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### **AMENDMENT NO. 168, TOWN OF MARKHAM CORNELL SECONDARY PLAN UPDATE**

**The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report dated May 14, 2008, from the Commissioner of Planning and Development Services:**

#### **1. RECOMMENDATIONS**

It is recommended that:

1. The Commissioner of Planning and Development Services issue the Notice of Decision to approve Amendment No. 168 to the Markham Official Plan, subject to the modifications set out in *Attachment No. 1* to this report and the following deferrals:
  - i. The land use designations and policies of Amendment No. 168 applying to the lands located on the east side of Donald Cousens Parkway pending the approval of a Regional Official Plan amendment for an urban boundary expansion; and,
  - ii. The land use designations and policies of Amendment No. 168 applying to the lands located on the north side of Highway 7, between Ninth Line and Bur Oak Avenue, extending to the Markham Stouffville Hospital, (as lands identified in *Council Attachment 1*, Schedule AA, Deferral #2) are deferred until January 2009, at which time staff will report back to Council.
2. Regional staff be authorized to appear at the Ontario Municipal Board in support of the Regional position, if required.

#### **2. PURPOSE**

This report recommends the approval of the updated Cornell Secondary Plan (OPA 168), subject to modifications and one deferral that are supported by the Town of Markham. Next steps are outlined for the deferred lands that are located outside of the “Urban Area” boundary and require an amendment to the Regional Official Plan.

### **3. BACKGROUND**

#### **CORNELL SECONDARY PLAN EVOLUTION**

The existing Cornell Secondary Plan covers the area north of Highway 407 and east of Ninth Line extending over to the Little Rouge River. The policies in the existing plan reflect the principles of an innovative new urbanism approach that was established through an extensive planning process in the early 1990s. The Plan was adopted in 1994 by Markham and subsequently approved by the Region in 1995.

The foundation of this plan remain sound and forms the basis of the current update that acknowledges the evolving context of the area which includes higher order transit infrastructure and the role of Highway 7 as a key Regional Corridor providing an urban, mixed-use, pedestrian and transit-oriented focus for an expanded Cornell Centre. The Provincial context has also evolved since 1995 with the introduction of both the Greenbelt Plan and Growth Plan.

The updated policies, proposed for the revised Cornell Secondary Plan area, form a solid basis to complete the build out of the Secondary Plan area while maintaining the new urbanism foundations as originally established, and recognize the evolving context.

#### **Proposed secondary plan intensifies population and employment for Cornell**

The updated secondary plan covers approximately 694 ha (1,715 acres) of land and is proposing a total population of 40,000 persons, 11,300 jobs, and approximately 16,000 residential units. An additional 13,000 persons (3,000 jobs and 6,700 residential units) are proposed over and above what was forecast by the existing secondary plan (OPA 20). The majority of the additional population and housing units are planned along, or in the vicinity of, the Highway 7 corridor.

A key element of the revised Cornell Secondary Plan is the establishment of the Cornell Centre area which will provide a focus for mixed use, compact, higher density development along the Highway 7 corridor accommodating these higher population and employment numbers. The Cornell Centre is one of the key development areas within the Highway 7 corridor in addition to Markham Centre and Leitchcroft; forming part of a larger policy framework for compact, higher density, transit supportive development. These key development areas play a significant role in city building and intensification within the Town of Markham.

The plan also revises the external boundary of the secondary plan area by excluding greenbelt lands located north and east of Reesor Road and Donald Cousens Parkway. These lands are now part of the Rouge Park Natural Heritage System of the Greenbelt Plan. The revised secondary plan area boundary is more reflective of the community

development area limits with the exclusion of these greenbelt lands and is illustrated in *Attachment 2*.

