



SUBJECT: RECOMMENDATION REPORT
Juniper Cornell Holdings Inc.
Applications for Official Plan and Zoning By-law Amendment, and Draft Plan of Subdivision to permit a mixed-use development at 6950 Highway 7, northwest of Bur Oak Avenue and Highway 7, Cornell Centre (Ward 5)
File No. PLAN 22 116592

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REVIEWED BY: Stacia Muradali, MCIP, RPP, Manager, East District, ext. 2008
Stephen Lue, MCIP, RPP, Senior Development Manager, ext. 2520

RECOMMENDATION:

1. THAT the June 18, 2024, report titled, “RECOMMENDATION REPORT, Juniper Cornell Holdings Inc., Applications for Official Plan and Zoning By-law Amendment, and Draft Plan of Subdivision to permit a mixed-use development at 6950 Highway 7, northwest of Bur Oak Avenue and Highway 7, Cornell Centre (Ward 5), File PLAN 22 116592”, be received;
2. THAT the Official Plan Amendment application submitted by Juniper Cornell Holdings Inc., be approved and that the draft Official Plan Amendment, attached hereto as Appendix ‘B’, be finalized, and brought forward to a future Council meeting to be enacted without further notice;
3. That the City Clerk advise York Region that the City has no objection to the removal of the subject lands from Deferral 2 Area in the 2008 Cornell Secondary Plan (OPA 168);
4. THAT the Zoning By-law Amendment application submitted by Juniper Cornell Holdings Inc., be approved and that the draft Zoning By-law Amendment, attached hereto as Appendix ‘C’, be finalized, and brought forward to a future Council meeting to be enacted without further notice;
5. THAT Draft Plan of Subdivision 19TM-22004, be approved, subject to the conditions set out in Appendix ‘D’ of this report;
6. THAT the Director of Planning and Urban Design or designate, be delegated authority to issue Draft Plan Approval, subject to the conditions set out in Appendix ‘D’, as may be amended by the Director of Planning and Urban Design, or designate;
7. THAT Draft Plan Approval for Plan of Subdivision 19TM-22004 will lapse after three (3) years from the date of issuance in the event that a Subdivision Agreement is not executed within that period;
8. THAT servicing allocation for 2,377 units be assigned to Draft Plan of Subdivision 19TM-22004;
9. THAT the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed within a period of three (3) years from the date that Council assigned servicing allocation;
10. AND THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

This report recommends approval of the Official Plan and Zoning By-law Amendment, and Draft Plan of Subdivision applications (the “Applications”) submitted by Juniper Cornell Holdings Inc. (the “Owner”) for the lands located at 6950 Highway 7 within Cornell Centre (the “Subject Lands”). The Proposed Development consists of approximately 2,337 residential units, 44,023 m² (473,859 ft²) of non-residential space, a 0.80 ha

(1.97 ac) public park, a 0.13 ha (0.32 ac) Urban Open Space, the extension of three public road (Rustle Woods Avenue, Arthur Bonner Avenue and Stoney Stanton Road), and one partial street block (the “Proposed Development”).

The Subject Lands are located within Cornell Centre, which is identified as a Key Development Area in the City’s 2014 Official Plan (“2014 OP”) and a Major Transit Station Area (“MTSA”) in York Region’s Official Plan. As a growth centre along an urbanizing corridor, the Proposed Development would support the planned intensification in the area with transit supportive densities. The Proposed Development also generally conforms to the height and uses in the 2015 Draft Cornell Centre Secondary Plan Update. Staff opine that the Proposed Development represents good planning and recommend approval of the Official Plan and Zoning By-law Amendments attached as Appendices ‘B’ and ‘C’, and the Draft Plan of Subdivision, subject to the conditions attached as Appendix ‘D’.

PURPOSE:

This report recommends approval of the Applications submitted by the Owner to permit the Proposed Development (see Figures 4 to 6).

PROCESS TO DATE:

- June 8, 2022: Staff deemed the Applications complete
- September 5, 2023: the Development Services Committee (“DSC”) held the [statutory Public Meeting](#)

The 120-day period set out in the *Planning Act* before the Owner can appeal the Official Plan Amendment and Draft Plan of Subdivision to the Ontario Land Tribunal (“OLT”) for a non-decision ended on October 1, 2022. The 90-day period set out in the *Planning Act* before the Owner can appeal the Zoning By-law Amendment application to the OLT for a non-decision ended on September 1, 2022. Staff note that the Applications are not subject to Bill 109.

