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By Email

TO: The Regional Municipality of York  
Corporate Services Department  
York Region Administrative Building  
17250 Yonge Street,  
Newmarket, Ontario,  
L3Y 6Z1

June 12, 2014

Email: [denis.kelly@york.ca](mailto:denis.kelly@york.ca)

Attn: Mr. Denis Kelly, Regional Clerk

Re: Request for Notification  
The Town of Richmond Hill Official Plan Dated July, 2010

TO: The Council for City of Markham  
c/o The City Clerk  
Markham Civic Centre,  
101 Town Centre Boulevard,  
Markham, Ontario,  
L3R 9W3,

Email: [k.kitteringham@markham.ca](mailto:k.kitteringham@markham.ca)

Attn: Ms. Kimberly Kitteringham, City Clerk

Re: Request for Notification  
Staff recommendation report and memorandum on  
the adopted 2013 Markham Official Plan, Part 1.  
Council Meeting: July 12, 2014

Dear Mr. Kelly/Ms. Kitteringham;

I am writing in regards to above noted proposed City of Markham's Official Plan; on behalf of my clients, Raymond Tang, the owners of property known as 210 Old Kennedy Road, Markham; and to further my email of March 27, 2014, to staff. My client's concerns in regards to the above, relates to but not limiting to the following sections of the Proposed Official Plan:

1. Section 6.1.8 (Built Form and Site Development);
2. Section 9.15 (Area and Site Specific Policies – Milliken);
3. Section 10.1.2 (Implementation – Secondary Plans)

4. Section 10.1.3 (Implementation – Precinct Plans)
5. Section 10.1.4 (Implementation – Comprehensive Block Plans)
6. Section 10.2 (Implementation – Zoning Bylaws)
7. Section 10.4 (Implementation – Site Plan Control)

In brief, currently my client's lands are within amendment #144 of the former Town of Markham's Official Plan, the Main Street Milliken Secondary Plan, Bylaw 2005-247; and are subject to site specific provisions of its implementing zoning bylaw, Bylaw 2005-248. This Secondary Plan underwent an extensive and comprehensive review. It was subsequently approved by the Ontario Municipal Board on July 26, 2006.

Within the Main Street Milliken Secondary Plan and the Zoning Bylaw 2005-248, my client's existing Automotive Repair Garage land use was recognized and was given certain development rights, which includes but not limiting to, the expansion of the existing garage without the requirement of entering into a developer's group agreement as noted in Section 9.15.2 of the Proposed Official Plan.

It is my client's position that the Milliken Secondary Plan and its implementing zoning bylaw were only recently approved by the Ontario Municipal Board. As such, it should be integrated in its entirety within the proposed Official Plan. I enclosed a copy of the Ontario Municipal Board Decision/Order.

In closing, it would be appreciated if you can keep me apprised of Council's decision on the matter. Thank you.

Mi-Ko Urban Consulting Inc.



Peter Chee, R.P.P., M.C.I.P

cc. Raymond Tang

cc. Duncan MacAskill, Senior Planner, Community Planning, Region of York

ISSUE DATE:

**Jul. 25, 2006**

DECISION/ORDER NO:

**2083**



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

PL050747

The City of Toronto and 2 Tang's Automotive Centre Ltd. have appealed to the Ontario Municipal Board under subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the Regional Municipality of York to approve Proposed Amendment No. 144 to the Official Plan for the Town of Markham for the purpose of establishing a secondary plan for the Milliken Main Street area  
OMB File No: O050138

The City of Toronto and 2 Tang's Automotive Centre Ltd. have appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, against Zoning By-law 2005-248 of the Town of Markham  
OMB File No: R050192

The City of Toronto has appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, against Zoning By-law 2005-249 of the Town of Markham  
OMB File No: R050193

The City of Toronto and 2 Tang's Automotive Centre Ltd. have appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, against Zoning By-law 2005-250 of the Town of Markham  
OMB File No: R050197

#### **APPEARANCES:**

##### Parties

Town of Markham

City of Toronto

2 Tang's Automotive Centre Ltd.

##### Counsel

R. Boxma

B. O'Callaghan

J.R. Hart

#### **MEMORANDUM OF ORAL DECISION DELIVERED BY R. ROSSI ON 19 JULY 2006 AND ORDER OF THE BOARD**

The Parties have reached a settlement in the case at hand. Town Planner Margaret Wouters provided planning evidence in respect of the proposed amendments. Planner Wouters opined that the amendments to the Official Plan and the Zoning By-

law constitute good planning. The Board accepts this opinion and determines that the changes encourage the redevelopment of this area as a vibrant medium and high-density residential community.

The Board allows the appeals in part on Official Plan Amendment 144 and approves OPA 144 as set out in Attachment 1.

The Board allows the appeals in part on Zoning By-laws 2005-248, 2005-249 and 2005-250 and the by-laws are amended in accordance with Attachment 2.

The Board so Orders.

"R. Rossi"

R. ROSSI  
MEMBER

**ATTACHMENT 1**

**OFFICIAL PLAN AMENDMENT**

**AND**

**SECONDARY PLAN**

**FOR**

**'MAIN STREET MILLIKEN'**

**(PART OF THE RISEBROUGH PLANNING DISTRICT)**

**AMENDMENT NO. 144**

**TO**

**THE OFFICIAL PLAN OF THE TOWN OF MARKHAM (REVISED 1987)  
AS AMENDED**

**July 19, 2006**


OFFICIAL PLAN  
of the  
TOWN OF MARKHAM PLANNING AREA  
AMENDMENT NO. 144

**(Milliken Main Street Secondary Plan)**

To amend the Official Plan (Revised 1987), as amended to incorporate Amendment No. 144 (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 By-law No. 2005-247 in accordance with the Planning Act, R.S.O., 1990 c.P.13, as amended, on the 28<sup>th</sup> and 29<sup>th</sup> day of June, 2005.

  
SHEILA BIRRELL  
TOWN CLERK

  
FRANK SCARPITTI  
DEPUTY MAYOR



## BY-LAW 2005-247

Being a by-law to adopt Amendment No. 144  
to the Town of Markham Official Plan (Revised 1987) as amended

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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. 144 to the Town of Markham Official Plan (Revised 1987) 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  
28<sup>TH</sup> AND 29<sup>TH</sup> DAY OF JUNE, 2005.

  
SHEILA BIRRELL  
TOWN CLERK

  
FRANK SCARPITTI  
DEPUTY MAYOR

**AMENDMENT NO. 144 TO THE OFFICIAL PLAN OF  
THE TOWN OF MARKHAM  
THE RISEBROUGH PLANNING DISTRICT  
(MAIN STREET MILLIKEN)**

- Part I: INTRODUCTION - provides general information regarding the Main Street Milliken Secondary Plan Area and provides the basis for the Official Plan Amendment. Part I: The Introduction does not constitute an operative part of Amendment No. 144 to the Official Plan (Revised 1987), as amended.
- Part II: THE OFFICIAL PLAN AMENDMENT, including Schedules 'A', 'B', and 'C' attached thereto - indicates specific amendments to the Official Plan (Revised 1987), as amended, being effected by Official Plan Amendment 144 and constitutes an operative part of the Official Plan Amendment.
- Part III: THE SECONDARY PLAN, including Schedule 'AA' and Schedule 'BB' attached thereto - constitutes the Secondary Plan for a portion of the Risebrough Planning District (Planning District 2). Part III: The Secondary Plan is an operative part of Amendment No. 144 to the Official Plan (Revised 1987), as amended.
- Part IV: APPENDICES - provide more specific information regarding the Amendment and the details of the planning and design of the Secondary Plan Area. The Appendices do not constitute an operative part of Amendment No. 144 to the Official Plan (Revised 1987), as amended. The Appendices include:
- Appendix I - Housing Type Mix
  - Appendix II - Population Estimates
  - Appendix III- Land Use Summary
  - Appendix IV - Heritage Buildings
  - Appendix V - Urban Design Concept Plan



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## **PART I: INTRODUCTION**

(this is not an operative part of Official Plan Amendment No. 144)

### **1.0 PURPOSE**

The purpose of this Amendment is to establish a Secondary Plan for the Main Street Milliken area within the Risebrough Planning District (Planning District 2) in accordance with Section 9 of the Town of Markham Official Plan (Revised 1987), as amended.

### **2.0 CONTEXT**

#### **2.1 Location**

The Main Street Milliken Secondary Plan encompasses approximately 35 hectares of land within the Risebrough Planning District in south Markham. The Secondary Plan Area is centred on Old Kennedy Road between Denison Street and Steeles Avenue, as shown on Schedule A. Specifically, the Secondary Plan Area is bounded by Steeles Avenue to the south, the GO Transit Stouffville Corridor rail line and Kennedy Road to the west, Denison Street to the north, and the north portion of Old Kennedy Road and the rear yards of properties fronting Manston Crescent to the east.

#### **2.2 Existing Land Uses**

The Secondary Plan Area is characterized primarily by industrial and commercial uses, but also includes residential and institutional uses and vacant properties. Existing uses within the northern portion of the Secondary Plan Area, generally defined as the area between Denison Street and Victory Avenue, include several residences fronting Old Kennedy Road, and vacant lands which are primarily open field. A small woodlot is situated in the central portion of this area.

South of Victory Avenue, on both sides of Old Kennedy Road, the area is characterized predominantly by industrial uses, automotive-related commercial uses and contractor yards. Many of the uses feature outdoor storage. Other existing uses include a building supply outlet, a place of worship, a private recreational complex, a day care centre and a private school.

Land uses adjacent to the Secondary Plan Area include: primarily low density residential development north of Denison Street and east of Old Kennedy Road; a large commercial area including the Pacific Mall/Market Village/Kennedy Corners complex to the west across the GO rail line; commercial plazas to the west across Kennedy Road, and a newly developing commercial area south of Steeles Avenue in the City of Toronto.

#### **2.3 Environmental Features**

Natural features within the Secondary Plan Area are limited to a small woodlot north of Victory Avenue, and individual trees and shrubs dispersed throughout the area.

### **3.0 PLANNING HISTORY**

#### **3.1 Official Plan Designations**

The lands within the Secondary Plan Area are currently designated URBAN RESIDENTIAL and COMMERCIAL on Schedule 'A' – LAND USE of the Official Plan (Revised 1987), as amended. The Commercial lands are further identified as Community Amenity Area and Commercial Corridor Area on Schedule 'H' – COMMERCIAL/INDUSTRIAL CATEGORIES.

The Commercial Corridor Area category of the COMMERCIAL designation applies to lands at the north limit of the Secondary Plan Area, at the intersection of Denison Street and Kennedy Road. This category accommodates retail and other uses that primarily serve the traveling public or whose operating characteristics require a location with direct exposure to traffic on major roads. Institutional uses, light industrial uses and medium and high density residential uses are also permitted within this designation.

Lands between the Commercial Corridor Area and Victory Avenue are designated URBAN RESIDENTIAL, which permits housing and related uses. The URBAN RESIDENTIAL designation also applies to the easternmost property on Steeles Avenue, most recently occupied by a private school.

The Community Amenity Area category of the COMMERCIAL designation applies to lands south of Victory Avenue. This category provides for a multi-use, multi-purpose area, intended to function as a significant and identifiable focal point for the surrounding community. Permitted land uses include a range of retail, service, community, institutional and recreational uses serving nearby residential and/or business areas. Offices and medium and high density housing are also permitted at appropriate locations.

### **3.2 Secondary Plan Designations (Non-statutory)**

The lands within the Secondary Plan Area are currently subject to two Secondary Plans, namely the Risebrough Centre Secondary Plan and the East Risebrough Secondary Plan. These non-statutory plans were adopted by Council in the early 1980s but did not receive Ministerial approval.

The Risebrough Centre Secondary Plan (PD 2-3) designated the lands south of Victory Avenue as Special Commercial which generally permitted offices and specialized retail uses such as furniture stores, home improvement and garden centres, and also automobile-related uses such as automobile sales, repair and service uses. The designation also permitted certain specialized types of commercial uses that require large sites adjacent to the rail line, such as building material supplies, and service and storage of contractors equipment. The land uses permitted on the east side of Old Kennedy Road were more restrictive, excluding uses that required outdoor storage. The Special Commercial designation on these lands was superceded by the Community Amenity Area category of the COMMERCIAL designation in the Official Plan in 1995, as a result of a comprehensive review of the Town's commercial policies.

The East Risebrough District Secondary Plan (PD 2-2) designates the majority of the lands north of Victory Avenue as Residential, with high density residential adjacent to Kennedy Road, low density residential adjacent to Old Kennedy Road, and medium density residential on the intervening lands. A neighbourhood park is designated in the area of the woodlot. Lands immediately south of Denison Street between Kennedy Road and Old Kennedy Road were designated Special Commercial. This designation was superceded by the Commercial Corridor Area category of the COMMERCIAL designation in the Official Plan in 1995.

### **3.3 Planning and Design Studies**

The Main Street Milliken Secondary Plan Area has been the subject of planning and design studies since 1989, when Council established a Task Force to prepare a development concept for the area. One of the main elements of the concept was to encourage the development of Old Kennedy Road as a Main Street or focus for the Milliken community.

The 1990 Task Force report recommended the development of a high intensity, mixed use urban centre, focused on a vibrant, pedestrian-oriented Main Street along the southern portion of Old Kennedy Road. These development principles were incorporated within a Milliken Master Plan in 1994. In addition to identifying Old Kennedy Road as the area's Main Street, the Master Plan proposed mixed use development (defined as containing at least two of either retail, commercial, office or residential uses) in the area south of Victory Avenue, and a residential area between Victory Avenue and Denison Street. Approximately 1,000 dwelling units, consisting of townhouses, residential studios and garden apartments, were included in the development concept to support the Main Street objective. Commercial development in the form of retail and office uses was proposed in the southernmost portion of the area along Steeles Avenue. A civic square was proposed as the activity focus of the area within an integrated system of open space. Front yard parking was to be avoided for all types of development, and on-street parking was to be provided throughout the community.

In 1995 the Milliken Main Street Urban Design Guidelines were drafted to provide an urban design framework for the Master Plan, in keeping with the vision of creating a vibrant, pedestrian-oriented urban environment, with a distinct and identifiable character, as a focus for the larger Milliken community.

#### **3.4 Milliken Main Street Urban Design Study (2002)**

In 2002, Council initiated a study to update and refine the urban design vision for the area. The study identified a number of issues hindering redevelopment within the study area, and proposed a modified urban design vision for the study area as well as a strategy for implementing the vision. The resulting Urban Design Concept Plan for the Main Street Milliken Secondary Plan Area is attached as Appendix V. A draft of the Urban Design Concept Plan was presented to landowners in October, 2002 and the community in November, 2002. The Urban Design Concept Plan, and accompanying urban design guidelines and implementation strategy, were approved by Council in June, 2003.

The Urban Design Concept Plan builds on the design elements that were identified in previous studies as follows:

- development of a Main Street along the southern portion of Old Kennedy Road;
- residential uses north of Victory Avenue and mixed uses south of Victory Avenue;
- creation of a central park encompassing the woodlot north of Victory Avenue;
- urban building forms and densities throughout the area;
- on-street parking in place of front-yard parking; and
- establishment of landmark/gateway features at the intersections of Denison Street and Kennedy Road, Old Kennedy Road and Steeles Avenue, and Midland Avenue and Steeles Avenue.

The Urban Design Concept Plan forms the basis of the Secondary Plan and is described in further detail in Section 4.0.

#### **3.5 Community Improvement**

One component of the implementation strategy for the Urban Design Concept Plan is the identification of the Secondary Plan Area as a Community Improvement Project Area. The existing character and uses of the lands within the Secondary Plan Area and a fragmented land ownership pattern, are among a number of factors affecting the area which have led the Town to conclude that standard planning tools may not be sufficient to advance redevelopment within this area.

These factors include:

- Property configuration and fragmented land ownership pattern – the Secondary Plan Area encompasses approximately 50 separate properties. The largest properties are in the northern portion of the Secondary Plan Area but many are deep with relatively narrow frontages on Old Kennedy Road making redevelopment on a site-by-site basis problematic. The southern portion of the study area consists of a large number of relatively small land parcels owned by a number of individual landowners, which necessitates land assembly in order to create appropriate land parcels for redevelopment. The large number of small parcels increases the cost and difficulty of land assembly, in terms of not only property acquisition but also in terms of the cost of business relocation, demolition and potential site remediation.
- Lack of local road system - Old Kennedy Road, which extends from Steeles Avenue to Denison Street, is the only major road within the Secondary Plan Area. Thelma Avenue and Turff Avenue, in the southwest portion of the area, serve only a few properties. Victory Avenue, although protected for, has never been constructed as a public road. The lack of roads requires that almost any new development would require the provision of new public roads, adding to the cost of redevelopment.
- Upgrading of hard services required – the existing sanitary sewer system was designed for the industrial/commercial uses currently in place; although a portion of the proposed new development can be serviced by existing sanitary infrastructure, upgrading is required to accommodate the total planned population of the Secondary Plan Area.
- Lack of alternative locations for open storage uses - the southern portion of the Secondary Plan Area is a financially viable employment area for certain types of uses, particularly open storage land uses. The continuing functionality of the area, the lack of alternative locations within the Town and adjacent municipalities for open storage land uses, and business relocation costs, may be substantial impediments to comprehensive redevelopment of these properties.
- Potential site remediation costs – given the historical use of portions of this area for commercial and industrial uses, including automotive uses and outdoor storage, there is a potential for portions of the area to have existing site contamination. To ensure that the area is suitable for the proposed uses and will not result in adverse effects to human health or the natural environment, there may be a need for contamination in the area to be remediated, which could add to the cost of redevelopment.
- Impacts of realignment of Old Kennedy Road – Town staff have proposed a new road link between Old Kennedy Road and Kennedy Road, north of Victory Avenue. The intent of the proposed link is to redirect traffic from the Old Kennedy Road/Denison Street intersection which has experienced a number of collisions due, in part, to the intersection geometry. The alignment of the new road link, which will terminate at the intersection of Corvette Road and Kennedy Road, has not yet been finalized.
- Impact of proposed future grade separations of the GO rail line and Kennedy Road and Steeles Avenue - the City of Toronto has approved a Steeles Avenue underpass option for the Steeles Avenue East/GO rail line grade separation. The construction of the underpass is anticipated to have no impact on the intersection of Steeles Avenue and Old Kennedy Road, but will reduce visibility and eliminate access along Steeles Avenue between the GO rail line and Old Kennedy Road.

The Region of York has initiated an Environmental Assessment for a proposed grade separation of the GO rail line and Kennedy Road. Both overpass and underpass options are being considered.

The grade separations will have an impact on the form and orientation of development along Kennedy Road in the northern portion of the Secondary Plan Area, and along the western portion of Steeles Avenue in the southern portion of the Secondary Plan Area.

### **3.5.1 Community Improvement Plan**

The identification of the Main Street Milliken Secondary Plan Area as a Community Improvement Project Area provides for the preparation of a Community Improvement Plan to promote revitalization. The Community Improvement Plan can be used to define specific projects for direct public and private investment, and to provide a framework for extending financial assistance to property owners in areas requiring revitalization.

Specifically, the Community Improvement Plan can equip the Town with a number of financial implementation tools that are otherwise not available, including:

- The ability to acquire land through purchase or expropriation, and to improve and resell the lands (e.g., road linkages, assembly of small properties);
- The authority to waive, refund or reduce municipal fees and charges; and
- The authority to offer grants or loans to property owners for improvements to their properties.

Policies related to the designation of the Secondary Plan Area as a Community Improvement Project Area and the preparation of a Community Improvement Plan are included in the Secondary Plan Amendment.

## **4.0 DESCRIPTION OF THE CONCEPT**

The Urban Design Concept Plan (Appendix V) proposes the development of a new multi-use, pedestrian-oriented community based on an urban structure consisting of a refined road network, a number of residential and mixed use precincts centred on a Main Street along Old Kennedy Road, and an open space system intended to connect the development precincts.

### **4.1 Road Network**

A key element of the Urban Design Concept Plan is the development of a refined system of public roads which creates the opportunity for development blocks of an appropriate size and configuration, and which also provides for pedestrian and vehicular connections within and external to the area.

Key roads within the Secondary Plan Area are as follows:

- Old Kennedy Road - Old Kennedy Road forms the spine of the road network, extending from Steeles Avenue northward to Denison Street. A new road link from Old Kennedy Road to Kennedy Road is proposed north of Victory Avenue.
- Midland Avenue Extension - Midland Avenue in the City of Toronto is proposed to be extended north of Steeles Avenue to connect with Old Kennedy Road at a point approximately mid-way between Steeles Avenue and Aldergrove Drive.

- Thelma Avenue/Victory Avenue 'Loop' - a new road is proposed to be constructed along the west limit of the Secondary Plan Area connecting Thelma Avenue with Victory Avenue. This road link will create additional development frontage and provide the basis for a more refined local road network west of Old Kennedy Road. It will also serve as a buffer between the GO rail line and the new community.
- Other key roads – additional local roads providing public access to a central park, and providing a green corridor southward from the central park are also included in the Concept Plan.

#### 4.2 Land Use Precincts

The Secondary Plan is based on six land use precincts as follows:

- Precinct 1 - High Density Residential  
A high density residential precinct is provided in the northern portion of the Secondary Plan Area, from Denison Street southward to the proposed link between Old Kennedy Road and Kennedy Road. Development in this precinct will consist of apartment buildings, with a maximum height of eight (8) storeys. Retail at grade will be permitted in apartment buildings along Kennedy Road and Denison Street to frame and enliven the streets. A landmark feature in the form of an urban or landscaped square is proposed at the Kennedy Road/Denison Street intersection.
- Precinct 2 – Medium and High Density Residential  
This precinct, extending south from Precinct 1 to south of Victory Avenue, will be developed generally with medium density housing in the form of townhouses and stacked townhouses. Building height will generally be limited to three to four (3-4) storeys. Higher density building forms, with a maximum of six (6) storeys, may be permitted adjacent to Kennedy Road, north of Victory Avenue.  
  