### **Secondary Plan structure envisions a series of neighbourhoods linked by corridors**

The secondary plan emphasizes transit supportive, mixed use development that is pedestrian friendly and focused on the Highway 7 and the Bur Oak Avenue corridors. The updated policies along Highway 7 recognize the importance of this Regional Corridor and its role in achieving the envisioned urban structure served by higher order transit. The Cornell Centre, focused on Highway 7, is also a key component of a series of neighbourhoods, districts and linear open space corridors linking parks and environmental lands. The Centre also provides the eastern terminus of the Highway 7 Viva transit system with a transit terminal and interface with local transit service. A community facilities and health care campus that includes health care, wellness, a community centre, library and accessory uses is centred on the Markham Stouffville Hospital. Business Park employment uses are located in the southeast portion of the plan. The secondary plan land use schedule is attached as *Attachment No.3* to this report.

Minimum and maximum building heights and floor space indices for specific land use designations are set out in *Attachment No. 4*.

### **REGIONAL OFFICIAL PLAN DESIGNATIONS**

The majority of the updated Cornell secondary plan area is designated “Urban Area” on Map 5 of the Regional Official Plan (ROP). Highway 7 is identified as a Regional Rapid Transit Corridor on Map 9 of the ROP. Ninth Line is identified as a “Local Corridor” in the Regional Official Plan. Detailed comments from the various Regional Departments are outlined in *Attachment 5*.

The lands are not located in the Oak Ridges Moraine, and there are no lands within the Amendment Area that are subject to the Greenbelt Plan with the proposed revision to the external Secondary Plan boundary.

### **Seventy five hectares deferred until an amendment to the York Region Official Plan is approved**

Approximately 75 ha (185 acres) of land, located east of Donald Cousens Parkway, that is anticipated to be developed with employment uses, has been deferred in the secondary plan pending approval of a Regional Official Plan amendment to include the lands within the “Urban Area” boundary (refer to *Attachment No. 2*). The area is generally intended to be developed with prestige office, industrial, and automotive service centre uses and is anticipated to provide up to 3,300 additional jobs.

Approximately 38 acres of the deferred area, owned by the Province, located east of Reesor Road and south of Highway 7, is identified as a “Study Area” and will be the subject of various development concepts to achieve a common vision for this area. Potential uses include eco business, sports park, Rouge Park offices, trails, picnic area, park campground and Regional forest. Participating in the study will be representatives from the Town, Region, Conservation Authority, Ontario Realty Corporation, and Rouge Park Planning. Meetings are expected to take place over the coming months.

#### **POLICIES OF A SITE SPECIFIC AMENDMENT (OPA 166) MIRROR SECONDARY PLAN LAND USE DESIGNATIONS LOCATED ON THE SOUTH SIDE OF HIGHWAY 7**

Prior to the adoption of the updated secondary plan, the Town adopted a site specific amendment dealing with the lands on the south side of Highway 7, in an effort to put in place similar land use designations and policies that would allow the related plan of subdivision to move forward and enable York Region Rapid Transit to advance the Region’s plans for the transit terminal located on site. In an effort to ensure consistency between the updated secondary plan and OPA 166, Regional Planning staff proposed a modification to OPA 166 requiring the lands for the transit terminal to be dedicated to York Region, pursuant to Section 51 of the Planning Act. The landowner did not agree to the modification unless development rights above the terminal were given to the landowner in exchange. Staff did not agree to the landowner’s request and did not issue a Notice of Decision on the site specific amendment, (OPA 166). The adopted secondary plan (OPA 168) contains wording requiring the dedication of the land to the Region.

#### **4. ANALYSIS**

##### **Updated Cornell Secondary Plan is consistent with Provincial and Regional Plans**

The updated Cornell Secondary Plan (OPA 168) provides for a series of compact, pedestrian friendly neighbourhoods and districts, linked by two key corridors that are served by enhanced transit. The plan is consistent with the objectives of the *Growth Plan*, and supports the Centres and Corridor policies of the Regional Official Plan.

The lands located to the north and east of Donald Cousens Parkway, that are designated Natural Heritage System by the *Greenbelt Plan*, have been excluded from the amendment area leaving approximately 694 ha to accommodate up to an estimated 40,000 persons and 8,000 jobs. The forecasted population and employment results in an overall gross density average of 69 residents and jobs per ha which exceeds the average of 50 targeted by the *Growth Plan*.

