

OFFICIAL PLAN
Of the
TOWN OF MARKHAM PLANNING AREA
AMENDMENT NO. 191

To amend the Official Plan (Revised 1987), as amended,
and to incorporate Amendment No. 1 to the Main Street Milliken Secondary Plan (PD 2-4)
for part of the Risebrough Planning District (Planning District No. 2).

(Milliken Development Corporation)


(February 16, 2011)

OFFICIAL PLAN
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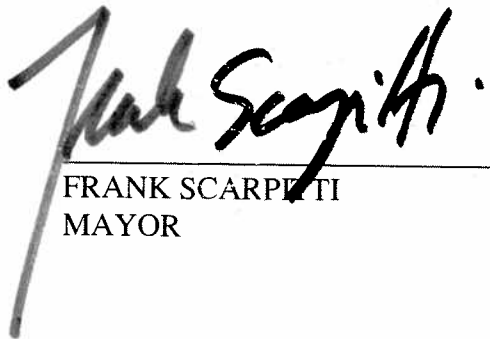
To amend the Official Plan (Revised 1987), as amended and to incorporate Amendment No. 1 to the Main Street Milliken Secondary Plan (PD 2-4) for part of the Risebrough Planning District (Planning District No.2).

This Official Plan Amendment was adopted by the Corporation of the Town of Markham, By-law No. 2011-59 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 1st day of March, 2011.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
1ST DAY OF MARCH, 2011.



ANDREW BROUWER
DEPUTY TOWN CLERK



FRANK SCARPETTI
MAYOR



BY-LAW 2011-59

Being a by-law to adopt Amendment No. 191
to the Town of Markham Official Plan (Revised 1987), as amended

THE COUNCIL OF THE CORPORATION OF THE TOWN OF
MARKHAM, IN ACCORDANCE WITH THE PROVISIONS OF THE
PLANNING ACT, R.S.O., 1990 HEREBY ENACTS AS FOLLOWS:

1. THAT Amendment No. 191 to the Town 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
1ST DAY OF MARCH, 2011.

ANDREW BROUWER
DEPUTY TOWN CLERK

FRANK SCARPITTI
MAYOR

CONTENTS

PART I - INTRODUCTION

1. GENERAL..... 6

2. LOCATION..... 6

3. PURPOSE 7

4. BASIS 7-8

PART II - THE OFFICIAL PLAN AMENDMENT

1. THE OFFICIAL PLAN AMENDMENT..... 9

2. IMPLEMENTATION AND INTERPRETATION..... 11

3. SCHEDULE ‘A’

4. SCHEDULE ‘B’

PART III - THE SECONDARY PLAN AMENDMENT

1. THE SECONDARY PLAN AMENDMENT 13

2. IMPLEMENTATION AND INTERPRETATION..... 16

3. SCHEDULE ‘C’

4. FIGURE 2-4-1

PART I - INTRODUCTION

(This is not an operative part of Official Plan Amendment No. 191)

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 Schedule "A" and Schedule "B" attached thereto, constitutes Official Plan Amendment No. 191 to the Official Plan (Revised 1987), as amended and is required to enact Amendment No. 1 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 "C", attached thereto, constitutes Amendment No. 1 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 2-4-1. 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) applies to a portion of 5 (five) properties municipally known as 31, 67 and 73 Old Kennedy Road and 4550 and 4576 Steeles Avenue. The subject lands have a combined area of approximately 1.72 hectares (4.25 acres).

Two (2) properties comprising the subject lands are vacant, 31 Old Kennedy Road, located in the western and central portion of the subject lands and 4576 Steeles Avenue (Town owned residual parcel from proposed extension of Midland Avenue), located at the eastern boundary of the subject lands. The property immediately west of 4576 Steeles Avenue, municipally known as 4550 Steeles Avenue, contains a large building known as the Milliken Flea Market. The property municipally known as 67 Old Kennedy Road contains a single storey dwelling that is vacant. Immediately north of this property is 73 Old Kennedy Road which also contains a single storey 'Edwardian Classical' dwelling that is vacant and has been designated by the Town under Part IV of the Ontario Heritage Act.

