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Journey to Excellence

# **New Comprehensive Zoning By-law Project**

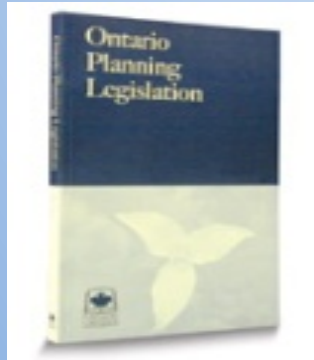
**Development Services Committee**

**September 22, 2015**

# Why does Markham need to undertake comprehensive review of existing zoning framework?



New Markham Official Plan – approved by York Region June 2014



**S. 26 (9)** - municipalities required to review & update zoning by-law(s) to conform with new OP



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## **Purpose of Project**

- Implement the Official Plan
- Review, consolidate, streamline & update zoning by-laws into one (1) comprehensive zoning by-law
- Develop innovative, user-friendly & web-based zoning by-law



## Consulting Team Ph. 1 & 2 (Zoning Issues Analysis & Strategic Direction)

**Gladki Planning  
Associates**



**R.E. Millward  
& Associates**

**Clarion  
Associates**

**Woodfield  
Consulting**

**Anthony  
Usher  
Planning**

**Davis LLP**



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## Guiding principles:

- Implement the Official Plan
- Develop a single comprehensive by-law for Markham
- Recognize existing development and property rights, where appropriate
- Consolidate, streamline and update provisions and standards
- Develop a web-based and publicly accessible by-law
- Provide for ease of enforcement

Markham Zoning By-law Consultant Team

**Gladki Planning Associates, R. E. Millward and Associates, Woodfield Consulting, Clarion Associates and Anthony Usher Planning Consultant**



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## Previous review:

- Task 1:** Guiding Principles and Parameters
- Task 2:** Review and Assessment of City's Official Plan, Guidelines Policies and Plans
- Task 3:** Review and Assessment of Existing City Parent Zoning By-laws
- Task 4b:** Review of Minor Variance Applications
- Task 6:** Review and Assessment GIS/ITS Capabilities and Requirements

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## Previous Review:

**Task 4:** Site Specific Zoning Amendments

**Task 5:** Zoning By-law Definitions

**Task 7:** Automotive Uses

**Task 8:** Drive Through Facilities

**Task 10:** Residential Accessory Buildings/Structures and Outdoor Amenity Space

**Task 14:** Places of Worship

**Task 15:** Floodplains, Hazard Lands, Special Policy Areas and Greenway System

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## Today's Review:

**Task 9:** Review and Assessment of Parking and Loading Standards

**Task 16a:** Medical Marihuana Production Facilities

**Task 16b:** Addiction/Recovery Centres

**Task 17:** Adult Entertainment and the Sex Industry

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**Gladki Planning Associates, R. E. Millward, Woodfield Consulting, Clarion Associates and Anthony Usher**



# Discussion Paper 9: Parking and Loading Standards

## City of MARKHAM

### Task 9: Review & Assessment of Parking and Loading Standards

Comprehensive Zoning By-law Project



#### Markham Zoning By-law Consultant Team

Gladki Planning Associates, R. E. Millward and Associates,  
Woodfield Consulting, Clarion Associates and Anthony Usher  
Planning Consultant

August 17, 2015

## *Purpose:*

*To identify issues that need to be addressed prior to the drafting of the new comprehensive zoning by-law and to present options for addressing these issues.*

