

**SUBJECT:****RECOMMENDATION REPORT**

Lindwide Developments (Cornell) Limited Proposed Draft Plan of Subdivision and Zoning By-law Amendment applications to permit 79 single detached dwellings, 270 townhouse dwellings, 162 stacked townhouse dwellings, high rise residential and employment uses, on the south side of Highway 7 and west side of Donald Cousen's Parkway, (Ward 5)

Files SU/ZA 18 154617

**PREPARED BY:**

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**RECOMMENDATION:**

- 1) That the report titled "RECOMMENDATION REPORT, Lindwide Developments (Cornell) Limited, Proposed Draft Plan of Subdivision and Zoning By-law Amendment applications to permit 79 single detached dwellings, 270 townhouse dwellings, 162 stacked townhouse dwellings, high rise residential and employment uses, on the south side of Highway 7 and west side of Donald Cousen's Parkway, (Ward 5), Files SU/ZA 18 154617", be received;
- 2) THAT the record of the Public Meeting held on November 13, 2018, regarding the Applications for a Draft Plan of Subdivision and Zoning By-law Amendment by Lindwide Developments (Cornell) Limited for lands on the south side of Highway 7 and west side of Donald Cousen's Parkway (19TM-18002), be received;
- 3) That the draft Zoning By-law Amendment application (ZA 18 154617) submitted by Lindwide Development (Cornell) Limited be approved, and that the draft Zoning By-law Amendment attached as Appendix 'A' to amend Zoning By-laws 304-87 and 177-96, both as amended, be brought forward to a future Council meeting and enacted without further notice once the by-law has been finalized;
- 4) That in accordance with the provisions of subsections 45 (1.4) of the Planning Act, R.S.O. 1990, c.P.13, as amended, the Owners shall through this Resolution, be permitted to apply to the Committee of Adjustment for a variance from the provisions of the accompanying Zoning By-law, before the second anniversary of the day on which the by-law was approved by Council;
- 5) That Draft Plan of Subdivision 19TM-18002 submitted by Lindwide Developments (Cornell) Limited, be approved subject to the conditions outlined in Appendix 'B';

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- 6) That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft Plan of Subdivision approval, subject to the conditions set out in Appendix 'B' and as may be amended by the Director of Planning and Urban Design;
  - 7) That the draft plan approval for Draft Plan of Subdivision 19TM-18002 will lapse after a period of three (3) years from the date of Council approval in the event that a subdivision agreement is not executed within that period;
  - 8) That the approval of the zoning by-law amendment and draft plan of subdivision be conditional on the City Solicitor (or her designate) securing the withdrawal of the existing Local Planning Appeal Tribunal appeals to the 2014 Official Plan related to this subject property;
  - 9) That Council assign servicing allocation for up to 507 dwelling units for Draft Plan of Subdivision 19TM-18002;
  - 10) THAT the recommendation from the Heritage Markham Committee on April 8, 2018 indicating that the municipal heritage committee does not support the proposed Zoning Amendment and Draft Plan of Subdivision applications because they do not appropriately consider the retention of the Abram Reesor and Frank Albert Reesor Houses as per the cultural heritage policies of the City's Official Plan, be received as information;
  - 11) 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 draft plan of subdivision and zoning by-law amendment applications submitted by Lindwide Developments (Cornell) Limited, for lands located on the south side of Highway 7 and west side of Donald Cousens Parkway (See Figures 1 through 3). The Draft Plan (Figure 4) proposes lane based low rise residential uses comprised of 79 single detached dwellings, 270 townhouse dwellings and 162 stacked townhouse dwellings. Development blocks are also proposed for a mixed use high rise development fronting Highway 7, two employment blocks along Donald Cousens Parkway and a public elementary school. The draft plan includes blocks to preserve existing natural heritage features, including a regionally significant woodlot, a Provincially Significant Wetland, open space, woodlot regeneration areas, parks and a storm water management pond.

Staff are generally satisfied with the proposed public street and lane configuration, and overall lot and block pattern. Staff are recommending approval of the zoning by-law amendment (Appendix 'A), and the draft plan of subdivision, subject to the conditions attached as Appendix 'B'.

### **PURPOSE:**

The purpose of this report is to provide an overview, evaluation and recommendation of Zoning By-law Amendment and Draft Plan of Subdivision applications (the "Applications") submitted by Lindwide Developments (Cornell) Limited.

### Application Processing

On June 12, 2020 the Province announced that the emergency regulations relating to *Planning Act* applications will end on June 22, 2020. After June 22<sup>nd</sup>, 2020, the procedural requirements (e.g. sending notices, public meetings, eligibility for appeals to LPAT, etc.) of *Planning Act* applications proceed as they did prior to the declaration of the emergency.

For Applications received during the emergency legislation, the timelines for the procedural requirements will begin on June 22, 2020. For Applications received prior to March 16, 2020, the procedural timelines will continue where they had been left on March 16h.

### **PROCESS TO DATE**

- June 7, 2018 – Applications deemed complete
- September 4, 2018 – Preliminary Report to Development Services Committee
- November 13, 2018 – Statutory Public Meeting
- December 2, 2019 – Second submission of applications received
- March 5, 2020 – Third submission of applications received.
- If approved the applicant will be required to satisfy draft approved subdivision conditions (Appendix ‘B’) and enter into a subdivision agreement with the City.

### **BACKGROUND:**

The 48.39 ha (100.5 ac) site (the ‘Subject Lands’) is located within Cornell Centre, on the south side of Highway 7 East and the west side of Donald Cousens Parkway (Figures 1, 2 and 3). The subject lands currently contain two existing detached dwellings which are both individually designated under Part IV of the Ontario Heritage Act as properties of cultural heritage value or significance. The balance of the site comprises agricultural fields, a woodlot and wetlands at the south and east sections of the site. The surrounding area includes:

- A future commercial shopping centre abutting the northwest portion of the site, on lands also owned by the applicant;
- Anticipated high rise residential and mixed use development along the north side of Highway 7;
- Existing and future low rise residential development, further north, across Highway 7;
- Highway 407, which abuts the site to the south;
- Anticipated employment uses to the east, across Donald Cousens Parkway, on lands also owned by the Applicant; and
- Existing low rise residential to the west.

