



BUILDING MARKHAM'S  
FUTURE TOGETHER  
2015-2019 Strategic Plan



# Markham New Comprehensive Zoning By-law Project

## Open House

November 12, 2015

## Tonight's Presentation:

### 1. Background

- Ontario Planning Framework
- What is a zoning by-law & what is its purpose?
- Approaches to Zoning
- Why does Markham need to undertake a comprehensive review of its zoning framework?

### 2. Introduction

- Project Purpose & Timing
- Team
- Approach
- Guiding Principles

### 3. Zoning Discussion Papers

- Infill Housing
- Interface Between Residential & Non-Residential Uses
- Residential Accessory Structures
- Residential Amenity Space
- Home Occupations
- Greenway & Special Policy Area
- Parking Standards
- Places of Worship
- Geographic Information Systems

### 4. Up-Coming Open House

### 5. Next Steps



## Ontario Planning Framework



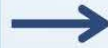
**Provincial Legislation  
(Planning Act)**



- Provides ground rules for land use planning in Ontario and describes how land uses may be controlled and who may control them
- Provides municipalities with authority to pass Zoning By-laws to implement policies of OP



**Provincial Policy  
(Provincial Policy Statement, Growth Plan for GGH, Greenbelt Plan, Oak Ridges Moraine Conservation Plan)**



- Policies on planning matters that are of provincial interest
- Policies to be implemented within municipal planning framework



**Region of York Official Plan  
(Approved Sept 2010)**



- Policy document that outlines future vision for Region
- Must be consistent with & implement Provincial Policies



**Markham Official Plan  
(Approved June 2014.  
Parts under appeal)**



- Policy document that outlines future vision for Markham
- Must be consistent with & implement Region of York OP & Provincial Policies



**Markham Zoning By-laws  
(46 parent zoning by-laws)**



- Implements policies of Official Plan in legally enforceable manner
- Regulate the use of land and provides specific standards for how development can occur



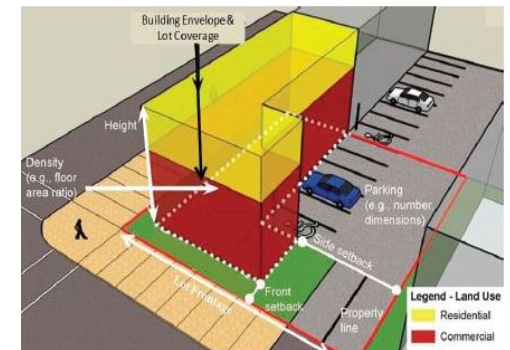
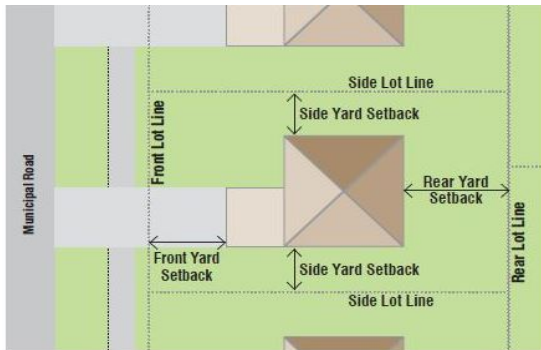
## What is a zoning by-law?

A zoning by-law is:

- a legal document that regulates the use of land and buildings and provides specific standards for how development and construction can occur on a property

The following are examples of what a zoning by-law regulates:

- how buildings and land may be used
- where buildings & other structures can be located and how they should be built (ex. setbacks from property lines, height, gross floor area/density, etc.)



## What is the purpose of a zoning by-law?

The purpose of a zoning by-law is:

- to implement the policies of the Official Plan in a legally enforceable manner (Official Plan is **policy**, zoning is **law**)



## Common Approaches to Zoning

### Conventional (Euclidean) Zoning

- Focus on uses & the segregation of incompatible land uses

### Form – Based Zoning

- Focus on how buildings fit into their surroundings & not on the uses that are occurring in the building

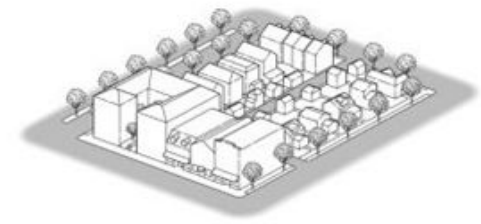
### Conventional Zoning

Density use, FAR (floor area ratio), setbacks, parking requirements, maximum building heights specified



### Form-Based Codes

Street and building types (or mix of types), build-to lines, number of floors, and percentage of built site frontage specified.