## Discussion Paper 9: Parking and Loading standards (cont'd)



### *Review Undertaken:*

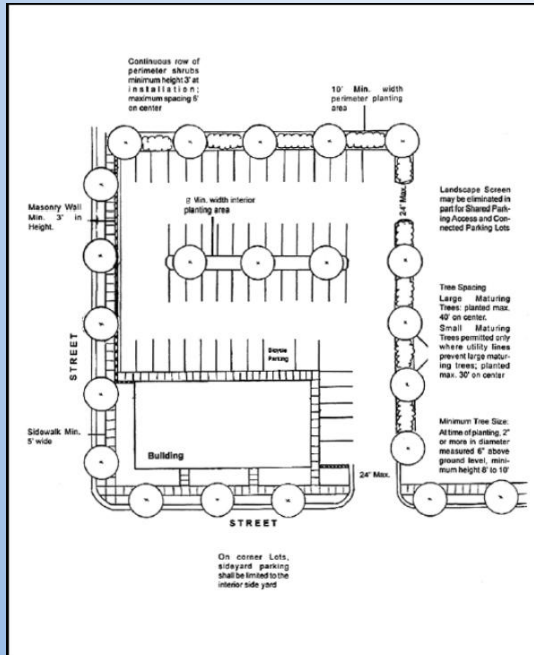
- *Reviewed policies in the new Official Plan*
- *Reviewed current City zoning by-laws*
- *Reviewed past studies, documents and actions*
- *Reviewed standards of other municipalities*
- *Consulted with Markham staff and other experts in the field*



## Discussion Paper 9: Parking and Loading Standards (cont'd)

### Issues:

- *Parking standards prescribe the AMOUNT of parking and the DESIGN of parking facilities (dimensions, location and access)*
- *By-law 28-97 distinguishes 8 types of residential uses and 46 types of non-residential uses to which over 25 different parking ratios apply*
- *Markham's current parking standards are similar in style and substance to those of other municipalities that have not recently revised their standards*



## Discussion Paper 9: Parking and Loading Standards (cont'd)

### *Issues:*

- *Recent trends are for parking standards to be seen as an effective **POLICY INSTRUMENT**; no longer based only on demand*
- *Should bicycle parking requirements apply to new developments on a city-wide basis or only for selected areas?*
- *Should on-site loading facilities apply to multi large unit residential buildings for garbage trucks*





## Discussion Paper 9: Parking and Loading Standards (cont'd)



### *Options and Considerations:*

- *Consider varying parking ratios by area*
- *Consider blended parking ratios in mixed-use settings*
- *Consider maximum parking ratios, as in Markham Centre*
- *Revise parking ratios for apartment dwellings and places of worship*

## Discussion Paper 9: Parking and Loading Standards (cont'd)



### *Options and Considerations:*

- *Consider design requirements for aisle widths, prohibiting obstructions, prohibiting parking in rear yards and provisions for rear lane parking*
- *Consider bicycle parking requirements for appropriate locations and uses*
- *Consider a loading requirement for residential buildings with 30 or more dwelling units*
- *Consider applying loading requirements over a wider range of non-residential floor area sizes*



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# Discussion Paper 16a: Medical Marihuana Production Facilities

## City of MARKHAM

Task 16A: Review & Assessment of  
Medical Marihuana Production  
Facilities

Comprehensive Zoning By-law Project



### Markham Zoning By-law Consultant Team

Gladki Planning Associates, R. E. Millward and Associates,  
Woodfield Consulting, Clarion Associates and Anthony Usher  
Planning Consultant

August 10, 2015

## *Purpose:*

*To review and analyze the zoning by-law issues related to the growing and production of medical marihuana.*



## Discussion Paper 16a: Medical Marihuana Production Facilities (cont'd)



### *Review undertaken:*

- *Reviewed new Official Plan*
- *Reviewed existing zoning by-laws*
- *Reviewed other municipal by-laws*
- *Reviewed federal legislation*
- *Reviewed Marihuana for Medical Purposes Regulations Guidance Document*





## Discussion Paper 16a: Medical Marihuana Production Facilities (cont'd)



### *Issues:*

- *Medical marihuana not addressed in Official Plan or existing zoning bylaws*
- *Is this and industrial, or agricultural use, or both*
- *External effects are odour, safety and distribution—need to be addressed in Zoning By-law*
- *Zoning by-law regulations must be based on sound planning principles*



## Discussion Paper 16a: Medical Marihuana Production Facilities (cont'd)



### *Options and Considerations:*

- *Identify zones in industrial areas where medical marihuana production should be permitted*
- *Consider if growing medical marihuana should be allowed in some agricultural areas*
- *Consider regulations that require medical marihuana production facilities to be sole tenants in buildings*
- *Consider restrictions on outdoor storage*
- *Consider distancing provisions from sensitive uses*



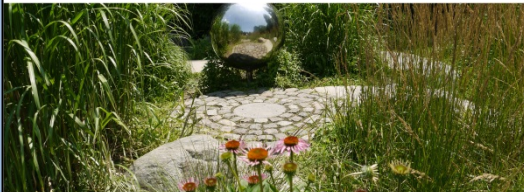
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# Discussion Paper 16b: Addiction Recovery Centres