### **The Applicant has City wide and site specific appeals to the ‘2014 Official Plan’ (as partially approved on November 24, 2017 and further updated on April 9, 2018)**

The applicant is an appellant to the Markham 2014 Official Plan. Their appeals are applicable to City-wide policies and site specific policies for the subject lands. Appeals relate to the appropriateness of land use and natural heritage designations and policies applicable to the subject lands. Approval of the applications is conditional on the Owner

withdrawing appeals to the 2014 Official Plan for the subject lands, to the satisfaction of the City solicitor or her designate. The applicant has agreed to this request.

## PROPOSAL

Lindwide Properties (Cornell) Limited is proposing a draft plan of subdivision on the subject lands containing approximately 961 residential units in low rise and high rise development forms. The draft plan of subdivision also includes employment uses, public parks, a public school site, natural heritage blocks (woodlands and wetlands) and open space blocks. The proposed draft plan is shown in Figure 4 and summarized in Table 1.

<b>Table 1: Draft Plan of Subdivision Statistics</b>			
<b>Land Use (Residential)</b>	<b>Units</b>	<b>Lot/Block No.</b>	<b>Hectares (Acres)</b>
Single Detached Dwellings	79	1 to 79	2.665 (6.585)
Townhouse Dwellings – detached garages	80	96-101, 109-120	1.907 (4.712)
Townhouse Dwellings – attached garages	190	102-108, 121-153	3.525 (8.710)
Multiple Unit Dwellings (Stacked Townhouses)	162	96 to 153	1.516 (3.746)
Mixed Use High Rise	450	154	1.904 (4.705)
<b>Total (Residential)</b>	<b>961 Units</b>		<b>11.517 (28.459)</b>
<b>Land Use (Other)</b>	<b>Block No.</b>		<b>Hectares (Acres)</b>
Employment	155 and 156		7.207 (17.809)
Public Elementary School	157		2.409 (5.953)
Parks	158 to 161 and 180		1.607 (3.971)
Provincially Significant Wetland and 30 m Buffers	162 to 167		2.267 (5.602)
Woodlot and 10 m Buffer	168 to 171		7.699 (19.025)
Open Space	172 to 178		1.464 (3.618)
Storm Water Management Pond	179		2.442 (6.034)
Multi-Use Paths (MUPs)	181 to 188		0.708 (1.750)
Woodlot Regeneration	189 to 190		0.975 (2.409)
Servicing Block	191		0.005 (0.012)
Region of York Highway 7 Road Widening	192		0.323 (0.798)
Roads and Lanes			10.817 (35.489)
<b>Total (Other)</b>	<b>961 Units</b>		<b>37.923 (93.710)</b>
<b>Total (All)</b>	<b>961 Units</b>		<b>49.44 (122.169)</b>

### Street and Lane Configuration

The draft plan proposes an integrated network of public streets and lanes. The proposed low rise building forms, including single detached, townhouse and stacked townhouse dwellings are accessed via rear lanes, which is consistent with the Cornell Secondary Plan. Access to the subdivision from Highway 7 East is at three locations, including:

- Street 'A' a north/south street along the east portion of the draft plan which aligns with Cornell Rouge Boulevard on the north side of Highway 7;
- Street 'B' a north/south street along the central portion of the draft plan which aligns with William Forster Road on the north side of Highway 7; and

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- Street 'O', a north/south street along the west portion of the draft plan that connects to a southern extension of Bur Oak Avenue from Highway 7,

Access to the subdivision from Donald Cousens Parkway is via a proposed east/west road at Street E, which connects to the south extension of Bur Oak Avenue.

### **Provincial Policy and Considerations**

Staff have reviewed the proposed applications and are of the opinion that the proposed development is consistent with applicable the Provincial policy. Further analysis on the provincial policy framework is in Appendix 'C'.

### **OFFICIAL PLAN AND ZONING**

#### **Region of York Official Plan, 2010**

The subject lands are designated 'Urban Area', which provides for the proposed residential, mixed use and employment forms of development. The central and southern portions of the site is designated 'Regional Greenlands System', which "intends to identify, protect and enhance a linked Greenlands System as a permanent legacy for York Region". The portions of the subject lands within this designation include the regionally significant woodlot, the Provincially Significant Wetland and portions of the non-Provincially Significant Wetland. The proposed applications comply with the Region of York Official Plan 2010.

#### **2014 Official Plan, as partially approved on November 24, 2017 and further updated on April 9, 2018**

The 2014 Official Plan designates the subject lands as follows:

- Greenway
- Residential Mid Rise
- Residential High Rise
- Mixed Use High Rise
- Business Park Office Priority Employment
- Business Park Employment

The land use designations applicable to the site are shown in Figure 5. A summary of the proposed development in each designation is provided in Appendix 'D'. The proposed land uses conform to the 2014 Official Plan except for:

- Single detached dwellings proposed in the 'Residential Mid Rise' designation on the west side of the draft plan; and
- Townhouse dwellings proposed in the 'Greenway' designation on the southeast portion of the site.

Notwithstanding the land use designations noted above, the 2014 Official Plan identifies the subject property within the Cornell Centre Key Development Area (KDA). Applicable transition policies require that until an updated secondary plan is approved for Cornell Centre, the provisions of the Official Plan (Revised 1987), as amended and the current Cornell Secondary Plan (OPA 168) shall continue to apply.

#### **Official Plan (Revised 1987) & 2008 Cornell Secondary Plan (OPA 168)**

The Cornell Secondary Plan designates the subject lands as follows:

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- Environmental Protection
  - Open Space
  - Residential Neighbourhood – Cornell Centre
  - Avenue 7 Corridor – Mixed Residential
  - Business Park Area – Avenue 7 Corridor
  - Business Park Area

The land use designations applicable to the site are shown in Figure 6. A summary of the proposed development in each designation is provided in Appendix ‘E’. The proposed draft plan of subdivision conforms to the Cornell Secondary Plan with the following noted exceptions:

Wetlands were not identified in the Cornell Secondary Plan

The Ministry of Natural Resources and Forestry (MNRF) identified the Provincially and non-Provincially Significant Wetlands on the subject property in 2016. Consequently, these wetlands are not specifically identified as natural features to be protected in the 2008 Cornell Secondary Plan. The south portions of both wetlands are designated ‘Open Space’ which offers a level of protection for these natural features. The north section of the non-PSW is within the ‘Residential Neighbourhood – Cornell Centre’ designation which permits residential uses, as outlined in Appendix ‘E’.

