

OFFICIAL PLAN
of the
CITY OF MARKHAM PLANNING AREA
AMENDMENT NO. 260

To amend the Official Plan (Revised 1987), as amended,
and to incorporate Amendment No. 2 to the Highway 404 North Secondary Plan (PD 42-1)
for the Highway 404 North Planning District (Planning District No. 42).

(Livante Holdings (Victoria Square Woodbine) Inc.)

(June 2023)

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This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. 2023-104 in accordance with the *Planning Act*, R.S.O., 1990 c.P.13, as amended, on the 28TH day of June, 2023.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

THE CORPORATION OF THE CITY OF MARKHAM

BY-LAW NO. 2023-104

Being a by-law to adopt Amendment No. 260 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. 260 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 28TH DAY OF JUNE, 2023.

Kimberly Kitteringham
CITY CLERK

Frank Scarpitti
MAYOR

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 260)

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. 260 to the Official Plan (Revised 1987), as amended and is required to enact Amendment No. 2 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. 2 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 42-1-2. 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 1.37 hectares (3.38 acres) of land located on the west side of Victoria Square Boulevard, and south of Vetmar Avenue, municipally known as 10978, 10988, 11030 Victoria Square Boulevard, and Part of Block 95, Blocks 97 and 98 PLAN 65M-4328 (the “subject lands”), as shown on Schedule “A”.

3.0 PURPOSE

The purpose of this Amendment is to amend the Highway 404 North Secondary Plan to add a site specific policy that provides for 174 townhouse dwelling units on the subject lands.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The subject lands are located within the Highway 404 North Secondary Plan Area and designated “Urban Residential - Low Density”, which generally provides for residential buildings including single-detached, semi-detached, linked, duplex, street townhouses, and limited block townhouses with a maximum density of 37 units per hectare and a maximum building height of three storeys.

This Amendment will facilitate the development of the subject lands with a residential development consisting of 174 townhouse dwelling units, with up to four storeys in height, a density of 127 units per hectare, all accessed by a private road.

The Provincial Policy Statement (PPS), 2020, and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) direct municipalities to build compact, complete communities in settlement areas, protect public health and safety, provide a diverse range and mix of housing options, and optimize the use of existing and new infrastructure to support growth efficiently.

The Development makes efficient use of an underutilized parcel of land located in an area that the City of Markham has designated for residential development. The proposed development on the subject lands provides for a residential built form that accommodates an appropriate transition to the surrounding low-rise residential dwellings. The proposed development supports Provincial, Regional and Municipal planning policy by making efficient use of infrastructure, contributing a diversity of housing forms, is compatible with the surrounding area, and represents good planning.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. 260)

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 260 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 the addition of the number 260 to the list of amendments listed in the second 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), to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.3** Section 9.2.29 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number 260 to the list of amendments, to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 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 Planning District (Planning District No. 42). These changes are outlined in Part III, which comprises Amendment No. 2 to the Highway 404 North Secondary Plan (PD 42.-1).

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.

PART III - THE SECONDARY PLAN AMENDMENT (PD 42-1-2)

(This is an operative part of Official Plan Amendment No. 260)

PART III - THE SECONDARY PLAN AMENDMENT (PD 42-1-2)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 2 to the Highway 404 North Secondary Plan PD 42-2)

The Highway 404 North Secondary Plan (PD 42-2) 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 5.4.2 and by adding Figure 42-1-2 as shown on Schedule “A” attached hereto, to be appropriately placed on the first page following Section 5.4.2 i):

- “j) Notwithstanding the provisions of Section 5.4.2, the following additional provisions shall apply to the lands designated “Urban Residential – Low Density” for the lands shown on Figure 42-1-2:
 - i) The permitted dwelling unit types shall include townhouses, including stacked townhouses, back-to-back and stacked townhouses, and townhouses without direct access or frontage on a public street;
 - ii) A maximum site density of 127 units per hectare (51.5 units per acre) shall be permitted; and
 - iii) The maximum height for a townhouse dwelling shall be 4 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.