11]

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

217. Is it appropriate to exclude various portions of a lot, including "open space" and "natural heritage features and their associated vegetation protection zones", from the calculation of a floor space index? [Section 11.2 – definition of "Floor space index (FSI)"]
284. If the Board were to approve increased density and/or height permissions for the Atlas Shouldice Healthcare Ltd. lands at 7716, 7750 and 7766 Bayview Avenue (the "Shouldice Lands"), would this be contrary to the "Council endorsed Growth Alternative to 2031" and, if so, should the references to the Growth Alternative forming the basis of the Official Plan be modified in relation to the Shouldice Lands? [Section 1.4.3; Section 2.0; Section 8.0]
285. Should the reference to Neighbourhood Areas being developed "primarily with ground-related housing forms" be modified in relation to the Shouldice Lands? [Section 2.3.2(d)]
286. Is it appropriate to state that "the appropriate height shall be the key determinant on what density can be achieved on a site" in relation to the Shouldice Lands? [Section 8.1; Section 8.1.5]
287. Do the proposed policies for lands designated 'Mixed Use', including the policies for the 'Mixed Use Mid Rise' and 'Mixed Use High Rise' designations, provide an appropriate policy framework to guide the potential redevelopment of the Shouldice Lands? [Section 8.3; Section 8.3.1.1; Section 8.3.3 and its subsections; Section 8.3.4 and its subsections]
288. Does the site-specific policy in Section 9.18.11.2, including Figure 9.18.11.2, establish an appropriate policy framework to guide the potential redevelopment of the Shouldice Lands? [Section 9.18.11.2 and Figure 9.18.11.2]
289. Are the proposed designations and identifications on Maps 1 through 6 appropriate in relation to the Shouldice Lands? [Maps 1, 2, 3, 4, 5 and 6]
290. Is the proposed identification of the 'Area subject to Toronto and Region Conservation Authority review' and 'Floodplain' on Appendix A accurate and appropriate in relation to the Shouldice Lands? [Appendix A]
291. Is the proposed identification of the Greenway System on Appendices B and C accurate and appropriate in relation to the Shouldice Lands? [Appendix B; Appendix C]
- 26. Maylar Construction Ltd.**
148. Are the policies in Section 8.3.2 and all subsections of the "Mixed Use Low Rise" designation, including without limitation, those relating to location, massing, built form, and site design, reasonable and appropriate and do they represent good planning?
149. Are the policies of the "Mixed Use Low Rise" designation in Section 8.3.2.4 overly restrictive with regards to the permitted height (number of storeys)?
150. Are the policies of the "Mixed Use Low Rise" designation in Section 8.3.2.5 overly limiting with regards to the permitted gross floor area of non-residential uses?
151. Are the policies in Section 8.3.3, including all subsections of the "Mixed Use Mid Rise designation, including, without designation, those relating to

- location, massing, built form, and site design, reasonable and appropriate and do they represent good planning?
152. Are the policies of the "Mixed Use Mid Rise" designation in Section 8.3.3.4 overly restrictive with regards to the permitted heights and densities?
153. Are the development criteria policies as set out in Section 8.3.3.5 of the "Mixed Use Mid Rise" designation overly limiting?
154. Are the policies relating to massing, site design, and the maximum permitted height (number of storeys) in the "Mixed Use" designation categories as found in Section 8.3 appropriate and reasonable and do they represent good planning?
155. Are the development criteria and policies relating to the required angular plane as set out in Section 8.3.1.4 of the "Mixed Use" designation appropriate and reasonable and do they represent good planning?
183. Are policies 6.1.8.4 Preamble, (c), (d), (f), h(iv) (vi) and 6.1.8 Preamble appropriate and reasonable, in particular:
- (a) Is it appropriate and reasonable to require buildings on a site to be designed and placed to enhance adjacent or abutting development, cultural heritage resources, streetscapes and parks and open spaces as set out in policy 6.1.8.4?
 - (b) Is it appropriate and reasonable to include continuity in building placement as a factor to be addressed as set out in policy 6.1.8.4(c)?
 - (c) Is it appropriate and reasonable to include enhanced views and vistas of identified landmarks as a factor to be addressed as set out in policy 6.1.8.4(d)? Where are such landmarks identified?
 - (d) Is it appropriate and reasonable to require development to address sky views as set out in policy 6.1.8.4(e)?
 - (e) Is it appropriate and reasonable to require design and placement of buildings, open spaces and on site landscaping to contribute to the enhancement of urban forests as set out in policy 6.1.8.4(f)?
 - (f) Is it appropriate and reasonable to require building design to provide for vending and outdoor seating along commercial frontages in all circumstances? Should this requirement be considered on a case by case basis, where appropriate?
 - (g) Is it appropriate and reasonable to require sites to provide public access to and routes through private open space and amenity areas? Should the words "where feasible" be changed to "where appropriate"?
 - (h) Is it appropriate and reasonable to limit the design and location of parking facilities as set out in policy 6.1.8.7?
308. Is the proposed "Mixed Use Low Rise" designation appropriate and suitable for the Maylar Lands?
309. Should the permitted height (number of storeys) under the "Mixed Use Low Rise" designation be greater on the Maylar lands?
310. Should the permitted gross floor area of non-residential uses under the "Mixed Use Low Rise" designation be greater on the Maylar lands?

