

Existing Development in Flood Plains

Where existing development is located in the flood plain, but not identified as an SPA, the Provincial "One Zone Policy" set by the Province of Ontario for flood plain lands is used to manage development and land use change. The policy would allow for new construction up to 50 per cent of an existing structure, as long as there is appropriate flood-proofing.

Permits and Building Approval

Before starting to build or renovate your property, check with the Town of Markham to determine what approvals or permits may be required and to determine zoning and other regulations you need to be aware of.

The SPA Approval Process

Markham Council adopted Official Plan Amendment (OPA) No. 153 (Special Policy Areas), dealing with boundary changes, on June 13, 2006. No changes were made to the Town's Special Policy Area (SPA) policies, which are part of the Town of Markham Official Plan (Revised 1987), as amended, Section 3.10.2.

The Amendment must be approved by the Ontario Ministers of Municipal Affairs and Housing and Natural Resources and then by The Region of York.

Under the Ontario Planning Act, the Region must give written notice when it has approved the Amendment. The decision may be appealed to the Ontario Municipal Board not later than 20 days after the day this notice is given.

The Special Policy Area Amendment is implemented under Markham's Zoning Bylaw. The SPA Zoning By-law was passed by Council on June 13, 2006 concurrent with the Official Plan Amendment. The new zoning by-law will come into full force and effect upon approval of the Official Plan Amendment by the Region of York.

The new SPA boundaries will come into effect once the Amendment is approved by the Region or, if appealed, by the Ontario Municipal Board.

The approval process may take several months to complete. Until the Official Plan Amendment is approved, the current policies and boundaries remain in place.

For more details on Special Policy Areas and flood plain management, call The Town of Markham at **905-477-7000, ext. 7925** or the Toronto and Region Conservation Authority at **416-661-6600**.

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Town of Markham

Special

Policy

Areas

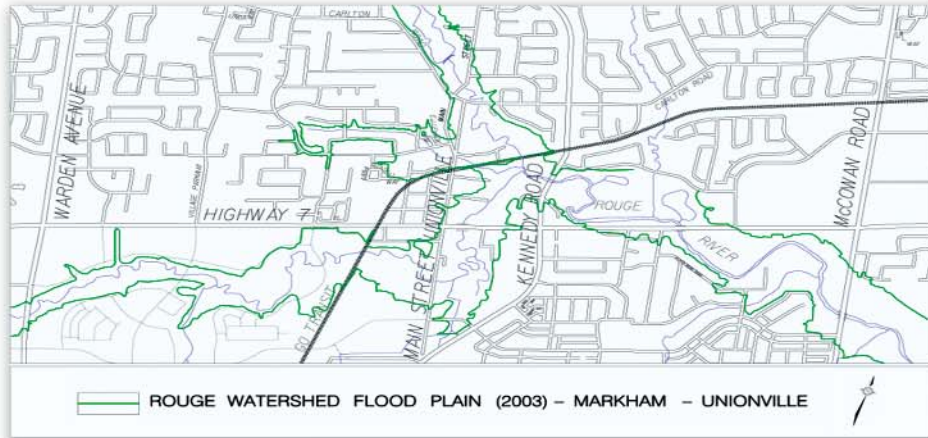
Information



As part of its responsibility under the Provincial Conservation Authorities Act, the Toronto and Region Conservation Authority (TRCA) regulates areas subject to flooding. Flood plain areas are associated with major watercourses. In Markham flood plains exist adjacent to the watercourses within the Rouge, Don, Duffins, Petticoat and Highland watershed. Provincial policies generally prohibit new development in flood plains.

Developed areas that have historically existed within a flood plain may be designated as Special Policy Areas (SPA) as permitted under the 2005 Provincial Policy Statement. Policies for development and land use in these areas address the social, economic and cultural factors that support the continuation of the community that strict adherence to the provincial policies on flood plain management would not otherwise permit.

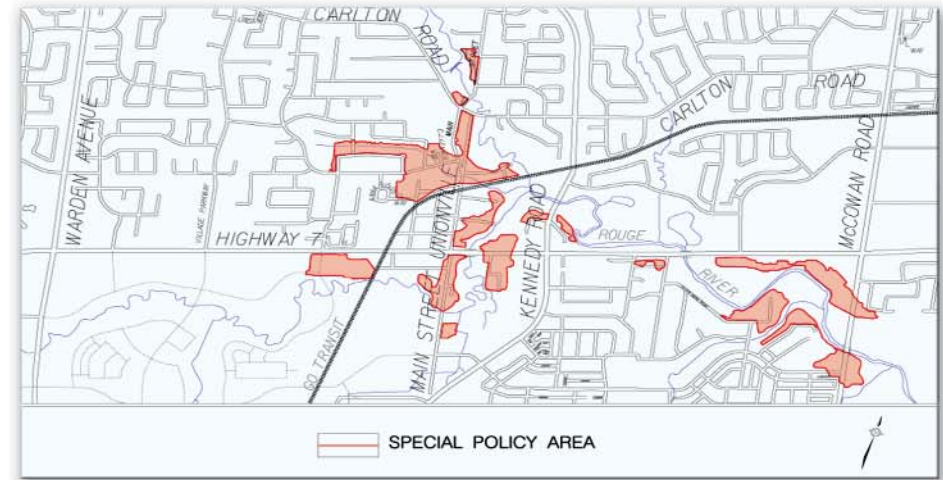
The TRCA recently updated its mapping of the Rouge watershed and established new boundaries for the Rouge flood plain. The map below identifies the flood plain in the Unionville area of Markham.



SPA policies guide the Town in managing new development and changes in land use within the Special Policy areas to protect life and property against the hazards of flood.

In 1990, the Province approved the designation of approximately 65.63 hectares of Special Policy Areas in Markham. As a result of the updated TRCA Rouge flood plain boundaries, the boundaries of the existing SPA do not accurately reflect the lands that should continue to be governed by the SPA policies. The newly adopted SPA Official Plan Amendment, reduces the overall SPA area to total of 46.18 hectares. Special Policy Areas were identified by the Town of Markham in consultation with the TRCA. The SPA Official Plan Amendment, adopted by Council in 2006, is awaiting Provincial and Regional approval.

The Special Policy Area adopted by Markham Council is shown below.



The technical revisions to the flood plain mapping and Special Policy Area boundaries do not require any revisions to the management policies contained in the Official Plan.

The following responds to some of the questions most frequently raised by those who own or rent property within the Town of Markham's Special Policy Areas.

SPA Policies and Property Use

Special Policy Area policies provide for new development, re-development and/or extensions to structures within the SPA, subject to planning considerations and structural flood-protection.

The policies prohibit development where flood risk would create an unacceptable hazard to life, result in major structural damage, or where flood-proofing would have a negative impact on adjoining properties.

The policies establish a minimum level of flood risk and require adequate flood-proofing. This minimizes the risk to life and property for residents in an SPA.

Property uses prohibited in a Special Policy area include:

- Daycare Centres and other child care uses
- Elementary schools
- Senior citizen housing
- Homes for those who are mentally or physically challenged
- Emergency services such as fire, police and hospitals.