

OFFICIAL PLAN
of the
CITY OF MARKHAM PLANNING AREA
AMENDMENT NO. XXX

To amend the Official Plan (Revised 1987), as amended,
and to incorporate Amendment No. 1 to the Highway 404 North Secondary Plan (PD 42-1) for the
Highway 404 North Planning District (Planning District No. 42)

Appendix A 11087 Victoria Square OPA final.docx

(FEBRUARY 2022)

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To amend the Official Plan (Revised 1987), as amended and to incorporate Amendment No. 1 to the Highway 404 North Secondary Plan (PD 42-1) for the Highway 404 North Planning District (Planning District No. 42).

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. _____ - ____ in accordance with the *Planning Act*, R.S.O., 1990 c.P.13, as amended, on the 23rd day of February, 2022.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2022-----

Being a by-law to adopt Amendment No. XXX
to the City of Markham Official Plan (Revised 1987), as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF
MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF THE
PLANNING ACT, R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. XXX to the City of Markham Official Plan (Revised 1987), as amended, attached hereto, is hereby adopted.
2. THAT this by-law shall come into force and take effect on the date of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 23rd
DAY OF FEBRUARY, 2022.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. XXX)

PART I - INTRODUCTION

1.0 GENERAL

- 1.1** PART I – INTRODUCTION, is included for information purposes and is not an operative part of this Official Plan Amendment.
- 1.2** PART II – THE OFFICIAL PLAN AMENDMENT, constitutes Official Plan Amendment No. XXX to the Official Plan (Revised 1987), as amended and is required to enact Amendment No. 1 to the Highway 404 North Secondary Plan (PD 42-1) for the Highway 404 North Planning District (Planning District No. 42). Part II is an operative part of this Official Plan Amendment.
- 1.3** PART III – THE SECONDARY PLAN AMENDMENT, including Schedule “A”, attached thereto, constitutes Amendment No. 1 to the Highway 404 North Secondary Plan (PD 42-1) for the Highway 404 North Planning District (Planning District No. 42). This Secondary Plan Amendment may be identified by the symbol PD 42-1-1. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan (the “Amendment”) and to the Highway 404 North Secondary Plan (PD 42-1) applies to approximately 0.605 hectares (1.495 acres) of land on the east side of Victoria Square Boulevard, municipally known as 11087 Victoria Square Boulevard (the “subject lands”), as shown on Schedule “A”.

3.0 PURPOSE

The purpose of this Official Plan Amendment is to amend the Highway 404 North Secondary Plan to add a site specific policy that provides for 26 residential townhouse units on the subject lands.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The subject lands are designated “Commercial - Community Amenity Area” in the Highway 404 North Secondary Plan, which generally provides for a range of retail, service, community, institutional, and recreational uses as well as medium to high density housing at appropriate locations. Where dwelling units are permitted, they are required to be incorporated into mixed use developments above commercial uses.

This amendment will provide for a residential development with 26 townhouse dwelling units on the subject lands that is compatible with and provides an appropriate transition to adjacent residential development. The subject lands are at the far south end of the “Community Amenity Area” designation in the Highway

404 North Secondary Plan, farthest from Woodbine Avenue. The subject lands are located on a curve on Victoria Square Boulevard that results in a wide boulevard between the street and future buildings. The subject lands are farther from Woodbine Avenue and less accessible from Victoria Square Boulevard than the remainder of the parcels within this designation. A residential use on the subject lands would not inhibit the planned function of the “Community Amenity Area” designation.

The Development makes efficient use of an underutilized parcel of land located in an area that the City of Markham has designated for medium to high density development. The Development supports Provincial, Regional, and Municipal planning policy by making efficient use of infrastructure and represents good planning.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. XXX)

PART II - THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

- 1.1. Section 1.1.2 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number XXX to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes.
- 1.2. Section 1.1.3 c) of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by adding the following sentence to be placed immediately after the first sentence of the bullet item dealing with the Highway 404 North Secondary Plan (PD 42-1) for the Highway 404 North Planning District (Planning District No. 42): “This Secondary Plan was further amended by Official Plan Amendment No. XXX to this Plan”.
- 1.3. Section 9.2.29 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by adding “, as amended by Official Plan Amendment No. XXX to this Plan” after the number “149” and before the end bracket and period “).”.
- 1.4. No additional changes to the text or schedules of the Official Plan (Revised 1987), as amended, are being made by this Amendment. This Amendment also incorporates changes to the text of the Highway 404 North Secondary Plan (PD 42-1) for the Highway 404 North Planning District (Planning District No. 42). These changes are outlined in Part III, which comprises Amendment No. 1 to the Highway 404 North Secondary Plan (PD 42-1).

2. IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan (Revised 1987), as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by a subsequent amendment to the Zoning By-law and site plan approval, in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Revised 1987), as amended, is exempt from approval by the Region of York. Following adoption, notice of Council’s decision will be given in accordance with the Planning Act, and the decision of Council is final, if notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council’s decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13

(c) of Part II of the Official Plan (Revised, 1987) shall not apply.

PART III - THE SECONDARY PLAN AMENDMENT (PD 42-1-1)

(This is an operative part of Official Plan Amendment No. XXX)

PART III – THE SECONDARY PLAN AMENDMENT (PD 42-1-1)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 1 to the Highway 404 North Secondary Plan PD 42-1)

The Highway 404 North Secondary Plan (PD 42-1) for the Highway 404 North Planning District (Planning District No. 42) is hereby amended as follows:

- 1.1.** By adding the following new subsection to Section 5.3.2 and by adding Figure 42-1-1 as shown on Schedule “A” attached hereto, to be appropriately placed on the first page following Section 5.3.2 e):
- “f) Notwithstanding the provisions of Section 5.3.2 a) and b) ii), the following additional provisions shall apply to the lands designated “Commercial – Community Amenity Area” located at 11087 Victoria Square Boulevard, as shown on Figure 42-1-1:
 - i) A maximum of 26 residential townhouse dwellings shall also be permitted; and
 - ii) The maximum height for a townhouse dwelling shall be 3 storeys.”

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan (Revised 1987), as amended, regarding the implementation and interpretation of the Plan, shall apply in regard to this Amendment, except as specifically provided for in this Amendment.

This Amendment shall be implemented by a subsequent amendment to the Zoning By-law and site plan approval in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Revised 1987), as amended, is exempt from approval by the Region of York. Following adoption, notice of Council’s decision will be given in accordance with the Planning Act, and the decision of Council is final, if notice of appeal is not received before or on the last day for filing an appeal.

Prior to Council’s decision becoming final, this Amendment may be modified to incorporate technical amendments to the text and schedule(s). Technical amendments are those minor changes that do not affect the policy intent of the Amendment. For such technical amendments, the notice provisions of Section 7.13 (c) of Part II of the Official Plan (Revised, 1987) shall not apply.

