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AMENDMENT NO. 46 TO THE YORK REGION OFFICIAL PLAN AND AMENDMENT NO. 113 TO THE TOWN OF MARKHAM OFFICIAL PLAN URBAN EXPANSION OF THE HIGHWAY 404 NORTH AREA IN MARKHAM

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report, May 16, 2005, from the Commissioner of Planning and Development Services:

1. RECOMMENDATIONS

It is recommended that:

1. The Commissioner of Planning issue notice to adopt Regional Official Plan Amendment No. 46, appended as Attachment 1.
2. The Commissioner of Planning and Development Services be authorized to modify and give notice to approve the Town of Markham Official Plan Amendment No. 113 for the 404 North Employment Area, with one modification as requested by the Town, appended to this report as Attachment 2.

2. PURPOSE

The purpose of this report is to:

- Present the draft Regional Official Plan Amendment No. 46.
- Describe the Regional interests and how they were satisfied through an inclusive process with the Town of Markham.
- Outline the review process that took place and the sound planning principles that form the basis of the Town of Markham Official Plan Amendment No. 113.
- Outline the next steps for establishing a Secondary Plan for the Highway 404 North Planning Area.

3. BACKGROUND

The purpose of the draft Regional Official Plan Amendment No. 46 is to:

- Modify the Urban Area envelope of the ROP (Map 5) to include the expansion northward from the Cathedral Community Plan area, generally between Highway 404 and Woodbine Avenue to the northern limit of the Town of Markham, excluding the lands within the Oak Ridges Moraine Plan Area.
- Remove the lands from the Agricultural and Rural Policy Areas of the ROP (Map 6).
- Add the lands to the Urban Transit Service Area of the ROP (Map 10).

3.1 Description of Applications

On June 24, 2003 the Town of Markham requested that York Region amend the Regional Official Plan (ROP) to incorporate the subject lands within the Region's Urban Area and approve the Town's Official Plan Amendment No. 113 (OPA 113). The purpose of both the Regional OPA (ROPA 46) and Markham's OPA 113 is to expand the existing urban boundary northward to primarily provide new employment lands. OPA 113 also provides for some residential lands adjacent to the existing hamlet of Victoria Square.

In June 2002 Markham began a study regarding these specific lands. Throughout 2002 and 2003 a series of consultation and information meetings were held by Town staff in addition to the statutory public meeting which was held on June 17, 2003. On June 24, 2003 OPA 113 was adopted by Markham Council.

On October 21, 2003 Markham Council requested that the Region modify OPA 113 to address the issues raised by a landowner regarding the location of the future intersection of the northern leg of the Woodbine Avenue By-pass and Woodbine Avenue. The modification resulted in settling the appeal of Regional Official Plan Amendment No. 31 (Woodbine Avenue By-pass) with the landowner.

With the introduction of the Greenbelt Protection Act and Minister's Zoning Order on December 16, 2003, municipalities were prohibited from enacting by-laws and adopting or approving Official Plan Amendments that permitted "urban uses" outside of an existing "urban settlement areas". Because of this "development freeze", both ROPA 46 and OPA 113 were held in abeyance until the Zoning Order expired on March 9, 2005 and the development freeze was lifted.

On May 4, 2005 a statutory public meeting was held regarding ROPA 46. One person made a deputation at the public meeting and spoke in favour of the proposed amendment. A letter of support was submitted by another party. The draft ROPA 46 is appended to this report as Attachment 1.