The applicant proposes to preserve the Provincially Significant Wetland and the 30 m wide buffers required by the MNRF. The Provincially Significant Wetland and buffers will be conveyed to the City upon registration of the plan of subdivision. The applicant proposes to develop the north portion of the non-Provincially Significant Wetland with townhouses, which is a permitted land use in the 2008 Cornell Secondary Plan. Additional information regarding impacts to the wetland are provided in the ‘Wetland and Woodland Considerations’ subsection of this report.

Townhouses Proposed within the Open Space Designation, southeast edge of Woodlot

The draft plan proposes Townhouse dwellings in a portion of the subject lands designated ‘Open Space’, located at the southeast edge of the woodlot. This designation provides for parks and storm water management facilities, and does not permit residential development. Staff note however, that Section 6.5.1 c) of the Secondary Plan states that,

“the locations, configurations, boundaries of these [Open Space] lands shall be confirmed through detailed studies and plans identified in this Secondary Plan and may be revised, in accordance with the findings in and recommendations of these studies without further amendment to this Secondary Plan”.

Studies submitted in support of the development applications relating to the natural features and open space elements on the subject lands include but are not limited to, the Master Environmental Servicing Plan (MESP) and Environmental Impact Statement (EIS), Woodland and Wetland Compensation Plan. Additionally, the applicant is required to satisfy parkland obligations in accordance with the Cornell Master Parks Agreement, which includes provisions for land based woodlot re-generation areas. Through review of these materials, staff are satisfied that the existing natural heritage and open space features are adequately provided for; and that where impacts to these features are proposed,

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appropriate means of compensation will be provided and secured as conditions of Draft Plan of Subdivision approval (Appendix 'B'). Staff are of the opinion that an adjustment to the Open Space boundary for this area is appropriate without requiring an amendment to the Secondary Plan.

### **Cornell Centre Secondary Plan Update**

An updated Secondary Plan for Cornell Centre is being finalized by the Policy and Research Group. A Draft Land Use Concept for Cornell Centre was presented to DSC on September 22, 2015, to provide a policy framework for a future secondary plan for Cornell Centre. The draft land use concept affecting the subject lands proposes the following designations:

- Environmental Protection Area – Greenway
- Open Space
- Residential Mid Rise I
- Residential High Rise
- Business Park Area – Business Park Office Employment
- Business Park Area

The land use designations proposed for the site are shown in Figure 7. A summary of proposed development in each designation is provided in Appendix 'F.' The proposed land uses conform to the 2014 Official Plan, except where townhouses are proposed in the Greenway designation at the southeast portion of the site. This is similar to what was outlined above in the Cornell Secondary Plan subsection of this report. As noted, the Cornell Secondary Plan is the current policy framework applicable to the subject lands.

### **Current and Proposed Zoning**

Figure 2 shows the current zone categories applicable to the subject lands, which are:

- Agriculture One (A1) under By-law 304-87, amended;
- Rural Residential One (RR1) under By-law 304-87, amended;
- Rural Residential Two (RR2) under By-law 304-87, amended; and
- Open Space One (OS1) under By-law 177-96, as amended.

The applicant proposes to incorporate all of the subject lands within By-law 177-96, as amended, with appropriate zone categories to implement the proposed draft plan of subdivision. The proposed zoning by-law amendment requests zoning designations to reflect the land use permissions and built form contemplated in the current Cornell Secondary Plan and to implement the proposed draft plan of subdivision. The draft zoning by-law amendment is attached as Appendix 'A'.

### **Bill 73 and Amendments to the Planning Act**

The Planning Act, R.S.O. 1990, c.P.13, was amended on July 1, 2016 through the enactment of Bill 73, to no longer allow an application for a variance from the provisions of the zoning by-law within two years of a zoning amendment being approved, unless Council has declared by resolution that such an application is permitted. Given that detailed site plan applications have not been submitted to establish the precise building locations and site configurations, staff recommend a Council resolution to permit a variance application to be submitted within this two year period if required by the applicant

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to implement a detailed site plan on either of the development blocks. This will provide the proponent flexibility with respect to the detailed site design by allowing for the submission of a variance if necessary and where appropriate.

## **DISCUSSION**

### **Public Input Summary**

The Statutory Public Meeting was held by Development Services Committee on November 13, 2018 to obtain public input on the proposed draft plan of subdivision and zoning by-law amendment applications. There were no comments made by members of the public. At the statutory Public Meeting Committee members noted that the development should:

- Have consideration for rental and affordable housing;
- Be designed to provide connectivity to the abutting property to the north, proposed to be developed as a commercial shopping centre; and
- Be designed to provide connectivity through a trail network along the south portions of the subject lands to existing trails and low rise residential development to the west, and ultimately connect to the Rouge National Urban Park (RNUP) to the east at Reesor Road.

In response to these comments, staff have provided detailed comments on the applicant's proposed housing affordability measures at the end of this report. Comments related to connectivity to the RNUP and proposed commercial shopping are provided in the Woodland, Open Space and Trails subsection of this report.

### **The Draft Plan has been Revised to Address City and TRCA staff Requirements**

The original 2018 submission of the draft plan of subdivision proposed an extension of Bur Oak Avenue as a collector road that 'looped' around the woodlot along the south portion of the subject lands. This provided east/west connectivity for developments in Cornell south of Highway 7, between 9<sup>th</sup> Line and Donald Cousens Parkway. This street configuration was contemplated in the current Cornell Secondary Plan (2008), 2014 Official Plan and draft Cornell Centre Secondary Plan (2015), which all predated the identification of the Provincially Significant and non-Provincially Significant Wetlands on the site. While this road configuration is contemplated in the Official Plan, it would negatively impact both wetlands, as sections would need to be removed for the road right-of-way.

