

MEMORANDUM

TO: Regional Council

FROM: Daniel Kostopoulos, P. Eng.
Commissioner of Transportation and Community Planning

DATE: June 12, 2014

RE: **2013 City of Markham Official Plan, Part 1**

Based on information provided to staff after releasing the report on the 2013 City of Markham Official Plan, Part 1, and further discussion with Markham staff, staff recommends the following three revisions to *Attachment 1* (York Region, City of Markham and Other Agency Modifications) of the Transportation and Community Planning Commissioner's report before you today as follows:

Staff recommends revising the proposed modification to all site-specific policies for lands representing potential employment conversions to clarify and specify the timing for the Region's consideration of these applications.

The May 12th report recommends modifying each of the site-specific policies related to potential conversion of employment lands. The proposed modifications have the effect of ensuring the site-specific applications are considered through the Regional municipal comprehensive review (MCR). The MCR is currently underway. It is anticipated that the forecasting and land budget component of the MCR will be sufficiently progressed by mid-2015 to allow for earlier consideration of the requested employment land conversion proposals in a comprehensive manner.

- 1. Staff recommends the last sentence in proposed modifications #55, #63, #65, #67, #73, #76, #77, #78, #94, and #99 in *Attachment 1* to the Commissioner of Transportation and Community Planning report, dated May 12, 2014, be revised as follows (revised/additional text underlined):**

“Determination of the removal of the deferral must await the Region's consideration of the potential collective impact of all employment land use deferrals through substantial completion of the forecasting and land budget component of the next Regional municipal comprehensive review by mid-2015.”

Staff proposes an additional modification to *Attachment 1* to the Commissioner of Transportation and Planning report, dated May 12, 2014, to add a site-specific policy for lands located on 11175 Kennedy Road.

In 2012, the owner of 11175 Kennedy Road (Mahamevna Bhavana Asapuwa Toronto) submitted applications to amend the City of Markham Official Plan and the York Region Official Plan, to permit a place of worship in the Agricultural designation. On April 23, 2014, Markham Council adopted an official plan amendment for the lands (OPA 216) under the 1987 Markham OP and sent it to the Region for approval. Regional staff has tentatively scheduled a recommendation report on both the Regional and local official plan amendments to Committee of the Whole in September 2014.

To ensure the policies are carried forward in the new Markham Plan, a modification is proposed.

2. Staff recommends an additional modification #82A in *Attachment 1* (York Region, City of Markham and Other Agency Modifications) on page 25 of *Attachment 1* to the Commissioner of Transportation and Community Planning report before you today as follows:

“In response to Markham Council direction of April 8, 2014 and subject to Regional Council approval of Official Plan Amendment 216 to the Markham Official Plan (1987), as amended, for the lands at 11175 Kennedy Road, Section 9.8.3 of the 2013 City of Markham Official Plan, Part 1 be modified, without further need for an official plan amendment, to add a new 9.8.3 j) and show the lands on Figure 9.8.3 as follows:

9.8.3 The following site-specific provisions apply to the existing land uses on the ‘Countryside’ lands as shown in Figure 9.8.3:

j) a place of worship, with a maximum gross floor area of 860 square metres shall also be permitted at 11175 Kennedy Road.”

Staff propose one additional amendment to the report to ensure consistency with Minutes of Settlement previously entered into by the Region.

Proposed modification No. 72 is a site-specific policy that applies to the Times/Leitchcroft lands located on the south side of Highway 7, west of Leslie Street. Subsequent to the May 15, 2014 Council meeting, Community Planning staff was advised that Minutes of Settlement between the landowner and the Region were entered into regarding the York Region Official Plan 2010 appeals, which were not consistent with recommended modification No. 72. Deleting modification No. 72 will ensure consistency with Clause 2 in the Minutes of Settlement.

3. Staff recommends modification No. 72 on page 21 of *Attachment 1* to the Commissioner of Transportation and Planning report, dated May 12, 2014, be deleted.

Additional Information

Staff advises there is a numerical error on page 12 in the report of the Transportation and Community Planning Commissioner before you today. In the second paragraph, the second sentence states:

“This would allow further consideration and determination of the cumulative impacts of the conversion requests on the Region’s employment and population forecasts to 2014,...”.

The year “2014” should state “2041”.

Staff are also providing a response to written submissions made to May 15, 2014 Council (*Attachment 1* to this memorandum).

Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning

Daniel Kostopoulos, P.Eng.
Commissioner of Transportation and
Community Planning

DM

Attachments (1)

cc: Bruce Macgregor, Chief Administrative Officer

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RESPONSE TO WRITTEN SUBMISSIONS TO MAY 15, 2014 COUNCIL

NO	WRITTEN SUBMISSION	SUMMARY OF KEY POINTS	GENERAL RESPONSE
1	<p>Minotar Holdings Inc.</p> <p>North of Major Mackenzie Drive, west of McCowan Road.</p> <p>May 14, 2014 letter from Goodmans.</p>	<ul style="list-style-type: none"> • Requested opportunity to make deputation to May 15th Council. 	<ul style="list-style-type: none"> • At the request of Minotar, Markham Council agreed to remove the Greenbelt Natural Heritage System from part of their lands prior to adoption of the Official Plan. • Staff recommends the Region withhold its decision to remove the Greenbelt Natural Heritage System from a portion of their lands, pending the outcome of the 10-year Provincial review of the Greenbelt Plan.
2	<p>Dorsay Developments Inc.</p> <p>East and west of Circa Drive, north of Highway 7</p> <p>May 14, 2014 letter from Davies Howe Partners, and May 15, 2014.</p>	<ul style="list-style-type: none"> • Malone Given Parsons requested opportunity to make deputation to May 15th Council. • The 1 hectare parcel is located in the Markham Centre Secondary Plan Area and designated “Mixed Use Office Priority” by the 2013 Markham Official Plan. • Requests Council to change the land use designation to “Mixed Use High Rise” having no minimum office component and permitting a range of development opportunities. 	<ul style="list-style-type: none"> • Staff considers that any changes to land use designations in Markham Centre should be dealt with through the Markham Centre Secondary Plan, rather than through modification to the Official Plan. The current Markham Centre Secondary Plan will remain in effect until an updated Secondary Plan is approved.
3	<p>Holborn Properties.</p> <p>West side of Woodbine Avenue By-Pass, north of Elgin Mills.</p> <p>May 15, 2014 letter from Gagnon & Law Urban Planners Ltd.</p>	<ul style="list-style-type: none"> • Requested Regional Council defer approval of the Markham Official Plan to allow landowners to meet with the Regional and City staff to discuss the deferral of employment conversion request for Holborn. • Development proposal consists of 136 residential units, retail and office. 	<ul style="list-style-type: none"> • Staff recommends a modification to site-specific policies respecting employment conversion requests that have the effect of deferring them to the next Regional municipal comprehensive review.

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4	<p>Flato/Auriga.</p> <p>Northwest corner of Highway 7 and Donald Cousens Parkway.</p> <p>May 15, 2014 letter from Gagnon & Law Urban Planners Ltd.</p>	<ul style="list-style-type: none"> • Requested Regional Council defer approval of the Markham Official Plan to allow landowners to meet with the Regional and City staff to discuss the deferral of employment conversion request for Flato/Auriga. • Development proposal consists of two, 20- storey residential towers on top of a 4-storey mixed-use retail and office podium along Highway 7. 	<ul style="list-style-type: none"> • Staff recommends a modification to site-specific policies respecting employment conversion requests that have the effect of deferring them to the next Regional municipal comprehensive review.
5	<p>Condor Acquisition Inc.</p> <p>360 John Street, east of Bayview Avenue.</p> <p>May 14, 2014 letter from KLM Partners Inc.</p>	<ul style="list-style-type: none"> • Concerned the proposed site-specific policy does not designate the lands to allow “Mixed Use Low Rise” and “Residential Low Rise” as proposed. • Concerned that a subsequent Official Plan Amendment as contemplated in the 2013 Markham Official Plan may trigger a further municipal comprehensive review. 	<ul style="list-style-type: none"> • Staff recommends a modification to site-specific policies respecting employment conversion requests that have the effect of deferring them to the next Regional municipal comprehensive review.
6	<p>Enbridge Gas</p> <p>101 Honda Boulevard East side of Highway 404, south of 19th Avenue.</p> <p>May 15, 2014 letter from Aird & Berlis.</p>	<ul style="list-style-type: none"> • Opposes the mid-block crossing of Highway 404 and associated roadway and cycling facility as depicted on Map 10 and Appendix D, for reasons of potentially creating operational constraints. • Oppose changing the land use designation north of the property from “Business Park” to “General Employment”, claiming it will undermine the prestige nature of the area. 	<ul style="list-style-type: none"> • Staff requested the mid-block crossing and associated roadway and cycling facility be shown and noted in the Official Plan (Map 10 and Appendix D) as conceptual and subject to a transportation study/environmental assessment. • Markham staff requested a modification to clarify that the designations shown for the area will inform the update of the Highway 404 North Employment Area Secondary Plan. • Staff considers that any changes to land use and road designations in the Highway 404 North Secondary Plan should be dealt with through the update of the Secondary Plan, rather than through modification to the 2013 Markham Official Plan. The current Secondary Plan will remain in effect until an updated Secondary Plan is approved.

