

**CITY OF MARKHAM**

**OFFICIAL PLAN AMENDMENT NO. 54**

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

***(Ledgemark Homes Inc. [Livgreen Condominiums], 3009 Elgin Mills Road East, and 10731, 10737, 10743, and 10745 Victoria Square Boulevard)***

**June 2024**

**CITY OF MARKHAM**

**OFFICIAL PLAN AMENDMENT NO. 54**

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. 2024-112 in accordance with the *Planning Act*, R.S.O., 1990 c. P.13, as amended, on the 12th day of June 2024.

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor



## By-law 2024-112

Being a by-law to adopt Amendment No. 54  
to the City of Markham Official Plan 2014, as amended

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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. 54 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 12TH DAY OF JUNE, 2024.

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Kimberley Kitteringham  
City Clerk

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Frank Scarpitti  
Mayor

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**PART I – INTRODUCTION**

(This is not an operative part of the Official Plan Amendment No. 54)

## **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, including Schedules “A” and “B”, attached thereto, constitutes Official Plan Amendment No. 54 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 0.34 hectares (0.98 acres) of land municipally known as 3009 Elgin Mills Road East, 10731, 10737, 10743, and 10745 Victoria Square Boulevard (the “Subject Lands”). The Subject Lands are located on the south-east corner of Elgin Mills Road East and Victoria Square Boulevard.

### **3.0 PURPOSE**

The purpose of this Amendment is to redesignate the Subject Lands from ‘Residential Low Rise’ to ‘Mixed Use Mid Rise’ to permit the development of a four (4) storey residential building with at-grade commercial uses. This Amendment will also amend an existing area and site specific policy that applies to the Subject Lands, and add a new area and site specific policy to limit the height to a maximum of four (4) storeys and the density to a maximum of 1.51 FSI.

### **4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT**

The Subject Lands are designated ‘Residential Low Rise’ in the City of Markham Official Plan, 2014, which provides for a mix of building types (e.g., detached dwelling, semi-detached dwelling, townhouse excluding back to back townhouse, and small multiplex building containing 3 to 6 units) with a maximum building height of three (3) storeys. The Subject Lands are located within the Historic Village of Victoria Square and are also subject to area and site specific policy 9.5.9. Area and site specific policy 9.5.9.3 in particular provides further direction regarding the introduction of specific non-residential uses while restricting the building types to a form and scale appropriate to the historic features and character of the surrounding area.

The Proposed Development comprises a four (4) storey residential building, with non-residential uses at-grade, and the relocation of a heritage dwelling that will be re-purposed for non-residential uses. An Official Plan Amendment is required to facilitate the Proposed Development and will redesignate the

Subject Lands to 'Mixed Use Mid Rise'. An existing area and site specific policy that applies to 'Residential Low Rise' lands is being amended to remove the reference to the Subject Lands, and a new area and site specific policy is being added to restrict the height to a maximum of four (4) storeys and the density to a maximum of 1.51 FSI.

The Proposed Development is consistent with the Provincial Policy Statement, 2020 (the "PPS") as it promotes the efficient use of existing land, resources and infrastructure. The Proposed Development would also contribute to help meet the needs of residents of all ages, income levels, and family types by providing a diversity of housing with varying numbers of bedrooms into the community.

The Proposed Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2019 (the "Growth Plan") as the Subject Lands are located within a delineated Built-up Area with access to municipal services. The Proposed Development would add variety to the local housing options in a compact urban form. The Subject Lands are in close proximity to transit which supports reduced car dependence and encourages transit ridership.

The Proposed Development also conforms to the York Region Official Plan, 2022 (the "YROP"). The YROP designates the Subject Lands 'Urban Area' which permits a wide range of residential, commercial, and institutional uses. The Proposed Development includes uses that are contemplated under the 'Community Area' designation and the revised scale is considered compatible with the surrounding area and will support the diverse range of housing options set out in the YROP.

The Proposed Development represents good planning as it promotes small-scale residential infill development at an appropriate location adjacent to transit routes along an arterial road, while introducing opportunities for commercial and service uses, with an appropriate transition in height from the adjacent low rise residential lands, and is generally compatible with the surrounding land uses.

**PART II – THE OFFICIAL PLAN AMENDMENT**  
(This is an operative part of Official Plan Amendment No. 54)



## PART II – THE OFFICIAL PLAN AMENDMENT

### 1.0 THE OFFICIAL PLAN AMENDMENT

1.1 The following maps and appendices of Part I of the City of Markham Official Plan, 2014, as amended, are hereby amended as follows:

- a) Map 1 – Markham Structure is amended by redesignating the ‘Neighbourhood Area’ lands to ‘Mixed Use Neighbourhood Area’ as shown on Schedule “A” attached hereto.
- b) Map 3 – Land Use is amended by redesignating the ‘Residential Low Rise’ lands to ‘Mixed Use Mid Rise’ as shown on Schedule “B” attached hereto.

