

# The Regional Municipality of York

Committee of the Whole  
Planning and Economic Development  
June 13, 2019

Report of the Commissioner of Corporate Services and Chief Planner

## **Berczy Glen Secondary Plan Amendment No. 24 to the City of Markham Official Plan**

### **1. Recommendations**

1. Regional Council approve Amendment No. 24 to the City of Markham Official Plan, 2014, subject to the modifications set out in Attachment 1.
2. The Director of Community Planning and Development Services be authorized to issue notice of Regional Council's decision.
3. Staff be authorized to appear before the Local Planning Appeal Tribunal in support of the Region's decision, if required, and the Regional Solicitor or designate, be authorized to execute Minutes of Settlement, if appropriate.

### **2. Summary**

Under the *Planning Act*, upper-tier municipalities are required to approve local municipal official plans. Staff recommends approval of Amendment No. 24 to the City of Markham Official Plan, 2014, subject to the modifications outlined in Attachment 1. Amendment No. 24 is known as the Berczy Glen Secondary Plan and pertains to the lands bound by Elgin Mills Road to the north, Warden Avenue to the east, a Hydro Corridor to the west, and a residential neighbourhood located north of Major Mackenzie Drive to the south, as shown on Attachment 2. The purpose of the Berczy Glen Secondary Plan is to set the planning policy context to create a new community in the City of Markham.

#### Key Points:

- The Berczy Glen community is one of four development blocks in Markham's New Community Area intended to accommodate part of Markham's growth to 2031
- The Secondary Plan provides for approximately 13,200 people and 4,200 residential units, as well as commercial opportunities in mixed-use buildings in specific locations
- The Secondary Plan envisions a complete community that is sustainable and liveable, and built with high quality urban design
- New Regional infrastructure for arterial road improvements will be required for this community to be fully built out

### 3. Background

#### **The Secondary Plan area was added to York Region’s Urban Area by Regional Official Plan Amendment No. 3**

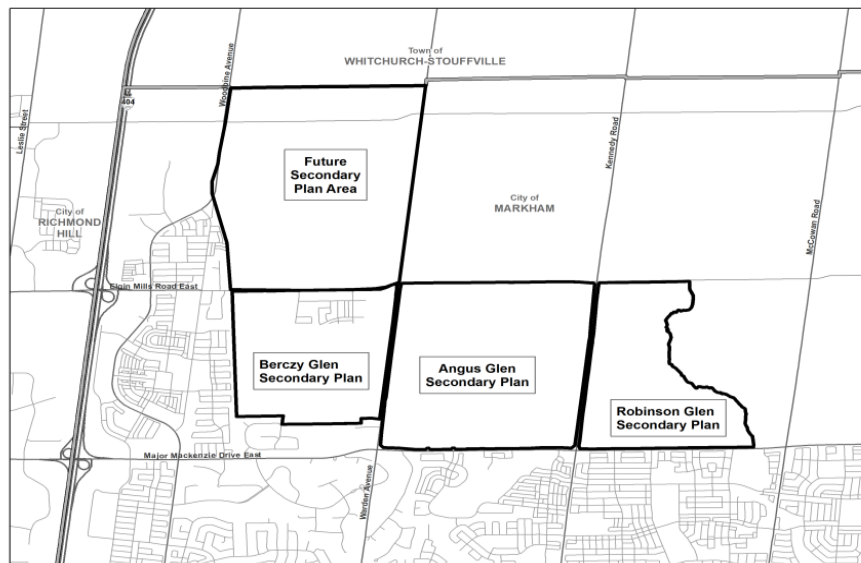
The Berczy Glen Secondary Plan area is part of a larger New Community Area illustrated on Attachment 2. It was approved for new urban growth during York Region’s growth management exercise in 2010. York Region Official Plan Amendment 3 (ROPA 3) added the lands to the ‘Urban Area’ in the York Region Official Plan, 2010 (ROP) as part of the Designated Greenfield Area and a New Community Area.

