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TOWN OF MARKHAM OFFICIAL PLAN AMENDMENT NOS. 112 AND 146

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report, April 28, 2006, from the Commissioner of Planning and Development Services:

1. RECOMMENDATIONS

It is recommended that:

1. The Commissioner of Planning and Development Services be authorized to give notice to approve, in part, Amendment No. 112 to the Official Plan of the Town of Markham, subject to modifications set out in *Attachment No. 5*, and deferral of the Magna lands, as shown on *Attachment No. 4*.
2. The Commissioner of Planning and Development Services be authorized to give notice to approve Amendment No. 146 to the Official Plan of the Town of Markham, as adopted.

2. PURPOSE

The purpose of this report is to recommend partial approval of the Town of Markham's Official Plan Amendment No. 112 (OPA 112), subject to modifications, and deferral of the Magna lands, which are located in the Parkway Belt West Plan. The Ministry of Municipal Affairs and Housing is the approval authority for the Parkway Belt West Plan, and as such, the Magna lands, which are identified in the context of the Provincial Transitway Corridor Protection Study, are being deferred so Town, Region and Ministry staff can have further discussions regarding the status of these lands.

The purpose of this report is also to recommend approval of the Town of Markham's Official Plan Amendment No. 146 (OPA 146).

3. BACKGROUND

The 407/Rodick Road area is one of the oldest industrial areas in the Town of Markham consisting of land extensive industrial uses often associated with outdoor storage (*Refer to Attachment 1*). The area has access to Highway 407 via the interchanges at Warden Avenue and Woodbine Avenue. Several of the land owners indicated a willingness to redevelop the lands for higher order industrial employment land uses such as industrial and office uses without outdoor storage facilities.

3.1 Official Plan Amendment 112

The Town of Markham adopted OPA 112 on June 24, 2003. The purpose of the Amendment was to:

- Redesignate lands from “Industrial” and “Parkway Belt” to a variety of higher order industrial employment uses.
- Designate lands for environmental protection.
- Expand the Service Area of the Town.
- Establish policies to guide the preparation of a subsequent Secondary Plan for the area.

On March 2, 2004, Markham Development Services Committee passed a resolution requesting the Region to modify OPA 112, to reflect Hydro One’s decision to develop their lands for a Hydro Transformer station and to remain in the Parkway Belt West designation. On March 30, 2004, Markham staff forwarded proposed modifications to reflect Hydro One’s decision as well as some minor technical modifications. At the time of dealing with these modifications, Markham was aware of a pending request from Miller Paving Limited, a major land owner within the OPA 112 lands, for a site-specific amendment to permit uses not contemplated by OPA 112.

The Town requested the Region to hold a decision on OPA 112 in abeyance, pending further information on, and review of, Miller’s new application.

3.2 Official Plan Amendment 146 – Miller Paving Limited

OPA 146 is a private amendment initiated by Miller Paving Limited to permit commercial uses on their land holdings within the OPA 112 planning area. These same lands were to be designated “Industrial” under the Town initiated OPA 112.

Lands subject to OPA 146 were removed from the PBWP in 1995.

OPA 146 is located within the southwest corner of the OPA 112 lands, and is specifically bounded to the north by a Hydro Corridor, to the south by 14th Avenue, to the west by Woodbine Avenue, and east to almost Rodick Road (*Refer to Attachment 2*).

OPA 146 was adopted by Markham Council on December 13, 2005. The purpose of the Amendment is to:

- Redesignate 15.2 ha of land from “Industrial” to “Commercial” (Major Commercial Area).
- Redesignate 2.3 ha of land at the northeast corner of Woodbine Avenue and Shields Court to “Business Corridor Area”.
- Ensure that any environmental contamination on the subject lands is investigated and remediated fully, if required, to the satisfaction of the Town of Markham and the Ministry of Environment.

Since OPA 146 was initiated after OPA 112 and amends part of the proposed structure and policies of OPA 112, OPA 146 will only come into effect following approval of OPA 112, (full or, in part).

4. ANALYSIS AND OPTIONS

OPAs 112 and 146 support the employment planning objectives of the Town and Region's Official Plans and represent good planning. They address an appropriate policy structure for introducing higher order, long term industrial uses and employment in the Town of Markham, and are consistent with the Provincial Policy Statement and the objectives of the Regional Official Plan (ROP).