If the DSC supports the Applications, then the planning process would include the next steps:

- Approval of the Official Plan and Zoning By-law Amendments
- Subdivision Agreement and registration of the draft plan of subdivision
- Submission of Site Plan and Draft Plan of Condominium Applications

BACKGROUND:

Subject Lands and Area Context

The 7.95 ha (19.64 ac) Subject Lands consists of a 2.8 ha (6.91 ac) woodland with mature trees and successional meadow and are located within Toronto and Region Conservation Authority (“TRCA”)’s regulated area as it contains a remnant tributary of the Rouge River and a potential wetland. Figure 3 shows the surrounding land uses.

The Proposed Development includes six development blocks and one park (see Table 1)

Table 1: Proposed Development (refer to Figure 4 and 5)

	Blocks 1	Blocks 2	Block 3	Block 4	Block 5	Block 6	Park	Urban Open Space	Total
Area (ha)	0.26 ha (0.64 ac)	1.04 ha (2.56 ac)	1.81 ha (4.47 ac)	0.35 ha (0.86 ac)	0.79 ha (1.95 ac)	0.87 ha (2.14 ac)	0.80 ha (1.97 ac)	0.13 ha (0.32 ac)	6.05 ha (14.94 ac)
Height (Storeys)	6-25	6-32	4-20	4-10	4-12	4-8	--	--	--

Res. Units	237	796	855	152	337	0	--	--	2,377
Non-Res. GFA	478 m ² (5,145 ft ²)	1,890 m ² (20,343 ft ²)	632 m ² (6,802 ft ²)	0	2,325m ² (25,026 ft ²)	38,698 m ² (416,541 ft ²)	--	--	44,023 m ² (473,859 ft ²)

The Proposed Development is consistent with the Provincial Policy Statement, 2020 (the “2020 PPS”) and the Growth Plan for the Greater Golden Horseshoe, 2020 (the “Growth Plan”)

The 2020 PPS provides direction on matters of Provincial interest related to land use planning and development. These matters, in-part, include building strong healthy communities with an emphasis on efficient development, providing for all housing options, and wise use and management of resources. The Proposed Development facilitates a compact urban form through the intensification of underutilized lands in the City’s established Settlement Area with municipal services.

The Growth Plan provides a framework for implementing the Province’s vision for supporting a diverse range of housing options and transit-oriented communities within the Greater Golden Horseshoe to 2051. The Subject Lands are within a delineated built-up area and Major Transit Station Area (“MTSA”). The Proposed Development includes an appropriate mix of uses and provides access to active transportation options, consistent with the Growth Plan.

The Proposed Development conforms to the York Region Official Plan (the “2022 ROP”)

The 2022 ROP designates the Subject Lands ‘Urban Area’ and permits a wide range of residential, commercial, and industrial uses. It sets out a minimum target of 50% of all residential development in York Region to occur within the built-up area, as defined in the Growth Plan. The Subject Lands are also located within a Major Transit Station Area (“MTSA”), surrounding the Cornell Bus Rapid Transit (“BRT”) Station with a density target of 200 people and jobs per hectare. York Region supports the Proposed Development recognizing it is within a planned intensification area and will contribute to the density target for the MTSA.

The policies in the 2014 Markham Official Plan (the “2014 OP”) are deferred until a new Secondary Plan is approved for Cornell Centre

The 2014 OP designates the Subject Lands ‘Mixed Use Health Care Campus’, ‘Residential Mid Rise’, and ‘Mixed Use Low Rise’ within the Cornell Centre Key Development Area. The details of the policies are provided in Appendix ‘A’. Section 9.7.8.2 of the 2014 OP indicates that until an updated secondary plan is approved for Cornell Centre, the City’s 1987 Official Plan, as amended by the 2008 Cornell Secondary Plan, shall continue to apply to the Subject Lands.

