

Clause No. 14 in Report No. 1 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on January 23, 2014.

14

DEFERRAL 2 TO AMENDMENT NO. 168 (CORNELL SECONDARY PLAN) CITY OF MARKHAM

Committee of the Whole recommends adoption of the following recommendations contained in the report dated December 11, 2013 from the Commissioner of Transportation and Community Planning:

1. RECOMMENDATION

It is recommended that:

1. The deadline for Deferral 2 to the Official Plan Amendment No. 168, based on a request from the City of Markham, be extended until such time as the revised Cornell Secondary Plan is approved and in effect.

2. PURPOSE

This report recommends extending the deferral (non-decision) of the land use designations and policies for the Deferral 2 area within the Cornell Secondary Plan (OPA 168) during which time the City of Markham will complete the Cornell Centre Precinct Plan study and revise the Cornell Secondary Plan.

3. BACKGROUND

The Cornell Secondary Planning Area covers approximately 694 ha (1,715 acres) of land north of Highway 407 and east of Ninth Line extending over to Donald Cousens Parkway and Reesor Road, as illustrated on *Attachment 1*. The original Secondary Plan for Cornell (OPA 20) was adopted by Markham in 1994 and approved by the Region in 1995. An updated Secondary Plan for Cornell (OPA 168) was adopted by Markham in January 2008 and approved by the Region in June 2008, subject to modifications and deferrals.

There are two deferral areas within the Cornell Secondary Plan

Deferral 1 applies to lands located on the east and west side of Reesor Road south of Highway 7, and on the west side of Reesor Road north of Highway 7 (shown as Deferral 1 on *Attachment 1*). At the time the Secondary Plan was approved by Markham Council, these lands were not within the Regional Official Plan's Urban Area designation. The lands are designated "Urban Area" in the new Regional Official Plan ("2010 ROP"), but are awaiting Ontario Municipal Board approval. Deferral 1 can be lifted when the relevant portion of the 2010 ROP is approved by the Board.

This report deals with Deferral 2, which applies to lands located on the north side of Highway 7, between Ninth Line and Bur Oak Avenue, extending to the Markham Stouffville Hospital (shown as Deferral 2 on *Attachment 1*).

Regional Council has extended the deadline for a decision on Deferral 2 for the past five consecutive years.

The Region's Notice of Decision for OPA 168 issued in June 2008 states the following for Deferral 2 lands:

"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 Schedule AA, Deferral 2) are hereby deferred until January 2009 to allow the applicants opportunity for further discussions with the Town of Markham."

Since January 2009, Regional staff has reported annually to Council recommending a one- year extension to Deferral 2. The purpose of deferring the land use designations and policies for this portion of the Secondary Plan was to allow the landowners to engage in further discussions with City of Markham staff for a revised development proposal on the lands, and more recently, to complete the Cornell Precinct Plan Study and revisions to the Secondary Plan. The City of Markham has not yet completed this process and has indicated the Deferral requires a further one year extension to a February 2015 deadline.

4. ANALYSIS AND OPTIONS

A revised development proposal for the subject lands is being contemplated by the landowners pending the outcome of the ongoing Cornell Precinct Plan study, in light of the lands strategic location and surrounding land use context. Noted below is a description of the area, the status of the development proposal and planning study for the area, and the position of Markham staff.

Cornell Secondary Plan (OPA 168) supports the evolving context of the area for a higher density mixed-use centre with a retail core

The Cornell Secondary Plan anticipates a total population of 40,000 persons, 11,300 jobs and approximately 16,000 residential units. The majority of the population and housing units are planned along, or in the vicinity of, the Highway 7 corridor. The Highway 7 corridor, within Markham and extending through Cornell, constitutes an intensification corridor with a regional transitway and a higher mixed-use district, Cornell Centre, which is designated to accommodate future growth in the form of intensified urban development.

Cornell Centre (as illustrated on *Attachment 1*) is a planned, mixed-use district functioning as a Regional Key Development Area, and integrating a balance and diversity of employment and housing at transit-supportive densities within a regional transit corridor. The district is planned to function as a regional employment node, building on the Markham Stouffville Hospital and community facilities and on the opportunity to locate a highly accessible, regional scale concentration of employment activity at the intersection of major road and transit networks.