### **Cornell Secondary Plan is complementary to the Region's rapid transit initiative along Highway 7**

Highway 7 forms part of the Region's Rapid Transit network that links the four Regional Centres. This corridor is considered a fundamental component of the Region's urban structure and is intended to provide for movement of people and goods between Regional and local centres to support their vitality. The Regional Official Plan envisions Highway 7 evolving from an auto dominated highway to a human scale "mainstreet" with compact, mixed-use, pedestrian friendly development served by rapid transit. Local municipalities will be identifying key development areas along the rapid transit route.

The Region's rapid transit service currently runs along Highway 7 and the transit terminal identified on the secondary plan land use schedule, between Bur Oak Avenue and Donald Cousens Parkway, is anticipated to be in operation by 2010. In accordance with the Secondary Plan, lands located on both sides of Highway 7 in close proximity to the transit terminal are to be developed with mixed residential, retail and office uses having a minimum floor space index varying between 2.0 and 2.5 and building heights varying between 4 and 12 storeys. Other lands adjacent to the transit terminal are to be developed with high density office development incorporating compatible retail, service and office uses on the ground floor of multi-storey buildings. Buildings are to be located close to, and parallel to public streets, and corner sites will be massed toward the intersection of adjoining streets, which will enhance transit ridership. The Secondary Plan contains numerous other design principles and policies that provide a land use environment contributing to pedestrian and transit usage.

### **Updated Cornell Secondary Plan is consistent with Regional OP policies for transit corridors**

The Cornell Secondary Plan is consistent with Section 5.5 of the Regional Official Plan that identifies a number of policies dealing with Regional Corridors and the integration of land use planning and rapid transit. In particular, the updated Secondary Plan addresses the following Regional Corridor Official Plan policy 5.5.12:

"Area municipalities will undertake the regular review of their official plans as required under the Planning Act and establish or review secondary plans that include segments of the Regional Corridors, consistent with the following:

- identify the role and function of the secondary plan area;
- promote public transit ridership through high quality urban design, human scale, land use mix, and compact development;
- recognize and protect the cultural heritage resources;
- buildings are oriented to the street to create a consistent setback and building form adjacent to the street right-of-way;
- building design should set a high standard of urban design;

- buildings and sites are designed to provide convenient access for public transit users, pedestrians, cyclists and persons with disabilities;
- achieve a mix of commercial, housing, employment and institutional uses in the Regional Corridor;
- identify Key Development Areas;
- provide for public gathering places, streetscaping and greening to create a pedestrian-friendly environment, integrated with the local and Regional Greenland Systems including parks, bicycle and pedestrian systems and natural features;
- appropriately integrate with and transition to surrounding land uses and built form through scale, land use and design.”

### **Pickering Airport Zoning Regulations**

The Cornell Secondary Plan lands are subject to the Pickering airport zoning regulations. Provisions of the Secondary Plan ensure that the airport regulations will be applied to the applicable lands. Specific controls, or design measures for development will be applied at the site plan or plan of subdivision stage through consultation with Transport Canada. This includes, but is not limited to, ensuring specific design features are applied to certain retail uses and stormwater management ponds in accordance with the bird hazard requirements of the airport zoning order.

### **Next Steps**

This report is recommending approval of the land use designations and policies applicable to the area currently within the “Urban Area” as shown on Map 5 of the Regional Official Plan. The designations and policies applying to the lands which are currently outside of the “Urban Area” designation will require approval of a Regional Official Plan amendment for an urban area expansion (refer to *Attachment No. 2*).

It is proposed that in August 2008, a Notice of Application for a Regional Official Plan Amendment, as prescribed by the Planning Act, and Notice of Statutory Public Meeting will be published, and in September 2008, a Public Meeting and Information Report will be held for the urban area expansion.

As noted in the Markham resolution of January 15, 2008, York has been “requested to amend the York Regional Official Plan to incorporate lands east of Donald Cousens Parkway and west of Ressor Road, identified as a “Deferral Area” in the updated Cornell Secondary Plan, into the Region’s urban settlement area as employment lands” illustrated in *Attachment 2*. Further land use options will be reviewed by the town, TRCA, and Rouge Alliance for the lands east of Reesor Road, as mentioned earlier.