4.1 Provincial Policy Statement

The PPS speaks to the importance of providing opportunities for redevelopment and intensification in areas that have sufficient existing or planned infrastructure.

The Provincial Policy Statement promotes economic development and competitiveness by:

- a) Providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs.
- b) Planning for, protecting and preserving employment areas for current and future uses.
- c) Ensuring the necessary infrastructure is provided to support current and projected needs.

OPAs 112 and 146 are consistent with the policies of the PPS.

Further, OPA 112 will provide for the remediation and redevelopment of an existing asphalt plant. The PPS states that contaminated sites shall be remediated, as necessary, prior to any activity on the site associated with the proposed use, such that there will be no adverse effects. OPAs 112 and 146 require that any necessary studies to determine remediation measures be identified and implemented prior to development occurring.

4.2 Regional Official Plan

The proposed changes to the Town of Markham's Official Plan conform and are consistent with the goals and objectives of the ROP.

4.2.1 Urban Area

The lands subject to the Amendments are designated "Urban Area" by Map 5 of the ROP. The "Urban Area" designation envisions urban development on full municipal services with forms of development and densities that are in keeping with goals of the Region and the Town.

4.2.2 Community Building and Economic Vitality

Communities are places that protect and enhance the natural environment and foster economic vitality. Policy 3.3.5. of the ROP states that business and industrial enterprises should be directed to fully serviced employment areas. Policy 5.2.9. of the ROP encourages municipalities to prepare secondary plans to guide redevelopment of areas in transition or areas that are under-utilized.

4.2.3 Transportation and Transit Facilities

A number of road infrastructure improvements are currently proposed for the Highway 407/Rodick Road area, including:

- A right-of-way identified in the Highway 407 / Parkway Belt West Corridor Transitway Protection Study, including provisions for a station along the west side of Warden Avenue.
- A north-south transitway identified in the Markham North-South Link Corridor Public Transit Improvements Environmental Assessment.
- A widening of Rodick Road, including a Highway 407 overpass.
- Widening of Warden Avenue to six lanes.
- Proposed east-west major collector road within the Highway 407/Rodick Road area.

The potential for two rapid transit routes to travel through and intersect the area represent a significant opportunity for the provision of transit services to the area.

4.2.4 Water and Wastewater

The Region's York Durham Sewerage System Master Plan and Master Plan for Water Supply have included the Highway 407/Rodick Road area in the plans for servicing. Water supply to this site can be made available from Pressure District 5 and wastewater servicing will be provided by the existing YDSS west of Warden Avenue. Infrastructure is currently available to service these industrial employment lands.

4.2.5 Existing Land Uses

Existing land uses east and west of Rodick Road between Miller Avenue and 14th Avenue are industrial in nature. Of notable mention are the Household Hazardous Waste Depot which is run by York Region on land leased from the Town of Markham, and a Waste Transfer Facility run by Miller Paving.

OPA 112, in part, protects for the continued operation of these two facilities by requiring a phasing plan to be approved prior to final release of an industrial plan of subdivision, to deal with timing of closure of existing uses, any required environmental remediation, and timing of infrastructure and industrial and commercial development.

4.2.6 Waste Transfer facility

The Town of Markham has completed a site plan agreement with Miller Paving for the new waste transfer facility that will be wholly enclosed within a permanent structure. This new waste transfer facility, operated by Miller Paving, will service primarily southern York Region including the municipalities of Markham, Richmond Hill and

Vaughan. Miller Paving has entered into an agreement with York Region to provide the service for a 20 year timeframe to 2026.

4.3 Lands Affected by the Parkway Belt West Plan

In 1993, the Town requested the Ministry of Municipal Affairs and Housing to delete lands identified as surplus to the Parkway Belt West Plan (PBWP) within this Amendment area. Three potential surplus properties were identified, being generally, the former MTO lands, the Magna lands and the Miller Paving lands (*Refer to Attachment 3*). The Province agreed to delete surplus lands from the PBWP only once all lands required by the Highway 407 and Transitway were identified by the MTO.

