

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

8.6.1.8

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

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

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

8.7 HAMLETS

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

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

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

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

8.7.1 General Policies

It is the policy of Council:

8.7.1.1 On lands designated 'Hamlets' to:

- a) protect and maintain the historic and rural residential character of the hamlets identified on Map 3 – Land Use;
- b) provide limited opportunities for additions to buildings and small-scale infill development including heritage buildings provided that the criteria outlined in Section 8.7.1.4 are met; and
- c) prohibit residential subdivisions or consents that would form an extension to a 'Hamlets' boundary; and
- d) protect *natural heritage and hydrologic features*.

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

8.7.1.2 That the City undertake a land use and urban design study for the hamlets of Locust Hill and Cedar Grove, in consultation with Parks Canada, the Toronto and Region Conservation Authority, the Province, and landowners, to address the following matters:

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

Uses

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

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

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

Building Types

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

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

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

Development Criteria

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

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

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

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

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

8.8 COUNTRYSIDE

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

Section 8.8 subject to Area/Site Specific Appeal Nos. 1, 5, 28 (Issue 224)

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

8.8.1 General Policies

It is the policy of Council:

8.8.1.1 On lands designated 'Countryside' to:

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

Uses

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

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

Section 8.8 subject to Area/Site Specific Appeal Nos. 1, 5, 28 (Issue 224)

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

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

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

Building Types

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

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

Development Criteria

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

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

Section 8.8 subject to Area/Site Specific Appeal Nos. 1, 5, 28 (Issue 224)

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

8.9 PRIVATE OPEN SPACE

The lands designated as ‘Private Open Space’ on Map 3 – Land Use include private *cemeteries* and private golf courses within the urban area serving

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

the populations of Markham and its surroundings and contributing to Markham's overall open space system.

8.9.1 General Policies

It is the policy of Council:

8.9.1.1 **On lands** designated 'Private Open Space' to:

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

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

Uses

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

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

Building Types

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

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

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

8.10 TRANSPORTATION AND UTILITIES

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

8.10.1 General Policies

It is the policy of Council:

8.10.1.1 **To facilitate** the provision of highways, railways, hydroelectric transmission, gas and oil pipelines, telephone and any other cabled services on lands designated as 'Transportation and Utilities'.

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

- 8.10.1.2 **To provide for** appropriate secondary uses in hydroelectric transmission corridors in accordance with Section 7.2.3.4.

8.11 PARKWAY BELT WEST

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

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

8.11.1 General Policies

It is the policy of Council:

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

Uses

- 8.11.1.2 **That the lands identified** as 'Parkway Belt West' overlay shall be governed by the provincial land use regulation made under the Parkway Belt Planning and Development Act, as amended, or zoning by-laws passed by