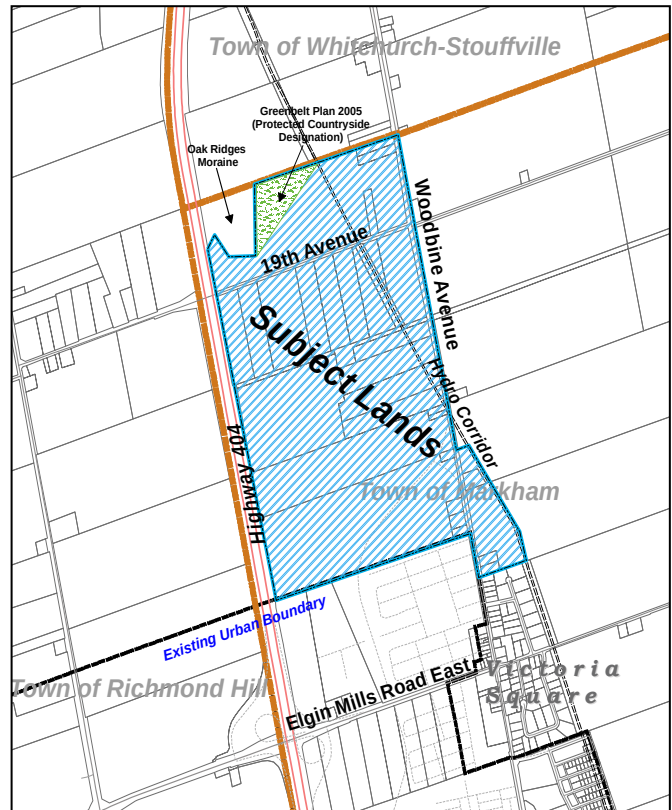


Figure 1 – Area Subject to ROPA 46 and OPA 113

3.2 Location

The lands are located in the northwest corner of the Town of Markham and are generally bounded by Highway 404 to the west, the northern Town boundary to the north, and Woodbine Avenue and a portion of the Hydro corridor to the east (see Figure 1). The southern boundary is the northern limits of the Cathedral Secondary Plan area and the hamlet of Victoria Square. The lands subject to ROPA 46 and OPA 113 comprise approximately 180 hectares (450 acres).

3.3 Site Description

Currently, the lands primarily comprise agricultural and other space-extensive uses including agricultural produce sales, rugby playing fields, a golf driving range and industrial open storage. There are also several rural residential lots, a service station and a Trans Canada Pipeline station located in the Amendment area. In the northwestern portion of the study area, the Oak Ridges Moraine has been excluded from the proposed Amendment area (as shown on Figure 1). Furthermore, a small portion of the ROPA 46 and OPA 113 area, north of 19th Avenue, is within the Greenbelt Plan Area (also identified on Figure 1).

4. ANALYSIS AND OPTIONS

An adequate supply of employment lands must be maintained and enhanced to support the demand for this form of development and to sustain the economic competitiveness of York Region. Furthermore, ROPA 46 and OPA 113 are consistent with current and emerging Provincial and Regional policies with respect to the preservation and development of employment uses. The policies of ROPA 46 and OPA 113 represent an important step towards providing for future economic opportunities for the Town and Region and are in keeping with the policies of the ROP.

In keeping with the Town's Official Plan objective of identifying locations to accommodate industrial development resulting from planned growth in the Town and surrounding areas, Markham undertook a comprehensive analysis that addressed need, distribution, and quality of employment land.

4.1 Regional Official Plan

The Regional Official Plan requires an amendment for any urban expansion and sets out criteria in Section 5.2.3 for such an expansion. The urban areas as defined on Map 5 of the Regional Official Plan are not currently extensive enough to accommodate the 2026 population and employment forecasts as the municipalities in York Region are at different stages in preparing detailed community plans for the various settlement area. The criteria of Section 5.2.3 ensure appropriate lands are used for building new communities and employment areas that are:

- a) Consistent with the regional population and employment forecasts.
- b) Needed for expansion relative to other lands available for development in the municipality.
- c) Consistent with the role of the new development lands identified in the area municipal growth management strategies.
- d) Consistent with the capability of the area municipality to provide growth within the urban area.
- e) Consistent with an analysis of options for growth direction and sequencing with respect to environment, agriculture and availability of servicing (including human services).
- f) Protective of and integrated into the Regional Greenlands System.
- g) An area large enough to assess the creation of new communities at the regional level with clear identifiable boundaries.
- h) The role of the development lands is supportive of an urban structure of centres and corridors with transit-supportive densities.
- i) Consistent with all other policies of the Regional Official Plan.

The following sections outline how the proposed amendment meets the criteria of the Regional Official Plan for an urban boundary expansion.

The policies of Section 3 of the Regional Official Plan also set out an approach to sustaining the vitality of the Region's economy. It is the objective of the Regional

Official Plan to accommodate a diversity of economic activities, and create and support a range of potential locations for economic development.

4.1.1 Need for an Urban Expansion to Provide for Growth

In 1999 the planning process began for these lands when the Town initiated the Employment Lands Strategy Study (ELSS) with the objective of analyzing and addressing the supply of lands needed to accommodate the forecasted growth in industrial employment to 2021.

In 2000, early in the ELSS process, the Town of Markham retained Hemson Consulting to undertake an employment lands study of the entire municipality to examine the existing supply of employment lands, and to identify additional employment land needs. The lands subject to these Amendments were identified as one of the potential locations for establishing a new employment area outside the existing urban boundary. The Study concluded that, in Markham:

- There is a need for 600 to 1100 hectares (1,500 to 2,800 acres) of new employment land to accommodate the expected employment growth from 2000 to 2020.
- A limited supply of 268 hectares (670 acres) of designated employment lands exists, with the majority of sites being scattered over a variety of areas.
- There is a lack of diversity in employment land supply, especially in terms of large parcels in excess of 8 hectares (20 acres) in size.
- There is an adequate supply of land for prestige employment and office uses.