Immediately to the north of the Deferral 2 lands is the existing Markham Stouffville Hospital and Community Centre lands, which is identified as a “Community Facilities and Health Care Campus” within the Secondary Plan. The Region’s rapid transit service will operate along Highway 7 and a regional transit terminal is planned on the south side of Highway 7 within the secondary plan area, just east of the deferral area.

The Cornell Secondary Plan area supports the evolving context of the area and plays an important role in city building and intensification along a regional corridor that includes higher order transit infrastructure within the City of Markham.

Landowners are working on a revised development proposal

The participating landowners within the deferral area are in the process of defining a revised development proposal for the site. The landowners previously retained a market and design consultant to assess the current and future market conditions and to propose a design vision and land use plan. The results of their work to date have been presented to the City of Markham staff to obtain preliminary feedback and further direction. The landowners have been meeting with Markham staff on a revised development proposal, and they are working towards the preparation of the necessary documents for development application submission.

The City of Markham initiated a Cornell Precinct Plan Study in the spring of 2011 to provide greater planning and design direction for growth and evolution of Cornell Centre

The City of Markham is currently undertaking a study of Cornell Centre, entitled “Cornell Precinct Plan Study”, which is intended to provide a development framework and design guidelines to help guide the growth and evolution of Cornell Centre. The Study is not yet complete, but as of the date of this report, Markham staff anticipates that the Study will be substantially complete in the short term.

The Region’s planned transit terminal is proposed in this Deferral Area

The Study proposes a location for the Region’s planned transit terminal on the north side of Highway 7 to enhance the integration of the Markham Stouffville Hospital with the surrounding community north of Highway 7. This will be reflected in the final Precinct Plan.

Markham staff intends to revise the Cornell Secondary Plan

The Cornell Precinct Plan work is expected to result in revisions to the Secondary Plan (OPA 168), and Markham planning staff anticipates that the deferred land use policies will likely need to be revised as a result of the Precinct Plan work. As of the date of writing of this report, the work program for revising the Cornell Secondary Plan is being targeted for the November 5, 2013 Development Services Committee.

The landowners will likely appeal if an extension to the Deferral is not granted

Should the Region decide not to extend the Deferral, a Notice of Decision to further approve the deferred portion of OPA 168 would need to be issued by Community Planning, followed by a 20-day appeal period. Markham staff anticipates that if the Region moves to approve the deferred sections at this time, the landowners will likely appeal the decision to the Ontario Municipal Board. Markham staff prefers that a Regional approval, and any subsequent appeals, be considered in the context of a completed Precinct Plan, and local review and endorsement of any revisions to the Secondary Plan.

The City of Markham recommends the deferral be extended for one year to complete the necessary planning work

In the staff report to the January 24, 2013 Planning and Economic Development Committee on the Deferral 2 lands, Regional staff recommended the fifth, and final, extension to the time horizon of the deferral be granted. Prior to preparing this report, the Region had consulted with Markham on the status of the Deferral lands.

As indicated in a letter dated October 10, 2013 (*Attachment 2*), staff from the City of Markham acknowledges that there have been five consecutive extensions to the time horizon for the Deferral 2 lands. However, Markham staff recommends an additional one-year extension to the deferral to allow for the necessary completion of the Cornell Precinct Plan Study, and the anticipated revisions to the Secondary Plan.

Regional staff anticipates additional time will be required to process and approve a revised Secondary Plan

Markham staff is establishing a work program to revise the Cornell Secondary Plan, which will generally include policy formulation, agency and public consultation, and adoption of the revised Secondary Plan by Markham Council. The Region is the approval authority for local Secondary Plans. Once the Secondary Plan is adopted and sent to the Region for approval, Regional staff will be required to review the Plan and report to the Committee of the Whole with a recommendation, followed by issuance of a Notice of Decision. Regional staff anticipates this entire process will take one to two years. An appeal of the Plan to the Ontario Municipal Board would prolong the process.

Once the revised Cornell Secondary Plan has final approval, the land use policies and designations for the subject lands will be in effect, and no further extension of the Deferral (non-decision) on the subject lands will be required.

Link to key Council-approved plans

The extension of the Deferral will allow for the completion of the Cornell Precinct Plan Study, revisions to the Secondary Plan, and development plans to proceed to support the objectives in the “Focus Growth along Regional Centres and Corridors” section of the 2011-2015 Strategic Plan, including increasing the intensified mixed-use development, maximizing the economic development potential and optimizing the transportation capacity and services in Regional Centres and Corridors.