The development pattern in this precinct, particularly north of Victory Avenue will be dictated by the configuration of a proposed central park located immediately south of the proposed link between Old Kennedy Road and Kennedy Road, and the anticipated grade separation of Kennedy Road and the GO rail line.
- Precinct 3 – Main Street  
The creation of a community focus in the form of a Main Street is envisaged along the southern portion of Old Kennedy Road. The Main Street will feature a mix of uses and will be a place of interest and a destination for residents and employees in the area. Buildings will be sited close to the street and will be designed to be flexible to accommodate multiple uses, such as shops, cafes, restaurants, offices, live/work arrangements and residences. These buildings will contain non-residential uses at grade with direct access from the street. On-street parking is envisaged to serve the commercial uses.
- Precinct 4 – Mixed Use District  
A mixed use district is proposed in the southern portion of the Secondary Plan area, west of Old Kennedy Road, extending southward from approximately Aldergrove Drive to Thelma Avenue. This district will contain a variety of office, institutional, and recreational uses as well as medium and high density residential uses.



- Precinct 5 – Medium Density Residential

A medium density residential neighbourhood is envisaged on the east side of Old Kennedy Road in the southern portion of the Secondary Plan Area. This neighbourhood will form a transition area between the existing low density residential development to the east and the more intense development proposed adjacent to Old Kennedy Road. Building forms include townhouses and stacked townhouses, with a maximum of three (3) storeys.

- Precinct 6 – Steeles Avenue Commercial

Commercial development along the Steeles Avenue frontage is provided for at the south limit of the Secondary Plan Area. Anticipated land uses in this precinct include larger retail buildings, consistent with the developing commercial node immediately south of Steeles Avenue in the City of Toronto. Medium and high density residential uses may also be considered. Buildings will be sited to create an attractive street edge along Steeles Avenue and also to create prominent gateway entrances at both Old Kennedy Road and Midland Avenue.

#### 4.3 **Open Space System**

The open space system is comprised of public parks and public and private recreational spaces and landscaped areas. A key feature of the open space system is the central park in the northern portion of the Secondary Plan Area. This park will encompass the existing woodlot, and will be a key visual and leisure focal point in the community.

Elsewhere in the residential neighbourhoods, small public parks will be provided to serve local recreational needs. In addition, public or private open space is envisaged within the high density residential area south of Denison Street, including private recreational space for apartment residents and walkways and connecting elements, and boulevard landscaping. A landscaped square will form a landmark feature at the intersection of Kennedy Road and Denison Street.

Public or private open space is also encouraged within the other precincts, including urban plazas along the Main Street and high quality outdoor space in association with residential development in the mixed use district.

A pedestrian link is proposed from the new Main Street Milliken community to the existing major retail development on the west side of the GO rail line.

#### 5.0 **BASIS**

The basis of the Official Plan Amendment is as follows:

- a) the lands within the designated area of the Amendment are designated URBAN RESIDENTIAL and COMMERCIAL (Community Amenity Area and Commercial Corridor Area) in the Official Plan (Revised 1987), as amended;
- b) the Amendment implements the policies of Section 9.1 of the Official Plan (Revised 1987), as amended, by establishing a Secondary Plan to guide the development of the lands;
- c) the Amendment implements the policies of Sections 2.13, 3.3 and 3.4 of the Official Plan (Revised 1987), as amended, in regard to the development of the lands for residential and commercial purposes;

- d) an Urban Design Concept Plan, upon which the Amendment is based, has been endorsed by Council.

## **5.1 Policy Context**

Provincial, Regional and Municipal policies and related initiatives have provided the framework for the development being proposed for the Main Street Milliken portion of the Risebrough Planning District.

### **5.1.1 Provincial Policies**

The principles which form the basis of the Secondary Plan support Provincial objectives, as outlined in the Provincial Policy Statement, including the provision of a range of housing densities, residential intensification, transit-supportive development, environmental protection, brownfield redevelopment and the development of pedestrian-oriented urban environments.

### **5.1.2 Regional Policies**

The Secondary Plan reflects a number of planning objectives and policies in the Region of York Official Plan regarding:

- Promotion of infill and development;
- Promotion of Secondary Plans to guide the redevelopment of under-utilized areas and areas in transition;
- Promotion of an integrated community structure and design comprising a range and mix of housing forms, tenures and sizes;
- Development of efficient and compact communities which are economically vibrant, pedestrian-oriented and accessible;
- Establishment of a range of residential unit types, tenures and commercial uses along urban corridors; and
- Achievement of higher transit usage through convenient access and appropriate urban design.

### **5.1.3 Municipal Policies**

The Official Plan (Revised 1987), as amended, provides for the preparation of Secondary Plans to replace non-statutory Secondary Plans, and identifies the preparation of a Secondary Plan for the Risebrough Planning District as a priority.

**PART II: THE OFFICIAL PLAN AMENDMENT**  
(This is an operative part of Official Plan Amendment No. 144)

**1.0 THE AMENDMENT**

**1.1** The following text and Schedules 'A', 'B' and 'C' attached hereto constitute Amendment No. 144 to the Town of Markham Official Plan (Revised 1987), as amended.

**1.2** SECTION 1 - GENERAL of the Official Plan (Revised 1987), as amended, is hereby amended by:

- i) adding the following bullet to the end of Section 1.1.3 c):
  - "Secondary Plan (PD 2-4) for a portion of the Risebrough Planning District (Official Plan Amendment No. 144)."
- ii) adding the number "144" to the list of amendments, in Section 1.1.2, to be placed in numerical order including any required grammatical and punctuation changes.

**1.3** SECTION 4 - PLANNING DISTRICTS of the Official Plan (Revised 1987), as amended, is hereby amended as follows:

- i) by deleting subsection 4.3.2.1 a) and replacing it with the following:

"The Risebrough Planning District is subject to four Secondary Plans – the West Risebrough Secondary Plan (PD 2-1), the East Risebrough Secondary Plan (PD 2-2), the Risebrough Centre Secondary Plan (PD 2-3) and the Main Street Milliken Secondary Plan (PD 2-4), and development is proceeding in accordance with these plans. Lands within the Main Street Milliken Secondary Plan Area formerly comprised parts of two of the three non-statutory Secondary Plans within the Risebrough Planning District, namely the East Risebrough Secondary Plan (PD 2-2), as amended, and the Risebrough Centre Secondary Plan (PD 2-3), as amended.

It is intended that the East Risebrough Secondary Plan (PD 2-2), and the Risebrough Centre Secondary Plan (PD 2-3) be amended to exclude the lands which now form part of the Main Street Milliken Secondary Plan (PD 2-4), and that the remainder of all three non-statutory Secondary Plans be replaced with statutory Secondary Plans to be adopted by amendment to this Plan in accordance with Sections 1.1.3 b) and 9.1.1 a).

The former hamlet of Hagerman Corners is recognized as a distinct neighbourhood within the Risebrough residential community and new development in and adjacent to the former hamlet shall be compatible in density and form with existing development."

- ii) by deleting subsection 4.3.2.2 g) and the associated Figure 2.7, and renumbering subsection 4.3.2.2 h) to 4.3.2.2 g) along with the associated Figure 2.8 to be renumbered to Figure 2.7 accordingly.
- iii) by deleting subsection 4.3.2.2 i) and j) and associated Figures 2.9 and 2.10 and renumbering subsection 4.3.2.2 k) to 4.3.2.2 h) along with the associated Figure 2.11 to be renumbered to Figure 2.8 accordingly.

- iv) by replacing the words "URBAN RESIDENTIAL" with "- Urban Residential" after the words "Section 3.3" in sub-section 4.3.2.2 g) of SECTION 4 – PLANNING DISTRICTS.
- v) by replacing the period "." with a semi-colon ";" at the end of sub-section 4.3.2.2 h) iii) of SECTION 4 – PLANNING DISTRICTS.
- vi) Deleting the left bracket before the "h)" in sub-section 4.3.2.2 h) v) of SECTION 4 – PLANNING DISTRICTS.
- vii) Deleting the period and left bracket "(." before the "h)" in sub-section 4.3.2.2 h) vi) of SECTION 4 – PLANNING DISTRICTS.

**1.4** SECTION 9.2 of the Official Plan (Revised 1987), as amended is hereby amended by adding a new Section 9.2.28, as follows:

"9.2.28 Secondary Plan PD 2-4 (Main Street Milliken) for a portion of the Risebrough Planning District (Official Plan Amendment No. 144)."

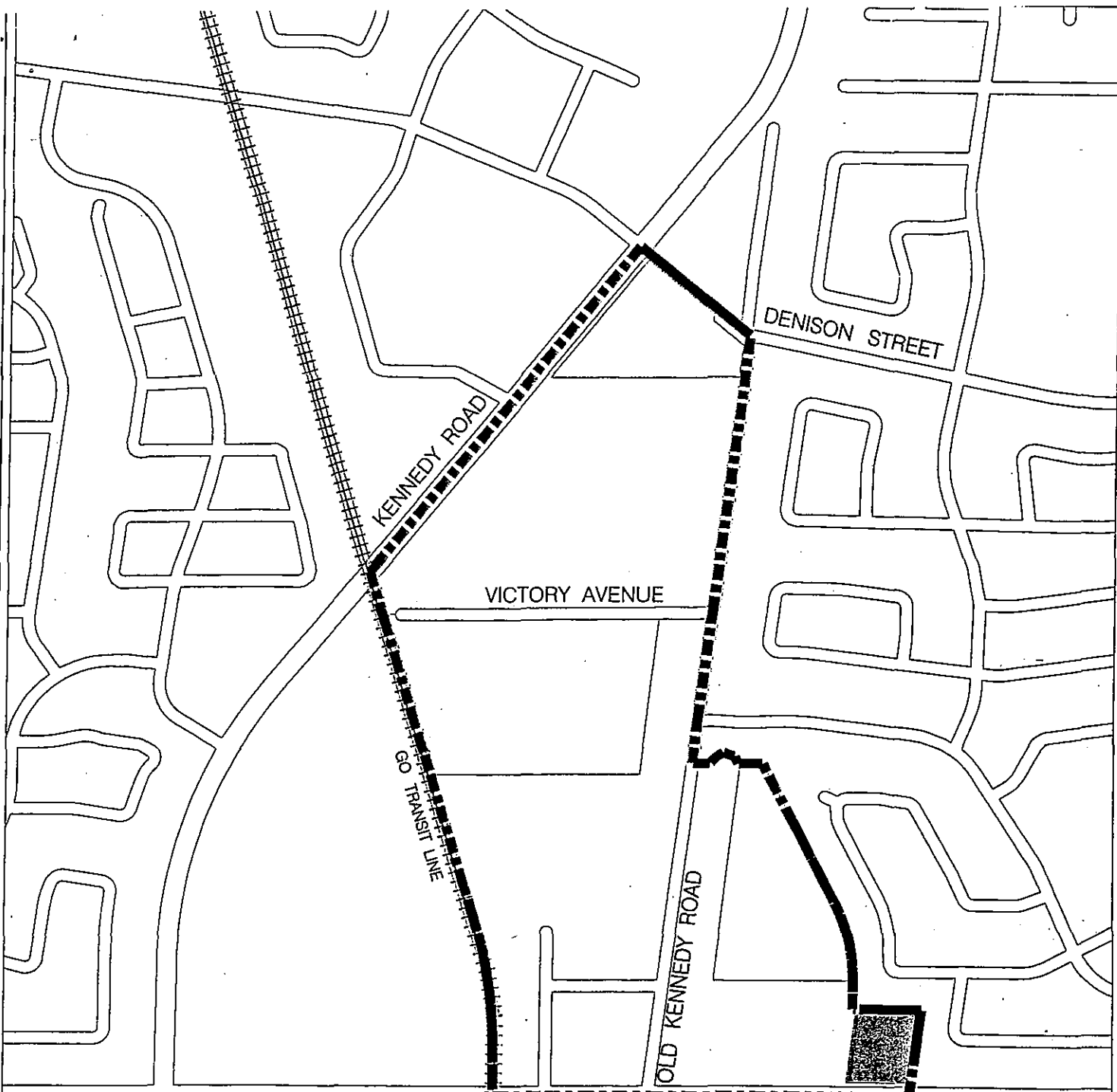
**1.5** Schedule 'A' - LAND USE of the Official Plan (Revised 1987), as amended, is hereby amended by redesignating certain lands as shown on Schedule 'A' attached hereto.

**1.6** Schedule 'C' - TRANSPORTATION of the Official Plan (Revised 1987), as amended, is hereby amended by deleting the Midland Avenue extension as a Major Collector Road, as shown on Schedule 'B', attached hereto.

**1.7** Schedule 'H' - COMMERCIAL/INDUSTRIAL CATEGORIES of the Official Plan (Revised 1987), as amended, is hereby amended to redefine the categories of commercial land use, as shown on Schedule 'C', attached hereto.


**2.0 IMPLEMENTATION AND INTERPRETATION**


The provisions of the Official Plan (Revised 1987), as amended, relating to implementation and interpretation of that Plan, shall apply in regard to this Amendment.



(q:\geomatics\new operation\official plan\amendment)

**OFFICIAL PLAN AMENDMENT No. 144**  
 AMENDMENT TO  
**SCHEDULE 'A' - LAND USE**  
 Town of Markham Official Plan (Revised 1987) as amended

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT

 REDESIGNATE FROM COMMERCIAL TO URBAN RESIDENTIAL

 REDESIGNATE FROM URBAN RESIDENTIAL TO COMMERCIAL

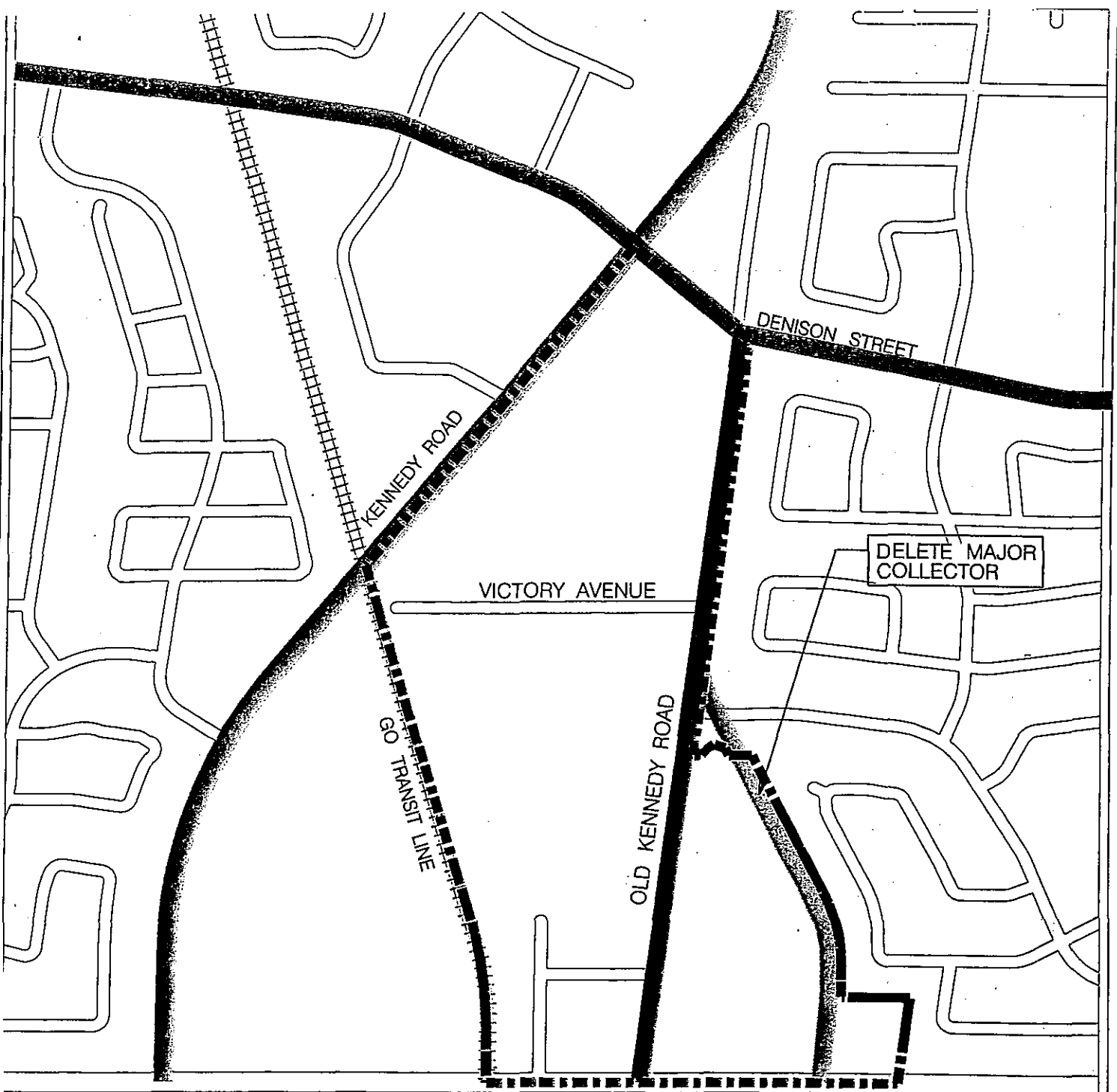


DEVELOPMENT SERVICES COMMISSION

SCHEDULE 'A' TO OPA 144

DRAWN BY: CPW  
CHECKED BY: MW

SCALE 1 :  
DATE: 3/03/05



STEELES AVENUE EAST


(q:\geomatics\new operation\official plan\amendment)

# OFFICIAL PLAN AMENDMENT No. 144


AMENDMENT TO

## SCHEDULE 'C' – TRANSPORTATION

Town of Markham Official Plan (Revised 1987) as amended.

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT

 ARTERIAL ROAD (REGION OF YORK)

 MAJOR COLLECTOR ROAD

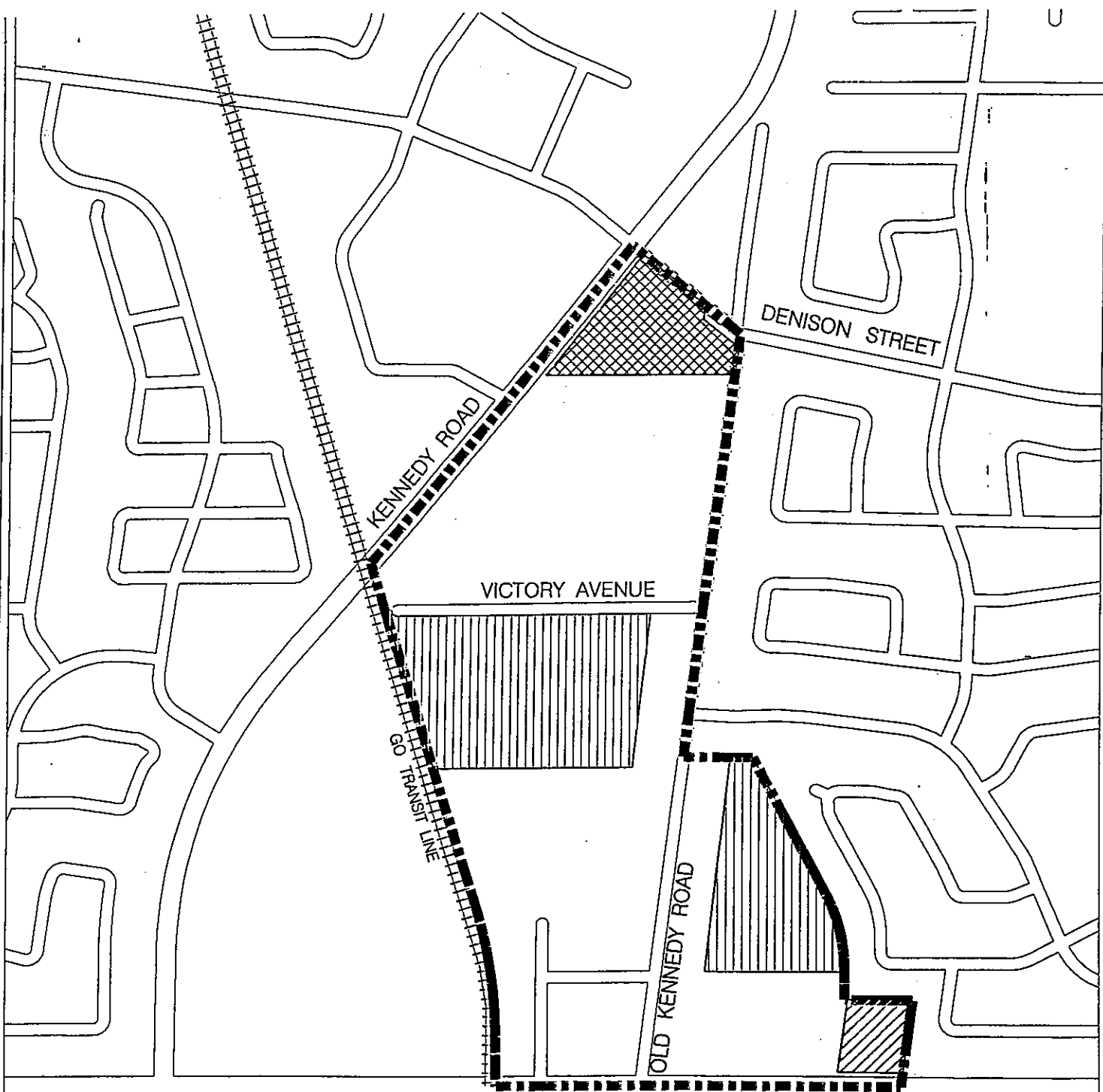


DEVELOPMENT SERVICES COMMISSION

SCHEDULE 'B' TO OPA 144

DRAWN BY: CPW  
CHECKED BY: MW


SCALE 1 :  
DATE: 3/03/05



STEELES AVENUE EAST

(q:\geomatics\new operation\official plan\amendment)

OFFICIAL PLAN AMENDMENT No. 144  
 AMENDMENT TO  
 SCHEDULE 'H' – COMMERCIAL /INDUSTRIAL CATEGORIES  
 Town of Markham Official Plan (Revised 1987) as amended

 BOUNDARY OF AREA COVERED BY THIS AMENDMENT



DELETE COMMERCIAL CORRIDOR AREA



DELETE COMMUNITY AMENITY AREA



DESIGNATE AS COMMUNITY AMENITY AREA

## **PART III: THE SECONDARY PLAN**

(This is an operative part of Official Plan Amendment No. 144)

### **1.0 INTRODUCTION**

The following text and Schedule 'AA' - DETAILED LAND USE PLAN and Schedule 'BB' - TRANSPORTATION PLAN attached hereto, constitute the Secondary Plan (PD 2-4) for a portion of the Risebrough Planning District as established and adopted by Amendment No. 144 to the Town of Markham Official Plan (Revised 1987), as amended.