#### **The York Region Official Plan requires secondary plans for New Community Areas**

Policies of the ROP require the preparation of a secondary plan for New Community Areas. The secondary plan must comprehensively plan each community, in a coordinated manner, to achieve a compact mix of uses and a range of housing types, high quality urban design, well designed built form, and pedestrian-oriented walkability that incorporates a variety of community and human service needs.

#### **The Berczy Glen Secondary Plan area is one of four secondary plan areas in the Future Urban Area of Markham**

The Berczy Glen block consists of approximately 250 hectares (617 acres) and is the most western block of two other residential blocks, being the Angus Glen Secondary Plan area and the Robinson Glen Secondary Plan area. A future employment block north of Elgin Mills Road is also part of the New Community Area (see key map below). The entire New Community Area (ROPA 3 lands), which was formerly known as the Future Urban Area, is being planned to accommodate 45,000 residents and 16,000-18,000 jobs.



The Berczy Glen lands are intended to accommodate part of Markham's growth to 2031 and will provide for approximately 13,200 people and 4,200 residential units, as well as commercial opportunities in mixed-use buildings in specific locations.

## **The Berczy Glen Secondary Plan is a key milestone in the comprehensive planning for Markham's Future Urban Area**

The Berczy Glen Secondary Plan follows the completion of a Conceptual Master Plan, illustrated in Attachment 2, in the comprehensive planning process for the Future Urban Area, of the ROPA 3 area. The Conceptual Master Plan was developed through an extensive collaborative process with City staff working closely with agency and landowner partners, with public engagement throughout. The Conceptual Master Plan was informed by the findings of a number of City-led background studies, including a subwatershed study, master transportation, water and wastewater studies, and planning and urban design studies. The City of Markham Council endorsed the Conceptual Master Plan on October 17, 2017. The Conceptual Master Plan provides the framework for the more detailed statutory secondary plans for each of the blocks in the Future Urban Area based on the following principles:

- Protecting and enhancing the natural environment
- Building compact, complete communities
- Maintaining a vibrant and competitive economy
- Increasing travel options
- Adopting green infrastructure and development standards
- Providing implementation tools

## **City of Markham Council adopted the Berczy Glen Secondary Plan in November 2018 and a Regional decision is required by July 10, 2019**

The City of Markham Council adopted the Berczy Glen Secondary Plan on November 27, 2018. The Secondary Plan is a policy document that guides development of the New Community Area in conformity with the City of Markham Official Plan, the York Region Official Plan, and relevant Provincial plans and policies. The Berczy Glen Secondary Plan policies define the community structure, mobility network and natural heritage network with supporting schedules.

Under the *Planning Act*, York Region as the approval authority, has 210 days to make a decision on a Secondary Plan after the date it was received, failing which it can be appealed to the Local Planning Appeal Tribunal (LPAT) for non-decision. The 210 day deadline for this Secondary Plan is July 10, 2019.

Since adoption of the Berczy Glen Secondary Plan, Markham staff has been working with Regional staff, landowners and consultants to refine a number of policies. These modifications were received in May, 2019, and are included in Attachment 1. The modifications are being considered in the approval of this Secondary Plan.

## **Consultation was extensive throughout the preparation of the Secondary Plan**

City of Markham staff undertook an extensive public and agency consultation process, holding regular meetings at key points of the Secondary Plan Study with the Berczy Glen participating Landowners Group and the multi-agency Technical Advisory Committee (TAC). In addition to the formal TAC meetings, meetings were held throughout the process with individual agencies, including the School Boards, Ministry of Natural Resources and Forestry, Toronto and Region Conservation Authority, and York Region. Public meetings were also held.

Markham staff provided a Preliminary Report on the Secondary Plan for City Council in December 2017, followed by a Statutory Public meeting in January 2018. A Final Report recommending adoption of the Secondary Plan was presented to City Council in November 2018. The Conceptual Master Plan process included its own consultation process in the form of public open houses, and Markham Development Services Committee and Council meetings.