Traditional Zoning	Form Based Codes
Use-based	De-emphasize use
<b>Districts</b>	<b>Neighborhoods/streets</b>
Emphasis on individual uses of property, rigid use of lot size & building placement	Emphasis on building relationships & on fitting building to its use & surroundings
Segregation of land uses	Mixed uses
<b>Uniformity in neighborhoods</b>	<b>Diversity in neighborhoods</b>
Limited ability to effect change	Ability to transform or preserve
Limited design standards	Focus on building/site form
Setbacks	Build to lines
<b>Focus on site; little on right-of-way</b>	<b>Attention to street &amp; streetscape</b>

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



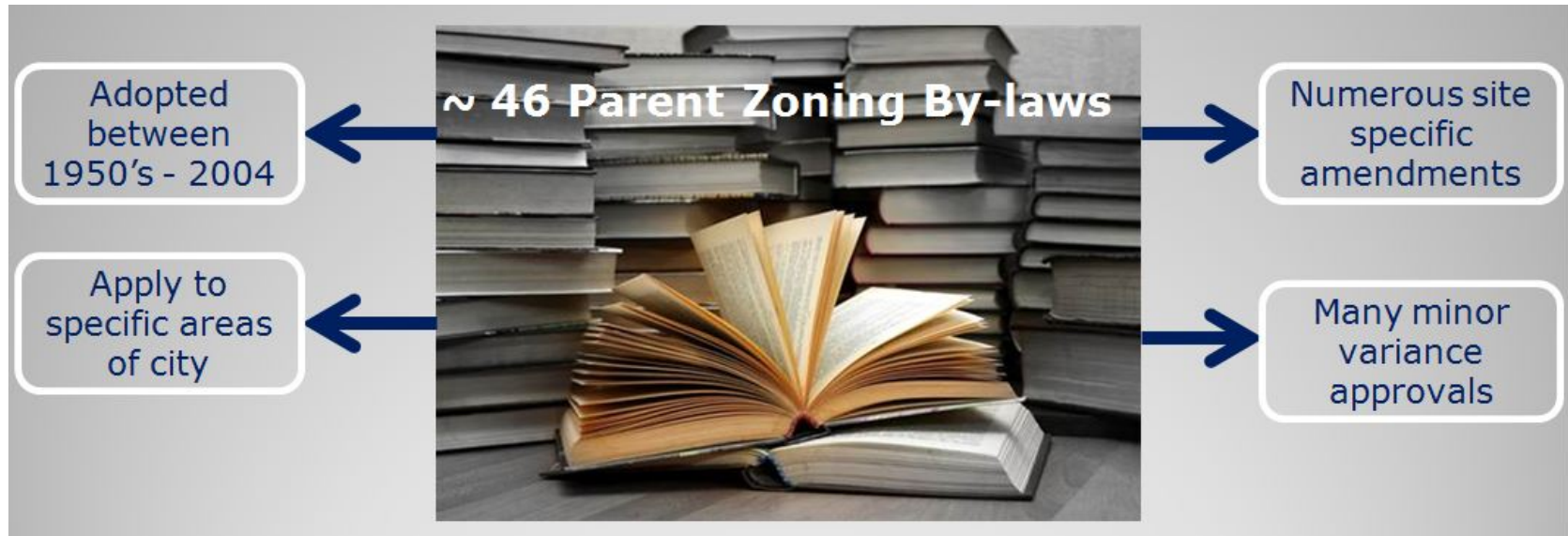
**S. 26 (9)** - municipalities required to review & update zoning by-law(s) to conform with new OP no later than 3 years after new OP comes into effect



