



Report to: Development Services Committee

Report Date: March 7, 2016

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<b>SUBJECT:</b>	Preliminary Report Application for Zoning By-law Amendment by Markham Woodmills Development Inc. Northwest corner of Elgin Mills Road and Highway 404 - Cathedral Secondary Plan area
<b>FILE NO:</b>	ZA 15 138017
<b>PREPARED BY:</b>	Geoff Day, MCIP, RPP Ext. 3071 – Senior Planner, West Development District
<b>REVIEWED BY:</b>	Dave Miller, MCIP, RPP Ext. 4960 – Manager, West Development District

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#### **RECOMMENDATION:**

1. THAT the report dated March 7, 2016, titled “Application for Zoning By-law Amendment by Markham Woodmills Development Inc., Northwest corner of Elgin Mills Road and Highway 404 - Cathedral Secondary Plan area, File No: ZA 15138017”, be received;
2. AND THAT a Public Meeting be held to consider the application for Zoning By-law Amendment to rezone the lands at the northwest corner of Elgin Mills Road and Highway 404;
3. AND FURTHER THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

#### **PURPOSE:**

This report provides preliminary information regarding an application for Zoning By-law Amendment at the northwest corner of Elgin Mills Road and Highway 404 and, to seek authorization to hold a statutory Public Meeting to consider this application.

This report contains general information regarding applicable Official Plan and Zoning policies as well as other matters. The report should not be taken as Staff’s opinion or recommendation on the application.

#### **BACKGROUND:**

##### **Application deemed complete**

The Zoning Amendment application submitted by Markham Woodmills Development Inc. was deemed complete on January 4, 2016.

##### **Subject property and area context**

The subject lands are approximately 7.8 ha (19.3 acres) in size and are located the northwest corner of Elgin Mills Road and Highway 404, in the Cathedral Secondary Plan area (Figure 1). A 3.13 ha (7.74 acre) mature woodlot is located on the northerly portion of the property.

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The lands are undeveloped and contain several mature deciduous trees along the southeasterly property line.

Surrounding uses include (Figures 2 and 3):

- To the north of the woodlot are undeveloped lands within the Highway 404 Secondary Plan area that are designated and zoned for employment uses;
- To the immediate south is Elgin Mills Road and to the south of Elgin Mills Road, Highway 404 on, and off ramps;
- To the east are undeveloped employment lands subject to on-going development applications by HBNG Holborn Group (OP 13 116651 & ZA/SU 15 116651). The applications are in support of converting the lands to residential designations to permit 193 street and lane based townhouse units (Figure 4).
- To the west, is Highway 404 and to the west of Highway 404 are lands within the Town of Richmond Hill.

### **Proposal**

The Zoning By-law Amendment application proposes to rezone the lands from Agricultural (A1) by By-law 304-87, as amended, to Business Corridor (BC), Business Park (BP) and Open Space One (OS1) under By-law 177-96, as amended. The rezoning of the lands will facilitate the future development of the lands for a mix of office, commercial and accessory retail uses consistent with the Official and Secondary Plan policies identified below.

Vehicular access will be from Lord Melbourne Street and potentially from a proposed north-south extension of the off ramp of Highway 404 at Elgin Mills Road.

Approval of the rezoning application will also designate the woodlot and a 10 metre environmental buffer as open space. Staff will be seeking conveyance of the woodlot and buffer to the City as a condition of Site Plan Approval. A concept plan has been submitted by the applicant, to show how the property may be developed (Figure 5). As illustrated, the conceptual development may contain:

- +/- 16,000 m<sup>2</sup> (170,000 ft<sup>2</sup>) of office space
- +/- 450 m<sup>2</sup> (5,000 ft<sup>2</sup>) of restaurant space
- +/- 600 parking spaces

However, this concept plan is for illustration purposes only. Further details will be provided as part of the site plan process. The owner has not yet filed an application for Site Plan Approval.