## City of MARKHAM

Task 16B: **Review & Assessment  
of Addiction/Recovery Centres**

Comprehensive Zoning By-law Project



### **Markham Zoning By-law Consultant Team**

Gladki Planning Associates, R. E. Millward and Associates,  
Woodfield Consulting, Clarion Associates and Anthony Usher  
Planning Consultant

August 18, 2015

## *Purpose:*

*To explore zoning issues related to  
addiction recovery centres, including  
locational requirements and regulations*

## Discussion Paper 16b: Addiction Recovery Centres (cont'd)



### *Review Undertaken:*

- *Reviewed relevant Official Plan policies*
- *Reviewed City's existing parent by-laws*
- *Reviewed formats and approaches in a number of Ontario zoning by-laws*
- *Reviewed federal and provincial legislation and Ontario Human Rights Code*



## Discussion Paper 16b: Addiction Recovery Centres (cont'd)



### *Issues*

- *Two harm reduction programs are controversial: needle exchange and methadone maintenance treatment*
- *Should these uses be defined differently than medical clinics or hospitals*
- *Zoning by-law regulations must be based on sound planning principles*

## Discussion Paper 16b: Addiction Recovery Centres (cont'd)



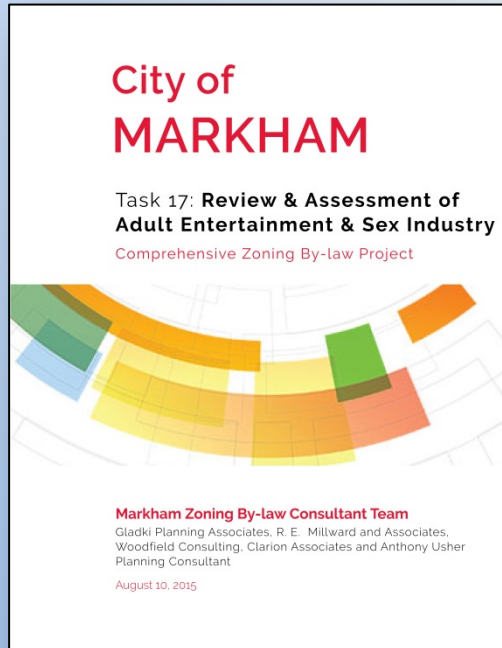
### *Options and Considerations:*

- *Consider defining recovery and addiction clinics, in particular methadone clinics, as a distinct use in the new zoning by-law*
- *Consider establishing separation distances from other sensitive land uses*
- *Regulations cannot be based on people planning*



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# Discussion Paper No. 17: Adult Entertainment and the Sex Industry



## *Purpose:*

*To identify issues that need to be addressed in the new comprehensive zoning by-law related to adult entertainment and the sex industry*

## Discussion Paper No. 17: Adult Entertainment and the Sex Industry (cont'd)



### *Review Undertaken:*

- *Reviewed Markham's Official Plan policies*
- *Reviewed Markham Zoning By-law definitions and site specific references*
- *Reviewed Stationary Business Licensing By-law*
- *Reviewed other municipal by-laws*



## Discussion Paper No. 17: Adult Entertainment and the Sex Industry (cont'd)



### *Issues:*

- *Adult entertainment parlours are legal and operate under the laws of Ontario and Canada*
- *Two locations are recognized in site specific by-laws for adult entertainment, but the uses no longer exist*
- *Licensing by-law regulates body rub establishments that are not erotic or sexual*

## Discussion Paper No. 17: Adult Entertainment and the Sex Industry(cont'd)

### *Options and Considerations:*

- *Consider defining adult entertainment, body rub (sexual) and massage parlour (non-sexual)*
- *Repeal existing site specific permissions for adult entertainment uses*
- *Set out criteria (zones separation distances) for adult entertainment uses*
- *In light of recent legislation there is no need to address bawdy houses of brothels*





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## ***Next Steps:***

### **Presentation of remaining Papers to DSC:**

- October 5

### **Public Open House and Stakeholder Meetings:**

- October and November

### **Target date for Zoning Issues Analysis report to DSC:**

- December





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