Markham and Toronto Region Conservation Authority (TRCA) staff were particularly concerned about negative impacts to the 1.23 ha (3.03 ac) Provincially Significant Wetland, which is not permitted by the Provincial Policy Statement, 2014 (PPS 2014) and the City's 2014 Official Plan. Further, impacts to the non-Provincially Significant Wetland were in excess of what is permitted by Section 8.7.3 of the TRCA's Living City Policies, which states "development and interference may be permitted within other wetlands (i.e. non-Provincially Significant Wetlands) less than 0.5 ha in size."

City and TRCA staff requested that the draft plan of subdivision be revised to preserve the Provincially Significant Wetland and lessen impact to the non-Provincially Significant Wetland. City staff also requested that any revisions to the draft plan continue to



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accommodate an east/west collector road through the site to provide connectivity between existing and proposed development south of Highway 7.

In response, the applicant submitted a revised draft plan of subdivision on March 5, 2020, which is acceptable to City staff and the TRCA. The revisions:

- Preserve the PSW in its entirety, and associated 30 m wide buffers;
- Lessens impact to the non-Provincially Significant Wetland, in which the area of wetlands proposed to be removed has been reduced from 1.4 ha (3.46 ac) to 1.11 ha (2.74 ac) which allows a total of 1.26 ha (3.11 ac) to be preserved; and
- Proposes an east/west collector road along the north portion of the site to provide connectivity through existing and proposed development in Cornell Centre, south of Highway 7.

Additional comments related to compensation for impacts to the non-PSW and woodlot are summarized further in the following section.

#### Wetland and Woodlot Impact Considerations

The draft plan proposes to preserve the PSW in its entirety, as well as associated 30 m wide buffers. Figure 8 shows the location of the non-PSW, and the areas to be removed and retained. In total 1.26 ha (3.11 ac) of this wetland will be retained and 1.11 ha (2.74 ac) will be removed in two separate sections, having areas of 0.51 ha (1.26 ac) and 0.6 ha (1.48 ac). To substantiate these removals, the applicant submitted a Wetland Removal Letter which notes that although the removals slightly exceed what is permitted by the TRCA's Living City Policies (0.5 ha/1.64 ac), the removals meet all other criteria to permit development or interference with non-PSWs.

The east/west collector road along the north portion of the draft plan will result in the removal of approximately 0.12 ha (0.3 ac) of woodland along the north edge of the woodlot. Ecological compensation for the removal of the woodland will be required as a condition of draft plan approval.

The total loss of natural heritage features, including wetland and woodland removals is 1.23 ha (3.04 ac). As partial compensation, the draft plan proposes a 0.97 ha (2.4 ac) woodlot regeneration block to add to the Greenway System that will partially offset the removal of the wetlands and woodlands. Consequently the net loss of natural heritage features is 0.26 ha (0.64 ac). The TRCA and the City's Natural Heritage section consider this to be acceptable, and are of the opinion that the overall net loss of natural heritage features can be adequately compensated in the form of land-based compensation on other lands in Markham owned by the applicant, or through financial compensation.

#### **Toronto Region Conservation Authority**

In an email dated June 5, 2020, the TRCA confirmed the limit of development as it relates to woodland and wetland removals is acceptable if there is comprehensive restoration plan which will be addressed as a draft subdivision condition. In a letter dated June 8, 2020, the TRCA indicated that comments related to flood plain management need to be addressed by the applicant prior to release of draft subdivision conditions to the City. The draft

conditions in Appendix 'B' will be updated to include TRCA conditions prior to issuance, once the applicant has addressed outstanding flood plain comments.

**Region of York**

In a letter dated April 24, 2020, the Region of York advised that there was no objection to the draft plan of subdivision and Zoning By-law Amendment, subject to conditions of draft plan approval, which have been included in Appendix 'B'.

**York Region District School Board**

In a letter dated April 6, 2020 the York Region District School Board (YRDSB) advised that they were generally satisfied with the 2.409 ha size and configuration of school Block 157 on the draft plan of subdivision, subject to the draft conditions included in Appendix 'B'. The school block will be conveyed to YRDSB upon registration of the subdivision. Timing for development of a school on this block will be determined by the YRDSB based on needs and student enrollment projections.

**Cornell Landowners Group Obligations**

The applicant is required to enter into and be a participant in good standing of the Cornell Cost Sharing Agreement. A clearance letter from the Trustee of the Cornell Landowners Group is required as a condition of draft plan approval (Appendix 'B') to advise that any outstanding obligations, financial or otherwise, have been addressed prior to final plan registration.

**Parkland Requirement**

The draft plan proposes the conveyance of four park blocks to the City, as follows:

- Block 158, a 0.398 (0.98 ac) park located at the southwest portion of the subject lands;
- Blocks 159 and 161, together provide a 1.027 ha (2.41 ac) neighbourhood park located at the east side of the woodlot,;
- Block 160 is a 0.032 ha (0.08 ac) block located in front of five proposed townhouses at the intersection of Streets 'N' and 'O';
- Block 180, a .150 ha (0.37 ac) linear park/trail block along the east side of proposed Street B (William Forster Road).

The location and size of blocks 158, 159, 161 and 180 are consistent with the requirements of the Cornell Master Parks Agreement. The fourth park, Block 160 with an area of 0.032 ha (0.08 ac) is not of a sufficient size to be accepted as parkland dedication. At a minimum it should be 0.2 ha (0.5 ac) to be accepted as a parkette.

Overall, 1.575 ha is proposed to be dedicated as parkland (less the area of block 160), which satisfies the 1.557 ha parkland dedication requirement for low rise development on the draft plan. This also satisfies parkland dedication requirements of the Cornell Master Parks Agreement for the majority of the subject lands, except portions of the site within the Highway 7 corridor, as identified in the parks agreement.

Parkland dedication for the Highway 7 corridor is not accounted for in the Cornell Master Parks Agreement, as residential densities for this corridor were unconfirmed at the time

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that the agreement was drafted. The agreement acknowledges that alternative parkland delivery is required for the Highway 7 corridor lands. For the subject lands, this includes the 1.94 ha (4.79 ac) mixed use high rise block containing up to 450 units and a portion of Employment Block 155 with an approximate area of 1.69 ha (4.18 ac).