Regional staff from various departments attended TAC meetings, participated in the review of all background studies and provided comments through both the Conceptual Master Plan and Secondary Plan process, including the associated Master Environmental Servicing Plan (MESP).

## **Background studies were conducted in support of the Secondary Plan**

The Secondary Plan is based on detailed background studies, as required by the York Region and Markham Official Plans, including:

- Community Design Plan
- Community Energy Plan
- Transportation Study
- Development Phasing
- Municipal Class Environmental Assessment
- Fiscal Impact Analysis
- Subwatershed Study
- Master Environmental Servicing Plan
- Archaeological Assessment Stage 1 and 2
- Housing Impact Statement

The supporting MESP includes analyses on transportation, water supply and distribution, wastewater, archaeology, stormwater and natural heritage.

## 4. Analysis

### **The Secondary Plan envisions a complete community that is sustainable, liveable, and built with high quality urban design**

The Secondary Plan provides detailed policies with respect to land use, including height and density provisions, urban design, protection of cultural heritage and archaeological resources, transportation, community facilities, natural heritage and open space. The intent of the policies is to facilitate development of a new community that will be sustainable and liveable, integrated with parks and open space, and built with high quality urban design. It will be anchored by neighbourhood nodes that feature schools, community facilities, and retail services. The policies are designed to enable creation of a complete community compatible with surrounding land uses. Attachment 3 identifies the land use plan.

Regional staff have assessed conformity of the Secondary Plan with the Regional Official Plan and Provincial plans and policies including the Provincial Policy Statement, 2014 Greenbelt Plan 2017, and Growth Plan 2019. A detailed policy analysis for Provincial plans and policies is provided in Attachment 4.

### **The Berczy Glen Secondary Plan is consistent with the Provincial Policy Statement, 2014**

The Provincial Policy Statement, 2014 (PPS) provides direction on matters of Provincial interest including land use planning and development. The PPS provides direction for the efficient use of land and development patterns, which support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment, public health and safety and economic growth.

The proposed area of development is located within a defined settlement area, in accordance with PPS policies. Consistent with policies of the PPS, the Secondary Plan accommodates an appropriate mix of residential, retail, service, community service, and parks and open space uses to meet the long-term needs of the community. The Secondary Plan provides an appropriate range and mix of housing types and densities, and neighbourhood retail and service opportunities while supporting the use of active and public transportation. Connectivity between existing development and other lands within the New Community Area is also provided, which allows for the efficient use of available and planned infrastructure and public service facilities within the designated 'Urban Area'.

### **The Berczy Glen Secondary Plan conforms with the Growth Plan, 2019**

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides a framework for implementing vibrant and complete communities, developing a strong competitive economy, protection and wise use of natural resources and optimizing use of existing and new infrastructure to support growth in a compact, efficient form.

An updated Growth Plan titled: “A Place to Grow: Growth Plan for the Greater Golden Horseshoe” came into effect on May 16, 2019, building upon and replacing the Growth Plan, 2006, as amended in 2017. While the Province is currently seeking feedback on proposed modifications to the transition regulation of the Places to Grow Act, 2005, the Secondary Plan conforms to the policies of the 2017 Growth Plan, which guide this new community, remain in place. The Regional Official Plan will be brought into conformity with the 2019 Growth Plan through the Municipal Comprehensive Review process; however, until that time the current ROP continues to apply and provides the primary guidance for this Secondary Plan.

The Secondary Plan is consistent with the guiding principles and applicable policies of the Growth Plan as it supports the achievement of complete communities, promotes a range and mix of housing options for various income levels and household sizes, and promotes efficient use of land and infrastructure and supports transit viability.

### **The Berczy Glen Secondary Plan conforms with the Greenbelt Plan, 2017**

The Greenbelt Plan, 2017 identifies where urbanization may not occur in order to provide permanent protection of the agricultural land base, ecological and hydrological features, areas and functions occurring on the landscape.