The Subject Lands are within the ‘Deferral 2’ area in the 2008 Cornell Secondary Plan (“OPA 168”)

OPA 168 designates the Subject Lands ‘Institutional’, ‘Residential Neighborhood - Cornell Center’, and Avenue Seven Corridor - Mixed Residential’, within the ‘Deferral 2’ area. Details of these designations are included in Appendix ‘A’. The ‘Deferral 2’ applies to the lands bounded by Markham Stouffville Hospital to the north, Highway 7 to the south, 9th Line to the west, and Bur Oak Avenue to the east. The intent is to defer the OPA 168 policies pending completion of a comprehensive development concept for the area. Consequently, the 1995 Cornell Secondary Plan (“OPA 20”) continues to apply. The proposed Official Plan Amendment seeks to remove the Subject Lands from the “Deferral 2” area and redesignate the proposed park to ‘Open Space’. The designations for the remaining lands will remain the same, with site specific policies to accommodate the Proposed Development (see Appendix B).

The policies of the 1995 Cornell Secondary Plan (“OPA 20”) remain in effect on the Subject Lands

OPA 20 designates the lands located on the north side of Rustle Woods Avenue ‘Institutional - Hospital District’, the center precinct ‘Neighborhood General’, and the lands on Highway 7 ‘Community Amenity Area - Corridor’. The detailed policies of the designations are provided in Appendix ‘A’.

The 2015 Draft Cornell Centre Secondary Plan Update (“2015 draft Secondary Plan update”) designates the Subject Lands “Community Amenity Area - Mixed Use Bur Oak Corridor”

The draft Secondary Plan update was released to the DSC in 2015. The ‘Deferral 2’ area was refined with modified land uses, height and density, street network, and block configuration. While the 2015 draft Secondary Plan update has not been adopted, Staff have been using its policies as guidelines for reviewing planning applications within Cornell Centre. The Subject Lands were proposed to be designated ‘Community Amenity Area – Mixed Use 9th Line’ and ‘Residential High Rise’, as detailed in Appendix ‘A’.

By-law 304-87, as amended, zones the Subject Lands “Rural Residential - RR4”

The Zoning By-law permits one single detached dwelling, home occupation, and private home day care. To permit the Proposed Development, the Owner proposes to rezone the proposed parkland to “OS2 – Open Space”, and the balance of the Subject Lands to “Community Amenity Two – CA2”, under By-law 177-96, as amended, with site-specific development standards to address matters such as increased building height, reduced parking rate, and building setbacks (See Appendix “B”).

DISCUSSION:

The following section identifies how the matters raised throughout the review process, including those raised at the statutory Public Meeting, have been resolved or considered. The statutory Public Meeting was held on September 5, 2023, with no written submissions or deputations. The following summarizes the key comments from the DSC, which are discussed in whole or in part in this section:

- The proposed pedestrian mews will create a unique sense of place for the community
 - Support at-grade retail/service businesses
 - Inadequate transit services to support the Proposed Development
- a) ***Planning staff are satisfied with the proposed street, block pattern, and pedestrian mews***
The proposed street and block pattern is consistent with the 2015 draft Secondary Plan update concept plan. The subdivision would create smaller walkable blocks, resulting in a fine grid street network that improves area connectivity (especially between the bus terminal and the residential areas) and encourages alternative travel modes. Each block is appropriately sized and shaped to accommodate the Proposed Development. The overall layout is compatible with the adjoining developments in terms of street alignment and block configuration and contributes to the completion of the area’s overall development.
- The Proposed Development includes a mews as part of an interconnected open space system that provides pedestrian connection between Bur Oak Avenue and the Cornell BRT station. Staff support the proposed mews as it would improve the local active transportation network and contribute to creating a pedestrian friendly environment in the community. The mews is being proposed as a Privately-Owned Publicly Accessible Space (“POPS”). The detailed design and arrangement for the POPS will be dealt with during the future Site Plan application.
- b) ***The Proposed Development includes an approximate mix of uses***
The Proposed Development supports appropriate intensification on an urbanizing corridor near higher order transit. The building proposed on the north side of Rustle Woods Avenue is exclusively for non-

residential uses (i.e., offices and hotel) to support the adjacent hospital and medical clinics. Coupled with other retail and service uses proposed on the south side of Rustle Woods Avenue, the Proposed Development assists in creating a commercial main street in the heart of Cornell Centre, in which the 2015 draft Secondary Plan seeks to achieve. The Owner is also exploring opportunities for a retirement home within the Proposed Development to provide more senior housing options for the community. Staff are satisfied that the Proposed Development represents an appropriate mix of uses and will contribute to the creation of a complete community in Cornell Centre.