The Markham request for the approval of the Regional Amendment will proceed when the requirements of *Growth Plan* have been addressed. The Regional growth

management work completed to date addresses the regional market component of *Growth Plan*. Once the municipal comprehensive review components, currently underway through Markham's Growth Management Strategy jointly with the Regional growth management work, are sufficiently progressed, the adoption of the Regional Official Plan Amendment will be recommended.

### **Modifications**

*Attachment No. 1* to this report lists a series of housekeeping modifications supported by Town staff. The effect of the modifications is to clarify terminology and references.

### **Landowner Requests**

Mattamy Development Corporation, on behalf of Wykland Estates Inc., has requested that the amendment be modified to permit additional floor space for retail uses, and additional building height up to 20 storeys, for buildings located on the north side of Highway 7, subject to submission of appropriate studies that justify the increase. The applicant has indicated it is difficult to build commercial spaces to lease to tenants based on the restrictions in the updated secondary plan. Markham staff have advised that they do not support changes to maximum heights in the Secondary Plan, as they relate to this request; however modification No. 8 provides some flexibility for the total retail space permitted.

The solicitor for 605918 Ontario Limited has requested deferral of a specific site located north of Highway 7, between Ninth Line and Bur Oak Avenue to allow for further discussions with Town staff on a revised development proposal.

An additional request has been received for deferral of the block of land located north of Highway 7, between Ninth Line and Bur Oak Avenue, extending to the southern limit of the hospital. These lands, which include the 605918 Ontario Limited site, are being deferred to allow for further discussions between the Town and the landowners in respect to a recent development plan for this area (*see Deferral No. 2 as shown on schedule attached to list of modifications*). The land use designations and policies of OPA 168 for this area are being deferred until January 2009 at which time Regional staff will report back to Council on any revisions to the secondary plan that have been agreed to by the Town.

The Cornell secondary plan update represents a comprehensive secondary plan review that has proceeded through a full public process. The process, designations and policies, have been assessed and analyzed by Markham through the planning process and are appropriate planning responses to policies of the Regional Official Plan.

## **5. FINANCIAL IMPLICATIONS**

### **No direct fiscal implications at this time**

There are no direct financial implications associated with this report at this time. Water and sewer servicing infrastructure is available to service development in the Cornell secondary plan area. Downstream improvements, such as the Duffin Creek Sewage Treatment Plan expansion and the Southeast Collector Trunk sewer are required prior to full build out of the updated secondary plan. A Regional Fiscal Impact Analysis will be prepared for the Regional Official Plan Amendment and further approval of the Cornell Secondary Plan prior to staff's recommendation report proceeding to Committee and Council.

## **6. LOCAL MUNICIPAL IMPACT**

The recommendations of this report are consistent with the position of the Town of Markham which adopted the proposed secondary plan and support the modifications attached.

## **7. CONCLUSION**

The updated Cornell Secondary Plan (OPA 168) provides detailed policies to guide development in this area that reflect the current context established through the new Provincial Plans and Regional Centre and Corridor policies of the Regional Official Plan. The Amendment takes into consideration design initiatives that plan for a compact, mixed use, pedestrian friendly environment which benefits from its close proximity to the Region's rapid transit terminal on Highway 7 and the ready access to Highway 407, an anticipated transit terminal on Highway 407, and the proposed Pickering Airport. The Amendment is recommended for approval subject to the modifications and deferrals attached in *Attachment No. 1* to this report.

Approximately 75 ha ( 185 acres) of land which are located outside of the Region's "Urban Area" boundary are being deferred until a Regional Official Plan Amendment is approved for an urban area expansion.

For more information on this report, please contact Paul Belton, Manager of Development Review, Community Planning at (905) 830-4444 Ext. 1507, or Heather Konefat, Director of Community Planning at Ext. 1502.

The Senior Management Group has reviewed this report.

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