

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** July 18, 2022

**CASE NO.:** PL171232

**PROCEEDING COMMENCED UNDER** subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Garden Homes (Markham) Inc.  
Subject: Request to amend the Official Plan - Failure of City of Markham to adopt the requested amendment  
Existing Designation: Residential Low Rise  
Proposed Designated: Site Specific Residential Low Rise  
Purpose: To permit a proposed townhouse development  
Property Address/Description: 73 Main Street South  
Municipality: City of Markham  
Approval Authority File No.: OP17 157341  
LPAT Case No.: PL171232  
LPAT File No.: PL171232  
LPAT Case Name: Garden Homes (Markham) Inc. v. Markham (City)

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Garden Homes (Markham) Inc.  
Subject: Application to amend Zoning By-law No. 1229/99-90 - Refusal or neglect of City of Markham to make a decision  
Existing Zoning: R1  
Proposed Zoning: Site Specific R1  
Purpose: To permit a proposed townhouse development  
Property Address/Description: 73 Main Street South  
Municipality: Town of Markham  
Municipality File No.: ZA 17 157341  
LPAT Case No.: PL171232  
LPAT File No.: PL171233

**PROCEEDING COMMENCED UNDER** subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Referred by: Garden Homes (Markham) Inc.  
Subject: Site Plan  
Property Address/Description: 73 Main Street South  
Municipality: Town of Markham  
LPAT Case No.: PL171232  
LPAT File No.: PL171253

BEFORE:

R.G.M. MAKUCH	)	Monday, the 18 <sup>th</sup>
VICE-CHAIR	)	
	)	day of July, 2022

**THIS MATTER** having come on for public hearing and after the hearing, the Tribunal in its Decision issued July 7, 2021, approved the Official Plan and Zoning by-law Amendment and approved the Site Plan in principle, with the Order bringing these instruments into effect withheld until the Tribunal is advised in writing by the parties that these instruments are in their final form and ready to be issued;

**AND THE TRIBUNAL** having been advised by the parties that the site plan agreement has been executed by the City of Markham;

**THE TRIBUNAL ORDERS** that the Site Plan is approved and in full effect.

*“Euken Lui”*

EUKEN LUI  
ACTING REGISTRAR

**Ontario Land Tribunal**

Website: [olt.gov.on.ca](http://olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.