### **1987 Official Plan**

Under the in-force Official Plan (Revised 1987), as amended, the southerly portion of the subject lands are designated INDUSTRIAL - 'Business Corridor'; the central portion, INDUSTRIAL - 'Business Park'; and, the northerly portion, 'ENVIRONMENTAL PROTECTION AREA' (Figure 6).

Uses provided for under each of these designations include, but are not limited to, the following:

<b>Business Corridor</b>	<ul style="list-style-type: none"><li>• Office uses</li><li>• Light industrial uses</li><li>• Banks and financial institutions</li><li>• Hotels and motels</li><li>• Trade and convention centres</li><li>• Ancillary retail uses</li><li>• Service uses</li><li>• Sports and recreational uses</li><li>• Daycare centres</li><li>• Integrated restaurant uses</li><li>• Commercial schools</li></ul>
<b>Business Park</b>	<ul style="list-style-type: none"><li>• Office uses</li><li>• Light industrial uses</li><li>• Banks and financial institutions</li><li>• Hotels</li><li>• Trade and convention centres</li><li>• Ancillary retail uses</li><li>• Daycare centres</li><li>• Integrated restaurant uses</li><li>• Institutional uses</li></ul>
<b>Environmental Protection Area</b>	<ul style="list-style-type: none"><li>• Environmental protection purposes [no development opportunities]</li></ul>

**2014 Official Plan (partially approved October 30, 2015)**

The Markham Official Plan 2014 (partially approved October 30, 2015), designates the southerly portion of the subject lands ‘Service Employment’; the central portion, ‘Business Park Employment’; and, the northerly portion, ‘Greenway’ [Natural Heritage Network – Map 4] (Figure 7).

Uses provided for under each of these designations include, but are not limited to, the following:

<b>Service Employment</b>	<ul style="list-style-type: none"> <li>• Service uses</li> <li>• Office uses</li> <li>• Manufacturing, processing and warehousing</li> <li>• Financial institutions</li> <li>• Manufacturing, processing and warehousing</li> <li>• Motor vehicle body shop or repair facilities</li> <li>• Small scale retail uses</li> <li>• Accessory retail uses</li> <li>• Hotels</li> <li>• Trade schools</li> <li>• Commercial schools</li> <li>• Commercial parking garages</li> <li>• Commercial schools</li> </ul>
<b>Business Park Employment</b>	<ul style="list-style-type: none"> <li>• Office uses</li> <li>• Manufacturing, processing and warehousing</li> <li>• Hotels</li> <li>• Trade and convention centres</li> <li>• Accessory and ancillary retail uses</li> <li>• Commercial parking garages</li> <li>• Integrated restaurant uses</li> </ul>
<b>Greenway (<i>woodland</i>)</b>	<ul style="list-style-type: none"> <li>• Ecological restoration activities</li> <li>• Forest and wildlife habitat</li> <li>• Trails and nature-based public recreational activities</li> </ul>

### **York Region Official Plan 2010**

The lands are within the Urban Area of the Region's Official Plan. In addition, Map 5 and Section 2.2.45 of the Official Plan identifies the woodlot area as being a *significant woodland* within the Region which warrants preservation.

### **Cathedral Secondary Plan**

The southerly portion of the subject lands are designated 'Business Corridor'; the central portion, 'Business Park'; and, the northerly portion, 'Open Space/Environmentally Significant Area', in the in-force Cathedral Secondary Plan area (OPA 42 and 123) (Figure 8).

Schedule "BB" (Figure 8) and Section 5.9.7 of the Cathedral Secondary Plan identifies a potential road connection (Highway 404 northbound ramp extension) running north-south along the eastern portion of the lands from Elgin Mills Road to the existing terminus of Lord Melbourne Street. On October 29, 2013, the City's Development Services Committee resolved to defer any decision on the ramp extension due to the large capital costs, MTO conditions and lack of regional funding. The resolution also required that the property

requirements for the Hwy 404 ramp extension be protected through future planning applications. The City of Markham is required to undertake a Class Environmental Assessment (EA) to determine the need and location of the potential ramp extension. The EA is not scheduled nor is this project included in the Engineering Department's 10 year capital program.