### **2.0 PURPOSE**

The purpose of this Secondary Plan is to provide a detailed land use plan and policies for the regulation of land use and development within the Main Street Milliken Secondary Plan Area in accordance with the land use designations established in the Official Plan (Revised 1987), as amended.

The Secondary Plan facilitates the development of a new mixed use urban community including residential, commercial, institutional and community uses and identifies the development of a Main Street along the southern portion of Old Kennedy Road as a focus for the new community. It is anticipated that, at full development, the Secondary Plan Area will accommodate approximately 1,900 dwelling units, approximately 4,700 residents and approximately 51,000 square metres (549,000 sq.ft.) of commercial and retail uses.

### **3.0 LOCATION**

The Main Street Milliken Secondary Plan applies to approximately 35 hectares of land in the area of Old Kennedy Road in the southern portion of the Risebrough Planning District as shown on Schedule 'AA'. The area is bounded by Steeles Avenue to the south, the GO Transit (Stouffville Corridor) rail line and Kennedy Road to the west, Denison Street to the north, and Old Kennedy Road and the rear yards of properties fronting Manston Crescent to the east.

### **4.0 GOAL, PRINCIPLES AND OBJECTIVES**

The goal, principles and objectives that the Town seeks to achieve through the detailed policies of this Secondary Plan are outlined below. The goal, principles and objectives of the Secondary Plan, together with the goals and objectives of the Official Plan (Revised 1987), as amended, provide the framework for the development of lands within the Secondary Plan Area.

The goal, principles and objectives will be implemented in accordance with Section 7 - Implementation of the Official Plan (Revised 1987), as amended, as further elaborated in the policies and the requirements in Section 9 of this Secondary Plan.

#### **4.1 GOAL**

The goal of this Secondary Plan is to provide a policy framework and direction for detailed land use planning to guide the development of a new Main Street Milliken community centred on Old Kennedy Road in south Markham.

#### **4.2 PRINCIPLES**

The principles on which this Plan is based establish the context and direction for the development of a diverse, well-connected urban community with Old Kennedy Road as a community focus. The principles are based on the Urban Design Concept Plan included as Appendix V to this Amendment. The principles serve as the basis for the objectives and policies



and other implementing mechanisms set out in this Secondary Plan and in the Official Plan (Revised 1987), as amended.

The community structure comprises the following elements: road network, land use, open space and the public realm.

#### **4.2.1 Road Network**

- a) Old Kennedy Road functions as the primary road within the community, extending from Steeles Avenue in the south to Denison Street in the north. A new road link between Old Kennedy Road and Kennedy Road is proposed to divert traffic flow from the Denison Street/Old Kennedy Road intersection.
- b) A new road connection from Old Kennedy Road to the intersection of Midland Avenue and Steeles Avenue provides the basis for a refined public road network east of Old Kennedy Road.
- c) A new road connection between Thelma Avenue and Victory Avenue, including the upgrading of Victory Avenue, provides the basis for a refined public road network west of Old Kennedy Road, and provides a buffer from the GO rail line.
- d) A grid of new local roads provides increased connectivity within the community, and provides the basis for landscaped pedestrian linkages within the community.

#### **4.2.2 Land Use**

- a) The proposed community is comprised of a mix of land uses that meet the daily needs of all residents and users.
- b) Distinguishable land use precincts offer a variety of housing, commercial and recreational opportunities.
- c) Compatible land uses are appropriately integrated.
- d) Compatibility of building types is achieved through scale, massing and siting on individual lots.
- e) Appropriate interfaces are established between the non-residential and residential land uses.
- f) Appropriate interfaces are established between the new and existing communities.

##### **4.2.2.1 Land Use Precincts**

- a) Residential Neighbourhoods
  - i) The residential neighbourhoods accommodate ground-related medium density housing and apartment types of housing.
  - ii) The residential neighbourhoods will be pedestrian and transit supportive and have access to an open space system.
  - iii) Apartments will be the dominant building form in the northernmost portion of the Secondary Plan Area.

- iv) Townhouses and other similar forms of medium density housing will be the dominant building form in the central portion of the Secondary Plan Area west of Old Kennedy Road, and in the neighbourhood east of Old Kennedy Road.
- b) Mixed Use District
  - i) A mixed use district is provided for west of Old Kennedy Road, north of Thelma Avenue.
  - ii) The mixed use district will accommodate a variety of employment, recreational, institutional and medium to high density residential uses.
- c) Main Street – Old Kennedy Road
  - i) The southern portion of Old Kennedy Road will be developed as a Main Street focus for the community.
  - ii) The Main Street will accommodate a mix of small-scale residential, retail and commercial uses to create an animated Main Street character.
- d) Commercial – Steeles Avenue
  - i) A commercial district is established along the Steeles Avenue frontage.
  - ii) A variety of retail and commercial uses are accommodated, as well as medium and high density residential uses.
  - iii) Buildings and streetscape elements will be sited to create prominent gateway entrances where Steeles Avenue intersects with Old Kennedy Road and Midland Avenue.

#### **4.2.3 Open Space**

- a) The open space system is comprised of public parks, and public and private recreational spaces including landscaped and urban squares.
- b) A central park, incorporating a woodlot in the northern portion of the Secondary Plan Area, is a key feature of the open space system, providing a natural focus for the community.
- c) A landscaped square provides a landmark feature in the northern portion of the community.
- d) Public access to public parks is provided through single-loaded roads.
- e) Small public or private parks serve local recreational needs.

#### **4.2.4 Public Realm**

- a) The Secondary Plan Area shall include a high quality public realm, composed of clearly defined streets and public open spaces.
- b) The major component of the public realm is the public street system based on a modified, rectilinear grid which provides for permeability and connectivity for all components of the transportation system within the community and surrounding areas.
- c) Streets play a multi-functional role in the community, providing for a variety of activities and services, including parking, to meet community needs.

- d) The pedestrian system is based principally on the provision of public sidewalks on public streets.
- e) Open spaces, parks, schools, community facilities and natural features are organized into a connected open space network, wherever possible.
- f) Existing significant natural features are maintained, enhanced and/or restored and incorporated into the open space network, where deemed to be functional and sustainable in an urban environment. The existing woodlot in the northern portion of the Secondary Plan Area will be incorporated within a public park.

### **4.3 OBJECTIVES**

#### **4.3.1 Land Use**

- a) To create a new mixed use community which provides a focus for the larger Milliken community, through the implementation of a pedestrian-oriented, transit supportive development pattern.
- b) To provide for a mix of land uses, including residential, office, retail, open space and recreational, cultural and institutional facilities.
- c) To ensure compatibility among the various land uses and building types.
- d) To ensure compatibility with existing development adjacent to the Secondary Plan Area.
- e) To ensure that no adverse effects on human health or the environment result from adverse soil conditions, by requiring the identification and remediation of contaminated soils prior to development.

#### **4.3.2 Residential Development**

- a) To create an urban environment that provides for safe, functional and attractive residential neighbourhoods.
- b) To provide a mix of intensive ground-related and apartment housing types in accordance with the housing goals and objectives of the Official Plan (Revised 1987), as amended.

#### **4.3.3 Commercial and Mixed Use Development**

- a) To create a community focus through the development of a Main Street along the southern portion of Old Kennedy Road by encouraging mixed use buildings with street-oriented retail and personal service businesses at ground level, with opportunities for residential and other commercial uses on upper levels.
- b) To accommodate a variety of commercial and mixed use developments serving local and community needs.

#### **4.3.4 Community Facilities**

- a) To provide a range of community facilities to serve the needs of the local residents.
- b) To provide locations for community facilities that are community focal points, which are visible and accessible to residents and users.

- c) To encourage multi-functional and shared use of public lands and buildings.

#### **4.3.5 Parks and Open Space**

- a) To provide an integrated system of parks and open spaces with a clear functional relationship to the overall community and neighbourhoods served.
- b) To ensure that a broad range of recreational opportunities, including a system of pedestrian and bicycle trails, which are accessible and visible to residents and visitors, are available for the community.
- c) To create open space areas that conserve and enhance natural features and their functions, while also providing opportunities for public enjoyment, where appropriate.

#### **4.3.6 Natural and Cultural Heritage**

- a) To preserve, enhance and restore existing natural and cultural heritage features wherever feasible, including significant vegetation, topographic features, heritage buildings and archaeological resources.
- b) To ensure that opportunities for public views and public access are provided to natural and heritage features, where appropriate.
- c) To ensure that development avoids or mitigates negative impacts on significant natural features and functions and, where feasible, will result in a net benefit to the environment.

#### **4.3.7 Urban Design**

- a) To ensure the development of a high quality, pedestrian and transit supportive environment in accordance with the urban design principles identified in the Main Street Milliken Urban Design Concept Plan.
- b) To encourage a high quality and consistent level of urban design for the public and private realms through adherence to the principles, policies and requirements of this Secondary Plan.
- c) To create a public realm composed of rights-of-way, lanes and open spaces that is clearly defined by buildings and streetscape elements, including landscape treatments, sidewalks and bicycle paths.

#### **4.3.8 Transportation**

- a) To develop an interconnected and permeable transportation system and pattern of public rights-of-way and lanes, facilitating direct and safe pedestrian, bicycle and vehicular movement throughout the community.
- b) To establish development densities for residential uses that will be sufficient to support a desired level of public transit service.
- c) To develop a transportation system that is consistent with the recommendations of the Markham Transportation Planning Study, and its updates.
- d) To ensure the required components of the transportation system for any portion of the Secondary Plan Area are committed to be in place and operative prior to, or coincident with, development.

#### **4.3.9 Municipal Services and Utilities**

- a) To ensure that piped services, including the necessary water, sanitary sewer and stormwater management facilities, and the utility infrastructure required for any part of the Secondary Plan Area, are in place and operative prior to, or coincident with, development.

#### **4.3.10 Implementation**

- a) To ensure that the costs of services, public facilities and infrastructure required to support the development of the lands in the Secondary Plan Area are not a financial burden to the Town and are provided in accordance with the following:
  - i) the provisions of the Development Charges Act;
  - ii) the provisions of the Planning Act, as amended, and the Official Plan (Revised 1987), as amended;
  - iii) any Developers Group Agreements entered into as part of development; and
  - iv) any other agreements required by the Town and the Region of York.
- b) To encourage the development and redevelopment of the lands within the Secondary Plan Area by means of tools or resources made available to the Town through the approval of a Community Improvement Plan.

### **5.0 LAND USE POLICIES**

Based on the provisions of the Official Plan (Revised 1987), as amended, the following detailed policies are established in this Secondary Plan.

#### **5.1 GENERAL POLICIES**

##### **5.1.1 Minor Adjustments without Amendment**

The detailed pattern of land use and the transportation network for the Secondary Plan Area are outlined on Schedule 'AA' – Detailed Land Use Plan and Schedule 'BB' – Transportation Plan attached hereto. Schedule 'AA' and Schedule 'BB' provide schematic information and may be subject to minor adjustments during the plan of subdivision and/or site plan approval processes, taking into account such matters as the preservation of natural vegetation or heritage resources, stormwater management requirements, detailed land use relationships and street patterns. Minor variation of land use boundaries and the local street pattern shall not require an amendment to the Secondary Plan, provided the intent of the Plan is maintained.

##### **5.1.2 Provision of Community and Public Facilities**

The location of park sites and sites of other community facilities shown on Schedule 'AA' attached hereto have been selected without regard to property ownership. In order to ensure that property owners contribute equitably towards the provisions of community and infrastructure facilities such as schools, parks, roads and road improvements, external services and stormwater management facilities, property owners shall be required to enter into one or more agreements, as a condition for the development of their lands, providing for the equitable distribution of the costs (including lands) of the community and common public facilities where such costs are not dealt with under the Development Charges Act.

### **5.1.3 Urban Design Concept Plan**

The Urban Design Concept Plan for the Secondary Plan Area, attached hereto as Appendix V, illustrates the design principles underlying the new community. Development applications will be assessed against the provisions of these principles, in addition to the policies of this Secondary Plan.

### **5.1.4 Tree Conservation Plans**

It shall be the policy of this Secondary Plan to preserve as many of the existing trees as possible. Tree conservation plans shall be prepared to the satisfaction of the Town during the processing of plans of subdivision and site plans. Approval of draft plans of subdivision or site plans will be subject to the implementation of approved tree conservation plans.

### **5.1.5 Remediation of Contaminated Sites**

Prior to development approval, the proponent must demonstrate to the satisfaction of the Town, in consultation with other concerned agencies, that the environmental condition of the property is suitable for the proposed land use and will not result in adverse effects to human health or the natural environment, through adherence to the following policies:

- a) A preliminary environmental screening to identify potentially contaminated lands within the Secondary Plan Area shall be undertaken by a qualified person (as defined by the Environmental Protection Act) to the satisfaction of the Town, prior to submission of any development applications. Alternatively, this screening shall be required to be submitted with each development application.
- b) Where a preliminary environmental screening suggests a potential for contamination on the site, more detailed Environmental Site Assessment(s) shall be undertaken by qualified persons, prior to development approval, to the satisfaction of the Town in consultation with other concerned agencies, to address the potential for contamination both on site and off site, and to identify required remediation. Remediation of the property shall be undertaken as necessary to ensure that the environmental condition meets or exceeds Provincially approved standards for the proposed use. To confirm that the site is suitable for the proposed use, the Town may require that a Record of Site Condition be filed with, and acknowledged by, the Environmental Site Registry office of the Ministry of the Environment.
- c) If it is determined by a qualified person that a site, or a portion of a site, cannot be remediated to a condition suitable for the uses proposed in the approved land use designation identified in this Secondary Plan, then the Town may withhold development approvals and review the land use designation.
- d) Development approval shall also be subject to any protocols that may be approved by Council from time to time resulting from Provincial requirements regarding contaminated sites.

### **5.1.6 Noise and Vibration Studies**

Where residential or other sensitive land uses are proposed adjacent to arterial roads or rail lines, studies to determine the need for noise and vibration attenuation measures shall be completed to the satisfaction of the Town in consultation with other agencies as required, prior to approval. The studies shall include a detailed assessment of the transportation and stationary noise constraints to the proposed development, recommendations with respect to specific noise and vibration mitigation measures which are consistent with engineering and urban design requirements; and identification of any requirements for warning clauses to be incorporated into

development agreements. In addition, development adjacent to a railway right-of-way shall provide for appropriate safety measures such as setbacks, berms and fencing, to the satisfaction of the Town and the appropriate agency.

Implementation and maintenance of all required rail noise, vibration and safety impact mitigation measures, along with required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the Town and GO Transit.

### **5.1.7 Definitions**

- a) For the purposes of this Secondary Plan, permitted densities are expressed in terms of 'Net Area' or 'Floor Space Index' (FSI), which are defined as follows:
  - 'Net Area' - the contiguous area of the development parcel, exclusive of lands intended for environmental protection, parks, stormwater management facilities, schools and public roads.
  - 'Floor Space Index (FSI)' – the gross floor area of all buildings on a development parcel divided by the net area of the development parcel.
- b) For the purposes of this Secondary Plan, 'Development Approval' or 'Approval of Development' means draft plan of subdivision approval, site plan approval or the passing of any implementing zoning by-law.

## **5.2 URBAN RESIDENTIAL**

### **5.2.1 General Policies**

- a) In accordance with the provisions of Section 3.3.2 of the Official Plan (Revised 1987), as amended, and subject to the provision of this Secondary Plan, the following housing categories are established:
  - Urban Residential – Medium Density
  - Urban Residential – High Density I
  - Urban Residential – High Density II
- b) Development within the Urban Residential designations shall be in conformity with the Urban Design policies outlined in Section 7.0 of this Secondary Plan.
- c) Approximately 1,900 dwelling units are anticipated within the Secondary Plan Area. The mix of housing types shall be generally in accordance with Appendix I to this Secondary Plan.

### **5.2.2 Urban Residential – Medium Density**

- a) Housing forms permitted in the Urban Residential – Medium Density designation shown on Schedule 'AA' – Detailed Land Use Plan, attached hereto, shall include townhouses, street townhouses, stacked townhouses, garden court apartments, terrace houses, duplexes, triplexes and other forms of multiple unit housing.
- b) Notwithstanding Section 3.3.2(a)(iii) of the Official Plan (Revised 1987), as amended, density shall not exceed 79.9 units per net hectare (32 units per net acre).

- c) The maximum height of buildings within the 'Urban Residential - Medium Density' designation shall generally be three (3) storeys. Exceptions to increase the height limitation to four (4) storeys may be considered subject to appropriate integration with surrounding development, and approval of a specific development proposal.
- d) The place of worship use at 133 Old Kennedy Road is deemed to conform to this Secondary Plan, and may continue subject to the regulations of the implementing zoning by-law for this Secondary Plan, and parking by-law provisions in effect as of the date of adoption of this Plan. Expansions to this use not consistent with the aforementioned zoning may only be considered in accordance with the place of worship policies of the Official Plan (Revised 1987), as amended, through the rezoning or minor variance process.
- e) Other existing non-residential land uses within the 'Urban Residential - Medium Density' designation are considered non-conforming and are subject to the policies of Section 2.8 of the Official Plan (Revised 1987), as amended.

### **5.2.3 Urban Residential - High Density I**

- a) Housing forms permitted in the Urban Residential - High Density I designation shown on Schedule 'AA' - Detailed Land Use Plan, attached hereto, shall include apartments and other forms of multiple unit housing including townhouses within a density range of 64 to 96 units per net hectare (26 to 39 units per net acre).
- b) The maximum height of buildings within the 'Urban Residential-High Density I' designation shall generally be six (6) storeys. Exceptions to the height limitation may be permitted subject to appropriate integration with surrounding development, and approval of a specific development proposal.
- c) Retail, office, recreational and community uses are permitted on the ground floor of apartment and multiple unit buildings.

### **5.2.4 Urban Residential - High Density II**

- a) Housing forms permitted in the Urban Residential - High Density II designation shown on Schedule 'AA' - Detailed Land Use Plan, attached hereto, shall include apartments and other forms of multiple unit housing within a density range of 99 to 148 units per net hectare (40 to 60 units per net acre).
- b) The maximum height of buildings within the 'Urban Residential - High Density II' designation shall generally be eight (8) storeys. Exceptions to the height limitation may be permitted subject to appropriate integration with surrounding development, and approval of a specific development proposal.
- c) Retail, office, recreational and community uses are permitted on the ground floor of apartment and multiple unit buildings.
- d) Development approval of lands fronting Denison Street and Old Kennedy Road shall be subject to implementation of recommendations, if any, arising from an operational review of the intersection.



## **5.3 COMMERCIAL**

### **5.3.1 General Policies**

- a) In accordance with Section 3.4.3 of the Official Plan (Revised 1987), as amended, the following category of the COMMERCIAL designation is established within this Secondary Plan:
  - Community Amenity Area.
- b) Lands within the Community Amenity Area category of designation shall be subject to the general provisions of Section 3.4 and the specific provisions of Section 3.4.6.2 of the Official Plan (Revised 1987), as amended, and to the further provisions of this Secondary Plan. Residential development within the Community Amenity Area category is also subject to the general provisions of Section 3.3 and the specific provisions of Section 3.3.2 of the Official Plan (Revised 1987), as amended and to the further provisions of this Secondary Plan.
- c) Lands within the Community Amenity Area category of designation are further organized into three sub-category designations, as shown on Schedule 'AA' attached hereto:
  - Community Amenity Area – Mixed Use
  - Community Amenity Area – Main Street
  - Community Amenity Area – Steeles Avenue.
- d) Permitted uses within the Community Amenity Area category of designation shall include those identified in Section 3.4.6.2 c) of the Official Plan (Revised 1987), as amended, except as otherwise provided in Subsections 5.3.2, 5.3.3 and 5.3.4 of this Secondary Plan.
- e) Development within the Community Amenity Area category of designation shall be in conformity with the Urban Design policies outlined in Section 7.0 of this Secondary Plan.

### **5.3.2 Community Amenity Area – Mixed Use**

- a) The lands designated 'Community Amenity Area – Mixed Use', as shown on Schedule 'AA' – Detailed Land Use Plan, are intended to provide opportunities for development of single use and mixed use buildings, including medium and high density residential development and small-scale office development. These lands will serve as a buffer between the Medium Density residential neighbourhoods to the north and the lands designated 'Community Amenity Area - Steeles Avenue' to the south.
- b) Other land uses may include those identified in Sections 3.4.6.2 c) of the Official Plan (Revised 1987), as amended, except that the following uses shall not be permitted:
  - automotive commercial uses, including gas stations, automobile repair, car washes and automobile sales;
  - hotels and motels;
  - night clubs;
  - places of worship;
  - funeral homes; and
  - banquet halls.
- c) Buildings shall generally not exceed a Floor Space Index of 1.0. Buildings having a maximum FSI of 1.25 may be permitted subject to consideration of a specific development proposal and a zoning amendment. A traffic impact analysis is required for buildings with an FSI greater than 1.0.