New Markham **Official Plan** – approved by the Region June 2014



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





## Purpose of Project

- Implement the Official Plan
- Review, consolidate, streamline & update zoning by-laws into one (1) comprehensive zoning by-law (establish more consistent zoning regulations across the City)
- Develop an innovative, user-friendly & web-based zoning by-law





## Project Phases

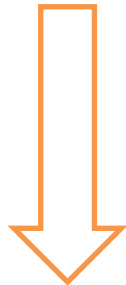


## Consulting Team for Phases 1 & 2 (Zoning Issues Analysis & Strategic Direction)

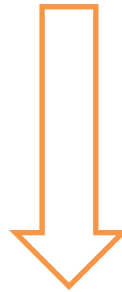
### Gladki Planning Associates



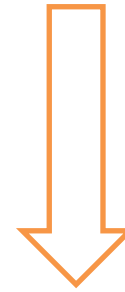
R.E. Millward  
& Associates



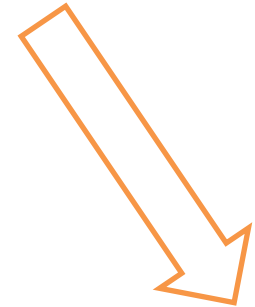
Clarion  
Consulting



Woodfield  
Consulting



Anthony  
Usher  
Planning



Davis LLP



# Discussion Papers available at: [markham.ca](http://markham.ca)

**City of MARKHAM**

**Task 1: Guiding Principles and Parameters & Trends and Issues in Zoning Controls**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
August 6, 2015

**City of MARKHAM**


**Task 2: City Official Plan and City Guidelines, Policies & Plans**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
July 20, 2015

**City of MARKHAM**


**Task 3: Review & Assessment of Existing City Parent Zoning By-laws**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
August 6, 2015

**City of MARKHAM**


**Task 4A: Review & Assessment - Site Specific Zoning Amendments**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
August 6, 2015

**City of MARKHAM**


**Task 4: Review & Assessment of Minor Variances**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
August 6, 2015

**City of MARKHAM**


**Task 5: Review & Assessment of Zoning By-law Definitions**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
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August 6, 2015

**City of MARKHAM**


**Task 6: Review & Assessment of Geographic Information & Technology Strategy**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
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August 6, 2015

**City of MARKHAM**


**Task 7: Review & Assessment of Automotive Related Uses**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
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August 6, 2015

**City of MARKHAM**


**Task 8: Review & Assessment of Drive-Through Facilities**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
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August 6, 2015

**City of MARKHAM**


**Task 9: Review & Assessment of Parking and Loading Standards**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
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August 6, 2015

**City of MARKHAM**


**Task 10: Review & Assessment of Residential Accessory Structures and Amenity Space**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
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August 6, 2015

**City of MARKHAM**

**Task 11: Review & Assessment of Home Occupations**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
August 6, 2015

**City of MARKHAM**

**Task 12: Infill Zoning Standards and Interface between Residential and Non-Residential Uses**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
August 6, 2015

**City of MARKHAM**

**Task 13A: Review & Assessment of Affordable and Shared Housing, and Secondary Suites**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
September 16, 2015

**City of MARKHAM**


**Task 13B: Review & Assessment of Student Housing**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
September 16, 2015

**City of MARKHAM**


**Task 14: Review & Assessment of Places of Worship**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
August 6, 2015

**City of MARKHAM**

**Task 15: Review & Assessment - Hazardous Lands and Greenway**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
August 6, 2015

**City of MARKHAM**


**Task 16A: Review & Assessment of Medical/Marijuana Production Facilities**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
August 6, 2015

**City of MARKHAM**


**Task 16B: Review & Assessment of Addiction/Recovery Centres**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
August 6, 2015

**City of MARKHAM**

**Task 17: Review & Assessment of Adult Entertainment & Sex Industry**  
Comprehensive Zoning By-law Project



**Markham Zoning By-law Consultant Team**  
Glen Hocking Architects, B. E. Hayward and Associates, Municipal Consulting, Client, Associates and Anthony Colar Planning Consultant  
August 6, 2015