Surrounding land uses include residential townhomes (under construction) immediately to the north, existing single detached homes as well as a 7 storey apartment building and townhomes (both under construction) immediately to the east (opposite future extension of Midland Avenue proposed along eastern edge of subject lands), commercial/retail use to the south across Steeles Avenue (in the City of Toronto) and a number of single detached dwellings, a gas station and an auto repair facility immediately abutting the subject lands to the west, along the east side of Old Kennedy Road. The west side of Old Kennedy Road contains mainly retail uses, including automobile sales establishments.

3.0 PURPOSE

The purpose of this Amendment is to:

- 1) Amend Schedule 'A' of the Official Plan to redesignate the subject lands from 'URBAN RESIDENTIAL' and 'COMMERCIAL' to 'INSTITUTIONAL'
- 2) Amend Schedule 'H' of the Official Plan to delete a portion of the subject lands from 'Community Amenity Area'
- 3) Amend Schedule 'AA' – Detailed Land Use Plan of the Main Street Secondary Plan by redesignating the subject lands from 'Urban Residential Medium Density' and 'Community Amenity Area – Steeles Avenue' to 'Institutional'.
- 4) To permit the use of retirement homes, as defined and regulated by the Retirement Homes Act, 2010 and nursing homes, long term care facilities and assisted living facilities, as defined and regulated by the Long Term Care Act, 2007 and/or the Retirement Homes Act, 2010.
- 5) To permit an increase in the maximum height from generally 3 storeys to a maximum of 6 storeys with a maximum FSI of 3.0, north of the future extension of Thelma Avenue.
- 6) To permit an increase in the maximum height from generally 6 storeys to a maximum of 8 and 12 storeys, an increase in the maximum FSI from 1.5 to 4.8 with a maximum of 360 units south of the future extension of Thelma Avenue.

4.0 BASIS OF THIS OFFICIAL PLAN AMENDMENT

The proposed Secondary Plan amendment is required to facilitate the construction of a seniors' development consisting of 4 (four) seniors' buildings intended to accommodate the needs of seniors in the community. The 4 (four) buildings will consist of a long term care facility, an assisted living facility and two independent living retirement homes.

In addition, the proposed development contemplates the future extension of Thelma Avenue and Midland Avenue, as shown conceptually on Schedule 'BB' – Transportation Plan in the Main Street Milliken Secondary Plan.

The proposed 6 storey assisted living and long term care facilities on the north side of the future extension of Thelma Avenue will be buffered from the adjacent townhome development under construction to the north with landscaping, stepping of building mass and setbacks. The proposed 8 and 12 storey independent living buildings on the south side of the future extension of Thelma Avenue will provide a transition to future mixed use and medium to high density residential development contemplated along Steeles Avenue.

The proposed seniors' development is consistent with provincial policies seeking to provide a variety of housing types for a diverse population including seniors. The proposed development will serve to meet the needs of seniors within the Town of Markham. Given the nature of the proposed institutional uses, the proposed increase in density will likely have minimal impact on key aspects of community infrastructure such as road network capacity and will contribute to a transit-supportive built form.

PART II - THE OFFICIAL PLAN AMENDMENT

(This is an operative part of Official Plan Amendment No. 191)