- d) The maximum height of buildings shall generally be three (3) storeys. Exceptions to increase the height limitation to four (4) storeys may be considered subject to appropriate integration with surrounding development, and approval of a specific development proposal.
- e) Notwithstanding Section 5.3.2(a) and (b), the following provisions apply to the lands described as Part of Lot 1, Concession 5, Lot 3 on Registered Plan 3580, and municipally known as 82 Old Kennedy Road:

Permitted uses shall include the manufacture of clothing, sportswear and similar products, subject to the following policies:

- i) The lands may be used for a mixed commercial/light industrial building to include the manufacturing/assembly of clothing, sportswear and similar products, with an associated retail sales outlet and business office to be located at the front of the building;
- ii) Full municipal services including storm services shall be required;
- iii) Required traffic or transportation related improvements for the lands shall be implemented to the satisfaction of the Town;
- iv) The implementing zoning by-law shall limit the light industrial use to only the manufacture/assembly of clothing, sportswear and similar products, and shall further specify that the light industrial use only be permitted in conjunction with an associated business office/retail outlet to be located at the front of the building facing Old Kennedy Road.

### **5.3.3 Community Amenity Area – Main Street**

- a) The lands designated 'Community Amenity Area – Main Street' as shown on Schedule 'AA' – Detailed Land Use Plan, are expected to develop as the central focus of the Secondary Plan Area and to provide opportunities for development of single use and mixed use buildings and projects along Old Kennedy Road.
- b) The area designated 'Community Amenity Area – Main Street' may accommodate a range of small to moderate scale retail, personal service, restaurant and business uses. Grade-related commercial uses shall be provided within development on these lands to provide animation and pedestrian activity at street level. Residential uses are permitted, but shall not be located on the ground floor of buildings facing Old Kennedy Road.
- c) Notwithstanding Section 5.3.3(b), residential uses are permitted on the ground floor of buildings on lands designated Community Amenity Area – Main Street on the west side of Old Kennedy Road, between Aldergrove Drive and Victory Avenue.
- d) Permitted land uses may include those identified in Sections 3.4.6.2 c) of the Official Plan (Revised 1987), as amended, except that the following uses shall not be permitted:
  - retail uses requiring large scale individual premises;
  - automotive commercial uses, including gas stations, automobile repair, car washes and automobile sales;
  - hotels and motels;
  - night clubs;
  - places of worship;
  - funeral homes; and
  - banquet halls.

- e) Buildings shall generally not exceed a Floor Space Index of 1.0. Buildings having a maximum FSI of 1.25 may be permitted subject to consideration of a specific development proposal and a zoning amendment. A traffic impact analysis is required for buildings with an FSI greater than 1.0.
- f) The minimum height of buildings shall be two (2) storeys. The maximum height of buildings shall generally be three (3) storeys. Exceptions to increase the height limitation to four (4) storeys may be considered, subject to appropriate integration with surrounding development, and approval of a specific development proposal.
- g) All new development within the 'Community Amenity Area – Main Street' designation abutting the 'Urban Residential – Medium Density' designation shall be compatible in terms of built form and character with residential land uses in the adjacent 'Urban Residential – Medium Density' designation.
- h) Notwithstanding Section 5.3.3(d), the place of worship use at 133 Old Kennedy Road is deemed to conform to this Secondary Plan, and may continue subject to the regulations of the implementing zoning by-law for this Secondary Plan, and parking by-law provisions in effect as of the date of adoption of this Plan. Expansions to this use not consistent with the aforementioned zoning may only be considered in accordance with the place of worship policies of the Official Plan (Revised 1987), as amended, through the rezoning or minor variance process.
- i) Notwithstanding Section 5.3.3(b), (d) and (f), the existing automobile repair use at 210 Old Kennedy Road is deemed to conform with this Secondary Plan and may continue subject to the regulations of the implementing zoning by-law for this Secondary Plan. Expansions to this use not consistent with the aforementioned zoning may only be considered through a rezoning or minor variance process.

#### **5.3.4 Community Amenity Area – Steeles Avenue**

- a) The lands designated 'Community Amenity Area – Steeles Avenue' as shown on Schedule 'AA' – Detailed Land Use Plan, are intended to develop with retail and office uses along Steeles Avenue. Medium or high density residential uses are permitted subject to a site-specific development application and zoning amendment.
- b) Other land uses may include those identified in Sections 3.4.6.2 c) of the Official Plan (Revised 1987), as amended, except that the following uses shall not be permitted:
  - automotive commercial uses, including gas stations, automobile repair, car washes and automobile sales;
  - motels;
  - night clubs;
  - funeral homes; and
  - banquet halls.
- c) Buildings shall generally not exceed a Floor Space Index of 1.5.
- d) The maximum height of buildings shall generally be five (5) storeys. Where lands abut existing low density residential development the maximum height shall generally be three (3) storeys. Exceptions to the height limitation may be permitted subject to appropriate integration with surrounding development, and approval of a specific development proposal.

- e) All new development within the 'Community Amenity Area – Steeles Avenue' designation shall be compatible in terms of built form and character with abutting residential land uses.
- f) The existing private school at 4600 Steeles Avenue is deemed to conform to this Secondary Plan, and may continue subject to the regulations of the implementing zoning by-law for this Secondary Plan. Expansions to this use not anticipated by the aforementioned zoning may be considered through the rezoning or minor variance process.

## **5.4 OPEN SPACE**

Lands within the Open Space designation as shown on Schedule 'AA' – Detailed Land Use Plan attached hereto shall include lands within the following categories:

- Neighbourhood Park
- Parkettes

### **5.4.1 General Policies**

- a) Certain lands included within the Open Space designation are shown schematically or symbolically on Schedule 'AA' attached hereto. The actual locations, configurations and boundaries of the public parks and parkettes shall be established in accordance with the provisions of Section 3.9.3 of the Official Plan (Revised 1987), as amended.
- b) Public parkland shall be provided in accordance with the provisions of the Planning Act, the policies and standards of the Official Plan (Revised 1987), as amended, and this Secondary Plan. Public parkland shall be provided within the Secondary Plan Area at a rate not less than:
  - for non-residential development - 2 percent of the land area; plus,
  - for residential development – 1 hectare per 300 dwelling units, to a maximum of 1.21 hectares per thousand people.
- c) Notwithstanding Section 5.4.1(b), Council may consider a reduced parkland dedication rate for developments which demonstrate a public benefit (e.g., the provision of affordable housing), or are in keeping with the provisions of an approved Community Improvement Plan or other applicable Town initiatives.
- d) Woodlots and tree stands worthy of preservation may, wherever possible, be incorporated into the public park and open space system. Woodlots will be credited against the required parkland dedication where it is demonstrated that the Town's active recreational facility requirements are fulfilled.
- e) The open space system shall be visible and accessible to the public. Unobstructed views and access to major components of the open space system shall be provided. Continuous road frontage adjacent to such facilities will be encouraged. It is the intent of this Secondary Plan to establish a public edge to the proposed Neighbourhood Park in the northern portion of the Secondary Plan Area through the placement of public streets or public facilities adjacent to the park.
- f) Appropriate planting shall be encouraged along public rights-of-way, including rail and road corridors, both to create ecological linkages and for visual amenity. Specific consideration

shall be given to providing enhanced planting along the portions of Old Kennedy Road and the extension of Midland Avenue which are adjacent to the rear yards of existing development, and adjacent to the GO rail line, where feasible.

- g) All lands within the public open space system shall be secured by the Town, or other public agency, in accordance with the policies of the Official Plan (Revised 1987), as amended.
- h) Notwithstanding g) above, or any other policy of the Official Plan (Revised 1987), as amended, the following shall not be considered for parkland dedication under the provisions of the Planning Act:
  - remnant land parcels located between a public road and the GO rail right-of-way; and
  - any other land parcel deemed unsuitable for parkland dedication by the Town.
- i) Lands conveyed to the Town as open space shall be prepared and landscaped to the satisfaction of the Town, and shall require an environmental clearance.

#### **5.4.2 Neighbourhood Park**

- a) Neighbourhood Parks are established in accordance with the provisions of Section 3.9.3 of the Official Plan (Revised 1987) as amended, and are identified symbolically on Schedule 'AA' – Detailed Land Use Plan.
- b) A Neighbourhood Park, approximately 1.5 hectares in size, is located north of Victory Avenue, encompassing the existing woodlot.

#### **5.4.3 Parkettes**

Small urban parks or parkettes over and above those lands designated as Neighbourhood Park on Schedule 'AA' attached hereto will be encouraged throughout the Secondary Plan Area. These parkettes will not necessarily be in public ownership and may be squares, plazas, and gardens which are integral components of a building or project design.

- a) The following policies apply to parkettes:
  - i) Parkettes are permitted in all land use designations and are encouraged throughout the Secondary Plan Area;
  - ii) Parkettes are encouraged to be distributed within a five minute walk (approximately 400 metres) of all residences and businesses, allowing them to serve as small scale gathering places to provide a community focus;
  - iii) Parkettes are encouraged on corner lots to ensure high visibility, will be appropriate in size for their intended use, and may accommodate seating areas and/or children's play equipment; and
  - iv) Parkettes that are required by the Town will be credited toward the parkland dedication. Parkettes not required by the Town may be considered by the Town as acceptable toward the parkland dedication, subject to a review of the above criteria, on a case-by-case basis.
- b) Parkettes required by this Secondary Plan are located as follows:
  - i) West side of Old Kennedy Road, south of Victory Avenue – this parkette shall be approximately 0.4 hectares in size, and should be connected to the Neighbourhood Park by means of a public street or pedestrian path.
  - ii) East side of Old Kennedy Road, south of Aldergrove Drive – this parkette shall be approximately 0.4 hectares in size.

- iii) Although required, a landscaped square to be provided at the southeast corner of Denison Street and Kennedy Road will not necessarily be considered as parkland dedication.

## **5.5 INSTITUTIONAL**

### **5.5.1 Schools**

- a) Elementary Schools are a permitted land use within the 'Urban Residential – Medium Density', 'Urban Residential – High Density I', 'Urban Residential – High Density II', and 'Community Amenity Area – Mixed Use' designations in accordance with the provisions of Section 3.6 and other applicable provisions of the Official Plan (Revised 1987), as amended. An elementary school site is identified symbolically on Schedule 'AA'.
- b) The location, size and configuration of future school sites will be defined by the Town, to the satisfaction of the School Boards, through implementing plans of subdivision or site plans, without further amendment to this Secondary Plan. School site locations will be selected to reflect the role of school sites in supporting the community structure and patterns of land use.
- c) Additional school sites may be permitted without amendment to this Secondary Plan, following a review by the Town, in consultation with the School Boards, of the impact that any additional school site would have on the community structure and pattern of land use.
- d) School sites and buildings will be developed in accordance with the following policies:
- i) Joint use sites and multiple use buildings will be encouraged wherever possible;
  - ii) Efficient site designs, utilizing smaller school site sizes and the construction of multiple storey buildings that permit smaller building floorplates shall be encouraged; and
  - iii) Parking and loading areas will be provided on site with primary access points designed in a manner that will minimize conflicts between pedestrian and vehicular traffic.
- e) In the event that all or part of a school site should not be required by a School Board, the Town shall have first right of refusal to acquire all or part of a surplus school site for appropriate park or community facility uses, following a review of the impact that a loss of the school site would have on community structure and pattern of land use. The subdivision or other appropriate agreements will establish the conditions for acquisition of such sites.
- f) Elementary school sites not required by the School Boards or acquired by the Town may be developed for uses consistent with the policies of the underlying designation, without amendment to this Secondary Plan. In processing development applications for lands which include elementary school sites, the Town may provide in the plans of subdivision/site plans and implementing zoning for the possible conversion of the schools sites to the underlying permitted uses, in the event the sites become surplus to School Board requirements.

### **5.5.2 Places of Worship**

- a) Places of worship shall only be permitted within the following designations in accordance with the provisions of Sections 2.17 and other applicable provisions of the Official Plan (Revised 1987), as amended:
- 'Community Amenity Area – Steeles Avenue'

- b) Notwithstanding Section 5.5.2(a), the existing place of worship located at 133 Old Kennedy Road is a permitted use within the 'Urban Residential – Medium Density' and 'Community Amenity – Main Street' designations.
- c) Places of worship will be encouraged to act as, or enhance, a community focal point and to locate on sites that terminate a vista, where possible.
- d) Appropriate sites for new places of worship shall be implemented through the approval of a zoning amendment.

### **5.5.3 Day Care Centres**

- a) Day care centres are permitted throughout the Secondary Plan area in accordance with the provisions of Section 2.11 and other applicable provisions of the Official Plan (Revised 1987), as amended.
- b) Appropriate sites for new day care centres shall be implemented through the approval of a zoning amendment.

## **6.0 CULTURAL HERITAGE**

- 6.1 Conservation of cultural heritage resources shall be consistent with the provisions of Section 2.5 of the Official Plan (Revised 1987), as amended.
- 6.2 A number of buildings having heritage significance have been identified by the Town within this Secondary Plan Area and are listed in Appendix IV.
- 6.3 It is the intent of this Secondary Plan to encourage the retention and conservation of buildings of architectural and/or historical merit on their original sites and to promote the integration of these resources into new development proposals in their original use or an appropriate adaptive re-use. Prior to the approval of a development application for the lands on which these buildings are located, Council shall obtain a recommendation from the Municipal Heritage Committee (Heritage Markham) as to whether any existing heritage buildings should be retained on their original sites, relocated to other sites within the Secondary Plan Area, relocated to other sites within the Planning District or elsewhere in the Town, or can be demolished.
- 6.4 The former Milliken Village Public School located at 4600 Steeles Avenue is a designated heritage building of particular significance within the historical community of Milliken's Corners. The preservation and restoration of the building as a community landmark is strongly encouraged.
- 6.5 As a condition of development approval, the Town will secure satisfactory financial and/or other guarantees (e.g., heritage easement) to fully restore or reconstruct any heritage structures damaged or demolished without permission as a result of new development.
- 6.6 All development adjacent to, or incorporating a heritage resource must, from an urban design perspective, be respectful of the resource, having regard for scale, massing, setbacks, building materials and design features.

- 6.7 The enhancement of the interpretation of the heritage of the historical community of Milliken's Corners is encouraged through the use of special street signs, entry signs and interpretive plaques and monuments describing the history of the area.
- 6.8 The retention and conservation of existing cultural heritage landscape elements such as historic street names, mature vegetation and groupings of buildings having heritage significance is encouraged.
- 6.9 On lands with moderate to high potential for the discovery of archaeological resources, as determined by the Town, prior to recommending draft approval of plans of subdivision or site plans, proponents of development shall carry out an Archaeological Assessment of the subject property, and through avoidance or excavation/documentation, mitigate development impacts on any significant archaeological resources found on a property, to the satisfaction of the Ministry of Culture. No grading or other disturbance shall take place on the subject property prior to the issuance of a letter of clearance from the Ministry of Culture.

## **7.0 URBAN DESIGN**

The Urban Design Concept Plan attached as Appendix V to this Secondary Plan illustrates the key design principles underlying the new community, including urban structure, the open space system, streetscape and built form. Development applications will be assessed against these principles, in addition to the policies of this Secondary Plan. Conceptual land uses and road patterns identified in the Concept Plan are further refined in Schedule 'AA' – Detailed Land Use Plan and Schedule 'BB' – Transportation Plan.

## **7.1 DESIGN PRINCIPLES**

The following principles set out general criteria for development on lands in the Secondary Plan Area:

- a) Development should be based on an interconnected system of public and private streets and pedestrian routes that facilitate continuous and direct movement throughout the Secondary Plan Area.
- b) Streets, buildings and connections should be designed and developed to ensure attractive streetscapes, and to promote social interaction, transit usage and safety.
- c) The layout of streets, configuration of lots and the siting of buildings should ensure that:
  - i) There is no reverse lotting adjacent to public open spaces and public streets;
  - ii) Single-loaded streets will provide unobstructed views to parks and public open spaces;
  - iii) An appropriate degree of continuity and enclosure to the street and open spaces is provided with opportunities for significant views;
  - iv) Service and parking facilities are integrated into the design of buildings to minimize disruption to the safety and attractiveness of the adjacent public realm;
  - v) Pedestrian ease of access and enjoyment of public streets and other outdoor spaces are encouraged; and



- vi) The safety and security for all persons in public places including streets, parks, and amenity areas are promoted through the design and siting of buildings, entrances, walkways, amenity and parking areas to provide visibility and opportunities for informal surveillance.
- d) Development will reinforce the importance of public and institutional buildings in the community and enhance their role through design, location and orientation.
- e) Development will be compatible with adjacent communities east of Old Kennedy Road and north of Denison Street.

## **7.2 OPEN SPACE**

The Open Space system should provide for an equitable distribution of amenity space, a variety of experience, and a continuous pedestrian link throughout the community. Key elements of the open space system include:

- a) A Neighbourhood Park, centred on the existing woodlot north of Victory Avenue, to provide a focus for the entire community;
- b) Parkettes dispersed throughout the community to provide a focus for nearby residents;
- c) Private recreational spaces and landscaped open spaces, including a landscaped square at the southeast corner of Kennedy Road and Denison Street;
- d) Continuous pedestrian linkages connecting parkland within the community; and
- e) Bicycle paths/routes linking the community with adjacent communities.

## **7.3 STREETScape**

**7.3.1** The Urban Design Concept Plan identifies a number of 'character' streets, which merit special streetscaping consideration, within the road hierarchy provided in Schedule 'AA' – Detailed Land Use Plan and Schedule 'BB' – Transportation Plan. These 'character' streets, and the streetscaping requirements which define their character, are as follows:

- a) **Old Kennedy Road – Main Street**  
Old Kennedy Road is the primary street within the Secondary Plan Area in terms of function and character. The southern portion of the street, south of Victory Avenue, will be developed as a community focus in the form of a Main Street. The Main Street will consist of a mix of uses and activities, with commercial uses at street level and residential uses permitted above street level. Old Kennedy Road will continue to operate as a collector road with on-street parking permitted in off-peak hours to serve the commercial uses. A pedestrian-oriented environment will be developed with appropriate built form and streetscape treatments, including the placement of buildings close to the street, upgraded boulevard landscaping in the form of hard surfaces and planting, and with the provision of coordinated street furniture such as decorative lighting, benches, waste receptacles, etc. Reference to the historical community of Milliken's Corners is encouraged through the use of special street signs, entry signs and interpretive plaques and monuments describing the history of the area.

- b) **Old Kennedy Road – north of Victory Avenue**  
Proposed development abutting this segment of Old Kennedy Road is primarily residential in nature, with the transition between Main Street and residential development occurring between Aldergrove Drive and Victory Avenue. A substantial landscaped buffer shall be provided on the east side of Old Kennedy Road adjacent to the rearyards of the adjacent residential community. Development fronting the west side of the street should be lane-based.
- c) **Proposed road link between Old Kennedy Road and Kennedy Road**  
This minor collector road will provide direct access to the Neighbourhood Park, and should include provisions for on-street parking, and upgraded landscaping.
- d) **Streets delimiting Neighbourhood Park**  
The Neighbourhood Park should be directly accessible from single-loaded streets on as many sides as possible. Local streets fronting the Neighbourhood Park should have sidewalks on the side opposite the park. The alignment of the street(s) will be dependent on the alignment of the new road link between Old Kennedy Road and Kennedy Road, as well as the configuration of the Neighbourhood Park and future school site.
- e) **Green pedestrian spine, southward from Neighbourhood Park**  
A new local street is intended to provide a green pedestrian corridor leading southward from the Neighbourhood Park and should terminate in a parkette or other form of open space south of Victory Avenue. The road should have widened boulevards to accommodate enhanced landscaping and a sidewalk on both sides. A pedestrian character should be created through special landscaping and/or decorative lighting and street furniture. The alignment of this spine will be dependent on the configuration of the Neighbourhood Park and the future school site.

**7.3.2 Streetscaping requirements for other key roads are as follows:**

- a) **Extension of Midland Avenue – northward from Steeles Avenue**  
This new minor collector road will provide a connection from Old Kennedy Road to Steeles Avenue. The portion of the street running northward from Steeles Avenue will be single-loaded and should provide a substantial landscaped buffer along the rearyards of the adjacent residential community to the east. Active uses should be promoted on the west side of the street to counteract the non-active uses on the east side.
- b) **Victory Avenue/Thelma Avenue ‘Loop’**  
A new local road adjacent to the GO rail line will connect Thelma Avenue in the south with Victory Avenue in the north. The purpose of the road is to provide additional frontage and the basis for a finer local road grid for the lands west of Old Kennedy Road. It also serves as a buffer between the GO rail line and new development within the Secondary Plan Area. The boulevard on the west side of the road, or a separate buffer block, should be sufficient to accommodate a safety berm and noise attenuation features in accordance with GO Transit requirements, and a landscaped buffer where feasible. The safety berm and noise attenuation features should be designed to be compatible with the proposed uses on the east side of the right-of-way.
- c) **Streetscaping requirements for other local roads shall be as per current Town standards.**

### 7.3.3 Streetscaping requirements generic to all roads include:

- a) Requirements for the mobility impaired, such as safety and security features at all bus stops, standards for the placement of street furniture, and sidewalk maintenance and design, including curb cuts so as to provide a continuous barrier-free path to transit services; and
- b) Traffic calming measures, as required.
- c) Above-ground private and public utility infrastructure will be designed and located in a coordinated manner, to minimize visual impact, having regard for the following:
  - i) Small components may be located within public rights-of-way; where development is lane-based, utility components should be located in laneways;
  - ii) Large components, such as micro hubs, should be located within easements on private land, but may be considered within public open spaces which are not parkland;
  - iii) Generally, the placement of large components between the street and the front façade of a building will be discouraged; and
  - iv) The Town may consider innovative methods of containing utility services on or within streetscape features.