**Applicant has appealed the Official Plan 2014 (partially approved October 30, 2015) to the Ontario Municipal Board (OMB)**

The applicant has appealed the Official Plan 2014 (partially approved October 30, 2015) to the Ontario Municipal Board (OMB). The appeal relates to:

1. Policy 3.1.1.3 [Greenway System – General Policies] - Whether it is fair and reasonable to require landowners to compensate the municipality if natural heritage and hydrologic features are removed regardless of whether studies support their removal;
2. Confirmation of the extent of the Greenway System on the applicant's lands and whether a vegetation protection zone should be required; and,
3. Policy 3.1.2.4 [Greenway System – Natural Heritage Network] - Whether it is fair and reasonable to require the applicant to convey lands within the Natural Heritage Network at no cost to the City and not be credited towards parkland dedication.

**Zoning by-law**

The lands are presently zoned Agricultural (A1) by By-law 304-87, as amended. A Zoning By-law Amendment is required to implement employment land uses envisioned for the property.

**OPTIONS/ DISCUSSION:**

**Benefits of the proposed development**

The proposed rezoning of the lands will implement the Employment and Greenway/Environmental Protection policies of the City's and the Region's Official Plan documents.

**Matters to be resolved**

1. Comments from various internal departments and external agencies remain outstanding which may affect the appropriateness of certain proposed uses and extent of development.
2. The proposal configuration generally provides high level of visibility and strong presence of office uses along Highway 404. The *Planning and Urban Design Rationale* submitted by the applicant indicates that the intent of the building locations is to accommodate future expansion of buildings or introduction of additional buildings. Further discussion is required to understand the intended phasing, parking needs and to explore the optimum street and block pattern that meets this intent. Staff will continue to work with the applicant at the Site Plan approval stage on matters including, but not limited to, the following:

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- Opportunity to provide a pedestrian orientated environment including landscaped pathway connections and active at-grade pedestrian orientated uses at each of the office buildings;
  - Interface improvement between the proposed development and the abutting properties and natural features;
  - Sustainability features for site development and building design such as LID measures, LEED certification or equivalent; and
  - Submission of a Comprehensive Block Plan to address other site related matters and phasing.
3. A Traffic Impact Study has been submitted and is presently under review. The conclusions and recommendations of this study may affect the overall development potential for the site. As the Holborn application contemplates residential uses, traffic mitigation measures may be required and explored further, through this application and the Holborn application to the east.
4. As the ultimate location/alignment of the ramp extension has not been finalized, consideration will be given to protect for the future alignment of the proposed ramp extension.

**FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not applicable

**HUMAN RESOURCES CONSIDERATIONS:**

Not applicable

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposal will be evaluated in the context of the City's strategic priorities, including Growth Management and Environment.


**BUSINESS UNITS CONSULTED AND AFFECTED:**

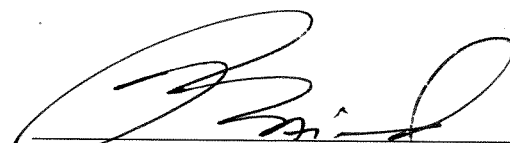
The application has been circulated to various departments and external agencies and is currently under review.

**Conclusion**

Staff recommend that a Public Meeting be held to consider the application for Zoning By-law amendment.

**RECOMMENDED BY:**

  
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Ron Blake, M.C.I.P., R.P.P.  
Senior Development Manager

  
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Jim Baird, M.C.I.P., R.P.P.  
Commissioner of Development Services

**ATTACHMENTS:**

Figure 1 – Location

### Figure 2 – Area Context

Figure 3 – Aerial Photo

Figure 4 – Proposed Draft Plan of Subdivision (Holborn Property)

### Figure 5 – Concept Plan

Figure 6 – Official Plan (Revised 1987)

Figure 7 – 2014 Official Plan (partially approved October 30, 2015)

Figure 8 – Cathedral Secondary Plan

Applicant/Agent

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