The Greenbelt lands within the Secondary Plan reflect the alignment of the Berczy Creek, which traverses the Secondary Plan area in a north-south direction. These Greenbelt lands connect to the larger Greenbelt Plan lands north of Markham’s municipal boundary. The 2014 Markham Official Plan identifies prime agricultural areas of the ‘Protected Countryside’ in the Secondary Plan with a ‘Greenway’ designation. This agricultural classification prevails on the Berczy Creek valley corridor, which is also identified as ‘Natural Heritage System’ in the Greenbelt Plan, 2017.

Although refinements to the ‘Greenway’ system resulting from extensive fieldwork are proposed through the Secondary Plan, these refinements do not alter Greenbelt Plan boundaries, and ensure protection of natural heritage features.

### **The Berczy Glen Secondary Plan conforms with the York Region Official Plan**

The following sections outline conformity with the York Region Official Plan. A detailed policy analysis of the ROP is provided in Attachment 5.

#### Regional Structure

‘Map 1 – Regional Structure’ in the ROP identifies the subject lands as “Urban Area” and “Greenbelt Protected Countryside”. Based on ‘Map 2 -Regional Greenlands System’, these lands identified within the Secondary Plan also overlap with the “Greenbelt Protected Countryside” designation. On ‘Map 12 - Street Network’, the planned width of Warden Avenue is up to 43 metres. Elgin Mills Road is under the jurisdiction of the City of Markham.

This Secondary Plan area is considered a New Community Area by the ROP. As such, the proposed Secondary Plan must conform to the New Community Area policies of ROP Section 5.6 and York Region's New Community Guidelines.

### New Community Areas

York Region's New Community Areas are to be planned as compact, vibrant, inclusive and diverse communities connected to a network of parks and open spaces. They will offer a variety of housing, employment and mobility choices with high-quality urban design. ROP Section 5.6 has specific policy requirements to facilitate this vision. The proposed Secondary Plan provides more specific policies to address Section 5.6. Consistent with Section 5.6.1, the proposed Secondary Plan area is being comprehensively planned as a complete community.

### Density

Policy 5.6.3 of the ROP requires New Community Areas to be designed to meet or exceed a minimum density of 20 residential units per hectare and 70 residents and jobs per hectare in the developable area. The Berczy Glen community is planned to meet or exceed a minimum density of 20 residential units per developable hectare. Within each residential land use designation, a density range is specified to ensure appropriate densities are met throughout the Secondary Plan area to support an overall density of 70 residents and jobs per hectare across the entire New Community Area.

The Secondary Plan contains a 'Neighbourhood Service Node' designation. This area provides higher density housing and neighbourhood-scale retail uses and services, helping to ensure all residents are within walking distance of essential neighbourhood services.

### Housing

In conformity with the ROP, the proposed Secondary Plan includes policies and land use designations to enable a diverse mix of dwelling units and types to increase housing choice (including secondary suites and affordable housing). Housing types include single detached, semi-detached, and townhouses, and apartment buildings up to eight storeys.

Policy 5.1.7 in the Secondary Plan contains provisions for affordable and shared housing and requires 25 percent of the new housing units to be affordable to low and moderate income households.

### Community Design

ROP New Community Area policies and guidelines focus on high quality urban design, attractive buildings, landscaping and public streetscapes. The Secondary Plan requires the development of comprehensive urban design guidelines for the Future Urban Area Planning District, in accordance with applicable provisions of the Markham Official Plan. The urban design guidelines are intended to build on the

direction of the Council endorsed Conceptual Master Plan and provide additional guidance to review future development applications.

The Berczy Glen Secondary Plan establishes a mix of land uses, with context sensitive heights and densities. The Secondary Plan is designed to support the creation of a sustainable complete community while being compatible with surrounding existing neighbourhoods, and ensure appropriate protection of cultural and natural heritage resources.