## Approach to Zoning By-law Analysis and Discussion Papers

- Reviewed the direction provided by the Official Plan
- Reviewed Markham's existing zoning by-laws
- Reviewed provincial legislation and other regulations as required
- Reviewed best practices found in other municipal zoning by-laws
- Consultation with stakeholders and Markham staff



## Guiding Principles (Discussion Paper # 1)





## Discussion Paper 12: Infill Housing



### *Issues*

- Compatibility of redevelopment in established residential neighbourhoods
- Compatibility of new lot creation in established residential neighbourhoods
- Older zoning by-laws do not have same controls as newer by-laws
- Amending infill by-laws passed in the 1990's may require updating to effectively control redevelopment, and protect existing and evolving neighbourhood character

## Discussion Paper 12: Infill Housing (cont'd)

### *Options and Considerations*

- Policies exist in the Official Plan for infill development
- Existing zoning standards in established residential neighbourhoods to be carried forward, where appropriate
- Existing infill standards to be incorporated into the new by-law, and updated where appropriate, based on neighbourhood characteristics
- Types of controls to consider:
  - Heights, number of storeys, or both
  - Setbacks and minimum lot frontages
  - Depth of building
  - Garage projection and width
  - Lot coverage
  - Floor area ratio



## Discussion Paper 12: Interface Between Residential & Non-Residential Uses

### *Issues*

- Incompatibility exists with some non-residential and residential uses due to emissions, noise and odour
- Provincial Policy Statement states that compatibility between “major facilities” (e.g. airports, rail facilities, industries, waste management and energy generation facilities) and “sensitive uses” (e.g. residences, day care centres, education and health facilities) need to be addressed to prevent or mitigate potential adverse effects



## Discussion Paper 12: Interface Between Residential & Non-Residential Uses (cont'd)

### *Options and Considerations*



- Official Plan provides for buffers and setbacks between commercial/employment areas and residential areas
- Include setbacks from highways, rail corridors and pipelines
- Identify uses to be prohibited next to residential zones (e.g. propane storage, automobile related uses, drive-throughs)
- Identify minimum distance separation for livestock facilities

## Discussion Paper 10: Residential Accessory Structures

### *Issues*



- Privacy, overlook and impact on landscaped areas
- Size and height
- Location
- Permitted uses



## Discussion Paper 10: Residential Accessory Structures (cont'd)



### *Options and Considerations*

- Permit accessory structures if located on same lot as main building
- Do not permit accessory structure for human habitation
- Permit accessory structures in rear yard or interior side yard
- Require appropriate setbacks
- Include setback from main building
- Require that soft landscaping be maintained
- Exempt certain types of structures (e.g. children's play structures)



## Discussion Paper 10: Residential Amenity Space

### *Issues*



- Outdoor amenity space standards exist in limited site specific zoning by-laws only (apply to specific property, group of properties or general area)
- Landscaped space and setbacks often relied upon for provision of outdoor amenity space
- Private amenity space standards may be needed for townhouses
- Indoor and outdoor common amenity areas needed for multi-unit residential buildings

## Discussion Paper 10: Residential Amenity Space (cont'd)

### *Options and Considerations*



- Include private amenity space standards for townhouses
- Include common amenity space standards for residential buildings with more than 20 units
- Determine how much amenity space is required per unit
- Determine if both indoor and outdoor amenity space standards are required
- Determine what should be included in definition of amenity space (e.g. balconies and porches)

## Discussion Paper 10: Home Occupations



### *Issues*

- What should not be considered as a home occupation
- What zoning standards should apply to prevent and mitigate potential negative impacts in surrounding neighbourhood

## Discussion Paper 10: Home Occupations (cont'd)



### *Options and Considerations*

- Official Plan policy direction exists, recognizing home occupations as part of economic strategy
- Home occupation, home industry and home business are defined in the Official Plan
- Existing Markham zoning by-laws permit home occupations, subject to conditions
- Permit home occupation as a secondary use
- Must be operated by resident, with no more than one employee
- Can occupy up to 25% of dwelling unit
- No outdoor storage
- Limit number of students for instructional home occupations
- Do not permit manufacturing, animal care, food production and auto-related uses
- Should additional parking be required and under what circumstances?  
Parking is required for non-resident employee in some cases