PART II – THE OFFICIAL PLAN AMENDMENT

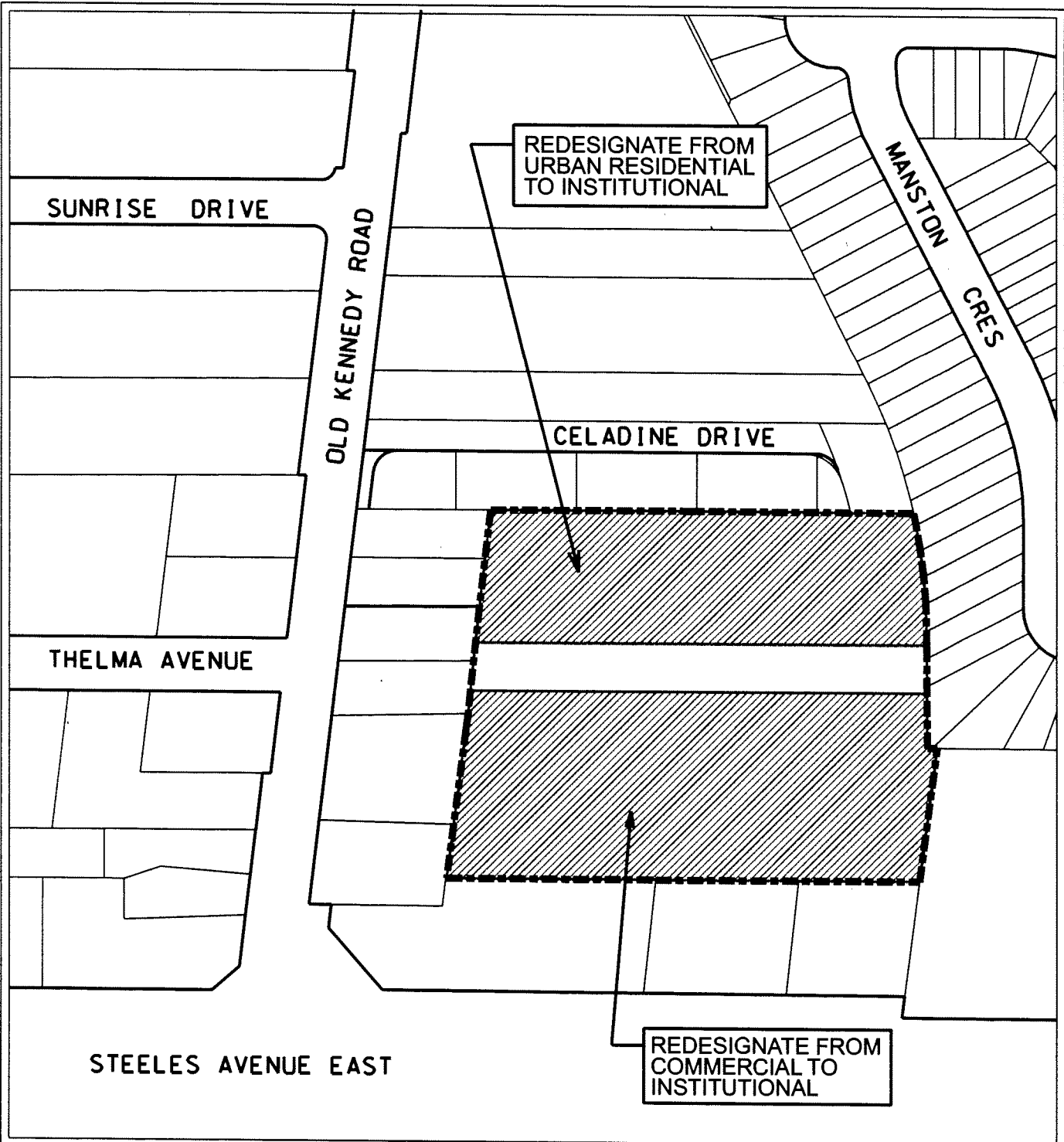
1.0 THE OFFICIAL PLAN AMENDMENT

- 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 *191* 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 adding the following sentence to be placed immediately after the first sentence of the bullet item dealing with the Main Street Milliken Secondary Plan PD 2-4, for part of Risebrough Planning District:
“This Secondary Plan was further amended by Official Plan Amendment No. 191 to this Plan.”
- 1.3 Section 9.2.28 of Part II of the Official Plan (Revised 1987), as amended, is hereby amended by adding the following text to be placed immediately after the referenced Official Plan Amendment number and immediately before the end bracket: “, as amended by Official Plan Amendment No. 191 to this Plan”