The Secondary Plan promotes healthy and active communities through the delivery of a transportation system that provides a range of travel choices, including walking and cycling, as well as a range of public facilities, open spaces, and trails.

### Sustainability / Community Energy

Section 5.2 (Sustainable Cities, Sustainable Communities) of the ROP states that: “These complete communities will be designed to be sustainable by incorporating green building technologies, and renewable and alternative energy options, and over time will evolve into zero carbon and zero waste communities. Standards will help to create well-designed communities that have integrated greenspace, pedestrian and transit networks, and that offer a variety of housing, transportation, human services, and employment options.”

The Berczy Glen Community Design Plan was prepared to address the urban design and sustainable development policies of the ROP and 2014 Markham Official Plan. Policies within the Secondary Plan demonstrate a commitment to achieving sustainable development by providing direction on conserving environmental resources, energy efficiency and the reduction of greenhouse gas emissions (Section 6.0 of the Secondary Plan). The Community Design Plan details safe and extensive pedestrian and cycling network connections with existing routes and open spaces, including trails within the Greenway System.

A Community Energy Plan was developed for the Future Urban Area District, in accordance with Section 5.6.10 of the ROP to reduce community energy demands, optimize passive solar gains through design, maximize active transportation and transit, and make use of renewable, on-site generation and district energy options including but not limited to solar, wind, water, biomass and geothermal energy. The Community Energy Plan prepared in support of this Secondary Plan will be updated based on further energy modelling and pilot programs.

### Transportation Connectivity

Policy 7.2.61 in the ROP requires local municipalities to plan and implement continuous collector streets in both east-west and north-south directions in each concession block in all new urban developments, including New Community Areas.

The Conceptual Master Plan shows the proposed collector road network identified in the Future Urban Area, which provides access to the arterial road system, and also provides for internal flow and active transportation opportunities. Based on population



and employment to be accommodated in the Future Urban Area, the need has been identified for north-south and east-west collectors within each concession block. The alignment of the collector roads shown conceptually in the Community Structure Plan has regard for connections with existing roads and signalized intersections, and avoids to the extent possible sensitive natural heritage areas and cultural heritage resources. Further refinements of the alignments are expected as a result of further analysis undertaken as part of the MESP and environmental assessment processes, which will minimize impacts to the natural environment to the extent possible.

The Secondary Plan transportation schedule is consistent with the Community Structure Plan that was established through the Conceptual Master Plan process and its guiding principles.

York Region is in receipt of a letter, dated May 16, 2019 (Attachment 6) from a landowner within the Angus Glen Secondary Plan area (refer back to key map) objecting to a potential east-west connection of a collector road in the Angus Glen Secondary Plan area running through their property (see Attachment 2). The alignment of the east-west collector road connection between the Berczy, Angus and Robinson blocks will be established through the Municipal Class Environmental Assessment process that is currently underway. As part of the environmental assessment process, consideration will be given to minimizing and mitigating potential environmental impacts with all potential collector road alignments that connect the entire Future Urban Area. The policies in both the Berczy Glen and Robinson Glen secondary plans allow for revision of the road network without amendment provided the intent of the policies are maintained.

Based on this overview and the detailed policy analysis in Attachments 4 and 5, the Secondary Plan is in conformity with the Regional Official Plan and Provincial plans and policies including the PPS, 2014, Greenbelt Plan 2017, and Growth Plan, 2019.

### **Build-out of the ROPA 3 Area requires implementation of Regional road improvements**

From a transportation perspective, three Regional roads will need to be improved and urbanized for full build out of the ROPA 3 area. These roads include Warden Avenue, Kennedy Road and Major Mackenzie Drive. Elgin Mills Road also needs to be urbanized; however, this road is currently under the City of Markham's jurisdiction. The City has requested that York Region assume responsibility for Elgin Mills Road. Build out of the Berczy Glen Secondary Plan specifically requires improvements to Warden Avenue. The Secondary Plan also relies on improvements to the current City-owned Elgin Mills Road.