311. Should the Maylar lands be designated "Mixed Use Mid Rise"? Is this designation more appropriate and suitable for the Maylar lands?
312. If the "Mixed Use Mid Rise" designation is more appropriate and suitable, should the maximum overall density permitted be greater than 2.0 FSI on the subject lands?
313. Should the relevant Maps of the Official Plan, including without limitation Map 3, be revised to designate the Maylar Lands "Mixed Use Mid Rise"?
- 32. Arbor Memorial Inc.**
318. In light of the policies in the Provincial Policy Statement 2014, should cemeteries and funeral homes (funeral establishments) be provided for in the Greenway System, Countryside Area, and Hamlet components of Section 2.3.2 a) and b) and the corresponding land use designations of the 2014 Markham Official Plan?
320. Should the restrictions of section 5.2.1.3 of the 2014 Markham Official Plan in respect of reclassification and permitted uses on prime agricultural lands, regarding cemeteries, be brought into conformity with the 2010 York Region Official Plan policies regarding cemeteries?
322. Are the policies of section 8.13.10 of the 2014 Markham Official Plan pertaining to cemeteries consistent with Section 2.3.6.1 b) of the Provincial Policy Statement 2014 and should they apply to the non-urban area?
323. Should cemeteries be permitted in the Greenway designation if they are permitted within higher order policy documents such as the Provincial Policy Statement 2014, the Growth Plan for the Greater Golden Horseshoe 2006, the Oak Ridges Moraine Conservation Plan, the Greenbelt Plan and the 2010 York Region Official Plan?
324. Does it represent good planning and efficient use of public and private spaces such as squares, courtyards and private gardens to limit cemeteries as an urban land use as identified in Section 6.1.6 of the 2014 Markham Official Plan?
334. Should the definition of cemeteries in Section 11.2 of the 2014 Markham Official Plan be more reflective of the definition within the Funeral, Burial and Cremation Services Act, 2002?
372. Have the future burial needs of the public been appropriately addressed in the 2014 Markham Official Plan 2014?
375. Does the proposed Official Plan amendment and Re-zoning have appropriate regard for matters of provincial interest, as set out in Section 2 (a), (b), (d), (h), (i) (m) and (p) of the Planning Act?
376. Is the provision of cemeteries a matter of provincial interest?
383. To what extent does the Rural Ontario discussion paper - February, 2014 provide guidance as to the consistency of the proposed development with the Provincial Policy Statement 2014?
392. Can the proposed development be considered a small scale use in accordance with Section 40 of the Oak Ridges Moraine Conservation Plan, Section 5.6.25 of the 2010 York Region Official Plan and Section 8.7 of the 2014 Markham Official Plan?

393. Does the scale and function of the proposed cemetery and funeral establishment represent good planning having regard for land use compatibility and land use policy?
396. Does the proposed cemetery use conform to the intent of the Oak Ridges Moraine Conservation Plan 'Countryside Areas' policies, Sections 13(1), 13(2), 13(3) and 13(5), and the prohibitions identified in the High Aquifer Vulnerability Areas Section 29(5)?
397. Does the proposed cemetery use conform to the intent of the Greenbelt Plan Protected Countryside designation including Section 3.1.3 Prime Agricultural policies, Section 3.2 Natural Heritage System policies and Section 4.1.1 Non-Agricultural Use policies?
401. Does the proposed development provide an appropriate land use between the residential lands and employment lands?
402. Is the proposal consistent with the requirement of Section 1.1.1 b) as contemplated in Section 1.0 of the Provincial Policy Statement 2014?
403. Will allowing the proposed cemetery in a prime agricultural area be consistent with Section 2.3 of the Provincial Policy Statement 2014?
404. If required did the proponent adequately evaluate alternate locations in rural areas where cemeteries are permitted?
406. Have the Region of York and the City of Markham correctly applied Section 2.3.6 of the Provincial Policy Statement 2014?
414. Does the proposed amendment to the City's Official Plan conform to the agricultural and rural policies of the 2010 York Region Official Plan and the agricultural policies of the 2014 Markham Official Plan?
417. Is the proposed amendment to the City's Official Plan consistent with Section 2.3 - Agriculture, including section 2.3.6.1 b) of the Provincial Policy Statement 2014?
418. Does the proposed development represent good planning from an agricultural perspective?
419. Is it consistent with provincial policy to permit a use specifically permitted in the Rural Area in a Prime Agricultural Area?
420. Is it good planning to consider a land use not permitted within the Provincial Policy Statement 2014 agricultural classifications outside of completing a comprehensive review supported by a LEAR process?
421. What are the appropriate considerations for siting cemetery uses if they are permitted on prime agricultural lands?
436. Has the list of uses to be permitted within the proposed cemetery and funeral establishment been appropriately defined within the official plan amendments and zoning by-law amendment?
437. Is the form and content of the zoning by-law amendment appropriate?
438. Can the Zoning By-law Amendment application for the funeral establishment be approved on its own merit without any official plan amendment?
439. Is it good planning to partially approve the proposed Official Plan amendment to permit (i) the Funeral Establishment and/or (ii) accessory cemetery

on the Hamlet lands?

Infrastructure Ontario

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

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