- 1.4 Schedule ‘A’ – “LAND USE” of the Official Plan (Revised 1987), as amended, is hereby amended by redesignating the subject lands from URBAN RESIDENTIAL and COMMERCIAL to INSTITUTIONAL, as shown on Schedule “A” attached hereto.
- 1.5 Schedule ‘H’ – “COMMERCIAL/INDUSTRIAL CATEGORIES” of the Official Plan (Revised 1987), as amended, is hereby amended by deleting a portion of the subject lands from the “Community Amenity Area” category of designation, as shown on Schedule “B” attached hereto.
- 1.6 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 Schedule ‘AA – Detailed Land Use’ and 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. 1 to the Main Street Milliken Secondary Plan (PD 2-4).


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.

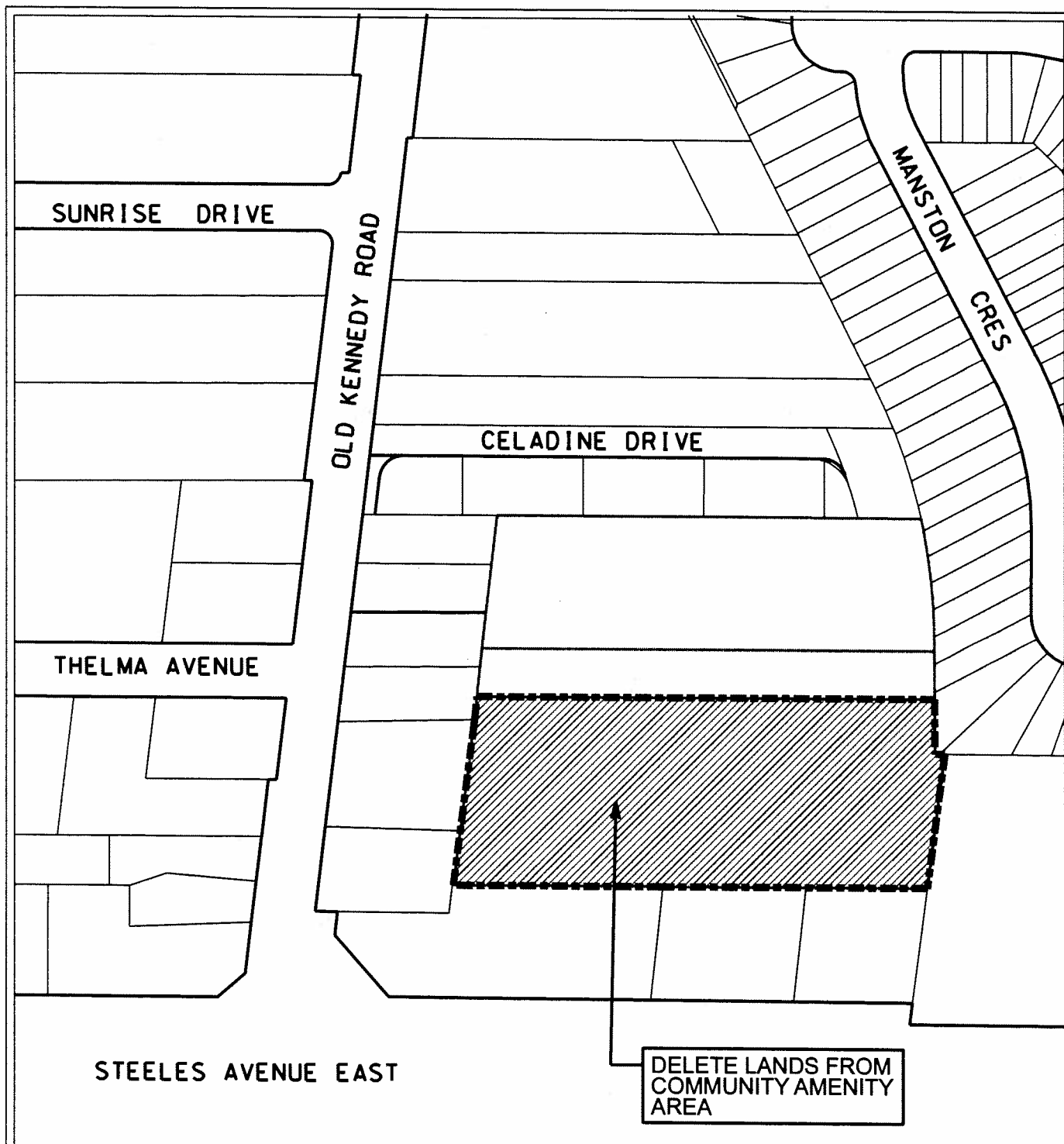
This Amendment shall be implemented by an amendment to the Zoning By-law, with Hold provision, and Site Plan Approval, in conformity with the provisions of this Amendment.