## Discussion Paper 15: Greenway & Special Policy Areas

### *Issues*

- Need to restrict development in Markham's Greenway
- In parts of the Greenway, development and lot creation need to be prohibited
- Address Official Plan Greenway policies (including Oak Ridges Moraine and Greenbelt Plan areas)
- Development permissions in Unionville Special Policy Area largely dictated by Province
- Development in hazardous lands also regulated by Toronto Region Conservation Authority (TRCA)





## Discussion Paper 15: Greenway & Special Policy Areas (cont'd)

### *Options and Considerations*



- Create one Greenway zone permitting minimal development, consistent with Official Plan policies
- Create up to five (5) Greenway zones, each one reflecting different Official Plan policies
- Zones need to ensure that no development happens on Key Natural and Hydrologic Features and approved Vegetation Protection Zones
- Limited uses to be permitted in each Greenway zone as outlined in the Official Plan
- On lots which have split zones, development in each zone to reflect the permissions for that zone
- Determine how to address areas or features where precise mapping and boundaries are unknown
- Identify Unionville Special Policy Area as an overlay on the zoning map



## Discussion Paper 9: Parking Standards



### *Issues*

- What is the appropriate **amount** of parking needed for different uses
- What is the right **design** of parking facilities (dimensions, location and access)
- How many categories of parking requirements should there be? By-law 28-97 distinguishes eight (8) types of residential uses and 46 types of non-residential uses to which over 25 different parking ratios apply—these are complicated
- 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 to selected areas?
- Should on-site loading facilities apply to large multi-unit residential buildings for garbage trucks?

## Discussion Paper 9: **Parking 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
- Simplify parking calculation for places of worship
- 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
- 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 14: Places of Worship

### *Issues*

- Places of worship have evolved over the years based on changing and growing populations
- Existing zoning by-laws define and regulate places of worship differently
- Site-specific zoning by-laws allow places of worship in a variety of zones such as residential, institutional, business corridor, commercial and community amenity
- How to address parking and accessory uses
- Architectural elements associated with Places of Worship – some existing by-laws allow these features to go beyond the permitted height by a certain amount



## Discussion Paper 14: **Places of Worship** (cont'd)

### *Options and Considerations*

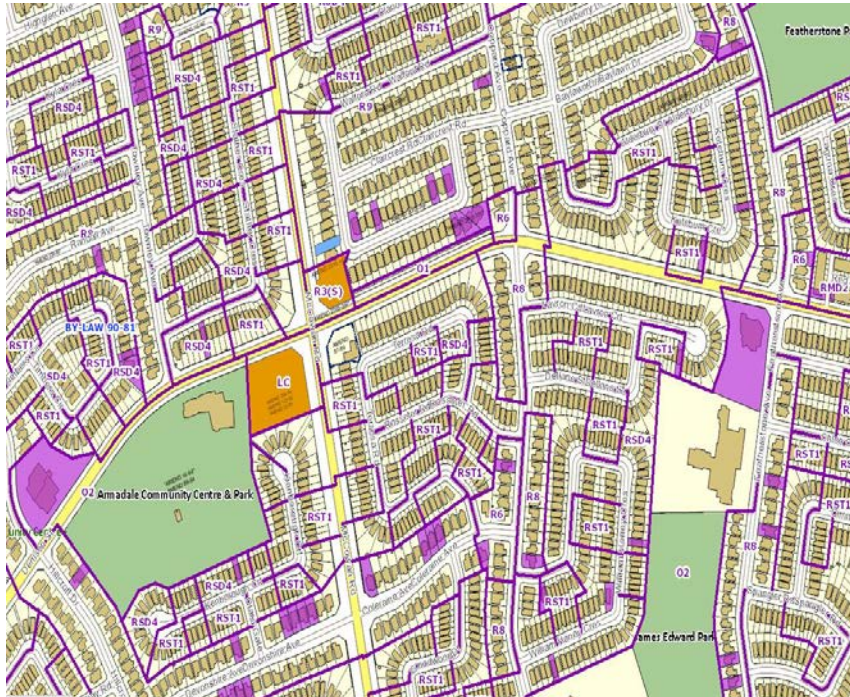


- Policy direction exists in new Official Plan
- Appropriate parking rates for places of worship should be simplified
- Determine appropriate accessory or additional uses that may be associated with a place of worship
- Determine appropriate floor space that should be dedicated to non-worship, community type uses (accessory uses)
- Determine how to deal with existing site-specific zoning amendments that permit places of worship
- Architectural elements associated with places of worship
- Determine appropriate zoning standards for sites with a place of worship