5. FINANCIAL IMPLICATIONS

There are no direct financial implications associated with this report.

6. LOCAL MUNICIPAL IMPACT

The recommendation in this report is consistent with the request from the City of Markham’s request to extend the time period of the Deferral.

7. CONCLUSION

Since the approval of the updated Secondary Plan for Cornell in June 2008, the landowners within Deferral 2 continue to work with the City of Markham on a comprehensive, mixed-use development concept for their lands. The preliminary concept plan is intended to complement, and promote, the integration of adjacent Markham Stouffville Hospital and community facilities.

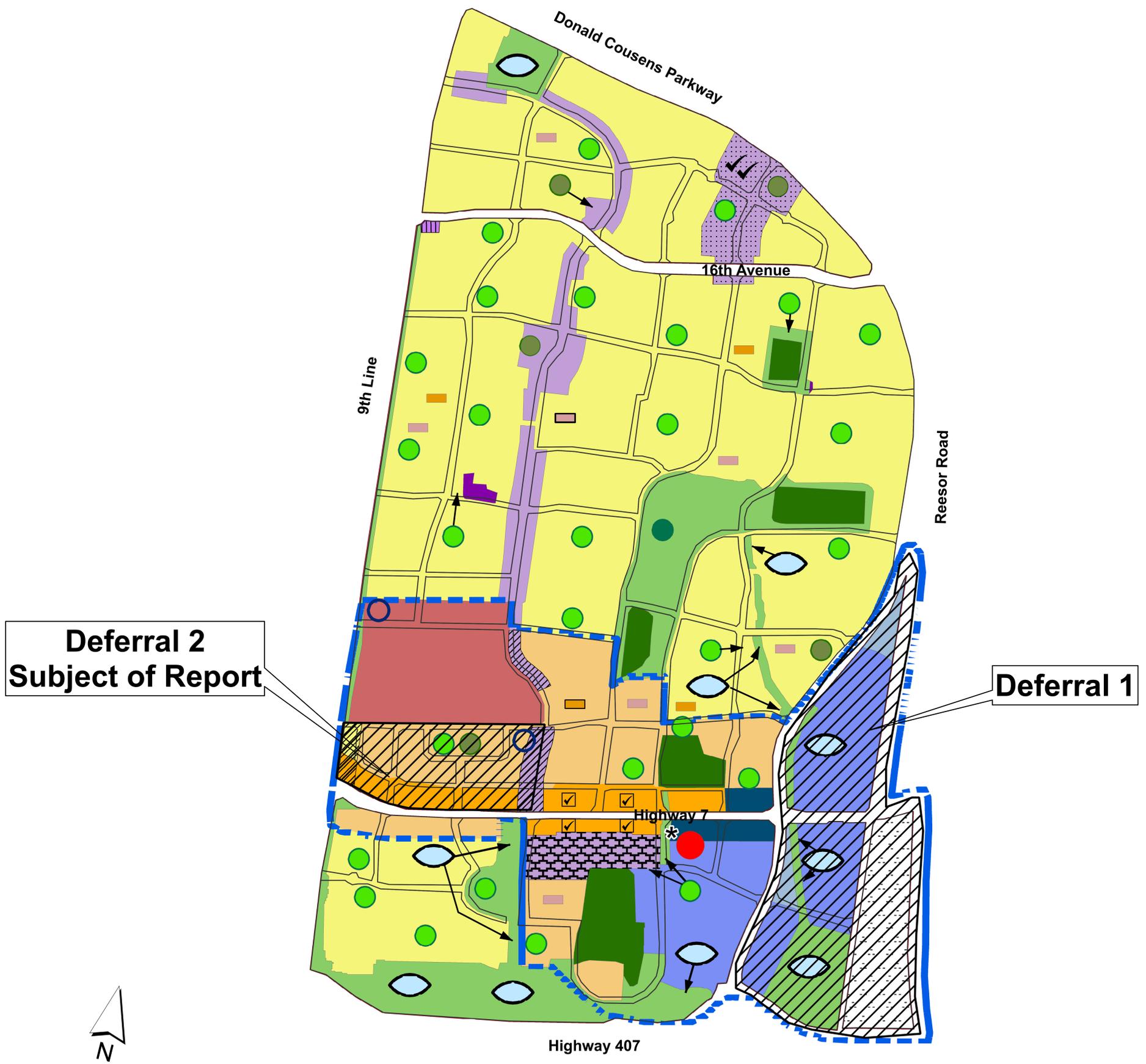
The City of Markham staff recommends that the Deferral be extended to allow for the completion of the Cornell Precinct Plan Study, and associated revisions to the Secondary Plan, which when completed, will provide greater planning and design direction for development within Cornell Centre. City of Markham staff supports extending the Deferral (non-decision) for an additional 12 months.