AMENDMENT TO SCHEDULE 'A' – LAND USE
TOWN OF MARKHAM OFFICIAL PLAN (REVISED 1987) AS AMENDED

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT





AMENDMENT TO SCHEDULE 'H' – COMMERCIAL /INDUSTRIAL CATEGORIES
TOWN OF MARKHAM OFFICIAL PLAN (REVISED 1987), AS AMENDED

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT

PART III - THE SECONDARY PLAN AMENDMENT (PD 2-4-1)
(This is an operative part of Official Plan Amendment No. 191)

PART III - THE SECONDARY PLAN AMENDMENT (PD 2-4-1)

1.0 THE SECONDARY PLAN AMENDMENT

(Amendment No. 1 to the Main Street Milliken Secondary Plan PD 2-4)

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

1.1 Schedule 'AA' – DETAILED LAND USE of the Main Street Milliken Secondary Plan (PD 2-4) is hereby amended by re-designating the subject lands from Urban Residential Medium Density and Community Amenity Area – Steeles Avenue to Institutional, as shown on Schedule "C", attached hereto.

1.2 By renumbering subsections 5.5.1, 5.5.2 and 5.5.3 as follows:
"5.5.1" to "5.5.2"
"5.5.2" to "5.5.3"
"5.5.3" to "5.5.4"
and changing any references to these subsections where required.

1.3 By adding a new subsection 5.5.1 as follows:
"5.5.1 General Policies
Lands designated Institutional shall be in accordance with the provisions of Section 3.6 of the Official Plan (revised 1987), as amended."

1.4 By adding a new subsection and corresponding Figure 2-4-1 to Section 5.5 Institutional:

"5.5.5 A portion of 31, 67 & 73 Old Kennedy Road and 4550 & 4576 Steeles Avenue, as shown on Figure 2-4-1
(Official Plan Amendment No. 191)

Notwithstanding Section 5.5.1 of this Secondary Plan, the following provisions shall apply to the lands designated Institutional, located east of Old Kennedy Road, west of the future extension of Midland Avenue and north of Steeles Avenue, as identified on Figure 2-4-1:

- 1) The only permitted uses shall be:
 - Retirement Home, as defined and regulated by the Ontario Retirement Homes Act, 2010, or its successor, on the lands identified as Parts 2 and 3
 - Nursing Home, Assisted Living Facility and Long Term Care Facility, as defined and regulated by the Ontario Retirement Homes Act, 2010, or its successor, or the Ontario Long