c) *The proposed building height generally conforms to the 2015 draft Secondary Plan update*

Except for the point towers proposed on Blocks 1 to 3, the proposed buildings all meet the height requirements in the 2015 draft Secondary Plan update. Staff note that the point towers only represent a minor component of the respective building. Staff have reviewed the submitted shadowing study and conclude that the impact is acceptable and in keeping with the evolving high-density character of the area. The Subject Lands are located within a MTSA where intensification is expected. The increased heights would support the role of Cornell Centre as a Key Development Area and achieve transit supportive densities. As such, Staff support the proposed height increases. However, as a mitigation measure, Staff recommend a provision in the Zoning By-law to cap the maximum floor area of each point tower at 850 m² to manage the overall scale and massing, and thereby reduce its visual and shadowing impact on surrounding lands.

d) *The proposed park would support a future school on the adjacent lands, and provide parkland credits towards other developments on Highway 7*

The Owner originally proposed a 0.4 ha (0.98 ac) partial park block that would merge with the open space on the adjacent development ("JD Elm") to form a 0.59 ha (1.45 ac) public park. However, JD Elm proposes to remove the open space on their lands to accommodate an elementary school site, which was identified by the York Region District School Board as being necessary to support the anticipated growth in Cornell Centre.

Staff negotiated with the Owner to have the entire park provided on the Subject Lands instead. As a result, the Owner increased the size of their park to 0.80 ha (1.97 ac), which will be secured in the site-specific Zoning By-law and draft plan conditions. The park would also support the future elementary school located on JD Elm's subdivision. The City would enter into an agreement with the School Board regarding the arrangement for the sharing of the park during the future Site Plan process.

Staff note that the proposed park represents an over-dedication as the Owner is only obligated to provide 0.192 ha (0.474 ac) of parkland for the Proposed Development. The Owner proposes that the over-dedicated parkland contribution of approximately 0.608 ha (1.502 ac) be distributed as credits towards the other developments within the Highway 7 corridor. Staff support the approach as it would result in a consolidated park with greater programming opportunities to better serve the community. However, further discussion is required to confirm the total parkland obligations within the Highway 7 corridor and finalize the arrangement with the other owners, which could be addressed as a condition of approval.

The Cornell Master Parks Agreement requires 2.428 ha (6 ac) of Urban Open Space be provided (in addition to the minimum parkland dedication) throughout the Cornell community. Records show that approximately 1.89 ha (4.69 ac) of Urban Open Space has been dedicated to date. The Owner proposes a 0.13 ha (0.32 ac) Urban Open Space (Block 8) at the center of the site adjacent to the pedestrian mews, which would contribute towards the shortfall. Staff opine that the proposed Urban Open Space is in an

appropriate location and will help create a pedestrian-scale environment in the center of the community. The detailed design of the Urban Open Space will be dealt with during the future Site Plan process. Staff will work with the Owner to explore implementing unique features, such as public art, to reinforce the sense of place for the community.

e) *The existing woodlot and potential wetland on the subject lands are not considered as significant natural heritage features*

The Owner proposes to remove the existing woodland feature on the Subject Lands, which was not designated Environmental Protection Area in the Official Plan nor identified as a woodlot to be preserved in the City's 1993 Natural Features Study. Staff, in consultation with the TRCA, determined that the woodland does not meet the criteria for Significant Woodland under the 2022 ROP. While staff have no concern with the removal of the woodland feature, mitigation and compensation will be required to ensure that all ecological impacts are appropriately addressed. The compensation amount will be determined in consultation with TRCA, secured by draft plan conditions (see Appendix 'D') and used by the City to undertake forest planting at an off-site location. The City will also require confirmation from the Ministry of Environment, Conservation and Parks that the woodland is not considered a protected habitat under the *Endangered Species Act* or as Significant Habitat for Endangered and Threatened Species under the PPS.