Regional staff anticipates approval of a revised Secondary Plan could be upwards of two years, but once in effect, no further extensions of the deferral (non-decision) on the subject lands will be required. Therefore, it is recommended that the Deferral be extended until such time as the revised Cornell Secondary Plan is approved and in effect.

For more information on this report, please contact Duncan MacAskill at Ext. 71513.

The Senior Management Group has reviewed this report.

Attachments (2)



SCHEDULE 'AA' - DETAILED LAND USE

Secondary Plan for the Cornell Planning District - Official Plan Amendment 168

- | | | | |
|---|---|---|----------------------------|
| Cornell Centre Boundary | <input checked="" type="checkbox"/> See Sections 6.2.5.3 or 6.3.3.2 | See Sections 6.3.4.2 or 6.3.5.2 | Catholic Elementary School |
| Deferral Area | Study Area (Section 6.1.1c) | Institutional | Catholic Secondary School |
| Residential Neighbourhood | Community Amenity Area -Bur Oak Corridor | Neighbourhood Commercial Centre | Public Elementary School |
| Residential Neighbourhood -Cornell Centre | Community Amenity Area -Bur Oak Corridor | Business Park Area -Avenue Seven Corridor | Public Secondary School |
| Avenue Seven Corridor -Mixed Residential | Cornell Centre | Business Park Area | Community Park |
| See Section 6.2.4.2 | Community Amenity Area -Cornell Centre | Business Corridor Area -Automotive Service Centre | Neighbourhood Park |
| See Section 6.2.5.2 | Community Amenity Area -Cornell North Centre | Open Space | Emergency Services |
| * Regional Transit Terminal | Community Amenity Area -Automotive Service Area | Environmental Protection Area | Place of Worship Site |
| *(Final location to be determined) | | | Storm Water Management |



October 10, 2013

Ms. Karen Whitney
Acting Director of Community Planning
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Ms. Whitney:

Re: Request for extension of Deferral #2, Cornell Secondary Plan (OPA 168) Lands north of Highway 7, between 9th Line and Bur Oak Avenue

City of Markham staff acknowledge that there have been five previous extensions to Deferral #2 of the Cornell Secondary Plan (OPA 168). An additional one year deferral will provide the time for the completion of the Cornell Centre Precinct Plan, and anticipated Secondary Plan amendment.

In the spring of 2011 the Town initiated the Cornell Centre Precinct Plan study. The new Precinct Plan is intended to provide additional planning and design direction for the evolution and growth of Cornell Centre. The Precinct Plan work is expected to confirm, and inform refinements to, the Secondary Plan, and to align recent development proposals/approvals and infrastructure requirements. City staff anticipate that the Precinct Plan will be substantially completed in the short term.

Based, in part, on the precinct work that has been completed to date City staff anticipate that the Cornell Secondary Plan will need to be amended. A work program regarding the Cornell Secondary Plan, amongst others, is being targeted for the November 5th Development Services Committee.

If the Region approves the deferred sections, the policies may be appealed. It is preferable that any Regional approval and subsequent appeals are considered in the context of the Precinct Plan work, and amendments to the Secondary Plan.

Markham's Planning and Urban Design Department would like the deferral to be extended to allow time for the completion of the Precinct Plan study, and amendments to the Secondary Plan.

Please do not hesitate to call me at 905-477-7000 ext. 2970 or Dave Miller ext. 4960 if you would like to discuss this further.

Sincerely,

Biju Karumanchery, MCIP, RPP
Senior Development Manager
Planning & Urban Design Department
Development Services Commission

Cc: Stephen Kitagawa, Senior Planner, Town of Markham
Dave Miller, Manager East District Town of Markham

The Corporation of the Town of Markham • Development Services Commission