Term Care Act, 2007, or its successor, on the lands identified as Part 1

- Accessory uses associated with uses above
- 2) The maximum building height is as follows:
 - 6 storeys on the lands identified as Part 1
 - 12 storeys on the lands identified as Part 2
 - 8 storeys on the lands identified as Part 3
 - 3) The maximum number of units is as follows:
 - 360 units for the combined lands identified as Parts 2 & 3
 - 4) The maximum FSI is as follows:
 - 3.0 for the lands identified as Part 1
 - 4.8 for the combined lands identified as Parts 2 and 3
 - 5) Development should be subject to the following specific design guidelines:
 - i) New development shall be designed to respect the residential townhouse development to the north:
 - The height and massing of the buildings on lands identified as Part 1 should transition to a maximum of 4 storeys in the yard adjacent to the north property line. Enhanced landscape buffers and appropriate setbacks shall be provided along the north property line to protect for amenity space privacy and access to sun for the properties adjacent to the north property line.
 - Loading areas, pick up/drop off areas and underground parking ramp(s) should be located/oriented away from the residential amenity space for the properties to the north.
 - ii) Site plans for the combined properties should support the interconnected system of public streets, support pedestrian circulation on site, provide through-site connections and contribute to a high quality of public realm throughout (landscaping, lighting, street furniture).
 - iii) Principles of Accessibility and Inclusive Design shall be applied to the site. The design of the development shall take into account and accommodate grade changes and minimize the need for retaining walls and ramps.
 - iv) Design of buildings shall include prominent at-grade entrances directly to the adjoining public sidewalks and streets. Building entrances to public streets should closely match the grade of the adjoining street right-of way.

- v) Residential at grade living space(s) along circulation routes should be buffered with appropriate setbacks and landscaping.
 - vi) Useable and well designed outdoor amenity space should be provided for the residents of the proposed development, within landscaped area at main entrances and elsewhere on site.
 - vii) Most of the parking on site shall be provided underground.
 - viii) Underground parking structures shall not project above the finished grade adjoining streets.
 - ix) All surface parking shall be screened from streets and adjacent properties.
 - x) Direct vehicular access from the subject lands to the future extension of Midland Avenue, south of the future extension of Thelma Avenue, shall only be permitted provided it is a shared access with the lands south of Parts 2 and 3.
 - xi) Temporary access to the site and service connections, including any required easements, shall be provided from Old Kennedy Road as an interim condition until Midland Avenue is constructed to Thelma Avenue, to the satisfaction of the Town and Region of York.
 - xii) The development shall incorporate sustainable design features to, amongst other things, reduce energy and water consumption, minimize stormwater runoff, minimize heat island effect, harvest rainwater for irrigation and maximize the use of sustainable materials and resources.
- 6) The following additional requirements shall apply:
- (i) The site shall be designed to meet or exceed York Region's Transit Oriented Design Guidelines.
 - (ii) A comprehensive Transportation Demand Management (TDM) Program shall be developed and implemented to the satisfaction of the Town and Region of York.
 - (iii) Submission of a Traffic Impact Study and resolution of all outstanding issues associated with the study to the satisfaction of the Town, City of Toronto and Region of York.
 - (iv) As the property is adjacent to a significant built heritage resource (73 Old Kennedy Road) that has been individually designated

pursuant to the *Ontario Heritage Act*, section 2.6.3 of the Provincial Policy Statement shall apply, being:

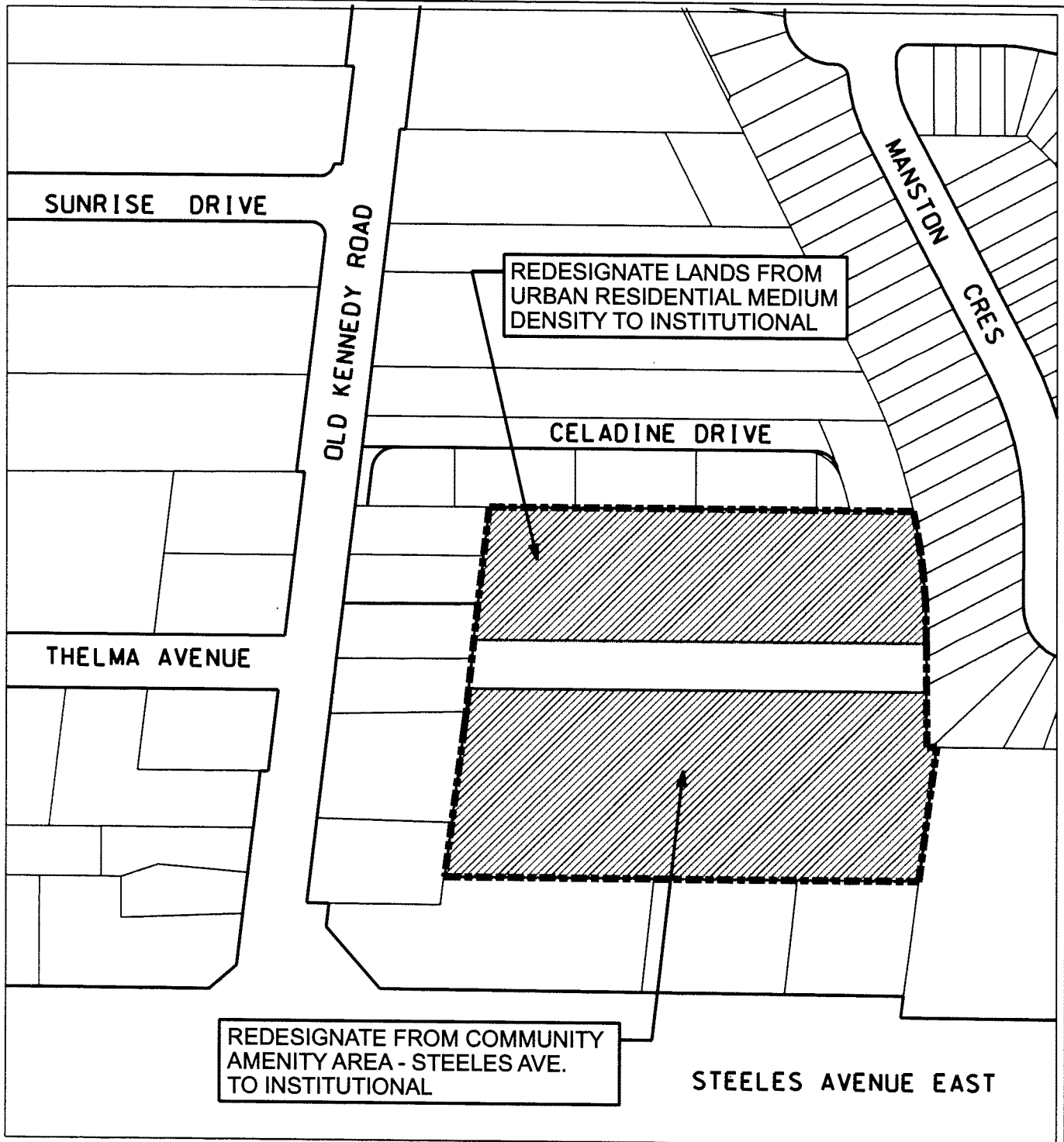
- Development and site alteration may be permitted on the adjacent lands to the protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage site will be conserved; and,
- Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.”

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 in conformity with the provisions of this Amendment.

(February 16, 2011)
(Amanda/OP 10 120215/Documents/Draft OPA)



AMENDMENT TO SCHEDULE 'AA' – DETAILED LAND USE PLAN
 OF THE MAIN STREET MILLIKEN SECONDARY PLAN (PD 2-4)
 FOR PART OF THE RISEBROUGH PLANNING DISTRICT (PLANNING DISTRICT No.2)