The total parkland/cash in lieu required for blocks within the Highway 7 corridor will ultimately be assessed at the site plan stage when precise unit counts are confirmed, and in accordance with the Planning Act requirements in effect at that time. This may include delivery of some parkland onsite or cash-in-lieu of parkland to the City. Staff note however, that based on the proposal for up to 450 units on Block 154, and the land area of employment block 155 within the Highway 7 corridor, a total of 0.934 ha (2.038 ac) of parkland dedication or cash in lieu equivalent may be required for these block sat the current parkland rates.

Noting that Block 160 will need to be expanded to a minimum size of 0.2 ha (0.5 ac) to be considered acceptable parkland dedication as parkette, a draft subdivision condition has been included in Appendix 'B' to request redline revisions to expand this block. To achieve this, additional land dedication could be considered as part of the parkland requirements for lands within the Highway 7 Corridor. The applicants have agreed to work with staff on this consideration.

### **Woodland, Open Space and Trails**

The draft plan preserves a large 7.69 ha (19 ac) woodlot with required 10 m wide environmental buffers. An interconnected trail network will be developed throughout the plan, including the construction of the continuous 3.0m wide multi-use trail system. This is secured as a draft condition of subdivision approval (Appendix 'B').

As previously noted, the need for the development to be designed to incorporate an interconnected trail and open space system was raised by Development Services Committee at the November 2018 Public Meeting. Active transportation routes will provide appropriate connectivity through the draft plan, including along the south portions of the site through natural heritage features, storm water management and open space blocks, ultimately connecting to the RNUP. North/south MUPs located on both sides of the woodlot will provide connectivity to the proposed commercial shopping centre.

The Cornell Master Parks Agreement requires woodlot regeneration areas be provided on the subject lands, with an area of 4.29 ha. The draft plan satisfies this requirement by providing an approximate area of 4.75 ha, including within a 0.97 ha woodlot regeneration block (Blocks 189 and 190), the 10 m wide woodlot buffers, the Open Space Block 172 and dry lands within the storm water management block 179.

### **Fine Grained Street & Block Pattern Achieved**

Approval of the draft plan will implement the finer grid street and lane network envisioned in the current Cornell Secondary Plan and draft secondary plan update (September 2015). Staff are generally satisfied with the proposed street and block pattern, which results in shorter more walkable blocks and a range of routes to encourage alternative modes of travel. The ultimate street and lane configuration will be determined through the

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Transportation Planning section's acceptance of the technical engineering review (following draft subdivision approval) which may require refinements to consider:

- transitions between collector and local roads;
- eliminating intersection offsets;
- boulevard treatments and resulting right-of-way widths;
- day-light triangle requirements; and,
- strengthening the connectivity of MUPs

Appropriate draft plan of subdivision conditions have been included in Appendix 'B' to allow for any required revisions related to the detailed transportation review.

#### Outstanding Fire and Operations Department Comments on Lane Lengths B, H and G

The Fire Department has reviewed the draft plan to ensure there is safe access for emergency response. The Fire Department advises that Lane B exceeds the maximum lane length requirements of 120 m for single detached units. The Operations Department has reviewed the proposed draft plan to ensure the layout meets City standards for operational function, including snow clearance and storage. The Operations Department advises that two Lanes H and G exceed the maximum length of 90 m for townhouses and require snow storage notches.

These lanes will be required to be revised to address these outstanding comments, and appropriate draft conditions have been included in Appendix 'B' to require revisions to the satisfaction of the Fire Chief and Director of Operations, or their designees.

#### **Municipal Servicing is available**

There is sufficient servicing allocation available from City Council's current allocation reserve to accommodate portions of the development proposed to be developed with low rise housing forms (single detached, townhouse and stacked townhouse dwellings). The City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner. Servicing allocation for the mixed use high rise block along Highway 7 and employment blocks along Donald Cousens Parkway will be confirmed at the site plan application stages.

The proponent is working with the Engineering and Water Works department to finalize the servicing configuration for the subject lands. Final approval of the servicing configuration is an aspect of the technical submission to the Engineering Department following draft approval, including final acceptance of the Functional Servicing Report. The Engineering Department has provided draft conditions, which have been incorporated into Appendix 'B', to ensure all outstanding technical matters are satisfied prior to registration of the plan of subdivision.

While servicing allocation is confirmed in accordance with City Council's current allocation reserve the Region of York has identified an emerging sanitary sewer capacity issue affecting the timing for development to proceed in Cornell Centre, including the subject lands. This relates to the Region of York sanitary sewer vortex (a very deep vertical sanitary sewer pipe which serves the Cornell community) located west of the subject lands at 9<sup>th</sup> Line and Kenilworth Gate which is nearing capacity. As a condition of draft

subdivision approval, the Region of York has requested that the adequate residual capacity be confirmed prior to any proposed development, or that the Owner make necessary arrangements to upgrade the Region's existing vortex structure, which is included in the Draft Conditions in Appendix 'B'.

### **Architectural Control**

The low rise dwellings will be required to comply with the established Cornell architectural control guidelines, which will ensure single detached, townhouse and stacked townhouse elevations are designed in a manner that incorporates the requirements and criteria of the approved Cornell Community Design Plan. Compliance with the architectural control guidelines will also ensure that those physical elements within the private realm contribute to the development of character and a sense of place for the community, and address components such as location of main entrances and porches, roof slopes, corner lot architecture and materials.

Urban Design staff will ensure conformity with approved architectural control guidelines through review and approval of townhouse siting applications, prior to the issuance of building permits. Townhouse siting applications are submitted closer to registration of the plan of subdivision, and have not yet been submitted to the City to initiate this review.

### **Heritage Dwelling Retention**

The subject lands are developed with two existing detached dwellings which are both individually designated under Part IV of the *Ontario Heritage Act* as properties of cultural heritage value or interest. (The Abram Reesor House at 7265 Highway 7 and the Frank Albert Reesor House at 7323 Highway 7.) Dwellings will be required to be retained and preserved as part of any approval of the draft plan of subdivision. Ideally heritage homes are preserved in-situ, which is the preference of Heritage Section planning staff and the Heritage Markham Committee.