1.2 Section 9.5 of Part I of the City of Markham Official Plan, 2014, as amended, is hereby amended as follows:

- a) Amending Section 9.5.9 to remove the hatching on the lands at 3009 Elgin Mills Road East and 10745 Victoria Square Boulevard in Figure 9.5.9.



b) Amending Section 9.5.9.3 to remove the reference to 3009 Elgin Mills Road East.

c) Adding a new Section 9.5.9.6 and Figure 9.5.9.6 as follows:

“9.5.9.6            3009 Elgin Mills Road East and 10731, 10737, 10743, and 10745 Victoria Square Boulevard

The ‘Mixed Use Mid Rise’ lands at 3009 Elgin Mills Road East and 10731, 10737, 10743, and 10745 Victoria Square Boulevard, as shown in Figure 9.5.9.6, shall::

- a) have a maximum building height of four (4) storeys;
- b) have a maximum density of 1.51 FSI; and
- c) not be subject to Sections 9.5.9.4.a.i, d, and e.

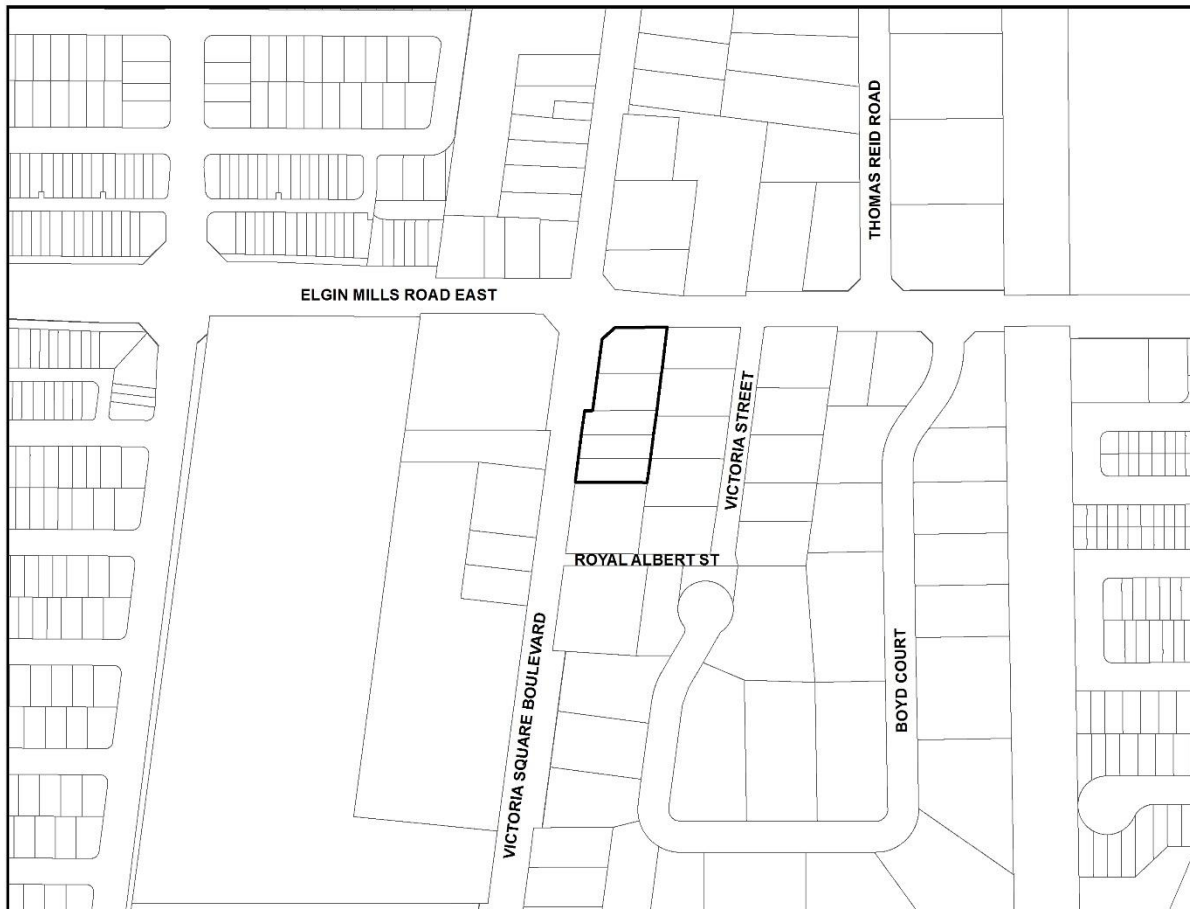


Figure 9.5.9.6”

## **2.0 IMPLEMENTATION AND INTERPRETATION**

The provisions of the City of Markham Official Plan, 2014, 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 amendments to Zoning By-laws 177-96 and 2024-19, as amended, and Site Plan approval and other *Planning Act* approvals, in conformity with the provisions of this Amendment.

This Amendment to the City of Markham Official Plan, 2014, 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 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. The notice provisions of Section 10.7.5 of the Markham Official Plan, 2014, as amended, shall apply.