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NO	WRITTEN SUBMISSION	SUMMARY OF KEY POINTS	GENERAL RESPONSE
7	<p>Honda Canada</p> <p>180 Honda Boulevard East side of Highway 404, south of 19th Avenue.</p> <p>May 14, 2014 letter from Gatzios Planning & Development Inc.</p>	<ul style="list-style-type: none"> • Opposes the mid-block crossing of Highway 404, and associated roadway and cycling facility, citing significant impacts to its current operations and expansion plans. • Concerned that the designation change from “Business Park” to a “General Employment” designation on nearby lands could undermine the current policy direction for updating the Highway 404 North Employment Area Secondary Plan. 	<ul style="list-style-type: none"> • Staff requested the mid-block crossing and associated roadway and cycling facility be shown and noted in the Official Plan (Map 10 and Appendix D) as conceptual and subject to a transportation study/environmental assessment. • Markham staff requested a modification to clarify that the designations shown for the area will inform the update of the Highway 404 North Employment Area Secondary Plan. • Staff considers that any changes to land use and road designations in the Highway 404 North Secondary Plan should be dealt with through the update of the Secondary Plan, rather than through modification to the Official Plan. The current Secondary Plan will remain in effect until an updated Secondary Plan is approved.
8	<p>2283288 Ontario Ltd./ Shell Canada</p> <p>West of Woodbine Avenue, north of Highway 7.</p> <p>May 14, 2014 letter from KLM Partners Inc. and May 15, 2014 letter from Shell Canada</p>	<ul style="list-style-type: none"> • Requests a site-specific policy to maintain the current “Business Corridor” designation, rather than the “Business Park Office Priority Employment” due to shallow lot depth not being conducive to major office development. 	<ul style="list-style-type: none"> • Staff considers the requested change to land use designations should be dealt with through an Official Plan amendment application and public consultation process, rather than through modification to the 2013 Markham Official Plan.
9	<p>HS Nouvel Developments Inc.</p> <p>235 and 265 Hood Road. West side of Warden Avenue, north of Steeles Avenue. May 14, 2014 letter from QX4 Investments Ltd.</p>	<ul style="list-style-type: none"> • Requests a “Service Employment” designation rather than “Business Park Employment” that would maintain the land’s planned function to service the needs of the adjacent area. 	<ul style="list-style-type: none"> • A similar request by the previous landowner (Alderview) was not supported by Markham and was therefore not reflected in the 2013 Markham Official Plan.

RESPONSE TO WRITTEN SUBMISSIONS TO MAY 15, 2014 COUNCIL

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10	<p>Power Education Corporation</p> <p>365 Hood Road West side of Warden Avenue, north of Steeles Avenue.</p> <p>May 14, 2014 letter from QX4 Investments Ltd.</p>	<ul style="list-style-type: none"> • Requests a private school be added as a permitted use in the “Business Park Employment” designation. 	<ul style="list-style-type: none"> • No previous submission was filed with Markham on this matter, and Markham staff does not support the requested change. • Staff concur that private schools do not contribute to the planned function of the “Business Park Employment” designation and do not support the requested change.
11	<p>IBM Canada Limited</p> <p>8200 Warden Avenue, just north of Highway 407.</p> <p>May 14, 2014 letter from Malone Given Parsons Ltd.</p>	<ul style="list-style-type: none"> • Concerns with the designations on the lands and request the existing “Community Amenity Area” designation be maintained. • Concerned with the major collector road designation shown on the proposed extension of Yorktech Drive through the IBM lands, and request a minor collector road designation be shown in accordance with the existing Secondary Plan. 	<ul style="list-style-type: none"> • Staff considers that any changes to land use and road designations in Markham Centre should be dealt with through the Markham Centre Secondary Plan, rather than through modification to the Official Plan. The current Markham Centre Secondary Plan will remain in effect until an updated Secondary Plan is approved.
12	<p>Linvest Properties</p> <p>South side of Highway 7, west of Donald Cousins Parkway.</p> <p>May 14, 2014 letter from Patricia Foran</p>	<ul style="list-style-type: none"> • Requests Regional Council to approve the original site-specific policy 9.7.8.5 for their lands, as approved by Markham Council, and to not approve the proposed Regional modification No. 76 recommending deferral to the next Regional municipal comprehensive review. 	<ul style="list-style-type: none"> • Staff recommends a modification to site-specific policies respecting employment conversion requests that have the effect of deferring them to the next Regional municipal comprehensive review.