The Abram Reesor house at 7265 Highway 7 is situated within the proposed mixed-use high rise development block along Highway 7. This dwelling could potentially be retained on this block and incorporated into a future mixed-used high rise development. The Frank Albert Reesor House is situated within the centre of a proposed Collector Road, Street 'A' in the draft plan. This road location is required as part of the fine-grain street network, as it aligns with Cornell Rouge Boulevard on the north side of Highway 7. Accordingly, this dwelling will need to be relocated and preserved elsewhere on the draft plan of subdivision.

The Applicant has not provided a preservation plan to demonstrate how either of these dwellings will be retained on the draft plan, which is a particular concern for the dwelling that will be relocated to accommodate Street 'A'. A preservation plan would demonstrate where this dwelling, or both, will be re-sited and identify an appropriate lot(s) that emphasizes the unique heritage characteristics of the dwellings with respect to the lot size, location and configuration.

On April 8, 2018, Heritage Markham Committee indicated it does not support the proposed Zoning Amendment and Draft Plan of Subdivision applications because they do not appropriately consider the retention of the Abraham Reesor and Frank Albert Reesor

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Houses as per the cultural heritage policies of the City's Official Plan. This is an opinion shared by Heritage Section staff. The applicant is of the opinion that matters related to preservation of these heritage dwellings within the proposed development can be addressed prior to final registration of the plan of subdivision. Staff have included draft plan of subdivision conditions in Appendix 'B' that require the applicant to submit an acceptable heritage preservation plan for these dwellings, in accordance with City of Markham Official Plan policies, to the satisfaction of the Director of Planning and Urban Design. Implementation of the approved preservation plan may require revisions to the draft plan to identify appropriately sized priority lots for the relocation of these homes.

### **Section 37 and Public Art Contributions**

As part of the zoning by-law amendment approval to intensify the subject lands with residential development the applicant has agreed to provide a financial contribution towards public art as a Section 37 Community Benefit. This is included within the draft zoning by-law, attached as Appendix 'A' and is required to be secured through the subdivision agreement (Appendix 'B'). Section 37 community benefits for the increased height and density of the mixed use high rise block is currently being discussed with the applicant and will be addressed in the zoning by-law prior to its finalization.

### **Site Plan Applications Required for High Rise, School and Employment Blocks**

Site plan applications are required for the High Rise development block along Highway 7; the two employment blocks along Donald Cousens Parkway; and public elementary school block at the northwest side of the woodlot. ]The draft zoning by-law (Appendix 'A') proposes to rezone these blocks to permit the land uses and built form contemplated in the 2008 Cornell Secondary Plan. Upon submission of the site plan applications, staff will have further consideration of development on each block, to assess:

- Site access and configuration for internal traffic circulation;
- Configuration and function of fire access routes and municipal waste collection operations;
- Detailed building siting and exterior elevations, and determining the appropriate placement of buildings on Highway 7 and Donald Cousens Parkway.

### **Sustainable Development and Accessible, Affordable and Rental Housing Considerations**

The applicant has provided a summary of sustainability, age friendly and affordable housing measures to be incorporated into the draft plan of subdivision, which is attached as Appendix 'G'. At the November 2018 Public Meeting, DSC requested the development should have considerations for ageing in place, rental and affordable housing. In this regard the applicants are proposing the following features;

#### Age in Place/Accessibility Features

- Two to three house designs with optional ground floor bedrooms
- Two single detached dwellings designs with closet configurations to facilitate future retrofits to install elevators;
- 36 inch wide front, rear and garage entry doors. Minimum 30 inch wide bathroom doors. Minimum 32 inch wide hallway doors, and open concept design where possible;

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- Reinforced bathroom walls for grab bars;
  - Options for comfort level light switches; cabinet heights in kitchens and bathrooms, shelving and closet rods;
  - Step in showers with optional seats;
  - Lever style door handles;
  - House design with furniture layout considerations to provide adequate space for travel/movements which strive for straight paths;

#### Measures in High Rise Block

Accessibility and sustainability measures for the high rise block will be assessed through the future site plan control application. However, the Ontario Building Code requires certain provisions to be included within apartment buildings and the applicant has identified what is proposed to be included in Appendix 'G'.

#### Affordable Housing Options

- Some models designed to include optional coach houses; and
- Optional side doors on single detached dwellings for future second suite opportunities.

The inclusion of coach houses and accessory units provides an opportunity for small-scale shared or rental housing which is an important component of meeting affordable housing objectives set out in the 2014 Official Plan. The applicant has agreed to build coach house units for at least 5% of the single detached units. Although this equates to four coach house units out of the proposed 79 single detached lots, the applicant has agreed to work with staff to provide additional purpose built accessory units within the draft plan of subdivision.

The draft zoning by-law (Appendix 'A') permits one accessory unit for all of the single detached and townhouse dwellings (79 detached and 270 townhouses), in the form of coach houses above detached garages or within the main dwellings. Unit purchasers could therefore request a coach house, as an option, above the 5% committed to by the applicant. Alternatively, the zoning permissions would allow future homeowners to add coach houses or accessory units to increase the overall supply of shared or rental housing in the subdivision. Approval of variances may be required to permit the reduction of one required parking space for accessory units on lots that are not sized to provide additional parking, which have been supported by Staff.

The proposed mixed use high rise development block units may provide additional affordable housing opportunities, to be assessed through a future site plan application.

#### **CONCLUSION**

Staff have reviewed the proposals and determined that the development is consistent with the policies of the PPS, conforms to the Growth Plan and the YROP, and implements the Cornell Secondary Plan. As noted, there are some outstanding matters to be addressed by which will require redline revisions to the draft plan prior to final approval, to:

- To increase the size of Block 160 to a minimum of 0.2 ha (0.5 ac) as a parkette;
- Refine lane lengths to the satisfaction of the Fire and Operations Departments;
- Address Transportation Planning comments; and,

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- Provide a preservation plan and location for the two heritage dwellings.

Overall, Staff are satisfied that the development represents good planning, and support the approval of the zoning by-law amendment attached as Appendix 'A', and draft plan of subdivision, subject to the conditions in Appendix 'B'.