## Discussion Paper 6: Geographic Information Systems

### *Issue*

- Zoning by-laws not web-based or easily accessible





## Discussion Paper 6: Geographic Information Systems (cont'd)



### *Options and Considerations*

- Web-based zoning by-law will contribute to stakeholder efficiencies
- Opportunities for new web-based zoning by-law (GIS applications) to integrate with other City initiatives such as Digital Markham and ePlan
- Maintain paper zoning by-law document as legal document
- Develop intuitive user interface tailored to stakeholder needs and requirements
- Timely maintenance of web-based zoning data required
- Regard for Accessibility for Ontarians with Disabilities Act



## Discussion Paper 6: Geographic Information Systems (cont'd)



### *Options and Considerations*


The Town of Newton in Sussex County in northwestern New Jersey

- Combines mapped overviews of zones across the municipality with zoning based text and simple drawings of permitted construction for zones and addresses
- Enables stakeholders to obtain information on zones and permitted uses which may:
  - satisfy basic enquiries
  - facilitate further discussions with municipal staff based on information presented

## Up – Coming Open House: Tuesday, December 8

**NEW** You are invited to attend a series of Open Houses

# COMPREHENSIVE ZONING BY-LAW PROJECT



## A new comprehensive Zoning By-law for the City

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Markham Civic Centre, Council Chamber – 101 Town Centre Boulevard  
6 p.m. Open House | 7 p.m. Formal Presentation

<p><b>OPEN HOUSE #2</b> <b>Thursday, November 12</b></p> <ul style="list-style-type: none"><li>• Residential Infill Housing</li><li>• Interface Between Residential &amp; Non-Residential Uses</li><li>• Residential Accessory Structures &amp; Amenity Space</li><li>• Home Occupations</li><li>• Greenway System, Hazardous Lands &amp; Special Policy Areas</li><li>• Parking Standards</li><li>• Places of Worship</li><li>• Geographic Information Systems &amp; Information Technology</li></ul>	<p><b>OPEN HOUSE #3</b> <b>Tuesday, December 8</b></p> <ul style="list-style-type: none"><li>• Automotive Uses</li><li>• Drive-throughs</li><li>• Affordable &amp; Shared Housing</li><li>• Student Housing</li><li>• Adult Entertainment &amp; Sex Industry Uses</li><li>• Medical Marihuana Production Facilities</li><li>• Addiction &amp; Recovery Centres</li><li>• Geographic Information Systems &amp; Information Technology</li></ul>
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A zoning by-law is a legal document that implements the policies of the City's Official Plan and regulates the use of land and buildings. Markham currently has approximately 46 zoning by-laws, which will be consolidated and updated into one comprehensive zoning by-law that is web-based, user-friendly and consistent with the City's Official Plan.

For more information on this important initiative, visit the "New Zoning By-law Project" page under Major city Projects at [Markham.ca](http://Markham.ca) or email [NewZoningProject@markham.ca](mailto:NewZoningProject@markham.ca)



## Next Steps

1. Review & consider input from Open Houses
2. Finalize Zoning Issues Analysis document (summary of all Phase 1 discussion papers) – target early 2016
3. Public consultation for Phase 2 (Strategic Direction) early 2016
4. Phase 2 - Strategic Direction to be finalized early/mid 2016
5. Phase 3 – Drafting and Processing of New Comprehensive Zoning By-law to commence mid 2016

## Markham's New Comprehensive Zoning By-law Project

For more information:

Visit [www.markham.ca](http://www.markham.ca) (Learn about Major City Projects)

Or, contact:

**Tom Villella**, Manager – Zoning & Special Projects

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Send your comments to: [newzoningproject@markham.ca](mailto:newzoningproject@markham.ca)



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