



February 19, 2010

To: Clerks Department
Town of Markham
101 Town Centre Boulevard
Markham, On
L3R 9W3

Attn. Ms. Judy Carroll

By: PMG Planning Consultants
Contact: Peter Swinton

**Re: TIMES GROUP INC. APPLICATIONS
Zoning Amendment ZA 07 133350
Draft Plan of Subdivision SU 07 133350
Preliminary Recommendation Report, February 16, 2010**

We represent Aryeh Construction Ltd, and are applicants for the adjacent lands located at 8293 and 8303 Warden Avenue. Together these lands form the Centre North Precinct of the Markham Centre Planning Area. We are very concerned about the reference in the staff report on page 12 about our client's lack of participation in the precinct plan. This is not factually correct.

I can confirm that we were in regular communication with Times consultants during the development of the Precinct Plan submitted in June 2009. We provided comments through several iterations of the plan, which were incorporated. We signed off on the final version submitted to the Town.

The Town appears to have had ongoing consultation regarding the Precinct Plan with Times, to which Aryeh was not invited. We have gone to significant effort to be included in this process (see attached e-mail), but have had limited contact, and little meaningful dialog with staff.

Aryeh was first made aware of certain changes requested by the Town through draft revisions prepared by Times in late November 2009. Since this time, we have tried to follow up to bring these issues to light.

It was only at a meeting on December 16, 2009 in which the Town provided us with specific requests for changes. We have had one follow-up transportation meeting on January 8, 2010, and one architectural meeting on February 1, 2010.

Aryeh was not given the opportunity to be a part of the process leading to the submission of the revised Precinct Plan dated January 12, 2010. We are not aware of, and the staff report does not show, if further

changes have been made to the broader Precinct Plan document which may impact Aryeh. The staff report recognizes that issues for the Aryeh portion of the Precinct Plan have not been brought to a mutually acceptable resolution, and as such, we believe that it is inappropriate for the Town to endorse a partial Precinct Plan. We request that recommendations 3 and 4 be replaced with the following recommendation:

pmg

"That staff be directed to work with both Times and Aryeh Construction Ltd to report on a complete Precinct Plan for the April 20, 2010 Development Services Committee meeting."

Yours truly,

PMG Planning Consultants



Peter Swinton,
B.Arch., MCIP, RPP
Manager of Urban Design

c.c. Scott Heaslip

Peter Swinton

From: "Peter Swinton" <pswinton@pmgplanning.ca>
To: "Heaslip, Scott" <sheaslip@markham.ca>
Cc: "Richard Kendall" <rkendall@markham.ca>
Sent: Wednesday, September 02, 2009 9:55 AM
Subject: Warden & Clegg Rd - Rescheduled Meeting

Scott

As you are aware, we had a meeting scheduled for August 21, 2009 so that you and Ronji Borooh could provide feedback on the design development of our Warden & Clegg Road proposal in advance of our resubmission. This resubmission will bring our planning applications in line with the Precinct Plan prepared by Times in coordination with ourselves, and submitted in the beginning of June 2009. You cancelled this meeting, and on August 24th & 25th, we provided you with PDFs of the design development drawings so that you and Ronji could review them prior to our rescheduled meeting.

To date you have not responded to my e-mails or voicemail requests to set up the rescheduled meeting.

Our Re-Zoning and subdivision applications were filed in June, 2007. Our OPA application was filed in February 2008. On June 9, 2008 you sent us a letter advising that all our applications were deemed to be complete, but since our initial submission, we have only received comments back from York Region (August 15, 2007) and TRCA (August 13, 2007).

To date, no comments have been received from the Town. Following the Town's January 2009 public presentation of their Height and Density Study, we revised our built form to be in keeping with this new direction. We agreed to meet on February 26, 2009 with yourself, Ronji Borooh and Richard Kendall to get feedback on these built form changes prior to inclusion in the Precinct Plan. Drawings were provided 2 weeks in advance. At that meeting, Ronji advised us to "do nothing", and no comments on the built form were provided.

I will be out of the office on Friday. Please get back to me by tomorrow with your availability for the weeks of September 8th & 14th. If Town staff intend to continue with the position that the Town will not provide comments or feedback on our applications, please let me know and we will not have the meeting and proceed accordingly.

Regards,

Peter Swinton
Manager of Urban Design
PMG Planning Consultants

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