## 7.4 BUILT FORM

The built form within the Secondary Plan will consist of apartments and multiple unit housing (e.g., townhouses, stacked townhouses, garden apartments), mixed residential/commercial buildings, employment, institutional and commercial buildings. Urban design requirements relating to these various built forms are outlined below.

### 7.4.1 Apartment Buildings

- a) Buildings should be situated close to the public street and provide a continuous street edge.
- b) Direct access from ground floor residential or commercial units to the street is encouraged along Kennedy Road, Denison Street and Old Kennedy Road.
- c) Building entrances should be clearly defined with architectural features and landscaping.
- d) Buildings shall generally be restricted to eight (8) storeys along Kennedy Road and Denison Street, and four (4) storeys along Old Kennedy Road.
- e) On-site pedestrian circulation should be clearly defined through pavement treatments, lighting, and landscaping.
- f) Surface parking should be minimized and should be screened from major roads and public areas.
- g) Garage doors to underground parking should not dominate the building façade.

#### **7.4.2 Multiple Unit Residential Buildings**

- a) The site, massing and façade design of townhouse buildings should be coordinated on an individual and block basis.
- b) Rear lane access is required along Old Kennedy Road and along the character streets identified in Section 7.3.1, and encouraged elsewhere; buildings with rear lane access should be located close to the edge of the right-of-way.
- c) Architectural style of the buildings should be compatible but should allow for variation in façade elements, height, massing and roofline.
- d) Garages should be paired to allow for more substantial front yard green space, and should be screened from view as much as possible.
- e) Front doors should be clearly visible from street level.
- f) Buildings sited at the end of a view corridor should be designed with significant architectural elements.
- g) Side and rear elevations visible from public areas should have upgraded façade treatments.

#### **7.4.3 Main Street (Mixed Use) Buildings**

- a) Building massing and spacing should generate a continuous building wall fronting Old Kennedy Road.
- b) Buildings should be a minimum of two storeys in height and generally be set back a maximum of three (3) metres from the right-of-way, to create an urban condition that is conducive to pedestrian activity.
- c) Parking should be provided at the rear of buildings and accessed from a rear lane.
- d) Buildings sited at the end of a view corridor should be designed with significant architectural elements.
- e) Building entrances should address the street and be linked to the sidewalk through walks, covered porches or hard-surfaced patios.
- f) Built form should be designed to visually screen service/loading areas and mechanical rooms from the street and from adjacent land uses.

#### **7.4.4 Employment, Institutional and Commercial Buildings**

- a) Built form, landscape treatment and building identity features should provide a consistent image.
- b) A substantial portion of the building should front the street, with the setback being primarily landscaping treatment; buildings should be sited at a consistent setback to create a defined edge.
- c) The building façade along streets should be articulated with architectural elements, material variations and window openings to promote an active streetscape.

- d) Side elevations visible from public areas should have the same quality of design treatment as the front elevation.
- e) Large buildings should be visually divided into smaller units through façade articulation.
- f) Building entrances should be prominent and accessible with clearly defined walkways connecting with the public sidewalk.
- g) Pedestrian circulation should be clearly defined through surface pathways which provide direct access to building entrances, and signage.
- h) Built form should be designed to visually screen service/loading areas, rooftop equipment and mechanical rooms from adjacent land uses.
- i) Parking lots should be located on the interior of lots, where possible, with clearly defined entries.
- j) Parking lots should be screened through landscaping or architectural elements where they abut a street, and landscaping treatments should be used to help redefine large parking areas into smaller pods.

## **7.5 GATEWAY DESIGN**

Gateway locations are identified at a number of intersections which provide entry points to the Secondary Plan Area. Special consideration will be given to these locations in terms of built form, landscaping, intersection treatments, and streetscaping to reflect the importance of these intersections in identifying the Main Street Milliken community:

- 7.5.1 a) Primary Gateways are identified at:
  - Old Kennedy Road and Steeles Avenue
  - Old Kennedy Road and Denison Street
  - Kennedy Road and Corvette Road
- b) Secondary Gateways include:
  - Midland Avenue extension and Steeles Avenue
  - Old Kennedy Road and Aldergrove Drive

7.5.2 Gateway design will be further refined during the processing of development applications. The Steeles Avenue/Old Kennedy Road and Steeles Avenue/Midland Avenue gateways should reflect the historical community of Milliken's Corners.

## **8.0 INFRASTRUCTURE POLICIES**

### **8.1 TRANSPORTATION**

#### **8.1.1 General**

The proposed transportation network servicing the Secondary Plan Area shall include public roads, private road accesses and driveways, pedestrian and bicycle pathways and transit routes. The proposed network of arterial, major and minor collector roads and local roads is shown schematically on Schedule 'BB' – Transportation Plan and may be revised without further amendment to this Secondary Plan.

- a) All components of the transportation system shall be planned and provided in accordance with the policies of the Official Plan (Revised 1987), as amended, the policies of this Secondary Plan, and where applicable, the policies of the Regional Official Plan. The location, function and detailed design of each road and its associated intersections will require the approval of the Town, and where applicable, the Region of York and the City of Toronto. Certain components of the transportation system may require an Environmental Assessment.
- b) The key components of the road network within the Secondary Plan Area are as follows:
  - i) Old Kennedy Road - a north-south major collector road between Steeles Avenue (arterial road) in the south, and Denison Street (major collector road) in the north;
  - ii) a minor collector road link between Old Kennedy Road and Kennedy Road north of Victory Avenue, providing an alternative to traffic flow to the Denison Street intersection;
  - iii) a minor collector road link between Steeles Avenue (beginning at the Midland Avenue intersection) and Old Kennedy Road providing an alternate route to Steeles Avenue; and
  - iv) a series of local roads, including a road connection between Thelma Avenue and Victory Avenue, parallel with and adjacent to the GO rail line.
- c) The required rights-of-way of all roads within the Secondary Plan Area shall be dedicated in accordance with requirements of the Town and the Region of York. The right-of-way requirements for Town roads shall be in accordance with Schedule 'G' - SITE PLAN CONTROL of the Official Plan (Revised 1987), as amended, Schedule 'BB' - Transportation Plan, and the provisions of this Secondary Plan.
- d) In addition to the basic right-of-way width of roads identified in Schedule 'BB' - Transportation Plan, additional right-of-way width may be required and shall be dedicated to the Town and the Region and/or City of Toronto for sight triangles, cuts, fills and extra lanes at intersections, and for accommodating bicycles, sidewalks and landscaping, where appropriate in accordance with the specifications and requirements of the Town, the Region of York and the City of Toronto. Determination of final right-of-way requirements shall be made through the completion of the studies identified in this Secondary Plan and the implementing development approval processes.
- e) Construction access shall be designed to ensure that the impact on existing residential areas is minimized. Construction access arrangements shall be identified in subdivision and site plan control agreements.
- f) Where appropriate, roads within the Secondary Plan Area shall be designed to encourage efficiency in the use of land and public resources, and to create a community which is pedestrian-oriented.
- g) Direct vehicular access from individual residential lots and blocks to arterial and major collector roads shall generally not be permitted. Access to these lots and blocks shall be provided from rear lanes and/or adjoining local and minor collector roads, where appropriate.
- h) It is intended that on-street parking will be encouraged at appropriate locations on all roads, except Regional roads, alleys and lanes, subject to approval of traffic impact studies by the Town.

### **8.1.2 Traffic Study Requirements**

- a) A comprehensive Transportation Study has been completed in support of the proposed land uses within the Secondary Plan Area. The study confirms that the road network identified in the Secondary Plan, and the boundary road network, can accommodate the proposed development.
- b) Detailed right-of-way designs shall be undertaken through the Environmental Assessment process by the Town or through the processing of development applications to the satisfaction of the Town.
- c) Site-specific Traffic Impact Studies may be required for applications for development or redevelopment within the Secondary Plan Area. The site-specific traffic impact studies will determine the traffic impact of the proposed development and the feasible and practical means available to accommodate traffic from the proposed development. These studies may include analysis of items such as: turning movements, storage length, internal circulation, fire access, driveway design and grading, gap studies, intersection improvements and the traffic impact of any proposed change in land use. Site-specific Traffic Impact Studies shall be subject to the approval of the Town in consultation with the Region of York and the City of Toronto, where applicable, and shall be consistent with the Transportation Study, internal functional traffic design studies as required, and other studies or analyses as the Town may identify.

### **8.1.3 Arterial Roads**

The arterial roads bounding the Secondary Plan Area are shown on Schedule 'BB' – Transportation, and consist of the following:

- a) Kennedy Road – four-lane road under the jurisdiction of the Region of York. A widening to six lanes, including a grade separation of the GO rail line, is anticipated by 2010.
- b) Steeles Avenue - four-lane road under the jurisdiction of the City of Toronto. A widening to six or seven lanes from Kennedy Road eastward, including a grade separation of the GO rail line, is anticipated by 2008.

### **8.1.4 Collector Roads**

The proposed system of major and minor collector roads is shown on Schedule 'BB' – Transportation Plan. The typical mid-block right-of-way for collector roads shall be as indicated below.

- a) Denison Street – major collector road - maximum 26 metre right-of-way, consisting of four travel lanes.
- b) Old Kennedy Road – major collector road - maximum 26 metre right-of-way, consisting of four travel lanes, bike lanes and boulevards. Travel lanes may be reduced to two lanes north of Aldergrove Drive. The detailed design of Old Kennedy Road will be defined through an Environmental Assessment to be undertaken by the Town, other required studies and implementing development approvals.
- c) Extension of Midland Avenue north of Steeles Avenue to Old Kennedy Road - minor collector road with a maximum 23 metre right-of-way. The minor collector road will intersect with Old Kennedy Road at a point approximately midway between Steeles Avenue

and Aldergrove Drive. Detailed design will be defined through an Environmental Assessment to be undertaken by the Town, other required studies and implementing development approvals.

- d) Link between Old Kennedy Road and Kennedy Road – minor collector road with a maximum 23 metre right-of-way. The minor collector road will intersect with Kennedy Road at the Gorvette Road intersection. Detailed design will be defined through the implementation of development approvals.

#### **8.1.5 Local Roads**

- a) The local road pattern is shown on Schedule 'BB' – Transportation Plan attached hereto. Revisions to the number, location or alignment of local roads will be permitted without amendment to this Plan, subject to conformity with the principles of maintaining a modified grid system with a high degree of connectivity, development blocks appropriate for the intended uses and public open spaces central to neighbourhoods.
- b) The design of local roads shall be consistent with Town standards. Routes will be implemented through development approvals.
- c) A new road parallel with the GO rail line, connecting Thelma Avenue with Victory Avenue, will function as a local road. The right-of-way may accommodate noise, vibration, safety attenuation and landscaping features as may be required by GO Transit and the Town.

#### **8.1.6 Lanes**

- a) Lanes may be provided at the rear of lots to provide access to the required on-site parking and service areas. Lanes will be encouraged for street townhouse developments.
- b) Functional and design standards for lanes shall be established by the Town.
- c) Public utilities may be located within lane rights-of-way subject to functional and design standards approved by the Town.
- d) Lanes may be proposed through the development approval process and shall be evaluated and approved by the Town based on engineering and urban design requirements.

#### **8.1.7 Public Transit**

- a) Transit services are provided on Steeles Avenue by the City of Toronto, and on Kennedy Road and Denison Street by York Region Transit. Limited service related to the GO Transit station is also provided by York Region Transit on Old Kennedy Road and Steeles Avenue.
- b) Transit providers, in consultation with the Town, will determine the type and level of transit service and stop locations to be provided within the Secondary Plan Area, based on the type and level of development proposed.
- c) In order to encourage greater use of public transit within the community, the following guidelines shall be considered at the subdivision and/or site plan approval stage:
  - local road patterns should provide direct pedestrian access to transit stops;
  - reverse lotting shall not be permitted adjacent to arterial or collector roads; and
  - the policies and objectives of the Town's Transit Accessibility Implementation Plan.



### **8.1.8 Cycling and Pedestrian Linkages**

- a) Bikeway and pedestrian walkway systems shall be required throughout the Secondary Plan Area. These facilities will be designed to provide appropriate linkages among the residential and mixed use neighbourhoods, the open space system, transit facilities and places of employment. The bikeway and pedestrian walkway systems shall also provide linkages to areas outside of the Secondary Plan Area, including the City of Toronto bike route along Steeles Avenue, pursuant to the Town of Markham Bikeway Implementation Strategy Study.
- b) The bikeway and pedestrian walkway systems shall utilize public streets and dedicated lanes/routes established throughout the Secondary Plan Area.
- c) The development of all roads shall include safe, convenient and attractive facilities for cyclists and pedestrians.
- d) The location of a grade-separated pedestrian linkage across the GO rail line to the major commercial area immediately west of the GO rail line on Schedule 'BB' - Transportation Plan is conceptual and may be revised without further amendment to this Plan. The feasibility of this link will be determined in consultation with GO Transit and the major commercial landowners on the west side of the GO rail line. Any such pedestrian linkage is subject to the approval of GO Transit.

## **8.2 SERVICES AND UTILITIES**

### **8.2.1 General**

- a) New development within the Secondary Plan Area shall be on full urban municipal services in accordance with the policies of the Town and the Region of York.
- b) A conceptual Servicing Plan for the Secondary Plan Area, entitled "Servicing Analysis Update for Milliken Mills Main Street", prepared by Marshall Macklin Monaghan Ltd and dated September, 2004, identifies existing services and required future services, based on the Urban Design Concept Plan and Schedule 'AA' - Detailed Land Use Plan. The Plan identifies a limited amount of capacity for additional development in the existing local sanitary sewer infrastructure. New development will be allowed to be serviced with existing sanitary sewers on an incremental basis until such time as new infrastructure is required.
- c) The need for upgrades to the existing sewer, water and stormwater management infrastructure to accommodate new development will be determined through site-specific servicing studies to be submitted to the Town with development proposals.

### **8.2.2 Sanitary Sewers**

- a) The assignment of a sewage capacity allocation to the subject lands will be determined by the Town and the Region of York at the subdivision or site plan approval stage. Sewage allocation assigned to development may be revoked or reallocated by the Town if the development is not constructed in a timely manner.
- b) Construction of required infrastructure will be based on detailed engineering and design studies to be approved by the Town in consultation with the appropriate agencies.

### **8.2.3 Water Supply**

- a) The assignment of water supply to the subject lands will be determined by the Town and the Region of York at the subdivision or site plan approval stage.
- b) Construction of required infrastructure will be based on detailed engineering and design studies to be approved by the Town in consultation with the appropriate agencies.

### **8.2.4 Stormwater Management**

- a) Notwithstanding any policy in the Official Plan (Revised 1987), as amended, stormwater management facilities may be permitted within any land use designation established in this Secondary Plan, except the 'Community Amenity Area - Main Street' category of designation.
- b) Construction of required infrastructure will be based on a drainage study to be approved by the Town in consultation with the appropriate agencies. The Town may consider the upgrading of existing stormwater management facilities outside the Secondary Plan Area as part of the recommendations of a drainage study.

### **8.2.5 Utilities and Telecommunications**

- a) Prior to approval of development within the Secondary Plan Area, utilities providers shall:
  - i) confirm that services can be provided to support the proposed development, and
  - ii) determine appropriate locations for utility equipment or utility cluster sites, in accordance with the Urban Design policies of this Plan.
- b) All new local power and telephone lines and other 'cable' services serving the Secondary Plan Area shall be located underground and shall be grouped into a single utility trench wherever possible.
- c) Where feasible, all existing above-ground power and telephone lines, particularly along Old Kennedy Road, will be relocated underground during the course of development or redevelopment.
- d) Utility services shall be permitted in all land use designations.

### **8.2.6 Energy Conservation**

- a) The Town shall encourage development within the Secondary Plan Area that is consistent with programs to reduce energy consumption and promote waste reduction.
- b) Energy conservation will be encouraged through appropriate site planning, urban design and the use of energy efficient materials and landscaping.

## **9.0 IMPLEMENTATION AND INTERPRETATION**

### **9.1 IMPLEMENTATION**

#### **9.1.1 General Implementation Policies**

- a) The provisions of the Official Plan (Revised 1987), as amended, regarding implementation shall apply with regard to this Secondary Plan, except as specifically set out herein.

### **9.1.2 Plans of Subdivision**

Plans of subdivision shall only be recommended for approval which:

- a) Conform with the policies and designations of this Secondary Plan;
- b) Are consistent with the final and approved recommendations of all the additional studies required by this Secondary Plan; and
- c) Are not premature and are in the public interest.

### **9.1.3 Consents**

Subdivision of land shall generally take place by plan of subdivision. Consents may be permitted in accordance with the provisions of Section 2.7 of the Official Plan (Revised 1987), as amended, the applicable provisions of this Secondary Plan and the implementing zoning by-law.

### **9.1.4 Zoning By-Law**

This Secondary Plan shall be implemented by an appropriate zoning by-law or by-laws to zone the lands in accordance with the provisions herein.

### **9.1.5 Holding Zones (H)**

- a) The lands within this Secondary Plan Area may be zoned with an 'H' holding symbol, preceding the use designation in accordance with Section 7.3 c) of the Official Plan (Revised 1987), as amended.
- b) A holding symbol may be applied to part or all of the lands within the Secondary Plan Area if required to ensure that adequate infrastructure is available to serve such lands or that development is not otherwise premature. No development shall occur on any lands within the area zoned with an (H) holding symbol until the (H) holding symbol has been removed by an amendment to the by-law. Such an amendment removing the (H) holding symbol shall not be passed until certain requirements and conditions, as appropriate, have been met, which may include the following:
  - i) a plan of subdivision has been draft approved and a related subdivision agreement between the landowner and the Town has been executed; or a consent has been granted by the Committee of Adjustment and a Development Agreement between the owner and the Town has been executed; or the Town has determined that subdivision approval is not required, and has granted site plan approval and a Site Plan Control agreement between the owner and the Town has been executed; and
  - ii) the Town has been satisfied that adequate water and sanitary and storm sewer facilities and stormwater management facilities are available to service the subject lands; and
  - iii) the Town has been satisfied that land for required road rights-of-way, open space and other community facilities has been secured; and
  - iv) the Town, in consultation with concerned agencies, is satisfied that the lands proposed to be released for development can be served adequately by the existing and committed transportation network without adverse impact to the road system or to other committed development and that development is not otherwise premature; and
  - v) the Town, in consultation with concerned agencies, is satisfied that any potential site contamination has either been remediated to an environmental site condition which meets appropriate Provincial standards for the proposed land use and will not result in any adverse effects, or that such remediation can be secured through other means, such as conditions in a subdivision agreement, or securement of a record of site condition prior to issuance of a building permit; and

vi) a Development Charges By-law has been enacted, or the Town Solicitor has confirmed a satisfactory arrangement for the payment to the Town by the landowner(s), without recourse, of an amount equal to the applicable development charges has been made.

vii) The Town has been satisfied that arrangements have been made, through a Developers Group or alternative agreement, to address the sharing of common costs of development within the Secondary Plan Area not dealt with under a Development Charges By-law.

#### **9.1.6 Site Plan Control**

All lands within the Secondary Plan Area shall be subject to the Site Plan Control provisions of Section 7.12 of the Official Plan (Revised 1987), as amended, and subject to the applicable provisions of this Secondary Plan.

#### **9.1.7 Community Improvement**

a) The Secondary Plan Area shall be designated as a Community Improvement Project Area through an amending by-law, in accordance with Section 2.12 of the Official Plan (Revised 1987), as amended.

b) A Community Improvement Plan, consisting of a strategy to facilitate development and redevelopment within the Secondary Plan Area, will be prepared. The strategy may include, but shall not be limited to, provisions for expropriation, soil remediation, rehabilitation or remediation grants to property owners, direct investment by the Town for infrastructure and landscaping improvements, fee waivers, and property tax relief.

#### **9.1.8 Development Charges and Financial Agreements**

a) The Town shall enact a Development Charges By-law identifying the Town-wide and area-specific development charges as may be applicable to the lands within the Secondary Plan Area. In the event that an Area-Specific Development Charge By-law has not been passed, development may be approved if the Town Solicitor has confirmed a satisfactory arrangement for the payment to the Town by the landowner(s), without recourse, of an amount equal to the applicable development charges has been made.

b) Prior to the approval of any development, the Town, in consultation with the Region, shall be satisfied as to the availability of transportation facilities, water supply and sewer capacity to accommodate the development. This may require front-end or accelerated payment agreements and limitations to be placed on the development.

#### **9.1.9 Developers Group Agreement(s)**

a) In order to ensure that all affected property owners contribute equitably towards the provision of community and infrastructure facilities such as schools, parks, open space, enhancement and restoration of natural features, roads and road improvements, internal and external services and stormwater management facilities, property owners shall be required to either enter into one or more Developers Group Agreements, or implement alternative arrangements to address the sharing of the common costs of development, as a condition of the development of their lands.

b) These agreements shall provide for the equitable distribution of the costs (including lands) of the aforementioned community and common public facilities and associated studies where such costs are not dealt with under the Development Charges Act, 1997, or under any agreements with the Town arising from implementation of a Community Improvement Plan.