**FINANCIAL CONSIDERATIONS AND TEMPLATE:**

Not Applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not Applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The subject applications were reviewed in the context of the City's Strategic Priorities of Growth Management, Transportation and Municipal Services.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The Proposal was circulated to internal City departments and external agencies. Requirements of the City and external agencies have been reflected in the conditions of draft plan of subdivision approval and the implementing Zoning By-law Amendment (See Appendix A: Draft Zoning By-law Amendment and Appendix B: Conditions of Draft Plan of Subdivision Approval).

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Biju Karumanchery, M.C.I.P., R.P.P.  
Director of Planning and Urban Design

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Arvin Prasad, M.C.I.P., R.P.P.  
Commissioner of Development Services

**ATTACHMENTS:**

Figure 1 – Location Map

Figure 2 – Area Context/Zoning

Figure 3 – Air Photo

Figure 4 – Proposed Draft Plan of Subdivision

Figure 5 – 2014 Official Plan Land Use Designations

Figure 6 – Cornell Secondary Plan Land Use Designations

Figure 7 – Draft Cornell Centre Secondary Plan Land Use Designations

Figure 8 – Location of non-Provincially Significant Wetland

Appendix A – Draft Zoning By-law Amendment

Appendix B – Draft Subdivision Conditions

Appendix C – Provincial Policy Considerations Summary

Appendix D – 2014 Official Plan Land Use Summary

Appendix E – Cornell Secondary Plan Land Use Summary

Appendix F – Draft Cornell Centre Secondary Plan Land Use Summary

Appendix G – Proposed Sustainability, Accessibility and Affordability measures



**Appendix ‘C’ – Provincial Policy and Region of York Official Plan Considerations**  
**The development is consistent with the Provincial Policy Statement, 2014 (the “PPS”)**

The PPS provides direction on matters of Provincial interest including land use planning and development. The PPS provides the direction for the efficient use of land and development patterns, which support sustainability by promoting strong, livable, healthy and resilient communities, while protecting the environment and public health and encouraging safety and economic growth.

The subject lands are located within a defined settlement area and designated for development in both the York Region and City of Markham Official Plans. Consistent with the policies of the PPS, the development promotes density that efficiently uses land and resources and supports alternative transportation modes, incorporates a range and mix of housing styles, protects listed heritage dwellings and achieves efficiency by utilizing a master planned road and servicing network. Staff are satisfied that the Proposal is consistent with the PPS.

**The development conforms to the Provincial Growth Plan for the Greater Golden Horseshoe, 2017 (the “Growth Plan”)**

The Growth Plan provides a framework for implementing the Province’s vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protection and wise use of natural resources and optimizing the use of existing and new infrastructure to support growth in a compact, efficient form.

The subject lands are located within a Designated Greenfield Area (DGA) of the Growth Plan, 2017. DGA lands are planned for development and are required to accommodate forecasted growth to the horizon of the Growth Plan. Staff are of the opinion that the Proposal conforms to the Growth Plan, 2017, as it is located within a DGA, promotes a diverse mix of land uses, provides a range and mix of housing types, and supports the achievement of a compact community.

Staff are satisfied the proposed development conforms to the Growth Plan for the Greater Golden Horseshoe Area (2017)

**The development has regard to Section 51(24) of the *Planning Act***

The *Planning Act* sets out the criteria to which a draft plan of subdivision must have regard. Consideration has been given to all criteria, including the suitability of the land for the proposed use, dimensions and shape of the proposed lots, conservation of natural resources and flood control, adequacy of school sites, highways and the extent to which the plan’s design optimizes the available supply, means of supplying, efficient use and conservation of energy.

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**Appendix 'D'**

<b>2014 Official Plan</b>			
<b>Land Use</b>		<b>Location within Subject Lands</b>	<b>Proposed Land Uses &amp; Development within Designation</b>
<b>Designation</b>	<b>Provisions</b>		
Greenway	<ul style="list-style-type: none"> <li>- Countryside uses (outside of natural heritage and hydrologic features and their vegetation protection zones);</li> <li>- existing dwelling units;</li> <li>- ecological restoration activities, forest, wildlife habitat and fisheries management and conservation;</li> <li>- watershed management, conservation and flood erosion and control by a Public Authority;</li> <li>- trails and nature-based public recreational activities; and</li> <li>- transportation, servicing, utility or telecommunication infrastructure (subject to provincial or federal policies and legislation).</li> </ul>	Central Portion of the Site, from Highway 7 to southeast section of the site along Hwy 407	<ul style="list-style-type: none"> <li>- North/south trail along section of William Forster Rd</li> <li>- Woodlot and Buffers</li> <li>- Sections of Wetland Buffers</li> <li>- Park, Storm Water Management and Open Space blocks</li> <li>- Townhouse dwellings within the southeast section</li> </ul>
Residential Mid Rise	<ul style="list-style-type: none"> <li>- Townhouses, back-back townhouses, small multi-plex buildings, stacked townhouses, apartment buildings and buildings associated with day care centres, places of worship and public schools;</li> <li>- Building Heights of 3 to 15 storeys; and</li> <li>- Maximum Floor Space Index of 2.5</li> </ul>	West and Central portions of Site	<ul style="list-style-type: none"> <li>- Single detached dwellings west of the Woodlot</li> <li>- Townhouses</li> <li>- Stacked townhouses</li> <li>- School Block</li> <li>- Wetland and buffers</li> </ul>
Residential High Rise	<ul style="list-style-type: none"> <li>- Townhouses, stacked townhouses, apartment buildings and buildings associated with day care centres, places of worship and public schools;</li> <li>- Building Heights of 3 to 6 storeys; and</li> <li>- Maximum Floor Space Index of 2.0</li> </ul>	Central portion of site Abutting east side of woodlot	<ul style="list-style-type: none"> <li>- Seniors residential block</li> <li>- Townhouses</li> </ul>
Mixed Use High Rise	<ul style="list-style-type: none"> <li>- Apartment building, multi-storey non-residential or mixed use building; stacked townhouse and townhouses;</li> <li>- Building heights of 3 to 15 storeys;</li> <li>- Maximum Floor Space Index of 3.0</li> </ul>	Northwest portion of site abutting Highway 7.	<ul style="list-style-type: none"> <li>- High density Block, containing mixed uses (i.e. at grade commercial and service uses)*</li> </ul>
Business Park Office Priority Employment	<ul style="list-style-type: none"> <li>- Offices, commercial parking garages, ancillary other ancillary or discretionary uses</li> </ul>	Block abutting southwest corner of Highway 7 and Donald Cousens Parkway	<ul style="list-style-type: none"> <li>- Employment Block</li> </ul>
Business Park Employment	<ul style="list-style-type: none"> <li>- Offices, manufacturing/warehousing, hotels, trade and convention centre, commercial parking garages; accessory retail and other ancillary and discretionary uses;</li> <li>- Single or multi-unit buildings;</li> <li>- Heights to be determined in implementing zoning by-law.</li> </ul>	Blocks abutting west side of Donald Cousens Parkway	<ul style="list-style-type: none"> <li>- Employment Blocks</li> </ul>