Given the outcome of the Hemson study, the Town proceeded with a more detailed study of the Highway 404 North Lands in 2002 to establish the most appropriate location and extent of new employment lands. A different consultant team was retained to further examine the land requirements, natural environment/stormwater management, water and sanitary servicing, and transportation requirements for the proposed Highway 404 North employment area.

The further detailed studies that were undertaken as part of the Highway 404 North Land Use Study included:

- A Background Report for the Highway 404 North Land Use Study
- Natural Environment/Stormwater Management Background Report
- Water and Sanitary Servicing Background Report
- Transportation Background Report

These studies and their conclusions were reviewed by the various agencies, area landowners and the public. These studies further concluded a need for additional employment lands in Markham and that these lands are suitable to accommodate employment growth which is the primary role of the expansion area. Especially given that the Highway 404 corridor is a very successful employment area in the Greater Toronto Area, the lands subject to OPA 113 are very well-suited for employment uses.

and represent a logical extension of the existing urban area and employment uses of the Town.

Through these studies, it has been demonstrated that clauses b), c), d) and e) of Policy 5.2.3 have been met.

4.1.2 Employment Forecasts

The employment forecasts for Markham estimate that there will be a demand for 212,000 jobs by 2026, well beyond what can be accommodated within the Town's existing urban boundary. As of 2004, Markham has approximately 130,000 jobs. The full build out of this employment area and the existing designated employment land in Markham will be well within the 2026 forecasts contained within the Regional Official Plan demonstrating that clause a) of Policy 5.2.3 has been met.

The Province's draft Places to Grow Plan assumes an even higher employment growth than that currently reflected in the ROP. This further reinforces the need for additional employment lands in both Markham and the Region.

4.1.3 Proposed Structure and Uses

The proposed land uses of OPA 113 are primarily "Industrial". A portion of the lands in the southeast portion of the Amendment area, south of the northern portion of the Woodbine Avenue By-Pass, are proposed to be designated "Urban Residential" and "Commercial". These designations reflect the northern limits of the Cathedral community and represent a compatible extension of the land uses from the south (see Attachment 3). OPA 113 provides for a broad framework for more detailed policies to be determined through the secondary plan process. These detailed policies will address the specific designations and roles of the lands within the broader "Industrial" designation and how this extension blends in with the urban area to the south and the existing hamlet of Victoria Square.

The role in terms of the centres and corridors policies as required in clause h) of Policy 5.2.3 will be further defined through the secondary plan process. It should be noted that the focus of this land on primarily larger industrial parcels will enable lands designated employment more closely situated to the Regional Centres and Corridors to be used for higher density employment or mixed uses.

This broad framework also shows a general transportation network that will be refined further at the secondary plan stage. This includes:

- The northern leg of the Woodbine Avenue By-pass that is currently scheduled in the Region's 10-Year Capital Plan for construction in 2012.
- A north-south arterial road and east-west collector road that bisects the Amendment area.
- A new overpass of Highway 404 is proposed to ultimately connect Woodbine Avenue and Leslie Street between Elgin Mills Road and 19th Avenue.

The precise location of the new overpass of Highway 404 will be determined through a future secondary plan and Environmental Assessment process.

4.1.4 Urban Expansion Boundaries

The proposed Highway 404 North Planning Area has clear and identifiable boundaries and an area of approximately 180 hectares which is keeping with the Regional policies. The boundary extends from the existing Cathedral Secondary Plan Area, bound on the west side by the Highway 404, Woodbine Avenue and the Hydro corridor on the east side. The northern limits align with the municipal boundary and the southern limit of the Oak Ridges Moraine Plan Area which are less identifiable on the ground, but serve as clear boundaries in terms of planning policy. In this regard the terms of clause g) of Policy 5.2.3 have been met.

4.1.5 Secondary Plan Process

To implement OPA 113, the Town will undertake the preparation of a secondary plan for the Highway 404 North area. The secondary plan is required to establish land use designations and policies that:

- Provide a detailed land use plan and policies for the development of lands within the Amendment area.
- Provide for an appropriate and efficient transportation network to accommodate travel within and through the Amendment area.
- Provide for the delivery of municipal water and sewer infrastructure and effective stormwater management facilities, concurrent with new development.
- Establish urban design objectives and policies.
- Provide for the protection of significant environmental features and functions.
- Properly plan for and around existing infrastructure, including (but not limited to) the existing Hydro Corridor and Trans Canada Pipeline within the Amendment area.