### **9.1.10 Land Dedication and Acquisition**

- a) The policies of Section 7.7 of the Official Plan (Revised 1987), as amended, and this Secondary Plan shall apply.
- b) Pursuant to Subsection 25(1) of the Planning Act, R.S.O. 1990, c. P.13; the Town or the Region of York may acquire and hold any lands required to implement any feature of this Plan. This may include the expropriation of lands required to implement the road network in the Plan, where the property owners or the Developers Group are unable to secure lands for the construction of the required road infrastructure.
- c) Where the Town is to be deeded land for public highways, road widening, parkland, stormwater management facilities or any other public use, the Town will require as a condition of the transfer an environmental clearance, in a form satisfactory to the Town, to ensure that the land has been properly remediated. The Town may require that a Record of Site Condition be filed with, and acknowledged by, the Environmental Site Registry office of the Ministry of the Environment.

### **9.1.11 Public Sector Agreement to Comply**

The Town shall require that all public agencies involved in any aspect of development in the Secondary Plan Area comply with the policies of this Secondary Plan, and the regulations in the zoning by-law, in order to achieve the goal, objectives, principles and policies of this Secondary Plan.

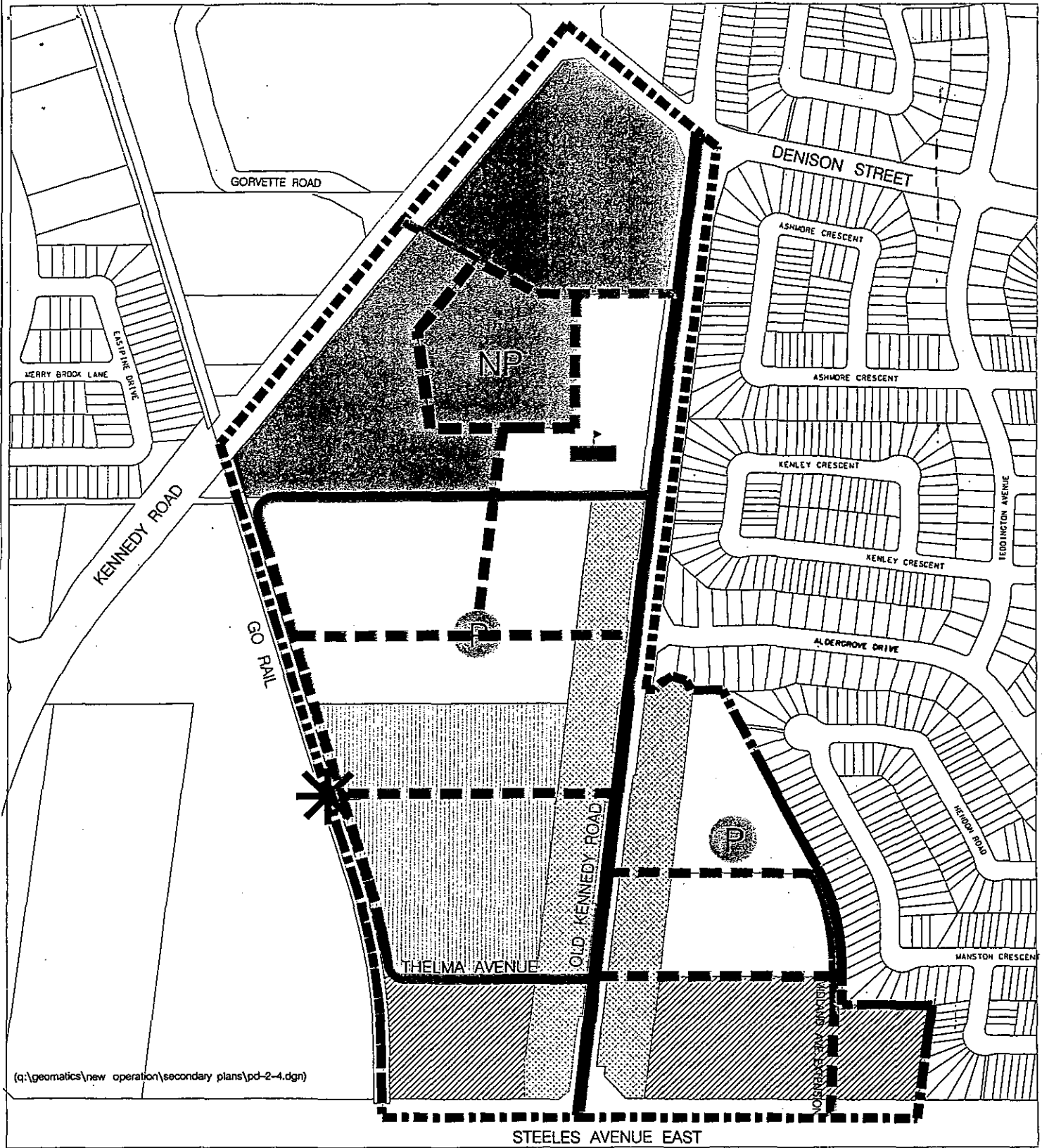
### **9.1.12 Required Studies**

Prior to any approval of a plan of subdivision, rezoning or site plan for the subject lands, the following studies may be required:

- Tree Conservation Plan (Section 5.1)
- Environmental Site Assessments (Section 5.1)
- Noise and Vibration Study (Section 5.1)
- Archaeological Assessment (Section 6.9)
- Traffic Impact Study (Section 8.1)
- Functional Servicing Study (Section 8.2)
- Drainage Study (Section 8.2)

## **9.2 INTERPRETATION**

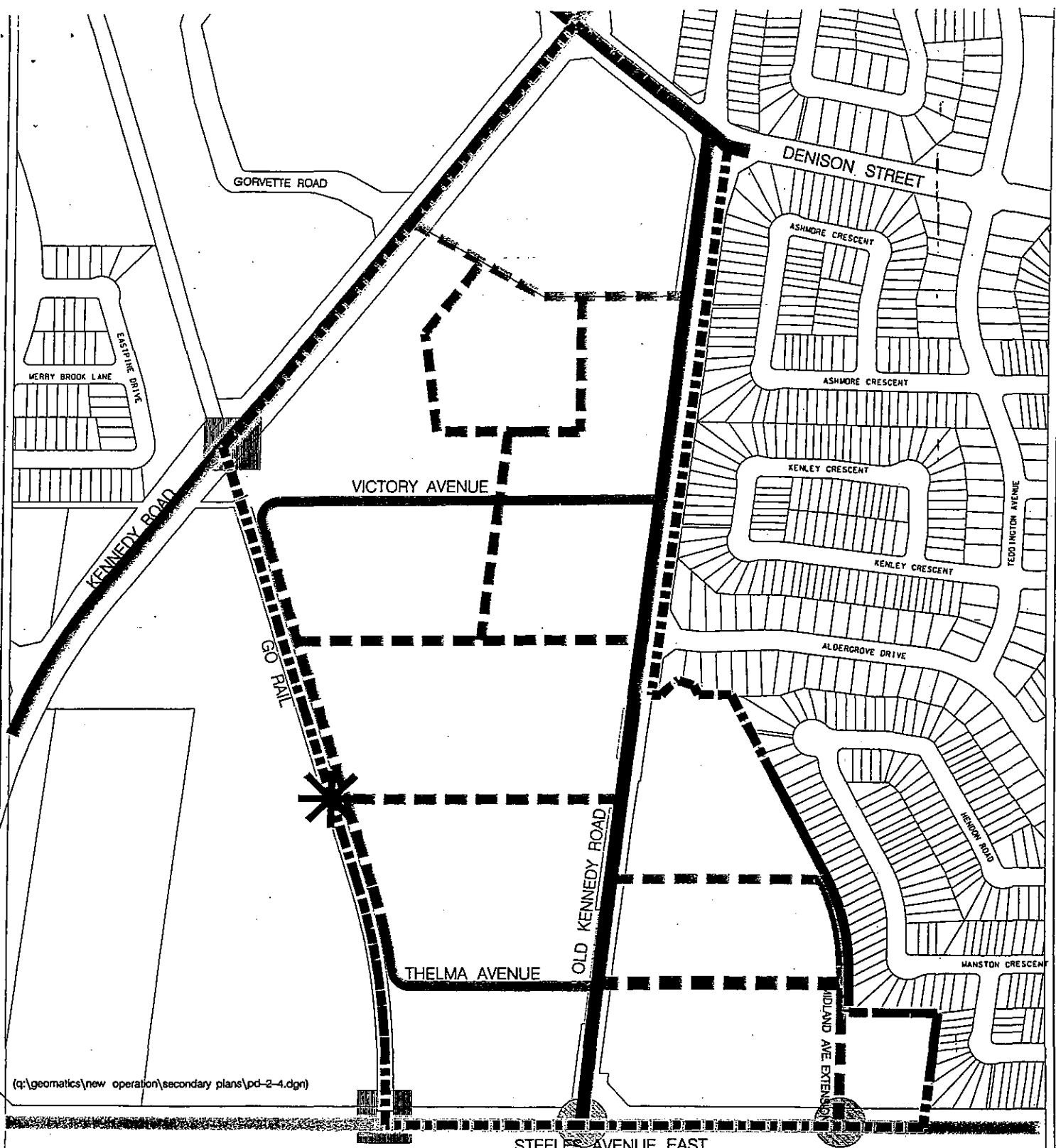
The provisions of the Official Plan (Revised 1987), as amended, regarding the interpretation of the Plan shall apply in regard to this Secondary Plan insofar as they affect the Secondary Plan Area.



## SCHEDULE 'AA' – DETAILED LAND USE PLAN

### Secondary Plan for Part of the Risebrough Planning District (PD-2-4)

BOUNDARY OF AREA COVERED BY THIS SECONDARY PLAN	URBAN RESIDENTIAL HIGH DENSITY I	LOCAL ROAD
COMMUNITY AMENITY AREA - MAIN STREET	URBAN RESIDENTIAL HIGH DENSITY II	LOCAL ROAD (CONCEPTUAL)
COMMUNITY AMENITY AREA - STEELES AVENUE	PARKETTE	MINOR COLLECTOR ROAD (CONCEPTUAL)
COMMUNITY AMENITY AREA - MIXED USE	NEIGHBOURHOOD PARK	PEDESTRIAN LINKAGE
URBAN RESIDENTIAL MEDIUM DENSITY	MAJOR COLLECTOR ROAD	ELEMENTARY SCHOOL



(q:\geomatics\new operation\secondary plans\pd-2-4.dgn)

## SCHEDULE 'BB' – TRANSPORTATION PLAN

### Secondary Plan for Part of the Risebrough Planning District (PD-2-4)

- |   |   |   |
|---|---|---|
| <p> BOUNDARY OF AREA COVERED BY THIS SECONDARY PLAN</p> <p> REGIONAL OF YORK ARTERIAL ROAD</p> <p> CITY OF TORONTO ARTERIAL ROAD</p> <p> RAILWAY CROSSING IMPROVEMENT</p> | <p> LOCAL ROAD</p> <p> LOCAL ROAD (CONCEPTUAL)</p> <p> INTERSECTION IMPROVEMENT</p> | <p> MAJOR COLLECTOR ROAD</p> <p> MINOR COLLECTOR ROAD (CONCEPTUAL)</p> <p> PEDESTRIAN LINKAGE</p> |
|---|---|---|

## PART IV: THE APPENDICES

(this is not an operative part of Official Plan Amendment No. 144)

### Appendix I - Housing Type Mix Targets

	Number Of Units	% of Total
Medium Density Housing	1,100	58
High Density Housing	800	42
<b>TOTAL</b>	<b>1,900</b>	<b>100</b>

*NOTE: all numbers are approximate*

### Appendix II - Population Estimates

	Occupancy Rate (persons per unit)	Population
Medium Density Housing	2.64	2,900
High Density Housing	2.29	1,800
<b>TOTAL</b>		<b>4,700</b>

*NOTE: all numbers are approximate*

### Appendix III – Land Use Summary

Designation	Area (ha)
Urban Residential – Medium Density Housing	8.9
Urban Residential – High Density Housing	6.4
Community Amenity Area – Main Street	4.3
Community Amenity Area – Mixed Use	4.4
Community Amenity Area – Steeles Avenue	4.0
Neighbourhood Park	1.5
Subtotal	29.5
Roads	5.5
<b>TOTAL</b>	<b>35.0</b>

*NOTE: Numbers are based on Schedule 'AA' to this Secondary Plan. All numbers are approximate and shall be subject to revision through the plan of subdivision and site plan processes, in accordance with the policies of this Secondary Plan.*



## Appendix IV - Heritage Buildings













Buildings on the following properties are identified as having heritage significance:

### Address








1. 30 Old Kennedy Road
2. 51 Old Kennedy Road
3. 59 Old Kennedy Road
4. 58 Old Kennedy Road
5. 64 Old Kennedy Road
6. 73 Old Kennedy Road
7. 83 Old Kennedy Road
8. 93 Old Kennedy Road
9. 103 Old Kennedy Road
10. 158 Old Kennedy Road
11. 298 Old Kennedy Road
12. 4400 Steeles Avenue East (south building only)
13. 4600 Steeles Avenue E. (Milliken Public School)
14. 31 Victory Avenue

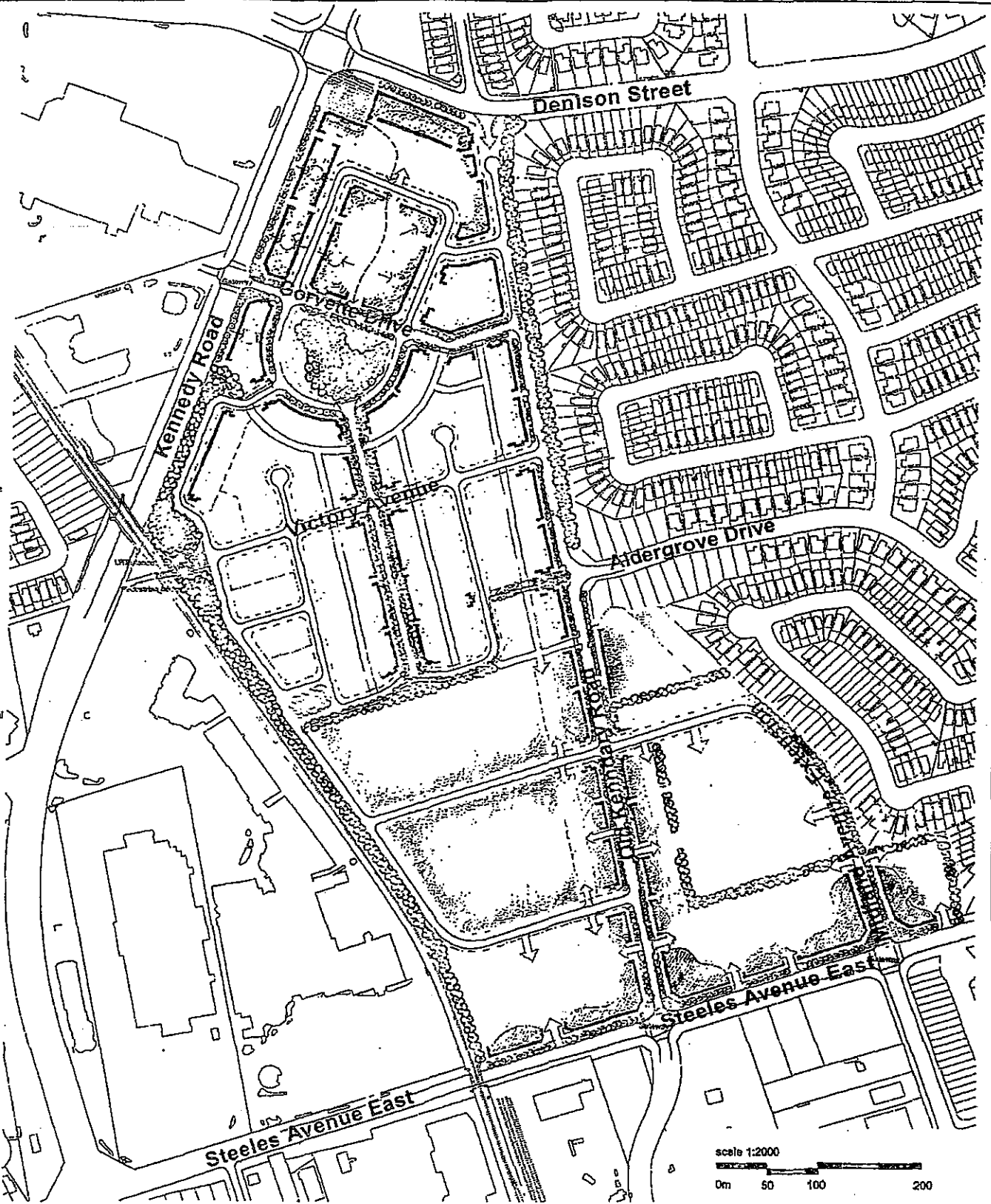
LEGEND

ELEMENTS

-  Park, open space
-  Landscape Buffer
-  Urban streetscape
-  Pedestrian linkage
-  Urban plaza
-  Vehicular Access
-  Principal building face
-  Upgraded Bankage
-  Major building entry
-  Grade-related retail/office
-  Pedestrian-oriented intersection
-  On-street parking

AND USES

-  High density residential
-  Medium density residential
-  Main street mixed-use
-  Mixed-use
-  Commercial
-  Institutional
-  Open space, landscaped buffers



**Milliken Mills**

Town of Markham

**Main Street Urban Design Study  
Urban Design Concept Plan**

Marshall Macklin Monaghan • The Planning Partnership

## ATTACHMENT 2

**EXPLANATORY NOTE  
TO BY-LAW 2005-248**

JULY 19, 2006

A by-law to amend By-law 47-85, as amended

Town-initiated Zoning By-law Amendment  
Main Street Milliken Secondary Plan Area (PD 2-4)  
Risebrough Planning District (Planning District No. 2)

**LANDS AFFECTED**

This proposed by-law amendment applies to approximately 21 hectares (52 acres) of land on the east and west sides of Old Kennedy Road north of Steeles Avenue.

**EXISTING ZONING**

The lands subject to this By-law are presently zoned Special Commercial 1 (SC1), (Holding) Special Commercial 1 [(H)SC1], Special Commercial 2 (SC2), Special Commercial 3 (SC3), Special Commercial 4 (SC4), Community Amenity (CA) and (Holding) Community Amenity [(H)CA] in By-law 47-85, as amended.

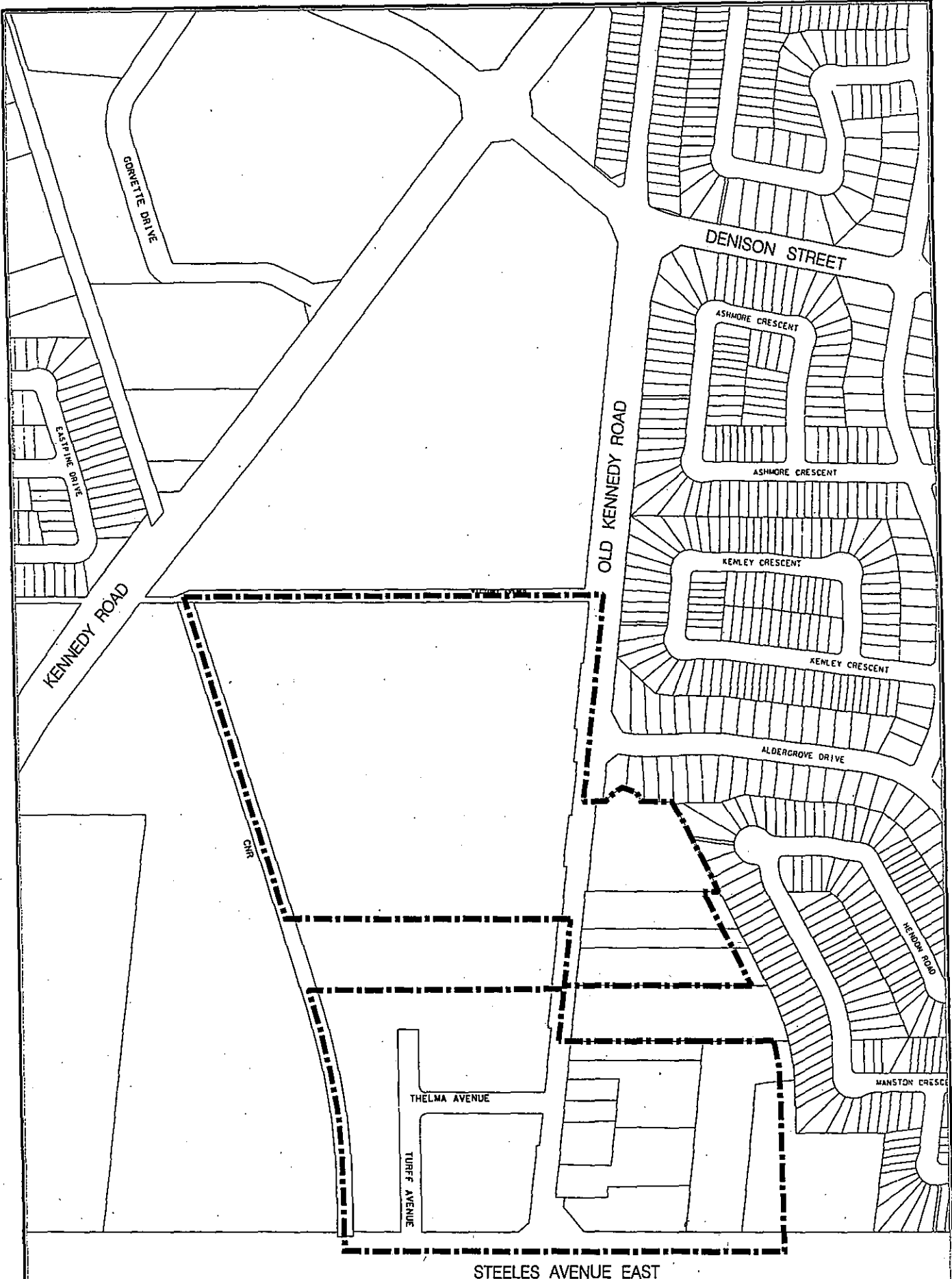
**PURPOSE AND EFFECT OF THE BY-LAW**

The purpose and effect of the zoning by-law amendment is to delete the subject lands from the designated area of By-law 47-85. The subject lands will be included within the designated area of By-law 177-96.