**Appendix ‘E’**

<b>Cornell Secondary Plan - OPA 168, Including Site Specific Secondary Plan Amendment – OPA 224</b>			
<b>Land Use</b>		<b>Location within Subject Lands</b>	<b>Proposed Land Uses &amp; Development within Designation</b>
<b>Designation</b>	<b>Provisions</b>		
Environmental Protection Area	- Woodlot areas within Cornell Secondary Plan	Central portion of site	- Woodlot and buffers
Open Space	- Community Parks, - Neighbourhood Parks and Parkettes; and - Stormwater management facilities	South portion of site and section southeast of Woodlot	- North/south trail along section of William Forster Rd - Park, Storm Water Management and Open Space blocks - Townhouse dwellings within the southeast section
Residential Neighbourhood – Cornell Centre	<u>West side of Woodlot</u> - Detached, semi-detached, townhouse stacked townhouse & apartments - Minimum Floor Space Index of 0.65 - Heights of 2 to 3 storeys - School Site - Neighbourhood Park (shown symbolically) <u>East side of Woodlot</u> - Semi-detached, townhouse, stacked townhouse and apartment dwellings - Minimum Floor Space Index of 2.5 abutting Woodlot (lower density permitted based on findings of technical servicing studies required by City and other agencies. - Minimum Floor Space Index of 0.65 abutting employment blocks; - Heights of 2 to 4 storeys - Neighbourhood Park (shown symbolically) - Regional Transit Terminal (shown symbolically)	West and Central portions of Site and section southwest of Woodlot	- Single detached dwellings west of the Woodlot - Townhouses - Stacked townhouses - Seniors Housing - School Block - Wetland, associated buffers and park block
Avenue 7 Corridor – Mixed Residential	- Multiple Unit (stacked townhouses) and apartment buildings; - Commercial, service and restaurant uses on the 1 <sup>st</sup> and 2 <sup>nd</sup> floors of buildings; - Minimum Floor Space Index of 2.5 - Heights of 4 to 12 storeys (Minimum of 8 on Hwy 7)	Northwest portion of site abutting Highway 7.	- High density Block, containing mixed uses (i.e. at grade commercial and service uses)
Business Park Area – Avenue 7 Corridor	- Offices, banks and financial institutions, research and training facilities, data processing, commercial schools, institutional and government uses, day care centres, retail uses, personal service uses and restaurants - Minimum Floor Space Index of 2.5 - Building Heights of 5 to 10 storeys	Block abutting southwest corner of Highway 7 and Donald Cousens Parkway	- Employment Block
Business Park Area	- Offices, Industrial uses including accessory retail, hotels, retail and service uses within office buildings, research and training facilities, data processing, institutional uses, day care centres, banks and financial institutions, trade and convention centres, etc. - Minimum Floor Space Index of 1 - Maximum Building height – 10 storeys	Blocks abutting west side of Donald Cousens Parkway	- Employment Block

## Appendix 'F'

<b>September 2015 Draft Cornell Centre Secondary Plan Land Use Concept</b>			
<b>Land Use</b>		<b>Location within Subject Lands</b>	<b>Proposed Land Uses &amp; Development within Designation</b>
<b>Designation</b>	<b>Provisions</b>		
Environmental Protection Area - Greenway	- Woodlands and natural heritage features	Central portion of site	- Woodlot and buffers - Provincially Significant Wetland and buffers - Part of Park Block
Open Space	- Neighbourhood Parks and parkettes - Stormwater management facilities	- South portion of site - Linear section along northwest edge of site	- Provincially Significant Wetland and buffers - Park block - Stormwater management pond - Open Space Block
Residential Mid Rise I	- Detached and semi-detached dwellings, townhouses, small multi-plex buildings, stacked townhouses, apartment buildings and buildings associated with day care centres and public schools; - School block is identified on east portion of site. - Building Heights of 2 to 6 storeys (west side of site) and 3 to 6 storeys (east side of woodlot site); and - Minimum Floor Space Index of 0.65	- West portion of the site and section east of woodlot and west of the employment lands along Donald Cousens Parkway	- Single detached dwellings west of the Woodlot - Townhouses - Stacked townhouses - School Block
Residential High Rise	- Stacked townhouses, except along the highway 7 frontage, apartment buildings and buildings associated with day care centres and public schools. - Heights of 5 to 12 storeys on Highway 7 block. - Heights of 4 to 10 storeys elsewhere within designation - Minimum Floor Space Index of 2.5 - Lower density permitted based on findings of technical servicing studies required by City and other agencies.	- Northwest portion of site abutting Highway 7 - Portions of site south of the woodlot - Portion of the site east of the woodlot	- Single detached dwellings west of the Woodlot - Townhouses - Wetland and buffers
Business Park Area – Business Park Office Employment	- Offices, banks and financial institutions, research and training facilities, data processing, commercial schools, day care centres, personal services, retail uses and restaurants. - Building heights of 5 – 12 storeys - Minimum Floor Space Index of 2.5	Block abutting southwest corner of Highway 7 and Donald Cousens Parkway	- Employment Block
Business Park Area	- Offices, Industrial uses including accessory retail, hotels, retail and service uses within office buildings, research and training facilities, data processing, institutional uses, day care centres, banks and financial institutions, trade and convention centres, etc. - Minimum Floor Space Index of 1 (north portion) and 0.5 (south portion) - Building heights of 3 to 10 storeys (north portion) - Maximum height of 10 storeys (south portion)	Blocks abutting west side of Donald Cousens Parkway	- Employment Block