The location of the Amendment area represents a logical extension of the Cathedral Secondary Plan. Through the review and approvals process of the secondary plan required to implement the development of these lands, Regional staff will work with Markham Planning staff and their consultants to address the above issues and ensure that the character of the surrounding areas will not be adversely affected by the introduction of the new employment area.

Given the above, it has been demonstrated that the expansion of the urban boundary to include the Highway 404 North lands primarily for employment uses meets the criteria of the Regional Official Plan. It should be noted none of the amendment area is within the Regional Greenfield System and therefore clause f) of Policy 5.2.3 does not apply. Prior to any development of the land, a secondary plan will provide more detailed structure to the expansion area and further the directions contained within the Regional Official Plan.

4.2 Provincial Greenbelt Plan

A portion of the Amendment area north of 19th Avenue is within the Greenbelt Plan's Protected Countryside designation (identified on Figure 1). A portion of those lands form part of the Berczy Creek corridor. The boundary of that watercourse will be refined and appropriately designated through the secondary plan process.

On February 28, 2005 MMAH released the final Greenbelt Plan and it is now in effect. However, since the Town adopted OPA 113 prior to December 16, 2003 the portion of the lands that are within the Greenbelt Plan's Protected Countryside designation are not subject to the provisions of the Greenbelt Plan. Further discussions with Ministry of Municipal Affairs and Housing staff have confirmed that these lands are exempted from the Greenbelt provisions.

4.3 Provincial Policy Statement

On March 1, 2005 the Province's 5-year review of the Provincial Policy Statement (PPS) came into effect. The PPS speaks to the importance of providing an appropriate mix and range of employment uses to meet long-term needs. The policies require that economic development and competitiveness are enhanced by maintaining a range and choice of suitable suites for employment uses that take into account the needs of existing and future business. The PPS also directs municipalities to plan for employment lands with the goal of improving the mix of employment and housing and achieving a jobs/housing balance to shorten commutes and decrease traffic congestion. That approach is consistent with the draft Places to Grow Plan.

ROPA 46 and OPA 113 are consistent with the policies and intent of the revised PPS.

4.4 Places to Grow Plan

On February 16, 2005 the Province released the draft Places to Grow Plan for the Greater Golden Horseshoe (GGH). The Draft Plan speaks to the importance of providing strategically located employment areas to the economy. The Plan also encourages the designation and preservation of employment lands near major transportation corridors.

ROPA 46 and OPA 113 are consistent with the Province's direction set out in the draft Places to Grow Plan.

4.5 Servicing Capacity

The Region's York Durham Sewage System Master Plan and Master Plan for Water Supply have included the Highway 404 North lands in the plans for servicing. Water supply to this site will be made available from Pressure District 7 and the existing watermain on Elgin Mills Road. The watermain was sized to provide water supply to both the Cathedral lands and the Highway 404 North lands. With regard to sanitary servicing, the existing Lower Leslie Street Trunk Sewer and the 16th Avenue Trunk Sewer currently under construction will service this area. Upon completion of the required works, adequate water and sewer capacity will be available to the industrial lands. Servicing allocation is only required for the residential lands.

4.6 Modification to OPA 113

On October 21, 2003 the Town passed a resolution requesting that the Region modify OPA 113 to redesignate the lands at 11087 Woodbine Avenue to “Commercial” from “Urban Residential” as proposed in the adopted OPA (see the proposed modification appended to this report at Attachment 2). The proposed modification is consistent with the intent of the ROP. Regional Planning staff have no objections to the modification and have included it as a recommendation.

5. FINANCIAL IMPLICATIONS

A full fiscal impact assessment is required at the secondary plan stage. The Town is currently drafting the secondary plan and a fiscal impact assessment will be commenced by the Region once that plan has been finalized.

6. LOCAL MUNICIPAL IMPACT

The expansion of the urban area to accommodate the Highway 404 North lands represents an opportunity to introduce a new, large employment area and provide a resource needed to accommodate the projected demand for employment lands over the next 20 years. Approval of ROPA 46 and OPA 113 will help the Town meet its targets for the introduction of new employment lands to provide for a balanced and healthy community.

The Town of Markham has adopted OPA 113 and it is consistent with ROPA 46. The recommendations of this report are consistent with the Town’s approach.

7. CONCLUSION

The expansion of the urban area to accommodate the Highway 404 North lands is in keeping with the Region’s policies pertaining to growth management and community building. The comprehensive municipal-wide approach and the public consultation undertaken for the Amendment area represent a good planning approach towards determining the appropriateness of this land for employment uses.

The Senior Management Group has reviewed this report.

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