A By-law to amend By-law 47-85, as amended

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. By-law 47-85, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated area of By-law 47-85, as amended.
2. This By-law shall not come into force and effect until By-law 2005-250 amending By-law 177-96, as amended, comes into force and effect, and the subject lands of this By-law become incorporated into the designated area of By-law 177-96, as amended.
3. All other provisions of By-law 47-85, as amended, not inconsistent with the provisions of this by-law, shall continue to apply.



A BY-LAW TO AMEND BY-LAW 47-85

 BOUNDARY OF AREA COVERED BY THIS BY-LAW

THIS IS SCHEDULE 'A' TO BY-LAW 2005-248  
 PASSED THIS ..... DAY ....., 2006

.....MAYOR

.....CLERK

NOTE: 1) DIMENSIONS ARE IN METRES  
 2) REFERENCE SHOULD BE MADE TO THE ORIGINAL BY-LAW LODGED IN THE OFFICE OF THE CLERK

SCALE 1:5000

**EXPLANATORY NOTE  
TO BY-LAW 2005-249**

**JULY 19, 2006**

A by-law to amend By-law 90-81, as amended

Town-initiated Zoning By-law Amendment  
Main Street Milliken Secondary Plan Area (PD 2-4)  
Risebrough Planning District (Planning District No. 2)

**LANDS AFFECTED**

This proposed by-law amendment applies to approximately 10 hectares (25 acres) of land on the west side of Old Kennedy Road, north of Victory Avenue, as well as certain lands on the east side of Old Kennedy Road, within the Main Street Milliken Secondary Plan Area.

**EXISTING ZONING**

The lands subject to this By-law are currently zoned Residential Development (RD), Special Commercial 3 (SC3), Third Density - Semi-detached Residential (RSD3), Fourth Density - Semi-detached Residential (RSD4) and Institutional and Open Space (O2) in By-law 90-81, as amended.

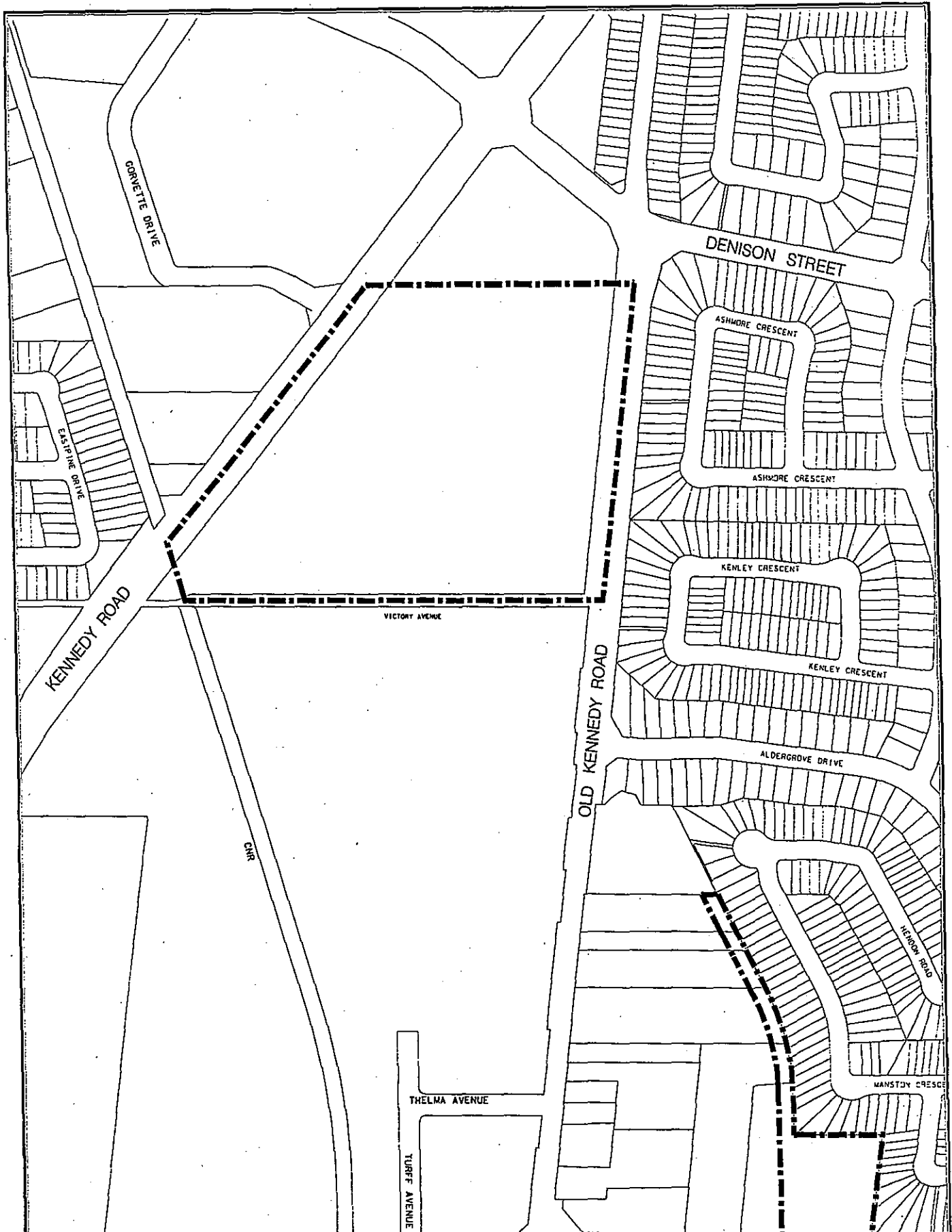
**PURPOSE AND EFFECT OF THE BY-LAW**

The purpose and effect of the zoning by-law amendment is to delete the subject lands from the designated area of By-law 90-81. The subject lands will be included within the designated area of By-law 177-96.

A By-law to amend By-law 90-81, as amended

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1. By-law 90-81, as amended, is hereby further amended by deleting the lands shown on Schedule 'A' attached hereto, from the designated area of By-law 90-81, as amended.
2. This By-law shall not come into force and effect until By-law 2005-250 amending By-law 177-96, as amended, comes into force and effect, and the subject lands of this By-law become incorporated into the designated area of By-law 177-96, as amended.
3. All other provisions of By-law 90-81, as amended, not inconsistent with the provisions of this by-law, shall continue to apply.



STEELES AVENUE EAST



DEVELOPMENT SERVICES COMMISSION

# A BY-LAW TO AMEND BY-LAW 90-81



BOUNDARY OF AREA COVERED BY THIS BY-LAW

THIS IS SCHEDULE 'A' TO BY-LAW 2005-249  
 PASSED THIS ..... DAY ..... 2006

.....MAYOR

.....CLERK

NOTE: 1) DIMENSIONS ARE IN METRES  
 2) REFERENCE SHOULD BE MADE TO  
 THE ORIGINAL BY-LAW LODGED IN  
 THE OFFICE OF THE CLERK

SCALE 1:5000





**EXPLANATORY NOTE  
TO BY-LAW 2005-250**

**JULY 19, 2006**

A by-law to amend By-law 177-96, as amended

Town-initiated Zoning By-law Amendment  
Main Street Milliken Secondary Plan Area (PD 2-4)  
Risebrough Planning District (Planning District No. 2)

**LANDS AFFECTED**

This proposed by-law amendment applies to approximately 31 hectares (77 acres) of land within the Main Street Milliken Secondary Plan area of the Risebrough Planning District as shown on the key map.

**EXISTING ZONING**

The lands subject to this By-law are presently zoned for commercial and residential uses under By-law 90-81, as amended, and By-law 47-85, as amended.

**PURPOSE AND EFFECT OF BY-LAW**

The purpose and effect of the zoning by-law amendment is to implement the Main Street Milliken Secondary Plan.

A By-law to amend By-law 177-96, as amended  
*A by-law to implement the Main Street Milliken Secondary Plan*

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM HEREBY ENACTS AS FOLLOWS:

1 THAT By-law 177-96, as amended, is hereby further amended, as follows:

1.1 The designated area of By-law 177-96, as amended, is expanded to include those lands outlined on Schedule 'A1' and Schedule 'A2' attached hereto.

1.2 By zoning the lands:

- Residential Four \*268 (Hold) [R4\*268 (H)]
- Residential Four \*269 (Hold) [R4\*269 (H)]
  
- Residential Three \*270 (Hold)\*271 (Hold) [R3\*270(H)\*271(H)]
- Residential Three \*272 (Hold) [R3\*272(H)]
- Residential Three \*273 (Hold) [R3\*273(H)]
- Residential Three \*272 (Hold)\*274(Hold 2) [R3\*272(H)\*274(H2)]
- Residential Three \*273 (Hold)\*274(Hold 2) [R3\*273(H)\*274(H2)]
- Residential Three \*275 (Hold) [R3\*275(H)]
  
- Residential Two \*276 (Hold) [R2\*276(H)]
- Residential Two \*276 (Hold)\*277 [R2\*276(H)\*277]
  
- Community Amenity One \*279 (Hold) [CA1\*279(H)]
- Community Amenity One \*279 (Hold)\*280 [CA1\*279(H)\*280]
- Community Amenity One \*279 (Hold)\*282 [CA1\*279(H)\*282]
  
- Community Amenity Two \*283 (Hold) [CA2\*283(H)]
- Community Amenity Two \*283 (Hold) \*277 [CA2\*283(H)\*277]
- Community Amenity Two \*283 (Hold) \*282 [CA2\*283(H)\*282]
- Community Amenity Two \*283 (Hold) \*280 [CA2\*283(H)\*280]
- Community Amenity Two \*284 (Hold) \*278 [CA2\*284(H) \*278]
- Community Amenity Two \*284 (Hold) \*274 (Hold 2) [CA2\*284(H)\*274(H2)]
  
- Community Amenity Four \*285 (Hold) [CA4\*285(H)]
- Community Amenity Four \*286 (Hold 3) [CA4\*286(H3)]
  
- Open Space One \*271 (Hold) [OS1\*271(H)]

1.3 By adding the following new subsections to Section 7 – EXCEPTIONS, to By-law 177-96:

**7.268 APARTMENTS – EAST OF KENNEDY ROAD, SOUTH OF DENISON STREET**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol \*268 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

**7.268.1 Only Uses Permitted**

The following uses are the only uses permitted:

- a) *apartment dwellings*
- b) *home occupations*
- c) *multiple dwellings*
- d) *personal service shops*
- e) *private home daycare*
- f) *retail stores*

#### 7.268.2 Zone Standards

The R4 zone standards in Table B6 do not apply. The following specific zone standards apply:

- a) minimum *lot area* – 1.5ha
- b) *minimum required yard* from the north *streetline* of the *public street* that forms the south limit of the \*268 exception – 3.0m
- c) *minimum required yard* from the Kennedy Road *streetline* – 3.0m
- d) *minimum required yard* from the Old Kennedy Road *streetline* – 10.0m
- e) *minimum required yard* from a *lot line* not adjacent to a *public street* – 20.0m
- f) minimum required *landscaped open space* – 25%
- g) maximum number of *dwelling units* per hectare – 148
- h) minimum *height* of the *main wall* within 6.0 metres of the Kennedy Road *streetline* and of the north *streetline* of the *public street* that is the south limit of the \*268 exception – 11.0m
- i) maximum *height* – 26.0m

#### 7.268.3 Special Site Provisions

The following additional provisions apply:

- a) *Personal service shops* and *retail stores* are permitted only in the *first storey* of an *apartment building*.
- b) At least 75 percent of the *main wall* facing the *public street* that is the south limit of the \*268 exception shall be located within 6.0 metres of the north *streetline* of the *public street* that is the south limit of the zone.
- c) At least 75 percent of the *main wall* facing Kennedy Road shall be located within 6.0 metres of the Kennedy Road *streetline*.

#### 7.269 APARTMENTS/MULTIPLE DWELLINGS/TOWNHOUSES - NORTH OF VICTORY AVENUE, EAST OF KENNEDY ROAD

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*269 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

##### 7.269.1 Only Permitted Uses

The following uses are the only uses permitted:

- a) *apartment dwellings*
- b) *multiple dwellings*
- c) *townhouse dwellings*
- d) *home occupations*
- e) *private home daycare*
- f) *retail stores*
- g) *personal service shops*

### 7.269.2 Zone Standards

The R4 zone standards in Table B6 do not apply. The following specific zone standards apply:

- a) The following standards shall apply for *apartment buildings*:
  - i) *minimum required front yard* – 3.0m
  - ii) *minimum required exterior side yard* – 3.0m
  - iii) *minimum required interior side yard* – 6.0m
  - iv) *minimum required rear yard* – 20.0m
  - v) *minimum required landscaped open space* – 25%
  - vi) *minimum height* of main wall within 6.0 metres of the *front lot line* – 11.0m
  - vii) *maximum height* – 18.0 m
  - viii) *maximum number of dwelling units* per hectare - 96
- b) The following standards shall apply for *multiple-unit buildings* and *townhouse buildings*:
  - i) The R3 *multiple-unit buildings* standards in Table B5 apply to *multiple-unit buildings*.
  - ii) The R2 *townhouse buildings* standards in Table B2 apply to *townhouse buildings*.

### 7.269.3 Special Site Provisions

The following additional provisions apply:

- a) *Personal service shops* and *retail stores* are permitted only in the *first storey* of an *apartment building*.
- b) A *lot with building* that faces the *public street* at the east limit of the \*269 exception shall only be accessed from a *lane*.
- c) At least 75 percent of the *main wall* facing the *front lot line* shall be located within 6.0 metres of the *front lot line*.

### 7.270 MULTIPLE DWELLINGS/TOWNHOUSE DWELLINGS - NORTH OF VICTORY AVE, WEST OF OLD KENNEDY ROAD

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*270 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

#### 7.270.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *multiple dwellings*
- b) *townhouse dwellings*
- c) *home occupations*
- d) *private home daycare*

#### 7.270.2 Zone Standards

The following specific zone standards apply:

- a) The R3 *multiple-unit buildings* standards in Table B5 apply to *multiple-unit buildings*.
- b) The R2 *townhouse buildings* standards in Table B2 apply to *townhouse buildings*.

### 7.270.3 Special Site Provisions

The following additional provisions apply:

- a) A *lot* with a *building* that faces Old Kennedy Road shall only be accessed from a *lane*.
- b) A *lot* with a *building* that faces the *public street* at the west limit of the \*270 exception shall only be accessed from a *lane*.

### 7.271 SCHOOL SITE - NORTH OF VICTORY AVENUE, WEST OF OLD KENNEDY ROAD

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*271 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

#### 7.271.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *school, public*

#### 7.271.2 Zone Standards

The following specific zone standards shall apply:

- a) The *public school buildings* standards in Table B9 apply to *public school buildings*.

### 7.272 MULTIPLE DWELLINGS/TOWNHOUSE DWELLINGS - EAST OF KENNEDY ROAD, SOUTH OF VICTORY AVENUE

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*272 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

#### 7.272.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *multiple dwellings*
- b) *townhouse dwellings*
- c) *home occupations*
- d) *private home daycare*

#### 7.272.2 Zone Standards

The following specific zone standards shall apply:

- a) The R3 *multiple-unit buildings* standards in Table B5 apply to *multiple-unit buildings*.
- b) The R2 *townhouse buildings* standards in Table B2 apply to *townhouse buildings*.

### **7.272.3 Special Site Provisions**

The following additional provisions apply:

- a) A *lot* with a *building* that faces the *public street* at the east limit of the \*272 exception shall only be accessed from a *lane*.

### **7.273 MULTIPLE DWELLINGS/TOWNHOUSES DWELLINGS - WEST OF OLD KENNEDY ROAD, SOUTH OF VICTORY AVENUE**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*273 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

#### **7.273.1 Only Uses Permitted**

The following uses are the only uses permitted:

- a) *multiple dwellings*
- b) *townhouse dwellings*
- c) *home occupations*
- d) *private home daycare*

#### **7.273.2 Zone Standards**

The following specific zone standards shall apply:

- a) The R3 *multiple-unit buildings* standards in Table B5 apply to *multiple-unit buildings*.
- b) The R2 *townhouse buildings* standards in Table B2 apply to *townhouse buildings*.

#### **7.273.3 Special Site Provisions**

The following additional provisions apply:

- a) A *lot* with a *building* that faces the *public street* at the west limit of the \*273 exception shall only be accessed from a *lane*.

### **7.274 COMMERCIAL USES - 186 OLD KENNEDY ROAD**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*274 on the Schedules to this By-law, municipally known as 186 Old Kennedy Road. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

#### **7.274.1 Additional Uses Permitted**

The following additional uses are permitted within the *building* existing prior to the effective date of this By-law.

- a) *financial institutions*
- b) *business offices*
- c) *day nurseries*
- d) *personal service shops*

- e) *retail stores*
- f) *supermarkets*

#### **7.274.2 Special Parking Provisions**

The following parking provisions apply:

- a) A *parking area* associated with the uses permitted in 7.274.1 is permitted.

#### **7.275 MEDIUM DENSITY RESIDENTIAL – WEST OF OLD KENNEDY ROAD, SOUTH OF ALDERGROVE DRIVE**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*275 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

##### **7.275.1 Only Uses Permitted**

The following uses are the only uses permitted:

- a) *multiple dwellings*
- b) *townhouse dwellings*
- c) *home occupations*
- d) *private home daycare*

##### **7.275.2 Zone Standards**

The following specific zone standards shall apply:

- a) The R3 *multiple-unit buildings* standards in Table B5 apply to *multiple-unit buildings*.
- b) The R2 *townhouse buildings* standards in Table B2 apply to *townhouse buildings*.

#### **7.276 MEDIUM DENSITY RESIDENTIAL - EAST OF OLD KENNEDY ROAD**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*276 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

##### **7.276.1 Only Uses Permitted**

The following uses are the only uses permitted:

- a) *townhouse dwellings*
- b) *home occupations*
- c) *private home daycare*

##### **7.276.2 Zone Standards**

The following specific zone standards shall apply:

- a) The R2 *townhouse buildings* standards in Table B2 apply to *townhouse buildings*.

## **7.277 PLACE OF WORSHIP - 133 OLD KENNEDY ROAD**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*277 on the Schedules to this By-law, municipally known as 133 Old Kennedy Road. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

### **7.277.1 Additional Permitted Uses**

The following uses are permitted in an R2\*276(H)\*277 zone and in a CA2\*283(H)\*277 zone prior to, and subsequent to, removal of the Holding provision:

- a) *place of worship*

### **7.277.2 Zone Standards**

The following specific zone standards shall apply to a *place of worship*.

- a) *minimum required front yard* – 9.0m
- b) *minimum required rear yard* – 6.0m
- c) *minimum required west side yard* – 2.0m
- d) *minimum required landscaped open space* along the east lot line – 3.0m, except that the *minimum landscaped open space* between any building and the east lot line is 6.0m

### **7.277.3 Special Site Provisions**

The following additional provisions apply:

- a) A 15m<sup>2</sup> portion of the *building* may encroach into the required *landscaped open space* along the east lot line and into the north side yard setback.

## **7.278 COMMERCIAL USES - 210 OLD KENNEDY ROAD**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*278 on the Schedules to this By-law, municipally known as 210 Old Kennedy Road. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

### **7.278.1 Additional Permitted Uses**

The following use is the only use permitted in the CA2\*284(H)\*278 zone, prior to the removal of the Holding provision:

- a) *motor vehicle repair garage*

### **7.278.2 Zone Standards**

The following specific zone standards shall apply for a *motor vehicle repair garage*:



- a) *minimum lot frontage* – 46.0m
- b) *minimum lot area* – 0.2 ha
- c) *minimum required front yard* – 6.0m
- d) *minimum required interior side yard* – 15.0m
- e) *minimum required exterior side yard* – 20.0m
- f) *minimum required rear yard* – 8.0m
- g) *maximum height* – 6.0m
- h) *minimum width of landscaped open space* abutting the south *lot line* – 2.0m
- i) *minimum width of landscaped open space* abutting the north, and east *lot lines* – 6.0m
- j) *minimum width of landscaped open space* abutting the west *lot line* – 3.0m
- k) *minimum number of loading spaces* – 0

### 7.278.3 Special Provisions

The following additional provisions apply:

- a) The *front lot line* is defined as the north *lot line*.

### 7.279 MIXED RESIDENTIAL AND NON-RETAIL COMMERCIAL - WEST OF OLD KENNEDY ROAD

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*279 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

#### 7.279.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *apartment dwellings*
- b) *art galleries*
- c) *business offices*
- d) *community centres*
- e) *commercial fitness centres*
- f) *financial institutions*
- g) *home occupations*
- h) *libraries*
- i) *medical offices*
- j) *multiple dwellings*
- k) *municipal parking lots*
- l) *non-profit fitness centres*
- m) *parking garages*
- n) *personal service shops*
- o) *private clubs*
- p) *private home daycare*
- q) *repair shops*
- r) *schools, commercial*
- s) *schools, private*
- t) *schools, public*
- u) *townhouse dwellings*
- v) *public transit systems*
- w) *transit stations*

#### 7.279.2 Zone Standards

The following specific zone standards apply:

- a) The provisions of the CA4 Zone in Table B7 apply for stand-alone non-residential uses.
- b) The following specific zone standards apply for stand-alone residential uses:
  - i) The R3 *multiple-unit buildings* standards in Table B5 apply to *multiple-unit buildings*.
  - ii) The R2 *townhouse buildings* standards in Table B2 apply to *townhouse buildings*.
- c) The maximum *floor space index (FSI)* for non-residential buildings is 0.75.
- d) The maximum *floor space index (FSI)* for stand-alone residential buildings is 1.0.