The phasing of development will need to be coordinated with the provision of these Regional road improvements in conjunction with fiscal capacity. A Phasing Plan, as part of the MESP, will identify developable areas to ensure the pace of development is coordinated with required Regional and local infrastructure.

## **There are a number of minor and technical modifications recommended to the adopted Secondary Plan**

Regional staff has identified some minor modifications to the Secondary Plan, primarily related to transportation planning. Proposed policy additions include restricting vehicle access to Regional roads to maximize efficiency of the local street network and to provide for connections to neighbouring areas through continuous collector roads in all directions.

Markham Planning staff has requested a number of minor technical modifications to improve clarity of some policies. Specifically, there is a correction to the alignment of Street 'D' on the land use map and other related schedules. These modifications, as set out in Attachment 1, do not alter the intent of the policies.

One City-initiated modification to the adopted Secondary Plan involves a revised policy to permit back-to-back townhouses, subject to criteria, in a 'Residential Low Rise' designation. This proposed modification was endorsed by Markham Council on May 14, 2019. The Landowners Group and Markham staff has no objections to the proposed modifications.

## **5. Financial**

The approval of this Secondary Plan will enable future development applications that will generate Regional and local assessments to help pay for needed services and infrastructure improvements. Growth in this area has been anticipated through the York Region Official Plan and Regional Transportation Master Plan. Development charge revenues collected from new developments will support required growth related infrastructure.

In the event that Regional Council's decision is appealed to the Local Planning Appeal Tribunal, there would be costs associated with defending the Region's position including staff resources and other costs of participation in appeal proceedings.

## **6. Local Impact**

City of Markham Council adopted the Berczy Glen Secondary Plan on November 27, 2018 with proposed modifications endorsed on May 14, 2019. Regional Council approval of this Secondary Plan will enable the creation of this New Community Area envisioned to be sustainable, healthy, and complete and built with a high quality of urban design. This provides the policy framework for the completion of the MESP and subsequent development applications, such as draft plans of subdivision and site plans.

Most of the proposed modifications, outlined in Attachment 1, originate from Markham Planning staff. Proposed modifications are considered minor in nature.

## 7. Conclusion

Four development blocks were brought into the 'Urban Area' in both the York Region and City of Markham Official Plans, which include the Berczy Glen Secondary Plan area. The Regional Official Plan requires a secondary plan for New Community Areas to ensure each area is planned in a comprehensive and coordinated manner.

The City of Markham Council endorsed Conceptual Master Plan was informed by the findings of a number of City-led concurrent background studies, including the subwatershed study, master transportation, water and wastewater studies, and planning and urban design studies. The Conceptual Master Plan provides the framework, including the general location of roads and broad land use designations to help guide the more detailed statutory secondary plans for each of the blocks in this New Community Area. The Berczy Glen Secondary Plan builds on the Conceptual Master Plan for the New Community Area. Technical studies were conducted in support of the Secondary Plan, and extensive public and stakeholder consultation occurred throughout the process. The Secondary Plan provides policies with respect to land use, including height and density provisions, urban design, protection of cultural heritage and archaeological resources, transportation, community facilities, natural heritage and open space.

Approval of the Berczy Glen Secondary Plan, as modified, is consistent with the Provincial Policy Statement 2014, and conforms to the Growth Plan 2019, the Greenbelt Plan 2017, and the York Region Official Plan.

Regional staff recommends that the Berczy Glen Secondary Plan be approved, subject to the proposed modifications set out in Attachment 1.

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For more information on this report, please contact Jason Ezer, Senior Planner at 1-877-464-9675 ext. 71533. Accessible formats or communication supports are available upon request.

Recommended by: **Paul Freeman**  
Chief Planner

**Dino Basso**  
Commissioner of Corporate Services

Approved for Submission: **Bruce Macgregor**  
Chief Administrative Officer

May 31, 2019  
Attachments (6)  
9430601