The wetland on the Subject Lands is also proposed to be removed. The TRCA indicates that the wetland was recently developed on the landscape and its formation has been influenced by site disturbance and stormwater management practices on adjacent lands. The wetland lacks ecological function and is highly isolated from the adjacent natural heritage areas. Therefore, TRCA has no concern with the removal of the wetland, subject to appropriate compensation which will be addressed as draft plan conditions (see Appendix "D").

f) *The Owner proposes 24 non-profit housing or affordable housing as part of the Proposed Development*

The Owner has submitted a letter committing to providing 24 non-profit housing units (at true cost) with a full range of sizes within the Proposed Development (see Appendix E). However, staff note that they would not meet the definition of affordable housing units if their true cost exceeded the affordability threshold established by York Region. Alternatively, the Owner proposes 24 units that would meet the affordable threshold, but with a smaller size ranging between 41.81 m² and 51.10 m² (450 ft² and 550 ft²). Staff recommend the smaller unit option due to the ability to control the unit price. Staff will continue to work with the Owner to secure the affordable housing units in a form and tenure acceptable to the City, which will be addressed as part of the draft plan conditions (see Appendix D).

g) *Connection to Markham District Energy will be considered during the detailed design process*

Staff will work with the Owner to explore the possibility of connecting the Proposed Development to Markham District Energy. Further technical review will be required during the detailed design process prior to registration of the subdivision.

h) *Site Plan approval will be required to finalize the design of the development on each block*

Each development block will be subject to future site plan control application(s) under Section 41 of the *Planning Act*. The Site Plan application(s) will initiate the technical review of the Proposed Development on each block, to assess:

- Site access and configuration for internal traffic circulation
- Configuration of fire access routes and municipal waste collection operations
- Provision for snow storage and removal

i) ***Development Engineering staff reviewed the Proposed Development and provided the following comments regarding servicing capacity***

There may be water supply and downstream sanitary capacity issues because the proposed density on the Subject Lands is greater than what was contemplated in the Cornell Master Environmental Servicing Plan. As part of the draft plan conditions, the Owner must submit further servicing analysis to the City for review and approval. The Owner may be required to enter into an agreement with the City to secure the provision of any infrastructure improvements necessary to service the Proposed Development.

j) ***Transit Services: York Region Transit (“YRT”) would closely monitor applications in Cornell Centre to adjust transit schedules as development intensifies***

YRT’s ultimate vision is for buses to operate at 15-minute frequencies, or better, six days a week from 6 am to 10 pm. Therefore, transit service is expected to improve as redevelopment in the area occurs to better serve the community.

CONCLUSION:

Staff opine that the Proposed Development is appropriate and represents good planning. The Subject Lands have been identified provincially, regionally, and locally for intensification with a mix of uses. The Proposed Development provides for desired intensification near existing transit routes and existing and future community amenities in a manner that is generally consistent with the pattern of development in the surrounding area. The proposed building heights and density are generally consistent with the 2015 draft Cornell Secondary Plan update. Therefore, staff recommend approval of the draft Official Plan and Zoning By-law Amendments attached as Appendix ‘B’ and ‘C’, and the Draft Plan of Subdivision, subject to the conditions attached as Appendix ‘D’.

FINANCIAL CONSIDERATIONS AND TEMPLATE:

This report has no impact to the Operating Budget or Life Cycle Reserve.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Applications align with the City’s strategic priorities in the context of growth management and municipal services to ensure safe and sustainable communities.

BUSINESS UNITS CONSULTED AND AFFECTED:

The Applications were circulated to various departments and external agencies and the City and external agency requirements are reflected in the implementing OPA and ZBA (refer to Appendices ‘A’ and ‘B’).

RECOMMENDED BY:

Giulio Cescato, MCIP, RPP
Director, Planning and Urban Design

Arvin Prasad, MCIP, RPP
Commissioner of Development Services

Figure 1: Location Map

Figure 2: Area Context/Zoning

Figure 3: Aerial Photo (2020)

Figure 4: Draft Plan of Subdivision

Figure 5: Conceptual Site Plan

Figure 6: Conceptual Rendering

Appendix 'A': Existing Land Use Designations

Appendix 'B': Draft Official Plan Amendment

Appendix 'C': Draft Zoning By-law Amendment

Appendix 'D': Draft Plan Conditions

Appendix 'E': Affordable Housing Letter