

CITY OF MARKHAM
OFFICIAL PLAN AMENDMENT NO. 40

To amend the City of Markham Official Plan 2014, as amended.

(Scardred 7 Company Limited, 4038 and 4052 Highway 7 East)

(April 2023)

CITY OF MARKHAM
OFFICIAL PLAN AMENDMENT NO. 40

To amend the City of Markham Official Plan 2014, as amended.

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. -2023-xx--- pursuant to the Order of the Ontario Land Tribunal, dated May 1, 2023, made under the *Planning Act*, R.S.O., 1990 c.P.13, as amended, on the 14th day of June, 2023.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2023-96

Being a by-law to adopt Amendment No. 40
to the City of Markham Official Plan 2014, as amended

THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM,
IN ACCORDANCE WITH ORDER OF THE ONTARIO LAND TRIBUNAL
AND MADE UNDER THE PROVISIONS OF THE *PLANNING ACT*, R.S.O.,
1990, HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. 40 to the City of Markham Official Plan 2014,
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 14th
DAY OF JUNE, 2023.

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 40)

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. 40 to the City of Markham Official Plan 2014, as amended. Part II is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment applies to approximately 1.2 hectares of land located on the north side of Highway 7, east of Village Parkway, known municipally as 4038 and 4052 Highway 7 East, as shown in Figure 9.19.9 attached hereto (the “subject lands”).

3.0 PURPOSE

The purpose of this Official Plan Amendment is to modify the existing site specific permissions in Section 9.19.9 g) to permit the development of a mixed-use building with a maximum height of twelve (12) storeys and maximum site density of 4.20 FSI on the subject lands.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The subject lands are designated ‘Mixed Use Mid Rise’ in the City of Markham Official Plan 2014, as amended, and are subject to Area and Site Specific Policy 9.19.9 g), which restricts the maximum building height to 4 storeys.

This Official Plan Amendment was initiated by the Owner of the subject lands in order to facilitate a 12 storey mixed-use development that implements Provincial and Regional objectives as it relates to transit-supportive development within designated intensification areas and along Regional transportation corridors.

The Provincial Policy Statement (PPS, 2020) and A Place to Grow: Growth plan for the Greater Golden Horseshoe (Growth Plan)) requires municipalities to be consistent with their policy framework which directs municipalities to provide a full range of housing types and densities and to provide opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure. In this regard, the subject lands are immediately adjacent to a Regional Rapid Transit Corridor (Highway 7 East), as identified by the Province of Ontario and Region of York respectively. York Region Official Plan, 2010, encourages mixed-use

development where retail is designed to be walkable, transit-supportive, and integrated into communities and states that the Highway 7 Corridor is to be planned to function as urban main streets that have a compact, mixed-use, well-designed, pedestrian-friendly, and transit-oriented built form. Concentrating development activity at increased heights and densities within these identified areas will help achieve the objectives of making efficient use of existing and future infrastructure, supporting public transit, building compact urban communities and reducing the reliance on the automobile.

This amendment is consistent with the PPS, 2020, conforms with the Growth Plan, and conforms with the York Region Official Plan, 2010.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. 40)

PART II - THE OFFICIAL PLAN AMENDMENT

1.0 THE OFFICIAL PLAN AMENDMENT

1.1 Section 9.19 of the Official Plan 2014, as amended, is hereby amended as follows:

a) Replacing Section 9.19.9 g) as follows:

“g) on the lands at 4038 and 4052 Highway 7 East designated ‘Mixed use Mid Rise’ as shown in Figure 9.19.9, the maximum building height shall be 12 storeys and the maximum *floor space index* shall be 4.2 based on a site area of 11,550 square metres. For clarity, the implementing zoning bylaw may express the permitted density in terms of Gross Floor Area (GFA).”

b) Modifying the crosshatching corresponding to 4038 and 4052 Highway 7 East in Figure 9.19.9, as follows:

“



Figure 9.19.9”

2.0 IMPLEMENTATION AND INTERPRETATION

The provisions of the Official Plan, 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 an amendment to the Zoning By-law and Site Plan approval and other *Planning Act* approvals, in conformity with the provisions of this Amendment.