## **7.280 RECREATIONAL USES - 146 OLD KENNEDY ROAD**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*280 on the Schedules to this By-law, municipally known as 146 Old Kennedy Road. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

### **7.280.1 Additional Permitted Uses**

The following uses are permitted in a CA1\*279(H)\*280 zone and in a CA2\*283(H)\*280 zone prior to, and subsequent to, removal of the Holding provision:

- a) *recreational establishments*
- b) *restaurants*

### **7.280.2 Special Provisions**

The following additional provisions apply for *restaurants* uses:

- a) A *restaurant* with a *gross floor area* not exceeding 464.5m<sup>2</sup> within the *building* existing prior to the effective date of this By-law, is permitted.

## **7.282 INDUSTRIAL USE - 82 OLD KENNEDY ROAD**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*282 on the Schedules to this By-law, municipally known as 82 Old Kennedy Road. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

### **7.282.1 Additional Permitted Uses**

The following uses are permitted in a CA1\*279(H)\*282 zone and in a CA2\*283(H)\*282 zone prior to, and subsequent to, removal of the Holding provision:

- a) *industrial uses*

### 7.282.2 Zone Standards

The following specific zone standards shall apply for *industrial uses*:

- a) *minimum required front yard* – 6.0m
- b) *maximum required front yard* – 20.0m
- c) *minimum required interior side yard* adjoining the north *lot line* – 0.0m
- d) *minimum required interior side yard* adjoining the south *lot line* – 7.0m
- e) *minimum required rear yard* – 15.0m
- f) *maximum height* – 15.0m
- g) *minimum height* of the *main front wall* of a *main building* – 8.0m
- h) *minimum width of landscaped open space* abutting all *lot lines* – 3.0m

### 7.282.3 Special Provisions

The following additional provisions apply:

- a) *Industrial uses* are limited to the manufacture of clothing, sportswear and similar products, subject to the portion of the *main building* facing Old Kennedy Road being used as a *retail store* and/or *business office accessory use* associated with the *industrial use*.
- b) A driveway may encroach into *landscaped open space* abutting the *side* and *rear lot lines*.
- c) A *main building* may encroach into the *landscaped open space* abutting the north *interior yard* to the north *side lot line*.

### 7.283 MIXED RESIDENTIAL/RETAIL/OFFICE USES – OLD KENNEDY ROAD MAIN STREET, SOUTH OF ALDERGROVE DRIVE

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*283 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

#### 7.283.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *apartment dwellings*
- b) *multiple dwellings*
- c) *townhouse dwellings*
- d) *private home daycare*
- e) *home occupations*
- f) *art galleries*
- g) *business offices*
- h) *community centres*
- i) *commercial fitness centres*
- j) *financial institutions*
- k) *libraries*
- l) *medical offices*
- m) *non-profit fitness centres*
- n) *personal service shops*
- o) *private clubs*
- p) *repair shops*
- q) *restaurants, take-out*
- r) *restaurants*

- s) *retail stores*
- t) *schools, commercial*
- u) *public transit systems*
- v) *transit stations*

### 7.283.2 Zone Standards

The CA2 zone standards in Table B7 do not apply. The following specific zone standards apply:

- a) *minimum lot frontage* – 19.2m
- b) *minimum required front yard* – 1.8m
- c) *minimum required exterior side yard* – 1.8m
- d) *minimum required interior side yard* – 0.0m, except that the required yard shall be increased to 6.0m if it abuts a Residential zone
- e) *minimum required rear yard* – 7.5m
- f) *minimum required landscaped open space* – 25%
- g) *maximum floor space index (FSI)* – 1.0
- h) *minimum height* – 10.5m
- i) *maximum height* – 12.0m

### 7.283.3 Special Site Provisions

The following additional provisions apply:

- a) *Dwelling units* are not permitted within the *first storey* of buildings.
- b) No less than 80% of the wall of the *first storey* facing Old Kennedy Road shall be located any further than 6m from the Old Kennedy Road *streetline*.
- c) No less than 80% of the wall of the *first storey* facing the *exterior side lot line* shall be located any further than 3.0m from the *exterior side lot line*.
- d) The maximum *gross floor area* permitted per *retail store* or *supermarket premises* is 1,000m<sup>2</sup>.
- e) The establishment of a *drive-through service facility* is not permitted.

## 7.284 MIXED RESIDENTIAL/RETAIL/OFFICE USES – OLD KENNEDY ROAD MAIN STREET, NORTH OF ALDERGROVE DRIVE

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*284 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

### 7.284.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *apartment dwellings*
- b) *art galleries*
- c) *business offices*
- d) *community centres*
- e) *commercial fitness centres*
- f) *day nurseries*
- g) *financial institutions*
- h) *home occupations*
- i) *libraries*
- j) *medical offices*

- k) *multiple dwellings*
- l) *non-profit fitness centres*
- m) *personal service shops*
- n) *private clubs*
- o) *private home daycare*
- p) *repair shops*
- q) *restaurants, take-out*
- r) *restaurants*
- s) *retail stores*
- t) *schools, commercial*
- u) *townhouse dwellings*

#### 7.284.2 Zone Standards

The CA2 zone standards in Table B7 do not apply. The following specific zone standards apply:

- a) *minimum lot frontage* – 19.2m
- b) *minimum required front yard* – 1.8m, except that no less than 80% of the *main wall* of the *first storey* facing Old Kennedy Road shall be located further than 6.0m from the Old Kennedy Road *streetline*.
- c) *minimum required exterior side yard* – 1.8m, except that no less than 80% of the wall of the *first storey* facing the *exterior side lot line* shall be located further than 3.0m from the *exterior side lot line*.
- d) *minimum required interior side yard* – 0.0m, except that the *required yard* shall be increased to 6.0m if it abuts a Residential zone.
- e) *minimum required rear yard* – 7.5m
- f) *minimum required landscaped open space* – 25%
- g) *maximum floor space index (FSI)* – 1.0
- h) *minimum height* – 10.5m
- i) *maximum height* – 12m

#### 7.284.3 Special Site Provisions

The following additional provisions apply:

- a) The maximum *gross floor area* permitted per *retail store* or *supermarket premises* is 1,000m<sup>2</sup>.
- b) The establishment of a *drive-through service facility* is not permitted.

#### 7.285 COMMERCIAL USES - STEELES AVENUE

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*285 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

##### 7.285.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *art galleries*
- b) *business offices*
- c) *community centres*
- d) *commercial fitness centres*
- e) *financial institutions*
- f) *hotels*
- g) *libraries*
- h) *medical offices*

- i) *non-profit fitness centres*
- j) *personal service shops*
- k) *private clubs*
- l) *public transit system*
- m) *repair shops*
- n) *restaurants, take-out*
- o) *restaurants*
- p) *retail stores*
- q) *schools, commercial*
- r) *schools, private*
- s) *supermarkets*
- t) *transit stations*
- u) *veterinary clinics*

#### **7.285.2 Zone Standards**

The following specific zone standards apply:

- a) maximum *floor space index* – 0.75

#### **7.285.3 Special Site Provisions**

The following additional provisions apply:

- a) The maximum *gross floor area* permitted per *retail store* or *supermarket premises* is 6,000m<sup>2</sup>.

#### **7.286 COMMERCIAL/RESIDENTIAL - 4600 STEELES AVENUE**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol \*286 on the Schedules to this By-law, municipally known as 4600 Steeles Avenue. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

##### **7.286.1 Only Uses Permitted**

The following uses are the only uses permitted:

- a) *apartment dwellings*
- b) *art galleries*
- c) *business offices*
- d) *community centres*
- e) *commercial fitness centres*
- f) *financial institutions*
- g) *libraries*
- h) *medical offices*
- i) *multiple dwellings*
- j) *non-profit fitness centres*
- k) *personal service shops*
- l) *private clubs*
- m) *repair shops*
- n) *retail stores*
- o) *schools, commercial*
- p) *schools, private*
- q) *schools, public*
- r) *supermarkets*

### 7.286.2 Zone Standards for a Permitted Addition to the Existing Building

The CA4 zone standards in Table B7 do not apply. The following specific zone standards apply:

- a) the *minimum required yard* from the Steeles Avenue *streetline* is equal to the distance from the Steeles Avenue *streetline* to the rear wall of the *main building* that existed prior to the effective date of this By-law.
- b) *minimum required yard* from the west *lot line* is the distance from the west *lot line* to the west wall of the *main building* that existed prior to the effective date of this By-law.
- c) *minimum required yard* from the east *lot line* is the distance from the east *lot line* to the east wall of the *main building* that existed prior to the effective date of this By-law.
- d) the maximum *height* shall not exceed the *height* of the *main building* that existed prior to the effective date of this By-law.

### 7.286.3 Special Site Provisions

The following additional provisions apply:

- a) The permitted uses are only allowed within the *main building* that existed on the site prior to the effective date of this By-law, and in any addition thereto of a size not exceeding the size of the *main building* that existed on the site prior to the effective date of this By-law.
- b) The establishment of a *drive-through service facility* is not permitted.

## 1.4 HOLDING PROVISIONS

For the purposes of this By-law, Holding (H) Zones are hereby established and are identified on Schedule 'A1' and Schedule 'A2' attached hereto by the zone symbol followed by the letter H, H2 or H3 in parenthesis.

1.4.1 The Hold (H) provision shall not be removed until the following conditions have been met:

- a) Execution of a subdivision agreement, development agreement or site plan agreement;
- b) The Town is satisfied that adequate water and sanitary facilities and stormwater management facilities are available to service the subject lands;
- c) The Town has been satisfied that land for required road rights-of-way, open space and other community facilities has been secured;
- d) The Town is satisfied that the lands proposed to be released for development can be adequately served by the existing and committed transportation network without adverse impact on the road system or to other committed development; where a traffic impact study has indicated 100 or more additional vehicle trips at any one of the Kennedy Road, Old Kennedy Road or Midland Avenue intersections with Steeles Avenue, the City of Toronto shall be consulted prior to removal of the Hold.
- e) The Town, in consultation with concerned agencies, is satisfied that any potential site contamination has either been remediated to an environmental site condition which meets appropriate Provincial standards for the proposed land use and will not result in any adverse effects, or that such remediation can be secured through other means, such as conditions in a subdivision agreement, or securement of a record of site condition prior to issuance of a building permit; and

- f) A Development Charges By-law has been enacted, or the Town Solicitor has confirmed a satisfactory arrangement for the payment to the Town by the landowner(s), without recourse, of an amount equal to the applicable development charges has been made; and
- g) The Town is satisfied that arrangements have been made, through a Developers Group or alternative agreement, to address the sharing of common costs of development not dealt with under a Development Charges By-law.

1.4.2 The following provisions apply to the lands subject to the Holding provision denoted by the symbol (H2) on Schedule 'A1' and Schedule 'A2':

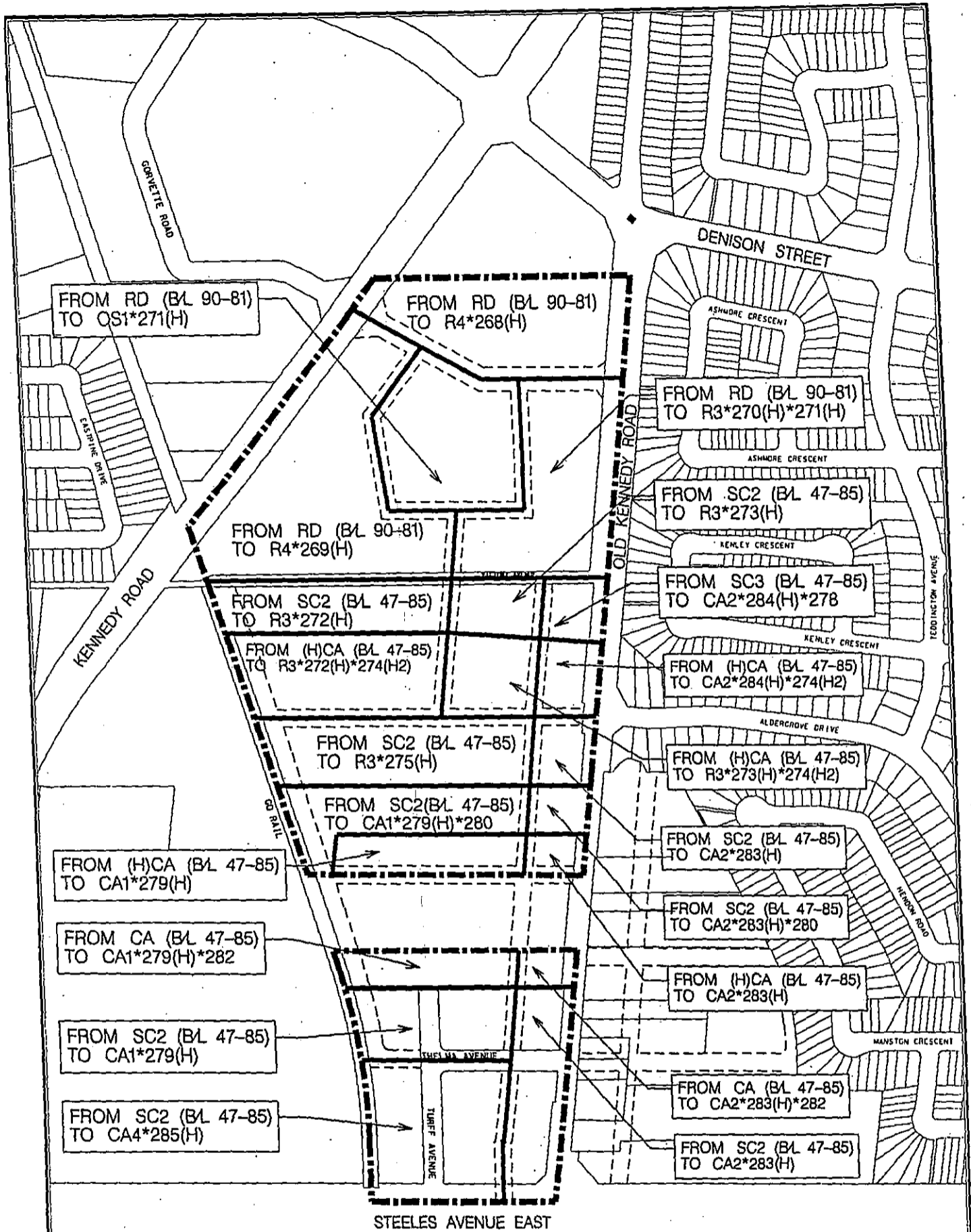
- a) The following uses are the only uses permitted in the \*274(H2) zone:
  - i) the uses permitted in 7.274.1, limited to a maximum combined *gross floor area* of 1,150 square metres, and within the building that existed prior to the effective date of this By-law.
  - b) The Holding (H2) provision on the \*274(H2) zone shall not be removed until a site plan agreement with the Town has been executed.

1.4.3 The following provisions apply to the lands subject to the Holding provision denoted by the symbol (H3) on Schedule 'A1' and Schedule 'A2':

- a) The following uses are the only uses permitted in the \*286(H3) zone:
  - i) schools, private, within the building existing at the time of the passing of this by-law
  - ii) schools, public, within the building existing at the time of the passing of this by-law
- b) The Holding (H3) provision shall not be removed until the following conditions have been met:
  - i) The conditions in Section 1.4.1; and
  - ii) Execution of a heritage conservation easement agreement to ensure long-term protection of the heritage building, and
  - iii) Execution of a site plan agreement for any proposed addition to the main building existing at the time of the passing of this by-law.

2. All other provisions of By-law 177-96, as amended, not inconsistent with the provisions of this By-law, shall continue to apply.





DEVELOPMENT SERVICES COMMISSION

## A BY-LAW TO AMEND BY-LAW 177-96

BOUNDARY OF AREA COVERED BY THIS BY-LAW
  ZONE BOUNDARY

RD	RESIDENTIAL DEVELOPMENT
R3	RESIDENTIAL THREE
R4	RESIDENTIAL FOUR
CA	COMMUNITY AMENITY
CA1	COMMUNITY AMENITY ONE
CA2	COMMUNITY AMENITY TWO

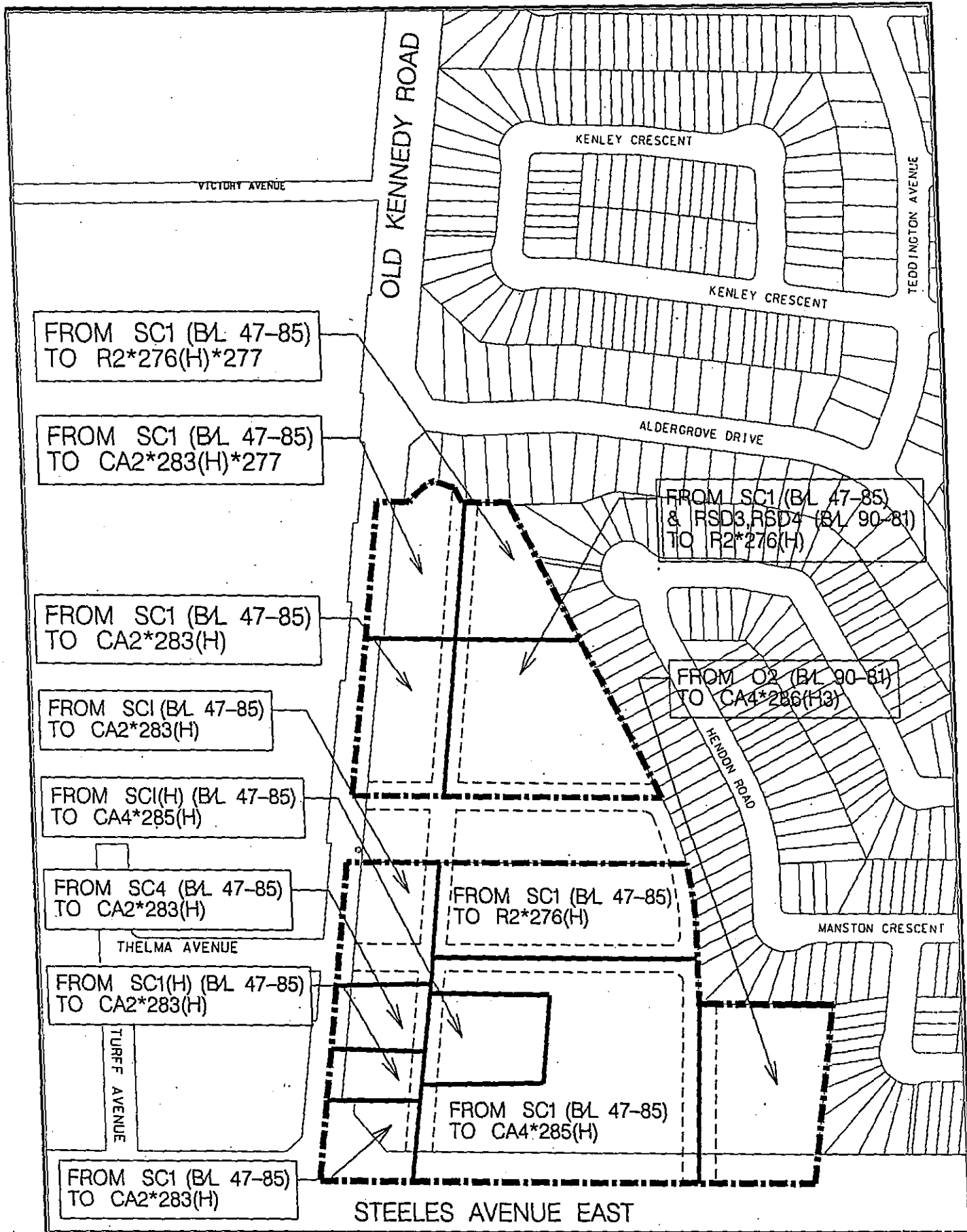
CA4	COMMUNITY AMENITY FOUR
SC2	SPECIAL COMMERCIAL TWO
SC3	SPECIAL COMMERCIAL THREE
OS1	OPEN SPACE ONE
*No.	EXCEPTION SECTION NUMBER
(H)	HOLDING PROVISION

THIS IS SCHEDULE 'A1' TO BY-LAW 2005-250  
 PASSED THIS ..... DAY ....., 2006

.....MAYOR

.....CLERK

NOTE: 1) DIMENSIONS ARE IN METRES  
 2) REFERENCE SHOULD BE MADE TO  
 THE ORIGINAL BY-LAW LODGED IN  
 THE OFFICE OF THE CLERK



DEVELOPMENT SERVICES COMMISSION

## A BY-LAW TO AMEND BY-LAW 177-96

- BOUNDARY OF AREA COVERED BY THIS BY-LAW
- ZONE BOUNDARY
- R2 RESIDENTIAL TWO
- RSD3 THIRD DENSITY-SEMI-DETACHED RESIDENTIAL
- RSD4 FOURTH DENSITY-SEMI-DETACHED RESIDENTIAL
- CA2 COMMUNITY AMENITY TWO
- CA4 COMMUNITY AMENITY FOUR
- O2 INSTITUTIONAL AND OPEN SPACE
- SC1 SPECIAL COMMERCIAL ONE
- SC4 SPECIAL COMMERCIAL FOUR
- (H) HOLDING PROVISION
- \*No. EXCEPTION SECTION NUMBER

THIS IS SCHEDULE 'A2' TO BY-LAW 2005-250  
 PASSED THIS ..... DAY ....., 2006

.....MAYOR

.....CLERK

NOTE: 1) DIMENSIONS ARE IN METRES  
 2) REFERENCE SHOULD BE MADE TO  
 THE ORIGINAL BY-LAW LODGED IN  
 THE OFFICE OF THE CLERK