

OFFICIAL PLAN
of the
CITY OF MARKHAM PLANNING AREA
AMENDMENT NO. 265

To amend the Official Plan (Revised 1987), as amended, to incorporate Amendment No. 3 to the Main Street Milliken Secondary Plan (PD 2-4) for part of the Risebrough Planning District (Planning District No. 2).

[2163321 Ontario Inc. (Lance Gao)]

(March, 2024)

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AMENDMENT NO. 264

To amend the Official Plan (Revised 1987), as amended, to incorporate Amendment No. 3 to the Main Street Milliken Secondary Plan (PD 2-4) for part of the Risebrough Planning District (Planning District No. 2).

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. 2024-49 in accordance with the *Planning Act*, R.S.O., 1990 c.P.13, as amended, on the 20th day of March, 2024.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2024-49

Being a by-law to adopt Amendment No. 265
to the City of Markham Official Plan (Revised, 1987), as amended.

THAT 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. 265 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 ON THIS 20th
DAY OF March, 2024

Kimberley Kitteringham
City Clerk
(Signed)

Frank Scarpitti
Mayor

CONTENTS

PART I - INTRODUCTION

| | | |
|----|---------------|---|
| 1. | GENERAL..... | 6 |
| 2. | LOCATION..... | 6 |
| 3. | PURPOSE..... | 6 |
| 4. | BASIS | 6 |

PART II - THE OFFICIAL PLAN AMENDMENT

| | | |
|----|--|---|
| 1. | THE OFFICIAL PLAN AMENDMENT..... | 8 |
| 2. | IMPLEMENTATION AND INTERPRETATION..... | 9 |

PART III - THE SECONDARY PLAN AMENDMENT

| | | |
|----|--|----|
| 1. | THE SECONDARY PLAN AMENDMENT..... | 12 |
| 2. | IMPLEMENTATION AND INTERPRETATION..... | 12 |
| 3. | SCHEDULE "A"..... | 13 |

PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 265)

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. 265 to the Official Plan (Revised 1987), as amended, and is required to enact Amendment No. 3 to the Main Street Milliken Secondary Plan (PD 2-4) for part of the Risebrough Planning District (Planning District No. 2). 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. 3 to the Main Street Milliken Secondary Plan (PD 2-4) for part of the Risebrough Planning District (Planning District No. 2). This Secondary Plan Amendment may be identified by the symbol PD 2-4-3. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan and to the Main Street Milliken Secondary Plan (PD 2-4) (the “Amendment”) applies to approximately 0.30 hectares (0.74 acres) of land located east of Kennedy Road and north of Steeles Avenue East municipally known as 35-51 Old Kennedy Road (the “Subject Lands”) as shown on Schedule “A”.

3.0 PURPOSE

The purpose of the Amendment is to amend the Main Street Milliken Secondary Plan to provide for a high-density mixed-use development with a maximum building height of 30 storeys and a maximum density of 8.8 floor space index (“FSI”) (the “Proposed Development”).

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The Subject Lands are designated “Community Amenity Area – Main Street” in the Main Street Milliken Secondary Plan, which permits residential uses, and a range of small to moderate scale retail, personal service, restaurant and business uses.

The Proposed Development is consistent with the policies of the Provincial Policy statement, 2020 (the “2020 PPS”), as it promotes the efficient uses of land, resources, and infrastructure by providing residential and commercial uses in a compact urban

form in close proximity to existing transit facilities, and adds to the diversity of housing options to meet the requirements of current and future residents.

The Proposed Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (the “Growth Plan”) as it will improve an underutilized parcel of land, and will contribute to the efficient use of existing and planned infrastructure including roads, higher order transit within a Major Transit Station Area (“MTSA”), servicing and other community amenities through the intensification of uses on the Subject Lands while at the same time being appropriate and compatible with existing surrounding uses.

The Proposed Development also conforms to the 2022 York Region Official Plan (the “2022 YROP”). The Proposed Development is located in the delineated “Urban Area” and designated “Community Area” in the 2022 YROP, where most of the housing and population-related jobs required to accommodate the forecasted population will be located. Further the Proposed Development is within the Milliken GO Protected MTSA, and provides a scale of development and intensification that supports transit. As per the direction in the Growth Plan, MTSA’s are part of a regional strategy to align transit with growth and must be delineated by upper-tier municipalities and planned to achieve specified minimum density targets. The YROP also identifies all MTSA’s as “Protected” MTSA’s under the Planning Act to enable inclusionary zoning. The 2022 YROP identifies a minimum planned density for the Milliken GO PMTSA of 250 people and jobs per hectare.

The 2014 Markham Official Plan (the “2014 OP”) designates the Subject Lands ‘Mixed Use Mid Rise’; however, Section 9.15.3.3 states that until approval of an updated secondary plan for the Milliken Centre lands, the provisions of the Official Plan (Revised 1987), as amended, and Secondary Plan (PD 2-4), as amended, shall apply.

The Proposed Development makes efficient use of a parcel of land located in an area that the Province, Region and City have identified for intensification. The Proposed Development also supports Provincial, Regional and Municipal planning policy by making more efficient use of infrastructure, particularly, higher order transit in proximity to the Subject Lands, and represents good planning.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. 265)

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 265 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 265 to the list of amendments listed in the second sentence of the bullet item dealing with the Main Street Milliken Secondary Plan PD 2-4, for part of the Risebrough Planning District (Planning District No. 2), to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.3** Section 9.2.28 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number 265 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 is also being made to incorporate changes to the text of the Main Street Milliken Secondary Plan (PD 2-4) for part of the Risebrough Planning District (Planning District No. 2). These changes are outlined in Part III which comprises Amendment No. 3 to the Main Street Milliken Secondary Plan (PD 2-4).

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 an amendment to the Zoning By-law and Site Plan approval and other *Planning Act* approvals 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 of the Amendment, notice of Council’s decision will be given in accordance with the *Planning Act*, and the decision of Council is final, if a 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 associated figure(s) and schedule(s). Technical amendments are those minor changes that do not affect the policy or 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), as amended, shall not apply.

PART III - THE SECONDARY PLAN AMENDMENT (PD 2-4-3)

(This is an operative part of Official Plan Amendment No. 265)

PART III - THE SECONDARY PLAN AMENDMENT (PD 2-4-3)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 3 to the Main Street Milliken Secondary Plan PD 2-4)

The Main Street Milliken Secondary Plan (PD 2-4) for part of the Risebrough Planning District is hereby amended as follows:

- 1.1** Section 5.3.3 “Community Amenity Area – Main Street” is amended by adding a new subsection j) as follows and Figure 2-4-3, as shown on Schedule “A” attached hereto, to be appropriately placed on the first page following Section 5.3.3 i):

“j) Notwithstanding the provisions of Section 5.3.3 e) and f), the following additional provisions shall apply to the lands designated “Community Amenity Area – Main Street” located at 35-51 Old Kennedy Road, as shown on Figure 2-4-3:

- i) The maximum FSI shall be 8.8;
- ii) The maximum building height shall be the lesser of 100.00 metres or 30 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 an amendment to the Zoning By-law and Site Plan approval and other Planning Act approvals in conformity with the provisions of this Amendment.

This Amendment to the Official Plan (Revised 1987), as amended, is exempt from the 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 a 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 or 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), as amended, shall not apply.