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT

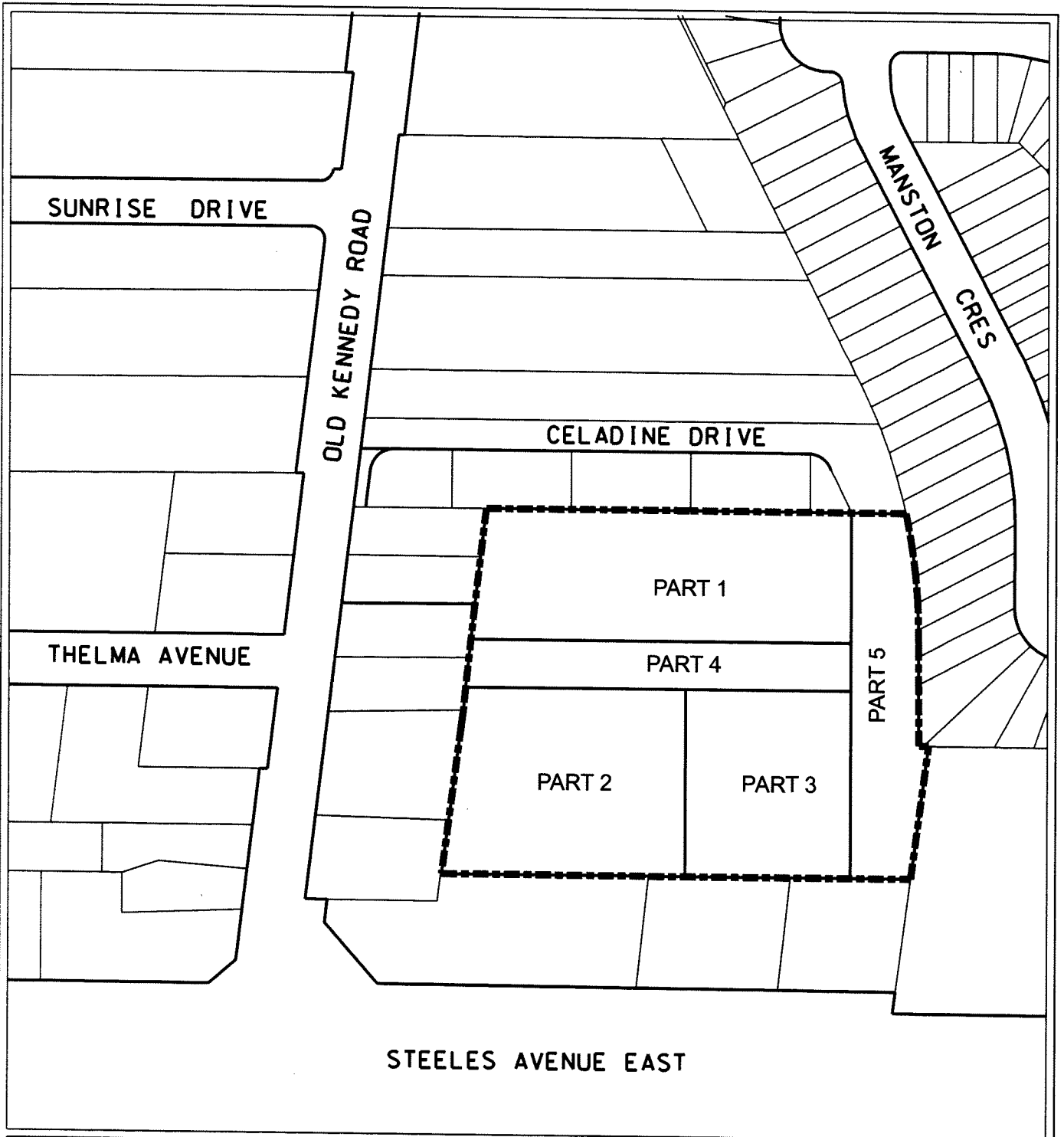


DEVELOPMENT SERVICES COMMISSION

SCHEDULE "C" TO OPA No. 191 PD 2-4-1

DRAWN BY: CPW
 CHECKED BY: AH

SCALE:
 DATE: 26/01/2011



SECONDARY PLAN AMENDMENT No. 1 TO THE
MAIN STREET MILLIKEN SECONDARY PLAN (PD. No. 2-4) (PART III OF O.P.A No. 191)



BOUNDARY OF AREA SUBJECT TO POLICIES IN SECTION 5.5.5



DEVELOPMENT SERVICES COMMISSION

FIGURE No. 2-4-1

DRAWN BY: CPW
CHECKED BY: AH

SCALE:
DATE: 26/01/2011