In 1995, the following two areas, west of the Parkway Transformer site, were removed from the Parkway Belt West Plan and the Ministers Zoning Order:

- The former MTO parcel northeast of Highway 407 and Woodbine Avenue.
- Miller Paving's parcel south of the Hydro corridor, north 14th Avenue, and east of Woodbine Avenue.

The Town of Markham's request to remove the Magna lands remains outstanding. Hydro One's lands, which consist of the eastern portion of OPA 112, as adopted by the Town of Markham, along with the utility corridor, remain designated under the Parkway Belt West Plan.

4.3.1 Deferral of Lands within OPA 112

The Town of Markham's OPA 112, as adopted, designates the Magna lands as Industrial. The Province has advised there may be a need for some of these lands for transit purposes. Further to the Province's position, the Region is proposing to defer the Magna lands in OPA 112 (*Refer to Attachment 4*) to allow for further discussion between Town, Region and Provincial staff regarding the status of these lands.

All of the land use designations and applicable policies for the Magna lands which are not yet removed from the PBWP are deferred, as set out in *Attachment No. 5* and shown on *Attachment No. 4*.

4.4 Modifications to OPA 112

Regional staff is recommending modifications to Markham's Council adopted OPA 112, as subsequently requested by Town of Markham in their March 2, 2004 resolution (*Refer to Attachment 5*). One specifically retains the Parkway Belt West designation on the Hydro One lands. There is no new industrial land use designation/uses proposed for the Hydro One lands (designated Parkway Belt West Plan) in OPA 112.

For the Hydro lands, OPA 112 delineates the extent of the Hazard Lands (as per agreement from TRCA), and provides for the extension of Miller Avenue (as per a tri-party agreement between MTO, Hydro One and the Town of Markham). In this respect, OPA 112 as it applies to the Hydro lands, reflects these existing conditions/agreements.

In this regard, OPA 112 represents good planning. The road extension will enhance the overall transportation network in this area, improve connectivity between Markham Centre and future transit facilities, and is considered to be consistent with the Parkway Belt West Plan objective of permitting linear transportation facilities. Delineating the Hazard Lands provides protection for these lands and clarity to the public and surrounding landowners with respect to the boundary of the Hazard lands.

Other modifications are minor, technical in nature, and do not change the intent or effect of the proposed policies and include minor inconsistencies and inadvertent technical errors in the wording of the Amendment schedules.

The following modification is proposed by the Ministry of Municipal Affairs and Housing.

“Section 1.10 (g) regarding the Town’s intent to seek an amendment to the PBWP, should be deleted in its entirety.”

The intent of the Province’s modification is to ensure that lands remain designated under the PBWP. As the Town’s modifications accomplish this, the request is being deferred.

5. RELATIONSHIP TO VISION 2026

OPAs 112, in part, and 146 support Goal 3 of Vision 2026 by encouraging the revitalization of established business areas. These Amendments promote the efficient use of land, infrastructure and services in urban areas.

6. FINANCIAL IMPLICATIONS

There are no direct financial implications to the Region associated with this report. Regional approval of OPAs 112, in part, and 146 will introduce higher order industrial, major commercial and employment uses to the Town of Markham, thereby, providing opportunity for additional local employment and services, and also increasing assessment value. The lands are located in the Region’s Urban Area and have all pertinent infrastructure in place. The proposed redesignation increases the economic development potential for the Town of Markham and makes more efficient use of the lands, thereby, enhancing the long term financial viability of the land.

7. LOCAL MUNICIPAL IMPACT

The planning and development framework proposed under OPA 112, in part, and 146 are consistent with and advance the Town's long-term objectives for the area as a viable and attractive employment centre.

The Town will guide development in this area through the preparation of a subsequent detailed secondary plan, following the approval of OPA 112, in part, and 146.

8. CONCLUSION

Approval of OPA 112, in part, and OPA 146 will provide a policy framework for permitting higher order industrial employment uses to one of the Town's oldest industrial areas, thereby promoting long-term vitality. The Amendments will accommodate a wider range of employment generating uses, including office commercial uses. OPA 112, in part, and 146 are consistent with Provincial, Regional and local planning objectives and represent good planning.

The Senior Management Group has reviewed this report.

(The attachments referred to in this clause are included with this report.)