

OFFICIAL PLAN
of the
CITY OF MARKHAM PLANNING AREA
AMENDMENT NO. 270

To amend the Official Plan (Revised 1987), as amended, and to incorporate Amendment No. 18 to the Markham Centre Secondary Plan (PD 33-1), as amended, for the Central Area Planning District (Planning District No. 33).

(By-law 2024-172)

(September 2024)

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To amend the Official Plan (Revised 1987), as amended, and to incorporate Amendment No. 18 to the Markham Centre Secondary Plan (PD 33-1), as amended, for the Central Area Planning District (Planning District No. 33).

This Official Plan Amendment was adopted by the Corporation of the City of Markham, By-law No. 2024-172 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 25th day of September, 2024.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor



By-law 2024-172

Being a by-law to adopt Amendment No. 270
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. 270 to the 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 25th
DAY OF SEPTEMBER, 2024.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

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PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 270)

PART I - INTRODUCTION

1.0 GENERAL

- 1.1** PART I - INTRODUCTION, is included for information purposes and is not an operative part of the Official Plan Amendment.
- 1.2** PART II - THE OFFICIAL PLAN AMENDMENT, constitutes Amendment No. 270 to the Official Plan (Revised 1987), as amended, and is required to enact Amendment No. 18 to the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). Part II is an operative part of this Official Plan Amendment.
- 1.3** Part III – THE SECONDARY PLAN AMENDMENT, including Schedules “A”, “B”, and “C” attached thereto, constitutes Amendment No. 18 to the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). This Secondary Plan Amendment may be identified by the symbol PD 33-1-18. Part III is an operative part of this Official Plan Amendment.

2.0 LOCATION

This Amendment to the Official Plan and to the Markham Centre Secondary Plan (PD 33-1) (the “Amendment”) applies to approximately 1.22 hectares (3.01 acres) of land municipally known as 8350 Kennedy Road (the “Subject Lands”). The Subject Lands are located on the west side of Kennedy Road, south of Highway 7, as shown on Schedule “A”.

3.0 PURPOSE

The purpose of this Amendment is to amend the Markham Centre Secondary Plan to:

- Incorporate site specific height and density provisions to permit two mixed-use buildings with maximum heights of 28 and 24 storeys and a maximum density of 5.16 Floor Space Index (“FSI”) as shown on Schedule “C”; and,
- Re-designate a portion of the Subject Lands to ‘Hazard Land’ to recognize the Valleylands within the Natural Heritage System, as shown on Schedules “A” and “B”.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The Subject Lands are designated “Community Amenity Area – General” in the Markham Centre Secondary Plan (PD 33-1), which may be used predominantly for medium and high density residential use, subject to review of a specific development proposal, with a maximum height of six storeys and a maximum density of 148 units

per hectare. The Secondary Plan also states that lands on the west side of Kennedy Road may also be considered for retail uses.

The Proposed Development comprises a high density mixed-use residential development with ground floor commercial along the Kennedy Road frontage. The Proposed Development will have a maximum height of 28 and 24 storeys and a maximum density of 5.16 FSI.

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 proximal 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 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 Enterprise BRT Station 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 (“PMTSA”) under the *Planning Act*. The 2022 YROP identifies a minimum planned density for the Enterprise BRT Station 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 9.12.4 states that until approval of an updated secondary plan for the Regional Centre – Markham Centre lands, the provisions of the Official Plan (Revised 1987), as amended, and Secondary Plan PD 33-1, as amended, shall apply.

The proposed redesignation of the westerly portion of the Subject Lands to “Hazard Land” reflects the location of a buffer to the Natural Heritage System and features of the existing Mildred Temple Park, which has also been designated as “Hazard Land” under PD 33-1. The amendment recognizes a required setback to the staked top of bank and Natural Heritage System that has been determined with the Toronto and Region Conservation Authority (“TRCA”). As a result, it is appropriate to redesignate this portion of the Subject Lands to “Hazard Land”.

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. 270)

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 270 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 270 to the list of amendments listed in the second sentence of the bullet item dealing with the Markham Centre Secondary Plan (PD-33-1), for the Central Area Planning District (Planning District No. 33), to be placed in numerical order including any required grammatical and punctuation changes prior to the words “to this Plan”.
- 1.3 Section 9.2.16 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by the addition of the number 270 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 incorporates changes to the text of the Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33). These changes are outlined in Part III which comprises Amendment No. 18 to the Markham Centre Secondary Plan (PD 33-1).

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 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 is exempt from approval by the Ministry of Municipal Affairs and Housing and the decision of Council is final if a notice of appeal is not received before or on the last day for filing such notice.

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.

PART III – THE SECONDARY PLAN AMENDMENT (PD 33-1-18)

(This is an operative part of Official Plan Amendment No. 270)

PART III – THE SECONDARY PLAN AMENDMENT (PD 33-1- 18)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 18 to the Markham Centre Secondary Plan PD 33-1)

The Markham Centre Secondary Plan (PD 33-1) for the Central Area Planning District (Planning District No. 33) is hereby amended as follows:

- 1.1 Schedule ‘AA’ – DETAILED LAND USE, is hereby amended by redesignating a portion of the Subject Lands from “Community Amenity Area – General” to “Hazard Land” as shown on Schedule “A” attached hereto.
- 1.2 Schedule ‘CC’ – OPEN SPACE SYSTEM is hereby amended by designating a portion of the subject lands “Valleyland” as shown on Schedule “B” attached hereto.
- 1.3 By adding the following new subsection to Section 4.3.2.2 and by adding Figure 33-1-18 as shown on Schedule “C” attached hereto, to be appropriately identified on the first page following Section 4.3.2.2 j):
 - “k) The following additional provisions shall apply to the lands designated “Community Amenity Area - General”, located south of Highway 7, west of Kennedy Road (the “Subject Lands”), as shown on Figure 33-1-18:
 - i) In Area 1:
 - a) The maximum height of the building shall be 28 storeys.
 - ii) In Area 2:
 - a) The maximum height of the building shall be 24 storeys.
 - iii) The maximum density shall be 5.16 FSI on the Subject Lands.”

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 in conformity with the provisions of this Amendment.

This Amendment is exempt from approval by the Ministry of Municipal Affairs and Housing and the decision of Council is final if a notice of appeal is not received before or on the last day for filing such notice.

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.